

REGULAR MEETING AGENDA

1. Call to Order

2. Approval of Agenda

3. Public Comment

The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

4. Reconsiderations

5. Adoption of Consent Agenda

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda.

A. Approval of minutes of June 21, 2017 **p. 3**

B. Decision and Findings for CUP 17-03, the installation of a driveway involving more than 6,000 square feet of grading within the Bridge Creek Watershed Protection District at 61447 Florence Martin Ct. **p. 7**

C. Kenai Peninsula Borough time extension request for James Waddell Homestead Petska 2014 Addition **p. 13**

6. Presentations

7. Reports

A. Staff Report PL 17-60, City Planner's Report **p. 17**

8. Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

A. Staff Report PL 17-61, Conditional Use Permit 17-04 for Four Dwellings on a Lot at 3101 Kachemak Drive **p. 23**

9. Plat Consideration

A. Staff Report PL 17-62, Mariner Village 2017 Preliminary Plat **p. 167**

10. Pending Business

A. Staff Report 17-63, Comprehensive Plan Update – Public Review Draft of Chapters 4 and 8 **p. 179**

11. New Business

A. Staff Report 17-64, Comprehensive Plan Update, Chapter 3 – Community Values **p. 213**

B. Staff Report 17-65, Proposed draft ordinance to allow one Recreational Vehicle (RV) as an accessory use in the Marine Commercial Zoning District **p. 215**

12. Informational Materials

A. City Manager's Report for the City Council Meeting of June 21 **p. 227**

B. KPB Notice of Decisions

- Hodnik Subdivision Preliminary Plat Time Extension Request **p. 241**

- Bay View Subdivision Northwind 2017 Replat Preliminary Plat **p. 243**

HOMER ADVISORY PLANNING COMMISSION AGENDA

July 19, 2017

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- Chamberlain and Watson Subdivision 2017 Preliminary Plat **p. 251**
- Glory View Subdivision Church of the Nazarene Addition Preliminary Plat **p. 261**
- Bouman's Bluff 2017 Addition Preliminary Plat **p. 269**
- Homer Spit Amended Boathouse Replat Preliminary Plat **p. 277**
- Vacation of 20-Foot Wide Alley Easement Along Lots 115 & 116 of Bay View Subdivision **p. 283**
- Vacation of 33-Foot Wide Public Roadway Easement along Lot 12-A-1 of Degarmo Subdivision No. 2 **p. 289**

13. Comments of the Audience

Members of the audience may address the Commission on any subject. (3 min limit)

14. Comments of Staff

15. Comments of the Commission

16. Adjournment

The next regular meeting is scheduled for Aug. 2, 2017. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Session 17-08, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Don Stead at 6:32 p.m. on June 21, 2017 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS HIGHLAND, BRADLEY, STEAD, BOS, ABRAHAMSON AND VENUTI

ABSENT: NONE

STAFF: CITY PLANNER ABBOUD
PLANNING TECHNICIAN BROWN

The Advisory Planning Commission did not meet for a work session this evening.

APPROVAL OF AGENDA

Chair Stead called for a motion to approve the agenda.

HIGHLAND/BRADLEY - SO MOVED.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

A. Approval of the minutes of June 7, 2017 meeting

Chair Stead requested a motion to approve the consent agenda.

BRADLEY/HIGHLAND - SO MOVED.

There was no discussion.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion passed.

PRESENTATIONS

REPORTS

A. Staff Report PL 17-57 City Planner's Report

City Planner Abboud reviewed the staff report. The Commission discussed the HART funds ordinance 17-05(A-2). Vice Chair Bos discussed his 2017 meeting absences.

PUBLIC HEARINGS

- A. Staff Report PL 17-58, CUP 17-03 for the installation of a driveway involving more than 6,000 square feet of grading within the Bridge Creek Watershed Protection District at 61447 Florence Martin Ct.

City Planner Abboud reviewed the staff report.

Kenton Bloom, city resident, professional surveyor, and representative of the applicant, stated the proposed driveway is located over an old homestead road which was originally built following the lay-of-the-land best suited for travel. He stated the CUP is to improve the road to provide access to a cabin on the eastern lot and is part of a court mandated dispute resolution.

Chair Stead opened the public hearing. There were no comments and the public hearing was closed.

Chair stead asked the applicant what the purpose of the water bars on the road would be, referring to condition 2 of the staff report. The applicant responded by referring to installation of straw wattles. City Planner Abboud offered clarification that, although he is not familiar with best management practices for types and installation methods of water bars, they are essentially a feature on the road which diverts water sheet flow to prevent erosion.

Commissioner Abrahamson asked the City Planner what the method is for the City to make sure the road is built according to plan. City Planner Abboud responded by saying there is no specific permitting process for this, but that he would have the City Engineer look at the site with him during construction.

Commissioner Bradley commented that she appreciates the thoroughness of the application.

VENUTI/BOS MOVED TO APPROVE STAFF REPORT 17-58, CUP 17-03 TO INSTALL A DRIVEWAY AT 61447 FLORENCE MARTIN COURT WITH STAFF FINDINGS 1-10 AND CONDITIONS 1 AND 2.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion passed.

PLAT CONSIDERATION

PENDING BUSINESS

- A. Staff Report PL 17-59, Comprehensive Plan Update, Chapter 4, Land Use.

City Planner Abboud reviewed the staff report.

Abrahamson commented that she would like to have added to Goal 2, Objective D, the identification of specific private property owners who own large amounts of land near city borders as well as specific federal and state agencies that own lands near the borders.

Abrahamson suggested updating the photo found on page 4 -11.

City Planner Abboud discussed the changes to the Land Use Implementation Table as stated in the staff report.

Highland and Abrahamson stated they want to reference environmental plans in the implementation table such as future flood maps, recent coastal erosion mapping, and the Woodard creek plan. They would like the comp plan to recognize other community plans as resources.

City Planner Abboud stated his next step for the comprehensive plan update is to add suggestions from today and clean up the formatting of the changes to the plan so that it will be ready to be brought to the public.

Commissioner Abrahamson stated she wishes to have added to the appendices section, the erosion control study and something relevant from the Woodard creek plan.

NEW BUSINESS

A. Memorandum – City of Homer 2018-2023 Capital Improvement Plan (CIP)

City Planner Abboud reviewed the memorandum. Commissioner Venuti sparked discussion about the ice plant project.

Venuti/Bos Moved to recommend to City Council the Large Vessel haul out repair facility/barge mooring facility and the ice plant upgrade as the two projects to be legislative priorities.

Commissioner Abrahamson asked what is the proposed City contribution for these two projects? The commission was unable to come up with an answer.

Vice Chair Bos asked what is the payback for the haul out facility and the ice plant? Where does the money that is being made go? Without this type of information, it is difficult for the planning commission to make a good decision. The Commission was unable to come up with this information. City Planner Abboud stated that the Port and Harbor director would be the one to have this type of information.

Commissioner Abrahamson commented that the Storm Water Plan would contribute to our community by improving the infrastructure to prevent additional long-term costs to the City. Although there would be no revenue gain from this project, it would still greatly contribute to the community.

Commissioner Bradley stated that the Storm Water Master Plan has been the Commission's recommendation for at least 3 years and it is still a priority.

ROLE CALL VOTE: 5 YES, 1 NO, WITH COMMISSIONER BRADLEY VOTING NO.

Motion passed.

INFORMATIONAL MATERIALS

- A. City Manager's Report, June 12, 2017 City Council Meeting
- B. KPB Notice of Decisions:
 - Eagle View Subdivision 2017 Replat Preliminary Plat
 - Lloyd Race 2017 Revised Preliminary Plat
 - Homer Enterprises, Inc. Subdivision Resetarits Replat Time Extension Request
 - Barnett's South Slope Subdivision Fell Addition Preliminary Plat

COMMENTS OF THE AUDIENCE

COMMENTS OF STAFF

City Planner Abboud had no comments.

Planning Technician Brown had no comments.

COMMENTS OF THE COMMISSION

Commissioner Highland asked when the Commission meets next. City Planner Abboud answered, July 19.

Commissioner Bradley thanked the commission for an interesting 3 years on the commission. She wishes to withhold her reappointment to the Planning Commission (current term expires July 1, 2017).

Commissioner Abrahamson thanked Savanna for her service. She wanted to remind the commissioners to continue searching for someone to fill the empty Planning Commission seat. She stated that she has applied to the KPB planning commission. She expressed that she wished there was a work session on the CIP to discuss the project in further detail.

Vice Chair Bos thanked Savanna for her service on the Commission. He said happy 4th of July, see you all next meeting.

Commissioner Venuti thanked Savanna and told her that he was proud of her and that she did a great job. He clarified vacancies in bylaws by saying missing 3 consecutive meetings or 6 total meetings means a vacancy will happen for commissioner Bos. We could either amend the bylaws or dismiss commissioner Bos and have him reapply.

Chair Stead commented that he will miss Savanna and thanked her. He thinks they will find a way for commissioner Bos to stay on the commission if he wishes. He commented that the Storm Water Master Plan dropped off because the number of recommendations went from 5 project in years past down to 2, likely because of the State's financial situation.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 8:10 p.m. The next regular meeting is scheduled for WEDNESDAY, JULY 19, 2017 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.

Travis Brown, Planning Technician

Approved: _____



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HOMER ADVISORY PLANNING COMMISSION

Approved CUP 2017-03 at the Meeting of June 21, 2017

RE: Conditional Use Permit (CUP) 2017-03
Address: 61447 Florence Martin Ct. & 40871 Twitter Creek Lane

Legal Description: Lot 3 Ageya Homestead W ½ SE ¼ Section 4, T. 6 S., R. 13 W., S.M. & unsubdivided parcel E ½ SE ¼ Excl. N 990 Ft. Per PW RES 94-25 REC @ 237/254 T. 6 S., R. 13 W., Section 4, S.M.

DECISION

Introduction

Patricia Dolese (the “Applicant”) applied to the Homer Advisory Planning Commission (the “Commission”) for a Conditional Use Permit (CUP) to build a driveway that provides legal, constructed access to a cabin owned by her neighbor, Lynella Grant. Homer City Code 21.40.080 requires a CUP for work within the Bridge Creek Watershed Protection District (BCWPD) that involves grading of 6,000 square feet or more of total area.

The twelve-foot wide, approximately 2,500 foot long driveway follows the route historically used to get to the cabin and would cross property owned by both parties. The construction of this driveway is part of a resolution to a dispute about access.

A public hearing was held for the application before the Commission on June 21, 2017 as required by Homer City Code 21.94. Notice of the public hearing was published in the local newspaper and sent to 13 property owners of 15 parcels as shown on the Kenai Peninsula Borough tax assessor rolls.

At the June 21, 2017 meeting of the Commission, there were six commissioners present. The Commission unanimously approved CUP 2017-03 with conditions 1 & 2.

Background Information

Homer City Code 21.40.080 requires a conditional use permit for work within the Bridge Creek Watershed for grading that involves 6,000 square feet of area or more. HCC 21.40.080 further stipulates that the CUP must require that the activity comply with the site specific Erosion and

Sediment Control plan prepared and signed by a certified hydrologist, professional engineer or soil scientist whose qualifications to prepare such a plan are reviewed and approved by the Public Works Director.

The applicant has submitted an Erosion and Sediment Control Plan by Jared Worthington, Soil Conservationist for the Homer Field Office of the Natural Resources Conservation Services (NRCS) of the United States Department of Agriculture. Carey Meyer, Public Works Director, has approved his qualifications.

Evidence Presented

City Planner, Rick Abboud, reviewed the staff report. Kenton Bloom, city resident and project surveyor, stated the proposed driveway is located over an old homestead road which was originally built following the lay of the land best suited for travel. He stated the CUP is to improve the road to provide access to a cabin on the eastern lot and is part of a court mandated dispute resolution.

Chair Stead opened the public hearing. There were no comments and the public hearing was closed.

Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determines Condition Use Permit 2017-03, to build a twelve foot-wide, 2,500 foot long driveway in the BCWPD, satisfies the review criteria set out in HCC 21.71.030 and is hereby approved with staff findings 1-10 and conditions 1 & 2.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030 and 21.71.040.

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

1. **Finding 1:** HCC 21.40.080(2) authorizes disturbance of existing ground cover in an area in excess of 6,000 square feet as a conditional use in the Bridge Creek Watershed Protection District.

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

21.40.010 Purpose.

The purpose of this chapter is to prevent the degradation of the water quality and protect the Bridge Creek Watershed to ensure its continuing suitability as a water supply source for the City's public water utility. These provisions benefit the public health, safety, and welfare of the residents

of the City of Homer and other customers of the City's water system by restricting land use activities that would impair the water quality, or increase the cost for treatment.

Finding 2: The use is consistent with the purpose of the zoning district as it complies with a conditionally permitted use per HCC 21.40.080)(a), disturbance of existing groundcover resulting from excavation, grading or filling of other similar activity and involving an area in excess of 6,000 square feet. The purpose of HCC 21.40 is to prevent degradation of the water quality and protect the Bridge Creek Watershed to ensure its continues suitability as a water supply source for the City's public water supply. The purpose further states the provisions benefit the public health, safety and welfare by restricting land use activities that would impair water quality, or increase the cost for treatment. The proposed project, if done in compliance with the submitted Erosion and Sediment Control Plan ,will allow for access to an existing cabin in such a way as to limit impact to the water quality of the City's public water source.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Analysis: The Bridge Creek Watershed Protection District does not generally permit land uses that are noxious and that would negatively affect adjoining property values. Permitted and conditionally permitted uses include residential uses, parks, bed and breakfast establishments, private storage yards, schools and religious cultural and fraternal organizations, cemeteries, timber and agricultural activities are all listed in the district.

Finding 3: A driveway reconstructed over an old trail route is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

d. The proposal is compatible with existing uses of surrounding land.

Analysis: Surrounding uses of land include low-density residences, and the Ageya Wilderness Center.

Finding 4: The proposed driveway is consistent with the uses of surrounding land.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 5: Public services and facilities do not serve either site. The purpose of the CUP is to address the Erosion and Sediment Control Plan, not any land uses or structures.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Analysis: The project location is outside Homer City Limits, within the Bridge Creek Watershed Protection District. The purpose of the district is silent on the desirable character of the area, seeking instead to prevent degradation of water quality and the Bridge Creek Watershed. The project will construct a private driveway to access an existing cabin. The project is in harmony with the rural, low traffic land uses in the area.

Finding 6: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character as described in the purpose statement of the district.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Finding 7: A driveway constructed in a manner that complies with the submitted sediment and erosion control plan will ensure that the project is not unduly detrimental to the surrounding area or the city as a whole.

h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Finding 8: The proposal complies with the regulations and conditions set in HCC 21.40.

i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Analysis: Goals of the Land Use Chapter of the Homer Comprehensive Plan include Goal 2 Objective D: Provide extra protection for areas with highest environmental value or development constraints.

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan. The required Erosion and Sediment Control Plan provides extra protection for development and aligns Goal 1 and Objectives A and B. No evidence has been found that the project is contrary to the applicable land use goals and objects of the Comprehensive Plan.

j. The proposal will comply with all applicable provisions of the Community Design Manual.

Analysis: No part of CDM applies.

Finding 10: The Community Design Manual does not apply to activities in the Bridge Creek Watershed Protection District.

HCC 21.71.040(b). b. In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces:** No specific conditions deemed necessary.
- 2. Fences and walls:** The developer plans to fence the dumpster on three sides.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.
- 11. A time period within which the proposed use shall be developed:** No specific conditions deemed necessary.
- 12. A limit on total duration of use:** No specific conditions deemed necessary.
- 13. More stringent dimensional requirements,** such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.
- 14. Other conditions necessary** to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

Condition 1. Install outlet erosion control and energy dissipation best management practices.

Condition 2. Use water bars if road grades exceed 10 percent.

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2017-03 is hereby approved, with Findings 1-10 and Conditions 1 and 2.

Date

Chair, Don Stead

Date

City Planner, Rick Abboud

NOTICE OF APPEAL RIGHTS

Pursuant to Homer City Code, Chapter 21.93.060, any person with standing that is affected by this decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date of distribution indicated below. Any decision not appealed within that time shall be final. A notice of appeal shall be in writing, shall contain all the information required by Homer City Code, Section 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-7645.

CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2017. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date

Travis Brown, Planning Technician

Patricia Doles
P.O. Box 25
Homer, AK 99603

Lynella Grant
100 Conway St.
Greenfield, MA 01301

Kenton Bloom, PLS
1044 East End Road, Ste A
Homer, AK 99603

Holly C. Wells
Birch, Horton, Bittner & Cherot
1127 West 7th Ave
Anchorage, AK 99501

Katie Koester, City Manager
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491 E Pioneer Avenue
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KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

6/29/2017

Rick Abboud, City Planner
City of Homer
491 East Pioneer Avenue
Homer, Alaska 99603

RE: James Waddell Homestead Petska 2014 Addition
Time Extension Request
KPB File 2006-122

The surveyor is requesting a 2-year time extension for James Waddell Homestead Petska 2014 Addition, located in the City of Homer.

The proposed subdivision received preliminary plat approval by KPB Planning Commission on June 12, 2006. Several time extensions have since extended preliminary approval to August 24, 2017.

The time extension will be scheduled for a Planning Commission meeting after Homer Advisory Planning Commission review. If the HAPC concurs with the time extension, staff will recommend extension of preliminary approval at the next Planning Commission meeting.

Thank You,

Jordan Reif
Platting Technician
jreif@kpb.us

Ownership Certificate

We hereby certify that we are the owners of the land property shown and described hereon and that we hereby submit the same to public use and grant all easements to the use shown.

We further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision or require approval of the beneficiary.

Patoka Community Property Trust
567 Hidden Way, Homer, AK 99603

By Bruce John Patoka and Marvel Jean Patoka, Trustees

History's Acknowledgment
Subscribed and sworn to me before me this _____ day of _____ 20____

for Bruce John Patoka and Marvel Jean Patoka

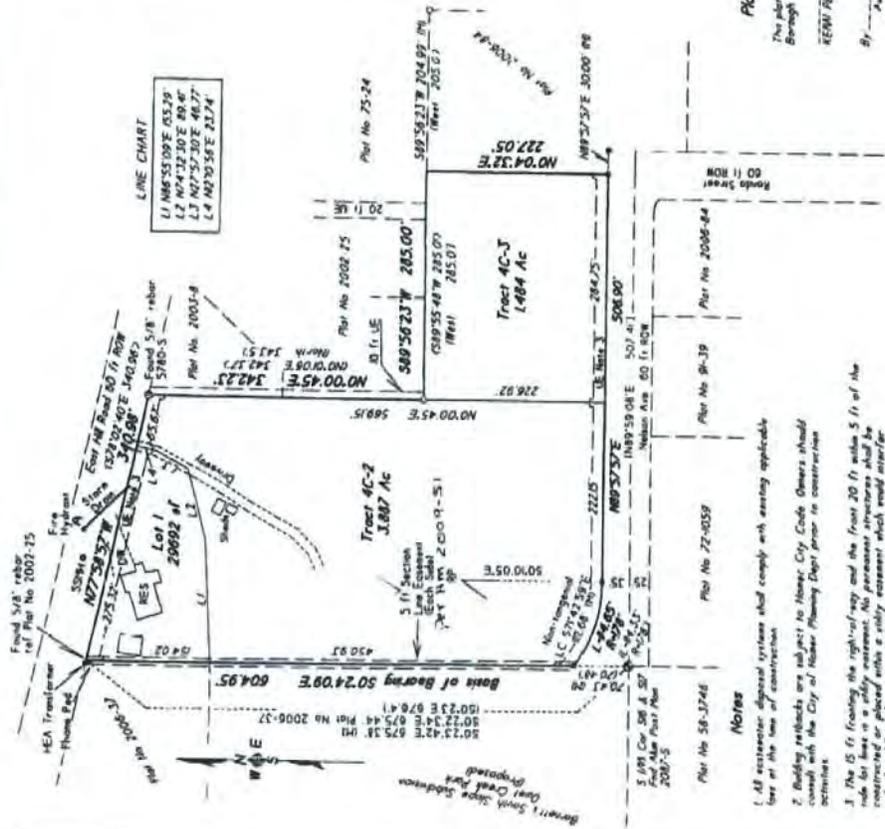
Notary Public For Alaska
By Commission Expires _____

Surveyor's Certificate

I hereby certify that I am a Registered Land Surveyor and that the plat hereon and the survey made by me or under my direct supervision and the measurements hereon were made in accordance with the laws of this State and other details are correct to the best of my knowledge.

By Roger W. Shuff, L.S. 5780 Date _____

Vicinity Map 1" = 1000 ft



Legend

- Found 3/4\"/>

Plat Approval

This plat was approved by the Fairbanks Planning Commission at the meeting of _____

By _____, Authorized Official

Waterway Disposal

Lot 1 and Tract 4C-2 Plans for waterway disposal that meet regulatory requirements are on file at the State of Alaska Department of Environmental Conservation.

Soil conditions, water table levels and soil slopes in the subdivision have been found suitable for conventional on-site septic systems serving single-family or duplex residences and meeting the regulatory requirements of the Alaska Department of Environmental Conservation. Any other type of wastewater treatment or disposal system must be approved by the Alaska Department of Environmental Conservation.

Engineer _____ License No. _____ Date _____

Notes

1. All waterway disposal systems shall comply with existing applicable laws at the time of construction.
2. Building setbacks are subject to Homer City Code. Owners should consult with the City of Homer Planning Dept prior to construction activities.
3. The E of L framing the right-of-way and the front 20 ft width 5 ft of the side lot shall be constructed with a sidewalk. The sidewalk shall be constructed or placed within a sidewalk easement which would interfere with the ability of a utility to use the easement.
4. See the PVC Cap 'shuff' 5780-5 on 3/4\"/>

4:11:14
ALB

**James Waddell Homestead
Patoka 2014 Addition**

Being a subdivision of Tract 4C-1 Nelson Avenue and Round Street Right-of-Way Dedication according to Plat No 2008-84

Located within the NW 1/4 and SW 1/4 Section 8 T65, R13W, 5th N, in the City of Homer

within the Fairbanks Peninsula Borough Homer Recording District Third National District, Alaska

Contains 6.033 Acres, more or less

Client Bruce & Marvel Patoka 567 Hidden Way Homer, AK 99603 Drawn: RFB	Surveyor Roger W. Shuff, R.L.S. PO Box 2588 Homer, AK 99601 Date: 3-10-08
Scale 1" = 100 ft. RFB Feb No. 2008-22	

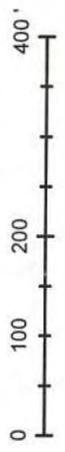
FINAL 3-25-14



PRELIMINARY PLAT



Aerial View



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.





City of Homer

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Planning

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TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: July 19, 2017
SUBJECT: City Planner's Report PL 17-60

The City Council Meeting of 6.26.17 had quite a bit of planning items below are the minutes from the items.

City Council - 6.26.17

Resolution 17-066, A Resolution of the City of Homer, Alaska, Recognizing the Natural Functions and Values of the Woodard Creek Watershed, Acknowledging the Woodard Creek Coalition's February 2017 Woodard Creek Watershed Plan, Referencing Appropriate Sections of the Plan in the City of Homer's Comprehensive Plan, Promoting the Plan on the City of Homer's Website, and Making the Plan Available for Reference in the Planning Department. Aderhold.

Approved on consent agenda

Ordinance 17-24, An Ordinance of the City Council of Homer, Alaska authorizing the City Manager to purchase Kenai Peninsula Borough Parcel No. 17305408, Lot 8, Block 1, Kelly Ranch Estates for \$21,000 and designating its use for the purpose of protecting the Bridge Creek Watershed. City Manager. Introduction June 12, 2017; Public Hearing and Second Reading June 26, 2017.

Mayor Zak opened the public hearing. There were no comments and the hearing was closed. Mayor Zak asked for a motion for the adoption of Ordinance 17-24 by reading of title only for second and final reading.

LEWIS/REYNOLDS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Ordinance 17-05(A-2), An Ordinance of the City Council of Homer, Alaska, Amending the 2017 Operating Budget by Appropriating \$671,053 From the Homer Accelerated Roads/Trails Program (HART) for the Greatland Street Improvements (Option A) Project, and Authorizing the City Manager to Execute All Appropriate Documents. Erickson. Introduced January 23, 2017, Referred to Planning Commission, Public Hearing March 28, 2017, Postponed to June 26, 2017.

Memorandum 17-095 from Public Works Director as backup.

Memorandum 17-019 from Public Works Director as backup.

Memorandum 17-041 from City Planner as backup.

Motion on the floor from March 28th:

SMITH/STROOZAS MOVED TO ADOPT ORDINANCE 17-05(A-2) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING

ERICKSON/REYNOLDS MOVED TO AMEND THE ORDINANCE TO REMOVE LINES 36-47 AND ADD WHEREAS THE OVERALL BENEFIT TO THE CITY OF HOMER IS SUCH THAT THE HOMER CITY COUNCIL RECOMMENDS FULL FUNDING OF OPTION A WITH HART DOLLARS AND FOREGOES THE SAD PROCESS.

There was no discussion.

VOTE (amendment): YES: SMITH, ADERHOLD, REYNOLDS, ERICKSON, STROOZAS

NO: LEWIS

Motion carried.

ERICKSON/REYNOLDS MOVED TO AMEND TO ADD THAT IT WOULD BE RIGHT TURN ONLY AT THE BYPASS AND PIONEER AVENUE.

Attorney Wells noted that the amendment should be more specific to the language so it's very clear how we are changing this.

Councilmember Erickson suggested "Whereas to enhance traffic flow it should right hand turns only at Pioneer Avenue and the bypass."

Councilmembers Smith and Stroozas commented regarding the complications of this change on traffic flow and impact to neighboring parking lots by drivers cutting through to make that left turn, as well as trying to access other business along the route. It could create more confusion and public safety issues than we would solve by opening up this route.

Councilmember Aderhold added that she doesn't think it's appropriate to add this language to the ordinance appropriating funds to the project.

Councilmember Reynolds commented she like the idea and could see some benefit, but thinks it should be a recommendation or decision of a road planner, rather than the Council.

Attorney Wells recommended this be added as another section and remove language specifying this as a budget ordinance.

Mayor Zak acknowledge the expressed opposition and asked for a roll call vote.

VOTE (amendment):

NO: ADERHOLD, REYNOLDS, LEWIS, STROOZAS, SMITH, ERICKSON

Motion failed.

Councilmembers Lewis and Aderhold weren't in support of the ordinance based on the past information from the State Traffic Engineer and Planning that don't support option A.

Council member Smith said he doesn't support the other options that are based on the Transportation Plan that was adopted in 2005, he thinks its information is fairly antiquated. He doesn't know if it takes into account the traffic from Save U More being in that location. There is no indication when the Town Center buildout could happen, and he questions if they really want to take the lots off the market to make the connection outlined in the Transportation Plan.

Public Works Director Meyer was asked to give feedback on his conversation with DOT that is referenced in the packet materials. He explained one of the main tools DOT uses when reducing conflict and maintaining a level of service is a traffic signal. An intersection study has been done by DOT focused on the triangular Lake Street, Sterling Highway, and Pioneer Avenue and about half of those intersections are on signals right now. Mr. Meyer thinks the point the State's regional traffic engineer was trying to make is that signals need to be separated by at least a quarter mile. Where Greatland would connect into Pioneer Avenue is close to the Bartlett Street intersection, and looking into the future as the regional traffic engineer will, if we can minimize the number of intersections along Pioneer Avenue, that's best for the long run when it comes to the ability for side streets to be able to enter and leave Pioneer Avenue in an effective manner.

Councilmember Stroozas commented opening up Greatland through to Pioneer in a straight line format at the least cost to the city will open up more lots along the way and increase property value. If we continue to put this off, the price will increase. It's his opinion this would be a great asset to our community to have another egress way from Sterling Highway up to Pioneer, and supports this effort.

Councilmember Erickson was disappointed not to have more feedback from property owners. Her main concern is driving down the bypass and the number of near misses because there is so much traffic coming in and out of Greatland and agrees with a way to get off Greatland on the upper side. She's opposed to a stoplight at Bartlett due to the ice in the winter time. She thinks the connectors are important and this will give an opportunity to get a sidewalk to get people safely down the hill.

Councilmember Reynolds agrees with the need for pedestrian safety but noted there is currently a walking path at the top of Greatland that could be improved if we don't need to have a road there, however it is a long walk from Main Street.

City Manager Koester asked that line 34 be deleted "and recommendations of the Homer Transportation Plan and line 51 replace \$970,870 with \$671,053.

LEWIS/STROOZAS MOVED TO AMEND LINE 34 TO DELETE “AND RECOMMENDATIONS OF THE HOMER TRANSPORTATION PLAN” AND ON LINE 51 REPLACE \$970,870 WITH \$671,053
VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT
Motion carried.

There was no further discussion.

VOTE (main motion as amended): YES: ERICKSON, STROOZAS, SMITH
NO: REYNOLDS, ADERHOLD, LEWIS
Mayor Zak voted yes to break the tie.
Motion carried.

Ordinance 17-07(S-2), An Ordinance of the City Council Of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, 21.93.710 to Offer Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson. Introduction January 1, 2017, Public Hearing March 28 and April 24, 2017, Postponed to June 26, 2017.

Ordinance 17-07(S-3), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.93.060, 21.93.070, 21.93.080, 21.93.100, 21.93.110, 21.93.500, 21.93.540, 21.93.550, 21.93.560, 21.93.570, 21.93.700, and 21.93.710 Requiring the City of Homer to use a Hearing Officer when Appealing a Homer Advisory Planning Commission Decision and Permitting all Other Appellants the Choice Between an Appeal Before the Board of Adjustment or a Hearing Officer in Appeals of Planning Commission Decisions. Erickson.
Motion on the floor from April 24TH

LEWIS/REYNOLDS TO ADOPT ORDINANCE 17-07(S-2) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LEWIS/REYNOLD MOVED TO SUBSTITUTE ORDINANCE 17-07(S-3)

There was no discussion.

VOTE (substitution): VOTE: NON OBJECTION:
UNANIMOUS CONSENT
Motion carried.

ERICKSON/LEWIS MOVED TO AMEND ORDINANCE 17-07(S-3) LINES 429 AND 429 MEMBERS AND A QUORUM OF THE BOARD IS FOUR MEMBERS. IF IT IS NOT POSSIBLE TO OBTAIN A QUORUM OF THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT TO HEAR; ADD **HOMER CITY CODE 21.93.700 TO ADD SUBSECTION (E) TO STATE: E. FOR PURPOSES OF HEARING AN APPEAL, A QUORUM OF THE BOARD IS FOUR MEMBERS. IF IT IS NOT POSSIBLE TO OBTAIN A QUORUM OF THE BOARD TO HEAR AN APPEAL WITHOUT THE**

PARTICIPATION OF MEMBERS WHO HAVE CHOSEN TO ABSTAIN OR BEEN DISQUALIFIED BY THE BOARD DUE TO SUBSTANTIAL FINANCIAL INTEREST, BIAS OR PARTIALITY, THEN THE HEARING SHALL BE POSTPONED AND A HEARING OFFICER SHALL BE APPOINTED. A HEARING OFFICER APPOINTED UNDER THIS SUBSECTION SHALL CONDUCT THE RESCHEDULED HEARING NO MORE THAN 60 DAYS AFTER THE ORIGINAL HEARING DATE EXCEPT THAT THE HEARING OFFICER MAY EXTEND THE HEARING DATE FOR GOOD CAUSE SHOWN.; ~~AND LINE 11-14 AND PERMITTING ALL OTHER APPELLANTS THE CHOICE BETWEEN AN APPEAL BEFORE THE BOARD OF ADJUSTMENT OR A HEARING OFFICER IN APPEALS OF PLANNING COMMISSION DECISIONS~~ **REQUIRING ALL APPELLANTS TO USE A HEARING OFFICER WHEN A BOARD OF ADJUSTMENT QUORUM CANNOT BE OBTAINED DUE TO CONFLICT OF INTEREST, BIAS OR PARTIALITY, AND PERMITTING ALL OTHER APPELLANTS THE CHOICE BETWEEN AN APPEAL BEFORE THE BOARD OF ADJUSTMENT AND A HEARING OFFICER IN APPEALS OF PLANNING COMMISSION DECISIONS**

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion on the main motion as amended.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Memorandum 17-096 from City Clerk Re: Vacate that portion of the 33-foot public roadway easement that lies along the western boundary of Lot 12-A-1 of DeGarmo Subdivision No. 2, Plat HM 2009-05, as granted in United States Patent 1137121 on December 15, 1952; within the SW1/4 NW1/4 of Section 23, T6S, R13W, S.M., Alaska and within the City of Homer and the KPB; Location: off Kachemak Drive; KPB File 2017-005V; KPBPC Resolution 2017-15.

Mayor Zak asked for a motion for the approval of the recommendation in Memorandum 17-096 to vacate a portion of the public roadway easement.

LEWIS/REYNOLDS SO MOVED

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Memorandum 17-097 from Councilmember Smith Re: Amending City Code to Allow a Caretaker RV on Lots in the Marine Commercial District.

Mayor Zak asked for a motion to forward Memorandum 17-097 to the Planning Commission to discuss and draft an ordinance for consideration.

ERICKSON/REYNOLDS SO MOVED

Councilmember Smith explained that there are a number of RV's on the spit at business locations that are used for residence throughout the season and is a violation the way current code is written. This is an attempt to provide an opportunity for those and any business in the district to have one there to facilitate the needs of that business.

Councilmember Lewis questioned if this is for employee housing also or leaving it up to the Planning Commission to decide.

Councilmember Smith responded the Planning Commission and staff will bring us something that is functional for the district. We're trying to offer an opportunity and some flexibility so it doesn't hamper our small businesses and their ability to be an important part of our community.

There was brief discussion regarding an RV allowed at the parks for oversight, the camp host program at Karen Hornaday Park and would be allowed at other city camping areas if needed. Councilmember Stroozas asked if the Planning Commission would be considering sizes and Councilmember Smith replied there are a lot of sizes and they can iron that out.
VOTE: NON OBJECTION: UNANIMOUS CONSENT.
Motion carried.

The office is keeping busy with the usual summer business including development inquiries, permitting, code enforcement, and the comprehensive plan update.

Current schedule for Commissioners to present to the council.

June 26, 2017: Roberta

July 24, 2017: Tom

August 14, 2017: Savanna Roberta?

August 28, 2017



City of Homer

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Staff Report PL 17-61

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Travis Brown, Planning Technician
DATE: July 19, 2017
SUBJECT: CUP 17-04, for 4 dwellings on a lot at 3101 Kachemak Drive

Synopsis The applicant proposes to build 4 new single family homes on a Kachemak Drive lot. A Conditional Use Permit (CUP) is required per HCC 21.12.030(m), more than one building containing a permitted principal use on a lot.

Applicants: Joshua Garvey Bill Hand
664 Range View Two Hands Construction
Homer, AK 99603 PO Box 3129
Homer, AK 99603

Location: Bay side of Kachemak Drive 1.5 miles from Homer Spit Road

Parcel information: 17915081 at 3101 Kachemak Drive, 2.37 acres

Zoning Designation: Rural Residential District

Comprehensive Plan: Goal 1, Objective B: Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate-to-high density residential and mixed use areas with lower densities in outlying areas.

Existing Land Use: A single family home and a small studio building.

Surrounding Land Use: North: Commercial fishing shop and storage
South: Kachemak Bay
East: Single family residence
West: Single family residence and accessory buildings

Wetland Status: The 2005 wetlands mapping does not show wetlands on the property

Flood Plain Status: The current FEMA Flood Insurance Rate Map shows this lot is in Zone VE, elevation 24’.

Utilities: The site is served by municipal water and wastewater services.

Public Notice: Notice was sent to 10 property owners of 9 parcels as shown on the KPB tax assessor rolls.

Introduction:

The owner proposes 4 new single family homes on this lot in addition to the existing home and studio building onsite. Homer City Code 21.40.080 requires a conditional use permit per HCC 21.12.030(m), more than one building containing a permitted principal use on a lot.

At this time, the owner intends to reside in one of the homes and rent out the other 3 on a monthly basis. The existing home will have the plumbing removed, but remain standing to use as storage. The existing art studio is proposed to remain as well. This studio building was built within the last year and was not permitted by this office. The lot is served by City water and sewer. The site plan includes the required 8 parking spaces (2 spaces per dwelling unit).

Lot Area and Density

The total platted lot area is 2.37 acres or about 103,000 square feet. Approximately 60,000 square feet of this lot area is relatively flat uplands, sloping to the north toward Kachemak Drive. The rest of the lot consists of steep slope (coastal bluff) and beach areas. This lot exceeds the minimum lot size requirement of 40,000 square feet of area for 4 dwelling units.

Average Slope of Lot

The average slope of the lot is approximately 22%. HCC 21.44 limits development to 25% of the lot area for lots with average slopes between 15%-25%. Development includes the building footprints and all driveway/parking areas. The proposed development totals approximately 12,000 square feet, or 12% of the total lot area.

Steep Slope (‘Coastal Bluff’) setback for the four new dwellings

Although this property is located along the tallest portion of the Kachemak Drive ‘bluff’, the slope is not steep enough to meet the City’s definition of “bluff” or “coastal bluff” by my interpretation. Instead, the slope meets the definition of “steep slope.” I will explain this in further detail below.

In any case, the proposed 40+ setback for each of the 4 new dwellings meets the more stringent minimum setback for a “coastal bluff,” which is 40 feet.

Steep slope ('Coastal Bluff') setback for the existing studio building

A minimum setback of 1/3 the height of the slope is required for "steep slopes." I have estimated the steep slope immediately adjacent to the studio building to have a height of approximately 80 ft. Based on this estimate, the minimum setback for 1/3 the height of the slope would be 26.66 feet.

The Applicant, Bill Hand, measured the existing studio building at 28 feet from the top of the slope and the attached deck at 23 feet from the top of the slope. By my interpretation of code, the proposal meets the setback requirements, including the deck, which may extend 5 feet into a required setback according to HCC 21.44.040.

Despite the conclusion I have drawn based on a strict interpretation of code, the Commission may require more stringent setback requirements according to HCC 21.71.040(b)(13). Below, I have included additional evidence for the commission to consider:

1. A strict interpretation of the definitions of "bluff" and "coastal bluff" means there may be no portions of the Kachemak Drive bluff that fall under these definitions, according to a survey of existing contour information along Kachemak Drive that I performed. Was this the intent of the steep slope regulations?
2. Aerial imagery shows a mostly unvegetated bluff, indicative of active erosion.
3. Coastal erosion studies of the area show the bluff has lost about 90 horizontal feet over the last 66 years. (see attachment for historical erosion data).

Definition of "bluff," "coastal bluff," "steep slope"

Homer City Code defines a "bluff" as an abrupt elevation change in topography of at least 15 feet, with an average slope of not less than 200 percent (two feet difference in elevation per one foot of horizontal distance). Further, a "coastal bluff" is a bluff whose toe is within 300 feet of mean high water. HCC defines a "steep slope" as an elevation change in topography of at least 15 feet, with an average slope of not less than 45 percent (one foot difference in elevation per 2.22 feet of horizontal distance).

Recap:

Coastal Bluff > 200% slope – 40 foot minimum setback

Steep Slope > 45% slope – minimum setback is 1/3 the height of the slope

Based on the tools available to me, I have estimated that the bluff in question has an average slope of approximately 95% (~80' drop in elevation over ~84' of horizontal distance) and falls under the definition of "steep slope."

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.020, General conditions, and establishes the following conditions:

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district;

Analysis: The Rural Residential zoning district allows for more than one single family dwelling on a lot as a conditional use, per HCC 21.12.030(m). Lots served by City water and sewer may have increased density up to one dwelling unit for every 10,000 square feet of lot area, per HCC 21.12.040(a)(3).

Finding 1: More than one single family dwelling on a lot is authorized by conditional use permit.

Finding 2: The proposal meets the density requirement because it has more than 40,000 square feet of area for the four dwelling units proposed.

b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Applicant: Energy efficient housing alternatives for the general population. Main goal of Homer land use according to the City is to increase the supply and diversity of housing and encouraging infill.

21.12.010 Purpose: The purpose of the rural residential district is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

Finding 3: Four single family homes are compatible with the purpose of this zoning district by providing residential development at a density allowed by code.

c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Applicant: High quality homes in the area will have a positive impact on surrounding property values.

Analysis: An apartment building, which is allowed outright in this district, could dominate the site in terms of bulk and height more so than this proposal. Other conditionally allowed uses such as a day care facility could produce more traffic, negatively impacting the neighbors more so than this proposal.

Finding 4: The value of adjoining properties will not be negatively affected greater than an apartment building or a conditionally permitted day care facility.

d. The proposal is compatible with existing uses of surrounding land.

Applicant: Surrounding land (is) predominantly single family dwellings. This housing will be the same.

Analysis: Surrounding land is mostly single-family dwellings. The homes in the immediate vicinity range from 500 square feet to 3,300 square feet. The proposed dwellings will have approximately 1,800 square feet of living space.

Finding 5: The proposed dwellings are the same use and of similar bulk to the single-family homes in the surrounding area.

e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Applicant: Water, sewer, electricity, and natural gas will be supplied to all the new construction.

Finding 6: Existing public water and sewer, natural gas, electricity, and fire services are adequate to serve the proposed development.

f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Applicant: Property conforms to the 10,000 square foot per dwelling as described by the City of Homer. Four Single family homes will have a minimal effect on traffic.

Analysis: Four single-family homes on a single lot will have a larger coverage and density than surrounding properties, but they are not expected to cause an undue harmful effect to desirable neighborhood character. The proposed dwellings will be setback further from the bluff than the adjacent house to the west and about the same distance as the adjacent house to the east. Kachemak Drive is more than adequate to handle the increased traffic.

Finding 7: Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Analysis: The permitting process will require the applicant to meet Federal, State and local standards including, but not limited to approval by the State Fire Marshal's Office and ADEC approval of the water and sewer design.

Finding 8: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area and the city as a whole when all applicable standards are met as required by city code.

h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Analysis: No relief from code is sought from the applicant. The proposal meets the dimensional requirements for the district including setbacks from property lines and steep slopes.

Finding 9: The proposal will comply with all applicable regulations and conditions when the permitting process is successfully navigated as provided in the CUP and permitting process.

i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Applicant: Goal #1 – encourage infill, increase supply and diversity. Goal #2 – maintain Homer's scenic beauty. Goal #3 – high quality buildings. Goal #5 – high quality neighborhoods, promote housing choice by supporting a variety of dwelling options.

Analysis: This proposal promotes Goal 5: Objective C by providing infill of housing in a location that has existing road, water, and sewer infrastructure.

Finding 10: No evidence has been found that the project is contrary to the applicable land use goals and objectives of the Comprehensive Plan.

j. The proposal will comply with the applicable provisions of the Community Design Manual (CDM).

Analysis: The Outdoor Lighting section of the Community Design Manual is applicable. This section encourages outdoor lighting sources to be hidden from public view, to avoid excessive light throw, and to be downward directional lighting.

Condition 1: Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

Finding 11: Condition 1 will assure that the proposal complies with level one lighting standards and the Community Design Manual.

HCC 21.71.040(b). b. In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces:** No specific conditions deemed necessary
- 2. Fences and walls:** No specific conditions deemed necessary
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:**
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.
- 11. A time period within which the proposed use shall be developed:** No specific conditions deemed necessary.
- 12. A limit on total duration of use:** No specific conditions deemed necessary.
- 13. More stringent dimensional requirements,** such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.
- 14. Other conditions necessary** to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

FIRE DEPARTMENT COMMENTS: Nothing outstanding. Forward to FM (State Fire Marshal) office to determine if Plan Review is required based on home plus 3 rental units. Usually anything more than a triplex requires Plan Review. The Fire Code requires an access road of at least 20 feet wide to enable us getting to within 150 ft. of any building on the lot.

PUBLIC WORKS COMMENTS: Alaska Department of Environmental Conservation review will be required for a water and sewer community design.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP **Staff Report PL 17-61** with findings 1-11 and the following conditions.

Condition 1: Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

Our office received several comments that were received in time to include as attachments to this staff report, but not in time to review and address. The Peninsula Clarion Article and the two studies by Coble Geophysical Services were provided by Colette Ireland, but did not include comments. Staff may end up producing a memo to be provided to the commission as a laydown at the meeting.

Attachments

Application
Public Notice
Two Aerial Photographs
Peninsula Clarion Article on Kenai Peninsula Bluff Erosion
Two studies of the area by Coble Geophysical Services
Comments provided by Rika Mouw



City of Homer

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Applicant
 Name: Josh & Liz Garvey Telephone No.: 907-299-4577
 Address: 664 Range View Email: joshua-garvey@hotmail.com

Property Owner (if different than the applicant):
 Name: _____ Telephone No.: _____
 Address: _____ Email: _____

PROPERTY INFORMATION:
 Address: 3101 Kachamuk Drive Lot Size: 2.37 acres KPB Tax ID # 17915081
 Legal Description of Property: T6S R13W Sec 23 Sew Mer HM 200900 SDE Geome Sub #2 Lot 12-A-1

For staff use:
 Date: 6/19/17 Fee submittal: Amount 500-
 Received by: TPB Date application accepted as complete 6/22/17
 Planning Commission Public Hearing Date: _____

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	EEMU	BCWPD
Level 1 Site Plan	x	x	x			x			x			x
Level 1 ROW Access Plan	x	x							x			
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x	x	
Level 2 Site Plan			x	x	x		x	x		x	x	
Level 2 ROW Access Plan			x	x	x		x	x		x	x	
Level 2 Site Development Standards			x*	x	x	x	x	x			x	
Level 3 Site Development Standards									x	x		
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire				x	x	x	x	x			x	

Circle applicable permits. Planning staff will be glad to assist with these questions.

Y N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: _____

Y N Will your development trigger a Development Activity Plan?

Application Status: _____

Y N Will your development trigger a Storm water Plan?

Application Status: _____

Y N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____

Y N Is your development in a floodplain? If yes, a Flood Development Permit is required.

Y N Does your project trigger a Community Design Manual review?

If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>

Y N Do you need a traffic impact analysis?

Y N Are there any nonconforming uses or structures on the property?

Y N Have they been formally accepted by the Homer Advisory Planning Commission?

Y N Do you have a state or city driveway permit? Status: _____

Y N *Pre-existing driveway*
Do you have active City water and sewer permits? Status: Pending CUP

1. Currently, how is the property used? Are there buildings on the property? How many

square feet? Uses within the building(s)? *Currently there are no inhabitants on the property. There is a Pre-existing scuttled storage building 2056 sqft and there is a 240 sqft unfinished art studio on the South East side of lot.*

2. What is the proposed use of the property? How do you intend to develop the

property? (Attach additional sheet if needed. Provide as much information as possible). *Proposed use of the property will be a single family primary residence and three rental units. All dwellings will have two parking spaces, electric, City water and sewer, and Natural Gas. The plan is to leave maximum trees and vegetation for noise reduction and aesthetics.*

RECEIVED

JUN 22 2017

CONDITIONAL USE INFORMATION: Please use additional sheets if necessary. HCC21.71.030

- a. What code citation authorizes each proposed use and structure by conditional use permit?
21.12.030
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. Energy efficient, housing alternatives for the general population. Main goal of Homer land use according to the City is to increase the supply and diversity of housing and encouraging infill
- c. How will your proposed project affect adjoining property values?
High quality homes in the area will have a positive impact on surrounding property values
- d. How is your proposal compatible with existing uses of the surrounding land?
Surrounding land predominantly single family dwellings, this housing will be the same
- e. Are/will public services adequate to serve the proposed uses and structures?
Water, sewer, electricity, and Natural Gas will be supplied to all the new construction
- f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected?
property conforms to the 10,000 sq² per dwelling as described by the City of Homer. 4 single family homes will have a minimal effect on traffic.
- g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole?
No.
- h. How does your project relate to the goals of the Comprehensive Plan?
The Comprehensive Plan are online, Goal 1- encourage infill, increase supply and diversity
Goal #2 Maintain Homer's scenic beauty Goal #3 - high quality buildings
Goal #5 High quality neighborhoods, promote housing choice by supporting a variety of dwelling options.
- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (circle each answer)
1. Y N Special yards and spaces.
 2. Y N Fences, walls and screening.
 3. Y N Surfacing of parking areas.
 4. Y N Street and road dedications and improvements (or bonds).
 5. Y N Control of points of vehicular ingress & egress.
 6. Y N Special provisions on signs.
 7. Y N Landscaping.
 8. Y N Maintenance of the grounds, buildings, or structures.

- 9. Y N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
- 10. Y N Time for certain activities.
- 11. Y N A time period within which the proposed use shall be developed.
- 12. Y N A limit on total duration of use.
- 13. Y N Special dimensional requirements such as lot area, setbacks, building height.
- 14. Y N Other conditions deemed necessary to protect the interest of the community.

PARKING

- 1. How many parking spaces are required for your development? 10
If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). N/A
- 2. How many spaces are shown on your parking plan? 14
- 3. Are you requesting any reductions? NO

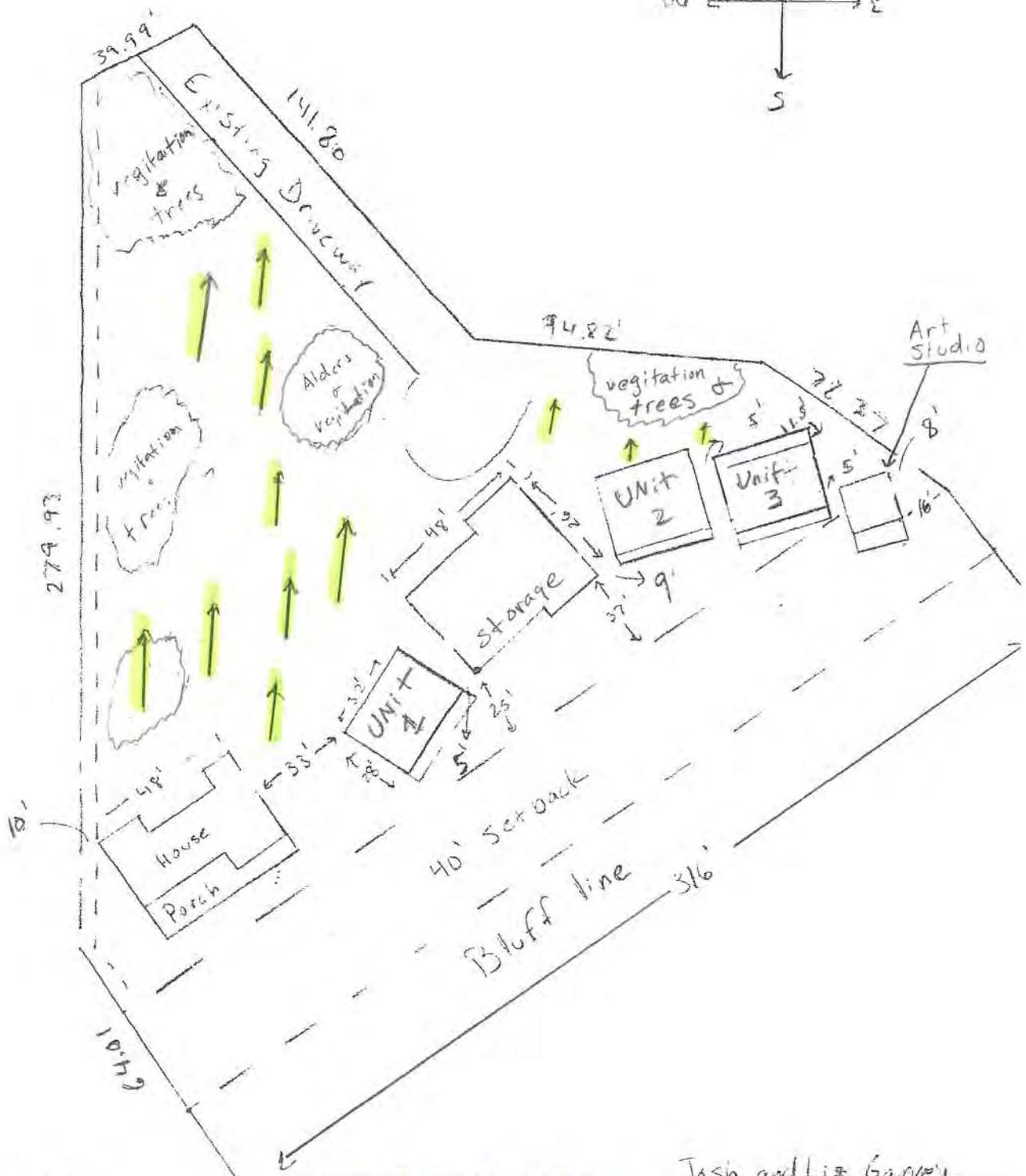
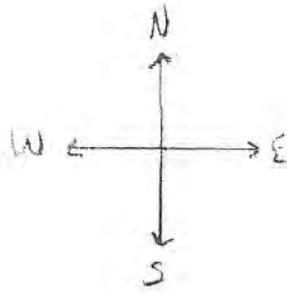
Include a site plan, drawn to a scale of not less than 1" = 20' which shows existing and proposed structures, clearing, fill, vegetation and drainage.

I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

CIRCLE ONE: Owner of record Lessee Contract purchaser

Applicant signature: Joshua Garvey Date: 6/7/17

Property Owner's signature: Joshua Garvey Date: 6/7/17

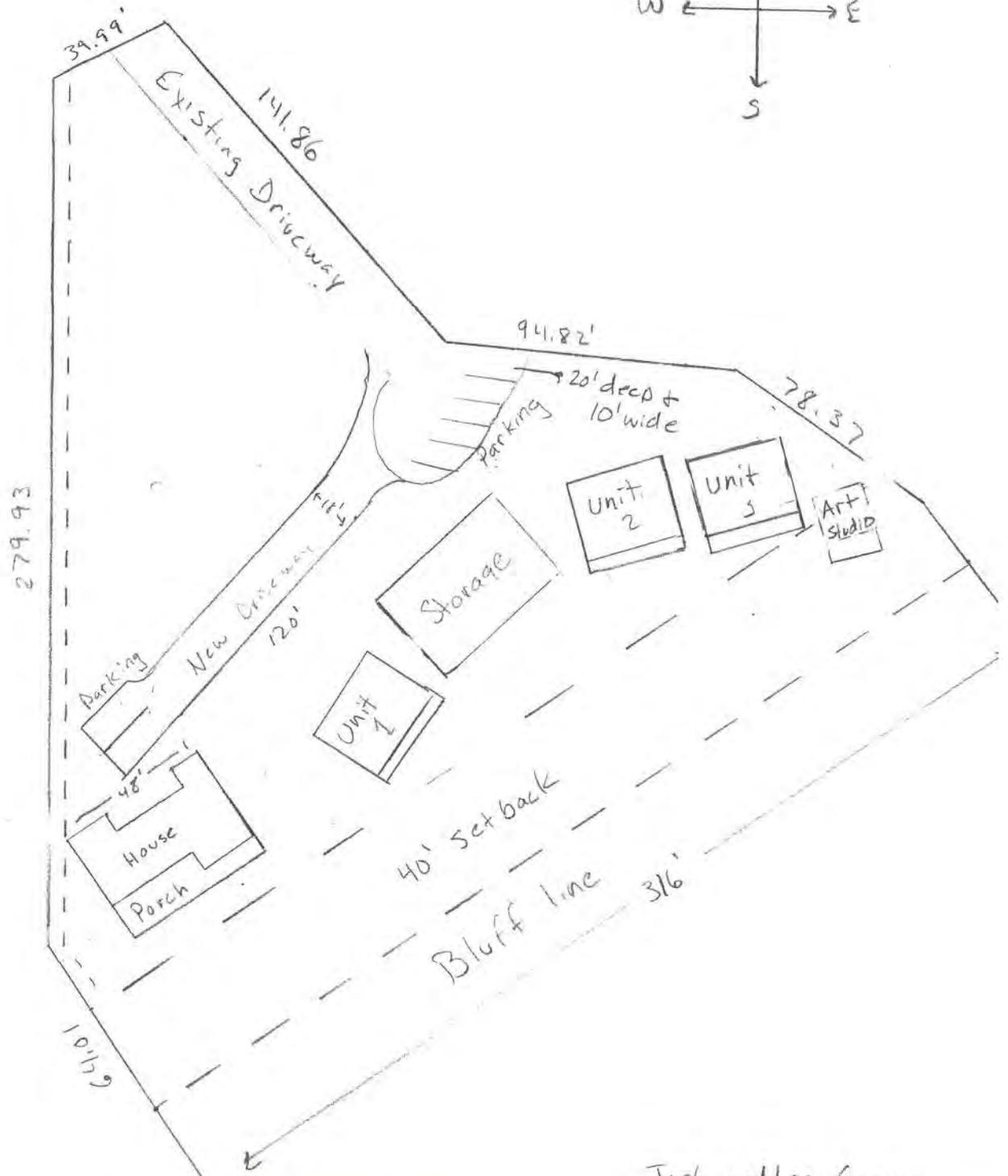
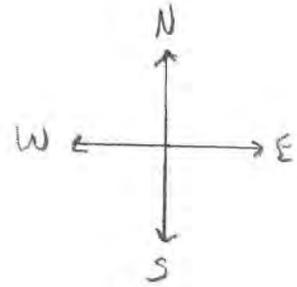


Legend
 Indicates
 Drainage
 →

Each cabin is 32' wide and 28' long. Each Unit shall have a 32' by 8' porch Entry on the Front.

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Josh and Liz Garvey
 3101 Kachemak Drive
 2.37 acres
 Scale 1" = 50'
 Drawn by: Two Hands Construction
 Site Plan / Drainage
 Page 1 of 3



All 8 parking spaces are 20' deep and 10' wide

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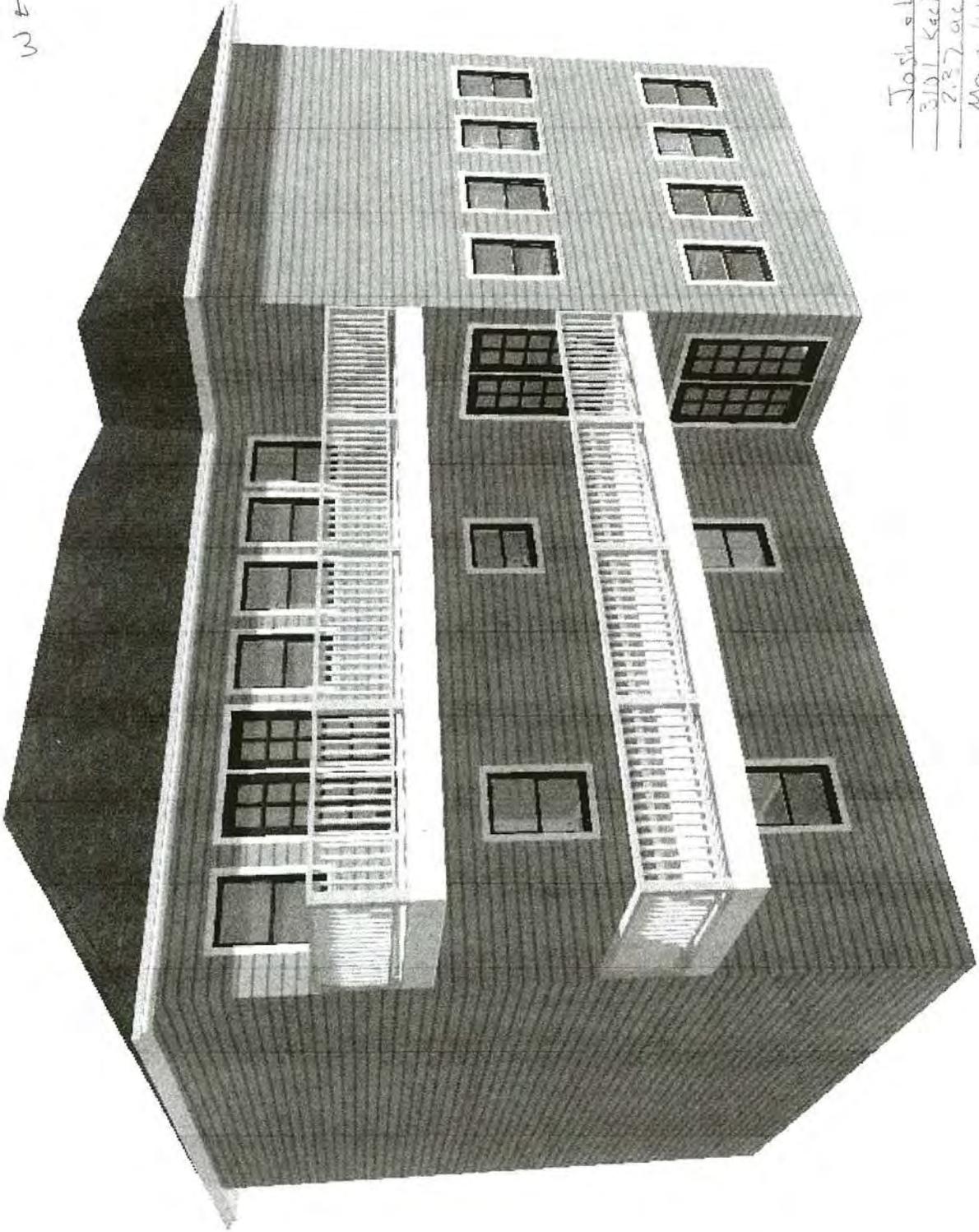
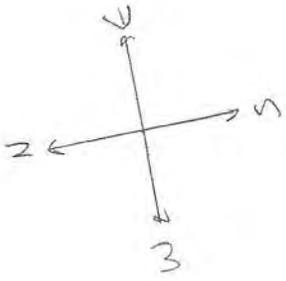
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Josh and Liz Garvey
3101 Kachemak Drive
2137 acres
Scale 1" = 50'
Drawing by: Two Hands Construction
Parking Plan
page 1 of 1

3101 Kachewack Drive
Josh & Liz Garvey Cabins
Simulated View





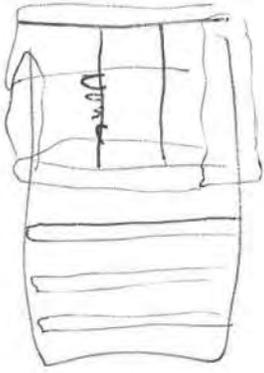
31.5'

Max height 31.5 feet high

Josh & Liz Garver
3101 Kachemak Circle
237 acres
Main house rendering
NOT drawn to scale
Drawn by: Charmaine Blaine
Side View Elevations Drawing
page 3 of 3

3101 Kachemak Dr.

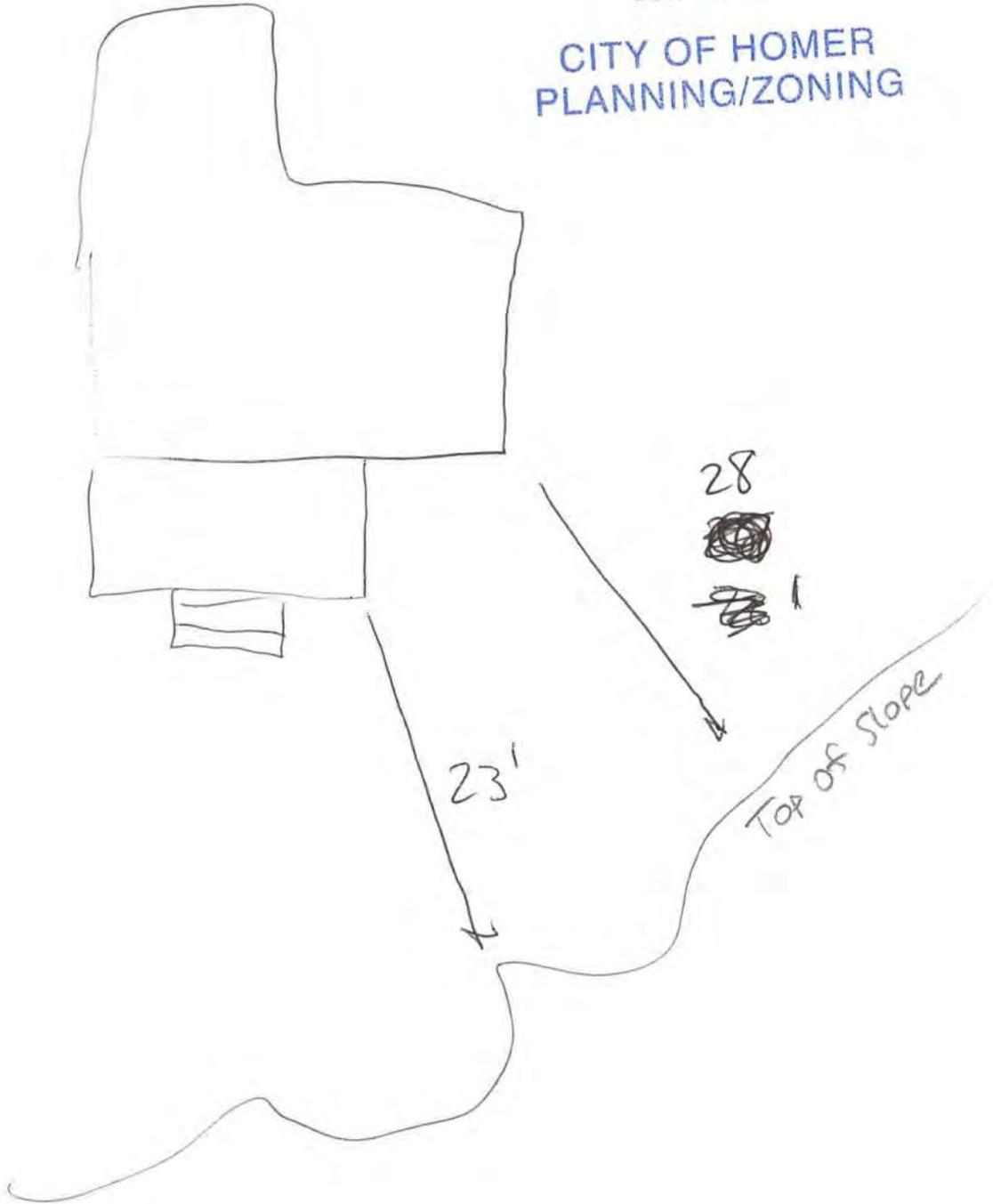
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PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, July 19, 2017 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

Request for a Conditional Use Permit (CUP) to build four single-family homes at 3101 Kachemak Drive, pursuant to Homer City Code 21.12.030(m) “More than one building containing a permitted principal use on a lot.” Legal Description: Lot 12-A-1 De Garmo Subdivision No. 2, Located within a portion of BLM Lots 12 & 13 Within Sections 22 & 23, T. 6. S., R. 13 W., S.M.

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud at the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY.



VICINITY MAP ON REVERSE

Vicinity Map



City of Homer
Planning and Zoning Department

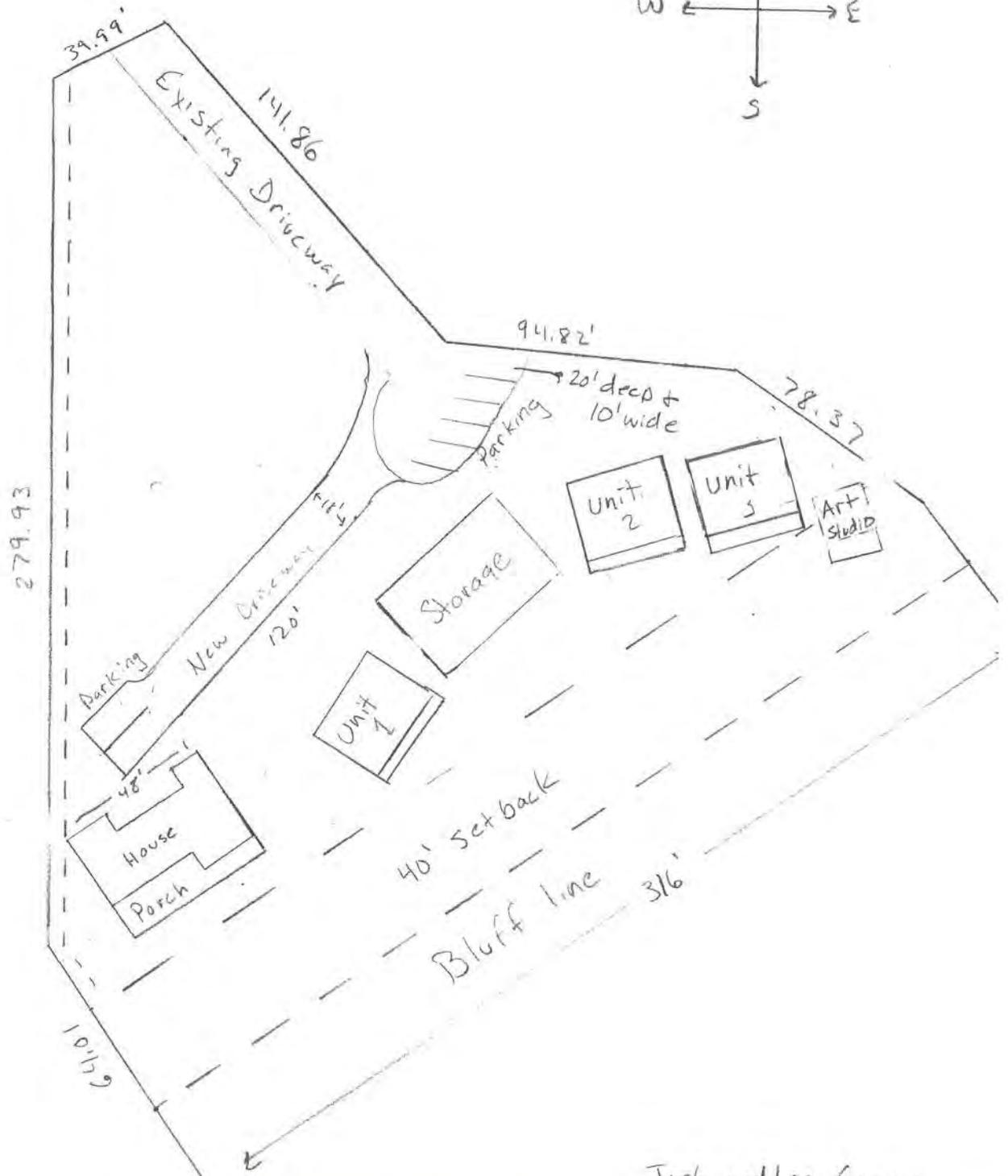
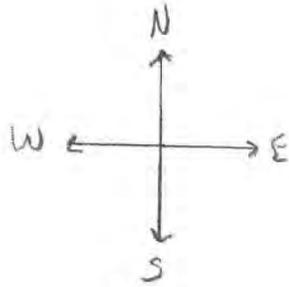
July 3, 2017

Request for Conditional Use Permit 17-04

Marked lots are w/in 300 feet
and property owners notified.



*Disclaimer:
It is expressly understood the City of
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or conclusions drawn therefrom.*



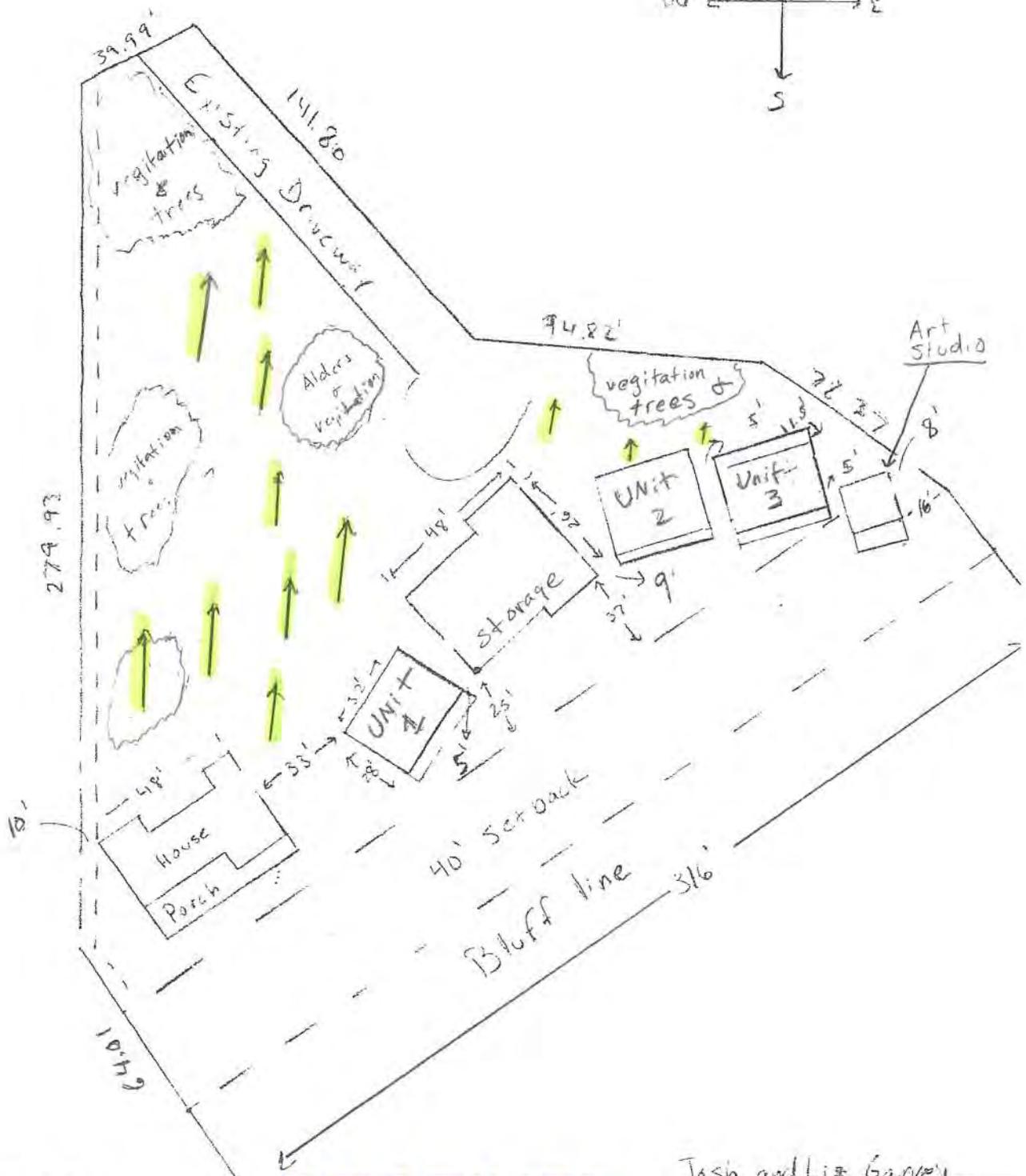
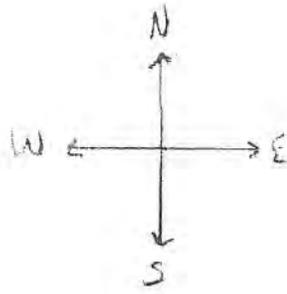
All 8 parking spaces are 20' deep and 10' wide

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Josh and Liz Garvey
3101 Kachemak Drive
2.37 acres
Scale 1" = 50'
Drawing by: Two Hands Construction
Parking Plan
page 1 of 1



Legend
 Indicates
 Drainage
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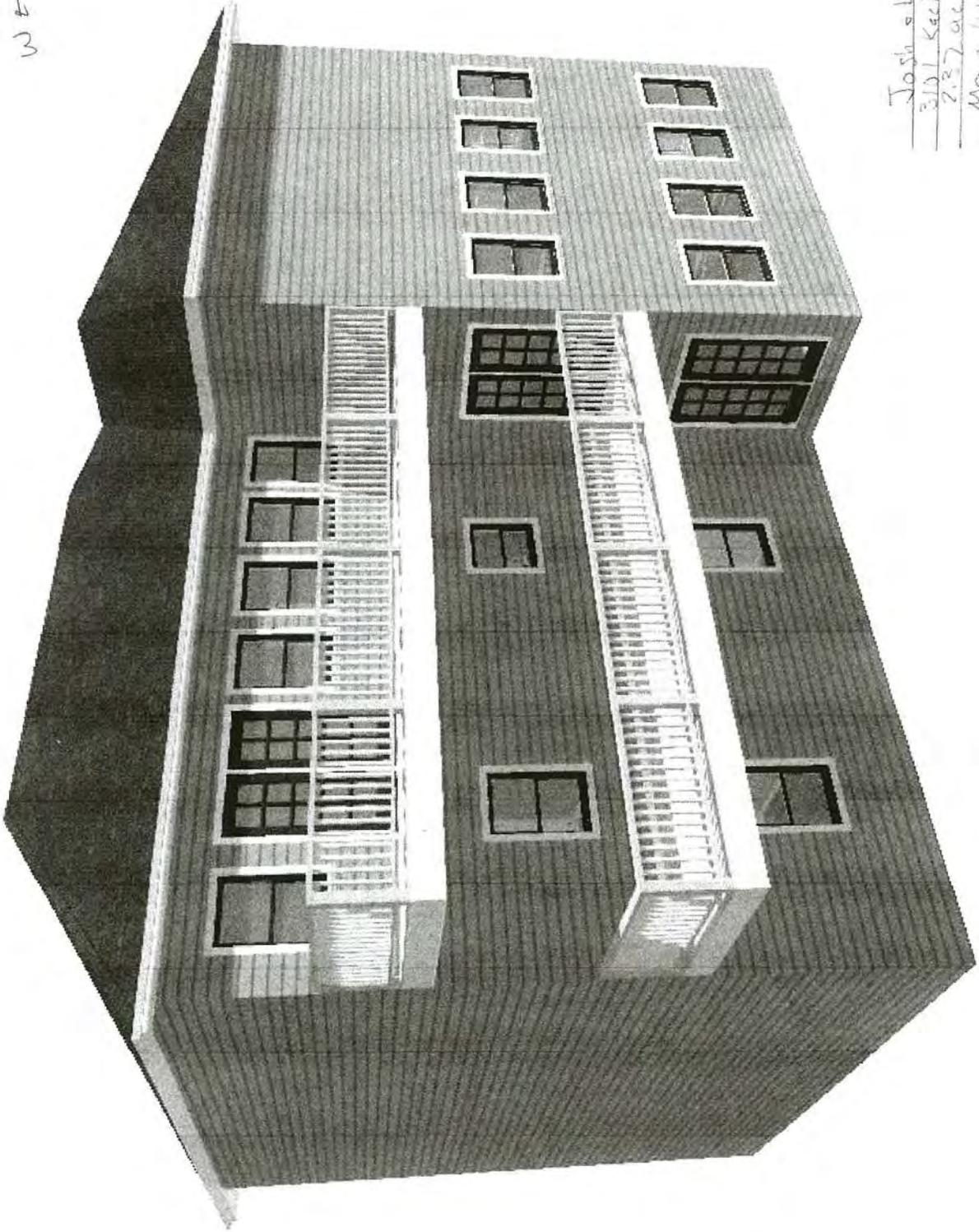
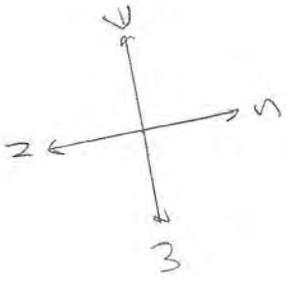
Each cabin is 32' wide and 28' long. Each Unit shall have a 32' by 8' porch Entry on the Front.

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 237 acres
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 Page 1 of 3

3101 Kachewack Drive
Josh & Liz Garvey Cabins
Simulated View



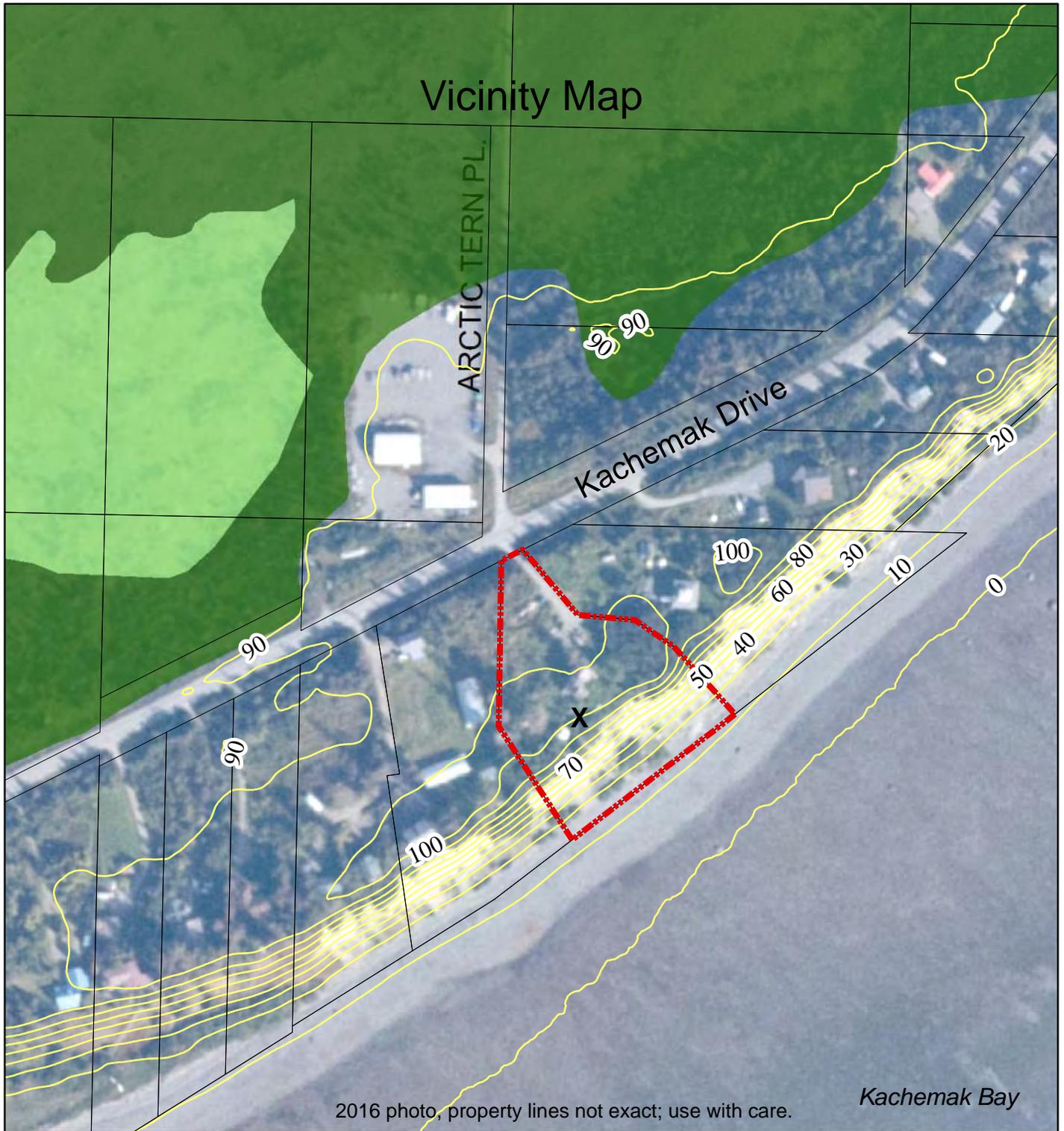


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Vicinity Map

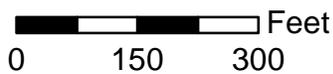


City of Homer
Planning and Zoning Department

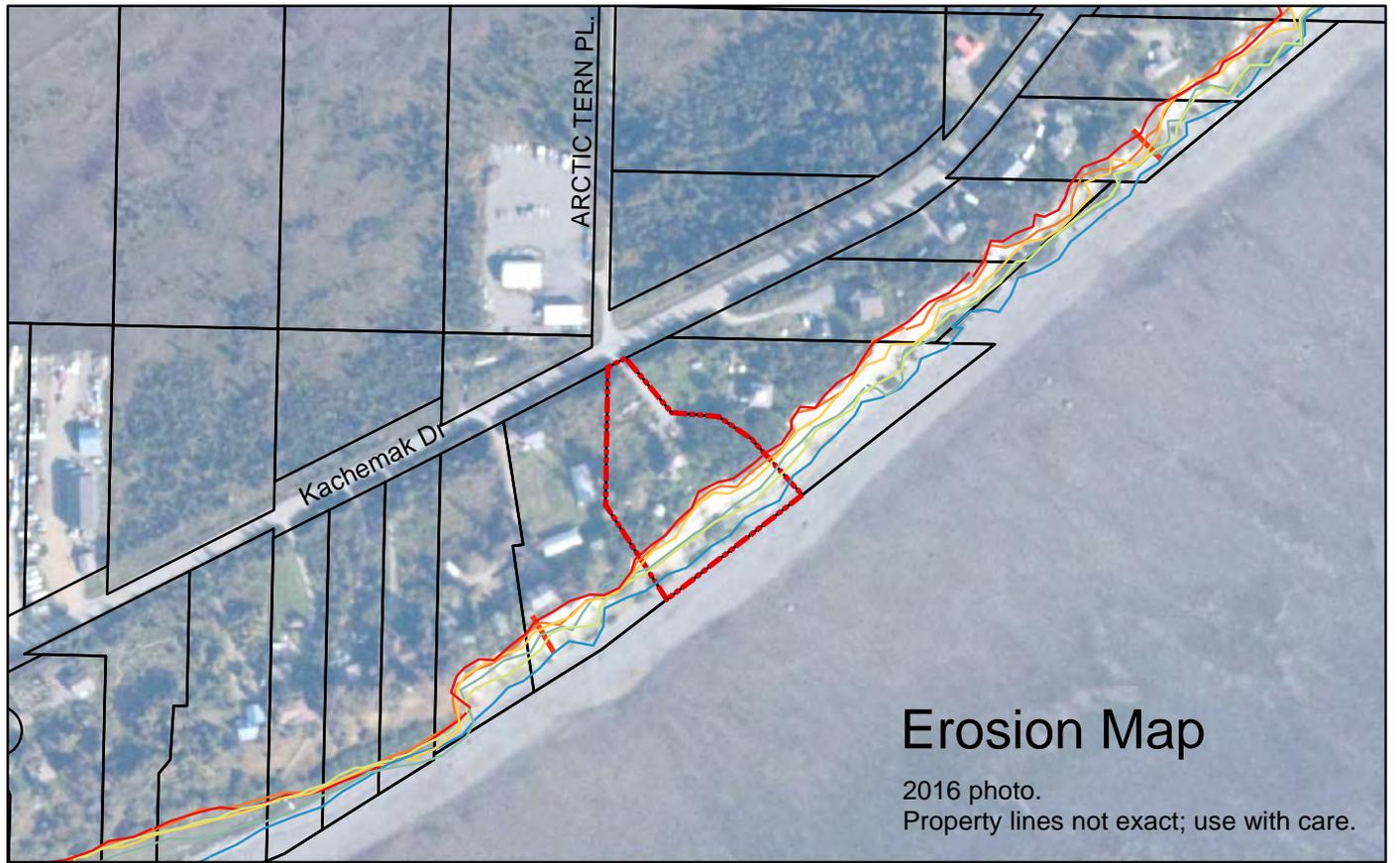
July 3, 2017

Request for Conditional Use Permit 17-04

Marked lots are w/in 300 feet
and property owners notified.

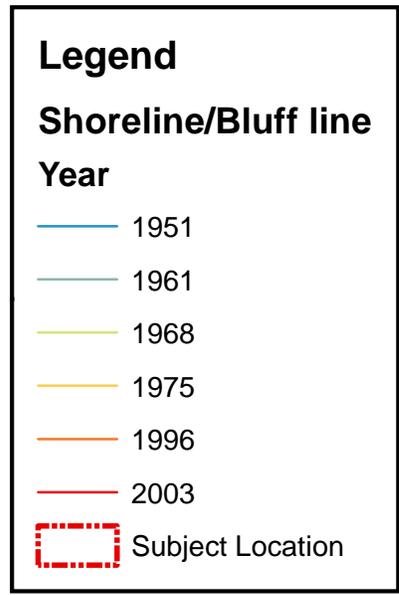
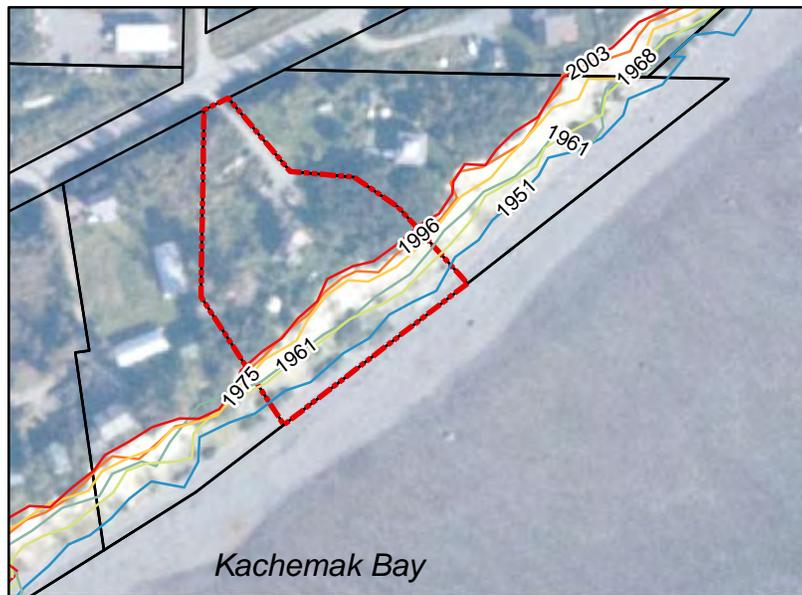


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Erosion Map

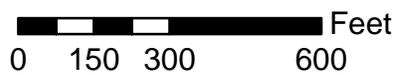
2016 photo.
Property lines not exact; use with care.



City of Homer
Planning and Zoning Department

July 14, 2017

Request for Conditional Use Permit 17-04



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(/)

Posted July 11, 2017 08:47 pm - Updated July 12, 2017 11:06 am

By BEN BOETTGER (/authors/ben-boettger)

Peninsula Clarion

Army Corps leaders speak on Kenai bluff erosion

Comments 5 Share

Editor's note: This article has been updated to correct the date of the meeting to July 6.

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Last week Kenai residents provided input on one local attempt to deal with Alaska's unstable geography from Washington, D.C.

Army Corps of Engineers project manager Ronnie Barcak and lead planner Jan Deick — the leader's of the Kenai bluff erosion mitigation project — spoke with attendees at a July 6 meeting at the Kenai Chamber of Commerce and Visitors Center. The meeting followed the June 16 release of a report that

provided justification for the chosen project design — a wave-protecting barrier of large stones at the base of the mile-long stretch of bluff below Old Town Kenai — to the Corps' national leadership.

The peninsula's Cook Inlet shoreline is eroding away at rates that range from 0.6 feet and 5.7 feet per year, according to a 2016 Kenai Peninsula Borough-commissioned risk report. In Kenai, the average three-feet-per-year erosion of the bluff above the Kenai River mouth has been a concern almost since the town's incorporation in 1960, with the Army Corps of Engineers doing navigation improvement studies of the river mouth in 1962, followed by several studies by the Army Corps, the U.S Geological Survey, the University of Alaska and contractors for the city of Kenai through the 1970s, 80s, and 90s.

SEE ALSO

Army Corps finds negative cost-benefit of Kenai bluff erosion project
(<http://peninsulaclarion.com/news/local/2017-06-22/army-corps-finds-negative-cost-benefit-kenai-bluff-erosion-project>)

Kenai bluff erosion project inches forward
(<http://peninsulaclarion.com/news/local/2017-05-27/kenai-bluff-erosion-project-inches-forward>)

John Williams, Kenai's mayor from 1986 to 2004 and a city harbor commissioner prior to that, attended the meeting. Williams said he'd been associated with this project for close to 40 years after working on the studies in the 1970s and had personally lobbied for funds from state and federal governments for the project.

He said the reason the project had not yet been accomplished "is all politics."

"There's no reason — no reason whatsoever — you can't haul tons of hard-faced rock over there and take care of that bluff," Williams said. "... It's been 40 years of playing games back and forth."

In the context of the Army Corps' statewide work, Kenai's bluff erosion problem is a medium priority. The Corps' 2009 Alaska Baseline Erosion Assessment examined 178 Alaskan communities that reported erosion problems, dividing them into three classes of urgency: 26 priority action communities, 69 "monitor conditions" communities, in which "erosion problems are present but not significant enough to require immediate action" and 83 "minimal erosion communities." The Corps included Kenai in the middle category, along

with Homer, Soldotna and Seward. The priority action category includes communities such as Barrow, Kivalina, Newtok, Dillingham and Shishmaref, all rural coastal communities or communities near large bodies of water.

Since 1999, Kenai and the Army Corps of Engineers have been pursuing the present incarnation of the project as a cost-share agreement in which Kenai will cover up to 35 percent of the project's presently-estimated \$34 million cost. Kenai City Manager Paul Ostrander outlined how Kenai will pay for its approximately \$12 million share of the project. About \$4 million would come from state grants that the city already has in hand, and a bond proposition previously passed by voters would allow the city to sell up to \$2 million in bonds. Some of the funding will come from in-kind donations, but that still leaves the city about \$5.5 million short, he said.

"How the city comes up with that is something we'll have to come up with for that point," Ostrander said. "...It will almost certainly require us to go back to the voters and look for additional sale of bonds."

At a previous presentation to the Kenai City Council on July 5, council member Bob Molloy mentioned a past donation to the project from the Kenai Peninsula Borough — which offered Kenai \$5 million worth of rock in 2009 — and asked whether such contributions would count as in-kind payments. Barcak said that some Army Corps projects require local contributions to be 5 percent cash, and that he would look into the specific requirements of this project.

The Army Corps' most recent report on the project, released June 16, establishes as a preference a lighter-weight project than those planned in the past. The current plans call for laying rock around the base of the bluff and allowing falling material to fill in behind it, while previous designs required regrading the bluff's slope. The new plan dropped the project's expected final cost from \$43 million to \$32 million.

Army Corps civil works projects — those, such as Kenai's bluff erosion project, that aren't undertaken on behalf of the military — are funded by congressional appropriations made through Energy and Water Development Appropriations acts.

In the case of the recently completed study, this fund-seeking process lasted from 2011 — when Kenai and the Army Corps agreed to a 50-50 sharing of the study's cost, then estimated to be \$640,000 — to 2015. By the time it was federally funded in October of that year, the study's estimated cost had increased to \$1.17 million, requiring an additional \$333,000 from the city.

As for the bluff erosion project's future cost, Barcak said "there's more bouncing to be had." In previous Clarion reporting, Army Corps spokesperson Tom Findtner said the bluff erosion project's next step — a report expected in April 2018 — has been funded, but work beyond that will need additional funding from Congress. Under the current schedule for the bluff erosion project, the Corps plans to issue a construction contract in June 2020 and complete work in 2022.

The present plan is open until July 16 to public comments, which can be emailed to Barcak at Ronnie.G.Barcak@usace.army.mil. Kenai Mayor Brian Gabriel encouraged attendees at Thursday meeting to comment.

"As an elected official, when you hear people come out and comment on things, that's what really spurs action more than anything," Gabriel said.

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Reach Ben Boettger at ben.boettger@peninsulaclarion.com.

Topics

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8/11/04

Paul Janke, Regional Hydrologist
State of Alaska Department of Transportation
P.O. Box 196900
4111 Aviation Avenue
Anchorage, Alaska 99519-6900

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RE: Hydrologic Problems with Kachemak Drive Upgrade
Bluff Property Stability Concerns

Dear Mr. Janke,

This letter is a communication of my findings on the potential groundwater hydrologic impacts of the recently upgraded Kachemak Drive on residential bluff property owners referenced in two previous letters to you. The residents of the area are clearly determined to have this matter addressed, and now that the groundwater study is completed please incorporate the issues brought out in the CGS Kachemak Drive surface water report of 4/28/04.

Our long-term study has done as much as possible within the project constraints of time and resources to address the scientific side of the Kachemak Drive drainage issues to date. While the study could benefit from further data collection and analyses, significant findings have already been made. It is also important to expedite this information to solve the practical needs of the neighborhood. The matters addressed in this report concern property value, loss of property and life, and it is important to give this your immediate attention if possible.

Thank you for your attention to this matter. Please let me know if you require any further information.

Sincerely,

Geoff Coble, M.S., PG
Coble Geophysical Services
Homer Professional Building
910 East End Rd, Suite #1
Homer, Alaska 99603

cc Vernon Adkison, Rene & Susan Alvarez, Amy Bollenbach, Ann Griffin, Wayne & Shirley Grossman, Connie Hines, Collette Ireland, Mike & Cathy McCarthy, John & Marika Mouw, Curt & Lorna Olson, Len & Gari Sisk, Jane Veerhusen, Mike Yourkowski

Kachemak Drive Coalition

Groundwater Investigation Final Report



Introduction

This geohydrologic study pertains to specific properties along Kachemak Drive, in Homer, Alaska which are highlighted on the cover page of this report, and on Figure 1. The property owners of this defined Kachemak Drive neighborhood noticed worsening hydrologic conditions since the Kachemak Drive upgrade project, and hired CGS to investigate these concerns. The effects of severe flooding in this area are not part of this investigation.

Eventually CGS was contracted by the neighborhood coalition to solve their problem, which was summarized in the initial memorandum to ADOT (11/11/03) given in Appendix A. It was made clear to CGS in personal communications with ADOT, and in written correspondence that ADOT would only be involved to the extent of those impacts having to do with the road itself.

CGS was then contracted to investigate the groundwater impacts that Kachemak Drive was having on the coalition neighborhood. At this time the number of concerned property owners along this stretch of the Kachemak Drive has increased to fourteen.

Excess bluff-side surface water from the Kachemak Drive drainage before and during breakup was addressed in a separate contract and report, namely the 4/28/04 report to ADOT (CGS, 2004). It was requested in that report that no action be taken to rectify those concerns until this larger groundwater study was completed, since the problems are quite interrelated. It is now requested that action be taken as soon as possible.

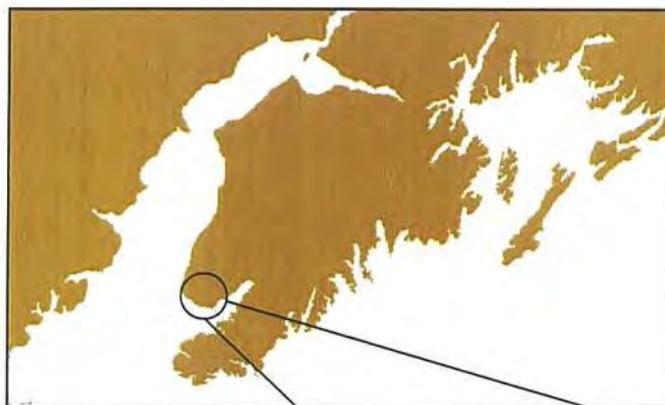
Three principle questions are addressed by this report: 1) did Kachemak Drive and its upgrade impact the groundwater hydrology of the bluff area; 2) if so how, and 3) how might this be mitigated.

Geology

The geology of the coalition neighborhood was catalogued and verified with twenty two separate boreholes using stainless steel auquers and in some cases clear acrylic sampling tubes. Each borehole was then turned into either a well or a piezometer for the hydrogeologic work described in later sections of this report.

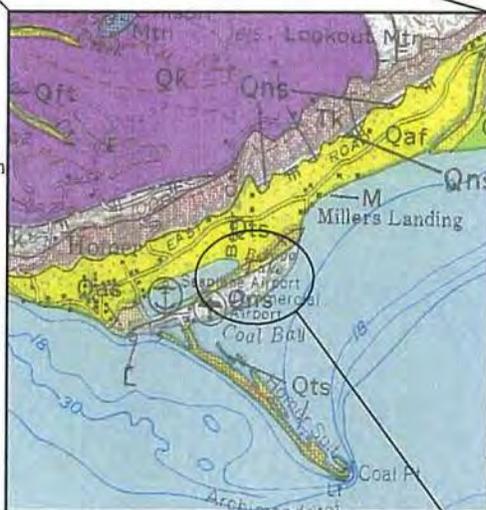
The Kachemak Drive area exposes both the 8-million year old Tertiary freshwater deposits of the Miocene Beluga Formation, as well as the recent Quaternary glacial deposits. The Tertiary deposits were examined in detail Northeast of the area of concern shown in Figure 2 (Barnes and Cobb, 1958), and their cross section (which emphasizes coal resources) is also shown in Figure 2. The many layers and lithology would tend to make vertical flow of water slow and difficult within the Beluga formation without faulting. These Tertiary deposits can extend to over two miles in depth beneath the Quaternary (surface) deposits.

It is not clear if the Tertiary sequence extends to the exposed bluff of the project area of this report. The Quaternary extends to the bluffs of the project area, however, as shown



Kenai Peninsula, Alaska

-  Tidal silt and beach deposits
-  Kenai Formation. Semi-consolidated coal bearing silt, sand, and gravel
-  Moraines of Knik glaciation. Prominent but modified
-  Alluvial fans and alluvial fan complexes
-  Flood plains and associated higher terraces along major streams and abandoned drainage lines
-  Moraines of Naptowne glaciation, limit of Skilak advance
-  Elevated tidal silt and beach deposits. Record high sea level stand about 5-10 ft above present datum during late Tanya time



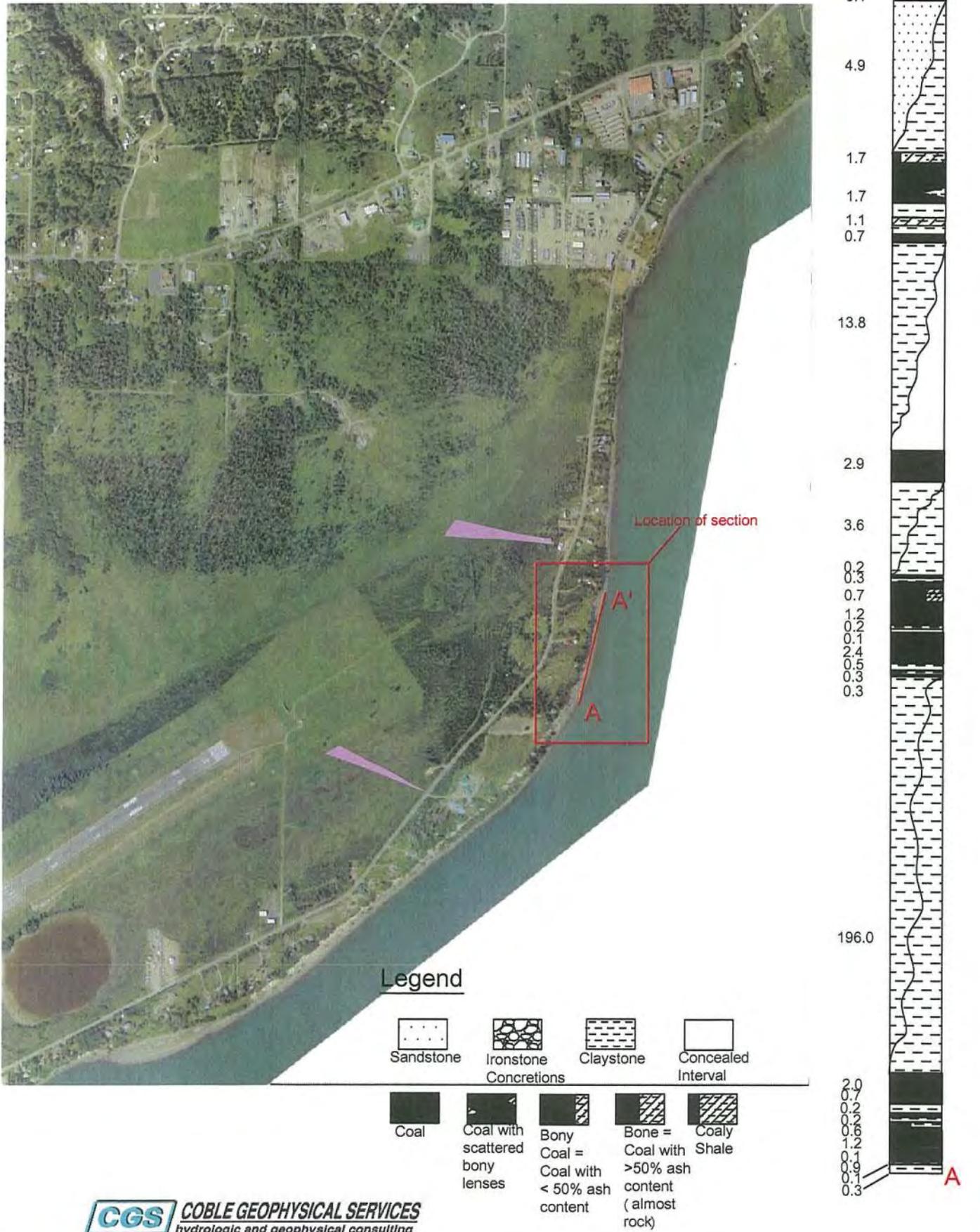
Geologic Map
Homer, Alaska

Kachemak Drive Study Area
Homer, Alaska



Figure 1. Location of Study Area

Figure 2. Kachemak Drive Bluff Geologic Cross Section



in Figure 3, although the exact location of the Tertiary-Quaternary unconformity was not determined. Many strictly glacial deposits lack layering.

In any case, both the poorly lithified Tertiary siltstones and claystones as well as the Quaternary deposits are easily eroded when exposed to the elements in the exposed bluffs below the coalition neighborhood as shown in Photograph A of Appendix B.

The geologically recent material within a few feet of the surface of the project area includes very well-defined peat, lacustrine clay and glacial deposits as shown in Figure 3, are consistent with the present-day topography. Even a remnant lake from this history, Lampert Lake, is still there, not having been completely filled with peat on its way to becoming a mature peat bog. Part of the old lake shore still exists and intersects the bluff of the project area, still represented as a topographic high and is consequently where many of the project homes are built. This elevated lakeshore is what the bluff intersects and explains why there are no significant peat deposits exposed in the bluff erosion shown in Photograph A of Appendix B.

The well-drilling program shown in Figure 4 shows the areas where near-surface geologic information was collected in detail. CGS was given a temporary construction permit for this activity by ADOT for work in the right-of-way, and this is provided in the back of Appendix C. Selected well logs are given in Appendix C, and all samples are stored at CGS in a materials library. The well borings provided a very consistent picture of the recent geology along this Kachemak Drive corridor.

The borings located adjacent to Kachemak Drive shown in Figure 4 encountered peat of varying thickness. In each boring the peat was augered until the surficial confining layer was reached. The confining layer was remarkably similar material across the study area, indicative of lake bottom sedimentation, and consisted of a silty to very fine sandy gray clay with some sub-angular gravel.

The thickest peat layer in the study area was ten feet thick at the Olson property wells (P1-S, P1-D, Olson Tall and Olson Short monitor wells). The peat layer then thinned to the Northeast along Kachemak Drive as shown in Appendix C, where the peat thickness is still over six feet thick in the middle of the project area, but thinning to less than one foot thick by the Northeastern-most part of the project area as depicted in Figure 3.

As mentioned previously, the inorganic clay that underlies the peat layer is likely lake deposits (now filled with peat). The thicker peat deposits represent deeper areas of the filled-in ancient lake, thereby corroborating the proximity of historical remnant Lampert Lake to the thickest peat layer identified at the base of the Olson's driveway. The lake-bed clay deposit was found to be very uniform and laterally continuous below the peat layer, in addition to being unsaturated within inches of the peat/clay interface. The peat layer, however, was invariably saturated during the drilling program.

The surficial geology changes to glacial morainal deposits along a remnant of the old lakeshore, which forms the topographic high of the project area. These glacial moraine

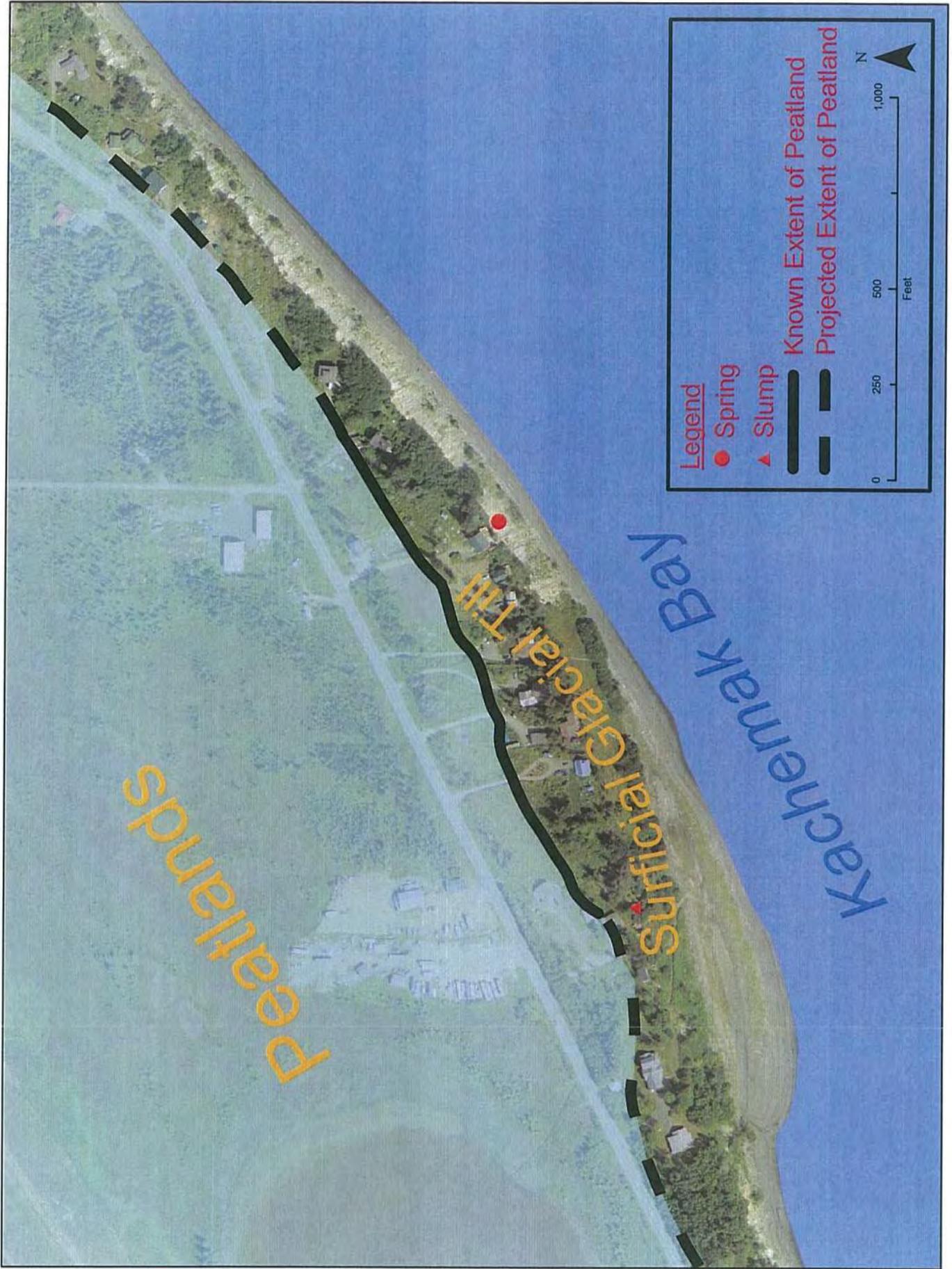


Figure 3: CGS Surficial Geologic Findings: Detail

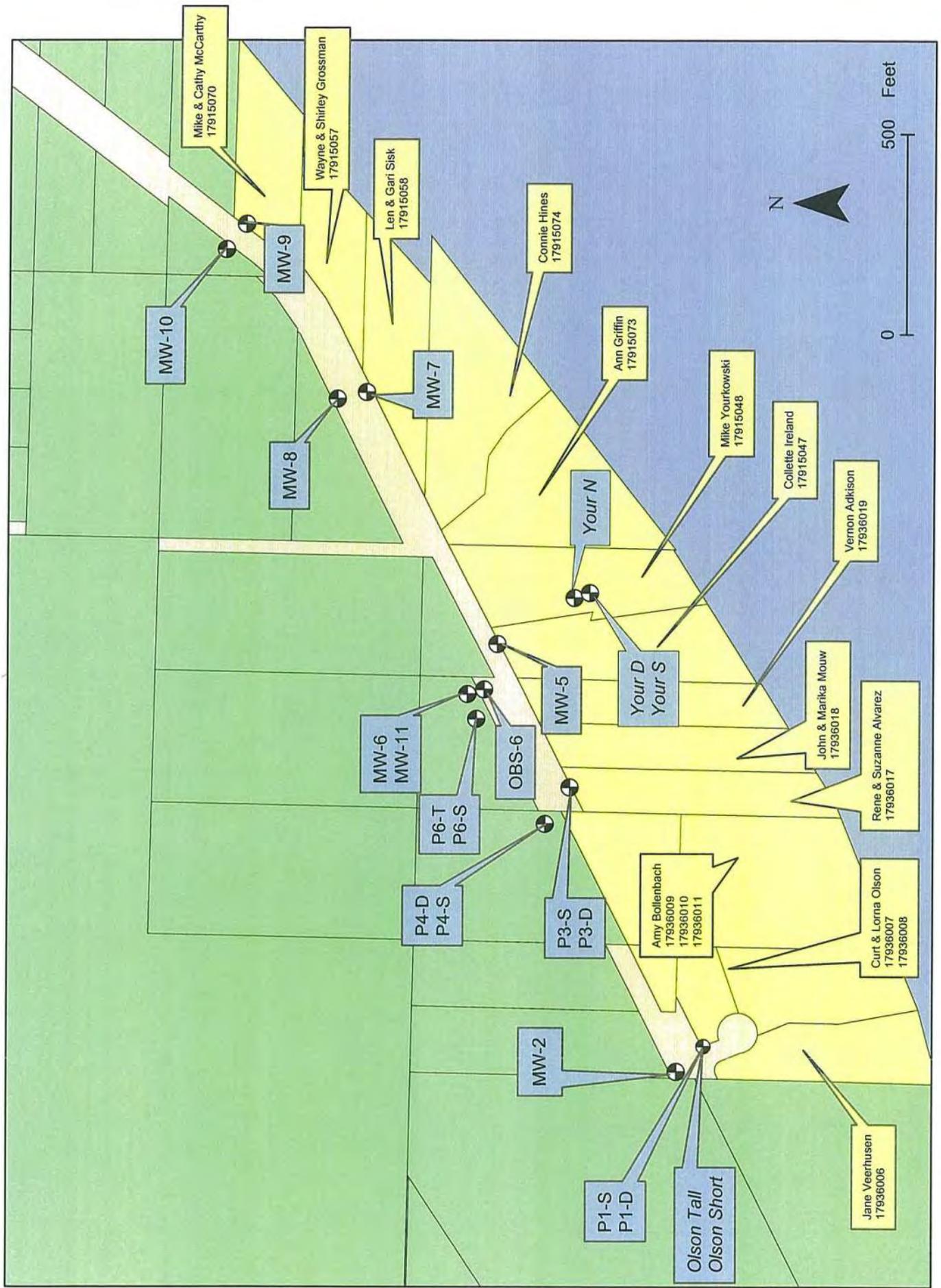


Figure 4. Locations of Kachemak Drive Monitoring Wells

deposits are shown in cross section in Figure 5, also underlie the lacustrine clay deposit previously described.

These deposits were examined in four borings (*Your Pond, Your D, Your S and Your N*) as given in Appendix C). These borings mostly showed the non-sorted and non-stratified glacial till signature, however at certain depths were sorted enough to become viable aquifer matrix, as shown later in this report. A special tool had to be fabricated to break through the glacial till which contained fist-sized sub-rounded cobbles. It is this glacial morainal deposit aquifer that continues the peat aquifer to the bluff.

This same glacial drift material was found in a recent slump located beneath the Olson property house as shown in Photograph B of Appendix B, and therefore the Quaternary morainal deposits have been verified to intersect the bluff in the project area.

Literature Research: Wetlands Hydrology

Groundwater hydrology, which includes aquifers or permeable formations as well as confining layers such as dense continuous clay layers, also applies to peat formations. The hydrology of peat has been carefully examined for this latitude by Russian researchers as early as the 1950s (Romanov, 1961). That early work recognized peat as having both an unsaturated hydraulic conductivity, which depends on moisture content, as well as a saturated conductivity of a peat aquifer.

Compaction of peat was found to cause a very rapid decrease in its hydraulic conductivity, as experimentally proven by Romanov (1961). Hydraulic conductivity in peat was found to be determined by water movement in the largest pores. At low moisture values only the finest pores are filled, but where there is a peat aquifer (saturated peat) the water fills the largest pores. Romanov's published range from this work for saturated hydraulic conductivity was 1.7 to 84.4 cm/sec for sphagnum bog material in various microlandscapes (at saturation), 0.11 cm/sec for a lowmoor bog sample, and as little as 10^{-5} to 10^{-6} cm/sec for highly decomposed peat.

There have been a large range of saturated hydraulic conductivity values reported for peat since this early work, but it is still recognized that porespace, along with hydraulic gradient are the main controls on actual water flow rates (Ross, 1995). Rycroft et al. (1975) performed seepage tube experiments on variously humified peat, determining a range of 1.8×10^{-3} to 5.0×10^{-6} cm/sec.

Flow of water in peat also depends on the natural layering of this material. Peat layering was corroborated in the boring program for this project. Peatlands tend to be horizontally stratified given the way the plant material and decaying organic matter was laid down, with each layer having different degrees of humification. Humification of layers reduced the porosity and hydraulic conductivity (Ross, 1995). Humification does not depend on depth, however, as the boring program discovered at the base layer of the peat aquifer at the Olson's property which contained the *highest* degree of peat preservation and porosity nearly 10 feet below land surface- and just above the confining lacustrine clay layer.

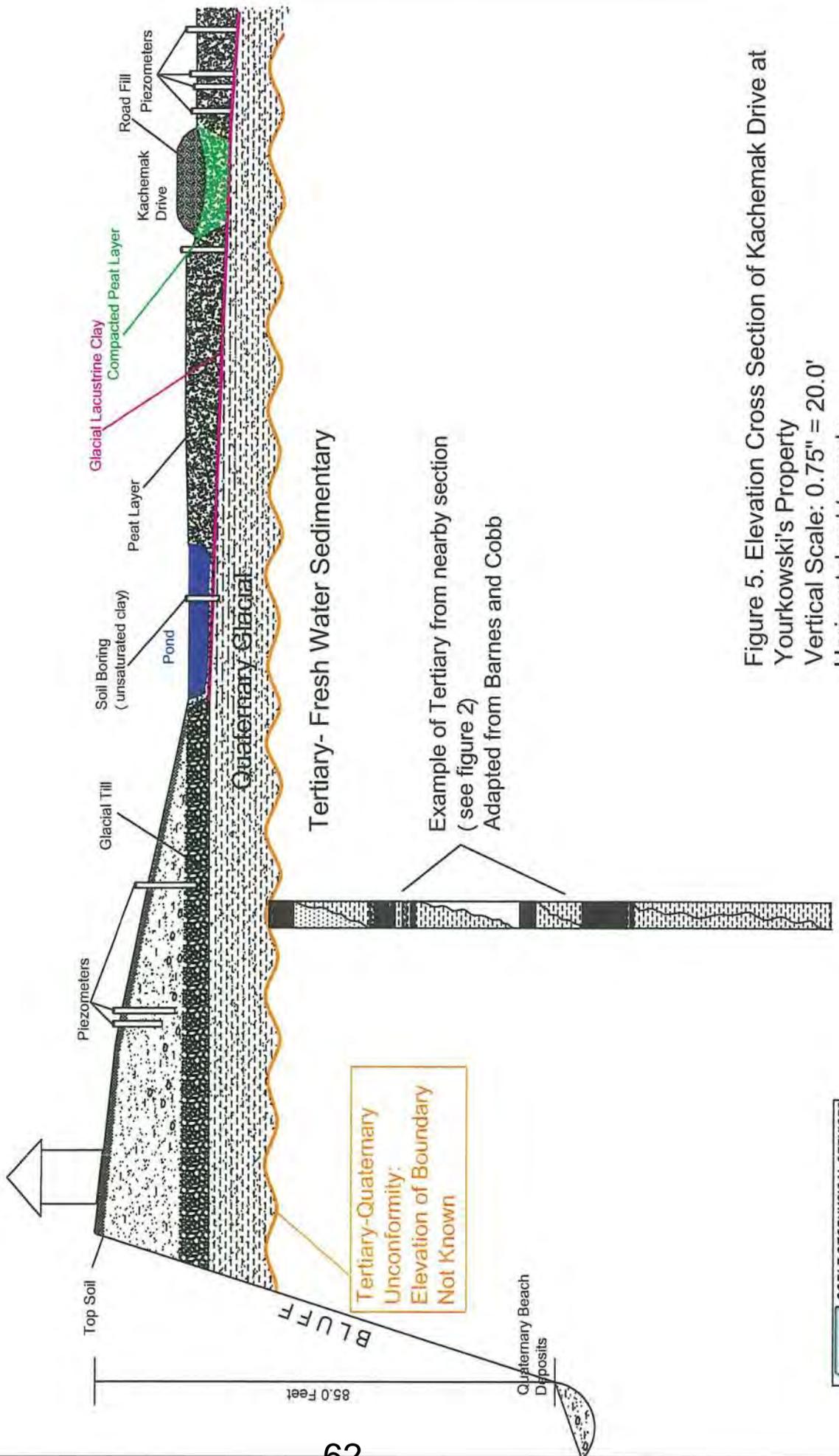


Figure 5. Elevation Cross Section of Kachemak Drive at Yourkowski's Property
 Vertical Scale: 0.75" = 20.0'
 Horizontal not to scale

These layers would be expected to show zones of preferential hydraulic conductivity and flow in horizontal directions.

Geotechnical Considerations

From a Geotechnical standpoint, the peat aquifer represents material that contains very little minerals, is inherently unstable and prone to settling. To minimize continued settling, a standard engineering practice is to apply “surcharging”, in this case an extra lift of gravel, which is intended to compress the peat formation.

Soil borings were taken to determine peat depth, and samples analyzed in a lab for compressibility as presented in the Kachemak Drive Preliminary Geotechnical Report (Slater and Narusch, 1984). Soil boring locations made during this effort are shown in Figure 6. A recommendation for surcharging was also included in *Appendix I* of their report. Finally, the Kenai Peninsula Gravel Roads Pavement Program-Kachemak Drive plans (ADOT, 2000) were made, and a total of 4,772 cubic meters of surcharge material was suggested for use in the area shown in Figure 6.

Kachemak Drive was then surcharged in 2000 as part of the Kenai Peninsula Gravel Roads Paving Project (State Project #54443, ADOT, 2004). The thicker areas of peat was estimated to have up to 27% of settlement of the peat layer thickness under any part of the road to be widened, and 7% over the existing roadway using 2.5 feet of surcharge material and a 3.5 month settling time (Slater and Narusch, 1984). A prominent crack in the pavement shown in Photograph C of Appendix B exists in the area of thickest peat layer aquifer in the project area, at the base of the Olson property driveway.

Groundwater Field Hydrology: Water Level Patterns

The groundwater wells shown in Figure 4 were installed beginning in February, 2004 using a jackhammer to break through frozen topsoil. Hand augers were used for soil sampling, well and piezometer installations. A winter installation is shown in Photograph D of Appendix B. Long term water level monitoring began consistently in March, 2004, and these water level records are shown in Appendix D.

Some wells were added later in the program to accommodate groundwater pumping tests to determine aquifer parameters as discussed in the following section. These wells were named Olson Tall, Olson Short, OBS-6, MW-11, P6-S and P6-T. Three wells on the Yourkowski property were added later to collect data between the bluff and Kachemak Drive. All wells and piezometers were capped at all times, and properly sealed with bentonite as shown in Photograph E of Appendix B. Some wells and piezometers would freeze and allow for artesian conditions, denoted as ‘ice’ on the water level records. The full water level records with time are presented in Appendix D.

All wells indicate a decline in groundwater level since spring melting occurred for 2004. A large increase of water level buildup leading into spring melt-off was observed, where some water levels increased more than half of the entire observed water level range in a short period of time as shown in Appendix D.



August 2003 Figure 6. Adapted from State of Alaska Department of Transportation Reports:

Kenai Peninsula Gravel Roads Pavement Program, 2000 FRAF-0001(188)/54443
 Kachemak Drive Preliminary Geotechnical Report, 1984 A80891

The differential effects of winter to melt-off on groundwater gradient across Kachemak Drive were dramatic considering the flat topography. Figures 7 and 8 show the difference between March 1st, 2004 and August 9th 2004. The potential for groundwater flow across Kachemak Drive reached a 3 to almost 4 feet differential on 3/1/04, while this does not indicate the maximum pressure differential as shown in Figure 7. These large pressure differentials leave excessive water pressure on the Bay Side, or South Side of the roadway, and must be caused by a hydraulic barrier of some kind beneath the roadway and frozen topsoil. Note that the groundwater pressures exceed and 'fill' the drainage ditches, though in reality these ditches are filled with water over ice as shown in Photograph E.1 in Appendix B, and result in further problems with property flooding mentioned in an earlier report to ADOT (CGS, 2004).

Groundwater Flow Rates

Pumping tests were conducted on four groundwater wells designed for this purpose. Three of the wells were screened in the peat aquifer, while *Your-N* was screened in the glacial till aquifer. The pumping test on Olson-Tall is shown in Photograph F of Appendix B. A special peristaltic pump was ordered for the project to achieve accurate low flow rates that ranged as low as 25 milliliters per minute. Each test consisted of a pumped well, in which the water level drawdown with time was monitored. Most of the peat aquifer pumped wells had a peat 'smear' zone around them from augering which caused them to have a 'skin effect', or greater drawdown than the actual aquifer matrix due to the higher gradient of the pumped well. The drawdown data is plotted for each pumped and observation well in Appendix E.

The aquifer pumping tests were assumed to be unconfined in the spring and summer periods when the pumping tests occurred. Usually the effect of vertical drainage in the unsaturated zone on the delayed watertable response can be neglected for unconfined aquifers. However, the pumped well drawdown would be affected by the aquifer uniform thickness assumption, since the drawdown is large compared with the aquifer's original saturated thickness. However, since the skin effect is also an issue for the unconfined pumped wells, the Transmissivity (T) values for the pumped wells should simply be regarded as absolute minimum values.

The drawdown data was plotted on a logarithmic time scale to display the aquifer-induced changes in drawdown. The semi-log (or Jacob) method of pumping test interpretation was then chosen to obtain the aquifer parameters, which is a convenient simplification and reasonable approximation of the more robust Theis solution to the partial differential equation that describes saturated flow towards a well in a confined aquifer. The defining parameter of this flow when the *pumped well* is monitored is T, from which predictions of aquifer response can be derived given the boundary conditions are defined.

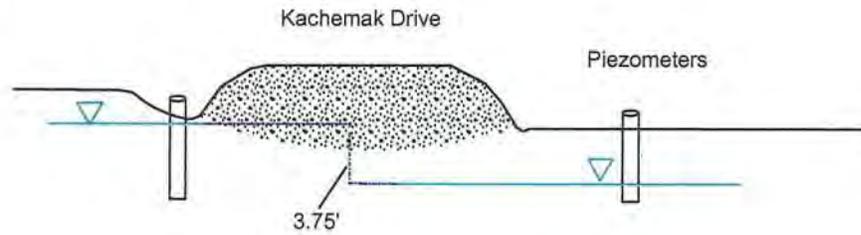
Water Level Elevations During Melt (3/1/04)

Does not indicate maximum pressure differentials at melt.

McCarthy Cross Section

Bay Side

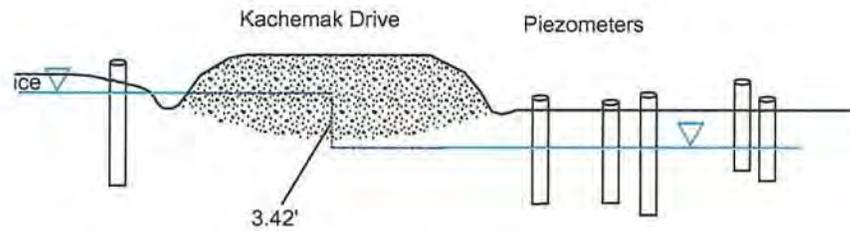
SE



NW

Yourkowski Cross Section

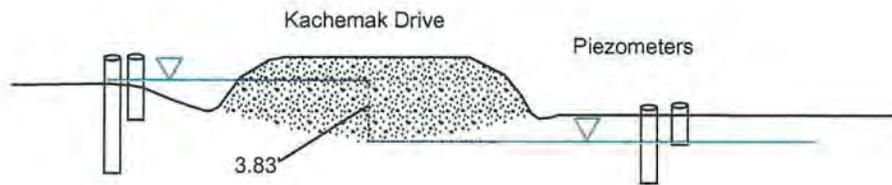
S



N

Alvarez Cross Section

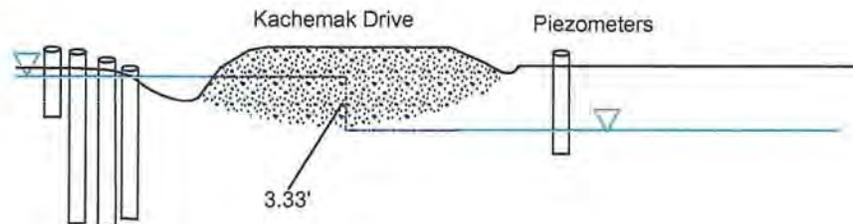
S



N

Olson Cross Section

S



N

Water Level Elevations During Late Summer (8/9/04)

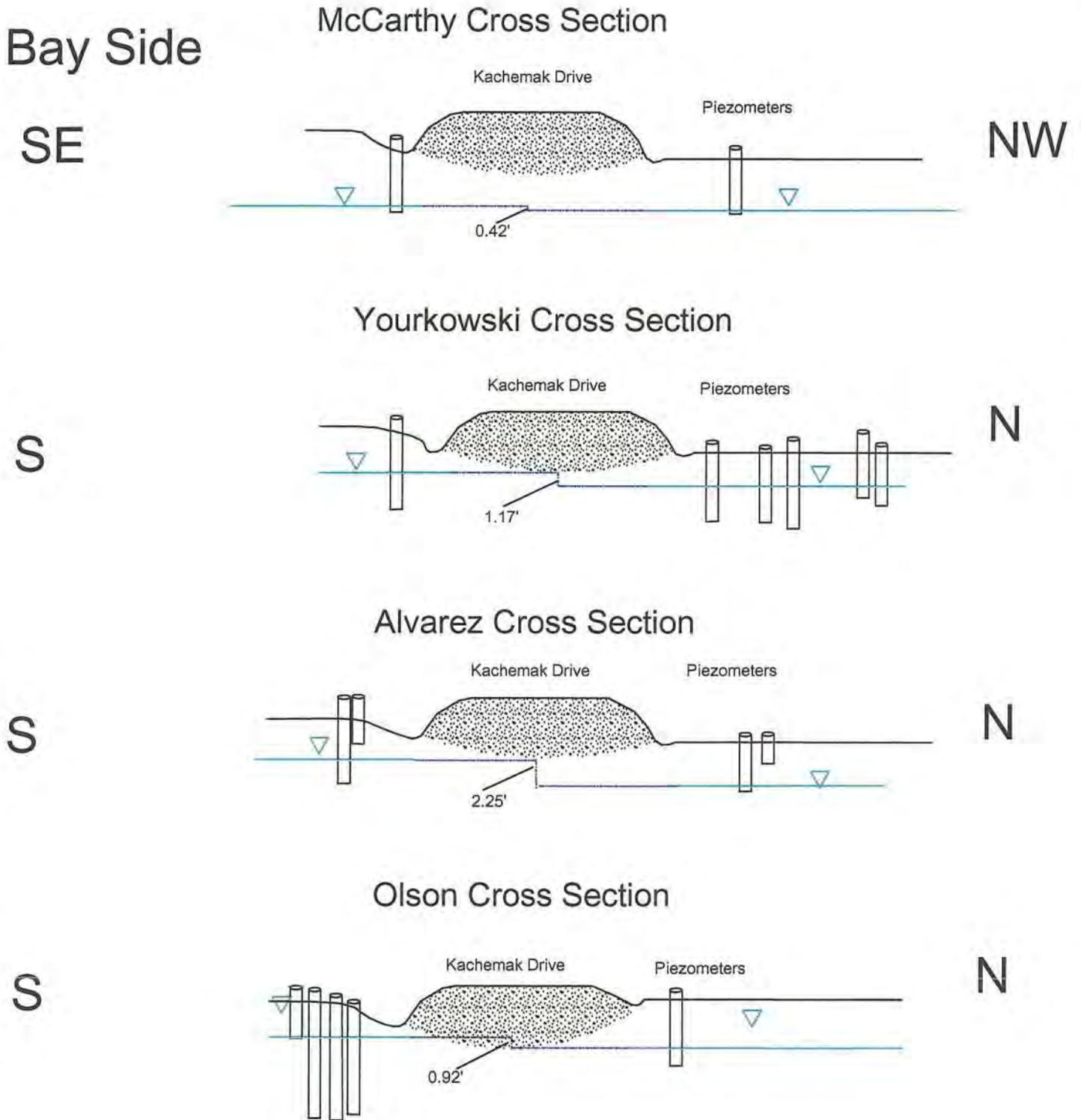


Figure 8. Elevation Cross Section of Kachemak Drive
Water Levels at Dry Conditions

1.625" = 20.0'

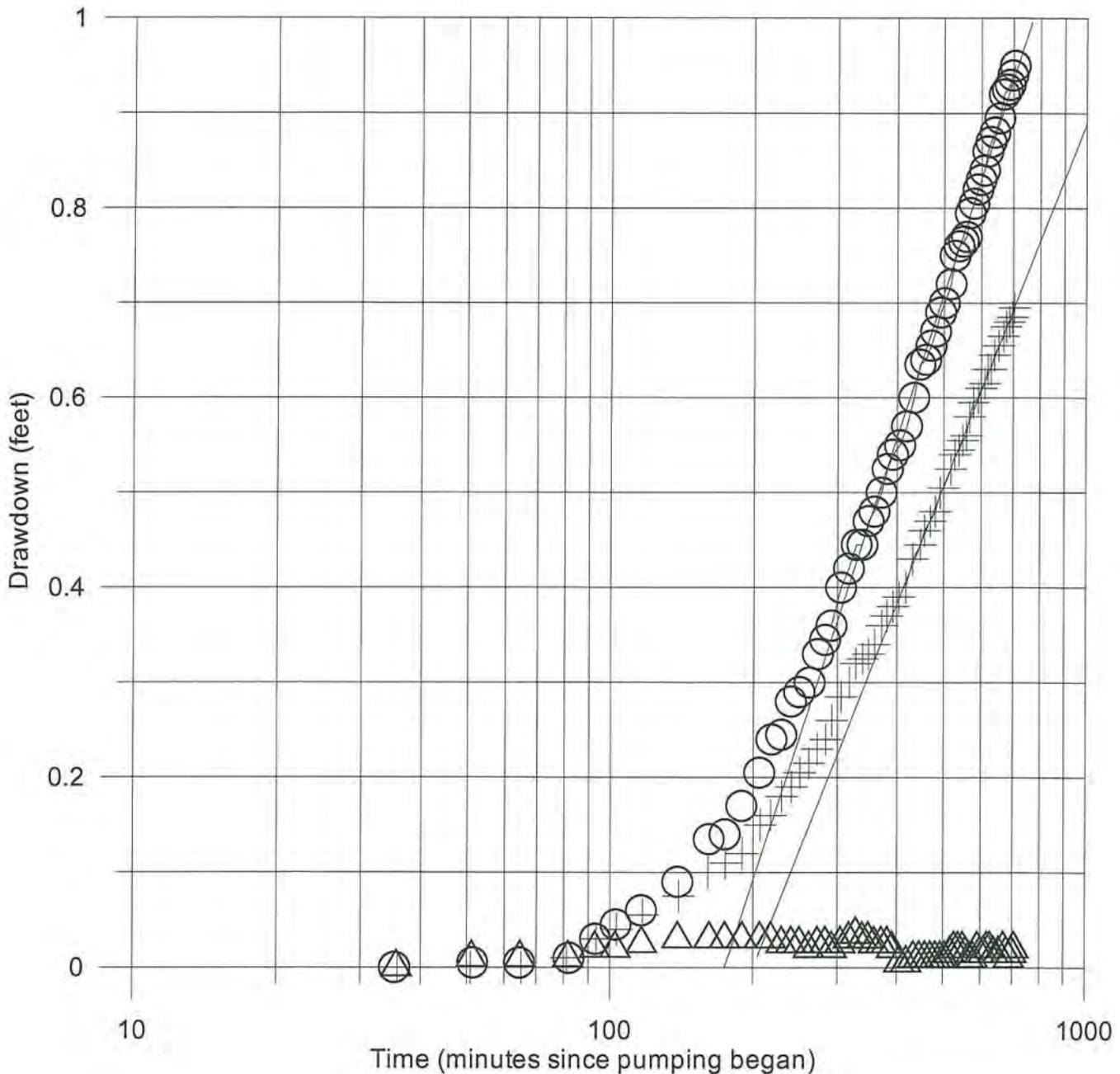
Observation wells, which are separated in the aquifer from the pumped well by distances given in Table 1, were used to calculate both T and Specific Yield (S_y). An example plot and calculations for the Olson observation well pumping test data is given in Figure 9.

Hydraulic conductivity (K) was then calculated from the aquifer thicknesses using $T = K/b$, where b is the unsaturated aquifer thickness given in Table 1. The range of K for the CGS pumping tests was 1.1×10^{-4} to 3.9×10^{-5} cm/sec in observation wells (not pumped wells) as shown in Table 1. The CGS Kachemak Drive hydraulic conductivity of peat is therefore in the middle of the 1.8×10^{-3} to 5.0×10^{-6} cm/sec range of K for water movement through humified peat of Rycroft et al., but substantially below the Romanov findings, despite the presence of significant layers of well-preserved peat. In addition, CGS found that moving away from the Kachemak Drive construction area at P6-S and P6-T produced the highest CGS value of K at 1.1×10^{-4} , which may indicate some of the effects of roadwork and utilities work on compaction of the peat aquifer.

TABLE 1. Aquifer Parameters from CGS Pumping Tests, Kachemak Drive Area

Pumped Well (geology)	Monitor-ed Well	Transmis. T (gallons/day/ft)	Aquifer Thickness b (feet at time of test)	Hydraulic Conduct. K (feet/day)	K (cm/sec)	Distance from Pumped Well (feet)	Specific Yield S_y
P6-S (Peat: skin effect)	P6-Short	0.59 gpd/ft	3.39	0.02 ft/day	8.2×10^{-6} cm/sec	--	--
P6-S (Peat)	P6-Tall	7.79	3.39	0.31	1.1×10^{-4}	2.50	0.075
<i>Olson-Tall</i> (Peat)	<i>Olson-Short</i>	6.97	8.32	0.11	3.9×10^{-5}	2.93	0.034
<i>Olson-Tall</i> (Peat)	P1-D	5.83	~4.0	0.2	$7. \times 10^{-5}$	3.01	0.023
<i>Olson-Tall</i> (Peat)	P1-S	Little response	--	--	--	3.04	--
<i>Olson-Tall</i> (Peat: skin effect)	<i>Olson-Tall</i>	1.52 (skin effect)	8.32	0.02	7.1×10^{-6}	--	--
MW-11 (Peat)	OBS-6	8.25	4.89	0.23	8.0×10^{-5}	5.54	0.015
MW-11 (Peat)	MW-6	4.68	4.89	0.13	4.7×10^{-5}	2.05	0.07
MW-11 (Peat: Skin effect)	MW-11	0.29	4.89	0.008	2.8×10^{-6}	--	--
YOUR-N (Glacial Deposit)	YOUR-N	2.00	3.10	0.086	3.0×10^{-5}	--	--

Figure 9. Peat Aquifer Pumping Test at Olson-Tall Observation Wells May 7, 2004



Legend

- P1-D
- △ P1-S
- + Olson Short

Olson Short

$$T = \frac{264(0.034 \text{ gpm})}{1.28} = 6.97 \text{ gpd/ft} \quad S = \frac{0.3(6.97)(0.14 \text{ days})}{(2.93)^2} = 0.034$$

$$K = 0.11 \text{ ft/day or } 3.9 \times 10^{-5} \text{ cm/sec}$$

P1-D

$$T = \frac{264(0.034 \text{ gpm})}{1.54} = 5.83 \text{ gpd/ft} \quad S = \frac{0.3(5.83)(0.12)}{(3.01)^2} = 0.023$$

$$K = 0.19 \text{ ft/day or } 6.9 \times 10^{-5} \text{ cm/sec}$$

Bluff Springs and Slumps

As discussed earlier, there is an unconformity between the Tertiary and Quaternary glacial deposits, and although this unconformity may or may not be exposed in the project area bluffs, it is clear that glacial deposits are exposed on the project area bluffs as shown in Figure 5. This means there is a direct connection between the peat/glacial till aquifer and the bluff. The natural hydraulic gradient is clearly away from the bluff through the peat aquifer towards the Lampert Lake drainage as shown in the water elevation cross sections of Figures 7 and 8.

The bluff springs, one of which is shown in Photograph F.1 in Appendix B, are related in hydraulic head to the peat/glacial till aquifer head from an initial CGS survey for this project. Unfortunately, the temporal springs occur in a hazardous area, making direct measurements dangerous. However, Paul Janke, Gary Walklin and Geoff Coble observed the Yourkowski bluff spring together in the Winter, 2004.

Another concern was noted earlier this year when a slump was discovered near the top of the vegetated bluff just below the Olson's home as shown in Photograph B of Appendix B. The geologic material of the slumped area is glacial till, similar to the base of the *Your-N* well log of Appendix C and the material shown in cross section in Figure 5. Therefore this is another area where the peat aquifer may transfer to a glacial till aquifer in the short space between Kachemak Drive and the bluff.

Table 1 showed an example T for this material of 2. gpd/ft at the Yourkowski property. Even a small T could saturate the thin organic and vegetated bluff in this area, but it would also be particularly dangerous to lubricate the organic-inorganic interface as well as saturating the inorganic layer where this aquifer intersects the bluff. A slump is one indication of a slope instability caused by bluff springs.

Conceptual Model

Kachemak Drive was upgraded and surcharged in 2000 as shown in Figure 6. Neighbors have been quoted as having noticed worsening hydrologic conditions since that period of time. This seems likely to be due to further compression of the peat aquifer, which would cut off the natural flow of groundwater beneath Kachemak Drive away from the bluff. Examples of the extreme gradients discovered across Kachemak Drive in the wintertime are shown in Figure 7.

A minimum potential for flow across Kachemak Drive can now be reasonably estimated (given the effects of roadwork and utilities work on compaction of the peat aquifer tested). The discharge Q through a cross section of unit width perpendicular to Kachemak Drive is given by $Q=Kh(x)(dh/dx)$, where $h(x)$ is the elevation of the water table (taken as aquifer thickness b), and dh/dx is the gradient. Winter gradients across Kachemak Drive are quite large (Figure 7). If the compacted aquifer width is assumed to

be 50 feet wide and an average two-foot head change across Kachemak Drive is recognized (a gradient of 0.04, though larger gradients were recorded), and a K of 0.3 feet/day is used for a relatively unaffected peat aquifer (shown in Table 1), a discharge of 900 gallons per day can be expected for a 5-foot average aquifer thickness distributed over two thousand feet of roadway within the project area. Clearly this effect is worse where the peat aquifer is thick, for example near the Olson driveway, however the effect persists throughout the studied area.

The potential for flow over several days during the winter reached thousands of gallons by the previous calculation, even with humified peat K values. Eventually, the hydraulic gradient builds up to the point where water seeks an easier pathway, bluff discharge, which occurs through the glacial till which had a measured K of 0.086 feet/day at the Yourkowski Property (Well *Your-N*). Wintertime bluff discharge was observed at the elevation of the peat/glacial till aquifer by the hydrologists referenced in this report.

The layered and variably humic nature of peat makes vertical flow of water much more difficult than horizontal flow. For example, Figure 9 shows a shallow piezometer near the Olson Driveway barely registered a large drawdown three feet away from the fully screened pumped well, despite a total drawdown of almost nine feet in the pumped well, and significant drawdown in the integrated well and deep piezometer a similar distance from the pumped well. In fact, this pumping test showed that the most significant hydraulic conductivity was located at the base of the peat formation in a well-preserved peat layer of low to no humification. This makes remediation of the situation problematic, since this peat layer is located from eight to ten feet below land surface at that location.

The reduction of peat hydraulic conductivity would be significant due to road-building and surcharging. The Kachemak Drive peat, even where humified, is very compressible as shown in Photograph G of Appendix B. Estimates of up to 27% of the peat depth for off-road compaction (10% for K-Drive) would result in one to two feet of compaction at the Olson Driveway if 2.5 feet of surcharged material were used there. This would account for a large loss in K, and thereby account for the large gradient across Kachemak Drive.

In the winter there is an additional confining layer, the frozen topsoil, which probably helps increase groundwater pressure by preventing discharge to the drainage ditches in downgradient areas of the coalition project area.

As mentioned in a previous memorandum given in Appendix A, the affected property owners live on a narrow band of land between Kachemak Drive and an 80-foot bluff to the ocean. This bluff is easily affected by changes in hydrology, since much of it lacks vegetation and is composed of relatively unconsolidated material (inorganic siltstone and claystone), and especially since much of its slope exceeds 55 degrees as measured at several locations with a micrometer clinometer. Even most slopes of this type over 35 degrees are subject to soil mass movement (Sidle et al., 1985). As groundwater is one of the major causes of slope instability (Huang, 1983), the property owners are rightfully

concerned about the effects Kachemak Drive and its 2000 upgrade might be having on the slope stability of their bluff property.

Conclusions and Recommendations

There is little doubt that Kachemak Drive is built on peat, and that even without surcharging the peat would be compressed. The owners of the bluff-side homes depend on the aquifer beneath Kachemak Drive, not only for the natural drainage but also for home septic discharge drainage which otherwise may add some measure of additional water pressure in the winter months if not allowed to discharge beneath Kachemak Drive.

The solution to this problem seems likely to be extensive. First, since the peat aquifer is stratified, only cross-culverts (crossing Kachemak Drive) that integrated the peat aquifer from its base at the lacustrine clay layer to the surface would assure that the groundwater gradient would be reduced. As shown in Figure 9, the most significant peat aquifer can be at the very base of the peat layer just above a confining clay layer, and confined above by stratified and humified peat aquicludes.

If vertically integrated cross-culverts are installed, groundwater would still need to be delivered to them. This is due to the overall low hydraulic conductivity (K) of the peat aquifer near the roadway. CGS found an increase in K leading away from the road construction and utility areas as shown in Table 1. An integrated drain leading to the cross culverts would of course solve the problem, however it would have to be constructed carefully so that an adjoining peat aquifer was not compressed during construction. In one case a property owner in the project area has constructed a pond which may be converted for use as an integrating drain. This pond structure collects water from the peat/glacial till aquifer year-around, and has been left open so that it may be tied into a Kachemak Drive groundwater drainage system to allow for more drainage area.

Although deeper aquifers are possible and were not investigated (deeper aquifers could also pose problems for the coalition neighborhood), it is imperative that the shallow aquifer pressure be relieved since this has been correlated to at least one bluff spring and one bluff slump. This report presents strong evidence for Kachemak Drive having caused excess groundwater pressure or head, which in turn contributes to at least one observed temporal bluff spring. Bluff springs oversaturate the surface organic layer (and inorganic substrate), as well as provide additional lubrication along the inorganic-organic interface. It is possible that relieving the groundwater pressure from the shallow aquifer could allow neighborhood bluff stability projects to resume. These issues need to be rectified for safety and to prevent loss of property in the coalition neighborhood.

CGS was constrained by budget, time and weather. CGS accomplished this project to the best of our abilities, and we would be willing to assist ADOT in any remedial design in this neighborhood based on this report.

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Appendix A

ADOT Memorandums and Reports



COBLE GEOPHYSICAL SERVICES

Homer Professional Building • 910 East End, Suite #1 • Homer, AK 99603 • (907) 235-1066

11/11/03

Paul Janke, Regional Hydrologist
State of Alaska Department of Transportation
P.O. Box 196900
4111 Aviation Avenue
Anchorage, Alaska 99519-6900

RE: Hydrologic Problems with Kachemak Drive Upgrade
Bluff Property Stability Concerns

Dear Mr. Janke,

This letter is a communication of my findings on the potential hydrologic impacts of the recently upgraded Kachemak Drive on residential bluff property owners which we visited together last year (locations listed below).

Coble Geophysical Services (CGS) surveyed relative land surface and water level elevations, including the road drainage ditch, a recently excavated surface water body located on Mike Yourkowski's property and a spring in the bluff of one of the property owners. The base of the drainage ditch along Kachemak Drive adjacent to these properties has a gradient that approximately matches these low-lying properties, but is also higher than adjacent ponded areas, which has exacerbated the flooding of these properties in the past. The drainage ditch water level also matches the groundwater level expressed in the recently excavated surface water impoundment, as well as the elevation of the groundwater discharging from the bluff to the extent that the drainage ditch has the potential to contribute groundwater to these properties as well.

This relationship was further corroborated later in the winter when the frozen surface water impoundment was pumped out to a downgradient discharge within the Kachemak Drive drainage ditch. CGS observed and photographed a groundwater drainage from the direction of the Kachemak Drive drainage ditch as it flowed onto the collapsing ice of the surface water impoundment owned by Mike Yourkowski. Such a shallow aquifer system has been observed by another neighbor, Ann Griffin, during the replacement of a nearby power pole.

All the neighbors concur that the upgraded Kachemak Drive drainage seems deeper, and there seems to be standing water in it for much of the year. The design of Kachemak Drive is such that no water on the bluff side of the road is allowed to drain beneath Kachemak Drive for a full ½ mile, along which the ditch passes by these low-lying bluff property owners. Water is now ponded on property where it was not previous to the road improvement, which may be another indication that water is contributed to this land by the drainage ditch.

Most importantly, the affected property owners live on a narrow band of land between Kachemak Drive and an 80-foot bluff to the ocean. This bluff is easily affected by changes in hydrology, since much of it lacks vegetation and is composed of relatively unconsolidated material (inorganic siltstone and claystone), and especially since much of its slope exceeds 55 degrees as measured at several locations with a micrometer clinometer. Even most slopes of this type over 35 degrees are subject to soil mass movement (Sidle et al., 1985). As groundwater is one of the major causes of slope instability (Huang, 1983), the property owners are rightfully concerned about the effects the upgrade might be having on the slope stability of their bluff property. It is of course extremely important that increases in water recharge to the shallow aquifer of these property owners, as well as to the surface water ponding (again, some bluff property owners have land surface elevations *well below* the depth of the *bottom* of the closest proximity Kachemak Drive drainage ditch) be corrected for safety and to prevent loss of property.

An increase of water supply to the natural springs on these bluffs 1) increases the erosion rate, and 2) increases the risk of catastrophic collapse due to saturation of more of the bluff sediments.

The owners wanted these concerns expressed in a letter to a hydrologist with ADOT, because CGS found that the Kachemak Drive drainage ditch could negatively impact the property owners copied below.

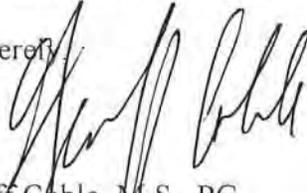
In summary, these findings indicate that instead of conveying surface water away from these properties, it floods them in two ways:

- a) during flood events such as in Fall 2002, water is collected from over 1200 feet upgradient along the Kachemak Drive corridor and discharged onto their low-lying properties as both surface water and groundwater. The lack of culverts and high lift of the upgraded Kachemak Drive makes an effective dam along this entire corridor, forcing flood water to drain onto the bluff-side properties
- b) Through groundwater recharge to a shallow 'aquifer', the top of which intersects the drainage ditch, upgradient or in the proximity of the low-lying properties. Again, the groundwater flow direction for this aquifer was shown to be towards the bluff where investigated (groundwater is visibly discharging from the bluff), whereas the DOT drainage effort is towards Lampert Lake on the other side of Kachemak Drive.

The property owners request that DOT do something to mitigate this situation. Allowing for only one culvert under Kachemak Drive in ½ mile of road drainage, and not accounting for the interaction of road drainage with the shallow water table of low-lying bluff property owners make the recent road improvements insufficient to protect this valuable bluff property in Homer.

Please let me know if you would like CGS to be of some assistance in increasing the safety of these residents and reducing the State's liability in this matter. Thank you for your time, referenced material upon request.

Sincerely,



Geoff Coble, M.S., PG
Coble Geophysical Services
Homer Professional Building
910 East End Rd, Suite #1
Homer, Alaska 99603

cc	Collette Ireland	KPB Parcel #17915047
	Vernon Adkison	KPB Parcel #17936019
	John & Marika Mouw	KPB Parcel #17936018
	Ann Griffin	KPB Parcel #17915073
	Mike Yourkowski	KPB Parcel #17915048



COBLE GEOPHYSICAL SERVICES

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4/28/04

Paul Janke, Regional Hydrologist
State of Alaska Department of Transportation
P.O. Box 196900
4111 Aviation Avenue
Anchorage, Alaska 99519-6900

RE: Surface Water Flooding
Bluff Property Stability Concerns

Dear Mr. Janke,

This preliminary letter is a communication of my findings on the surface water impacts of Kachemak Drive on residential bluff property owned by Curt and Lorna Olson and Dan and Jane Veerhusen as shown in Figure 1. This property has in recent years become more saturated according to the owners, and is of additional concern for these coalition neighbors apart from the soon-to-be-completed groundwater investigation, in that they own an area where surface water can discharge over the bluff directly due to surface flooding.

Surface flooding is unquestionably a problem in recent winter months leading into breakup, which is the current period of investigation, and became enough of a problem to where the Veerhusens considered using sandbags and a large capacity pump for flood control this year.

The Olsons have listed a litany of concerns, including use of water pumps to prevent water from gaining entrance to the downstairs door of their house. They indicated that for the last three years they have not been able to leave their house in February or March without having a house sitter for this reason. With water levels that high, it is not surprising that their other concerns would include a flooded tree nursery, water up to axle on boat trailer, observed effects of these conditions on their spruce tree buffer with Kachemak Drive, and most importantly bluff erosion in general.

CGS surveyed the affected swale as a separate investigation during the groundwater investigation on 3/1/04 before breakup and on 4/04 after the area was free from ice. Three cross sections were surveyed as indicated on Figure 2, which also shows the outline of the Olson and Veerhusen properties on a satellite image of the area.

Cross section profiles A-A' and B-B' are shown in Figure 3. Cross section A-A' shows the gradient of the drainage ditch as it crosses the Olson driveway to the Kachemak Drive cross-culvert point 250 feet southwest. Cross section B-B' shows the path that surface water actually travels during winter and breakup conditions when the drainage ditch fills

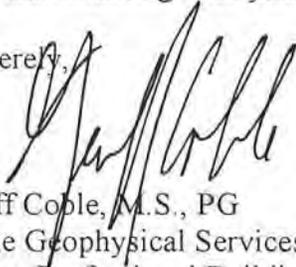
with ice, thereby drastically decreasing- and at times reversing- the gradient A-A', causing water to flow over the bluff along B-B'.

The road cross section C-C' shown in Figure 4 provides the best illustration of the problem. The C-C' location, shown in Figure 2, was surveyed on 3/1/04 and on 4/22/04 in order to show the ice thickness in the cross section on 3/1/04. The winter conditions in this area cause significant ice buildup in the drainage ditch, overflowing it in this location which caused water to actually flow toward and over the bluff for protracted periods of time. Appendix A shows a photo gallery of some of these events.

The historical nature of this problem includes being first brought to ADOT's attention in 1999-2000 during approximately mid to late April (Curt Olson with Mike Morowitz, ADOT, personnel communication). Photographs at that time, such as those in Appendix A, are available. These photos document that in addition to providing a surface icing hazard at this time of year, the water that discharges down the bluff in this location is causing erosion despite qualitatively mild conditions for such problems this winter (i.e. much of the runoff this year was solely from meltwater).

Aquifer issues will be addressed in the coming groundwater investigation report. Preliminary findings from that report include significant hydrologic results that should be accounted for in mitigating the effects of Kachemak Drive, however the investigation work is not yet complete, and will take approximately one more month to complete. Please let me know if you have any questions about this particular issue, and I look forward to talking with you soon,

Sincerely,

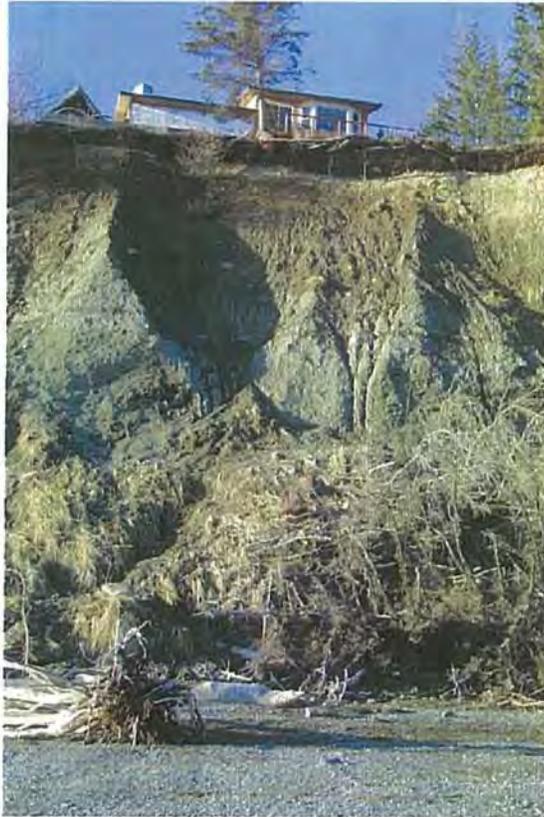


Geoff Coble, M.S., PG
Coble Geophysical Services
Homer Professional Building
910 East End Rd, Suite #1
Homer, Alaska 99603

cc: Curt and Lorna Olson
Dan and Jan Veerhusen

Appendix B

Project Photographs



Photograph A. Slump, Massive Slope Failure with House Above in Project Area 2/25/04.



Photograph B. Recent Slump in Bluff, Just Below Olson's Home. Kachemak Drive Project Area, 4/29/04.



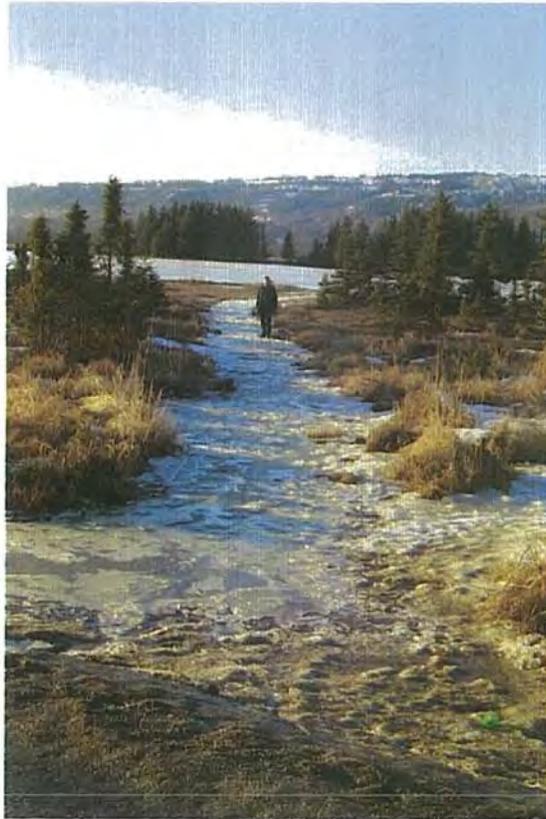
Photograph E. Winter Installation of Piezometer; Bentonite Seal, 2/4/04



Photograph E.1. Ponding Around Piezometers P1-S and P1-D, 4/9/04.



Photograph G. Compressible and Saturated Peat from Project Area.



Photograph H. Frozen Drainage to Lampert Lake (frozen solid to peat, tested with jackhammer), 2/25/04.

Appendix C

*Well Logs and Temporary Construction
Permit*

Soil Boring Logs from Kachemak Drive

Acrylic Soil Sample Orientation:

Blue Cap – Bottom of Interval

Black Cap – Top of Interval

MW-8 (North side of Kachemak Drive)

Depth Interval (feet)	Soil Description
0-1.2	not sampled frozen topsoil layer removed with jackhammer
1.2-1.9	peat, dark brown with roots
1.9-2.5	decayed dark brown peat topsoil, little peat texture with roots
2.5-3	decayed dark brown peat, springy, no roots
3-3.5	decayed dark brown peat layer, springy
3.5-4	dark brown, more decayed peat soil, some fine-grained peat texture
4-4.8	same, water absorbent dark brown peat soil, springy
4.8-5.1	same, decayed springy peat layer, some fine-grained peat texture
5.1-5.8	very dark brown peat soil, no peat texture
5.8-6.0	gray silty clay with fine sand to gravel up to ¼ inch diameter
6.1-7.0	gravelly silty clay, with fine to coarse sand, gravel less than ½ inch diameter

Well Construction Details (MW-8):

Total Depth of Well 6.50 feet from top of casing

Top of Casing 0.63 feet above ground surface

Screened Interval 1 foot

Gravel to 1 foot below ground surface

Bentonite filled to surface

Yourkowski Pond Substrate Soil Boring

Depth Interval (feet)	Soil Description
0-3	ice (surface) removed with jackhammer and pond water
3-4	silty to gravelly clay, gray to tan, gravel up to ½ inch in diameter
4-4.3	gray to light tan silty to gravelly clay, gravel up to 1 inch in diameter
4.3-4.8	gray silty to gravelly clay, unsaturated when checked in the field for this interval, gravel subangular to subrounded

MW-6, MW-11, OBS-6 (Yourkowski Soil Boring on North side of Kachemak Drive)

Depth Interval (feet)	Soil Description
0-1	frozen topsoil layer removed with jackhammer (not sampled)
1-2	Dark brown moderately decayed peat layer with decreasing amount of roots and plant matter
2-3	light brown decayed peat soil, springy, some tan soil inclusions
3-3.5	black poorly decayed peat layer with visible plant matter
3.5-4	Same
4-4.8	dark brown to black peat layer, more decayed but with peat texture, some visible plant matter
4.8-6	Same
6-6.5	dark brown peat soil, with some fine-grained peat texture
6.5-6.7	dark grayish brown dense peat soil with no peat texture
6.7-6.8	dark gray silty to sandy clay, with gravel up to 1 inch in diameter
6.8-7.3	Gray silty clay, unsaturated, some plant debris, massive clay

Well Construction Details (MW-6):

Total Depth of Well 7.42 feet from top of casing
 Top of Casing 1.10 feet above ground surface
 Screened Interval 1 foot
 Gravel to 1 foot below ground surface
 Bentonite filled to surface

Well Construction Details (OBS-6):

Total Depth of Well 6.41 feet from top of casing
 Top of Casing 0.84 feet above ground surface
 Screened Interval 1 foot
 Gravel to 1 foot below ground surface
 Bentonite filled to surface

Well Construction Details (MW-11):

Total Depth of Well 6.33 feet from top of casing
 Top of Casing 0.44 feet above ground surface
 Screened Interval 1 foot
 Gravel to 1 foot below ground surface
 Bentonite filled to surface

MW-10 (Location #10)

Depth Interval (feet)	Soil Description
1.5	Peat with some plant matter, well decomposed
2	Dark Brown, more decomposed, much less visible plant matter
2-2.5	Dark Brown to black, peat has some plant matter, well decomposed
2.5-2.75	Dark brown to black, no plant matter visible
2.75-3.25	Same, with some seeds , and compressible
	Dark Brown, gray Much more decomposed, a peat soil
3.5-4.5	Where peat/lacustrine sediment interface Dark well-decomposed peat to silty to very fine sandy clay with some subangular pea gravel (acrylic sampling tube of this to preserve structure)
4.75	Silty to very fine sandy gray clay with some subangular pea gravel
5	Same, subrounded gravel up to ¼-inch diameter

Well Construction Details (MW-10):

- Total Depth of Well 5.185 feet from top of casing
- Top of Casing 0.91 feet above ground surface
- Screened Interval 1 foot
- Gravel to 1 foot below ground surface
- Bentonite filled to surface

MW-2 (Location #2)

Depth Interval (feet)	Soil Description
1.5-2.5	Peat soil, lots of organic plant matter, roots, woody debris, stone
2.0-2.5	Dark brown peat, more decayed but still plenty of plant matter, with roots
2.5-3.5	Brown peat layer, more decayed, but still some plant matter visible, compressible
3.5-3.9	Very dark brown, decayed peat, very compressible
4.0-4.5	Dark brown peat layer, little plant structure left
4.5-5.0	Less decayed dark brown peat layer with visible plant structure, very compressible
5.0-5.5	Less decayed peat, uncompacted and very porous, lots of plant matter

Well Construction Details (MW-2):

Total Depth of Well 6.01 feet from top of casing
Top of Casing 0.73 feet above ground surface
Screened Interval 1 foot
Gravel to 1 foot below ground surface
Bentonite filled to surface

P1-S, P1-D, Olson Tall, Olson Short (Location #1)

Depth Interval (feet)	Soil Description
1.5	Dark brown, very poorly decomposed peat, extremely compressible and porous
1.5-2.0	Same, mostly plant matter, not decomposed, very porous and compressible
2.5	Mostly plant matter, showing more peat soil, very porous and compressible
3.0-3.5	Dark brown, very poorly decomposed peat layer, some volcanic ash, lot of mostly plant matter, very porous, very compressible
3.5-4.0	Lot of plant matter, more of a peat soil, very porous, very compressible
4.0-4.5	Dark brown, very porous peat layer, plant matter smaller in size and is more decayed, extremely porous, very compressible
5.0-5.5	Same, occasional root inch long, very compressible and porous
5.5-6.0	Dark brown peat layer, very porous, very compressible (same)
6.0	Same, a lot of undecayed peat
6.0-6.5	Black, more of a peat soil, very compressible, less visible plant matter and only somewhat less porous
6.5	Very compressible dark brown to black peat soil, lots of plant matter, very compressible
6.65	Peat layer, very little peat soil, lot of plant matter, very porous and compressible, twigs over an inch in length
6.75	More of a peat soil, but otherwise the same
7.0-8.0	Very porous less of a soil, lots of plant matter, very compressible
8.5-9.0	Black, extremely porous and compressible peat layer, a lot of plant matter, absorbent like a sponge
9.5	Very porous very compressible peat layer full of undecayed plant matter
10.0	Silty to very fine sandy gray clay, also with some sub-rounded pea gravel

Well Construction Details (P1-D):

Total Depth of Well 10.67 feet from top of casing
Top of Casing 1.23 feet above ground surface
Screened Interval 1 foot
Gravel to 5.2 feet below ground surface
Bentonite filled to 3.2 feet below ground surface
P1-S set in place
Gravel filled to 1 foot below ground surface
Bentonite filled to ground surface

Well Construction Details (P1-S):

Total Depth of Well 4.11 feet from top of casing
Top of Casing 1.31 feet above ground surface
Screened Interval 1 foot
Gravel to 1 foot below ground surface
Bentonite filled to surface

Well Construction Details (*Olson Tall*):

Total Depth of Well 10.38 feet from top of casing
Top of Casing 0.89 feet above ground surface
Screened Interval 1 foot
Gravel to 1 foot below ground surface
Bentonite filled to surface

Well Construction Details (*Olson Short*):

Total Depth of Well 9.61 feet from top of casing
Top of Casing 0.42 feet above ground surface
Screened Interval 1 foot
Gravel to 1 foot below ground surface
Bentonite filled to surface

P3-D, P3-S (Location #3)

Depth Interval (feet)	Soil Description
2.0	Dark brown peat layer, lots of plant matter, well decayed, compressible
2.0-2.5	Compressible peat soil, some plant matter, twig up to 1-inch in length
3.0	Well defined volcanic ash layer, more of a compressible porous layer, much less visible plant matter, visible roots
3.0-3.5	Dark brown to black, very porous, very compressible peaty soil with some plant matter and volcanic ash
4.25	Same
4.75	Black peat layer with some plant matter, plant pieces up to 1-inch in length, a very compressible and porous peat soil
5.25	Dark brown very compressible peat soil, lots of fine plant matter visible, poorly decayed layers, porous
5.75	Dark gray silty to very fine sandy clay, unsaturated with some plant matter.

Well Construction Details (P3-D):

Total Depth of Well 6.90 feet from top of casing
 Top of Casing 2.20 feet above ground surface
 Screened Interval 1 foot
 Gravel to 2.8 feet below ground surface
 Bentonite filled to 1.4 feet below ground surface
 P3-S set in place
 Gravel filled to 0.3 feet below ground surface
 Bentonite mounded above ground surface

Well Construction Details (P3-S):

Total Depth of Well 3.03 feet from top of casing
 Top of Casing 1.31 feet above ground surface
 Screened Interval 1 foot
 Gravel to 0.3 feet below ground surface
 Bentonite mounded above ground surface

P4-D, P4-S (Location #4)

Depth Interval (feet)	Soil Description
1.75	Dark brown peat layer with some roots, very porous and compressible, lots of visible plant debris
2.25	Lighter brown peat soil, very compressible, some volcanic ash, plant debris (less than layer above)
2.75	Dark brown, compressible peat soil, less plant debris than layer above
3.5	Black very porous peat layer, lots of plant matter, very compressible
3.75	Dark brown, very porous layer, lots of plant matter, absorbent, compressible, twigs over 1-inch length
4.5	Gray-black, peat soil with significant plant debris and woody debris, very compressible and very porous
4.7	Gray silty to very fine sandy clay, subrounded gravel to 1-inch diameter, unsaturated

Well Construction Details (P4-D):

- Total Depth of Well 4.51 feet from top of casing
- Top of Casing 0.51 feet above ground surface
- Screened Interval 1 foot
- Gravel to 2.0 feet below ground surface
- Bentonite filled to 1.1 feet below ground surface
- P4-S set in place
- Gravel filled to 0.3 feet below ground surface
- Bentonite filled to ground surface

Well Construction Details (P4-S):

- Total Depth of Well 1.71 feet from top of casing
- Top of Casing 0.72 feet above ground surface
- Screened Interval 1 foot
- Gravel to 0.3 feet below ground surface
- Bentonite filled to surface

MW-5 (Location #5)

Depth Interval (feet)	Soil Description
1.0	Dark brown to black peat soil, very porous and compressible, lots plant matter and roots
1.75	Peat, poorly decomposed, very compressible and porous, large woody debris
2.0	Dark brown to black peaty soil, compressible and porous, lot of visible plant matter, some volcanic ash
2.5	Dark brown, compressible peaty soil, visible plant matter, absorbent
3.0	Dark brown peaty soil, significant volcanic ash layer, compressible, significant woody debris over 2-inches in length
3.5	Dark brown, peat layer, higher in undecayed plant matter, also higher porosity, very compressible
4.75	Dark brown peat soil with a lot of undecayed plant matter, significant volcanic ash layer, porous and compressible
5.25	Peat soil with high plant matter content (plant debris up to ¾-inch length, but fairly uniform) Very porous and very compressible
6.0	Dark brown to gray brown dense peat soil with some woody debris, much less compressible, visible plant matter
6.5	Gray and unsaturated silty to very fine sandy clay with some coarse sand to subrounded pea gravel, some plant debris

Well Construction Details (MW-5):

Total Depth of Well 7.52 feet from top of casing
 Top of Casing 1.68 feet above ground surface
 Screened Interval 1 foot
 Gravel to 1.5 feet below ground surface
 Bentonite filled to surface

MW-9 (Location #9)

Depth Interval (feet)	Soil Description
2.25	Dark brown peat soil, compressible and porous, woody debris and significant undecayed plant matter
2.5	Dark brown peat soil, compressible and porous, without much visible plant matter
3.25	Dark brown peat soil, with volcanic ash, some plant matter up to 1-inch length, compressible
3.5	Dark brown peat soil, compressible, very little visible plant matter
3.75-4.0	Dark brown to black peat layer, lots of undecayed plant matter, very porous and compressible (much more porous than layer above)
4.5	Black peat layer with a lot of undecayed plant matter, porous, compressible and absorbent
5.0	Black peat soil, dense, minor plant debris, still compressible but much less so
5.5	Dark brown grading to gray silty clay with some plant debris, unsaturated, with some coarse sand

Well Construction Details (MW-9):

- Total Depth of Well 5.99 feet from top of casing
- Top of Casing 1.04 feet above ground surface
- Screened Interval 1 foot
- Gravel to 1.70 feet below ground surface
- Bentonite filled to surface

Your-S, Your-D Location

Depth Interval (feet)	Soil Description
0.0-0.25	Dark brown organic topsoil, with roots
0.25-1.5	Dark brown to gray organic topsoil with roots, higher clay content
1.5-2.25	Gray to brown organic silt, with roots
2.25-2.5	Brown organic silt with roots, with significant subrounded gravel
2.5-2.75	Dark Brown silty to coarse sandy gravel, subrounded to rounded up to 2-inch diameter
2.75-3.0	Silty to sandy cleaner gravel, subangular to subrounded, up to 2.5 inch diameter
3.0-3.5	Same, gravel size reduced to be up to 1-inch diameter subrounded
3.5-3.75	Same, increasing amounts of coarse sand
3.75-4.0	Same, clean coarse gravel with significant coarse sand
4.0-4.5	Dense clayey to sandy gravel, gravel up to 2-inch in diameter (much higher clay content)
4.5-4.75	Light gray coarse sand and fine gravelly clay, dense, gravel is subrounded
4.75-5.25	Tan gravelly to silty clay, dense and plastic, gravel ¼ - inch diameter, subrounded
5.25-5.5	Same, with significant gravel fraction, gravel up to ½ - inch in diameter
5.5-6.0	same
6.0-6.25	Same, with increasing gravel content
6.25-6.75	Sandy gray clay with some gravel, gravel up to 2-inch diameter, subrounded
6.75-7.0	Light brown, gravelly silt, gravel up to 3-inch diameter, subrounded
7.0-7.25	Same
7.25-7.5	Cleaner gravel and cobble layer, with some silt and clay, gravel and cobbles subrounded
7.5-7.75	Light tan to light brown gravelly silt, slightly denser, subangular to subrounded, up to 2-inch in diameter

Well Construction Details (*Your-D*):

Total Depth of Well 9.70 feet from top of casing
Top of Casing 1.86 feet above ground surface
Screened Interval 1 foot
Gravel to 5.5 feet below ground surface
Bentonite filled to 4.9 feet below ground surface
Your-S set in place
Gravel filled to 1 foot below ground surface
Bentonite filled to ground surface

Well Construction Details (*Your-S*):

Total Depth of Well 6.73 feet from top of casing
Top of Casing 1.86 feet above ground surface
Screened Interval 1 foot
Gravel to 1 foot below ground surface
Bentonite filled to surface

***Your-N* Location**

Depth Interval (feet)	Soil Description
0.0-2.0	Dark brown to gray brown organic topsoil, with roots
2.0-5.75	Glacial till, as previously described in Your S, Your D well log
5.75-7.75	Light tan clayey and fine sandy silt with significant gravel content, subrounded and can be over 2-inch diameter

Well Construction Details (*Your-N*):

Total Depth of Well 10.11 feet from top of casing
Top of Casing 2.39 feet above ground surface
Screened Interval 2 foot
Gravel to 5.75 feet below ground surface
Bentonite seal followed by natural clay to surface

Other Locations:

Well Construction Details (P6-T):

- Total Depth of Well 5.39 feet from top of casing
- Top of Casing 1.79 feet above ground surface
- Screened Interval 1 foot
- Gravel to 1.0 foot below ground surface
- Bentonite filled to surface

Well Construction Details (P6-S):

- Total Depth of Well 4.75 feet from top of casing
- Top of Casing 0.33 feet above ground surface
- Screened Interval 1 foot
- Gravel to 1.0 foot below ground surface
- Bentonite filled to surface



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From: Dawn R. S. Hancock <dawn_hancock@dot.state.ak.us>
To: <cgs@ak.net>
Subject: ROW ID # 333.002 Temp. Construction Permit Extension
Date: Thu, 29 Jan 2004 08:49:18 -0900
Attachments: dawn_hancock.vcf, Size: 417 bytes.

[Click here](#) to clean up the attachments on mail2webServer

Jeff, I spoke with Dave Heier regarding your request for an extension on the TCP.

Please consider this email formal approval for extending the TCP work dates thru November 31, 2004.

If you have any questions, please give me a call at 269-0688 or email me.

Thanks, Dawn

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I have been working with Dawn, through email, on updating this TCP, which originally should have accounted for approx. 20 groundwater wells and piezometers (not "soil borings" as was put in the original TCP.) I am also working with Dawn to extend the TCP to late Fall, 2005 in case Paul Janke (A00T) needs further groundwater information. Please call me if you have any further questions. Thank you,

Jessie Banas
http://mail2web.com/cgi-bin/read.asp?mb=&mp=P&mpps=0&lid=0&lid=-1&lp=20&mn=43&ed=zWaAlg7yAKKGMrGBTNp8Hi... 1/29/2004



Jessie V. Banas
Associate Scientist

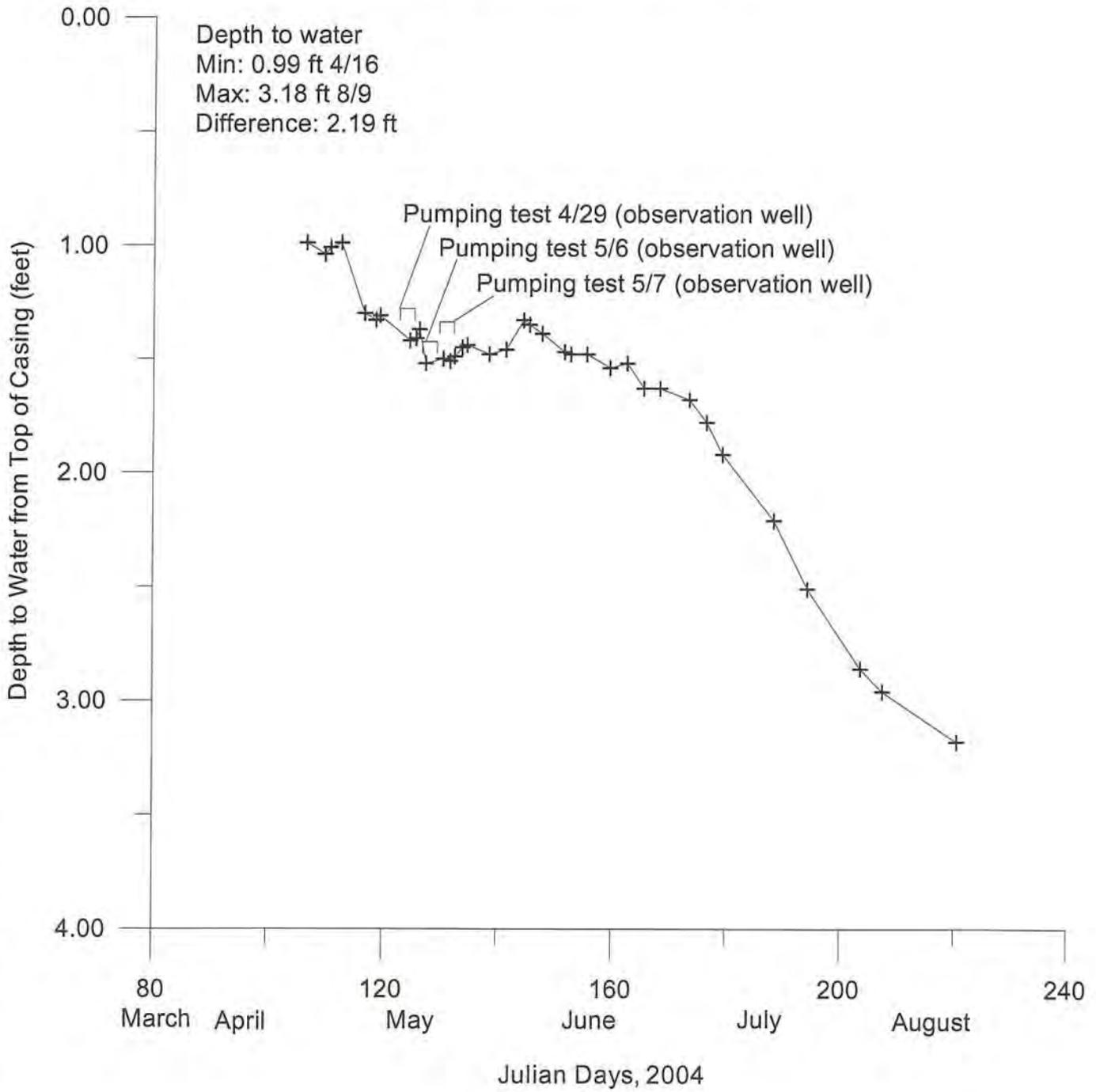
Homer Professional Building
910 East End, Suite #1
Homer, Alaska 99603

Phone: (907) 235-1066
email: geophysical@alaska.com

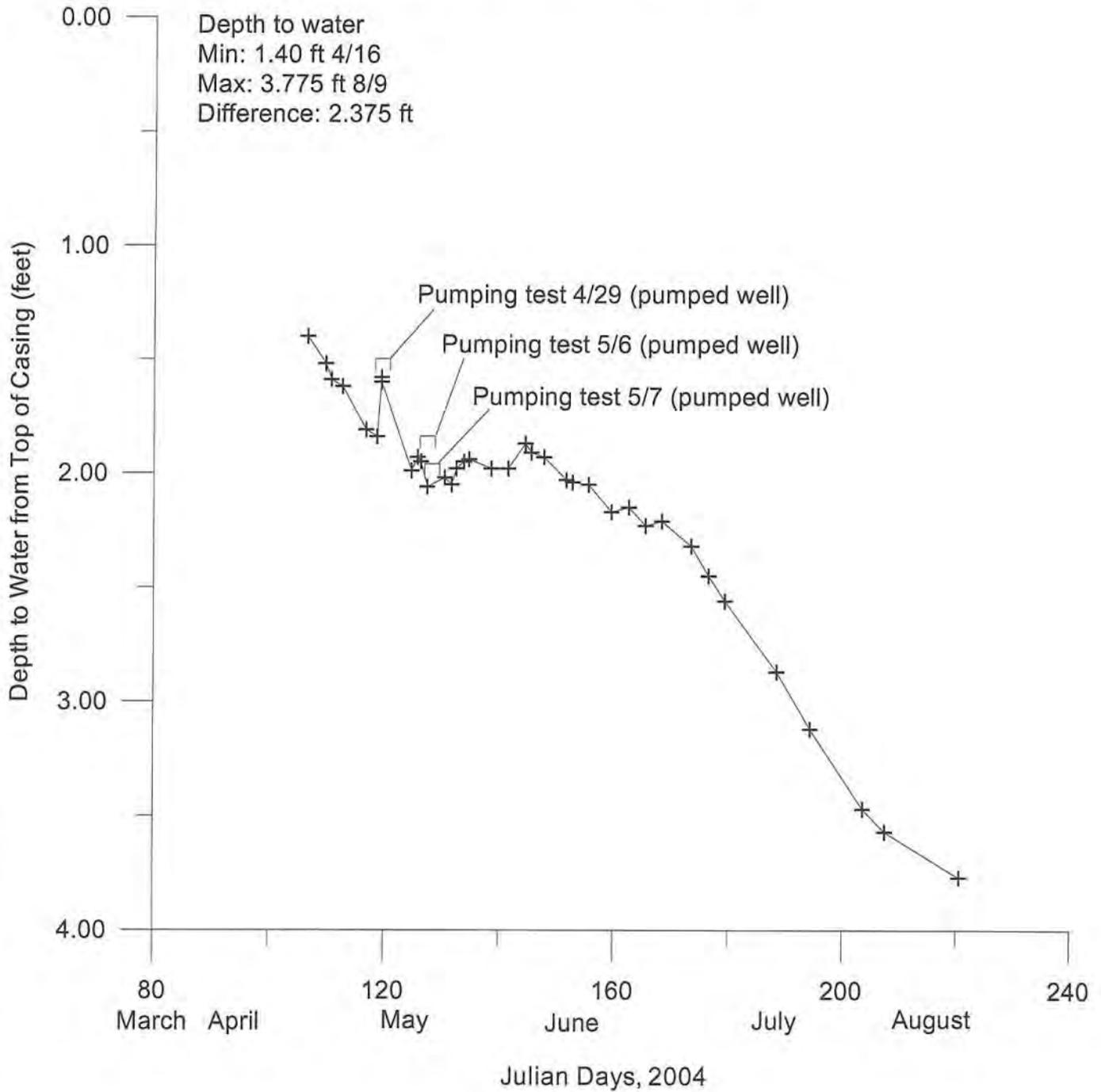
Appendix D

Water Level Records

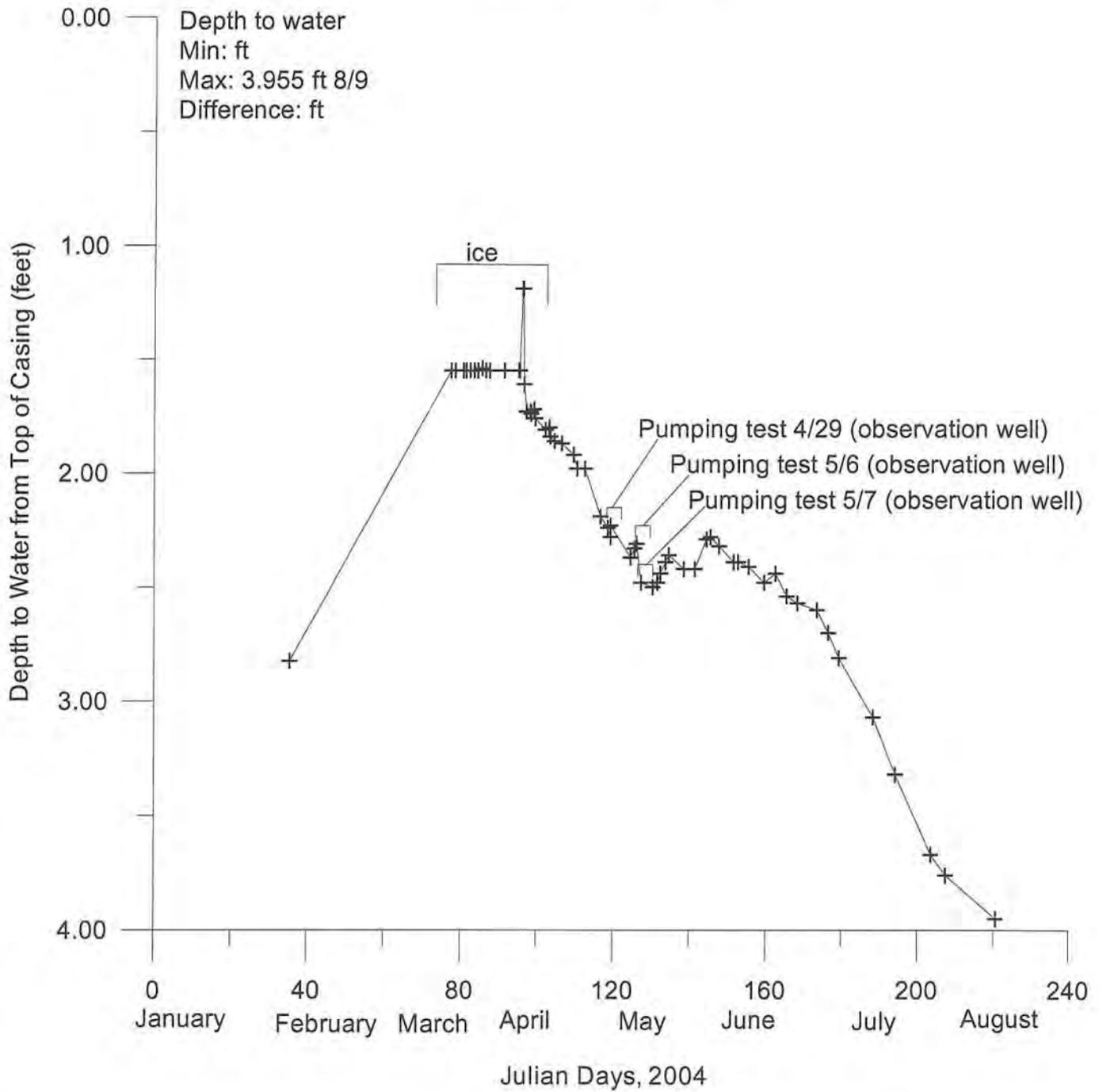
Monitor Well *Olson Short*, in Peat
Kachemak Drive Coalition Project



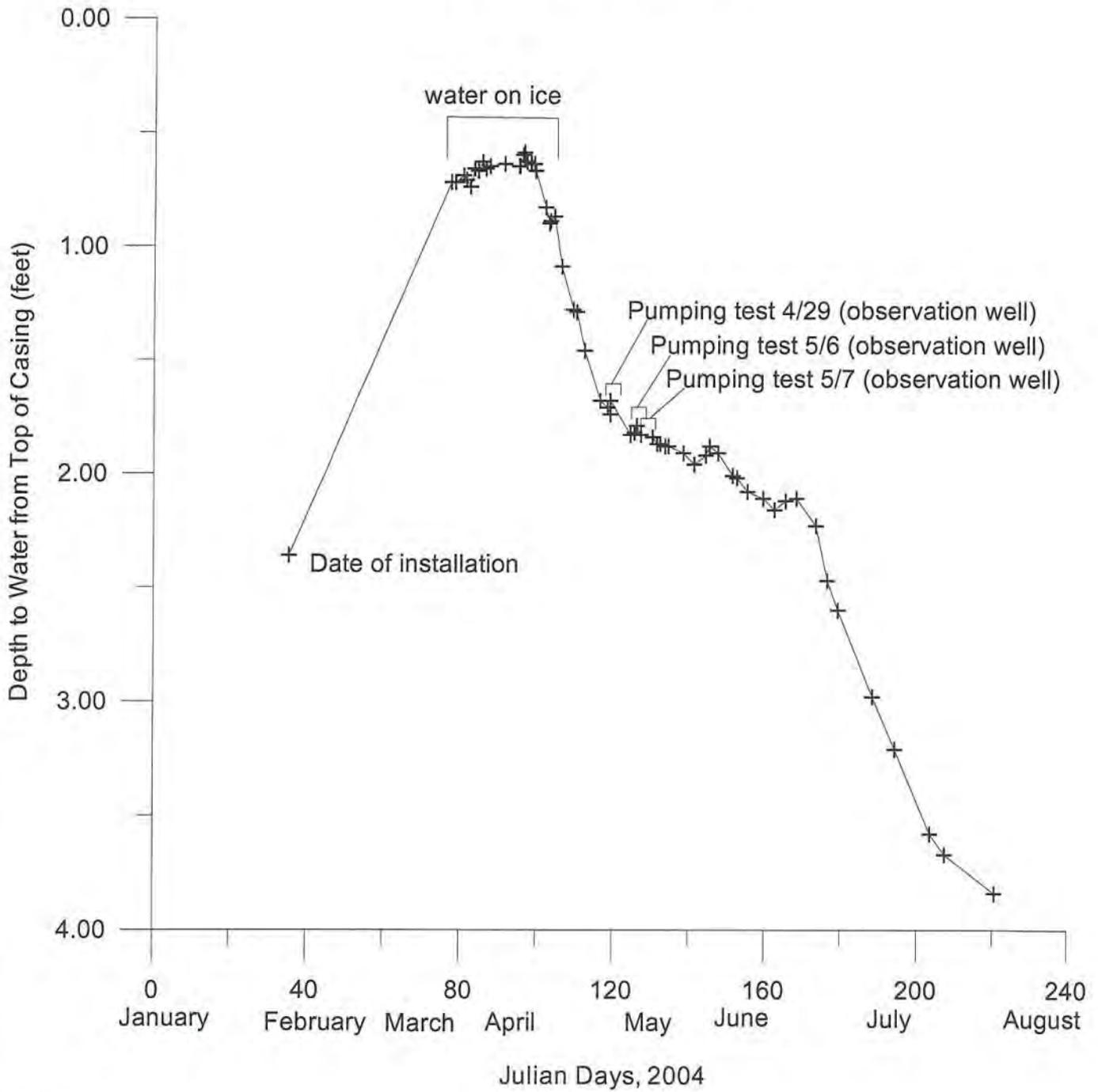
Monitor Well *Olson Tall*, in Peat
Kachemak Drive Coalition Project



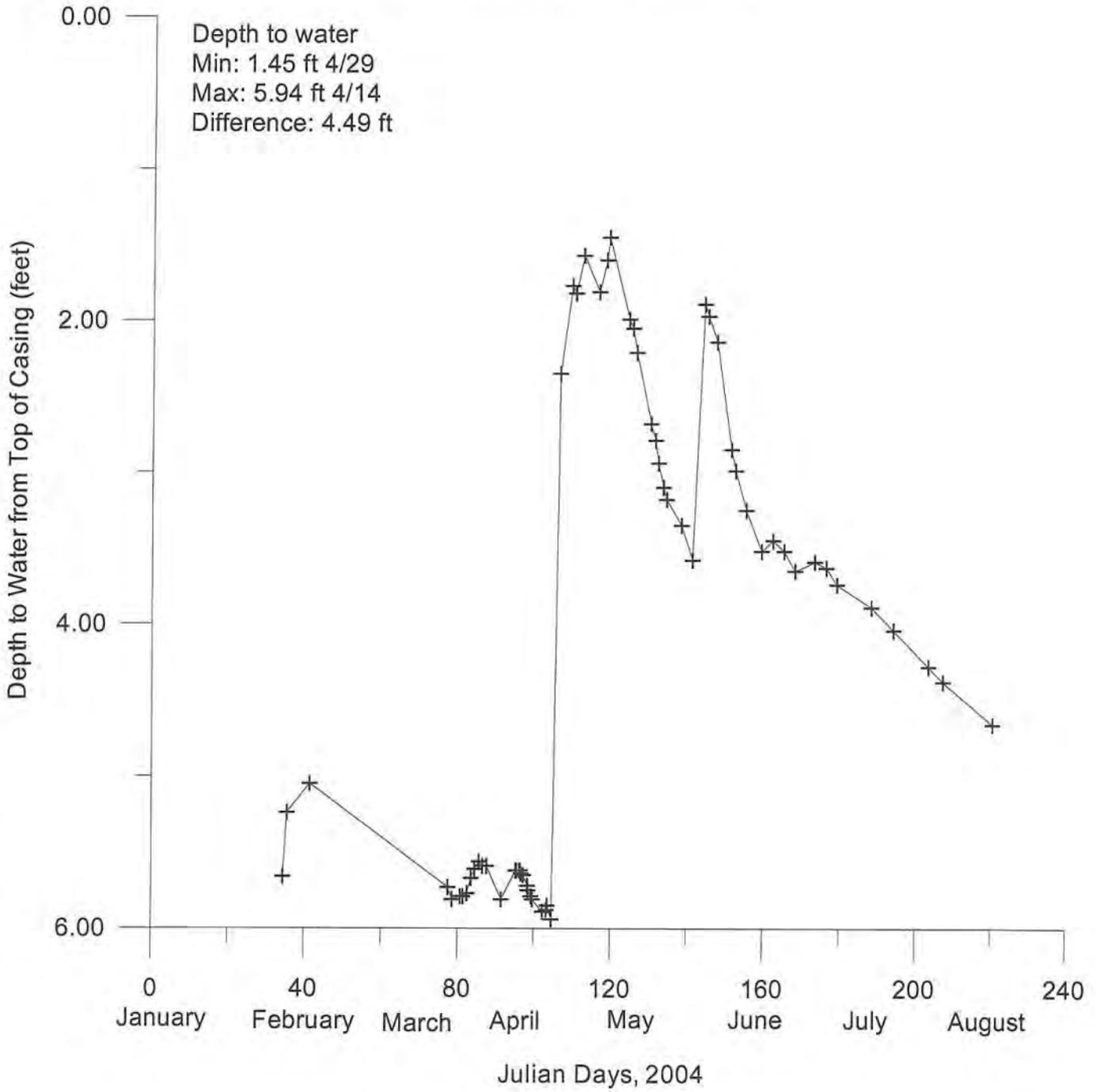
Monitor Well P1-D, in Peat
Kachemak Drive Coalition Project



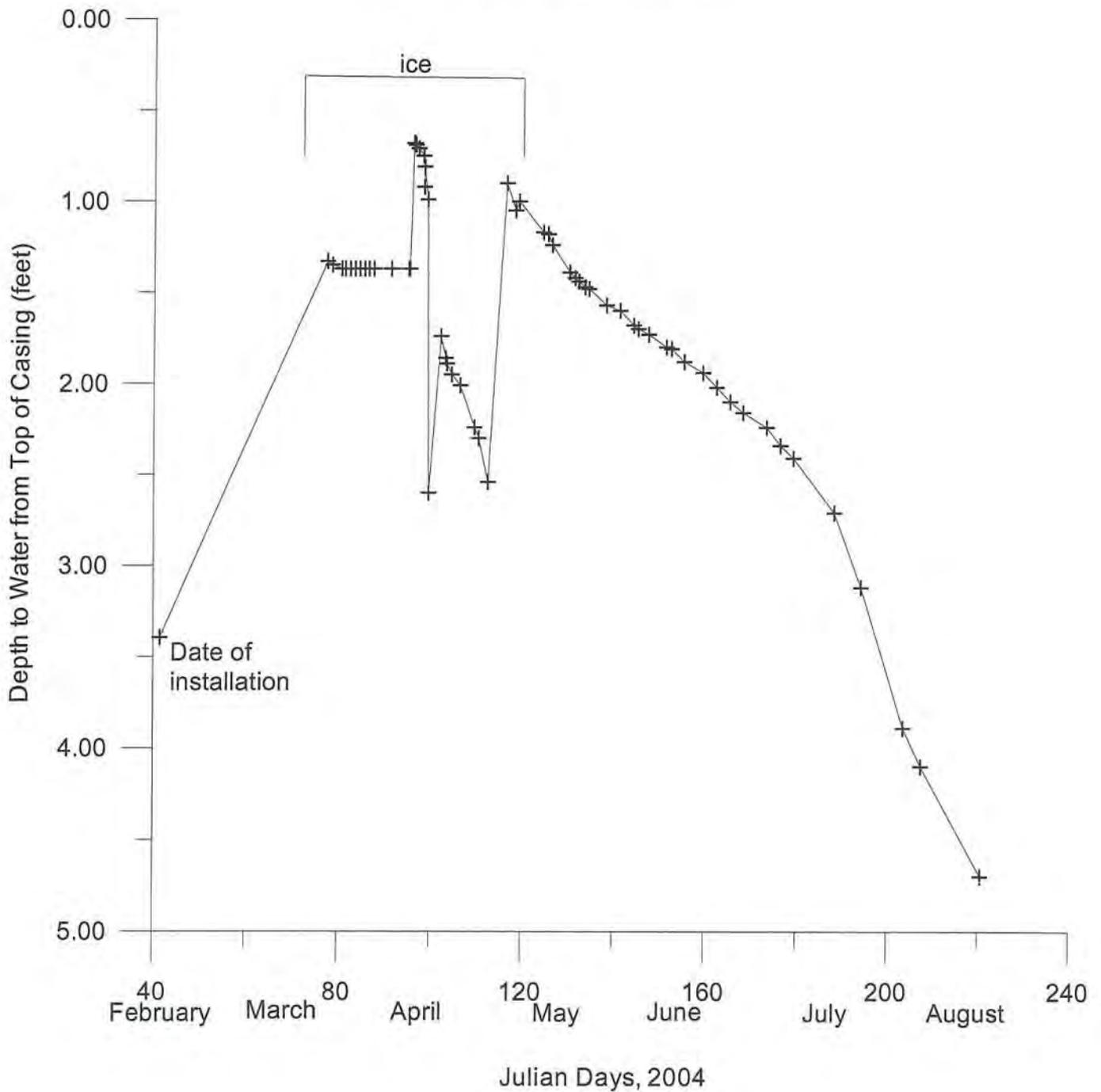
Monitoring Well P1-S, in Peat
Kachemak Drive Coalition Project



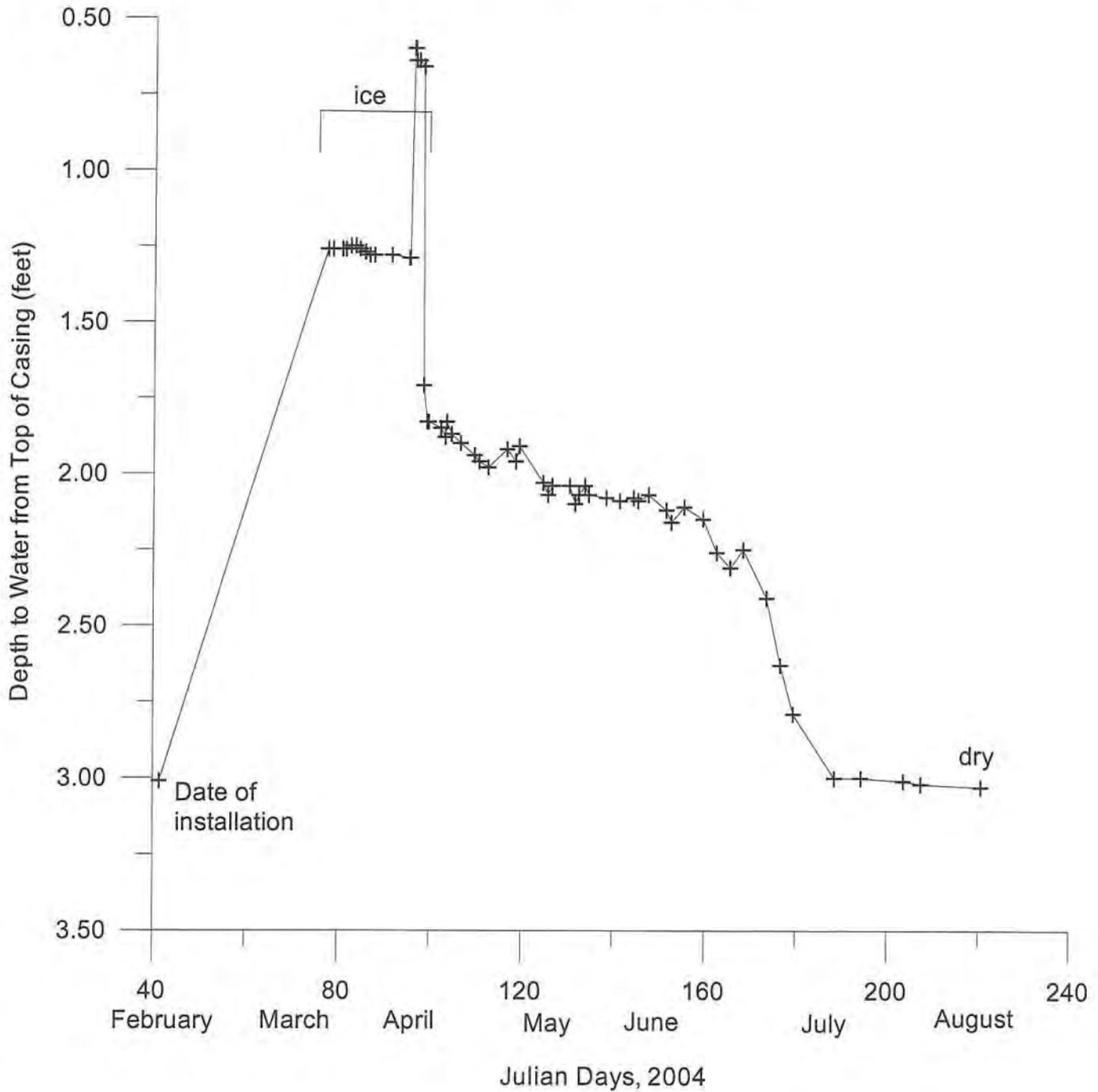
Monitor Well 2, in Peat
Kachemak Drive Coalition Project



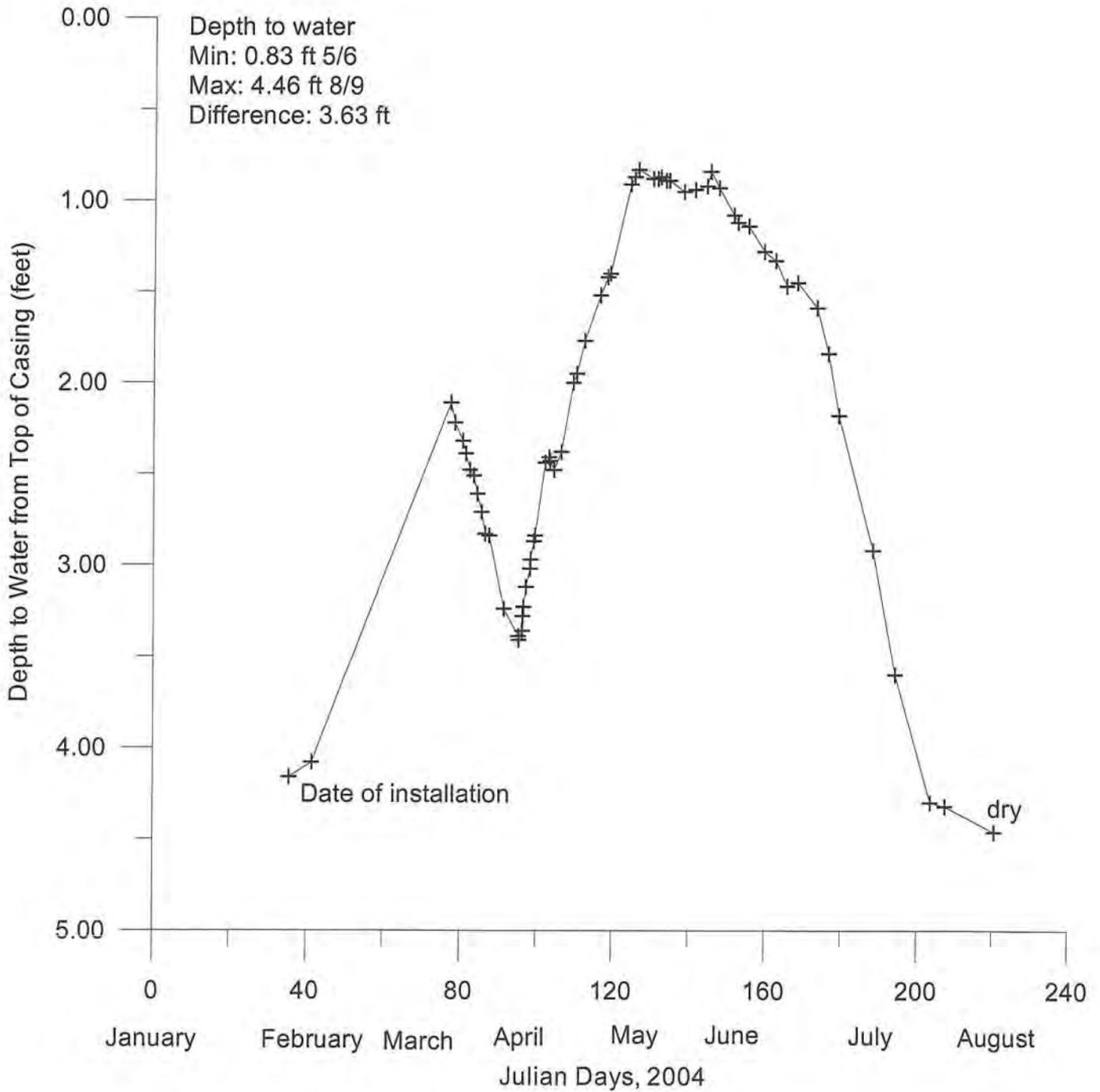
Monitor Well P3-D, in Peat
Kachemak Drive Coalition Project



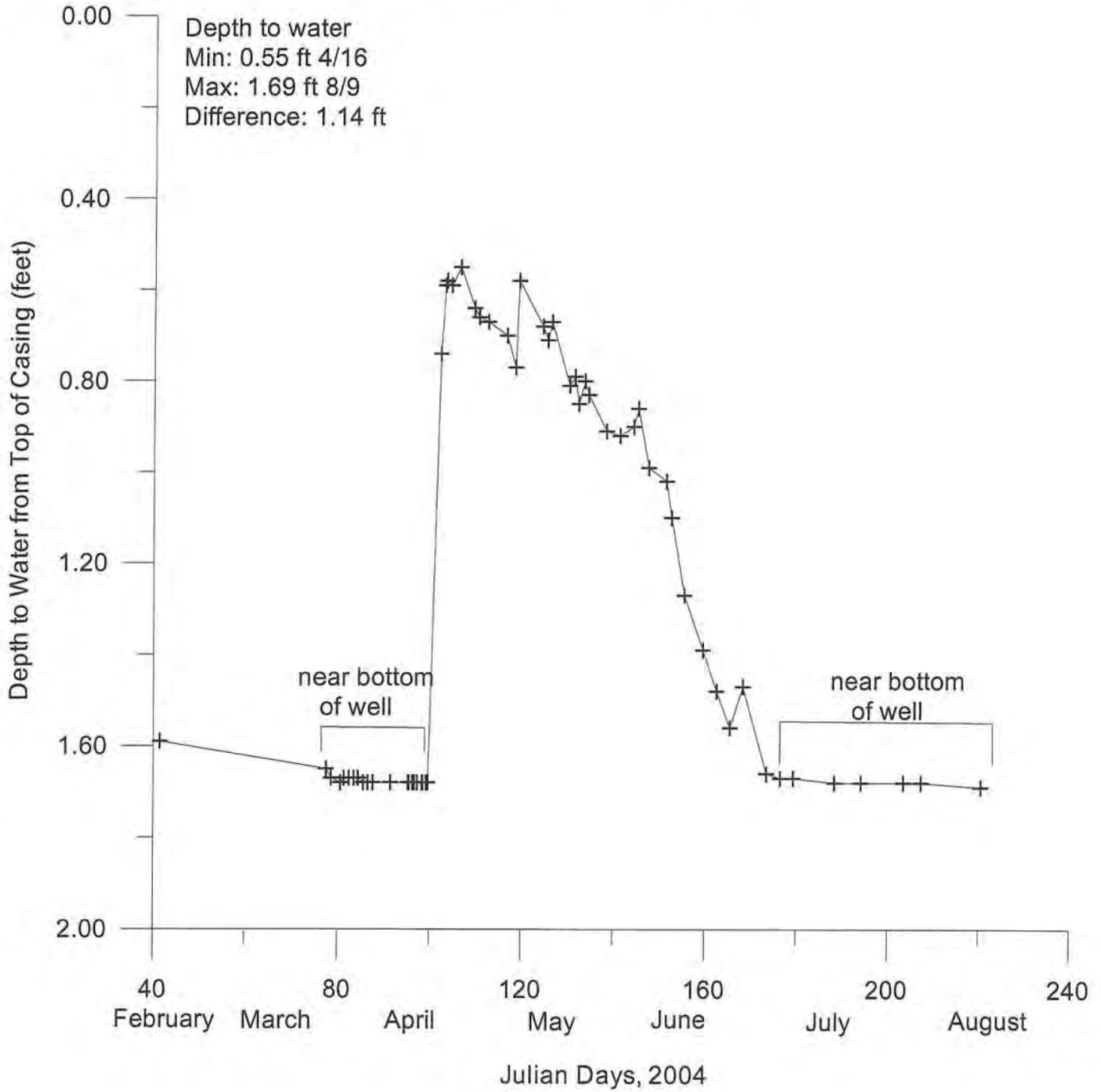
Monitor Well P3-S, in Peat
Kachemak Drive Coalition Project



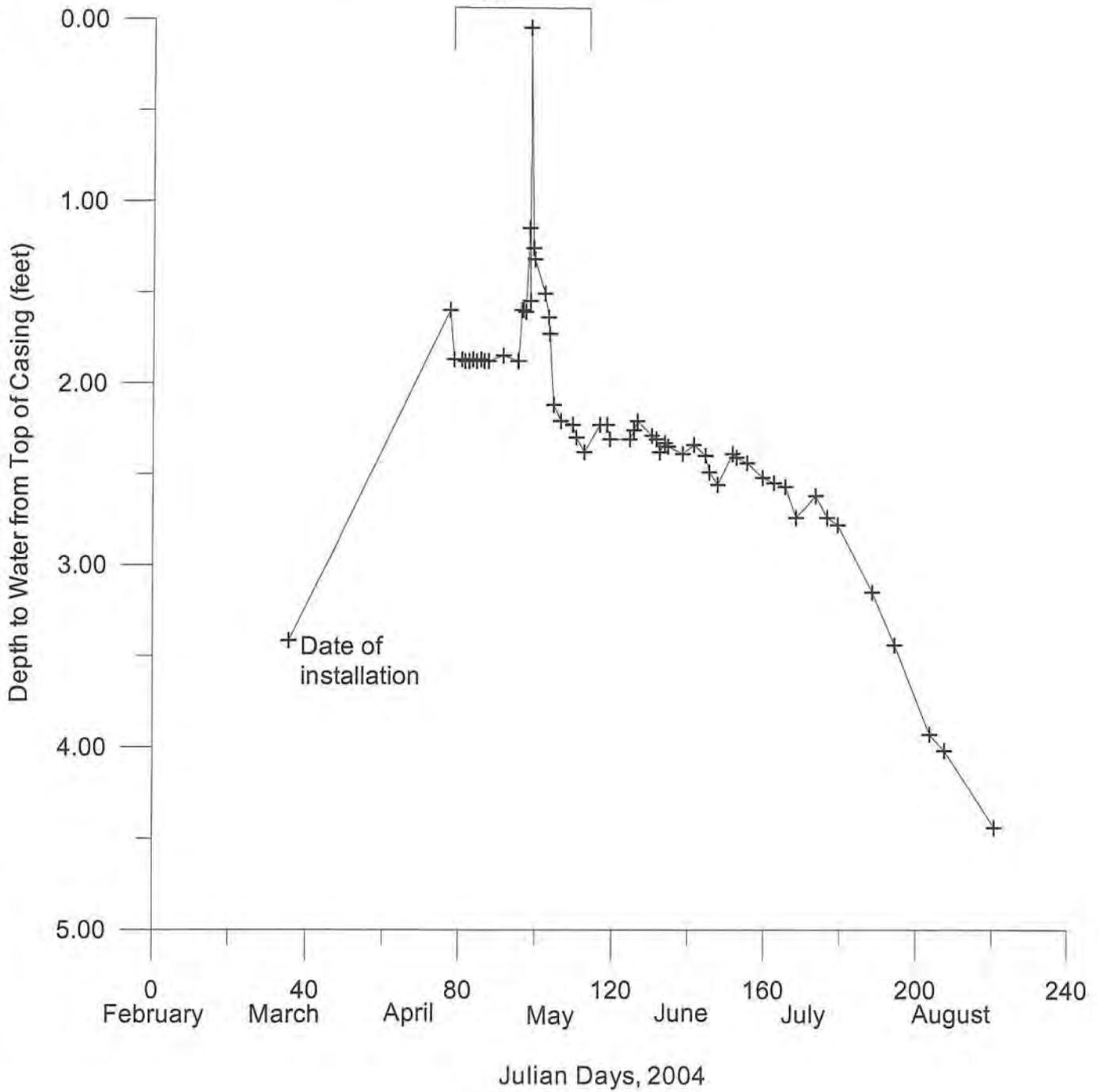
Monitor Well P4-D, in Peat
Kachemak Drive Coalition Project



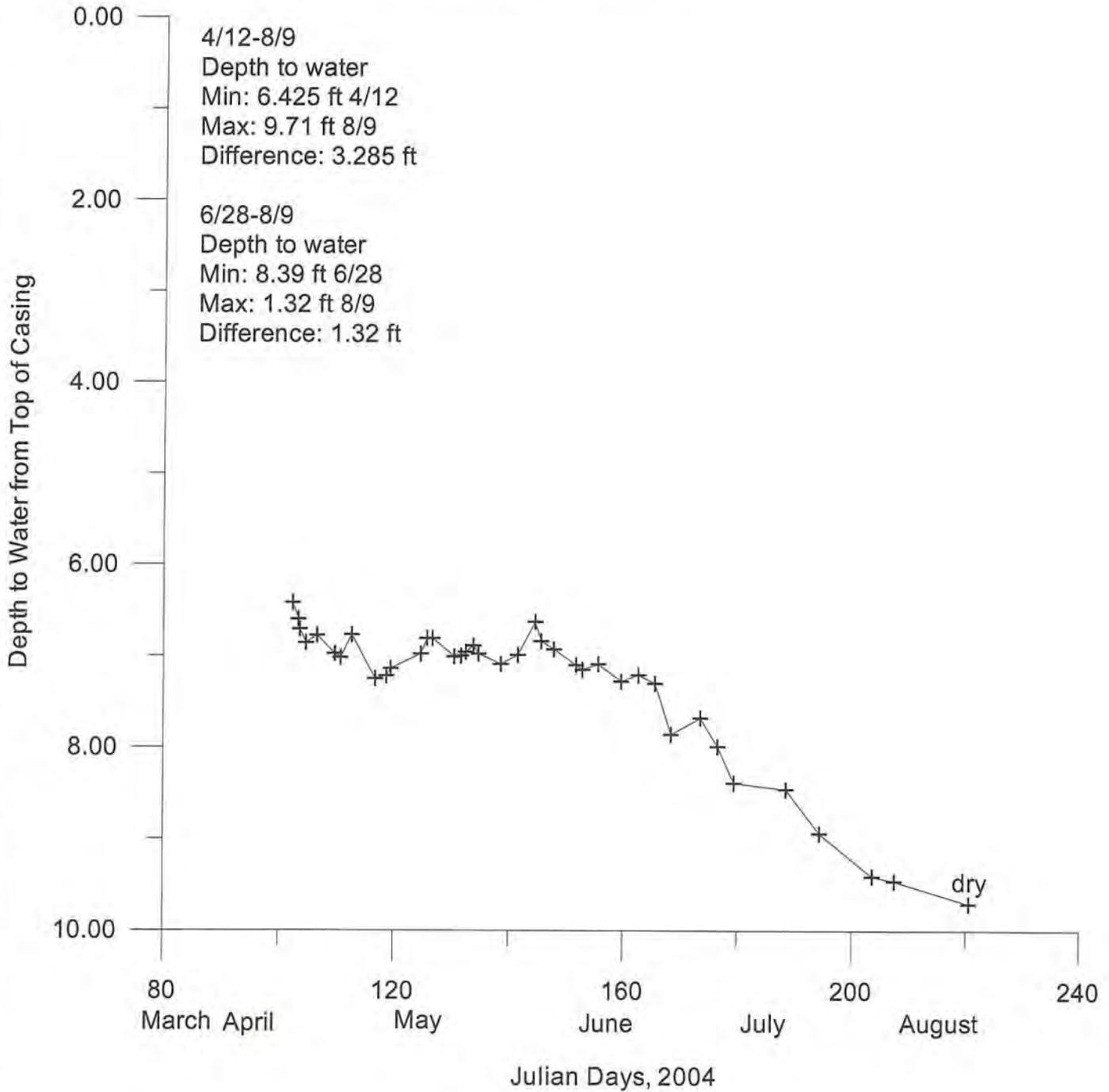
Monitor Well P4-S, in Peat
Kachemak Drive Coalition Project



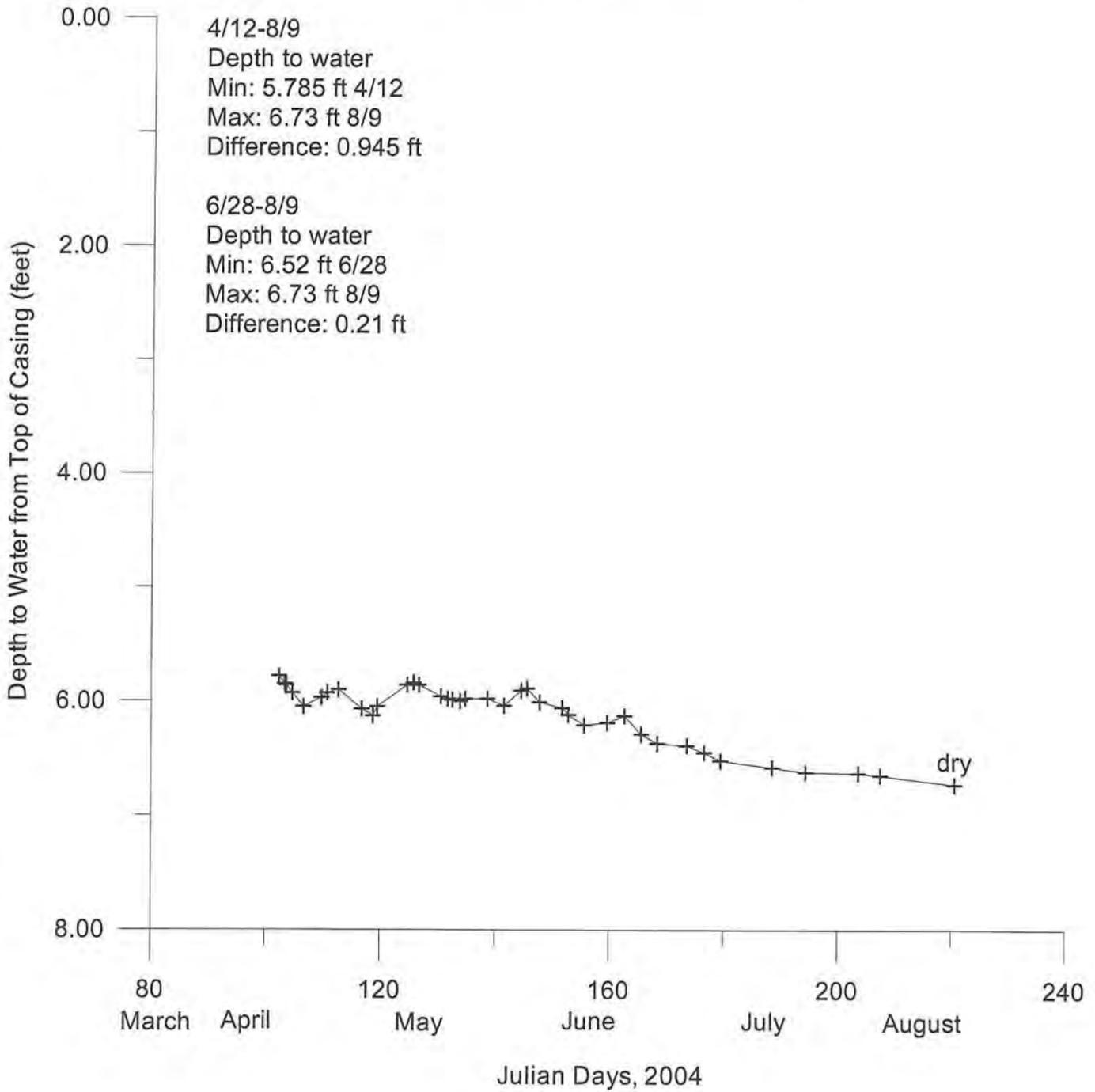
Monitor Well 5, in Peat
Kachemak Drive Coalition Project
ice



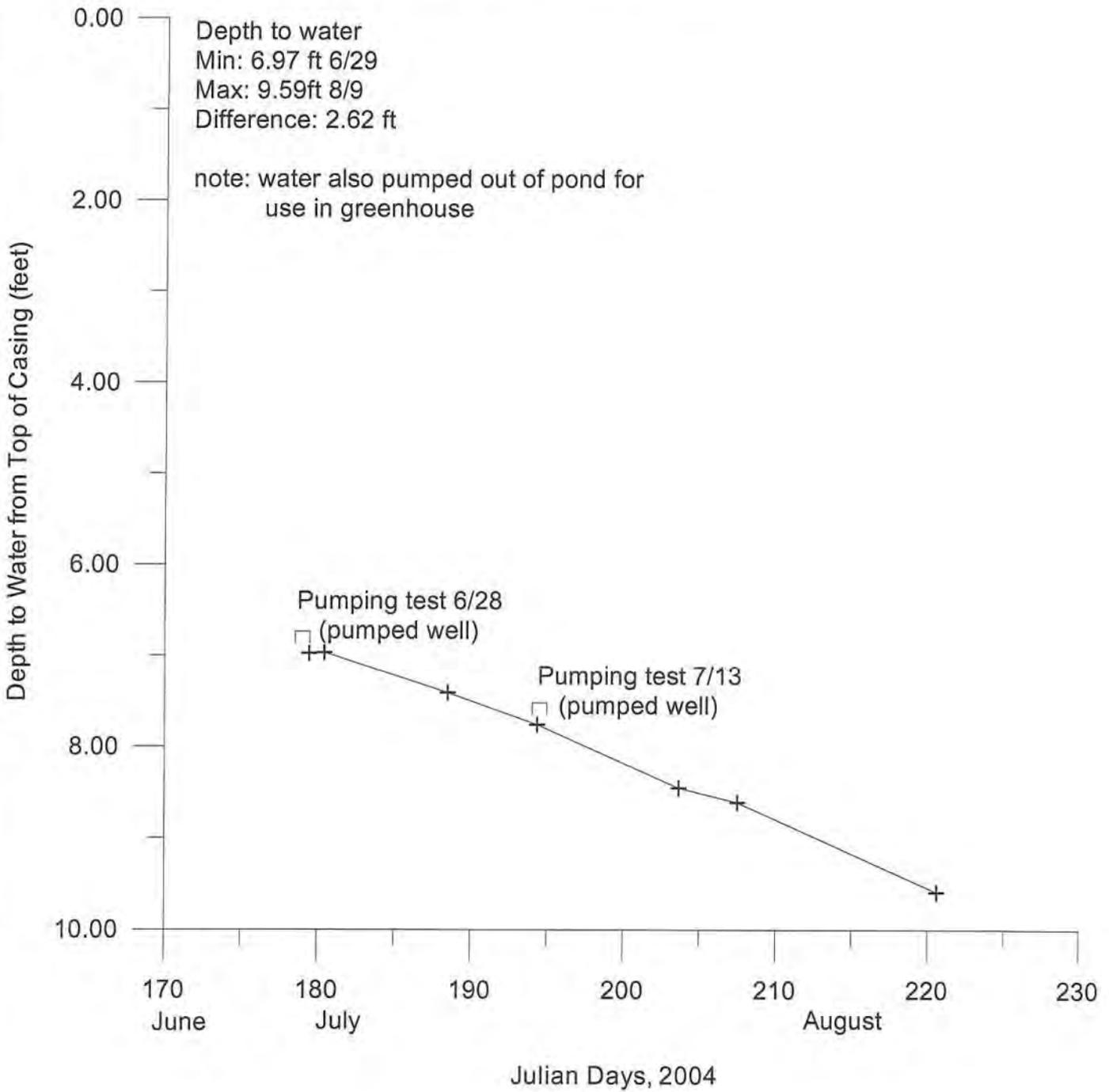
Monitor Well *Your-D*, in inorganic sediments
Kachemak Drive Coalition Project



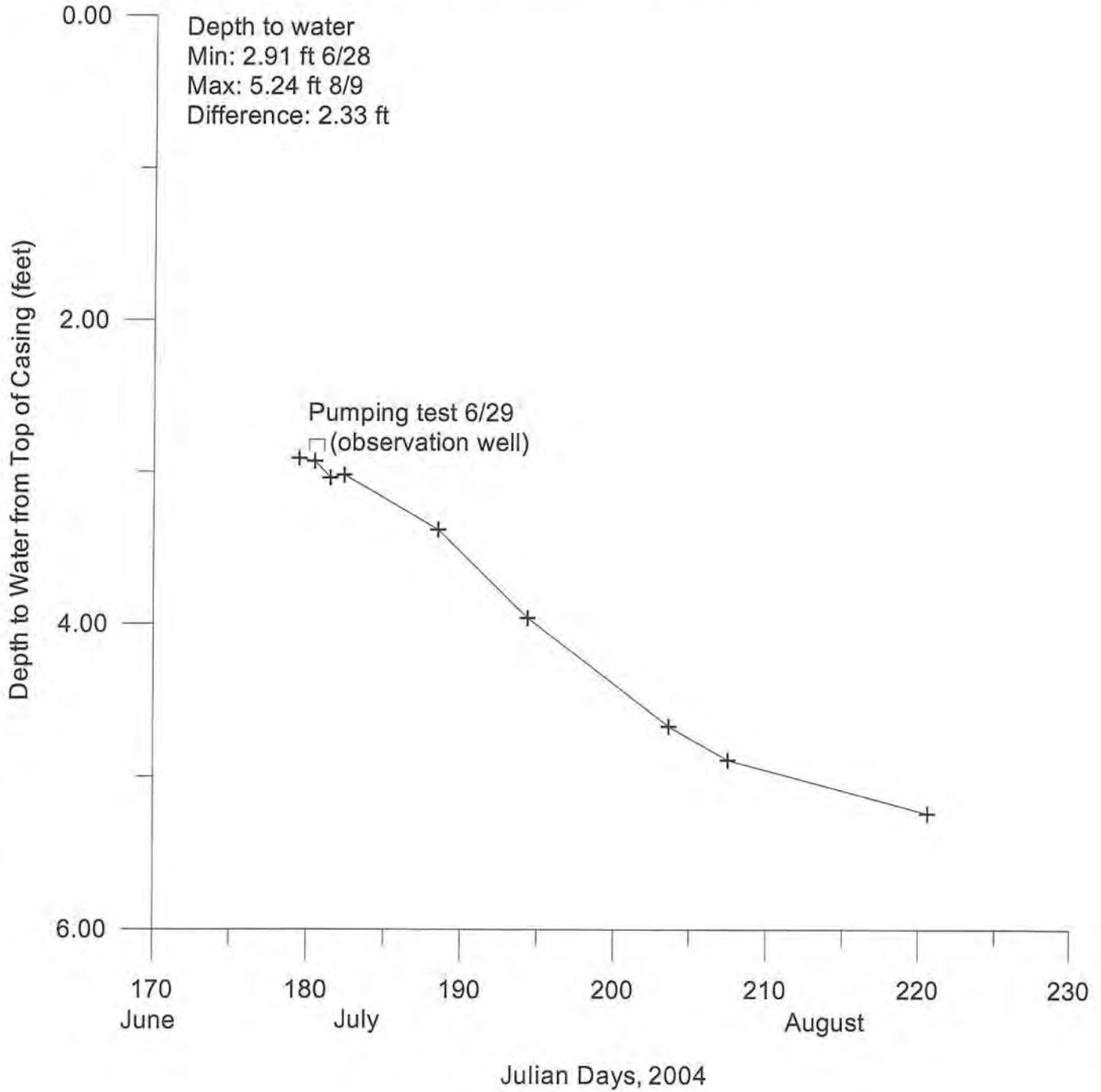
Monitor Well *Your-S*, in inorganic sediment
 Kachemak Drive Coalition Project



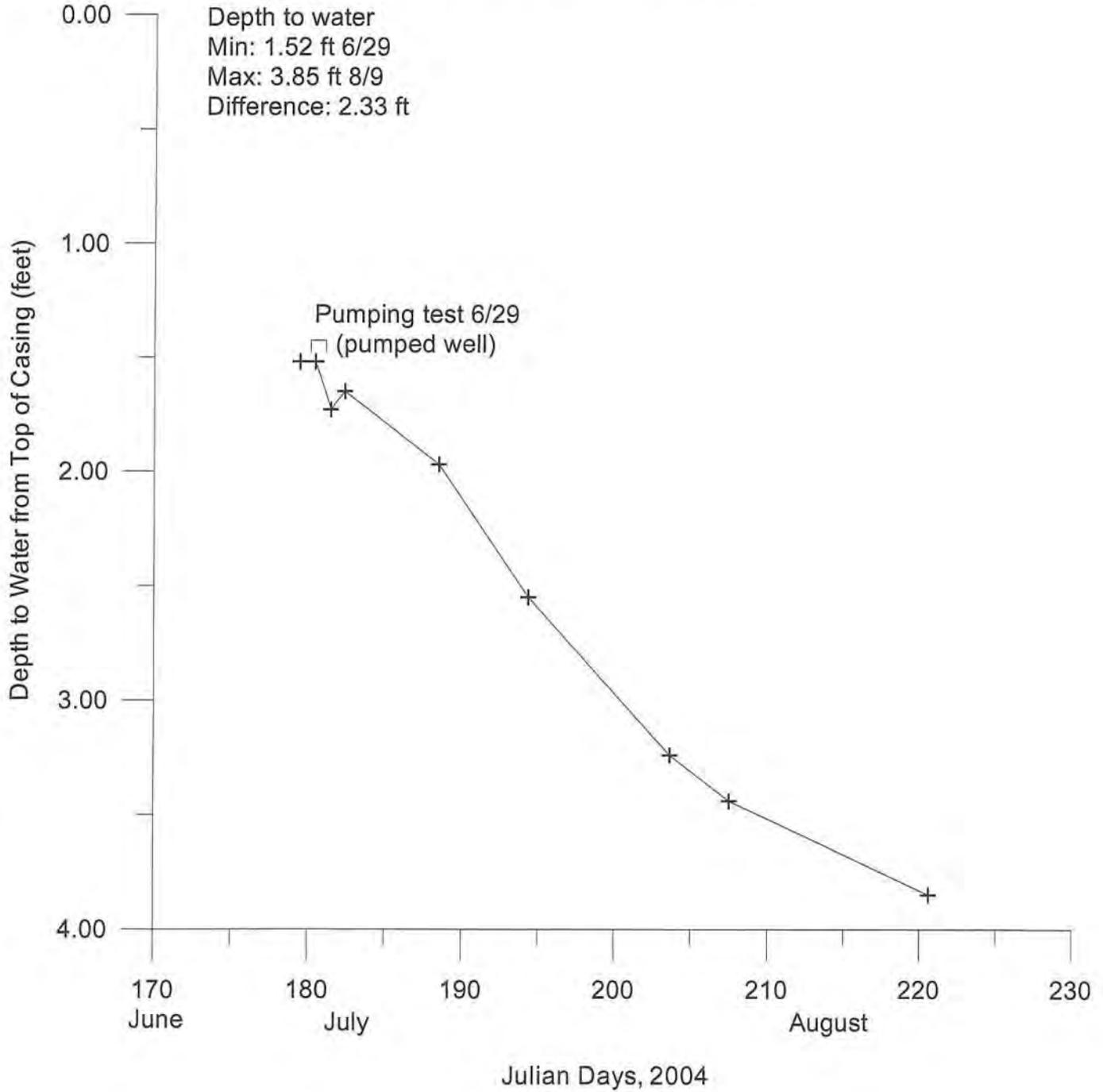
Monitoring Well *Your-N*, in inorganic sediment
Kachemak Drive Coalition Project



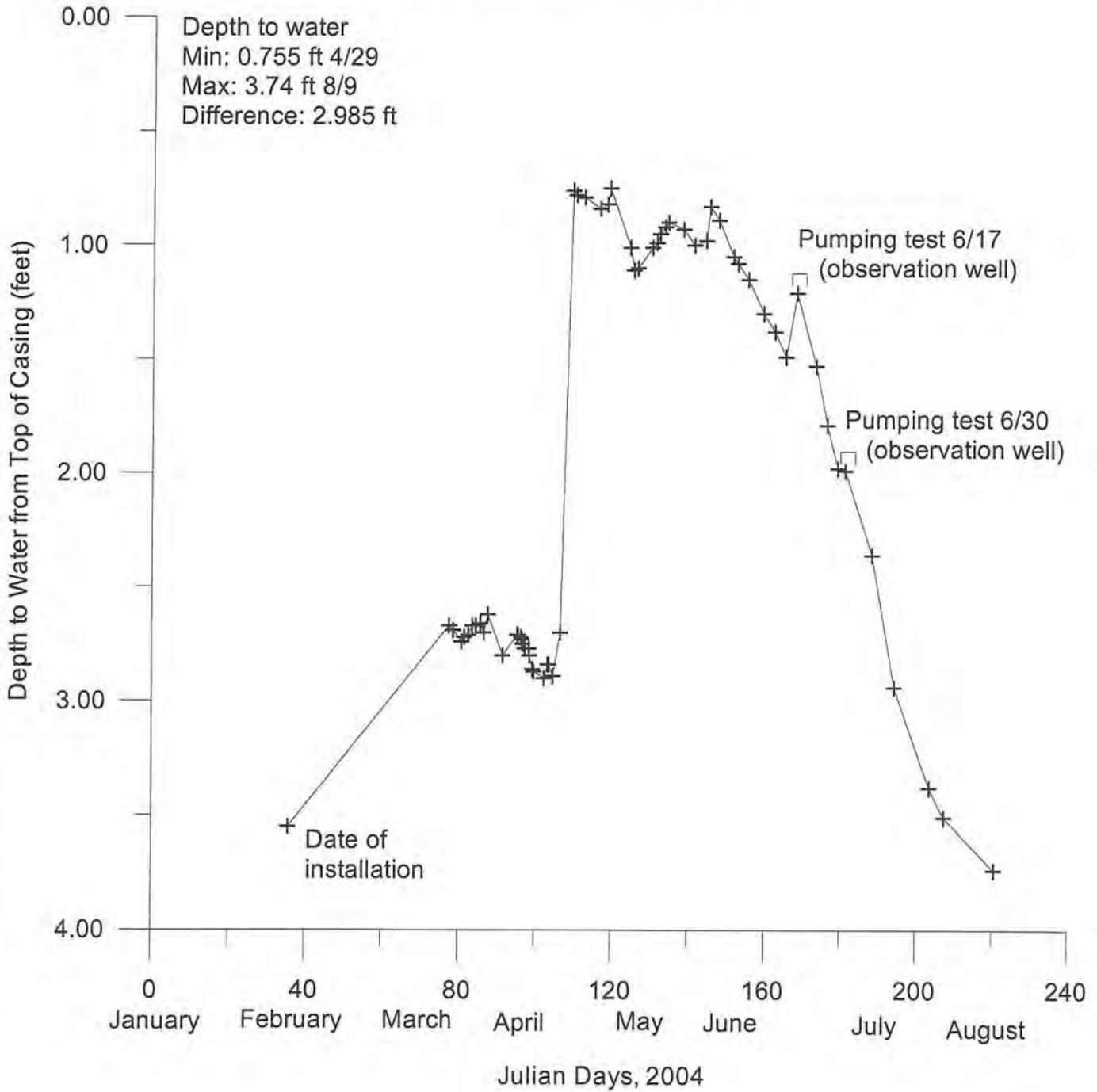
Monitor Well P6-T, in Peat
Kachemak Drive Coalition Project



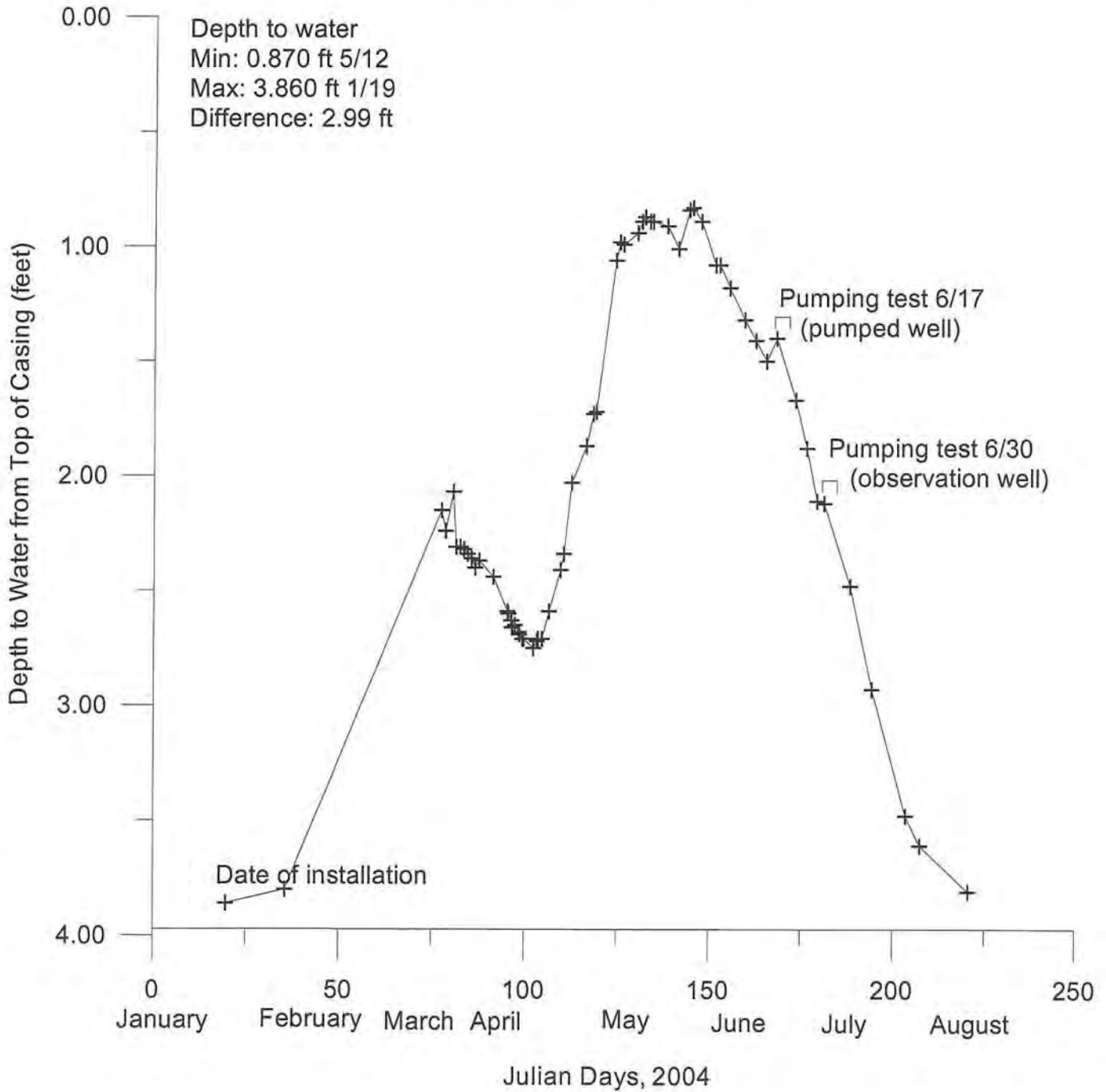
Monitor Well P6-S, in Peat
Kachemak Drive Coalition Project



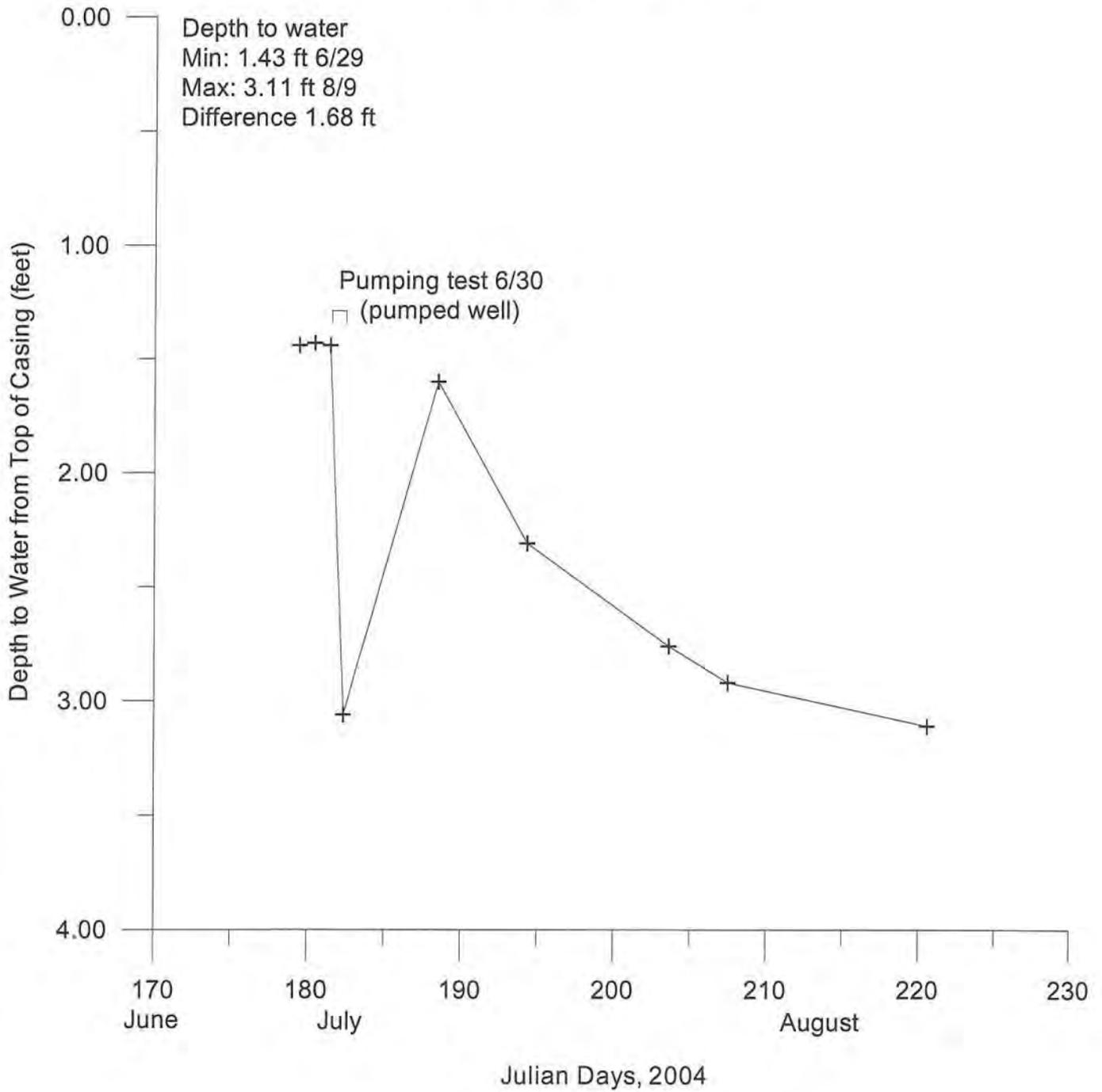
Monitor Well OBS-6, in Peat
Kachemak Drive Coalition Project



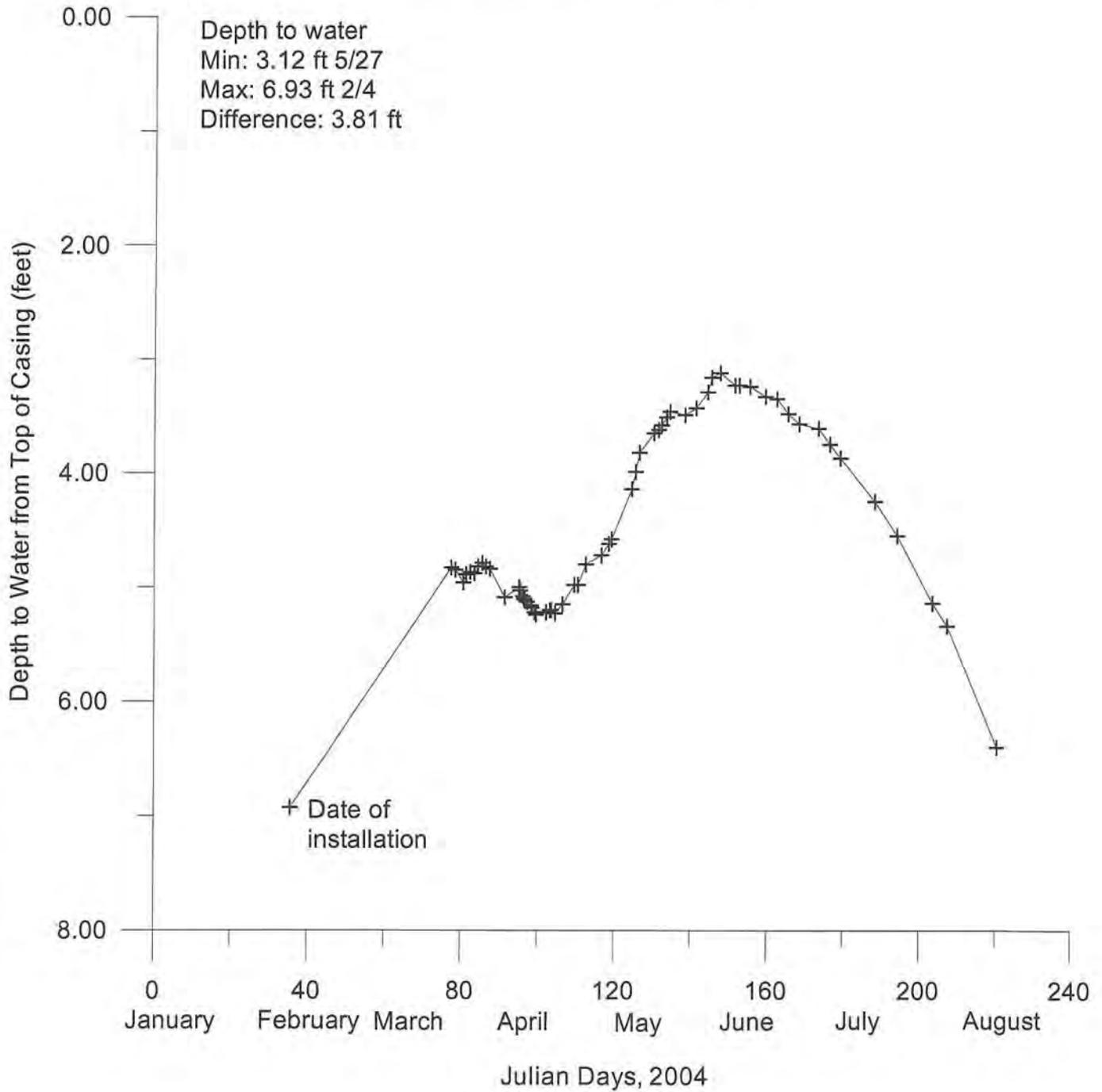
Monitor Well 6, in Peat
Kachemak Drive Coalition Project



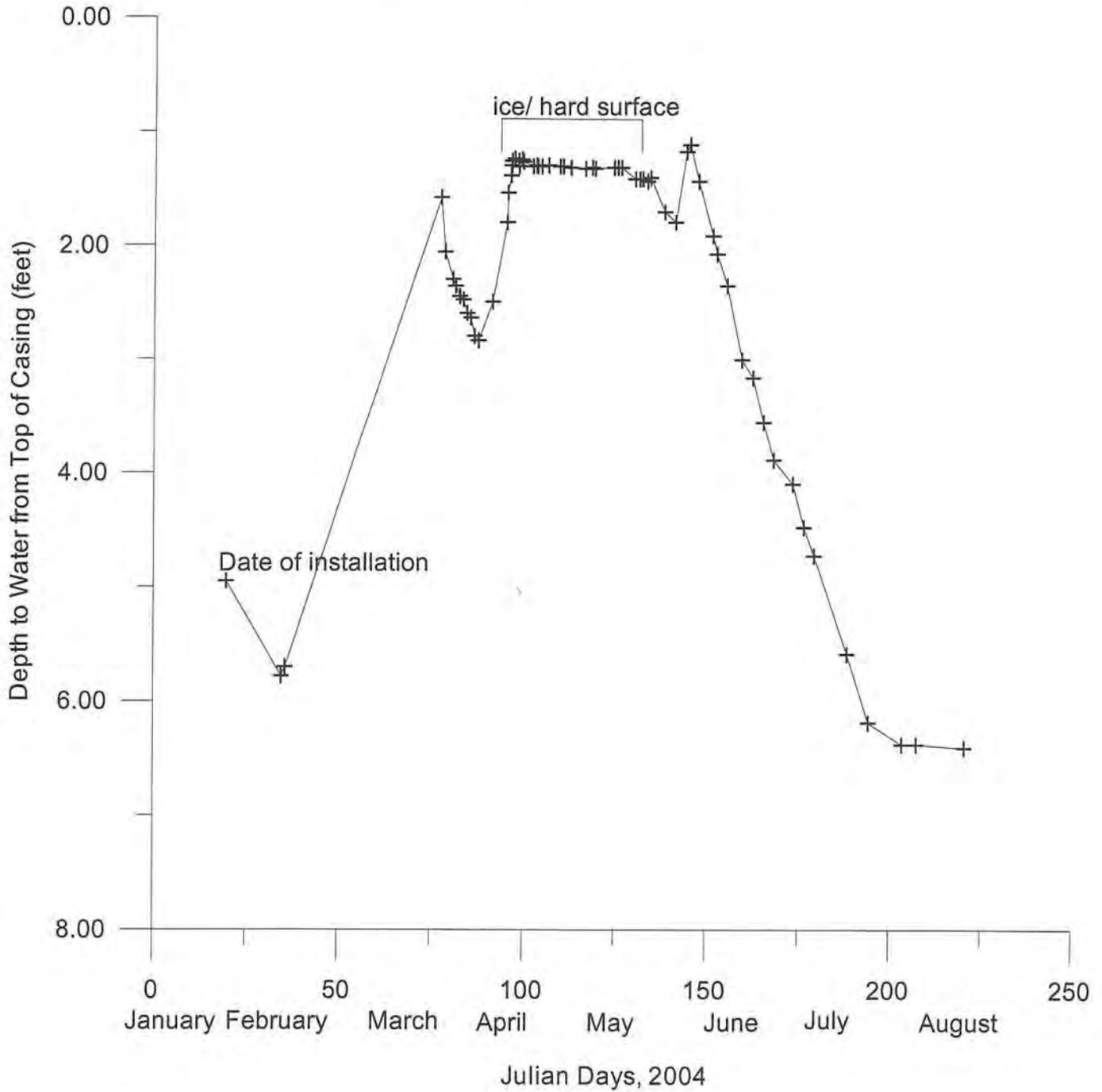
Monitor Well 11, in Peat
Kachemak Drive Coalition Project



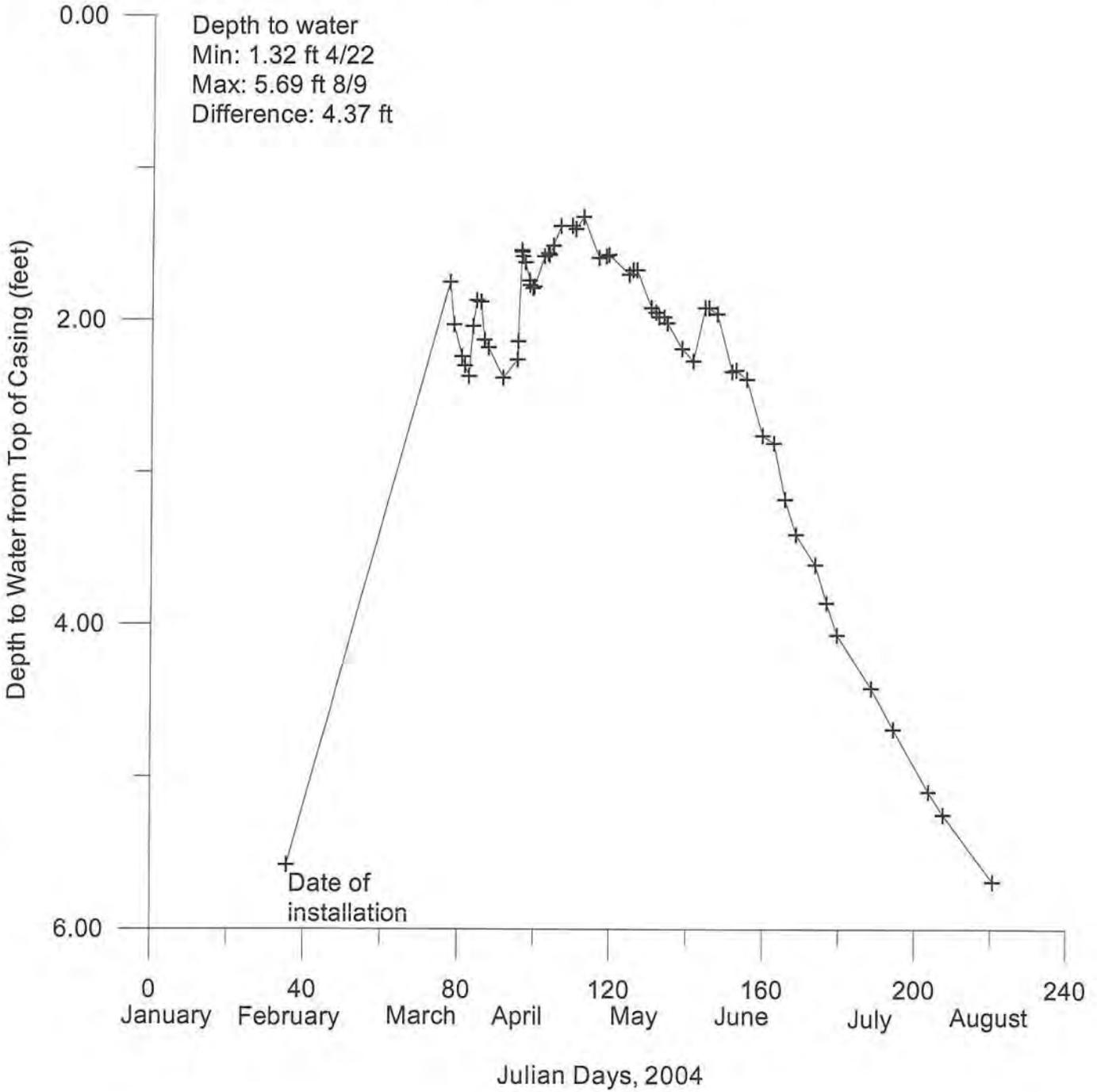
Monitor Well 7, in Peat
Kachemak Drive Coalition Project



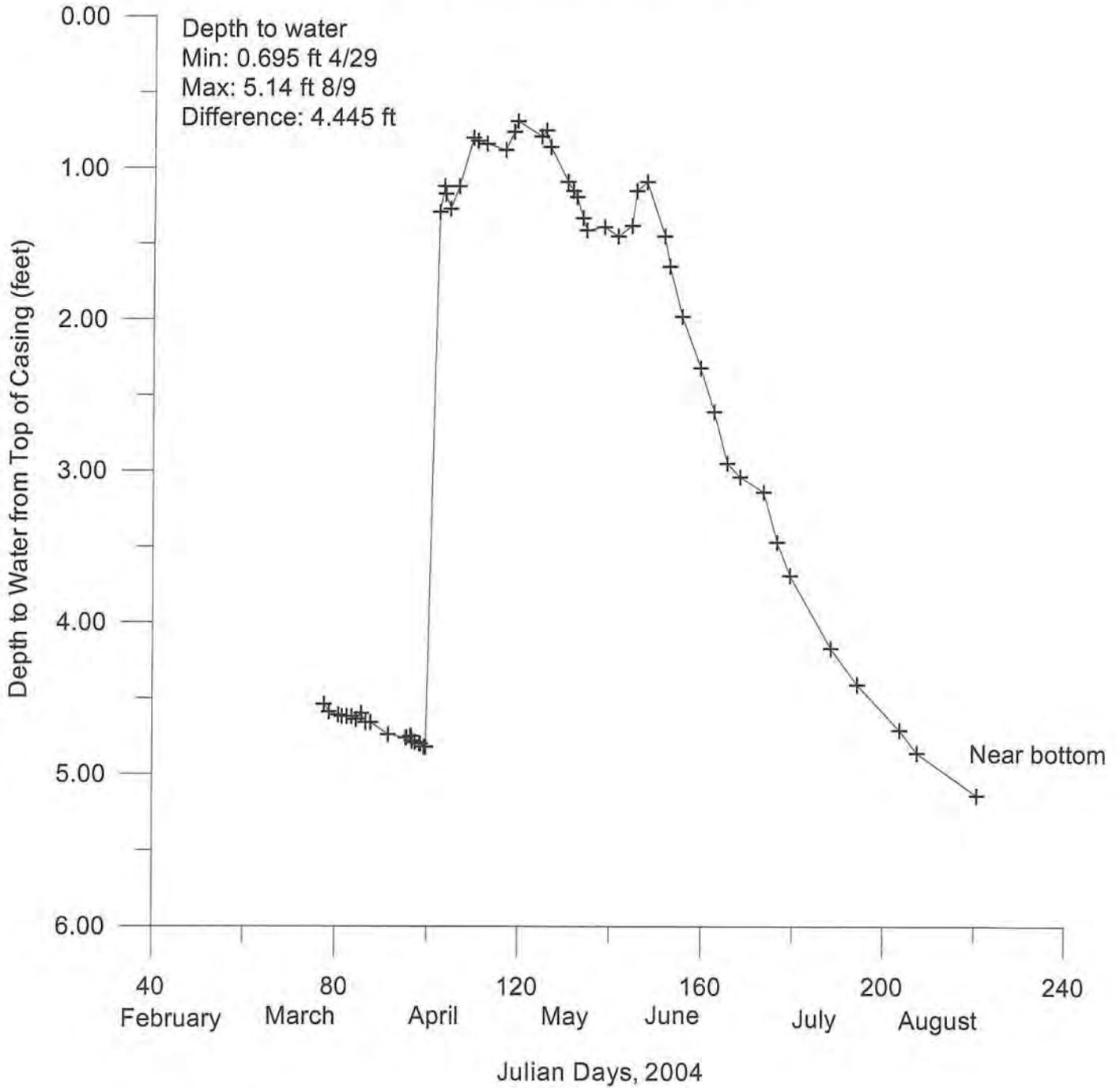
Monitor Well 8, in Peat
Kachemak Drive Coalition Project



Monitor Well 9, in Peat
Kachemak Drive Coalition Project



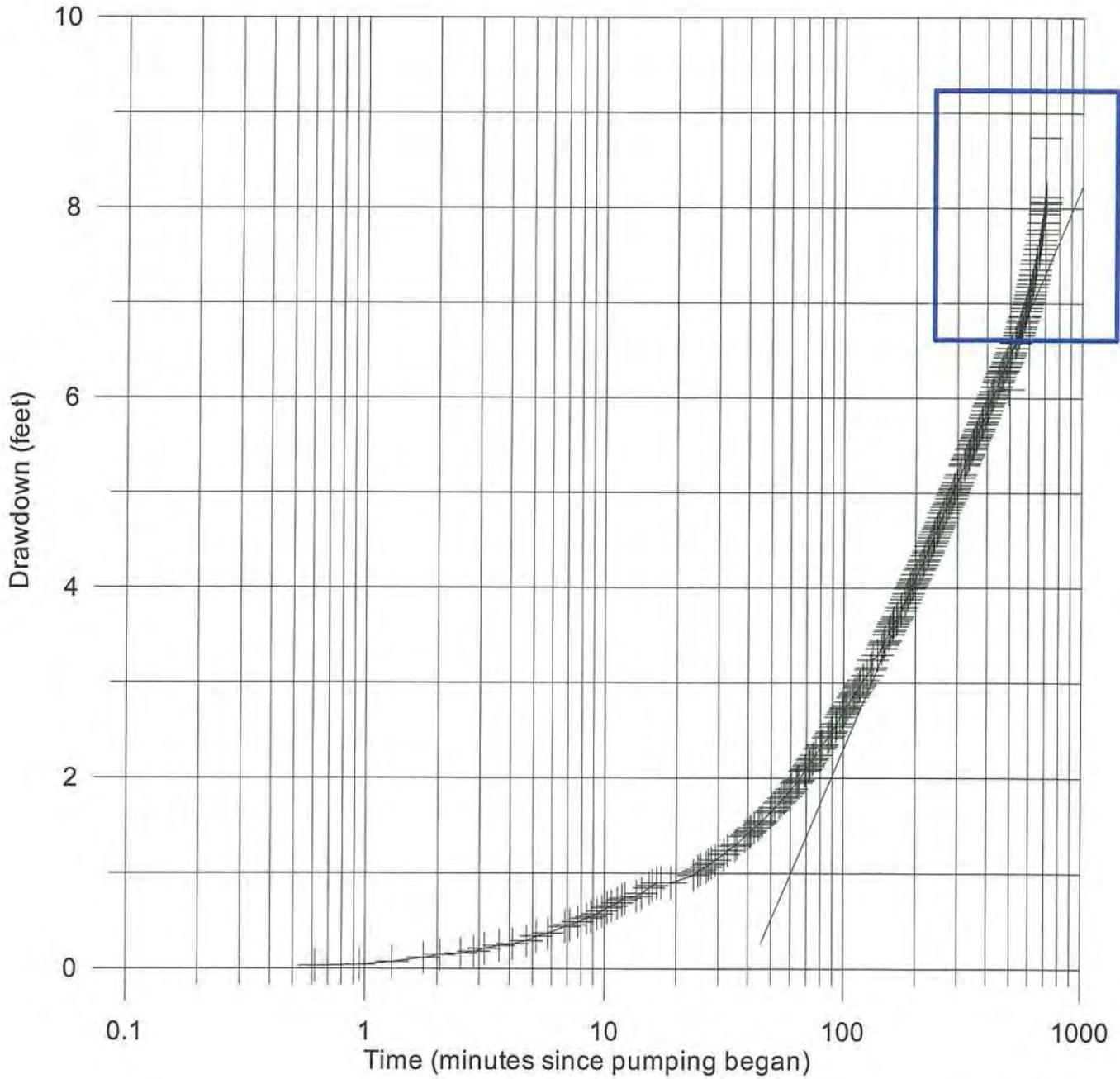
Monitor Well 10, in Peat
Kachemak Drive Coalition Project



Appendix E

Pumping Test Data

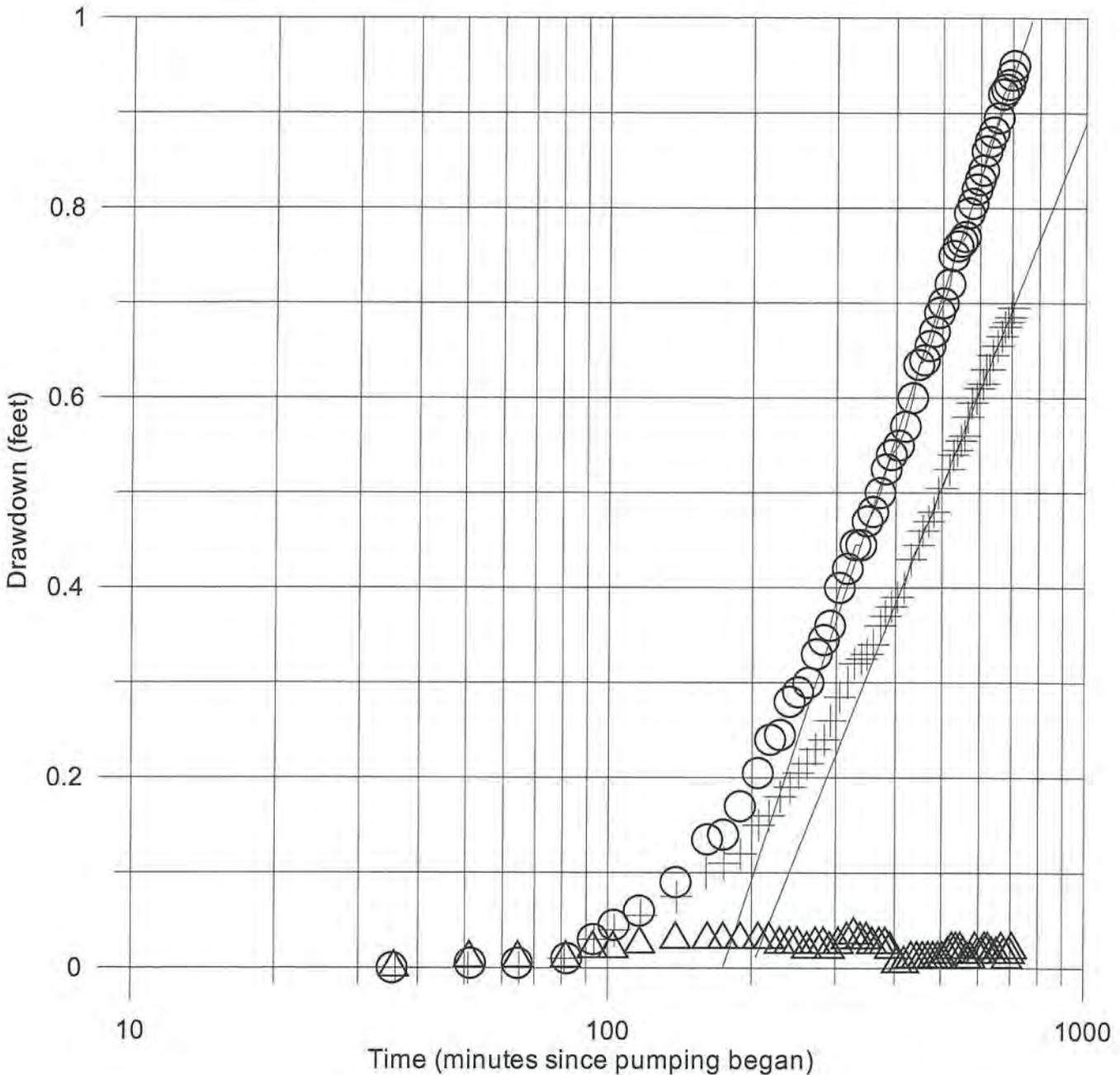
Peat Aquifer Pumping Test at *Olson - Tall*
Pumped Well
May 7, 2004



$$T = \frac{264(0.034 \text{ gpm})}{5.91} = 1.52 \text{ gpd/ft}$$

$$K = 0.02 \text{ ft/day or } 7.1 \times 10^{-6} \text{ cm/sec}$$

Peat Aquifer Pumping Test at *Olson-Tall*
 Observation Wells May 7, 2004



Legend

- P1-D
- △ P1-S
- + Olson Short

Olson Short

$$T = \frac{264(0.034 \text{ gpm})}{1.28} = 6.97 \text{ gpd/ft} \quad S = \frac{0.3(6.97)(0.14 \text{ days})}{(2.93)^2} = 0.034$$

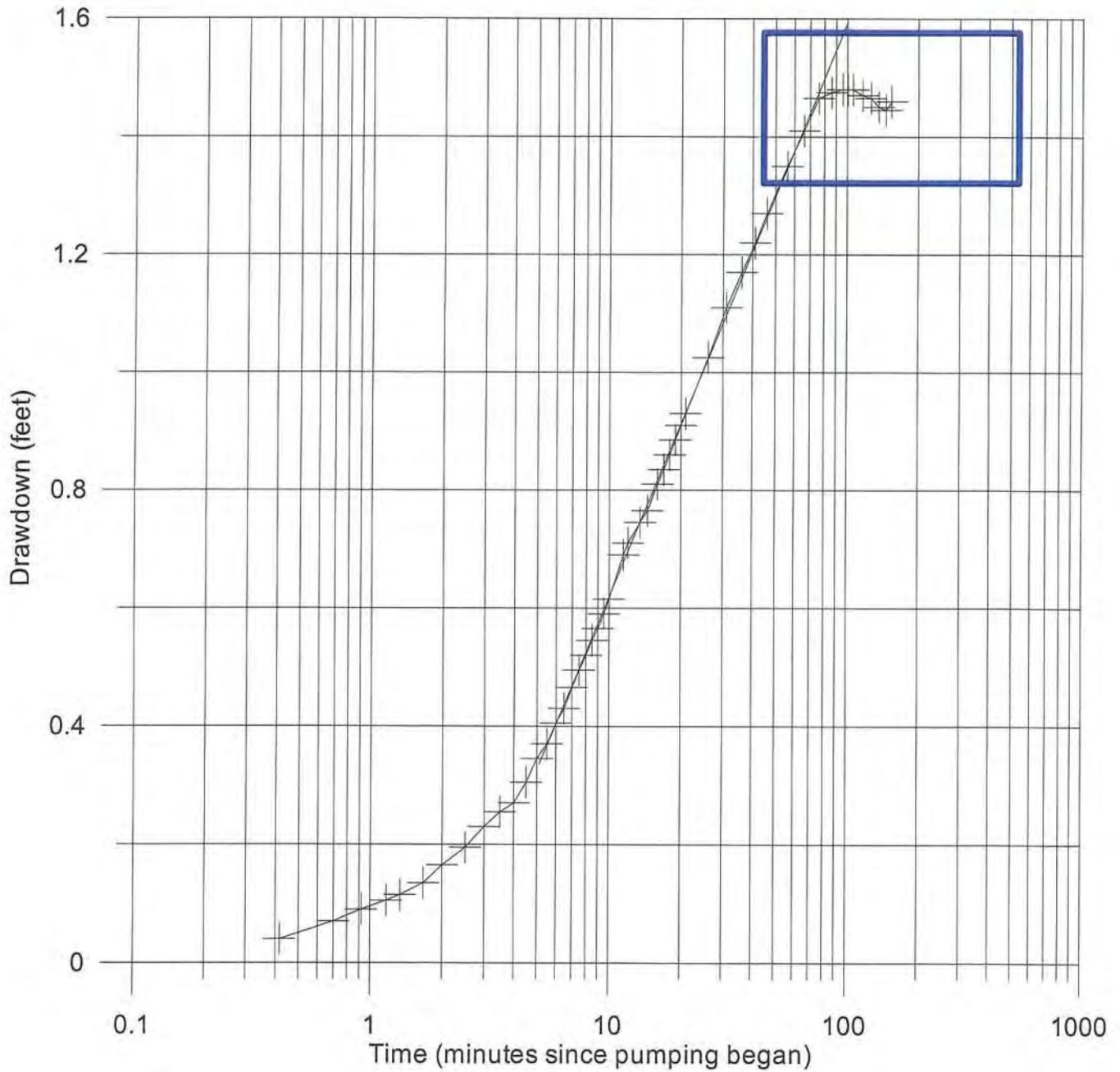
$K = 0.11 \text{ ft/day or } 3.9 \times 10^{-5} \text{ cm/sec}$

P1-D

$$T = \frac{264(0.034 \text{ gpm})}{1.54} = 5.83 \text{ gpd/ft} \quad S = \frac{0.3(5.83)(0.12)}{(3.01)^2} = 0.023$$

$K = 0.19 \text{ ft/day or } 6.9 \times 10^{-5} \text{ cm/sec}$

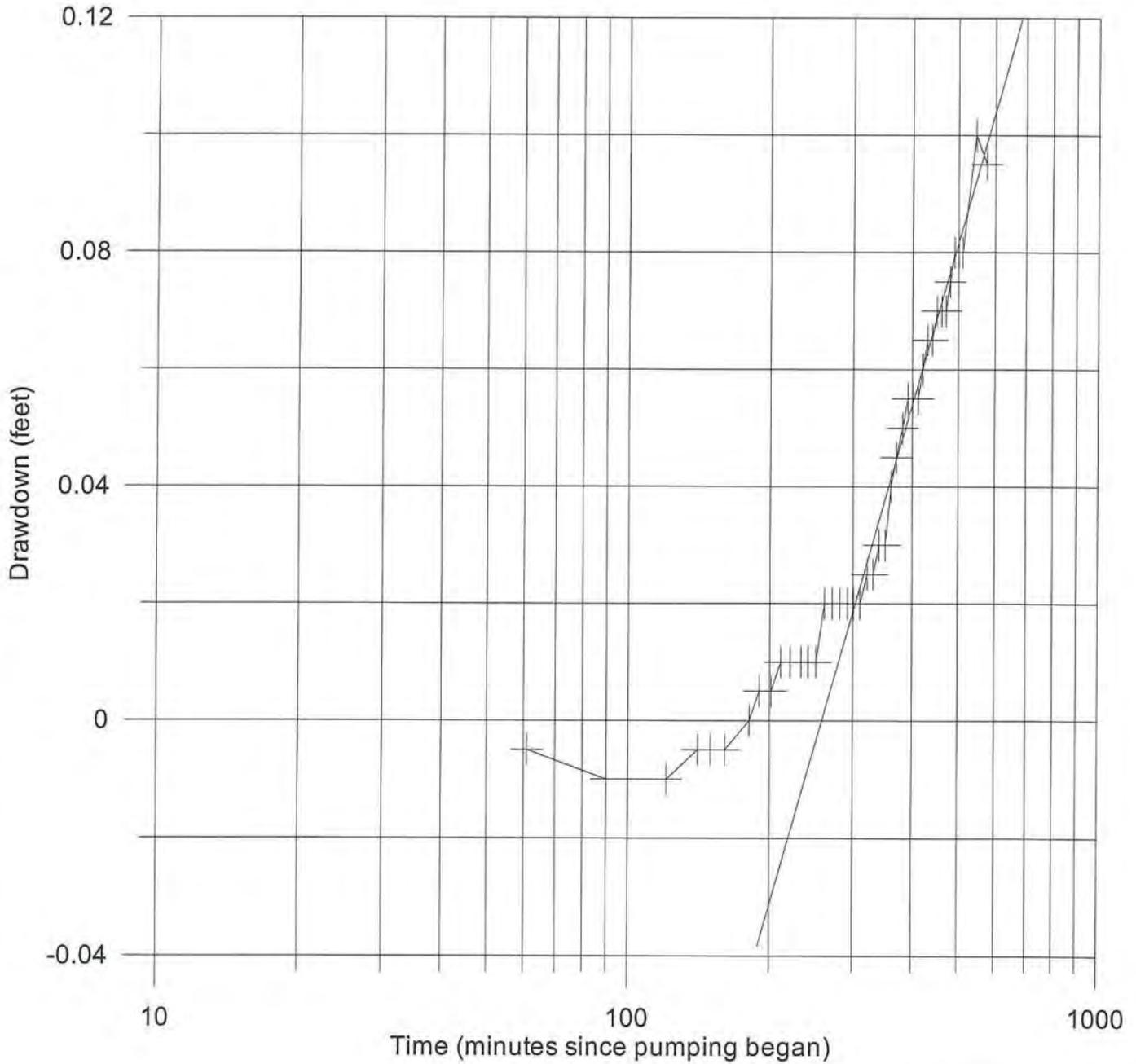
Glacial Deposits Pumping Test at Yourkowski Property
 June 28, 2004



$$T = \frac{264(0.0073 \text{ gpm})}{(0.97)} = 2.00 \text{ gpd/ft}$$

$$K = 0.086 \text{ ft/day or } 3.0 \times 10^{-5} \text{ cm/sec}$$

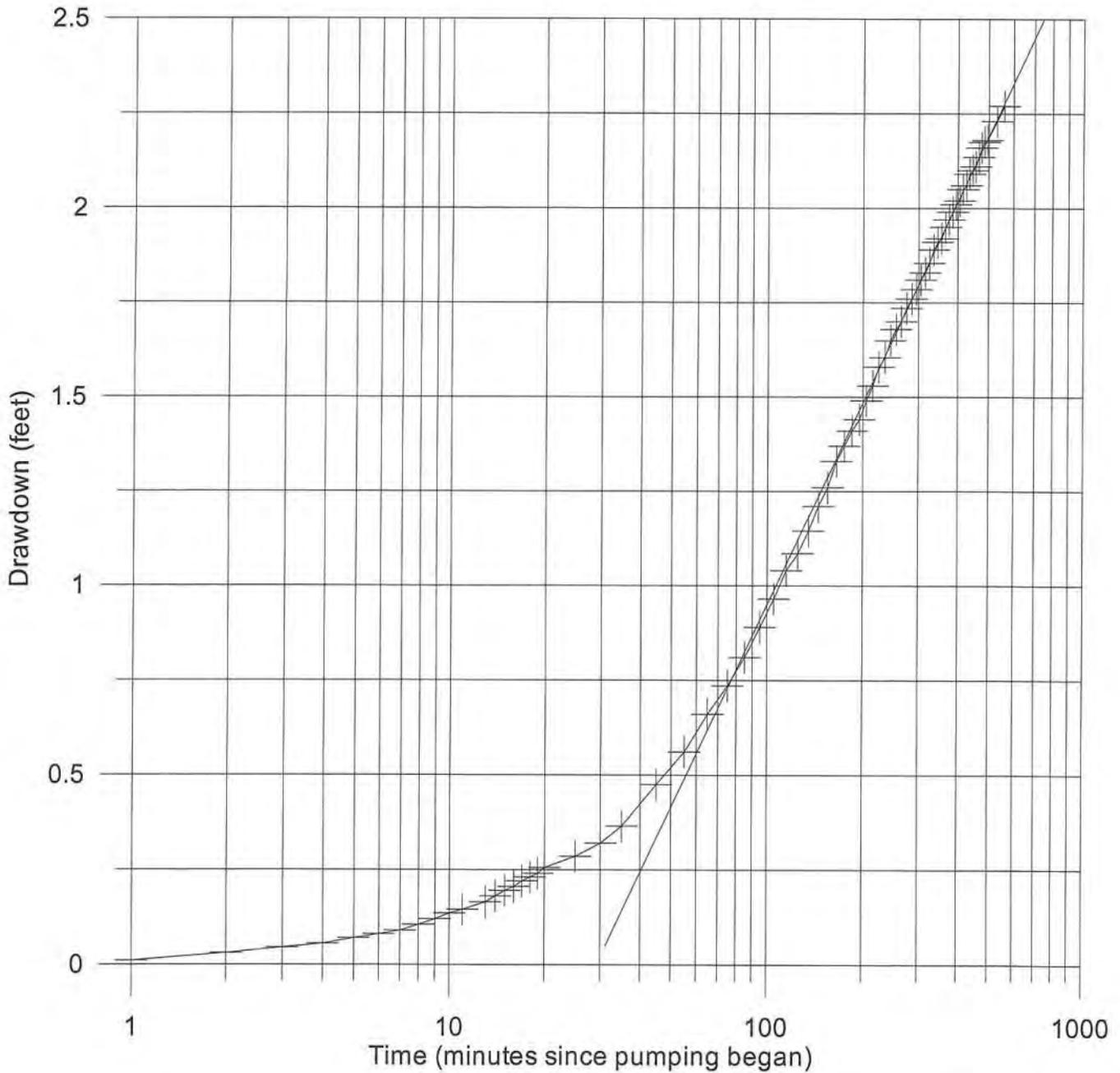
Peat Aquifer Pumping Test at P6-S
 Observation Well P6-T
 June 29, 2004



$$T = \frac{264(0.00826 \text{ gpm})}{0.28} = 7.79 \text{ gpd/ft} \quad S = \frac{0.3(7.79)(0.2)}{(2.5)^2} = 0.075$$

$$K = 0.31 \text{ ft/day or } 1.1 \times 10^{-4} \text{ cm/sec}$$

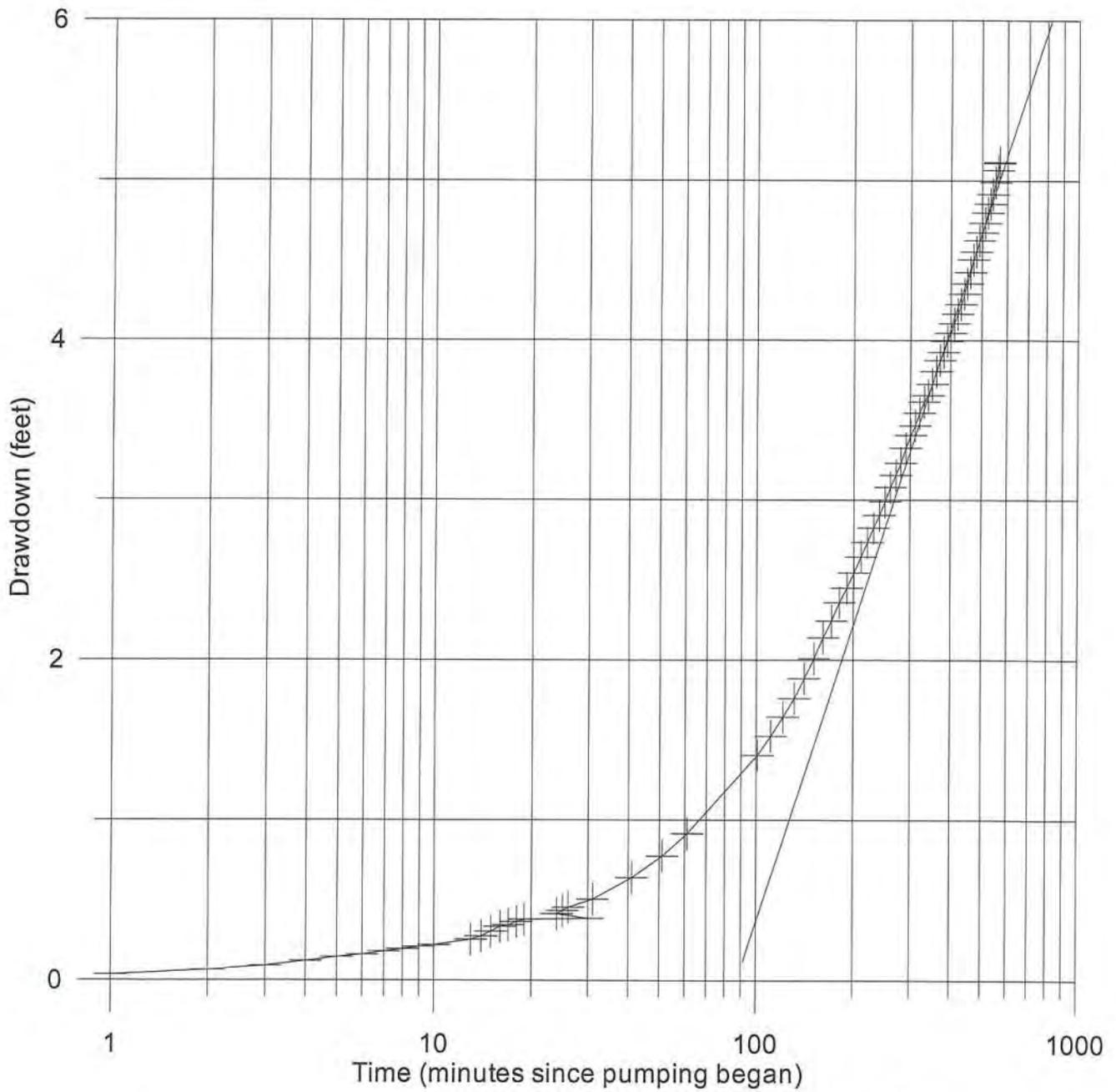
Peat Aquifer Pumping Test at P6-S
 Pumped Well P6-S
 June 29, 2004



$$T = \frac{264(0.00826 \text{ gpm})}{3.66} = 0.59 \text{ gpd/ft}$$

$$K = 0.02 \text{ ft/day or } 8.2 \times 10^{-6} \text{ cm/sec}$$

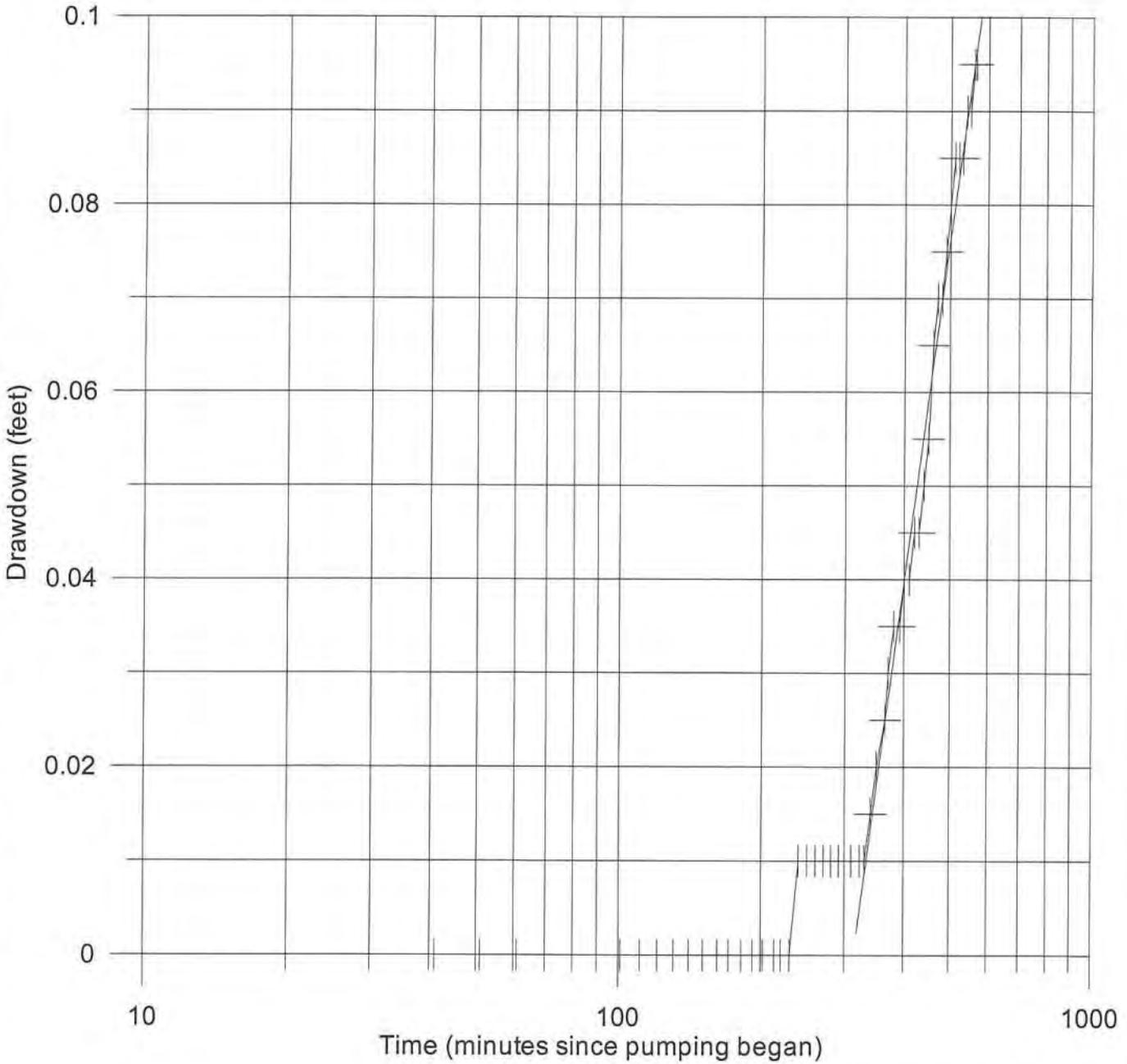
Peat Aquifer Pumping Test at MW-11
Pumped Well
June 30, 2004



$$T = \frac{264(0.0067 \text{ gpm})}{6.17} = 0.29 \text{ gpd/ft}$$

$$K = 0.0079 \text{ ft/day or } 2.8 \times 10^{-6} \text{ cm/sec}$$

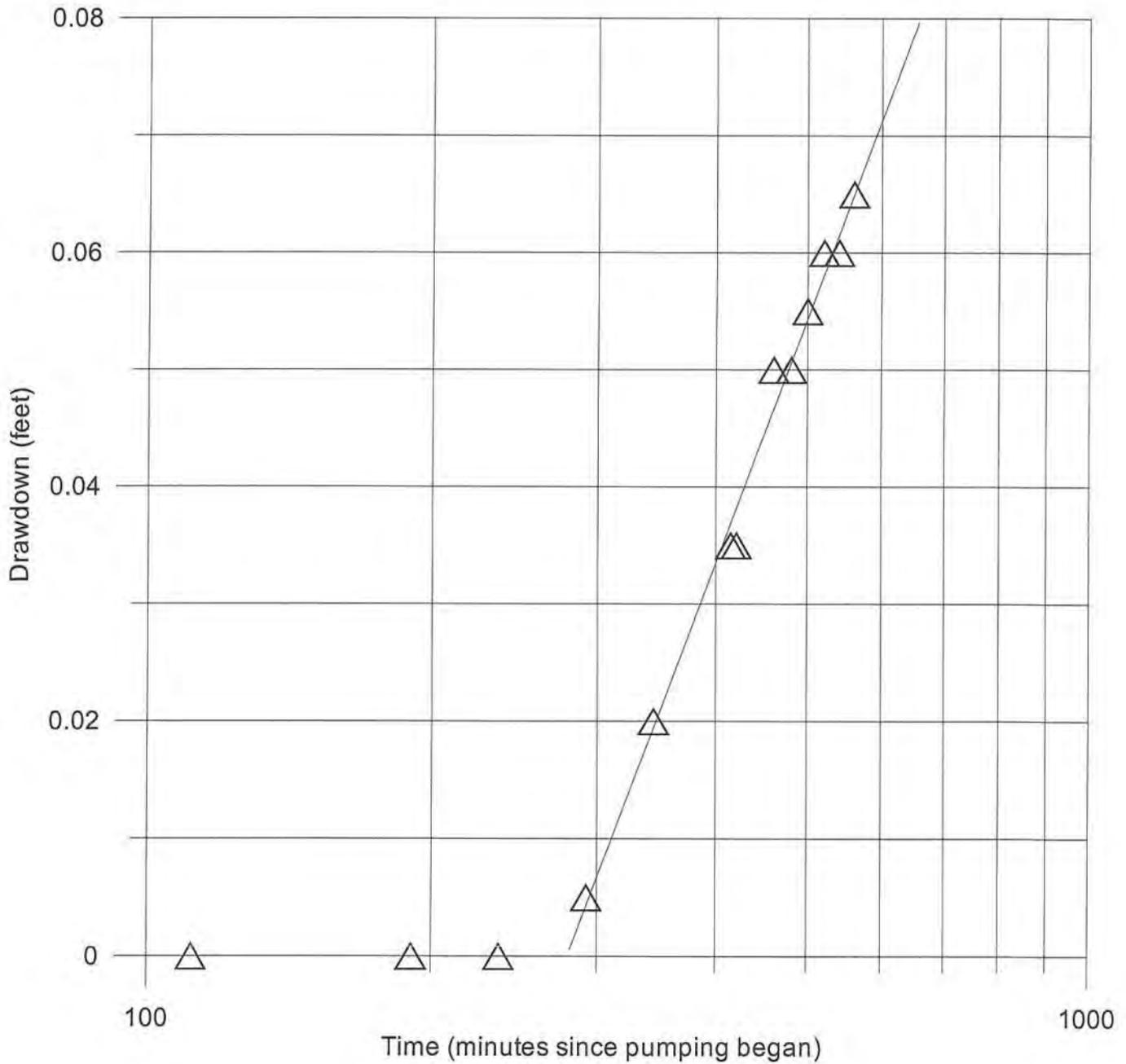
Peat Pumping Test at MW-11
 Observation Well MW-6
 June 30, 2004



$$T = \frac{264(0.0067 \text{ gpm})}{(0.38)} = 4.68 \text{ gpd/ft} \quad S = \frac{0.3(4.68)(0.21)}{(2.05)^2} = 0.07$$

$$K = 0.13 \text{ ft/day or } 4.7 \times 10^{-5} \text{ cm/sec}$$

Peat Aquifer Pumping Test at MW-11
 Observation Well OBS-6
 June 30, 2004



$$T = \frac{264(0.0067 \text{ gpm})}{(0.21)} = 8.25 \text{ gpd/ft} \quad S = \frac{0.3(8.25)(0.186)}{(5.54)^2} = 0.015$$



COBLE GEOPHYSICAL SERVICES

Homer Professional Building • 910 East End, Suite #1 • Homer, AK 99603 • (907) 235-1066

RECEIVED

1/9/09

JUL 13 2017

CITY OF HOMER
PLANNING/ZONING

Kachemak Drive Coalition
P.O. Box 4084
Homer, Alaska 99603

RE: Technical Review of *Geotechnical Exploration and Engineering Recommendations: Kachemak Drive Water and Sewer, Homer, Alaska*, for City of Homer, by Duane Miller Associates LLC (DMA)

Dear Coalition,

Coble Geophysical Services has been asked by the Coalition to review the recent DMA report for the *City of Homer – Kachemak Drive Water and Sewer Project (November 19, 2008)*. This work came about in light of the focus in recent years on land-based causes of bluff erosion along the Kachemak Drive corridor, and the pending *Beluga Wetlands Regional Hydrologic Investigation: Property Preservation Study* to be conducted beginning this summer and referenced throughout this report.

DMA Report Review

There should be no doubt at this point that there are significant land-based causes for bluff erosion along the entire Kachemak Drive corridor. Therefore some recent examples of land-based bluff discharge along Kachemak Drive have been included in Appendix A of this report for referral. Photos 1, 2 and 3 (Appendix A) are examples of land-based groundwater discharge affecting bluff erosion, and Photo 4 (Appendix A) is an example of land-based surface water discharge affecting bluff erosion.

However, groundwater and surface water discharge along the bluff seems to have received little recognition in the DMA report for the City referenced above. Recognition of development impacts on drainage and resolving to fix drainage problems are two details which have been recognized in all recent work along Kachemak Drive, but mark a stark contrast to the DMA report commissioned by the City. The lack of discussion of these main issues may have been merely an oversight due to lack of review of recent documents by DMA. In the **Existing Data** section of the DMA report, pages 2-4, the following information was not referenced:

1) The CGS 2004 groundwater study of fifteen Coalition properties on Kachemak Drive, forwarded to City and ADOT.

2) ADOT *Kachemak Bay Drive Drainage Memorandum (5/20/05)*. This document acknowledges that as development occurs on the Lampert Lake side of Kachemak Drive, the subsurface flow from the Kachemak Bay side of the road will be further constrained. A long term solution should be designed as soon as possible.

3) *ADOT Cross-Drainage Project, Kachemak Drive, Homer 2005: Impacts of Development on Cross Drains* (7/9/06, presented to the City of Homer)

4) *Relationship Between Bluff Land Loss and Surface Hydrology For Two Properties Along Kachemak Drive* (5/13/08, presented to the City of Homer)

The conclusion of this more recent body of work is that if any effort is going to be made through installation of underground utilities, *then a regional study is needed to make sure that any other controls necessary are in place to mitigate for wetland development as soon as possible.* One of the ADOT memorandums goes so far as to recommend that the author of the recent work in this area conduct the necessary studies, which are expected to begin this year. It therefore makes no sense to have completed an engineering design without consulting the results of these studies, which have dire consequences for the bluff-side property owners along Kachemak Drive, and which goes specifically against the recommendations of the ADOT engineer who most recently worked on this project.

The DMA 2008 report is clearly focused on a geotechnical study for the installation of a 12-inch diameter HDPE water main, sewer and individual service lines along this corridor. It is not a hydrogeologic study that could determine the risk associated with surface and subsurface changes the project would incur to the dynamics of the Kachemak Drive Corridor.

Such a hydrogeologic study would have mentioned differences between vertical and horizontal hydraulic conductivity (peat deposits are like a compressed stack of blankets, each of a different thickness). It would have given flow estimates that result in bluff water discharge (visibly shown in Appendix A), and pathways for regional subsurface water flow. It would have designed mitigation for utility installation around the cross culverts installed along some of Kachemak Drive to equilibrate groundwater pressure.

On page 28 of DMA Report 'Project Impacts On Bluff Erosion' it is mentioned that their design recommends re-use of the 'natural excavated soil for backfilling the trenches, thereby maintaining the existing soil stratigraphy'. On page 23, peat is referred to generically as '*highly permeable*', and that '*the native material should be backfilled within the excavations in a manner that closely replicates the existing soil stratigraphy, generally organic silt or peat overlying organic silt*'. However, the trench will cut through the peat matting with a dramatically lower vertical than horizontal water conductivity, and using the loose guidelines mentioned above, could completely change the hydraulics along the water/sewer corridor.

The thinly matted and layered stratigraphy of the peat and underlying sediments along Kachemak Drive raises concerns over constructability of backfilling with the native material, since the assumption used in the DMA report was that the

stratigraphy will remain the same by merely replacing peat with peat. In the end, the filled-in ditch is likely to bear little hydraulic resemblance to what was there before. Some Kachemak Drive residents have personal experience with this approach, when ACS used native peat material for re-burial of a bluffside communications line approximately 10 years ago.

It would be important to the Kachemak Drive residents that a sewer system will help convey domestic water used away from the bluff (although flood water and spring breakup are on a much larger scale, a bigger issue). But when water is eventually delivered via pressurized water service lines to each home, water usage by any individual may increase in ways that are harmful to the bluff and neighboring properties, and more importantly any accidental leaks or burst pipes (e.g. from a deep frost) in the bluff-side water service lines would be potentially devastating along this corridor. As the cross-culvert project showed, Kachemak Drive in the peat areas has surcharged itself into a hydrogeologic barrier, such that water introduced into the shallow groundwater system bluff-side *has nowhere else to go but out the bluff*.

Also, the DMA engineering recommendations do not mention the extensive work ADOT put into the cross culverts along part of Kachemak Drive, which are dependent on very careful engineering with regard to utility installation, are within the ADOT right-of-way, and were put in place to mitigate a very serious difference in hydraulic gradient observed at the time of study which put significantly higher groundwater pressure bluff-side.

CGS did find one reference in the DMA report to a general concern about bluff erosion, but it did not provide any appropriate level of analyses towards that concern, and would not be satisfactory to bluff property owners that the previous work and conclusions were reviewed.

The likely conclusions of these new studies will be specific recommendations for more active controls on reducing bluff erosion. Even the CGS 2006 Report concluded that the most important factor in any new development along Kachemak Drive is to take care of the drainage situation. It was not to supply water to the area, and although supplying sewer is a component to taking care of the drainage problem, it is not anywhere close to being a complete solution.

Tax and Utility Base

The public financing being used to install water and sewer lines should be an appropriate point to examine if there are any other controls that can be installed at the same time to improve the drainage and stability of the bluff-side properties. This would be efficient.

It is obvious that residents on Kachemak Drive support ADOT infrastructure through fuel taxes, and will be asked to pay water and sewer bills to the City to support the new infrastructure.

In addition, the bluff-side Kachemak Drive properties yield benefits to local government that need to be mentioned. There are 79 private holdings along bluff-side Kachemak Drive, with an additional 13 parcels owned by ADNR and FAA. According to the Kenai Peninsula Borough (KPB), these private landholders paid approximately \$100,000 to the City last year in property tax, approximately \$100,000 to the KPB, and \$50,000 to support South Peninsula Hospital. Given what was shown in Appendix A and B, none of these entities should be supporting any kind of utility installation moving forward until the drainage situation has been appropriately studied, and mitigation recommendations submitted to City and ADOT engineers for the design of measures to reduce bluff erosion in concert with utility installation.

Summary and Conclusions

Installation of the sewer and water utilities may indeed have profound impacts on the surface hydrology, and can potentially re-distribute near surface water along the utility corridor. More importantly, the installation of utilities should be put on hold until there is formal hydrologic study of the region and the extensive drainage problems along Kachemak Drive can be resolved. Furthermore, ADOT recognized this as an important time to reform the Kachemak Drive drainage plan within their right of way.

Appendix C shows that the City and KPB support these studies, and they are moving forward. After a supplemental drainage works design, the entire utility project can be installed in one pass-through which will help save properties, infrastructure and money.

Please let me know if you have any questions or concerns, and thank you for your consideration.

Sincerely,

Geoff Coble, M.S., PG
Coble Geophysical Services
Homer Professional Building
910 East End Rd, Suite #1
Homer, Alaska 99603

cc: Carey Meyer P.E., City Engineer
Kenai Peninsula Borough - Planning
Newt Bingham P.E., ADOT Engineer
Walt Wrede, City Manager
Kachemak Drive Coalition Partners

Appendix A

Kachemak Drive Bluff Discharge Winter 2008-2009



Photo 1. Kachemak Drive Bluff Discharge from Groundwater



Photo2. Kachemak Drive Bluff Discharge from Groundwater



Photo 3. Kachemak Drive Bluff Discharge from Groundwater



Photo 4. Kachemak Drive Bluff Discharge from Surface Water



Photo 5. Additional Photo, Other Results of Kachemak Drive Bluff Discharge

Appendix B

*Alexander/Hodnik Erosion Case
Study, 2008*



Photos 1 and 2: Water Discharge Occurring Directly Across Kachemak Drive From Eroding Bluff, 2008



Photo 3. Lack of Vegetation and General Condition of Bluff Below Alexander Home (shown)



*Photo 4: Road Surface Crack Separating Area Between Photo 2 and Photo 3,
At Location of Photo 2 (Kachemak Drive), 2008*

Appendix C

*KPB and City Resolutions of
Support for Kachemak Drive
Wetlands Studies*

City of Homer Resolution

CITY OF HOMER
HOMER, ALASKA

Roberts, Manager

RESOLUTION 08-_____

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA EXPRESSING ITS SUPPORT FOR A COMPREHENSIVE BELUGA WETLAND HYDROLOGIC STUDY.

WHEREAS, Private property owners along Kachemak Drive are experiencing serious problems with bluff erosion and flooding which threaten their properties and the overall public health and safety in the neighborhood; and

WHEREAS, The City of Homer has a strong and vested interest in helping to protect and develop public and private properties along Kachemak Drive; and

WHEREAS, The Council has adopted Resolution 08-_____ which authorized the City Administration to work cooperatively with the Alaska Department of Transportation to attempt to identify problems and propose solutions; and

WHEREAS, It is apparent to all interested parties that a Comprehensive Beluga Wetland Hydrologic Study is needed before solutions can be proposed and capital funds appropriated; and

WHEREAS, There are a number of agencies and organizations with experience and expertise in this area who can contribute resources to a coordinated, multi-agency effort to address the problem; and

WHEREAS, Agencies and organizations with the resources to assist include, but are not limited to, the U.S. Environmental Protection Agency, the Army Corps of Engineers, the Soil and Water Conservation Service, the Alaska Department of Environmental Conservation, the Alaska Department of Transportation and Public Facilities, and the Kenai Peninsula Borough Coastal Management Program; and

WHEREAS, The Kachemak Bay Research Reserve and Coble Geophysical Services are familiar with this area and have performed related studies that might contribute to or form the foundation for a comprehensive wetland study; and

WHEREAS, A coordinated effort is now needed to bring these resources together and identify possible funding sources for the study.

NOW THEREFORE BE IT RESOLVED that the Homer City Council hereby expresses its strong support for funding and completion of a Comprehensive Beluga Wetland Hydrologic Study; and

(cont.)

BE IT FURTHER RESOLVED, That the Council authorizes the City Administration to work cooperatively with all of the organizations listed above and to help identify possible funding sources for the study.

PASSED AND APPROVED by the Homer City Council this 23rd day of June, 2008.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST

JO JOHNSON, CMC, CITY CLERK

Kenai Peninsula Borough Resolution 2008-078

Introduced by: Martia, Smith
Date: 09/16/08
Action:
Vote:

**KENAI PENINSULA BOROUGH
RESOLUTION 2008-078**

**A RESOLUTION SUPPORTING A COMPREHENSIVE BELUGA WETLAND
HYDROLOGIC STUDY AND IN SUPPORT OF COASTAL MANAGEMENT
PROGRAM FUNDING FOR THE STUDY**

- WHEREAS, in 2001, the Kachemak Drive road improvement project was initiated by the State of Alaska; and
- WHEREAS, two recent flood mitigation projects conducted by the State of Alaska, including the 2005 French drain and cross-culvert project and the 2007 drainage improvement culvert project, have not functioned as intended; and
- WHEREAS, private property owners along Kachemak Drive are experiencing serious problems with bluff erosion and flooding threatening their properties and public health and safety in the neighborhoods; and
- WHEREAS, the City of Homer adopted Resolution 08-70(A) on June 23, 2008, expressing its support for The Comprehensive Beluga Wetland Hydrologic Study and authorizing the city administration to help identify possible funding sources and solutions for this problem; and
- WHEREAS, the affected property owners have been working with the Homer Soil & Water Conservation District, Representative Paul Seaton, the Kenai Peninsula Borough Coastal Management Program Coordinator, the State Department of Fish & Game, as well as other interested agencies, seeking a solution to this problem and to identify funding sources for the study; and
- WHEREAS, the affected property owners have requested that the Kenai Peninsula Borough Assembly adopt a resolution supporting their efforts to obtain The Comprehensive Beluga Wetland Hydrologic Study and funding from the state or other sources for this study;
- NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**
- SECTION I.** That the assembly supports completion of a comprehensive Beluga Wetland hydrologic study to help address flooding and bluff erosion issues in the Kachemak Drive neighborhood in Homer as well as state, federal and private funding for this project.

SECTION 2. That copies of this resolution shall be sent to Representative Paul Seaton, Senator Gary Stevens, Department of Natural Resources, Coastal Zone Management, Natural Resources Conservation Service, City of Homer, and State Department of Transportation.

SECTION 3. That this resolution takes effect immediately upon its enactment.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 16TH DAY OF SEPTEMBER, 2008.

ATT:ST:

Grace Merkes, Assembly President

Johni Blankenship, Borough Clerk

Yes:

No:

Absent:

From: Rika Mouw <rikamouw@gmail.com>
Sent: Friday, July 14, 2017 9:41 AM
To: Travis Brown
Subject: Comments on CUP application for 3101 Kachemak Drive

Dear Homer planning staff and members of the planning commission,
In reference to a Conditional Use Permit (CUP) application to build 4 single family homes at 3101 Kachemak Drive in a Rural Residential zone is of great concern.
The coastal bluff all along Kachemak Drive is well known for its on-going erosion and its complex wetland hydrology. The coastal bluff erosion has been observed and documented since 1951. This documentation is ongoing by Steve Baird who gave a presentation to the planning staff and planning commission. Since the documentation began, the bluff on the particular property in question has lost 100 feet and continues to lose footage. In addition, this very same property along with 12 others along Kachemak Drive was part of a study done by Coble Geophysics Services showing the complex hydrology in this area and the connection between the subsurface ground water and bluff erosion. This study resulted in ADOT providing extensive culverting to allow drainage away from the bluff to the wetlands across the road. A further conclusion from the study was that further development along the bluff resulting in soil disturbance, loss of vegetation and additional impermeable surfaces compounds the erosion along the bluff. A copy of this study was provided to the City in 2004 and again this week. The documentation as presented to the planning commission by Steve Baird of the coastal erosion in the specific area of the applicant's property shows an average historical loss of bluff due to erosion to be 1.66 feet per year. This is an average, so some years there is a far greater rate of erosion and some years less, but the erosion is ongoing and is evident each year. I have enclosed imagery of the documentation for you to see. There seems to be increased erosion in the vicinity of each building along the bluff. Coincidence? Or consequence?
It is incumbent to the city to understand the hydrology of the area pertaining to all development in this area. With the City having the professional information they have, and knowing that the bluff is eroding at the rate it is, it would seem it leaves itself liable in allowing for an even higher density.
The application in front of you lacks the required scale of 1" to 20' scale, lacks a drawing showing the entire property and adjacent properties and existing structures on the adjacent properties. The plan lacks the required parking spaces for 4 single family homes, and to date, the neighbor to the east who shares the applicant's driveway has yet to comment.
What affects one property will affect surrounding properties, so it is with this in mind that I voice great concern with increasing housing density to the extent the applicant is requesting. Not only will 4 additional single family houses, 3 with a 900 sq. ft footprint and one with over 1300 sq. ft, all very close together, gives cause for alarming consequences. The applicants are requesting a 400% increase in the current Rural Residential allowance of one primary living unit and a secondary building.
I do not see the merit in allowing for a CUP along a fragile and dynamic eroding bluff in a rural residential neighborhood and ask you to deny the application for health and safety reasons. As stated in the City's zoning documents, The Homer [Zoning Code](#) is adopted as one means of implementing the general goals and policies of the Homer [Comprehensive Plan](#). Its purpose is to enhance the public health, safety and welfare through land [use](#) regulations.

The historical erosion shows that the future of this bluff and the buildings along it will not be standing in the next 30 years or the life of a mortgage. Good planning means prudent planning with the future in mind.

I urge you to consider these points and to deny a Conditional Use Permit in this location.

Rika Mouw

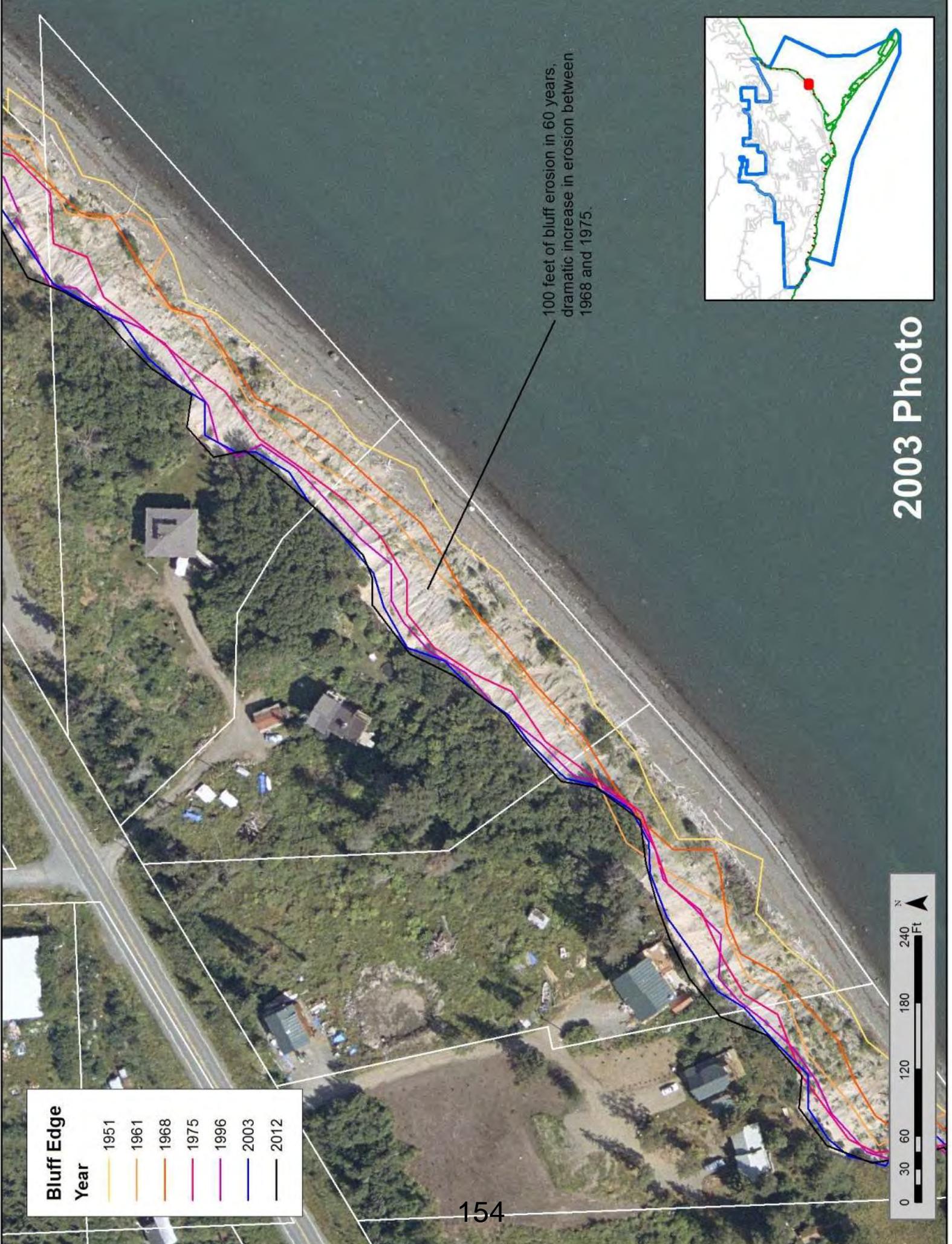
Bluff Edge	
Year	
1951	
1961	
1968	
1975	
1996	
2003	
2012	

100 feet of bluff erosion in 60 years, dramatic increase in erosion between 1968 and 1975.



2012 Photo





Bluff Edge	Year
—	1951
—	1961
—	1968
—	1975
—	1996
—	2003
—	2012

100 feet of bluff erosion in 60 years, dramatic increase in erosion between 1968 and 1975.



2003 Photo

The purpose of the Rural Residential District is primarily to provide an area in the City for low-density, primarily residential, [development](#); allow for limited agricultural pursuits; and allow for other [uses](#) as provided in this chapter. [Ord. [08-29](#), 2008].

The Homer [Zoning Code](#) is adopted as one means of implementing the general goals and policies of the Homer [Comprehensive Plan](#). Its purpose is to enhance the public health, safety and welfare through land [use](#) regulations to:

- a. Designate, regulate and restrict the location and [use](#) of [buildings](#), [structures](#) and land;
- b. Regulate the height, number of [stories](#), and size of [buildings](#) and other characteristics of [structures](#);
- c. Regulate and determine the size of [yards](#) and other [open spaces](#);
- d. Regulate and limit the density of population;
- e. Conserve and stabilize the value of property;
- f. Provide adequate [open spaces](#) for light and air; and to prevent and fight fires;
- g. Prevent undue concentration of population;
- h. Lessen congestion on [streets](#) and [highways](#);
- i. Preserve and enhance the aesthetic environment of the community;

From: Rika Mouw <rikamouw@gmail.com>
Sent: Friday, July 14, 2017 9:44 AM
To: Travis Brown
Subject: Photos of existing bluff from beach

The last 2 photos are taken of the property to the west of the applicant's property and you can see the erosion is right up to the building.
These photos show on going erosion at the bluff bottom and the server undercutting of erosion at the very top.





















City of Homer

www.cityofhomer-ak.gov

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(p) 907-235-3106
(f) 907-235-3118

Staff Report 17-62

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: July 19, 2017
SUBJECT: Mariner Village 2017 Preliminary Plat

Requested Action: Preliminary Plat approval.

General Information:

Applicants:	Jason Weisser Weisser Homes LLC PO Box 2913 Homer, AK 99603	Gary Nelson, PLS 152 Dehel Ave Homer, AK 99603
Location:	Starboard Way and Mariner Drive	
Parcel ID:	17927001, 17927003	
Size of Existing Lot(s):	0.27, 0.29	
Size of Proposed Lots(s):	0.301, 0.258	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Single family home on Lot 3, Lot 1 is vacant	
Surrounding Land Use:	North: Residential/vacant South: Residential/vacant East: Residential/vacant West: Vacant	
Comprehensive Plan:	Future land use map shows this area as Urban Residential.	
Wetland Status:	The 2005 Wetland mapping shows a wetland/upland complex, meaning wetlands may be present.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 31 property owners of 36 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat shifts the common lot line between lots 3 and 1 by seven feet. A new home was built too close to the lot line, so the property line is being replatted to solve the encroachment.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat does not meet these requirements. Dedicate a 15 foot utility easement along Mariner Drive and Starboard Way.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
 - 1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets these requirements.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements. No rights of way are dedicated by this action.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements. The land is gently sloping.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. The property line is being replated to address an encroachment.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments: A development agreement is not required. Provide/depict the 15' utility easement fronting the ROW.

Fire Department Comments: No Fire Department Issues

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits.
2. Dedicate a 15 foot utility easement along Mariner Drive and Starboard Way.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map

CERTIFICATE OF OWNERSHIP

I hereby certify that Welser Homes LLC is the owner of the real property shown and described hereon, and that Welser Homes LLC hereby adopts this plan of subdivision, and by this plan of subdivision grants all easements to the use shown.

WELSER HOMES LLC
WELSER HOMES LLC
P.O. BOX 2813
Homer, AK 99803

NOTARY'S ACKNOWLEDGEMENT

For JASON WEISSER _____ day of _____ 2017
Acknowledged before me this _____ day of _____
Notary public for Alaska _____ My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at its meeting on March 16, 2014.
KENAI PENINSULA BOROUGH

BY _____
Authorized Official

VICINITY MAP SCALE: 1" = 1/2 MILE



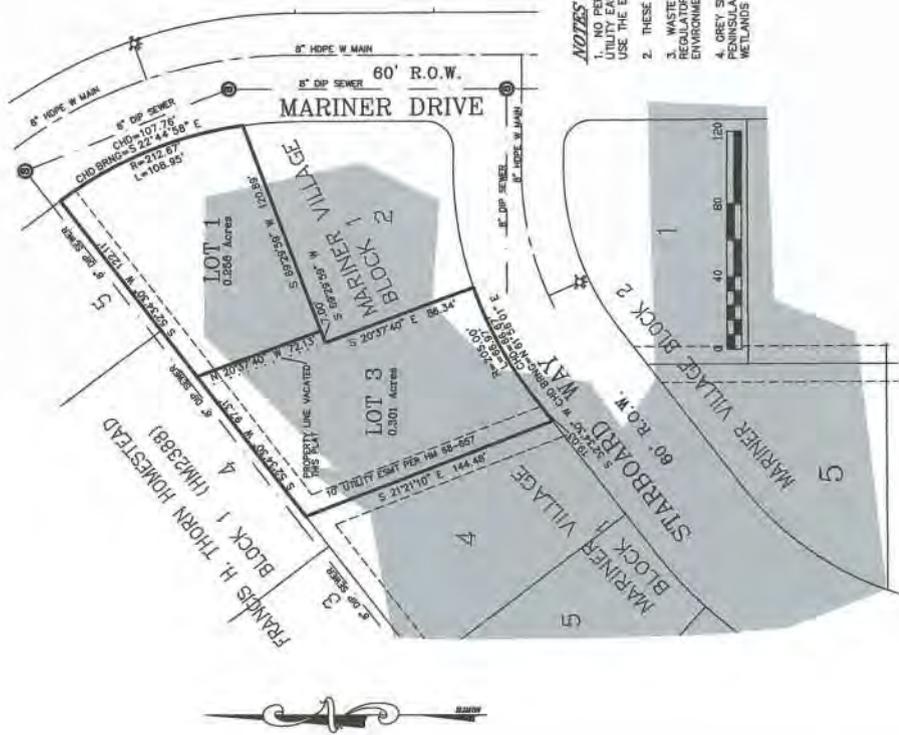
DATE	6/20/2017
SCALE	1" = 40' 48" = 40'
GRID No.	AP-23
JOB No.	4948
DRAWING	4948



MARINER VILLAGE 2017

A RESUBDIVISION OF LOTS 1 AND 3, MARINER VILLAGE SUBDIVISION (HMB-657), WITHIN THE SEVENTH EIGHTH (7/8) SECTION, T34N, R14W, S1, HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 0.559 ACRES

ABLETT SURVEYS
CHRYSEAL, A.S.
151 89th Ave., Homer, Alaska 99803



- NOTES**
- NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY RIGHT-OF-WAY WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 - THESE LOTS ARE SUBJECT TO HOMER CITY CODE.
 - WASTEWATER DISPOSAL PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
 - GREY SHARED AREA DEPICTS WETLAND-UPLAND COMPLEX FROM KENAI PENINSULA BOROUGH GIS PER KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING.

RECEIVED
JUN 15 2017
CITY OF HOMER
PLANNING/ZONING

ABILITY SURVEYS

SURVEYING HOMER SINCE 1975

LAND SURVEYING - CONSTRUCTION SURVEYING - DESIGN SURVEYING
152 DEHEL AVE., HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

6/30/2017

City of Homer Planning Dept.
491 E. Pioneer Ave.
Homer, AK 99603

Re: Preliminary Plat submittal of **MARINER VILLAGE 2017**.

Enclosed herewith are 1 reduced to 11 X 17 copy of the preliminary plat and 1 full sized 18"X 24" copy, and a check # **4257** in the amount of \$300 for the City of Homer filing fee.

The proposed subdivision is located along Mariner Drive.

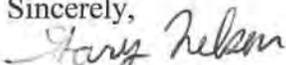
The existing Parcels are serviced by city water and sewer.

I believe the area is zoned as "Rural Residential".

I am not aware of necessary code exemptions at this time but reserve a right to ask for them if they are found to be necessary.

Thank you for your assistance and consideration in this endeavor. Please don't hesitate to call for any reason.

Sincerely,


Gary Nelson, PLS

RECEIVED

JUN 30 2017

CITY OF HOMER
PLANNING/ZONING

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Mariner Village 2017 Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, July 19, 2017 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

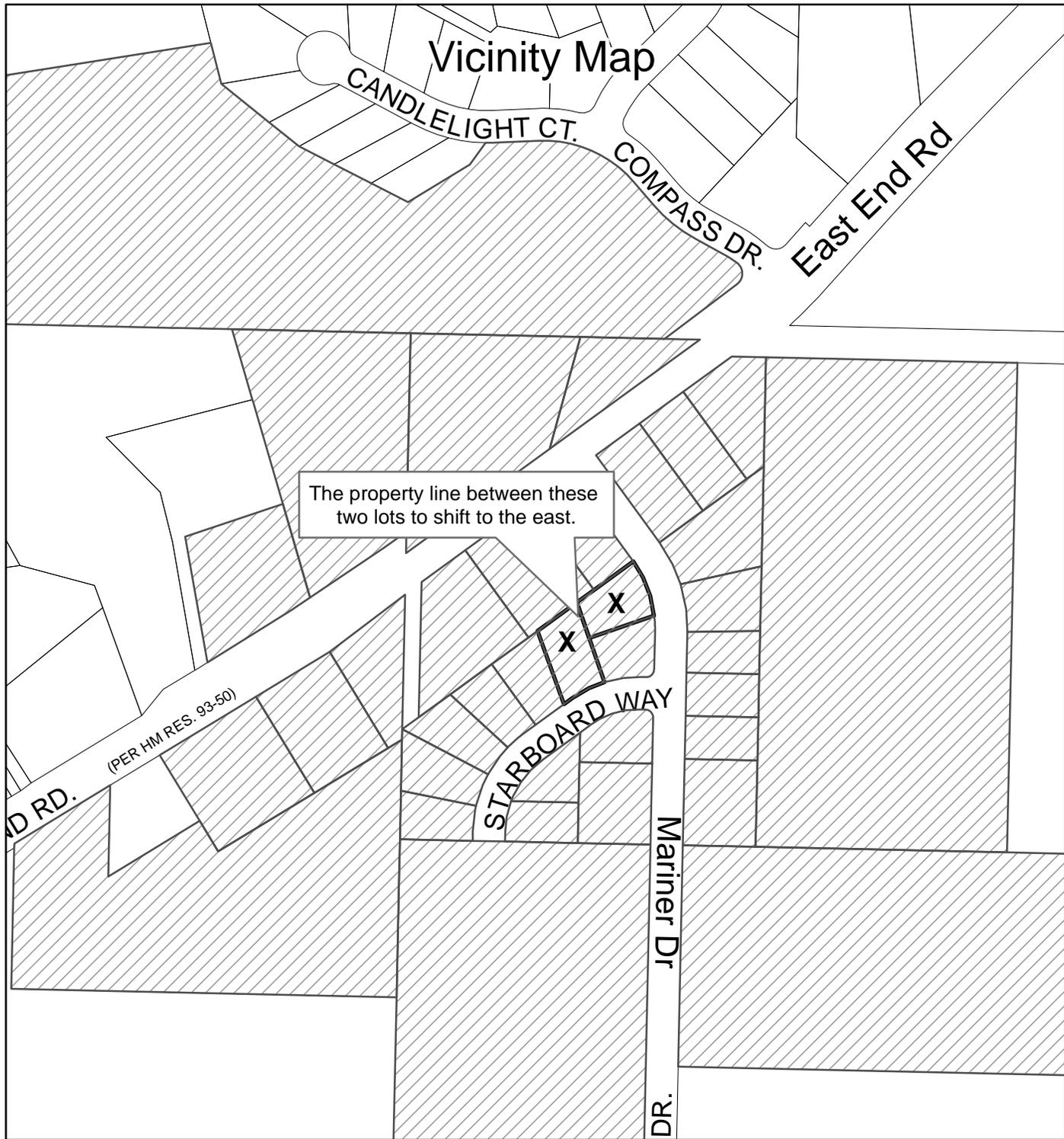
The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown in the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

Vicinity Map

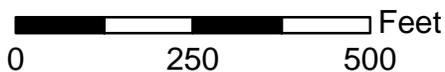


City of Homer
Planning and Zoning Department

July 3, 2017

Mariner Village 2017 Preliminary Plat

Marked lots are within 500 feet
and property owners notified.



Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.

CERTIFICATE OF OWNERSHIP

I hereby certify that Welser Homes LLC is the owner of the real property shown and described hereon, and that Welser Homes LLC hereby adopts this plan of subdivision, and by this plan of subdivision, the owner grants all easements to public use and grants all easements to the use shown.

WELSER HOMES LLC
WELSER HOMES LLC
P.O. BOX 2813
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For JASON WEISSER _____ day of _____ 2017
Acknowledged before me this _____ day of _____
Notary public for Alaska _____ My Commission Expires _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough
Planning Commission at its meeting on March 16, 2014.
KENAI PENINSULA BOROUGH

BY _____
Authorized Official

VICINITY MAP SCALE: 1" = 1/2 MILE



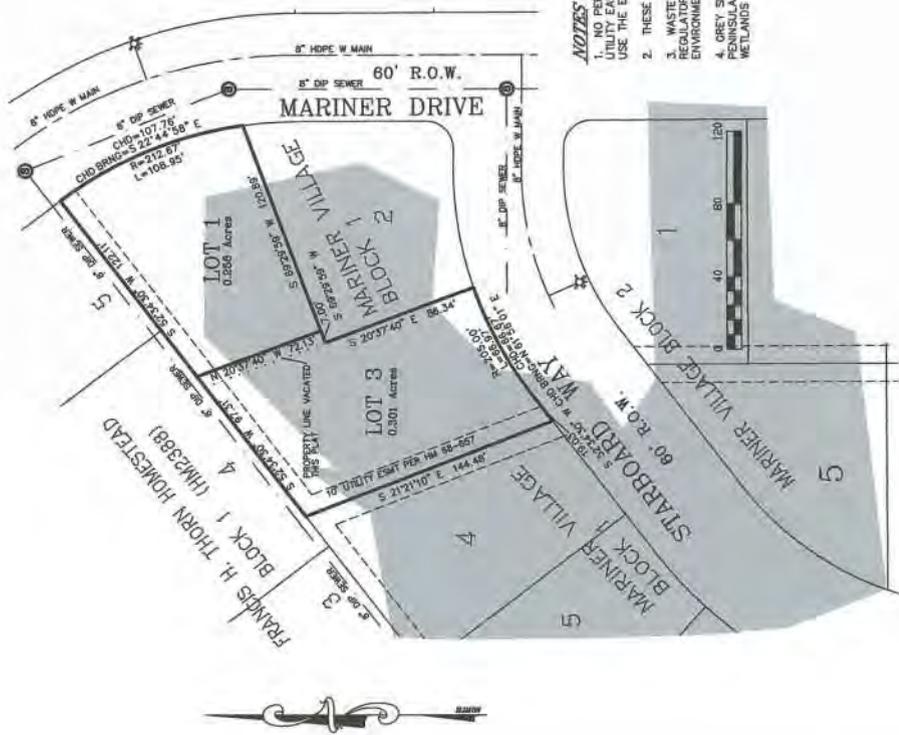
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MARINER VILLAGE 2017

A RESUBDIVISION OF LOTS 1 AND 3, MARINER VILLAGE SUBDIVISION (HM28-057), WITHIN THE SEVENTH EDITION PLAN OF THE CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA
CONTAINING 0.589 ACRES

ABLETT SURVEYS
CHRYSEAL, A.S.
151 89th Ave., Homer Alaska 99603



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RECEIVED
JUN 15 2017
CITY OF HOMER
PLANNING/ZONING

Aerial Map



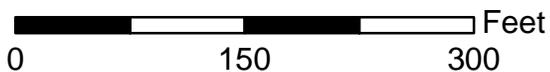
2016 Photo: property lines not exact. use with care.



City of Homer
Planning and Zoning Department

July 12, 2017

Mariner Village 2017 Preliminary Plat



Disclaimer:
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-63

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: July 19, 2017
SUBJECT: Comprehensive Plan Update Chapter 4 Land Use & Chapter 8 Economic Vitality

Introduction

This provides the commission the opportunity to review what we plan to use as the public review draft of the chapters above.

Analysis

The changes you find are most all formatting and those requested at the last meeting for Chapter 4 and the last meeting when Chapter 8 was discussed in the spring.

Chapter 4 has been formatted except for the numbered lists found in the document. The numbered items correspond to the implementation table and are left in the document for comparison with the implementation table. The final version of the implementation items are in the table and the numbered items found in the document are the original from the plan. Some minor edits have been made in addition to recommendations from the commission. If all is well, I will remove the numbered items in the chapter and the remaining will be the public review draft.

Chapter 8 has incorporated the revisions that the Planning Commission made and the format has been updated.

I do not expect to go line for line and solicit feedback at this meeting. I am hoping that I got things correct and am looking for input of items that may not be correct and/or scribe errors. The document is generally formatted except for some spacing issues and such. We will spend more time on this when we have a final draft, as some of the spacing issues become a moving target as revisions are made.

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 4 Land Use 7.11.17

Chapter 4 Implementation Table 7.12.17

Chapter 8 Economic Vitality 7.12.17

Chapter 8 Implementation Table 7.12.17

CHAPTER 4 LAND USE

Vision Statement: Guide the amount and location of Homer’s growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

Overview

This chapter presents background information and policies to guide development in Homer. The first goal presents the overall goal of the land use policies. The other goals are more specific to various aspects of land use issues.

Summary of Goals

GOAL 1: Guide Homer’s growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

GOAL 2: Maintain the quality of Homer’s natural environment and scenic beauty.

GOAL 3: Encourage high-quality buildings and site development that complement Homer’s beautiful natural setting.

GOAL 4: Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.

GOAL 5: Develop a clear and open public process for future changes to City of Homer boundaries. Explore a planned, phased possible expansion and initiate and establish regional planning processes with the Kenai Peninsula Borough.



26 **Context: Land Use in Homer & Surrounding Areas**

27 **Land Use in Homer**

28 Land use in Homer today closely corresponds to the area’s unique geographical features, history of
29 homesteading, its road system, access to Kachemak Bay, and the vicinity to water. Two very distinct
30 areas with very different land use characteristics developed in the last century, one on the mainland
31 and the other on the Homer Spit. The portion of the City on the “mainland” has a ring-like land use
32 pattern. It has a relatively concentrated, mixed use core or central business district. Transitional land
33 uses surround the core consisting of institutional and public facilities, commercial uses, residential
34 office, and denser, more urban residential. Farther from the central business district, larger lot/low
35 density rural residential land uses prevail. Variations from this general pattern occur, for instance,
36 along the Sterling Highway where roadside commercial activities are prevalent and in some instances
37 compete with concentrated downtown activities. Additionally, the area surrounding the airport,
38 southeast of downtown, holds most of the town’s mixed industrial activities.

39 The Homer Spit contains its own assortment of industrial, commercial and recreational uses. The
40 Spit’s functions and land uses fluctuate with the season; during the summer months commercial
41 activities increase in response to the arrival of summer visitors and tourism. Issues on the Spit are
42 sufficiently distinct and complex as addressed separately in the Spit Comprehensive Plan.

43 Homer’s land use pattern is generally supported
44 by the City’s current zoning designations, but an
45 eclectic mix of land uses is still found in various
46 zoning districts. *See the Zoning Map, Appendix D-*
47 *10.* This mixing of uses is part of the unique
48 character of Homer and not without benefits.
49 The current land use zones largely fulfill their
50 intended functions, but in some cases do not
51 mesh with the realities of existing or desired
52 future use patterns. Growth in Homer will
53 require a new set of standards to guide the form
54 and location of future land use and
55 development. For instance, the land downtown
56 and extending west along the Sterling Highway
57 is zoned central business district and gateway business district respectively. New policies are needed
58 in the central business district to better allow for higher density and greater mixing of retail shopping,
59 professional services, entertainment facilities and restaurants, and residential uses. The policies
60 controlling development in the recently established gateway business district will likely need ongoing
61 refinement to promote business with an emphasis on the visitor industry and at the same time ensure
62 an attractive and notable entry point to Homer and Kachemak Bay.



63 Homer’s public water and sewer infrastructure plays a large role in shaping land use patterns in the
64 city. *See the Water & Sewer Map, Appendix D-11.* To make the investment in public water and sewer
65 infrastructure efficient and fair, decisions on infrastructure need to be coordinated with land use
66 policy. For example, there are some areas within the rural residential zoning that have gained water
67 and sewer service, providing landowners the opportunity to subdivide their lots and develop at a
68 higher density than the existing land use classification promotes. This situation calls for a solution and
69 is addressed in this plan.

70 Homer’s pattern of development is also greatly influenced by environmental constraints. Steep slopes,
71 bluff and shoreline erosion, and wetland areas make development of many parcels costly, difficult, or
72 even unfeasible. While such areas may be unfeasible for individual development, they can have great
73 value for the community as a whole. Drainage ways, beach areas, or steep or erodible slopes can form
74 an integrated open space network (“green infrastructure”) which supports the areas that may be
75 developed more intensively. Environmental constraints and opportunities have an important role in
76 guiding the character and location of new growth.

77 **Land Use and Growth in Homer and the Surrounding Area**

78 The city of Homer is growing and it is likely to continue to grow. *See Background Chapter 2.* As stated
79 previously in this plan, future growth will be driven by factors including changes in the overall
80 economy of Alaska, the future of the fishing industry, the pace of growth in the visitor industry and –
81 probably the most difficult to forecast – the growth of Homer as a quality-of-life community for
82 retirees, baby boomers and other “footloose” prospective residents. If Homer remains a “hot”
83 **desirable** residential destination, then it can grow, in some ways, more or less independently of
84 changes in the conventional economic base.



97 While increasing visitation has had a great impact on the economic growth of Homer, the most
98 significant change in Homer’s real estate landscape has been the recent, rapidly growing demand for
99 middle- to high-end residential development. This has led to substantial increases in land prices and
100 the construction of many new homes, particularly in the area just outside of the city’s perimeter,
101 extending out East End Road and on the bench above town. This growth is an important
102 consideration in the development of Homer’s Comprehensive Plan. Residents of these developments
103 use many of the same public and commercial services as Homer residents including police, fire, water
104 supply, shops, restaurants, visitor and medical facilities, and public institutions like the library.
105 Planning for services requires consideration of this growing residential demand.

106 **Goals & Objectives for Land Use**

107 **GOAL I:** Guide Homer’s growth with a focus on increasing the supply and diversity of housing,
108 protect community character, encouraging infill, and helping minimize global impacts including
109 limiting greenhouse gas emissions.

110 **Objective A:** Promote a pattern of growth characterized by a concentrated mixed-use center,
111 and a surrounding ring of moderate-to-high density residential and mixed-use areas with lower
112 densities in outlying areas.

113 Many of the community’s most important goals are tied to the amount and location of growth. These
114 goals include encouraging affordable housing, protecting environmental quality, creating a walkable
115 community, and efficiently providing public services and facilities. The broad strategy behind this
116 objective is to encourage concentrated residential and business growth in the central area of the city,
117 with densities decreasing in outlying areas. The existing pattern of development in the city and current
118 zoning generally follow this pattern. The alternative to this pattern – to allow this same quantity of
119 growth to spread over a much wider area – works against all these goals.

120 While concentrating land uses brings many benefits, residents clearly want to maintain a sense of open
121 space and privacy that is often associated with lower density development, particularly in residential
122 areas. As a result, this objective of concentrated growth must be accompanied by a set of standards
123 that ensure housing and commercial areas are well designed. The remainder of this section presents
124 more details on the location of new development; following sections address the character of new
125 development.

126 The key element of this section is the generalized Land Use Recommendations Map. *See page 4-7 –*
127 *Comprehensive Plan Land Use Recommendations Map.* This is not a zoning map, but a general map of
128 proposed future land uses in Homer. Before these recommendations have the force of law, a separate,
129 subsequent process must occur to amend the City’s current zoning code.

130 Implementation Strategies

131 *Review Land Use Recommendations Map*

132 **Objective B:** Develop clear and well-defined land use regulations and update the zoning map in
133 support of the desired pattern of growth.

134 The Comprehensive Plan Land Use Recommendations Map establishes the location and intent of
135 proposed land use districts, but does not address the standards needed to guide development.

136 Implementation Strategies

137 *Revise zoning map*

138 *Encourage preservation of natural areas*

139 *Review density objectives*

140 *Review appropriate design standards*

141

142 Changes to existing regulations will be required to implement the goals of this chapter, listed below:

- 143 1. Revise the City’s existing zoning code, to reflect the general land use designations presented
144 in Objective B and Appendix B.

- 145 2. Encourage alternative methods for preserving natural areas by creating improved cluster
146 housing/open space/Planned Unit Development zoning standards and subdivision ordinance.
- 147 3. Develop standards and policies such as buffers and transitional densities to ensure high-quality
148 higher density residential and/or mixed use development, particularly where this adjoins
149 existing lower density residential areas. Create regulations that promote mixed use and high
150 quality, attractive medium- to high-density development.
- 151 4. Develop standards and policies for new mixed-use districts, including the recently established
152 Gateway Business district. Use **Consider** “form-based” zoning strategies, encouraging a
153 modest scale of development while allowing for a wide range of uses.
- 154 5. Tailor current residential office and central business district zoning to accommodate more
155 mixed use, medium- to high-density housing.
- 156 6. Develop consistent design standards for new development to complement the character of
157 the land use. Include architectural and site development standards and standards for associated
158 infrastructure (particularly roads and trails).
- 159 7. Re-evaluate height standards in commercial and mixed use districts to determine whether
160 buildings over three stories should be permitted. Height standards must meet fire safety and
161 insurance standards.
- 162 8. ~~Develop and apply in all districts new standards addressing environmental issues including~~
163 ~~management of storm water, slope standards, and on-site septic systems.~~

164

165 **Objective C: Maintain high quality residential neighborhoods; promote housing choice by**
166 **supporting a variety of dwelling options.**

167 Diverse, high-quality residential neighborhoods are crucial to the stability and economic health of
168 Homer. Growth puts pressure on housing prices as land prices increase. Neighborhoods established
169 decades ago with large lots face pressure as some landowners create subdivisions with smaller lots,
170 while others would like to preserve the established neighborhood character. Housing choice is crucial
171 to accommodate future growth as the dominant single family large lot developments clearly won't be
172 able to meet future demand in quantity or price.

173 **Implementation Strategies**

174 *Review code for opportunities for appropriate infill*

175 *Support options for affordable housing*

- 176 1. Promote infill development in all housing districts, review zoning laws in existing districts to
177 ensure a range of residential uses, identify new residential zoning districts, and provide for
178 appropriate supporting infrastructure.
- 179 2. Encourage inclusion of affordable housing in larger developments and affordable housing in
180 general.
- 181 3. Maintain the availability of lands designated for rural residential use; improve the zoning code
182 for this category to withstand pressure for platting large lots into smaller ones in that district.

183

184 **Objective D: Consider the regional and global impacts of development in Homer.**

185 Homer is a community that understands and appreciates its place in the context of the larger, global
186 environment. As shown by its robust environmental nonprofit community and the work of the City’s
187 Global Warming Task Force, Homer residents look beyond their boundaries and have expressed the
188 importance of acting locally as a way of addressing global issues.

189

190 **Implementation Strategies**

191 *Review opportunities that support energy efficiency for structures*

192 *Consider land use policies that promote density and discourage sprawl*

- 193 1. Pursue environmentally sound development practices and measure success for every
194 public facility project in Homer either by locally established benchmarks, LEED
195 certification, or other contemporary concepts.
- 196 2. Encourage a concentrated development pattern to reduce the need for vehicle trips and
197 encourage non-motorized transportation. *See more in the Transportation Section.*
- 198 3. Support planning and zoning regulations that promote land use strategies that include
199 compact, mixed-use development, higher density development, and infill.
- 200 4. Adopt building codes and incentives to increase energy efficiency in all new residential and
201 commercial development.

202

203 **GOAL 2: Maintain the quality of Homer’s natural environment and scenic beauty.**

204 Homer’s natural setting provides many benefits but also creates significant constraints. The
205 characteristics of the physical setting need to be respected in guiding the location, amount, and density
206 of development. Growth will need to be guided to meet Homer’s concerns about protecting
207 community character and the quality of the environment.

208

209 This plan takes two general approaches to guide development in relation to environmental conditions.
210 One is to “overlay” information regarding environmental constraints and opportunities onto the Land
211 Use Recommendations Map. This means, for example, that some portions of an area identified for
212 development would be limited by the site-specific presence of steep slopes, wetland areas, drainage
213 channels, etc. The second broad strategy is to recommend that appropriate standards be adopted so
214 that where development does occur it is designed to respect environmental functions and
215 characteristics. Examples in this category include site development polices for drainage, vegetation,
216 and grading.

217 A need exists for the community to take seriously the issue of shoreline stabilization and the
218 implications of allowing ongoing shoreline development. A process should be launched to examine
219 the issue and put proposed solutions before the citizens.

220 **Objective A: Complete and maintain a detailed “green infrastructure” map for the**
221 **City of Homer and environs that presents an integrated functional system of**
222 **environmental features on lands in both public and private ownership and use green**
223 **infrastructure concepts in the review and approval of development projects.**

224 Protecting the environment can be a way to
225 achieve goals like reducing infrastructure costs
226 and providing “environmental services” like
227 drainage ways, parks, and trails. For example,
228 protecting the integrity of a stream channel can
229 help provide cost-effective drainage solutions
230 and also provide a trail corridor. The challenge in
231 carrying out these types of actions is that most
232 land in Homer is already split into many
233 individual private parcels. This objective
234 provides the first step in solving this challenge by
235 creating a complete base of knowledge regarding
236 environmental features on land regardless of
237 ownership. Specific steps to establish a system of
238 green infrastructure can be found in **Appendix D**.

Green Infrastructure Defined

Green infrastructure is defined as an interconnected network of natural areas and other open spaces that conserves natural ecosystem values and functions, sustains clean air and water, and provides a wide array of benefits to people and wildlife. In contrast to traditional approaches to open space conservation, green infrastructure is integrated with and linked to development. Green infrastructure is a way of conserving natural areas that function as city infrastructure.
Definition and other information based on Green Infrastructure: Linking Landscapes & Communities.

Mark A. Benedict, Ph.D., Edward T. McMahon, J.D.
Island Press, 2006

239
240 Maps of important environmental features,
241 processes, and key open space areas are valuable to the extent this information shapes decisions about
242 development. In particular, this information is critical to protect features that cross boundaries of
243 multiple parcels; e.g., streams and trails. This action not only protects open space values, but increases
244 value of open space for developers.

Implementation Strategies

247 *Review how developments effect on- and off-site environmental functions*

248 *Support the preservation of green infrastructure.*

- 249 1. Consider adopting incentives to encourage use of the Green Infrastructure Map developed
250 by the Homer Soil and Water Conservation District.
- 251 2. *Require developers to include details about environmental features and processes, along with*
252 *plans for open space, when submitting subdivisions or other developments for approval.*
- 253 3. *Require developers to demonstrate how features that cross multiple parcels will be protected in*
254 *individual projects. Use this process to create links between open space areas and integrate new*
255 *development into the network of open space.*
- 256 4. *When a Green Infrastructure Map is adopted, use it in the review process.*

258 **Objective B: Continue to review and refine development standards and require development**
259 **practices that protect environmental functions.**

260 Once a project has been identified for development, green infrastructure concepts can be used to
261 consider what special conditions, if any, need to be incorporated into the project's layout and
262 development. Guidelines for development such as setbacks from waterbodies or limits on
263 development of steep slopes are covered through the City's zoning code. Homer's existing codes
264 include many good environmental standards. Periodic review of the successes and failures of the
265 existing standards will help identify opportunity for revisions.

266 Implementation Strategies

267 *Review the lessons learned from the implementation of site development standards*

268 *Consider revision of development standards in light of new information in relation to environmental*
269 *functions and best practices*

- 270 1. Continue to review and refine standards and guidelines to reduce bluff erosion and
271 shoreline erosion, such as managing surface water runoff on coastal bluffs and
272 implementing any other applicable best management practices.
- 273 2. Continue to review and refine standards for coastal bluff stabilization projects and building
274 setbacks from coastal bluffs.
- 275 3. Continue to review and refine standards for setbacks on streams and wetlands.
- 276 4. Continue to review and refine standards for development on steep slopes, in wetland areas,
277 and on other sensitive sites, including standards for grading and drainage, vegetation
278 clearing, building setbacks, and building footprints. Include flexibility in road dimensions
279 to avoid excessive grading.
- 280 5. Continue to review and refine review processes for hillsides and other sensitive settings
281 (e.g., allowance for development on steeper slopes subject to submission of more
282 extensive site analysis and engineering reports).
- 283 6. Consider regulations of on-site septic systems.

284
285 **Appendix D** includes examples of how decisions about site clearing, grading, and impervious surfaces
286 can create very different types of development. Homer is encouraged to continue practices that bring
287 about Objective B.

288 **Objective C: Provide extra protection for areas with highest environmental value or**
289 **development constraints.**

290 Ideally, adopting more effective development standards will result in the preservation and protection
291 of lands with high environmental value. However, there may be some areas identified that cannot
292 easily be protected through standard means and are so important they should be preserved forever.
293 References such as wetland, steep slope, and green infrastructure maps can help identify and prioritize
294 these lands. Organizations, such as; Homer Soil and Water Conservation District and the Natural
295 Resources Conservation Service of Alaska may be consulted in identifying specific local strategies.
296 Examples of environmentally important areas might include a particular beach access corridor or a
297 particular section of a lake or stream.

298 Implementation Strategies

299 **Support acquisition of environmentally sensitive land for preservation**

- 300 1. Work with land trusts and/or public agencies to acquire land for protection and
301 recreational use. Build on example set by Kachemak Heritage Land Trust.
- 302 2. Consider land trades or variations on the transfer of development rights.
- 303 3. Recommend that the City purchase property vital for protection of the Bridge Creek
304 Watershed.

305 **Objective D: Collaborate with jurisdictions outside the City of Homer, as well as state and**
306 **federal agencies, to ensure that environmental quality is maintained.**

307 Homer’s environment is affected by actions outside of its borders. Wildlife corridors and drainage
308 systems do not conform to borough and municipal boundaries. In this regard, Homer should work
309 with surrounding jurisdictions, notably the Kenai Peninsula Borough along with other local, state, and
310 federal land managers to promote environmentally suitable policy.

311 **Implementation Strategies**

312 ***Support practices that preserve and maintain environmental quality outside the City of Homer***

- 313 1. Identify environmentally sensitive sites and natural systems of regional importance and
314 work towards collaborative management of these areas. Options include implementing
315 Special Use Districts to develop and pay for needed infrastructure and addressing drainage
316 and trail issues on a regional or watershed approach.
- 317 2. Encourage establishment of environmentally responsible development practices by the
318 KPB on land surrounding Homer.

319

320 **GOAL 3: Encourage high quality buildings and site design that complements Homer’s beautiful**
321 **natural setting.**

322

323 New growth and development in Homer is inevitable. The community has made clear its intent to
324 guide the character of the built environment so this growth improves the quality of the life. The Town
325 Center Development Plan established standards for the development of the city core and sets a good
326 standard for policies that can be followed to achieve higher design quality. An integrated but balanced
327 regulatory and enforcement process is needed for the entire city, to raise the bar for future
328 development standards. While enhanced development standards help guide the character of the built
329 environment, enforcement of nuisance properties and the undue collection of open air junk will
330 compliment development standards to improve the quality of life.

331 **Objective A: Create a clear, coordinated regulatory framework that guides development.**

332 Clear, predictable, consistent rules and regulations are key to achieving standard, quality design. These
333 rules and regulations have to fit the context of the marketplace and be accepted by the development
334 community. Overregulation is a disincentive, while under-regulation will achieve less than desired
335 results. Specific policies addressing this topic include:

336 **Implementation Strategies**

337 *Review City adopted plans for consistency*

338 *Review rules and regulation options with consideration of operational constraints and community*
339 *acceptance*

- 340 1. Synthesize existing rules and regulations for both public and private development in a
341 comprehensive design manual. For instance, it is important that the Master Roads and
342 Streets Plan is supplemented by the Community Design Manual, Transportation Plan,
343 and a Streetscape Design Manual to balance functionality and aesthetics.
- 344 2. Provide a clear and predictable approval process for every development including
345 organizing project review and permitting and providing appropriate staff review.
- 346 3. Review code enforcement requirements and other actions in relation to meeting
347 community expectations

348

349 **Objective B: Encourage high quality site design and buildings.**

350 Good site design, appealing architecture, and quality construction practices contribute to the creation
351 of high quality buildings. Attractive, well-constructed buildings are a long-term asset to the
352 community. Design can be thought of in two categories: form, meaning what the building looks like;
353 and function, meaning the construction methods and layout of the building.

354 **Implementation Strategies**

355 *Consider appropriate design standards for buildings*

356 *Review site impacts of developments*

- 357 1. Adopt building codes and create an inspection program.
- 358 2. Set standards that regulate the form of development to encourage attractive, diverse
359 housing styles. Specific design objectives are presented under **Goal 5, page 4-17**.
- 360 3. Develop specific policies regarding site development including standards for landscaping,
361 grading, lighting, view protection, etc., in coordination with current national efforts that
362 promote better site development (LEED certification standards, Sustainable Sites
363 Initiative, Low Impact Development, etc.).
- 364 4. Ensure that all utility service to new developments shall be underground.
- 365 5. Ensure that any redevelopment which moves overhead utilities requires moving those
366 utilities underground.

367

368 **GOAL 4: Support development of a variety of well-defined commercial/business districts for a**
369 **range of commercial purposes.**

370 **Objective A: Encourage a concentrated, pedestrian oriented, attractive business/commerce**
371 **district in the Central Business District (CBD) following the guidelines found in the Town Center**
372 **Development Plan.**

373 Creating a vital, successful central business district – the clear commercial and civic center of Homer
374 – won’t happen by accident. A number of strategies are required to reach this objective, as outlined
375 below. These actions are all designed to carry forward in the spirit of the previously approved Homer
376 Town Center Development Plan and Community Design Manual. Those documents provide
377 additional details that need to be considered to gain a full understanding of CBD objectives.

378

379 Implementation Strategies

380 *Consider infrastructure appropriate to support and sustain investment in the Central Business District*

381 1. Provide incentives for private investment in the CBD. Incentives can include public
382 investments in improved infrastructure (e.g., roads, trails, parking) and in public facilities.
383 Particular priorities include improved public parking and construction of a new east-west
384 road through the center of the CBD roughly parallel to the Sterling Highway and Pioneer
385 Avenue.

386

387 2. Create an overlay zone for the “Old Town”
388 section of the CBD, establishing general
389 standards for building design and
390 construction. Aim for future buildings to
391 continue in the style of the older buildings
392 the area as well as the several more recently
393 constructed buildings that follow these
394 traditions.



in

395

396 3. Use public/private partnerships to improve streetscapes, including better sidewalks,
397 landscaping, and building facades. Develop an attractive, business friendly commercial
398 streetscape for Pioneer Old Town businesses.

399 4. Improve trail connections to and within the CBD. Provide a system of trails and sidewalks
400 linking residential areas, commercial and civic uses.

401 5. Concentrate commercial uses in the downtown. *See following section.*

402 6. Support Pioneer Avenue beautification/revitalization efforts.

403 **Objective B: Discourage strip development along the Sterling Highway and major** 404 **collectors/thoroughfares**

405 Strip development occurs along busy major roads with easy
406 access to businesses. Strip development is an unplanned
407 consequence of building transportation infrastructure, and
408 it tends to include practically any land use in an eclectic –
409 often cluttered and unsightly – array of buildings, parking
410 lots, utilities, and support structures.



411 Strip development along highways introduces competition
412 for the central business district and weakens its role. Strip development can create unattractive
413 community entries (e.g., the Glenn Highway coming into downtown Anchorage) and unsafe edges
414 along thoroughfares. Communities with no restraints on the location of commercial use often find
415 their downtowns wither, as businesses shift to outlying, lower cost properties. On the other hand,
416

417 communities need to allow for a measure of outlying commercial growth, to be fair to property
418 owners, to meet the need for the types of commercial uses that don't fit well into a central commercial
419 core, and to respond to ongoing demand for expansion of commercial activity.

420 Implementation Strategies

421 **Support infill of existing commercial districts prior to expansion of a district**

422 **Consider attractive commercial design practices**

- 423 1. Use the zoning process to guide the majority of future commercial development into the
424 central business district. Locate development as presented on the Land Use
425 Recommendations Map. Implementation will require an ongoing balancing act.
- 426 2. Use strategies to ensure the character of development in strip commercial development
427 makes a positive contribution to the overall character of the community. These include:
428 controls on the size and appearance of signs, requirements for landscaping of parking
429 areas, and basic guidelines regarding building appearance.

430 **GOAL 5: Develop a clear and open public process for future changes to City of** 431 **Homer boundaries. Explore a planned, phased possible expansion; and initiate and** 432 **establish regional planning processes with the Kenai Peninsula Borough.**

433 Existing land use and future growth around the periphery of Homer has significant impacts on the
434 quality of life, the environment, and the economy of those who live and work within city limits. As a
435 consequence, the City needs to be open to the possibility of annexing lands beyond city boundaries.
436 Some of the specific benefits for those in the annexed areas include:

- 437 ■ Access to water for domestic use
- 438 ■ Improved fire protection services
- 439 ■ Improved street maintenance and snow removal services
- 440 ■ Improved law enforcement services provided by the City police department (as continued
441 growth in outlying areas requires more services than the Alaska State Troopers can
442 provide)
- 443 ■ Local control over planning and zoning (when done in a manner that reflects local values,
444 city planning and zoning authority can help avoid the intrusion of incompatible uses into
445 neighborhoods and help maintain and increase property values)
- 446 ■ Right to vote for elected representatives in Homer, and serve on City Boards and
447 Commissions (currently sales tax provides the majority of the city's revenue. People
448 outside city boundaries pay sales tax but don't vote for the people who make the decisions
449 about how sales tax money is spent)

450 **Objective A: Develop a clear and orderly process to assess the need and apply for the expansion**
451 **of the boundaries of the City of Homer, which is likely to be necessary over the coming decades**
452 **as surrounding areas grow and develop.**

453 For the long-term benefit of both the city and surrounding areas, Homer will adopt a proactive
454 planning strategy in the greater Homer area. Overall intentions regarding possible boundary changes
455 are outlined below:

456 Implementation Strategies

- 457 1. Regularly assess the need for phased annexations to guide growth and provide for effective
458 delivery of municipal services which benefit landowners, residents, and businesses.
- 459 2. Identify specific criteria for prioritizing prospective annexation areas. Focus near term
460 attention where the uses have the greatest impact on City of Homer interests, including
461 the area of the Bridge Creek water reservoir and associated watershed, areas where City
462 water is delivered to residents outside city limits, areas directly adjacent to Homer city
463 boundaries, and areas where recreational and open space resources (trails, greenbelts, water
464 and drainage ways) are already in existence or may be easily developed.
- 465 3. Establish a clear and open public process for proposing annexations, including obtaining
466 input from interested persons regarding land use and City services.
- 467 4. Work actively with the KPB to develop shared plans for current uses and future growth
468 in the areas outside current city boundaries; including services, land use, and development
469 standards.
- 470 5. In addition to considering the impacts of proposed annexation on residents and land
471 owners, evaluate the costs and benefits of specific possible annexations to the City of
472 Homer; looking, for example, at the relative balance of expected revenues versus costs to
473 provide needed services.
474

475 **Objective B: Develop a fair, planned process for involving affected members of the public when**
476 **considering annexation.**

477 Past annexation procedures in Homer have been painful, slow, and costly. Some of this cannot be
478 avoided: annexation is a complex issue and not everyone will be satisfied with the outcomes.
479 Nonetheless, there is room for improvement in the procedures associated with annexation. Specific
480 policies include:

481 Implementation Strategies

- 482 1. In the near term, carry out an initial “annexation issues scoping process” for areas outside
483 the city. Get early input from landowners, residents, and businesses in possible annexation
484 areas regarding annexation issues. This will help Homer in planning for future growth, and
485 enable landowners and businesses outside Homer to be part of the process and to
486 understand how annexation may affect them.
- 487 2. Prior to proceeding with any annexation petition, the City, working with the Borough, will
488 undertake a planning study of the specific area proposed for annexation. This will include
489 providing public notice and public meetings to help define recommended future land uses
490 and to indicate how and when municipal services (including public safety, utilities, streets
491 and trails) will be extended to the area, together with estimated associated costs. The
492 recommendations of the study will be incorporated into any annexation proposal
493 submitted to the Alaska Local Boundary Commission.
- 494 3. Extra effort will be made to give the public a meaningful role in the consideration of
495 annexation costs and benefits.
- 496 4. Explore options for different levels of services where clear distinctions can be made in the
497 level of service required. For example, the level of fire protection service may vary greatly
498 as a function of road infrastructure, vegetation, and response time. In outlying areas for
499 example, the focus may be prevention of loss of human life and containment versus
500 protection of life and property in locations closer to town.

501 5. It is not possible or appropriate for the City of Homer to prepare land use policy for
502 potential annexation areas. At the same time, the City needs to convey general intentions
503 for the future use of annexed lands. These intentions are established through the general
504 policies of this Comprehensive Plan and other policies for land inside City limits, but also
505 give a helpful sense of what policies might apply in future annexation areas. Examples of
506 general policies that apply citywide and would likely be extended to annexed areas include
507 creating and maintaining quality residential neighborhoods, using setbacks and buffers to
508 ensure compatibility between different types of uses, providing open space and trails, and
509 ensuring roads are built to City standards. The annexation planning studies called for
510 above will build from the general framework in the Comprehensive Plan and take into
511 account the opportunities and constraints of specific locations, as well as the perspectives
512 of affected property owners and residents.

513 **Objective C: Develop land use and infrastructure policies to address issues such as access and**
514 **water use for areas that may be annexed in the future.**

515 Regardless of any future annexations, which may be decades away, the City needs to address several
516 specific land use and infrastructure issues that cross city boundaries into greater Homer. Specific issues
517 and recommended policies are presented below:

518 **Implementation Strategies**

- 519 1. Working through a cooperative planning process with the Borough, establish mechanisms
520 to deal with issues outside City of Homer boundaries with greatest impact on the city.
521 Examples include agreement to use common road standards and for cooperative work on
522 trail and open space issues.
- 523 2. Re-examine the City’s current policy for the provision of water from the public water
524 system to users outside city limits and determine the impact of this practice. Currently
525 approximately 40% of properties within Homer city limits do not enjoy the benefit of
526 piped water delivery. The ability to receive water from city sources outside city boundaries
527 has a major impact on the prospects for development in outlying areas where options for
528 wells are limited. Water delivery in outlying areas contributes to the outward spread of
529 residential uses, which in turn increases driving, energy use and contributes to greenhouse
530 gas emissions. Determine if areas receiving water should be high priority areas for
531 annexation. Investigate options for “reciprocity” by either developing plans for annexation
532 or by establishing KPB-enforced land use practices that align with similar practices in the
533 City of Homer. *See also Goal 1, Objective C in Chapter 6 for more on water use.*

534

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537

Land Use

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
1-A-1 Update the zoning map in support of the desired pattern of growth				x	HAPC
1-B-2 Consider additional methods for preserving natural areas.				x	HAPC
1-B-3 Promote standards and policies that promote mixed use and high quality, attractive medium- to high-density development.				x	HAPC
1-B-4 Develop standards and policies for new mixed-use districts, including the recently established Gateway Business district. Consider “form-based” zoning strategies, encouraging a modest scale of development while allowing for a wide range of uses.				x	HAPC
1-B-5 Consider zoning regulations that accommodate more mixed use, medium- to high-density housing in the residential office and central business districts.				x	HAPC
1-B-6 Develop consistent design standards for new development to complement the character of the land use. Include architectural and site development standards and standards for associated infrastructure (particularly roads and trails).				x	HAPC
1-B-7 Re-evaluate height standards in commercial and mixed use districts to determine whether buildings over three stories should be permitted. Height standards must meet fire safety and insurance standards.		x			EDC
1-C-1 Promote infill development in all housing districts.				x	HAPC
1-C-2 Encourage inclusion of affordable housing in larger developments and affordable housing in general.				x	HAPC
1-C-3 Improve the rural residential zoning code to withstand pressure for platting large lots into smaller ones in that district.				x	HAPC
1-D-1 Pursue environmentally sound development practices and measure success for every public facility project in Homer either by locally established benchmarks, LEED certification, or other contemporary concepts.				x	Public Work, Adiminstration

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
1-D-2 Encourage a concentrated development pattern to reduce the need for vehicle trips and encourage non-motorized transportation. <i>See more in the Transportation Section.</i>				x	HAPC
1-D-3 Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill.	x			x	HAPC
1-D-4 Adopt building codes and incentives to increase energy efficiency in all new residential and commercial development.		x			HAPC, City Council
2-A-1 Consider adopting incentives to encourage use of the Green Infrastructure Map developed by the Homer Soil and Water Conservation District.		x			HAPC
2-A-2 Require developers to include details about environmental features and processes, along with plans for open space, when submitting subdivisions or other developments for approval.		x			HAPC
2-A-3 Require developers to demonstrate how features that cross multiple parcels will be protected in individual projects. Use this process to create links between open space areas and integrate new development into the network of open space.		x			HAPC
2-A-4 When a Green Infrastructure Map is adopted, use it in the review process.		x			Planning, HAPC
2-B-1 Continue to review and refine standards and guidelines to reduce bluff erosion and shoreline erosion, such as managing surface water runoff on coastal bluffs and implementing any other applicable best management practices.		x		x	HAPC
2-B-2 Continue to review and refine standards for coastal bluff stabilization projects and building setbacks from coastal bluffs.		x		x	HAPC
2-B-3 Continue to review and refine standards for setbacks on streams and wetlands.		x		x	HAPC

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
2-B-4. Continue to review and refine standards for development on steep slopes, in wetland areas, and on other sensitive sites, including standards for grading and drainage, vegetation clearing, building setbacks, and building footprints. Include flexibility in road dimensions to avoid excessive grading.		x		x	HAPC
2-B-5 Continue to review and refine review processes for hillsides and other sensitive settings (e.g., allowance for development on steeper slopes subject to submission of more extensive site analysis and engineering reports).		x		x	HAPC
2-B-6 Consider regulation of on-site septic systems		x			HAPC
2-C-1 Work with land trusts and/or public agencies to acquire land for protection and recreational use. Build on example set by Kachemak Heritage Land Trust.				x	Administration
2-C-2 Consider land trades or variations on the transfer of development rights.		x			HAPC
2-C-3 Recommend that the City purchase property vital for the protection of the Brdge Creek Watershed	x			x	HAPC
2-D-1 Identify environmentally sensitive sites and natural systems of regional importance and work towards collaborative management of these areas. Options include implementing Special Use Districts to develop and pay for needed infrastructure and addressing drainage and trail issues on a regional or watershed approach.		x		x	HAPC, Planning
2-D-2 Encourage establishment of environmentally responsible development practices by the KPB and other land maangers on land surrounding Homer.				x	HAPC, Administration
3-A-1 Synthesize existing rules and regulations for both public and private development in a comprehensive design manual. For instance, it is important that the Master Roads and Streets Plan is supplemented by the Community Design Manual, Transportation Plan, and a Streetscape Design Manual to balance functionality and aesthetics.				x	HAPC, Planning, Public Works

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
3-A-2 Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review.				x	HAPC
3-A-3 Review code enforcement requirements and other actions in relation to meeting community expectations				x	HAPC
3-B-1 Adopt building codes and create an inspection program.		x			HAPC, Administration, Public Works
3-B-2 Set standards that regulate the form of development to encourage attractive, diverse housing styles. Specific design objectives are presented under Goal 5, page 4-17 .	x				Planning, HAPC
3-B-3 Develop specific policies regarding site development including standards for landscaping, grading, lighting, view protection, etc., in coordination with current national efforts that promote better site development (LEED certification standards, Sustainable Sites Initiative, Low Impact Development, etc.).			x		HAPC
3-B-4 Ensure that all utility service to new developments shall be underground.				x	Planning, Public Works
3-B-5 Ensure that any redevelopment which moves overhead utilities requires moving those utilities underground.				x	Public Works
4-A-1 Provide incentives for private investment in the CBD. Incentives can include public investments in improved infrastructure (e.g., roads, trails, parking) and in public facilities. Particular priorities include improved public parking and construction of a new east-west road through the center of the CBD roughly parallel to the Sterling Highway and Pioneer Avenue.		x			HAPC, Public Works, Administration
4-A-2 Create an overlay zone for the “Old Town” section of the CBD, establishing general standards for building design and construction. Aim for future buildings to continue in the style of the older buildings in the area as well as the several more recently constructed buildings that follow these traditions.		x			HAPC

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
4-A-3 Use public/private partnerships to improve streetscapes, including better sidewalks, landscaping, and building facades. Develop an attractive, business friendly commercial streetscape for Pioneer and Old Town businesses.				x	Administration
4-A-4 Improve trail connections to and within the CBD. Provide a system of trails and sidewalks linking residential areas, commercial and civic uses.				x	Public Works
4-A-5 Concentrate commercial uses in the downtown.				x	Planning Commission
4-A-6 Support Pioneer Avenue beautification/revitalization efforts	x			x	HAPC, Public Works, Administration
4-B-1 Use the zoning process to guide the majority of future commercial development into the central business district. Locate development as presented on the Land Use Recommendations Map. Implementation will require an ongoing balancing act.				x	HAPC
4-B-2 Use strategies to ensure the character of strip commercial development will make a positive contribution to the overall character of the community. These include: controls on the size and appearance of signs, requirements for landscaping of parking areas, and basic guidelines regarding building appearance.				x	HAPC

CHAPTER 8 ECONOMIC VITALITY

Vision Statement: Homer’s economic industries remain strong and show continued growth.

Overview

This chapter presents goals and objectives related to economic development. While the private and non-profit sectors, along with state and federal spending, ultimately drives much of the economic activity, local government plays an important role in stimulating and guiding growth through its land use and infrastructure policies and projects.

The 1989 comprehensive plan stated:

Though it is generally recognized that fishing has been the backbone of the Homer economy for the past forty years, diversification of the Homer economy has taken place, especially in the last few years. Tourism, commercial and government services, retail trade, and a retirement population have been added in [the 1980s]...

These trends have continued and perhaps accelerated in the years since the 1989 plan. Additionally, as state and federal funding has changed, local and regional governments are bearing increased costs in providing services. Private sector economic health and growth are required to build the tax base if residents want to maintain existing government services and facilities.

Most of the economic development actions presented here are tied to topics addressed in other chapters. For example, recommendations regarding commercial development are included in Chapter 4 – Land Use. As a result, much of the value of this chapter is for those readers who are focused on economic issues and want to see a compilation of plan policies regarding economic development together in a single chapter. In 2011, the city adopted the Comprehensive Economic Development Strategy (CEDS). The CEDS document is a broad document covering many sectors of Homer’s economy.

Homer’s quality of life is a principal economic asset. Maintaining and improving the quality of life in Homer is crucial to keeping existing business and attracting new business and professional activity. Quality of life is challenging to define because it involves many different dimensions of a community where different people place varying degrees of importance on these factors. The elements of quality of life that are particularly valuable to economic development are those that make the community especially attractive to residents, visitors, and small businesses. While there is room for further improvement, Homer currently possesses many such elements. These include:

- A strikingly beautiful natural setting.
- A clean, healthy, natural environment.
- A diverse, engaged, involved community and rich civic life.
- An active arts community, tradition of skill and interest in performing and visual arts.
- Access to education and lifelong learning;
- Multiple transportation and access options, a developing trail system, and road access to Anchorage.
- Eclectic neighborhoods such as Old Town and Pioneer Ave.

- 42 ▪ Access to commercial and recreational activities in and around Kachemak Bay
- 43 ▪ Diverse culture and leisure activities, including ready access to parks and a wide range of
- 44 year-round outdoor recreation.
- 45 ▪ High quality, comprehensive healthcare services.
- 46 ▪ A feeling of safety and freedom from crime.
- 47

48 **Summary of Goals**

49 **GOAL 1:** Define and encourage economic development that meets the desires and interests

50 of Homer residents and positively supports the unique character of the community.

51 **GOAL 2:** Encourage the retention and creation of more year-round and higher wage

52 employment.

53 **GOAL 3:** Identify and promote industries that show a capacity for growth.

54 **GOAL 4:** Support renewable and non-renewable energy services.

55 **GOAL 5:** Strengthen Homer as a tourism destination.

56 **GOAL 6:** Support community efforts to establish affordable housing.

57 **Goals and Objectives for Economic Vitality**

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GOAL 1: Define and encourage economic development that meets the desires and interests of Homer residents and positively supports the unique character of the community.

Currently, Homer would like to foster economic development in many of its existing sectors: education, sustainable tourism, health care, construction, commercial fishing and marine industries, arts, and culture. These are the industries that Homer has been built upon. The industries are viable and stable today, and offer good prospects for growth. The remainder of this chapter looks in more detail at steps to strengthen Homer’s economy, and to do so in a manner that provides economic opportunity while sustaining Homer’s unique character and high quality of life.

Implementation Strategies

- 77 *Support local businesses with internal and external policies.*
- 78 *Partner with organizations that have interests in the success of local merchants and products.*
- 79 *Review and update city economic plans.*

80 **GOAL 2: Encourage the retention and creation of more year-round, higher wage**
 81 **jobs.**

82 Homer residents desire more year round, living wage jobs. This in turn will help support small
 83 businesses, and the tax base.

84 **Objective A:** Increase year-round employment that will enable local people to work, live, and
 85 raise their families in Homer.

86

Homer: Not just the Halibut Capital of the World
--

 While almost all city actions will ultimately affect
 87 the course of economic change and job growth,
 88 city actions to promote year-round jobs include those listed below:

89 **Implementation Strategies**

- 90 *Consider zoning regulations that support new business opportunities while minimizing negative impacts.*
- 91 *Evaluate opportunities to create and support public and private infrastructure in consideration of*
 92 *opportunities in Homer.*
- 93 *Encourage science, information infrastructure, and technology-based business development.*
- 94 *Evaluate regional or other successes for opportunity within Homer.*

95 **Objective B:** Encourage retention of existing and the relocation of new Federal and State
 96 Government jobs and training programs to Homer.

97 Government jobs are an important part of the local and regional economy. Government employment,
 98 whether research, visitor or education related, comprises 17.5% of local jobs. (American Community
 99 Survey 2014). Some government employment is found in every community, such as local, borough
 100 and state jobs related to day-to-day activities (airports, roads, schools, etc.). In addition, Homer has
 101 many residents who are employed through agencies such as state parks, the court system, public health,
 102 the university, including the Kachemak Bay Research Reserve, and federal agencies such as the Coast
 103 Guard, Fish and Wildlife Service, and the Alaska Maritime National Wildlife Refuge, which are
 104 headquartered in Homer. The Coast Guard also has a presence in the community. The City of Homer
 105 is also known as an important base for marine research and education activities.

106
 107 **Implementation Strategies**

- 108 *Work to retain existing state and federal jobs.*
- 109 *Promote Homer as a place to expand and attract government operations*
- 110
 1. Lobby to retain state and federal jobs in Homer.
 - 111 2. Support the retention of existing and expansion of future Coast Guard facilities and staff
 - 112 in Homer.

- 113 3. Promote the relocation of and sustain the existing government marine activities in
114 Homer, such as the Coast Guard and ferry home porting of vessels, and scientific
115 research vessels.

116 **Objective C:** Support efforts to increase the scale and scope of the education industry to
117 support a skilled workforce.

118 Education is important to Homer’s economic vitality for two reasons. First, it provides residents with
119 the ability to acquire the skills and knowledge (“human capital”) needed to succeed in the global
120 economy, and find a local job. To the extent people can acquire these skills and knowledge without
121 leaving home, they can earn higher incomes, create new businesses and jobs for others, keep their
122 education expenditures circulating in the local economy, and provide the skilled workers needed for
123 existing local jobs. Education is also an exportable product if people come to Homer to learn.

124 University of Alaska provides essential post-secondary and vocational education to Homer residents.
125 The economic impact is broad and significant. Additional educational programs are provided by
126 several nonprofit organizations operating in Homer and across Kachemak Bay. The unspoiled marine
127 environment and spectacular setting of Homer and Kachemak Bay are significant assets that could
128 lead to growth of the education industry. The implementation strategies below apply not only to
129 Kachemak Bay Campus (KBC), but also to any other interested educational institution.

130 **Implementation Strategies**

131 *Support development of programs that prepare individuals through workforce development*

132 *Support opportunities for partnerships and collaborative educational programs*

133

134 **GOAL 3: Identify and promote industries that show a capacity for growth.**

135

136 **Objective A:** Recognize emerging industries.

137

138 Homer is a place of big ideas and entrepreneurial spirit. Examples include the fervor with which
139 local agriculture has developed, particularly high tunnel cultivation and commercial peony growing.
140 These are growing local and regional business opportunities. Over time, there will be new economic
141 opportunities that arise; the city should be open to these new ideas and support those that show
142 reasonable opportunities for growth.

143 **Implementation Strategies**

144 *Interact with those involved in introducing new industries and services to Homer*

145

146 **Objective B:** Promote the marine trades including mariculture and shipping industries.

147

148 Homer’s harbor and associated marine trade and services activities are an important component of
149 the local and regional economy. Marine related activities could be expanded to increase the number
150 of living wage, skilled jobs in the community. Local seafood processing, boat building, and fabrication
151 services offer a chance for a local product to reach the local, state and national markets. Homer’s

152 public and private port facilities also serve as a staging area for freight destined to more remote parts
153 of the coast.

154 Implementation Strategies

155 *Work to identify and support infrastructure for marine related industries.*

156

157 **Objective C:** Promote recreation, the arts, and non-governmental organizaions as a
158 complement to tourism and as an export industry.

159 Recreation and the arts are key components of the Homer economy and support the tourism industry
160 and Homer’s quality of life. Actions to promote the arts include those listed below. Some of these
161 objectives are best carried out by the City, while others are best undertaken by local arts groups and
162 tourism marketing organizations with City cooperation and encouragement.

163 Implementation Strategies

164 *Consider and review local accomodation to support the arts industry*

165 *Support sustainable recreational facilities and oppportunities*

166

167 **Objective D:** Support the health care and wellness industries.

168 Health care and wellness are a growing sector of Homer’s economy. This is partially driven by an aging
169 population, but also by resident’s desire for improved health. Over the past decade, South Peninsula
170 Hospital has completed a major expansion, several new dental clinics have been constructed, and the
171 Seldovia Village Tribe constructed both a medical clinic and a wellness center. Specialized medical
172 services such as surgeries, sleep studies, oncology and VA care are also available. As the health care
173 industry continues to change, Homer can expect to see growth in the types of medical services
174 available, and more jobs in this field.

175 Implementation Strategies

176 *Support allied programs and businesses that strengthen Homer’s local health care opportunities*

177

178 **GOAL 4:** Support regional renewable and non-renewable energy exploration and production.

179 Homer citizens support researching and pursuing renewable energy projects. Outside of the city, oil
180 and gas exploration continues. Supporting the exploration, extraction, and renewable energy industries
181 does not necessarily have to compromise Homer’s scenery or quality of life. There are many
182 opportunities to benefit from the construction, research, and extraction activities, whether through
183 direct employment, or by providing services such as worker housing, catering, fuel, payroll and
184 transportation to local and non-local contractors who work on site. *See also Chapter 9, Energy.*

185 Implementation Strategies

186 *Consider Homer’s ability to provide support services*

187 **GOAL 5: Strengthen Homer as a tourism destination.**

188 Homer is already one of Alaska’s premier tourist destinations and appears to be enjoying continuing
189 growth in visitation and expenditures. Future tourism growth depends in large part on overall trends
190 in visitation to Alaska, shifting demographics, fuel prices, and other global trends. However, City
191 actions can have a significant impact on the economic importance of tourism by promoting longer
192 stays, increased expenditures per person, and more repeat visitation. Equally important, City
193 government plays a crucial role in guiding the growth of tourism to maximize its benefits and to
194 minimize the costs imposed on the people of Homer.

195

196 **Objective A: Invest in local infrastructure, parks, and civic improvements that will serve locals
197 well as visitors by promoting longer stays, increased expenditures per person, and more repeat
198 visitation as a form of economic development.**

199 One economic development strategy is to find ways to encourage visitors to stay in the community
200 longer during their visit, or to visit again in the future. The Farmer’s Market in downtown Anchorage
201 is an example; visitors to the market also visit other downtown businesses. Even staying an hour or
202 two longer in the community may result in visitors eating more meals in local restaurants or spending
203 more money shopping. The City benefits through increased sales tax revenue. To keep Homer an
204 attractive destination requires that the City and private business work in partnership to provide the
205 basic services that visitors and locals expect. These improvements and public expenditures should also
206 benefit local taxpayers.

207 Seasonally, the Spit is a huge draw and will continue to be. Effort should be made in the future to
208 have more tourists visit downtown Homer to support year round businesses. Investment in tourist
209 amenities should be equally focused on the Spit and downtown Homer.

210 **Implementation Strategies**

211 *Maintain a welcoming environment that serves the needs of visitors*

212 **Objective B: Support efforts to improve community attractions, including trails, and access to
213 marine activities and the marine environment. Improve links between attractions.**

214 Homer can be considered to have three main tourism destination areas: The downtown and Old Town
215 area, the Spit, and the area across Kachemak Bay. While each of these areas currently attracts
216 numerous visitors, it is likely that more tourists could be accommodated and more spending could be
217 encouraged if the unique attributes of each area were further developed and if better connections were
218 made among the three areas. Ideally, the enhancements that attract more tourists equally benefit local
219 residents as well, resulting in a win-win for business activity, tax receipts, and quality
220 of life.

221

222 **Implementation Strategies**

223 *Improve the ability and convenience of travelers to travel throughout Homer*

224 **Objective C: Increase the net benefits that tourism brings to Homer.**

225 Homer’s distinctive character and attractions create substantial economic benefits to the community
226 in terms of jobs, business opportunities and tax revenues. Tourism also helps the community to host

227 greater diversity and number of businesses and services than what local spending could support on its
228 own. While tourism creates a wide array of benefits, it can also be disruptive to local life.
229 For example, tourism may exacerbate traffic congestion, transform commercial areas from local to
230 visitor-serving, cause crowding at recreation destinations enjoyed by residents, and potentially
231 adversely affect fish, wildlife and other elements of the natural environment. Community members
232 have expressed a desire to encourage tourism activities that do not require extensive changes to the
233 existing environment, but rather help to conserve Homer’s natural setting and improve the area.

234 As a result of this mix of positive and potential negative impacts, Homer should pursue a guided
235 tourism growth policy. The community will promote tourism growth, but do so in a manner that helps
236 sustain the qualities of the community that attract residents and visitors.

237 Implementation Strategies

238 *Promote tourist amenities that provide benefits beyond the tourist season*

239 *Review the cost to maintain tourist amenities and minimize the amount of local subsidy*

240 *Promote tourist activities that have the least negative impact to locals*

241 *Promote Homer as a tourist destination*

242

243 **GOAL 6: Support community efforts to establish affordable housing.**

244 Many residents expressed the view that economic development depends, at least in part, on a balance
245 between income and the cost of living. Specific strategies to promote a diverse range of housing
246 options are discussed elsewhere in this plan. This goal is included as a component of economic vitality
247 to explicitly reflect the connection between housing opportunities and the economic well-being of
248 Homer.

249 City government has few tools to address the issue of affordable housing. The direct role of the City
250 of Homer is limited by the fact the City is not a housing authority, and city taxation and development
251 fees are relatively low. In recent years, the Economic Development Commission has studied Homer’s
252 tax policies. The EDC found that the tax credits for housing that the city could institute do not
253 significantly affect the cost of housing. The market demand is for homes that are more expensive, and
254 the high cost of real estate and land development results in very few new ‘affordable’ housing units.
255 However, the city can support the efforts of other groups in building new affordable housing units,
256 which will free up units on the private rental market.

257 Implementation Strategies

258 *Consider support mechanisms for special populations*

259

260 **Economic Vitality Implementation Table**

261

262

263

264

Economic Vitality

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
1-A-1 Support Chamber's Buy Local campaign and source city purchases locally when price competitive				x	Administration
1-A-2 Continue the local bidders preference in city procurement policies				x	City Council
1-A-3 Review and make zoning recommendation in consideration of the promotion of local agriculture and other locally sourced products.	x			x	HAPC
1-A-4 Plan for economic Development by partnering with organizations such as the Chamber of Commerce. Retain an active board role with the chamber, and involvement with KPEDD, Homer Marine Trades, non-profits and other similar organizations.				x	Administration
1-A-5 Review the Community Economic Development Strategy (CEDS) Plan		x			EDC
1-A-6 Create an action plan from the CEDS plan	x				Administration, EDC
1-A-7 Stay abreast of the requirements of information technology infrastructure				x	HAPC, EDC
2-A-1 Review zoning regulations to ensure new businesses and development are not unduly restricted				x	HAPC
2-A-2 Continue to invest in community infrastructure and transportation systems (see also chapter 6)				x	City Council, Administration
2-A-3 Identify business needs through business retention program participation.				x	EDC
2-A-4 Stay abreast of the needs of technology-based business and review the ability of the city to support				x	EDC
2-A-5 Partner with KPEDD to identify options for incentives to encourage local business growth.	x			x	EDC, Administration
2-A-6 Work with KPEDD to identify regional successes	x			x	EDC, Administration
2-B-1 When local state or federal jobs are being considered for elimination or relocation, lobby to retain them				x	City Council, Administration
2-B-2 Actively work with the Coast Guard to support the retention and expansion of facilities in Homer.	x			x	City Council, Administration

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
2-B-3 Work with state and federal authorities to promote expansion of hosting their programs in Homer				x	City Council, Administration
2-C-1 Keep abreast of KBC program offerings and consider resolutions of support.				x	City Council
2-C-2 Review zoning requirements in consideration of student housing opportunities.		x			HAPC
2-C-3 Support collaborative educational programs.				x	City Council
2-C-4 Connect sources of information that contribute to identifying local job training needs.				x	EDC, Administration
3-A-1 Periodically review land use regulation effects upon new business opportunities.				x	HAPC, Planning
3-B-1 Make ice available year round for fish processing, when demand dictates.		x			Port
3-B-2 Continue to evaluate demands and plan to address ways to support the fishing industry.				x	Port and Harbor Commission
3-B-3 Continue efforts to expand the Deep Water dock and other Harbor infrastructure.	x			x	Administration, Port, City Council
3-B-4 Continue East Boat Harbor expansion studies				x	Administration, Port, City Council
3-C-1 Review zoning for opportunities that accommodates art studio, art education activities, and residential living. <i>See also chapter 4.</i>	x				Planning, HAPC
3-C-2 Investigate options for creating a new, multi-purpose cultural, performing arts and community center in Homer's town center. See the Town Center Plan and Park Art Recreation and Culture Needs Assessment.			x		Administration
3-D-1 Lobby for support of Kenai Peninsula College (KPC) programs supporting the local healthcare industries.				x	City Council
3-D-2 Consider shared marketing opportunities to also include Homer as a healthcare destination.				x	Administration, Chamber of Commerce
4-1 Maintain and/or expand industrial zones.				x	Planning Commission

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
4-2 Support community efforts to remediate brownfield locations via letters and resolutions of support, and technical assistance for grant applications.				x	Administration, City Council, other departments as appropriate
4-3 Continue to review zoning options for provisions of renewable energy systems in the City.				x	Planning Commission
4-4 Promote renewable energy development regionally with resolutions of support.				x	City Council
4-5 Review how land use policies may be used to support energy, mining, oil, and gas support services.				x	Planning Commission
5-A-1 Support and fund beautification efforts on Pioneer Avenue through budget appropriations, CIP, cost sharing and grant applications				x	City Council, Administration
5-A-2 Ensure that City facilities are sufficient to support events that draw visitors such as festivals and activities (e.g., clean restrooms on the Spit, RV dump stations, adequate trash collection, park maintenance, etc.).				x	City Council, Administration, Public Works
5-B-1 Review opportunities to improve shuttle stops. Also see 5-B-3				x	Public Works, City Council
5-B-2 Design and build a wayfinding system that includes the Spit, Pioneer Ave and Old Town, consider a local partnership.		x			City of Homer, Cahmber of Commererce, community partner
5-B-3 Consider constructing ADA accessible sidewalk improvements, and installing benches and trashcans at central shuttle stops, such as the corner of Bunnell and Main.	x				Public Works, City Council
5-C-1 Adequately fund maintenance of public facilities.				x	City Council, Administration, Public Works
5-C-2 When planning new amenities, evaluate projects benefits for both residents and visitors (e.g., trails).				x	City Council, Administration, Public Works
5-C-3 Support eco-tourism concepts and passive or quiet low impact recreation activites in marketing information				x	City partnership with Chamber of Commerce

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
5-C-4 When opportunities arise, work with private sector partners to support private sector establishment of conference and convention capabilities.				x	Administration
5-C-5 Review infrastructure capacity for the ability to meet current and future demands.				x	Public works
5-C-6 Recommend and support taxation policies and fee structures that result in revenues from tourism that cover the city's costs in providing services to tourists.	x			x	City Council and City Departments
5-C-7 Support shoulder season activities that are not seasonally dependent as a way to expand the local economy.				x	Public Works, Administration, City Council
5-C-8 Promote, expand, and identify target visitor markets, including Alaska residents, out-of-state independent travelers, and small group package tour travelers				x	Chamber of Commerce, KPTMC
5-C-9 Accommodate and encourage events such as the Shorebird Festival and Kachemak Bay Writers' Conference, and sporting tournaments.				x	Administration, City Council, and community partners
6-1 Support the efforts of other organizations to provide housing for target populations such as seniors, low income and special needs residents. Write letters or pass resolutions of support.				x	City Council, Administration
6-2A Support senior housing that allows seniors to age within the community, such as assisted living and long term care. Write letters or pass resolutions in of support for grant applications to expand housing.				x	City Council, Administration
6-2B Maintain land use regulations that support cradle to grave housing options for special populations				x	HAPC



City of Homer

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Planning

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Staff Report PL 17-64

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: July 19, 2017
SUBJECT: Chapter 3, Comprehensive Plan Update

Introduction

Staff has made a few minor edits to this very short chapter. In general, staff does not think that the overall community values have changed since the plan was drafted. Staff additions were influenced by the current Peonies on Pioneer efforts, as well as the community discussions on the municipal budget in 2015.

Staff Recommendation

1. Please review the chapter and the underlined additions.
2. Discuss any changes the commission would like to make.

Attachments

Draft Chapter 3

CHAPTER 3 COMMUNITY VALUES

The previous chapter describes the growth and change occurring in Homer and surrounding areas along with the resulting opportunities and challenges facing the community. Chapters 4-8 present goals and strategies to respond to the impact of this growth and change. This chapter presents a general summary of the broad values of the Homer community. This material comes from the 1999 Comprehensive Plan Update, feedback received from the community in the preparation of the 2010 plan, and new ideas captured in this update.

Listed below are qualities of Homer that are strongly valued by residents. The items listed were repeatedly articulated during the comprehensive plan update process and over the years.

- Keep Homer a lively, vital community that effectively responds to change and growth while retaining what is best about Homer’s character.
- A strong interest in political matters; a desire to guide the future growth and development of Homer.
- Appreciation of Homer’s spectacular natural setting, its great views, interesting topography, as well as a tradition of concern about the quality of natural resources and the environment.
- Support for a diverse economy, including many small, independent home-based businesses.
- Desire for ready access to open space, parks, and recreation.
- Pride and support for local arts.
- Strong commitment to encouraging a wide range of high quality medical and health-promoting services and facilities, both conventional and nontraditional.
- Support for the robust network of nonprofit and volunteer organizations giving to the community in many ways.
- Interest in lifelong learning and opportunities for access to education.
- A strong tradition of commercial fishing and a strong community bond to the marine environment and resources.
- Desire for a mix of rural and main-street character – with many residents living on larger parcels with space between neighbors – coupled with a desire to create a new “heart of Homer” – a lively town center offering the pleasures and conveniences of a thriving downtown, while not forgetting the importance of a healthy Pioneer Avenue economy.
- Maintain existing city services. Adjust the level of service when revenues fluctuate.





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Staff Report PL 17-65

TO: Homer Advisory, Port and Harbor Advisory Commissions
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: July 19, 2017
SUBJECT: RV's in the Marine Commercial District

Introduction

Council has directed a memo to the Planning Commission to review whether a single RV for a caretaker is an acceptable use in the Marine Commercial District. Currently caretakers such as the owner or an employee may live in a building onsite but not in an RV. Staff would like to include the Port and Harbor Commission in this discussion.

Staff recommends the Commissions schedule a joint work session to discuss this issue.

Meeting opportunities:

~ August 16th at 5:30 pm, during the HAPC work session

~ Another time and date?

Analysis

Staff note: Caretakers are allowed in both Mariner Commercial and Marine Industrial zones. Staff recommends treating these zones the same if a caretaker RV is allowed on the Spit.

Current zoning rules on the Spit, camping in an RV is limited to RV parks and campgrounds. Under 21.54.210, in an RV park, an RV may not be occupied for more than 30 days, and also for no more than 120 days in a 12 month period. Individual RV's cannot hook up to city water and sewer services. Under Title 19, Parks, Campgrounds and Public Places, camping in public campgrounds is limited to 14 days.

Options -

- A. Recommend against allowing a caretaker to live in an RV
- B. Allow one RV onsite for a caretaker in the Marine Commercial and Marine Industrial Districts, with other rules based on conversation from the Commissions (sanitation, length of time, mobility of RV, etc).
- C. ?

Staff Recommendation

1. Discuss the concept of a caretaker/employee/business owner living in an RV on the Spit.
2. Schedule a joint work session to discuss the idea.

Attachments

1. Memorandum 17-097 <http://www.cityofhomer-ak.gov/memorandum/memorandum-17-097-rvs-marine-commercial-district>
2. Excerpt of Homer City Council Minutes of 6/26/17 https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/city_council/meeting/16221/cc_062617.pdf
3. Homer News article “City to consider caretaker motorhomes on Spit,” July 7, 2017
4. Griswold email dated 7/10/2017



Memorandum 17-097 RV's in Marine Commercial District

Memorandum ID:

17-097

Memorandum Status:

No Status

Related Meetings

[City Council Regular Meeting - Mon 6/26/17](#)

Details

Memorandum 17-097

TO: HOMER ADVISORY PLANNING COMMISSION

THROUGH: HOMER CITY COUNCIL

FROM: COUNCILMEMBER SMITH

DATE: JUNE 20, 2017

SUBJECT: RECREATIONAL VEHICLE (RV) ALLOWANCES IN THE MARINE COMMERCIAL DISTRICT

The purpose of this memo is to introduce the concept for a draft ordinance to the City Council for review prior to recommending the Planning Commission work on an ordinance. This serves two purposes:

1.) An opportunity for the public to be aware of an item proposed for the consideration of the Planning Commission (hopefully for their comment and future

participation) and

2.) An opportunity for the City Council to express their support for the concept and to discuss any refinement that may lead to a better recommendation for the Planning Commission.

The use of RV's in the Marine Commercial District outside of RV parks continues to proliferate despite code enforcement efforts. Several businesses desire to utilize RV's for caretaker use or to house employees and/or guests. I propose that the Planning Commission review the allowance for a maximum of one RV in the Marine Commercial District and make a recommendation to the City Council.

[Return to Top](#)



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VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no discussion on the main motion as amended.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

- A. **Memorandum 17-096** from City Clerk Re: Vacate that portion of the 33-foot public roadway easement that lies along the western boundary of Lot 12-A-1 of DeGarmo Subdivision No. 2, Plat HM 2009-05, as granted in United States Patent 1137121 on December 15, 1952; within the SW1/4 NW1/4 of Section 23, T6S, R13W, S.M., Alaska and within the City of Homer and the KPB; Location: off Kachemak Drive; KPB File 2017-005V; KPBPC Resolution 2017-15.

Mayor Zak asked for a motion for the approval of the recommendation in Memorandum 17-096 to vacate a portion of the public roadway easement.

LEWIS/REYNOLDS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- B. **Memorandum 17-097** from Councilmember Smith Re: Amending City Code to Allow a Caretaker RV on Lots in the Marine Commercial District.

Mayor Zak asked for a motion to forward Memorandum 17-097 to the Planning Commission to discuss and draft an ordinance for consideration.

ERICKSON/REYNOLDS SO MOVED

Councilmember Smith explained that there are a number of RV's on the spit at business locations that are used for residence throughout the season and is a violation the way current code is written. This is an attempt to provide an opportunity for those and any business in the district to have one there to facilitate the needs of that business.

Councilmember Lewis questioned if this is for employee housing also or leaving it up to the Planning Commission to decide.

Councilmember Smith responded the Planning Commission and staff will bring us something that is functional for the district. We're trying to offer an opportunity and some flexibility so it doesn't hamper our small businesses and their ability to be an important part of our community.

There was brief discussion regarding an RV allowed at the parks for oversite, the camp host program at Karen Hornaday Park and would be allowed at other city camping areas if needed.

Councilmember Stroozas asked if the Planning Commission would be considering sizes and Councilmember Smith replied there are a lot of sizes and they can iron that out.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

RESOLUTIONS

- A. **Resolution 17-070**, A Resolution of the Homer City Council Authorizing STANTEC to Perform Stakeholder Engagement on Behalf of the Police Station Project. Aderhold.

Mayor Zak asked for a motion for the adoption of Resolution 17-070 by reading of title only.

ADERHOLD/REYNOLDS SO MOVED

There was discussion of some stake holder engagement that was facilitated by STANTEC in a public meeting for the first Public Safety Building effort, but not a significant survey done.

Councilmember Lewis suggested they should have something to present, such as which lot, method of payment and etc., before going ahead with a survey and other councilmembers agreed.

Councilmember Aderhold explained at their last meeting council was going in circles saying we don't know what residents are willing to pay for, their preference on site selection, and what the city is willing to do regarding a police station. They talked about getting some input from the public so that is why she brought this forward. It's fine if they don't want to go in this direction, but we still need to come up with a way forward.

Councilmember Stroozas thinks it's important to get public input and recalled discussing an online or telephone survey at the last meeting, but doesn't see hiring someone from the outside doing it when we can do it ourselves.

Councilmember Smith commented that right now this group isn't on the same page in what to present to the public. As a council we know many things and need to look at the reality of what it is and work amongst ourselves to come to some agreement on what we can take to the people and unify them with the message.

VOTE: YES: LEWIS, ADERHOLD
NO: ERICKSON, REYNOLDS, STROOZAS, SMITH

Motion carried.

COMMENTS OF THE AUDIENCE

HOMER NEWS ⁽¹⁾

City to consider caretaker motorhomes on Spit

By: MICHAEL ARMSTRONG (/authors/michael-armstrong-0),

Homer News

Posted: Thu, 07/06/2017 - 8:27am



For the past 18 years, along Freight Dock Road near the Homer Spit, L.H. and Marcia Pierce have run a sweet little Spit operation, Sportsman's Supply. Halfway between the Nick Dudiak Fishing Lagoon and the load-launch ramp, the tackle and bait shop serves fishermen heading out to Kachemak Bay or trying their luck at the Fishin' Hole.

The Pierces also run a small, 10-space recreational vehicle campground by the store. From Soldotna, the Pierces live in a motorhome parked next to the shop, their home from February to October as well as the store's office.

Too bad, the city has told the Pierces.

When their lease is up for renewal in March 2018, they will have to shut down their small motorhome campground and maybe even move their summer home.

Built on a 7,800-square-foot lot leased from the city, the RV park violates city zoning regulations that say an RV park must be a minimum of 40,000 square-feet. When they started the process to renew their lease for another 10 years, the city told the Pierces they couldn't operate a campground. They also were told they couldn't live in their own motorhome there, not even using it as a caretaker's home.

At the June 26 Homer City Council meeting, the council unanimously approved a memorandum directing City Planner Rick Abboud to write an ordinance to change zoning in the Marine Commercial district to allow Spit businesses like Sportsman's Supply to use motorhomes or trailers as caretaker or owner lodging. That ordinance will go to the Homer Advisory Planning Commission and the Port and Harbor Commission for their review over the next few months. After the commissions have had their say, the ordinance comes to the council for its consideration.

"I don't want our actions to be so burdensome it inhibits them from being successful," said council member Heath Smith, who introduced the memo. "We're partners. We depend on the tax revenues they produce. We want to create a climate that helps them succeed."

Marcia Pierce said they get a lot of return visitors who come up to stay at their small campground. The little park earns the couple about \$70,000 annually — \$5,250 in taxes that goes to the city and Kenai Peninsula Borough.

How many motorhomes would be allowed per business or lot would need to be worked out.

"It can't be one per business," Smith said. "If you look at those boardwalks, they have 10 businesses out there. It might have to be one per lot owner. It has to be zoned right."

In the Marine Commercial district, as long as they meet the 40,000-square-foot minimum and other conditions, RV parks are allowed, such as Heritage RV Park on English Bay Native corporation land or the Homer Campground on city land. Caretaker cabins are allowed as an accessory use. Many Spit businesses, such as the buildings on the Cannery Row Boardwalk across from Coal Point Trading Company, have small upstairs apartments. Some businesses have motorhomes parked on their lots, though, such as Happy Face Restaurant and Coal Point.

Parking an RV is legal, but outside of a permitted RV park, in the Marine Commercial District, staying in one is not. In residential zoning districts, people can stay in recreational vehicles parked next to homes for up to 90 days total in a year. City code uses the term "recreational vehicle" to refer to "temporary lodging for travel, recreational and vacation use, and which is either self-propelled, mounted on or pulled by another vehicle."

Smith noticed the issue with noncomplying motorhomes used as caretaker homes when the Sportsman's Supply issue came up.

"It became clear that was one of the code violations there," Smith said. "That opened our eyes to the fact that there are several businesses out there that have that need."

Pierce said the issue initially arose when the natural gas pipeline came in, and surveyors checked lot corners. That survey found all of one and half of another of the motorhome lots were over the property line. In the history of Sportsman's Supply, the issue of not having a large enough lot for an RV park never came up.

The Pierces bought the business from the John Chapple III family, who in turn bought it from Dickie Gregoire.

When the Pierces renewed their lease in 2008, Sportsman's Supply got to have the RV park.

"Everything you see was here when we came," Marcia Pierce said last Thursday. "Nothing (about the RVs) was brought up then. Not a thing," Pierce said.

Homer Harbormaster Bryan Hawkins said the Pierces aren't the first people to be told to move motorhomes. Not that many people stay in them, but a few do. Some people have been caught by surprise, he said.

"They realize that wasn't allowed and we've had to call them to task over it," Hawkins said. "Sometimes there was resistance because it didn't meet their plans."

Hawkins, Abboud and City Manager Katie Koester's team review the about 25 upland leases around the harbor. None of them were senior officials with the city in 2008 when the Pierces last renewed their lease.

The lease renewal process gives the city leverage to address zoning issues.

"There was an issue that got through. Now we're scrutinizing that lease because it's coming up for its end of its term," Hawkins said. "At that time we have to sit down and look at that property and see what's going on."

So why didn't the 10-unit RV park get dinged before? Hawkins said partly that reflects the growing demand for leases. When Gregoire built the park in the 1980s, the Spit had a lot of available land.

"Today there's not. Every time a lease comes up for renewal or transfer, we're looking at it through today's view," Hawkins said. "Is this the highest and best use? ... It's more strict now than it used to be."

Hawkins said he understands how a business owner might feel.

"Now you're the one in the hot seat. Of course you're going to look at your neighbor and say 'What about them?'" he said.

The city also could enforce zoning regulations more strictly.

"Then we'd be accused of not being business friendly," Hawkins said. "You're trying to balance it. You're trying to be fair."

Pierce said they plan to comply with the city's lease renewal conditions and hope that the caretaker zoning change will come through.

"I'm just trying to get this past," she said. "I've been here 18 years. It's not like I haven't paid my taxes."

Michael Armstrong can be reached at michael.armstrong@homernews.com
(<mailto:michael.armstrong@homernews.com>).

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Julie Engebretsen

From: Rick Abboud
Sent: Tuesday, July 11, 2017 10:10 AM
To: Julie Engebretsen
Subject: FW: Proposed Ordinance Re: Legalizing Caretaker Motorhomes on Homer Spit

-----Original Message-----

From: Frank Griswold [mailto:fsgriz@alaska.net]
Sent: Monday, July 10, 2017 9:15 AM
To: Department Planning <Planning@ci.homer.ak.us>
Cc: Melissa Jacobsen <MJacobsen@ci.homer.ak.us>; Rick Abboud <RAbboud@ci.homer.ak.us>
Subject: Proposed Ordinance Re: Legalizing Caretaker Motorhomes on Homer Spit

Dear Planning Commissioners:

Eighteen years of not enforcing the zoning code requirements re: caretaker motorhomes on the Homer Spit has erroneously led some flagrant zoning violators, as well as some Councilmembers, to believe that longstanding illegal use becomes an entitlement. The size requirements for RV parks within the Marine Commercial District and associated restrictions on caretaker motorhomes have a presumption of validity and should not be arbitrarily changed to accommodate private business interests. Not only would this constitute spot zoning but it would set a precedent leading to a barrage of requests for further "business friendly" code changes by other zoning code violators. What might be friendly to one business could be unfriendly/unfair to another, such as the English Bay Corporation which constructed Heritage RV Park in accordance with the zoning laws. Promoting caretaker motorhomes and relaxing the standards for RV parks in the Marine Commercial District is not an objective of the Homer Comprehensive Plan and rightfully so. There is no public need for relaxing RV park standards in the Marine Commercial District or anywhere else on the Homer Spit where another tsunami is long overdue. Homer does not need to pander to zoning violators in order to be "business friendly." If the City's zoning code enforcement policy is to abate violations by continually relaxing the zoning code then there is no point in having a zoning code. It would be prudent for the Planning Commission to seek a formal legal opinion addressing spot zoning concerns before considering any amendments to the current RV park requirements within the Marine Commercial District.

Frank Griswold



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www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: June 21, 2017
SUBJECT: June 26 City Manager's Report

Financial Management Software Training

At the June 12th Council meeting I mentioned that staff was working with Caselle, the provider of our financial management software, on a resolution to a billing problem where sales tax was calculated incorrectly for last month's water and sewer bills. I am pleased to report that as part of the resolution Caselle will be providing over \$8,000 in complementary in person training for our staff. Since I began working at the City over 5 years ago there have been many complaints about the software from both veteran and occasional users. This has created the need for manual overrides, which in turn increases the opportunity for human error. I am confident multiple days of customized training will help us use the software to its fullest capacity. While switching software is an option I have considered, the learning curve for new software would be steep and potentially painful. I am hopeful that getting better customer service and customized training from our existing vendor will alleviate that need.

Citizen's Academy

I have received interest from the public in reinstating the Citizens Academy we had in 2014. The Academy provided 15 area residents with an in-depth look at every aspect of City government. Every member of the public that went through the academy had a new appreciation for the diverse services the City provides and the public servants who provide them. The budget for the academy was \$4,000. Half went to advertising/logistics and the other half to food; with every session lasting 3 hours or more over the dinner hour we felt it was important to feed people. Ideally, we would hold an academy every fall for potential candidates, however it takes a tremendous amount of staff time to pull off the Academy and department heads and Council are consumed with the budget during the fall. I would like Council's feedback on incorporating a Citizens academy into the 2018 budget (likely in February) and if they feel like it would be a valuable use of their time – ideally some council members would attend as it provides a wealth of information about the departments you oversee. See attached agenda from 2014 for more details on what the academy covered.

Alaska State Chamber Presentation

Mayor Zak and I had the privilege of presenting to the Alaska State Chamber while they were in town on the economic past, present and future of Homer. I learned a lot about our past in coal, dairy, and timber – and just when Homer to outgrow Seldovia as the regional hub preparing the presentation and discovered some great images of early Homer. Chamber representatives from all major Alaskan industries were in town for 2 days to explore our town.

ISER Report on Borough Finances and Employment

A Regional Assessment of Borough Government Finances And Employment is an analysis by ISER (Institute of Social and Economic Research at UAA) of how the decline of State revenues might affect Alaska's 19 borough governments. Below is a synopsis of the major findings, with a focus on KPB:

Since the 1980's the State has relied on oil wealth to provide three types of aid to Alaska's boroughs: revenue sharing for providing basic public services, grants for capital projects and aid for schools. The report shows that these State dollars play a very important role in financing local government, and that role has grown over time. The share of Borough revenues coming from the State more than doubled between 2005 and 2015. KPB's average budget share of State revenues over the last ten years is 14%, below the overall average rate of 28%. (It's higher than Anchorage with a large tax base but much lower than several boroughs with lower tax bases.) On average borough's raised The rest of their revenues from local taxes (52%) of their revenues from local taxes and federal dollars and miscellaneous other local fees (20%).

During these ten years, Borough government revenues have remained stable and grown. When the fiscal stress the State is experiencing makes its way to local government as State budget cuts, they will either need to raise taxes or reduce services.

The report found that Borough revenues fluctuate from year to year, and a lot of that volatility is caused by State funding fluctuations. 76% of KPB's variation in revenue is explained by changes in State dollars, on the high end. Volatility is high in boroughs with few internal sources of revenues. "This last point is important, because taxes—property taxes in particular—tend to be stable while external revenues (price of fish, numbers of tourists, federal dollars and now State dollars) tend to fluctuate." Future declines in State dollars going to boroughs will be harder on boroughs with few internal sources of revenues.

The report estimated how much the boroughs would have to collect in additional taxes, if there were no state aid at all. They were not predicting that the state will eliminate aid—the state constitution requires the state to provide for public education. But the estimates illustrate how critical state dollars are to boroughs—and to borough taxpayers. KPB borough government would have to collect an extra \$376 from each person to replace the total amount of 2015 State aid.

On the employment front, employment and wages of local government are more crucial to smaller, remote boroughs. 14.7% of total KPB jobs are borough/local government, primarily employed by the school district. Losses in this sector will impact our economy, but not as much as say the North Slope and Lake & Peninsula Borough with 59% and 61% government employment. Going forward, it will be crucial for the vulnerable economies to balance the needs of providing services and imposing taxes that fall on their residents.

A complete copy of the report can be found here: http://www.iser.uaa.alaska.edu/Publications/2017_06-RegionalAssessmentBorGovFinEmployment.pdf

Correction to Information Presented Regarding Ordinance 17-23, repealing the Permanent Fund

When Council passed Ordinance 17-23, at the last Council meeting you did so with incomplete information. I want to bring this to your attention as soon as possible incase Council would like to reevaluate passage of the Ordinance at the next meeting. Please see the attached memo from me outlining the problem, how to fix it, and why it won't happen again.

Enc:

2014 Citizens Academy Agenda

Quarterly Report on Customer Feedback Forms

Memos on Ordinance 17-23 from City Manager and Finance Director

Thank You email from Kachemak Nordic Ski Club

City of Homer Citizens Academy Agenda

Thursdays 5:30-8:00pm February 20 through March 27

Certification Ceremony April 14

- 1) Thursday February 20, 2014. 5:30 -8pm. City Hall Cowles Council Chambers. 491 E. Pioneer Avenue.

5:30 – Overview and Welcome
5:45 – Office of the City Manager
6:15 – City Attorney
6:45 – Break/Dinner
7:00 – Office of the City Clerk
8:00 – End of Day. Submit Evaluation

- 2) Thursday, February 27, 2014. 5:30-8pm. Harbormaster’s Office. 4350 Homer Spit Road.

5:30 – Welcome and Tour of Harbormaster’s Office
5:45 – Load on bus. Maintenance Shop for Dinner/Overview
6:15 – Port and Harbor Facilities Tour: DWD, Pioneer Dock, Fish Dock/Ice Plant, Overview of Facility Improvements Underway
8:00 – Wrap up at Harbormaster’s Office. Submit Evaluation.

- 3) Thursday, March 6, 2014. 5:30-8pm. Homer Public Library. 500 Hazel Avenue.

5:30 – Library
6:30 – Break/Dinner
6:45 – Personnel
7:30 – Information Technology
8:00 – End of Day. Submit Evaluation

- 4) Thursday, March 13, 2014. 5:30-8pm. Homer Public Works. 3575 Heath Street.

5:30 – Community Recreation
5:45 – Public Works
6:45 – Break/Dinner
7:00 – Water/Sewer Treatment (tour of Sewer Treatment Facility)
8:00 – Wrap up. Submit Evaluation. Sign up for Water Treatment Tour

5) Thursday, March 20, 2014. 5:30-8pm. City Hall Cowles Council Chambers. 491 E. Pioneer Avenue.

5:30 – Homer Volunteer Fire Department.

6:30 – Break/Dinner

6:45 – Homer Police Department

8:00 – End of Day. Submit Evaluation. Sign up for tour of Police Station/Fire Hall

6) Thursday March 27, 2014. City Hall Council Chambers. 491 E. Pioneer Avenue Lower Entrance.

5:30 – Planning Department

6:40 – Break/Dinner

6:50 – Finance Department

8:00 – End of Day. Submit Evaluation

1) Monday April 14, 2014. City Hall Council Chambers. 491 E. Pioneer Avenue Lower Entrance.

6:00 – City Council Regular Meeting. Certification Ceremony. Cake with Council, guests, and public.

DATE	TYPE	CUST COMMENT	Response
Feb-11	comment	Library patron suggested the library get the Kingkiller Chronicle series.	Librarian informed patron that they do own the series and the patron was pleased.
Apr-24	concern	Melody Rose Lane street sign only has street name printed on one side of sign so drivers can only see name when driving uphill.	Communications Coordinator spoke with Public Works to understand what could be done and communicated follow up options to the customer. (The street sign is in a private driveway and is not a publically installed street sign.)
May-18	complaint	Library patron cut off of computer time.	No contact info was provided so staff could not follow up.
May-30	compliment	Special thanks to Port & Harbor staff (Matt) for assisting boatowner in getting a harbor slip for a week when he needed it for grand kid visit.	Communications coordinator forwarded compliment to staff.
May-31	concern	Online billing system does not work well; customer rec'd site certification warning.	Communications Coordinator worked with IT to run security analysis on intellipay site to insure fully secure connection. Asked customer about browsers and operating system and confirmed they were fully supported. Learned from customer that most recently the security warning did not come up when paying bill. Specific suggestions for site improvement forwarded to Finance and IT.
Jun-2	compliments x 4	1. "We Love the Library. Thank you for no more cuts!" 2. Angie at front desk "so truly helpful." 3. "We will miss Jo, but love working with Melissa." 4. "We appreciate Katie very much."	Communications coordinator forwarded compliments to staff.
Jun-2	concern	The autobilling water bill system is awkward and hard to deal with. Have wasted lots of time.	Communications coordinator (CC) worked with IT to ascertain how to best diagnose customer problem; CC spoke at length with customer to help problem solve and document aspects of the online site the customer thought could be improved. Specific suggestions forwarded to Finance and IT.
Jun-7	comment	Library patron suggested the library hook up a printer to the online catalog in order to print lists. Otherwise have to write lists down.	Library Director informed customer that she had a good idea, but the current computer is not capable of connecting to printer network. Will look into the cost to setting that up and implementing the idea.
Jun-14	concern/suggestion	On Ocean Drive (particularly on farmers market days) cars pass left-turning vehicles on the right, endangering pedestrians and bicyclists using bike lane. Put up "no passing on right" signs.	Communications coordinator informed customer Ocean Drive is a State maintained road and provided DOT&PF contact information. City followed up by notifying DOT&PF about the citizen concern.



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(f) 907-235-3148

Memorandum

TO: Mayor Zak and Homer City Council
FROM: Katie Koester, City Manager
DATE: June 21, 2017
SUBJECT: Ordinance 17-23

When Council passed Ordinance 17-23, repealing the Permanent Fund at the last Council meeting you did so with incomplete information. This is our fault as staff for not asking enough questions when preparing the backup materials; you depend on us to give you accurate and timely information from which to base your decision.

1. Problem

- a. We reported that the Permanent Fund had only earned \$25,087, or a little over 1% in 2016. This is true, the fund has received that amount in interest payments and dividends in 2016. However, the account *value* has increased significantly. We only discovered this when we requested to cash out the fund. The value of the growth side has increased by 2.86% or \$368,943 between inception in March of 2016 and June 19, 2017. The growth fund tracks the stock market and the value changes daily. Of course, this fund can fluctuate significantly; the City has been fortunate to catch a good run.
- b. The interest saved from paying off the USDA Library Loan is not \$1,000,000, as reported in Ordinance 17-23. I failed to fact check this number that had been bantered around. The Finance Department keeps an amortization schedule that has been through the audit firm. Over 17 years the avoided interest payments amount to \$464,314.

2. Options to address the problem

- a. No change, maintain policy decision to abolish Permanent Fund. No need to take action.
- b. Rescind Ordinance 17-23. Maintain Permanent Fund and do not pay off library loan or dedicate funds to a new police station at this time.
- c. Rescind Ordinance 17-23 and replace it with a new ordinance liquidating only a portion of the fund. For example, Council could liquidate \$1.2m to pay off the library loan and leave the remainder in the Permanent Fund until needed by the Police Station project.

3. How this won't happen again. While I cannot promise I or staff will not make mistakes, I can say that we have learned a valuable lesson to slow down, double check numbers, and perform a deeper analysis even if it means delaying the passage of legislation. What I hope you do have confidence in is that we will not hide a mistake from you once we find it and will bring you the correct information as soon as possible.

Enc: Memo from Finance Director on Permanent Fund and Library Loan



City of Homer

www.cityofhomer-ak.gov

Finance Department

491 East Pioneer Avenue
Homer, Alaska 99603

finance@cityofhomer-ak.gov

(p) 907-235-8121

(f) 907-235-3140

Memorandum

TO: Mayor Zak and Homer City Council
THROUGH: Katie Koester, City Manager
FROM: Elizabeth Walton, Finance Director
DATE: June 21, 2017
SUBJECT: Update on Permanent Fund and Library Loan

The purpose of this memo is to clarify the market value and earnings of the Permanent Fund and to re-analyze the potential interest savings of paying off the Library Loan.

Permanent Fund Analysis:

Growth Sub-Fund:

When analyzing a fund that is invested primarily in the stock market, as is the growth sub-fund, it is imperative to incorporate the metric of position value when determining overall performance. If you fail to include this metric the dividends earned alone on the investments will inaccurately, and most likely, underreport overall performance in the account.

Below is a comparison summary of earnings in the Growth Sub-Fund between March 9, 2016 (date of inception) and June 19, 2017:

Amount Originally Invested	\$1,269,706.75
Market Value as of 2/28/17	\$1,556,176.01
Market Value as of 6/19/17	\$1,609,998.50
Total Dividends Earned	\$28,651.55
Net Gain (since inception)	\$368,943.30
<i>(Δ in Market Value plus Dividends Earned)</i>	
Rate of Return (since inception)	22.86%

As you can see from the chart above, the growth fund has performed quite well for the City of Homer. As of 6/19/17, we have received total net gains of \$368,943.30, which correlates to a 22.86% rate of return over the length of investment.

Income Sub-Fund:

When determining the overall performance for a fund invested primarily in the bond market, as is the income sub-fund, it is important to analyze the total interest received on investments. It is also important to consider the date of maturity on the bonds purchased and the potential earnings lost if liquidation occurs.

Below is a summary of the two bonds that are currently held in the income sub-fund:

Federal National Mortgage Association (FNMA) Bond:

- Maturity Date: 12/23/2020
- Interest Payments Received to Date totals \$4,986:
 - On 6/23/16 received \$1,666
 - On 12/23/16 received \$3,320
- Bond will continue to pay \$3,320 in interest every 6/23 and 12/23 until maturity

As you can see from above, if the City elects to liquidate this bond investment prior to maturity, we will miss out on guaranteed interest payments totaling \$26,560.

Federal Farm Credit Bank (FFCB) Bond:

- Maturity Date: 2/22/2019
- Interest Payments Received to Date totals \$3,584:
 - On 8/22/16 received \$1,792
 - On 2/22/17 received \$1,792
- Bond will continue to pay \$1,792 in interest every 8/22 and 2/22 until maturity

As you can see from above, if the City of Homer elects to liquidate this bond investment prior to maturity, we will miss out on guaranteed interest payments totaling \$7,168.

Library Loan Analysis:**Amortization Schedule:**

The City of Homer, Finance Department, generated the following amortization schedule for the Library Loan with USDA. We have experienced great difficulty attempting to receive the schedule from USDA directly; as they are quoted as saying “our system does not provide an amortization schedule”.

USDA Library Loan Amortization Schedule

	Principal	Interest	Total	Balance
2012				1,368,811
2013	43,361	56,463	99,824	1,325,450
2014	45,149	54,675	99,824	1,280,301
2015	47,012	52,812	99,824	1,233,289
2016	48,951	50,873	99,824	1,184,338
2017	50,970	48,854	99,824	1,133,368
2018	53,072	46,752	99,824	1,080,296
2019	55,262	44,562	99,824	1,025,034
2020	57,541	42,283	99,824	967,493
2021	59,915	39,909	99,824	907,578
2022	62,386	37,438	99,824	845,192
2023	64,960	34,864	99,824	780,232
2024	67,640	32,184	99,824	712,592
2025	70,428	29,394	99,822	642,164
2026	73,335	26,489	99,824	568,829
2027	76,360	23,464	99,824	492,469
2028	79,510	20,314	99,824	412,959
2029	82,789	17,035	99,824	330,170
2030	86,204	13,620	99,824	243,966
2031	89,760	10,064	99,824	154,206
2032	93,463	6,361	99,824	60,743
2033	60,743	2,506	63,249	-
	Original Loan Balance	\$1,700,000		
	Interest Rate	4.125%		
	Loan Term	30 Years		
	Yearly Payment	\$99,824		

Loan Payoff Analysis:

Below is a breakdown of the payoff amount for the Library Loan with USDA. These figures are calculated based on a payoff date of on or before July 1, 2017.

Payoff by July 1, 2017				
City of Homer Schedule			USDA Data	
Unpaid Principal	\$1,184,338.00		Unpaid Principal	\$ 1,184,339.65
Unpaid 2017 Interest	37,075.50		Unpaid 2017 Interest	\$ 37,075.51
Payoff Amount	\$1,221,413.50		Payoff Amount	\$ 1,221,415.16

As you can see from above, the City of Homer’s schedule correlates very closely with the information the library received from the USDA. Therefore, the Finance Department is able to rely on the data presented in our amortization schedule and can accurately approximate the interest savings if the City of Homer opts to pay off the Library Loan with USDA.

To determine the potential interest savings by paying off the loan by July 1, 2017 you have sum up the interest payments remaining on the loan and add that to the unpaid interest amount for 2017. Based on this calculation the potential interest savings is as follows:

Interest Savings On Remaining Life of Loan	\$ 464,314.50
--	---------------

Overall Analysis:

By looking at the data presented in this memo, it is apparent that the Permanent Fund investments have been performing quite well for the City of Homer. There is some benefit to paying off the Library Loan early, as it would save the City roughly \$464,315 over the course of seventeen years. However, it is also important to compare those savings against the performance of the Fund to determine which option is in the City's best financial interest. If all market conditions remain the same, the City stands to benefit more financially from the growth in our investments held within the Permanent Fund than it would with paying off the Library Loan.

Recommendation:

Review updated data on the performance of the Permanent Fund and the savings on the USDA Library Loan. Discuss the potential impacts of the decisions made and reassess position.

From: Richard and Marylou Burton
To: [Department Clerk](#)
Subject: Kachemak Nordic Ski Club thank you
Date: Thursday, June 15, 2017 8:48:21 AM

Dear Homer City Council,

Thank you for the support you have given the Kachemak Nordic Ski Club by providing money to the Homer Foundation for grants to non-profits. The money provided by the 2017 City of Homer Grants Program is being used to help offset the costs associated with maintaining and grooming the Homer area trails managed by the ski club. These trails include a system of trails at Baycrest, Lookout Mountain, and the McNeil/Eveline area that are maintained and groomed for winter cross-country skiing. We are also maintain an accessible trail and viewing platform for summer and winter use at the Eveline State Recreation Site, which is managed by the ski club. We continue to work toward additional summer trail access at all of the areas we maintain. Additionally, money from this grant helps to fund work to improve our strategic and financial planning processes as well as our efforts to obtain larger grants that allow us to improve the facilities at our recreation areas. Being able to show support from our local government is critical in the evaluation of these grant requests.

We appreciate the support that the Homer Foundation and the City of Homer give to non-profit organizations. With the help of grants such as this, we can continue to provide excellent winter and summer outdoor recreational opportunities for children and adults in Homer as well as visitors to our area. It is very important that the city of Homer contribute to the funding of non-profits because they bring so much to our quality of life. Thank you again for your support.

Sincerely,

Kachemak Nordic Ski Club Board

Mike Gracz – President
Stacey Buckelew – Vice president
Richard Burton – Treasurer
Christine Anderson – Secretary
Jan Spurkland
Jasmine Maurer
Jason Neely
Derek Bynagle
Glenn Seaman

KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.kpb.us

**MIKE NAVARRE
BOROUGH MAYOR**

June 15, 2017

NOTICE OF DECISION TIME EXTENSION REQUEST

RE: Hodnik Subdivision Time Extension Request

In accordance with KPB 20.25.110, the Planning Director approved the time extension request for Hodnik Subdivision. Preliminary plat approval is now valid through June 22, 2019.

If you have any questions, please contact the Kenai Peninsula Borough Planning Department.

This notice and the staff report to the Planning Director were sent June 16, 2017 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, Alaska 99603

Advisory Planning Commission/Community Council:
Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, Alaska 99603

Survey Firm: Don Mullikin
Mullikin Surveys
P.O. Box 790
Homer, Alaska 99603-0790

Subdivider/Petitioner: Vickey Hodnik
P.O. Box 1836
Homer, Alaska 99603-1836

KPB File Number: 2015-052

TIME EXTENSION REQUEST

Hodnik Subdivision
KPB File 2015-052; Mullikin Surveys/Hodnik
Location: off Kachemak Drive, City of Homer

STAFF REPORT

Administrative Approval

2015

The preliminary plat was reviewed by the Plat Committee on May 26, 2015. After discussion that included right-of-way width and unresolved issues with the City of Homer, the Committee postponed action until brought back by staff. A revised preliminary plat was conditionally approved by the KPB Plat Committee on June 22, which is valid through June 22, 2017.

2017

On April 21, the surveyor submitted a request to extend preliminary approval, stating that the client still wishes to proceed with the subdivision.

The Homer Advisory Planning Commission approved the time extension request on May 3, 2017.

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for two years through June 22, 2019, subject to the following:

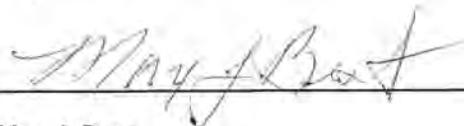
1. Copy of plat with current utility reviews being submitted with the final plat.
2. Plat must comply with current Kenai Peninsula Borough Code.

NOTE: Per KPB 20.25.110, upon application by the subdivider prior to the two-year deadline for final plat submittal, a time extension for two years beyond the initial two-year period for submittal of the final plat may be granted by the planning director. A third and final two-year extension may be granted by the planning director when requested by the subdivider prior to expiration of the previous approval, allowing for a total approval time of six years. Expiration of time extensions will require the submission of, and action on, a new preliminary plat.

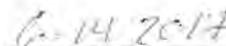
END OF STAFF REPORT



APPROVED



Max J. Best
Planning Director



Date



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2215 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.kpb.us

MIKE NAVARRE
BOROUGH MAYOR

June 13, 2017

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF JUNE 12, 2017

RE: Bay View Subdivision Northwind 2017 Replat Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 12, 2017 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

An amendment motion passed by unanimous consent to grant exception to KPB 20.30.120, Streets – width requirements based on the following findings.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.
5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
6. Lake Shore Drive was dedicated by Bay View Subdivision (HM 839) in 1953, prior to formation of KPB or the city's zoning district.
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.
5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
6. Lake Shore Drive was dedicated by Bay View Subdivision (HM 839) in 1953, prior to formation of KPB or the city's zoning district.
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.
5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

This notice and unapproved minutes of the subject portion of the meeting were sent June 13, 2017 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

Survey Firm: Seabright Survey + Design
1044 East Road, #A
Homer, AK 99603

Subdivider/Petitioner: Joseph Decreft & Kerry Tintzman
PO Box 646
Homer, AK 99603-0646

KPB File Number: 2017-074

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

1. Bay View Subdivision Northwind 2017 Replat
KPB File 2017-074 [Seabright / DeCreeft, Tintzman]

Staff Report given by Patti Hartley

Plat Committee Meeting: 6/12/17

Location: off Lake Shore Drive, City of Homer
Proposed Use: Commercial
Water/Sewer: City
Zoning: General Commercial 1 District
Assessing Use: Commercial, Residential, Accessory Building
Parent Parcel Number(s): 179-171-04, 179-171-05, 179-171-06, 179-171-07

Supporting Information:

The proposed subdivision replats 4 lots into 2 lots containing approximately 1/2 acre each. The subdivision is served by city water and sewer. The subdivision fronts city-maintained Lake Shore Drive.

Homer Advisory Planning Commission approved the plat on May 3, 2017 subject to staff comments and recommendations.

Public Works Comments: An installation agreement will be required before recording the plat. Two sets of water and sewer services will need to be abandoned. Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.

*Borough Staff Comments: Based on KPB 20.60.080, **staff recommends** compliance regarding the installation agreement.*

Planning Staff Recommendations:

1. Label Beluga Lake.
*Borough Staff Comments: This is a status label; **staff recommends** compliance with the Homer Advisory Commission's recommendation.*
2. Show the mean high water line or appropriate edge of lake.
*Borough Staff Comments: Based on KPB 20.25.070 and 20.60.110, **staff recommends** compliance with the Homer Advisory Commission's recommendation.*
3. Add a plat note about the flood plain: "Beluga Lake is subject to a 1-percent-annual-chance floodplain as identified by the FEMA Flood Insurance Study 02122CV001B, dated October 20, 2016. Property owner should contact the City of Homer prior to any development activity."
*Borough Staff Comments: The City of Homer administers the floodplain per Homer City Code 21.41 Flood Prone Areas. Per the Homer City staff report, the property is in A Zone, elevation not defined. Based on HCC 21.41 and KPB 20.30.280, **staff recommends** compliance with the Homer Advisory Commission's recommendation.*

The beneficial interest holders signed the plat submittal form, which provides staff with written documentation of their knowledge and approval of replatting the property. Staff mailed the subdivision plat public hearing notice, which includes a copy of the preliminary plat, to the beneficial interest holders to ensure they are informed of the progress of the project thus far.

Physical addresses may be affected by the replat. Homer Planning Department can answer questions about the effect of the replat on addresses.

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested: KPB 20.30.120 – Streets – width requirements

Staff Discussion: Lake Shore Drive is maintained by the city at a rural road maintenance level of service, which is a second priority to roads designated urban road maintenance.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.
5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
6. Lake Shore Drive was dedicated by Bay View Subdivision (HM 839) in 1953, prior to formation of KPB or the city's zoning district.
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

Staff reviewed the exception request and recommends granting approval. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-7 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-7 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-5 and 7 appear to support this standard.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
2. Legal description, location, date, and total area in acres of the proposed subdivision; and
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

*Platting Staff Comments: **Staff recommends:***

- a. *Confirm the total acreage; KPB records indicate 1.13 acres.*
- b. *Include the owners and their address in the title block.*

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

*Platting Staff Comments: **Staff recommends** the spelling of Lake Shore Drive be corrected.*

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;

*Platting Staff Comments: **Staff recommends** the easement for the private driveway be shown and labeled with the recording information.*

- N. Apparent encroachments, with a statement indicating how the encroachments will be resolved prior to final plat approval; and

Platting Staff Comments: Per the Homer City staff report, the owners plan to remove all buildings on Lot 100-A for a new development.

*The submittal shows a fence very close to the eastern boundary of Lot 100-B. **Staff recommends** the surveyor confirm in writing no encroachments affect this plat. If encroachments exist, staff recommends compliance with 20.25.070.*

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: No Comment.

Platting Staff Comments: The plat does not front a State right-of-way.

20.30.060. Easements-Requirements.

- C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

Platting Staff Comments: HM 839 dedicated the streets, alleys, and public ground to the use of the general public forever for egress, ingress, and utilities. No utility easements outside the rights-of-way were granted by the parent plat. Per the Certificate to Plat, the property is not affected by general (sometimes called blanket) utility easements. Plat Note 4 grants the 15-foot utility easement along Lake Shore Drive exclusively to the City of Homer. The submittal shows an existing overhead powerline and telephone pedestals along the southern boundary of the plat. The affected utility providers were mailed the subdivision plat public hearing notice as part of the routine notification process. Homer Electric Association requested that the 15' easement to be granted this plat be a non-exclusive easement.

ENSTAR requested a ten-foot easement around an existing service line and included a sketch.

Staff recommends compliance with 20.30.060.

20.30.070. Lots on major streets-Access requirements.

Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

KPB Roads Department Comments: No comments.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

20.60.030. Certificate of borough finance department required.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.030.*

20.60.110. Dimensional data required.

A. The bearing and length of every lot line, block line, and boundary line shall be shown. Dimensions of lots shall be given as net dimensions to the boundaries of adjoining streets and shall be shown in feet. No ditto marks shall be used. Information shall be shown for all curves, including radius, central angle, arc length, chord length and chord bearing. The initial point of survey shall be shown and labeled.

*Platting Staff Comments: The length and bearing are missing on the interior common lot line. **Staff recommends** compliance with 20.60.110.*

20.60.120. Accuracy of measurements.

All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

*Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.*

20.60.180. Plat notes.

Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

*Platting Staff Comments: **Staff recommends** Plat Note 3 be revised to reflect multiple lots in the subdivision (These lots are served . . .).*

20.60.190. Certificates, statements, and signatures required.

Platting Staff Comments: A Certificate of Acceptance is not required when the plat only grants new utility easements; however, a certificate is acceptable if it is required by the City of Homer. If the statement remains on the final plat, **staff recommends** Easements be revised to Certificate of Acceptance.

One owner is missing from the Certificate of Ownership. **Staff recommends** all owners per the final Certificate to Plat be included in the Certificate of Ownership.

20.60.200. Survey and monumentation.

Platting Staff Comments: **Staff recommends** compliance with 20.60.200 (C) & (D); and all extraneous monuments be removed.

NOTE: A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

Chairman Ruffner opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Ruffner closed the public hearing and opened discussion among the Committee.

MAIN MOTION: Commissioner Foster moved, seconded by Commissioner Whitney to approve the preliminary plat of Bay View Subdivision Northwind 2017 Replat with staff recommendations.

AMENDMENT MOTION: Commissioner Foster moved, seconded by Commissioner Whitney to grant exception to KPB 20.30.120, Streets – width requirements; citing the 7 findings and tying them to the three standards in the following manner.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.
5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
6. Lake Shore Drive was dedicated by Bay View Subdivision (HM 839) in 1953, prior to formation of KPB or the city's zoning district.
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.

5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
6. Lake Shore Drive was dedicated by Bay View Subdivision (HM 839) in 1953, prior to formation of KPB or the city's zoning district.
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. The proposed plat is within the City of Homer.
2. Development with the subdivision is subject to the requirements of the zoning district.
3. The proposed plat is within the General Commercial 1 District.
4. Per the Homer City staff report, Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.
5. The City of Homer maintains Lake Shore Drive (Rural Road Maintenance).
7. Homer Advisory Planning Commission conditionally approved the preliminary plat on May 3 with no discussion or concern about right-of-way width.

AMENDMENT VOTE: The motion passed by unanimous consent.

ERNST YES	FOSTER YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	5 YES
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MAIN MOTION VOTE: The motion passed by unanimous consent.

ERNST YES	FOSTER YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	5 YES
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~~**AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS**~~

- ~~2. Chamberlain and Watson Subdivision 2017 Replat
KPB File 2017-056 [Seabright / Livingston]~~

~~Staff Report given by Patti Hartley~~

~~Plat Committee Meeting: 6/12/17~~

~~Location: off Ohlson Lane, City of Homer
Proposed Use: Residential
Water/Sewer: City
Zoning: Central Business District
Assessing Use: Vacant
Parent Parcel Number(s): 175-160-15, 175-160-17, 175-160-18~~

~~Supporting Information:~~

~~The proposed subdivision replats three lots and vacated right-of-way into one lot containing approximately one acre. City sewer is available; city water can be extended to the subdivision. The plat fronts Greatland Street; physical access is off Ohlson Lane.~~

~~Homer Advisory Planning Commission approved the proposed plat on April 5, 2017, subject to staff comments and recommendations:~~

~~Public Works Comments: The property owner will need to work with an engineer and City of Homer for water main extension requirements. Change the 15-foot wide sewer easement to 30-foot wide sewer easement.~~



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2215 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.kpb.us

MIKE NAVARRE
BOROUGH MAYOR

June 13, 2017

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF JUNE 12, 2017

RE: Chamberlain and Watson Subdivision 2017 Replat Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 12, 2017 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

An amendment motion passed by unanimous consent to grant exception to KPB 20.30.120, Streets – width requirements based on the following findings.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
5. An Ohlson Lane address has been assigned to the subject property.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.
9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
5. An Ohlson Lane address has been assigned to the subject property.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.

9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.
9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

This notice and unapproved minutes of the subject portion of the meeting were sent June 13, 2017 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

Survey Firm: Seabright Survey + Design
1044 East Road, #A
Homer, AK 99603

Subdivider/Petitioner: Tom Livingston
3900 Arctic Blvd. #301
Anchorage, AK 99503-5782

KPB File Number: 2017-056

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

2. Chamberlain and Watson Subdivision 2017 Replat
KPB File 2017-056 [Seabright / Livingston]

Staff Report given by Patti Hartley

Plat Committee Meeting: 6/12/17

Location: off Ohlson Lane, City of Homer
Proposed Use: Residential
Water/Sewer: City
Zoning: Central Business District
Assessing Use: Vacant
Parent Parcel Number(s): 175-160-15, 175-160-17, 175-160-18

Supporting Information:

The proposed subdivision replats three lots and vacated right-of-way into one lot containing approximately one acre. City sewer is available; city water can be extended to the subdivision. The plat fronts Greatland Street; physical access is off Ohlson Lane.

Homer Advisory Planning Commission approved the proposed plat on April 5, 2017, subject to staff comments and recommendations:

Public Works Comments: The property owner will need to work with an engineer and City of Homer for water main extension requirements. Change the 15-foot wide sewer easement to 30-foot wide sewer easement.
Borough Staff Comments: The City of Homer is a utility provider. GCI and HEA also have existing facilities in the right-of-way being vacated and need easements to protect their existing facilities. Based on KPB 20.70.190, staff recommends the vacated right-of-way be granted as a utility easement.

Approved [Homer] Planning Staff Recommendations:

1. Clarify plat note #5's descriptions of utility easement after "The front 15' adjoining the rights-of-way". No other utility easement is required by code or has been a request of the City of Homer.
Borough Staff Comments: Comments from the utility providers were not available for the preliminary plat when the staff report was prepared. Typically, ACS requests 20 feet within 5 feet of side lot lines along a right-of-way to be a utility easement.
2. Dedicate a 30-foot wide sewer easement over the existing sewer main.
Borough Staff Comments: Based on HEA and GCI's comments regarding their existing facilities being in the right-of-way proposed for vacation, staff cannot support a recommendation to grant the entire 30 feet of vacated right-of-way as a sewer easement. Staff recommends the surveyor and owner work with the City of Homer, ACS, GCI, and HEA to grant easements for the respective existing and/or future facilities.

Notice of the proposed plat was mailed to the beneficial interest holder on May 23, 2017. The beneficial interest holder will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

A physical address may be affected by the replat. Homer Planning and Zoning Department can answer questions about the effect of the replat on addresses.

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested: KPB 20.30.120 – Streets – width requirements

Staff Discussion: The right-of-way vacation narrows Greatland Street from 60 to 30 feet wide adjoining the proposed replat.

Based on comments received for the right-of-way vacation, GCI and HEA have existing facilities in the right-of-way being vacated. Utility easements are required to protect the utility providers' existing facilities. The City of Homer requested a 30-foot sewer easement centered on their existing sewer line. Staff is recommending the surveyor and owner work with the affected utility providers to ensure all existing and/or future facilities are protected.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
5. An Ohlson Lane address has been assigned to the subject property.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.
9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

Staff reviewed the exception request and recommends granting approval. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-10 appear to support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-10 appear to support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-4 and 6-10 appear to support this standard.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**

- **REQUIRE COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;
*Platting Staff Comments: **Staff recommends** the owner's name and address be included in the title block.*
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
*Platting Staff Comments: **Staff recommends:***
1. *Correct the label for Diamond Ridge Road. The map has a sufficient number of other identifiers so Diamond Ridge Road could be omitted, if desired.*
 2. *Add the suffix to the label for East End Road.*
 3. *Use a distinctive line style, like dashes or dots, for city limits.*
- G. Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
*Platting Staff Comments: **Staff recommends** Homer By-Pass be corrected to the Sterling Highway.*
- H. Approximate locations of areas subject to inundation, flooding, or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;
Platting Staff Comments: Per the U.S. Corps of Engineers, the property does not have wetlands under Corps jurisdiction.

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.030. Proposed street layout-Requirements.

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: Not available when the staff report was prepared.

Platting Staff Comments: The plat does not front a State right-of-way.

20.30.060. Easements-Requirements.

- C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

Platting Staff Comments: Notice of the proposed vacation and a sketch of the right-of-way proposed to be vacated were emailed to ACS, GCI, ENSTAR, and HEA. The comments below were received for the vacation public hearing notice, which did not include a copy of the preliminary plat. Comments for the subdivision plat public hearing notice were not available from the utility companies when the staff report was prepared.

Homer Electric Association requested a 20-foot wide electrical distribution line easement including guys and anchors for their existing facilities and a 10-foot underground easement.

*GCI objected to the proposed right-of-way vacation due to existing permitted facilities within Greatland Street. A sketch of GCI's facilities was not provided. **Staff recommends** the surveyor work with GCI to ensure easement(s) are granted so GCI's existing facilities are protected. **Staff recommends** the surveyor provide documentation from GCI confirming easement(s) granted by the preliminary plat are acceptable for their existing facilities.*

Staff recommends compliance with 20.30.060.

*If the owner and any utility provider, which includes the City of Homer, cannot reach agreement on easement(s) to be granted, **staff recommends** the final plat be brought back to the Planning Commission for determination of easements.*

20.30.070. Lots on major streets-Access requirements.

Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

KPB Roads Department Comments: Not available when the staff report was prepared.

Platting Staff Comments: The plat does not front a KPB right-of-way.

20.30.180. Pedestrian ways required when.

Pedestrian ways not less than 8 feet wide shall be required in blocks longer than 600 feet where reasonably deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

*Platting Staff Comments: **Staff recommends** the 10-foot pedestrian trail easement be extended to the western boundary of the proposed plat.*

20.30.280. Floodplain requirements.

Platting Staff Comments: The City of Homer administers the floodplain ordinance by HCC 21.41 Flood Prone Areas. Per the Homer City staff report, the plat is within Zone D, flood hazards undetermined.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per the River Center review for the right-of-way vacation, the plat is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

20.60.080. Improvements-Installation agreement required.

A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.080.*

20.60.120. Accuracy of measurements.

All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

*Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.*

20.60.150. Utility easements.

B. The following note shall be shown on the final plat:

No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.150.*

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

*Platting Staff Comments: **Staff recommends** a plat note be provided for the blanket easement of record granted to Homer Electric Association, including the recording information.*

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: **Staff recommends** Easements be corrected to Certificate of Acceptance.*

The utility easements are not required to be included in the Certificate of Acceptance. The easements may remain in the Certificate of Acceptance if required by the city.

20.60.200. Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.200 (C) & (D) and all extraneous corners be removed. As this platting action involves and addition to proposed Lot 1 (the ROW vacated area), survey and monumentation is required.*

KPB 20.70 – Vacation Requirements

Platting Staff comments: The Planning Commission approved the requested 30-foot vacation of Greatland Street, subject to:

1. Submittal of a final plat in accordance with Chapter 20 of the KPB Code within a timeframe such that the plat can be recorded within one year of vacation consent.
2. Grant utility easements requested by the utility providers per KPB 20.30.060 and 20.60.150.
3. Grant utility easements for the City of Homer's water and sewer mains.

Planning staff will provide the Notice of Decision to the Homer City Council as soon as possible.

Staff recommends a plat note be provided with the date the Planning Commission approved the vacation.

Staff recommends the plat be subject to conditions and approval of the right-of-way vacation.

THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

NOTE: A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

Chairman Ruffner opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Ruffner closed the public hearing and opened discussion among the Committee.

MAIN MOTION: Commissioner Whitney moved, seconded by Commissioner Lockwood to approve the preliminary plat for Chamberlain and Watson Subdivision 2017 Replat based on staff recommendations and compliance to Borough Code.

AMENDMENT MOTION: Commissioner Whitney moved, seconded by Commissioner Lockwood to grant exception to KPB 20.30.120, Streets – width requirements; citing the 10 findings and tying them to the three standards in the following manner.

Standard 1. That special circumstances or conditions affecting the property have been shown by application.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
5. An Ohlson Lane address has been assigned to the subject property.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.
9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

Standard 2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.

3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
5. An Ohlson Lane address has been assigned to the subject property.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.
9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

Standard 3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.

Findings

1. The proposed subdivision is within the City of Homer.
2. Development within the subdivision must comply with the requirements of the zoning district.
3. The proposed plat is within the Central Business District zoning district.
4. Homer Advisory Planning Commission conditionally approved the vacation of 30 feet of Greatland Street right-of-way adjoining the subject property on April 5, 2017.
6. Lot 15A-1, Chamberlain and Watson Subdivision Alaska USA Addition, has existing looped access off the Sterling Highway.
7. Lot 32-B, Chamberlain and Watson No. 3, has access off the Sterling Highway.
8. Lot 36A, Chamberlain and Watson Subdivision, is vacant at this time. Lot 36A has more than 100 feet of frontage on paved Ohlson Lane.
9. Greatland Street is approximately 450 feet long.
10. The proposed replat is reducing the number of lots that would use Greatland Street as access.

AMENDMENT VOTE: The motion passed by unanimous consent.

ERNST YES	FOSTER YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	5 YES
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Chairman Ruffner asked if staff will make sure that the utility companies are satisfied at final plat if there was an objection from them. Mr. Voeller replied yes, they will make sure all utilities are satisfied.

MAIN MOTION VOTE: The motion passed by unanimous consent.

ERNST YES	FOSTER YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	5 YES
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

6. ~~Carrol Martin Subdivision Diamond M Resort 2017 Addition
KPB File 2017-058 [Integrity / Martin]~~

~~Staff Report given by Patti Hartley~~

~~Plat Committee Meeting: 6/12/17~~

~~Location: west of Bridge Access Road, off Kalifornsky Beach Road
Proposed Use: Residential
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Commercial, Residential Improved
Parent Parcel Number(s): 055-040-73, 055-040-74~~



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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MIKE NAVARRE
BOROUGH MAYOR

June 13, 2017

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF JUNE 12, 2017

RE: Glory View Subdivision Church of the Nazarene Addition Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 12, 2017 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

This notice and unapproved minutes of the subject portion of the meeting were sent June 13, 2017 to:

City of: City of Homer
491 Pioneer Ave
Homer, AK 99603

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 Pioneer Ave
Homer, AK 99603

Survey Firm: Jerry Anderson, PLS
2836 Ranchview Rd #206
Brookline, MO 65619

Subdivider/Petitioner: Alaska District Church of the Nazarene
PO Box 141
Kenai, AK 99611

Homer Church of the Nazarene
3980 Hunter Street
Homer, AK 99603

KPB File Number: 2017-066

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

Staff Report given by Patti Hartley

Plat Committee Meeting: 06/12/17

Staff has grouped the plats located under **AGENDA ITEM E (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

- A. **Simple** (lot splits, small number of lots, replats, no exceptions required) or non-controversial (may require redesigns, create larger number of lots, no public comments received, no exceptions required) – 7 Plats
 - 3. Rolling Meadows 2017; KPB File 2017-069 [Ability / Kalugin]
 - 4. Salamatof Air Park Kustatan Leasing Addition; KPB File 2014-060 [Segesser / Wolverine Leasing LLC]
 - 5. Sunrise Hills Creary Addition; KPB File 2017-072 [Segesser / Creary]
 - 7. Kalifonsky Business Park Part 3; KPB File 2017-067 [Integrity / Straume]
 - 8. Leilani Subdivision Albright Addition; KPB File 2017-071 [Integrity / Albright]
 - 12. Moose Range Ridge Estates Subdivision McKenney Addition; KPB File 2017-07 [Tinker Creek / McKenney]
 - 13. Glory View Subdivision Church of the Nazarene Addition; KPB File 2017-066 [Anderson / Alaska District Church of the Nazarene, Inc.]

Staff recommends the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this **group (A)** and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

END OF STAFF REPORT

Chairman Ruffner opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Ruffner closed the public hearing and opened discussion among the Committee.

MOTION: Commissioner Whitney moved, seconded by Commissioner Lockwood to approve the following preliminary plats based on staff recommendations and compliance with Borough Code.

- 3. Rolling Meadows 2017; KPB File 2017-069 [Ability / Kalugin]
- 4. Salamatof Air Park Kustatan Leasing Addition; KPB File 2014-060 [Segesser / Wolverine Leasing LLC]
- 5. Sunrise Hills Creary Addition; KPB File 2017-072 [Segesser / Creary]
- 7. Kalifonsky Business Park Part 3; KPB File 2017-067 [Integrity / Straume]
- 8. Leilani Subdivision Albright Addition; KPB File 2017-071 [Integrity / Albright]
- 12. Moose Range Ridge Estates Subdivision McKenney Addition; KPB File 2017-07 [Tinker Creek / McKenney]
- 13. **Glory View Subdivision Church of the Nazarene Addition; KPB File 2017-066 [Anderson / Alaska District Church of the Nazarene, Inc.]**

VOTE: The motion passed by unanimous consent.

ERNST YES	FOSTER YES	LOCKWOOD YES	RUFFNER YES	WHITNEY YES	5 YES
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

- 13. Glory View Subdivision Church of the Nazarene Addition
KPB File 2017-066 [Anderson / Alaska District Church of the Nazarene, Inc]

STAFF REPORT

Plat Committee Meeting: 6/12/17

Location: off Hunter Street, City of Homer
 Proposed Use: Residential, Recreational, Church, & Parsonage
 Water/Sewer: On-site
 Zoning: Rural Residential
 Assessing Use: Church, Residential Improved
 Parent Parcel Number(s): 175-081-37, 175-081-38, 175-081-39

Supporting Information:

The proposed subdivision is a simple replat of three lots into one lot containing approximately 3 acres. Per KPB 20.40.020, a soils report is not required. The subdivision fronts the Sterling Highway and city maintained Hunter Street.

Homer Advisory Planning Commission approved the proposed plat on April 5, 2017, subject to staff comments and recommendations:

Public Works and Planning Staff Recommendations:

1. Change the 10' wide utility easement fronting the Sterling Highway and Hunter Street to 15' wide utility easement.
Borough Staff Comments: The plat submitted for KPB review has the requested utility easements.
2. There is no required ROW dedication for this platting proposal. These lots dedicated 40' on the parent plat 81-60 HRD.
Borough Staff Comments: KPB staff concurs with the Homer City staff comments. The parent plat provided more than a half right-of-way dedication per KPB 20.20.100 in 1981. The parcel to the west contains 4.5 acres so it is large enough to provide the remaining 20 feet of right-of-way in the future.
3. Depict the referenced waterline easement Bk. 56 Pg. 300 HRD.
Borough Staff Comments: The easement has been referenced on the plat. Per the Certificate to Plat, the location of the easement could not be determined. Staff concurs with the title company. Other than 'runs west and under the highway' the location of the easement is not sufficiently described to show and label it.
4. Remove Note 1 and amend Note 3 by replacing "Development" with "Development activity."
*Borough Staff Comments: The plat submitted for KPB review removed Plat Note 1 and revised Plat Note 3. **Staff recommends** the plat notes on the final plat be revised so the deleted note comment is not included.*

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Physical addresses may be affected by the replat. The Homer Planning Department can answer questions about the effect of the replat on addresses.

STAFF RECOMMENDATIONS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **REQUIRE COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), SUBJECT TO EXCEPTION(S) GRANTED.**

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- A. Within the Title Block
1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;
Platting Staff Comments: Staff recommends the owner's name and address be included in the title block. Plat Note 5 explains why the total acres shown on the parent plat do not match the proposed plat.
- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Platting Staff Comments: Staff recommends the width of Coyote Way right-of-way be labeled.
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Platting Staff Comments: Staff recommends the partial labels be completed or removed from the vicinity map.
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;
Platting Staff Comments: Staff recommends the easement granted to the State Department of Transportation be shown and labeled with the recording information.
- G. Status of adjacent lands, including names of subdivisions, lot lines, block numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;
Platting Staff Comments: Staff recommends:
1. Provide a status label to the east.
 2. Correct the status label to the northeast (Bonny Bluff No. 2 Eagle Bluff Addition).
 3. Label the property to the north unsubdivided.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Platting Staff Comments: Staff recommends inserting 'former' in front of the parent lot numbers to avoid confusion with current lot numbers.
- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Platting Staff Comments: KPB GIS 4-foot contours indicate slopes greater than 20 percent may affect the replat. Additional information was requested and received from the surveyor.

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.030. Proposed street layout-Requirements.

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: Glory View Subdivision Church of the Nazarene Addition, KPB 2017-066: The DOT ROW is per ROW Mapping, Plat 2012-9, sheet 9 of 18. Show the utility easement obtained by DOT, book 249 Page 527, Homer RD

Staff recommends the easement be shown as requested by ADOT (Certificate to Plate Item # 10).

Platting Staff Comments: The width to centerline adjoining the proposed replat matches the parent plat. Staff recommends the following note be placed on the final plat: No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.

Staff recommends the spelling of line be corrected in the highway label.

20.30.060. Easements-Requirements.

- C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

Platting Staff Comments: HEA commented that an underground power line may be within the utility easement granted to the State Department of Transportation. Enstar Comments: No Comments

20.30.070. Lots on major streets-Access requirements.

Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

KPB Roads Department Comments: No comments.

20.30.120. Streets-Width requirements.

- A. The minimum right-of-way width of streets shall be 60 feet.

Platting Staff Comments: The parent plat provided the existing 30-foot right-of-way for Coyote Way (formerly Fairview Street). The parcel to the north contains 15 acres so it is large enough to provide a right-of-way match in the future.

20.30.170. Blocks-Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Platting Staff Comments: The block is longer than allowed by KPB 20.30.170. By providing a 40-foot right-of-way for Hunter Street, and a 30-foot right-of-way for Coyote Way (originally named Fairview Avenue), the parent plat helped the block come as close to compliance to block length as possible.

KPB GIS 4-foot contours show Coyote Way cannot be extended to West Hill Road and Hillside Place cannot be extended to Coyote Way due to a ravine.

20.30.280. Floodplain requirements.

Platting Staff Comments: The City of Homer administers the floodplain program per HCC 21.41 Flood Prone Areas. Per the Homer City staff report, the plat is within Zone D, flood hazards undetermined.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

KPB 20.40 -- Wastewater Disposal

Platting Staff Comments: The parent plat was not reviewed under KPB 20.14. **Staff recommends** the first sentence in the wastewater disposal note be removed.

Plat Note 6 is a duplicate of the wastewater disposal note.

STAFF RECOMMENDATIONS: COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.

20.60.080. Improvements-Installation agreement required.

A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Platting Staff Comments: A development agreement is not required per the Homer City staff report.

20.60.120. Accuracy of measurements.

All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.

20.60.150. Utility easements.

B. The following note shall be shown on the final plat:

No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

Platting Staff Comments: **Staff recommends** compliance with 20.60.150.

20.60.160. Easements.

A. The plat shall clearly show the location, width, and use of all easements. The easements must be clearly labeled and identified and, if already of record, the recorded reference given. If public easements are being granted by the plat, they shall be properly set out in the owner's certification of dedication.

Platting Staff Comments: **Staff recommends:**

1. Provide a plat note for the blanket easement of record granted to Homer Electric Association.
2. Provide a plat note for the water pipeline easement per Book 2 Page 313.
3. Cite the source of the 50-foot drainage easement.

20.60.180. Plat notes

Platting Staff Comments: **Staff recommends** a note be added that all boundary information shown is of record per plat HM 81-60 and no survey was made for the preparation of this platting action.

20.60.190. Certificates, statements, and signatures required.

Platting Staff Comments: **Staff recommends:**

1. Match the owner's name in the Certificate of Ownership with the final Certificate to Plat.
2. Provide written documentation confirming the signatory's authority to sign the plat on behalf of the corporation, such as a resolution voted upon and signed by authorized officials of the corporation's board.

20.60.200. Survey and monumentation.

Platting Staff Comments: **Staff recommends** compliance with 20.60.200; verify within the LEGEND what monuments are of record and if any were recovered for this platting action.

NOTE: A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

*** APPROVED WITH THE ADOPTION OF THE GROUPED AGENDA**

~~B. **Plats needing specific actions or controversial** - (public comments received, major staff concerns, exceptions required) – 7 Plats~~

~~AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS~~

- ~~1. Bay View Subdivision Northwind 2017 Replat
KPB File 2017-074 [Seabright / DeCreeft, Tintzman]~~

~~Staff Report given by Patti Hartley~~

~~Plat Committee Meeting: 6/12/17~~

~~Location: off Lake Shore Drive, City of Homer
Proposed Use: Commercial
Water/Sewer: City
Zoning: General Commercial 1 District
Assessing Use: Commercial, Residential, Accessory Building
Parent Parcel Number(s): 179-171-04, 179-171-05, 179-171-06, 179-171-07~~

~~Supporting Information:~~

~~The proposed subdivision replats 4 lots into 2 lots containing approximately 1/2 acre each. The subdivision is served by city water and sewer. The subdivision fronts city-maintained Lake Shore Drive.~~

~~Homer Advisory Planning Commission approved the plat on May 3, 2017 subject to staff comments and recommendations.~~

~~Public Works Comments: An installation agreement will be required before recording the plat. Two sets of water and sewer services will need to be abandoned. Public Works has no concerns with the existing 50-foot right of way and does not seek any additional dedication at this time.~~



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

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**MIKE NAVARRE
BOROUGH MAYOR**

July 3, 2017

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF JUNE 26, 2017

RE: Bouman's Bluff 2017 Addition Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 26, 2017 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

This notice and unapproved minutes of the subject portion of the meeting were sent July 3, 2017 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

Survey Firm: FineLine Surveys, Inc.
PO Box 774
Anchor Point, AK 99556

Subdivider/Petitioner: John Bouman, II
3651 Sterling Hwy
Homer, AK 99603-9271

Holly Van Pelt
PO Box 3309
Homer, AK 99603-3309

KPB File Number: 2017-076

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

Staff Report given by Ann Shirnberg

Plat Committee Meeting: 06/26/17

Staff has grouped the plats located under **AGENDA ITEM E (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

- A. **Simple** (lot splits, small number of lots, replats, no exceptions required) or non-controversial (may require redesigns, create larger number of lots, no public comments received, no exceptions required) – 5 Plats
 - 1. Bouman’s Bluff 2017 Addition; KPB File 2017-076 [Fineline / Van Pelt, Bouman] Location: west of Rogers Loop, City of Homer
 - 2. Fritz Creek Estates; KPB File 2017-075 [Orion / Drechnowicz, Loughlin] Location Intersection of Karluk Street and Benjamin Avenue, Fritz Creek area
 - 3. Homer Spit Amended Homer Boathouse Replat; KPB File 2017-080 [Geovera / City of Homer] Location: Homer Spit, City of Homer
 - 4. Soares Subdivision; KPB File 2017-078 [Johnson / Soares] Location: Intersection of Aliak Drive and Cinderella Street, City of Kenai
 - 5. Dutch Landing Subdivision Part Five; KPB File 2017-081 [Integrity / Holland] Location: south of Robinson Loop Road, Sterling

Staff recommends the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this **group (A)** and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

END OF STAFF REPORT

Chairman Ruffner opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Ruffner closed the public hearing and opened discussion among the Committee.

MOTION: Commissioner Whitney moved, seconded by Commissioner Foster to approve the following preliminary plats based on staff recommendations and compliance with Borough Code.

- 1. **Bouman’s Bluff 2017 Addition; KPB File 2017-076 [Fineline / Van Pelt, Bouman]**
- 2. Fritz Creek Estates; KPB File 2017-075 [Orion / Drechnowicz, Loughlin]
- 3. Homer Spit Amended Homer Boathouse Replat; KPB File 2017-080 [Geovera / City of Homer]
- 4. Soares Subdivision; KPB File 2017-078 [Johnson / Soares]
- 5. Dutch Landing Subdivision Part Five; KPB File 2017-081 [Integrity / Holland]

VOTE: The motion passed by unanimous consent.

ERNST ABSENT	FOSTER YES	LOCKWOOD YES	MORGAN ABSENT	RUFFNER YES	WHITNEY YES	4 YES 2 ABSENT
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

- 1. Bouman’s Bluff 2017 Addition
KPB File 2017-076 [FineLine / Van Pelt, Bouman]

STAFF REPORT

Plat Committee Meeting: 6/26/17

Location: west of Rogers Loop, City of Homer
 Proposed Use: Residential
 Water/Sewer: On-site

Zoning: Rural Residential
Assessing Use: Residential, Vacant
Parent Parcel Number(s): 173-160-59, 173-160-64

Supporting Information:

The proposed subdivision moves the interior common line, which increases the size of Lot 2C by approximately 600 square feet. Lot 1B contains about 2.7 acres; Lot 2C contains about 2 acres. The parent plat was reviewed and approved under KPB 20.14. Based on KPB 20.40.020, a new soils report is not required. The subdivision fronts the Sterling Highway.

Homer Advisory Planning Commission approved the proposed plat with staff comments and recommendations on May 3, 2017 subject to:

Planning Staff Recommendation:

1. Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits.
Borough Staff Comments: The plat submitted for KPB review has the appropriate note.

Notice of the proposed plat was mailed to the beneficial interest holders on June 8, 2017. The beneficial interest holders will be given 30 days from the date of the mailing of the notification to respond. They are given the opportunity to notify staff if their beneficial interest prohibits or restricts subdivision or requires their signature on the final plat. If no response is received within 30 days, staff will assume they have no requirements regarding the subdivision and it may be finalized.

Physical addresses may be affected by the replat. The Homer Planning Department can answer questions about the effect of the replat on addresses.

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

A. Within the Title Block

1. Name of the subdivision which shall not be the same as an existing city, town, tract, or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
2. Legal description, location, date, and total area in acres of the proposed subdivision; and
3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Platting Staff Comments: Staff recommends:

- a. *Include both parent plats' names and recording numbers.*
- b. *Include the owners' names and addresses.*

D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;

Platting Staff Comments: Staff recommends T5S and R15W be removed because neither adjoin the subject Township.

F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;

Platting Staff Comments: Staff recommends the width of the ingress/egress easement be corrected.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;
Platting Staff Comments: Areas below the bluff are subject to slopes greater than 20 percent.

KPB Department / Agency Review Comments:

- The Local Option Zoning and Material Site review issued a statement of no comment.
- State Parks issued a statement of no comment.
- Addressing and Streets referenced addresses to be updated by the City of Homer.
- Code Compliance issued a statement of no comment.

KPB 20.30 - Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.030. Proposed street layout-Requirements.

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: DOT's Right of Way for the Sterling Highway is shown on our 1994 mapping F-021-1 (36), Sterling Hwy: MP 157 to 159, Sheet 34 of 34.

Platting Staff Comments: Staff recommends the source for the highway information be cited.

The Plat Committee granted an exception to extending right-of-way to the DNR parcels in 2010.

20.30.060. Easements-Requirements.

- C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

Platting Staff Comments: The affected utility providers were mailed the subdivision plat public hearing notice as part of the routine notification process. Homer Electric Association submitted a statement of reviewed/no comments; Alaska Communications submitted a statement of No objections; ENSTAR submitted a comment of no comment, recommendations or objections.

20.30.070. Lots on major streets-Access requirements.

Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

KPB Roads Department Comments: The plat is outside the KPB RSA jurisdiction.

20.30.170. Blocks-Length requirements.

Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Platting Staff Comments: The proposed plat fronts a bluff that is extremely steep. DNR owns the adjoining large acreage parcels, some of which front Kachemak Bay and some front the highway. No north/south rights-of-way have been dedicated in this area because of the bluff.

The State Department of Transportation highway maps indicate parcels to the east and west may be subject to 33-foot roadway easements granted by patent. Imagery dated 2016 indicates portions of the bluff may be actively eroding. It is unlikely the 33-foot roadway easements can provide practical physical access to the DNR property.

Based on the proximity of the very steep bluff, the proposed plat can do nothing to help with block length.

20.30.280. Floodplain requirements.

Platting Staff Comments: The City of Homer regulates the floodplain per HCC 21.41 Flood Prone Areas. Per the Homer City staff report, the proposed plat is in Zone X, outside the 0.2% annual chance of flood.

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

KPB 20.60 – Final Plat

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

20.60.080. Improvements-Installation agreement required.

A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

*Platting Staff Comments: **Staff recommends** compliance with KPB 20.60.080.*

20.60.120. Accuracy of measurements.

All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

*Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.*

20.60.150. Utility easements.

B. The following note shall be shown on the final plat:

No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.150.*

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: **Staff recommends** the owners' names match the final Certificate to Plat, for example, Holly S. Van Pelt and John William Bouman II.*

Staff recommends a signature line and surveyor's seal be provided on the final plat.

20.60.200. Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.200.*

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND**
- **COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.**

NOTE: A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

NOTE: A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

*** APPROVED WITH THE ADOPTION OF THE GROUPED AGENDA**

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

2. Fritz Creek Estates
KPB File 2017-075 [Orion / Drechnowicz, Loughlin]

STAFF REPORT

Plat Committee Meeting: 6/26/17

Location: Intersection of Karluk Street and Benjamin Avenue, Fritz Creek area
Proposed Use: Residential
Water/Sewer: On-site
Zoning: Unrestricted
Assessing Use: Accessory Building
Parent Parcel Number(s): 172-120-23

Supporting Information:

The proposed plat subdivides an approximate 9-acre parcel into two lots containing 4.4 acres each. This platting action is providing a 30-foot matching right-of-way for Karluk Street per KPB 20.30.090 and 20.30.110.



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

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Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.kpb.us

**MIKE NAVARRE
BOROUGH MAYOR**

July 3, 2017

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF JUNE 26, 2017

RE: Homer Spit Amended Homer Boathouse Replat Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 26, 2017 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and 20.60.

This notice and unapproved minutes of the subject portion of the meeting were sent July 3, 2017 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Advisory Planning Commission/Community Council: Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

Survey Firm: Geovera, LLC
PO Box 3235
Homer, AK 99603

Subdivider/Petitioner: City of Homer
491 East Pioneer Ave.
Homer, AK 99603-7624

KPB File Number: 2017-080

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

Staff Report given by Ann Shirnberg

Plat Committee Meeting: 06/26/17

Staff has grouped the plats located under **AGENDA ITEM E (AGENDA ITEM F - FINAL PLATS WILL NEED SEPARATE REVIEW)**. They are grouped as:

- A. **Simple** (lot splits, small number of lots, replats, no exceptions required) or non-controversial (may require redesigns, create larger number of lots, no public comments received, no exceptions required) – 5 Plats
 - 1. Bouman’s Bluff 2017 Addition; KPB File 2017-076 [Fineline / Van Pelt, Bouman] Location: west of Rogers Loop, City of Homer
 - 2. Fritz Creek Estates; KPB File 2017-075 [Orion / Drechnowicz, Loughlin] Location Intersection of Karluk Street and Benjamin Avenue, Fritz Creek area
 - 3. Homer Spit Amended Homer Boathouse Replat; KPB File 2017-080 [Geovera / City of Homer] Location: Homer Spit, City of Homer
 - 4. Soares Subdivision; KPB File 2017-078 [Johnson / Soares] Location: Intersection of Aliak Drive and Cinderella Street, City of Kenai
 - 5. Dutch Landing Subdivision Part Five; KPB File 2017-081 [Integrity / Holland] Location: south of Robinson Loop Road, Sterling

Staff recommends the committee determine whether any members of the public, surveyors or committee members wish to speak to any of the plats in this **group (A)** and remove the specific plats from the group, voting on the remainder of plats in the group in a single action to grant preliminary approval to the plats subject to staff recommendations and the conditions noted in the individual staff reports.

END OF STAFF REPORT

Chairman Ruffner opened the meeting for public comment. Seeing and hearing no one wishing to comment, Chairman Ruffner closed the public hearing and opened discussion among the Committee.

MOTION: Commissioner Whitney moved, seconded by Commissioner Foster to approve the following preliminary plats based on staff recommendations and compliance with Borough Code.

- 1. Bouman’s Bluff 2017 Addition; KPB File 2017-076 [Fineline / Van Pelt, Bouman]
- 2. Fritz Creek Estates; KPB File 2017-075 [Orion / Drechnowicz, Loughlin]
- 3. **Homer Spit Amended Homer Boathouse Replat; KPB File 2017-080 [Geovera / City of Homer]**
- 4. Soares Subdivision; KPB File 2017-078 [Johnson / Soares]
- 5. Dutch Landing Subdivision Part Five; KPB File 2017-081 [Integrity / Holland]

VOTE: The motion passed by unanimous consent.

ERNST ABSENT	FOSTER YES	LOCKWOOD YES	MORGAN ABSENT	RUFFNER YES	WHITNEY YES	4 YES 2 ABSENT
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AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

- 3. Homer Spit Amended Homer Boathouse Replat
KPB File 2017-080 [Geovera / City of Homer]

STAFF REPORT

Plat Committee Meeting: 6/26/17

Location: Homer Spit, City of Homer
 Proposed Use: Recreational
 Water/Sewer: City

Zoning: Marine Commercial
Assessing Use: Institutional, Vacant
Parent Parcel Number(s): 181-033-10, 181-033-11

Supporting Information:

The proposed subdivision is a simple replat of two lots into one lot containing approximately 40,000 square feet. Per the submittal, the replat will accommodate parking requirements for the Homer Boathouse project being developed by a volunteer group and the City of Homer. The plat is served by city water and sewer. The subdivision fronts paved Homer Spit Road.

Homer Advisory Planning Commission approved the plat on March 15, 2017 with staff recommendations:

1. Provide the status of adjacent land, including names of subdivisions, lot lines, block numbers, and lot numbers in the plat submittal to the Kenai Peninsula Borough.
Borough Staff Comments: The plat submitted for KPB review has the appropriate status labels.

Per the preliminary Certificate to Plat, beneficial interest holders do not affect the proposed plat. Notification per KPB 20.25.090 will not be required unless the final Certificate to Plat states the property is affected by beneficial interest holders.

Physical addresses may be affected by the replat. The Homer Planning Department can answer questions about the effect of the replat on addresses.

20.25.070 - Form and contents required.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 or additional information, revision or corrections are required

- C. The location, width, and name of existing or platted streets and public ways, railroad rights-of-way, and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;
Platting Staff Comments: Staff recommends one width of the Homer Spit Road be labeled, such as, the width adjoining the plat is 96.54 feet per the parent plat.
- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries, and prominent natural and manmade features, such as shorelines or streams;
Platting Staff Comments: Staff recommends the Range be labeled.

KPB Department / Agency Review Comments:

- The Local Option Zoning and Material Site review issued a statement of no comment.
- State Parks issued a statement of no comment.
- Addressing and Streets referenced addresses to be updated by the City of Homer.
- Code Compliance issued a statement of no comment.

KPB 20.30 Design Requirements

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.030. Proposed street layout-Requirements.

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

State Department of Transportation Comments: Not on the State road system.

20.30.060. Easements-Requirements.

C. The subdivider bears the responsibility for coordination with the utility companies during the design and development phases. When a subdivider and the utility company cannot agree on easements, the final plat will be taken to the planning commission for determination of easements.

Platting Staff Comments: The affected utility providers were mailed the subdivision plat public hearing notice as part of the routine notification process. Homer Electric Association submitted a statement of reviewed/no comments; Alaska Communications submitted a statement of No objections; ENSTAR submitted a comment of no comment, recommendations or objections.

20.30.070. Lots on major streets-Access requirements.

Lots fronting on arterial streets with less than 200 feet of right-of-way as identified in the arterial road plan adopted by the borough or lots fronting on state maintained roads with less than 200 feet of right-of-way may be required to provide interior or frontage road access after review and recommendation by the Kenai Peninsula Borough Road Service Area staff and upon a finding by the planning commission that due to size, topography, physical characteristics, or heavy traffic flow, that direct access to the arterial or state maintained road may present a traffic hazard.

KPB Roads Department Comments: No comments

20.30.280. Floodplain requirements.

*Platting Staff Comments: The City of Homer administers the floodplain program in accordance with HCC 21.41 Flood Prone Areas. Per the Homer City staff report, there is a 0.2 percent flood chance (500-year floodplain, not regulated under city code or FEMA). **Staff recommends** the surveyor confirm with the city whether Plat Note 6 is required.*

20.30.290. Anadromous habitat protection district.

Platting Staff Comments: Per River Center review, the subdivision is not affected by the Anadromous Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

KPB 20.60 – Final Plat

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.020. Filing-Form and number of copies required.

The subdivider shall file a standard number of prints as determined by the planning director. All prints shall be folded as required by KPB 20.25.030 except those to be recorded with the district recorder.

*Platting Staff Comments: **Staff recommends** one full-sized paper copy of the plat be submitted for final review prior to submittal of the mylar. Electronic submittals are not acceptable for final reviews.*

20.60.080. Improvements-Installation agreement required.

A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Platting Staff Comments: An installation agreement is not required per the Homer Advisory Planning Commission's March 15 meeting minutes.

20.60.120. Accuracy of measurements.

All linear measurements shall be shown to the nearest 1/10 foot, and angular measurements shall be at least to the nearest minute. All lot areas shall be shown to the nearest 10 square feet or to the nearest 1/1,000 of total acres. Meander lines, dry land areas and submerged land areas shall be shown in addition to total area

when applicable. All boundary closures shall be to a minimum accuracy of 1:5,000. Boundary and lot closure computations must be submitted with the final plat.

*Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. **Staff recommends** boundary and lot closure computations be provided with the paper final plat.*

20.60.190. Certificates, statements, and signatures required.

Platting Staff Comments: Staff suggests the Certificate of Ownership be revised to reflect the city's single signatory authority: I, the undersigned, hereby certify that the City of Homer is the owner of the real property shown and described hereon, and on behalf of the City of Homer, I hereby adopt this plan of subdivision and by my free consent grant all easements to the use shown.

20.60.200. Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.200 and show any monumentation of record on the final plat.*

SUBJECT TO EXCEPTION(S) GRANTED, STAFF RECOMMENDS:

- **GRANT APPROVAL OF THE PRELIMINARY PLAT SUBJECT TO ANY ABOVE RECOMMENDATIONS, AND**
- **COMPLIANCE WITH KPB 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AND**
- **COMPLIANCE WITH KPB 20.60 TO ENSURE ADMINISTRATIVE APPROVAL OF THE FINAL PLAT.**

NOTE: A PARTY OF RECORD MAY REQUEST THAT A DECISION OF THE PLAT COMMITTEE BE REVIEWED BY THE PLANNING COMMISSION BY FILING A WRITTEN REQUEST WITHIN 10 DAYS OF NOTIFICATION OF THE DECISION IN ACCORDANCE WITH KPB 2.40.080.

PARTIES OF RECORD: UNLESS SPECIFIED OTHERWISE MEANS THOSE PERSONS WHO HAVE COMMENTED IN A WRITTEN AND SIGNED DOCUMENT OR IN PERSON ON AN AGENDA ITEM BEFORE THE PLANNING COMMISSION OR PLAT COMMITTEE WHO OWN PROPERTY WITHIN THE NOTIFICATION RADII ESTABLISHED IN THIS CHAPTER.

END OF STAFF REPORT

*** APPROVED WITH THE ADOPTION OF THE GROUPED AGENDA**

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

4. Soares Subdivision
KPB File 2017-078 [Johnson / Soares]

STAFF REPORT

Plat Committee Meeting: 6/26/17

Location:	Intersection of Aliak Drive and Cinderella Street, City of Kenai
Proposed Use:	Residential
Water/Sewer:	City
Zoning:	Suburban Residential
Assessing Use:	Vacant
Parent Parcel Number(s):	045-030-09, 045-030-11

Supporting Information:



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.kpb.us

**MIKE NAVARRE
BOROUGH MAYOR**

June 28, 2017

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION MEETING OF JUNE 26, 2017

RE: Vacate the north 10 feet of the existing 20-foot wide alley easement along the south boundary of Lots 115 and 116 as dedicated on Bay View Subdivision, Plat HM 839; located within the SW1/4 SW1/4 of Section 21, T06S, R13W, S.M., Alaska, and within the KPB; File 2017-062V.

During their regularly scheduled meeting of June 26, 2017, the Kenai Peninsula Borough Planning Commission granted approval of the alley easement vacation based on the following findings of fact.

Findings:

1. Sufficient rights-of-way exist to serve the surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the alley easement proposed for vacation is not in use for access.
4. Per the submittal, the alley easement proposed for vacation has not been constructed.
5. The block, which complies with KPB 20.30.170, is generally defined by Ocean Drive, Douglas Place, Bay Avenue, and E Street.
6. All the block's rights-of-way are constructed.
7. ACS, ENSTAR, GCI, and HEA submitted statements of non-objection or no comments to the proposed vacation.
8. Homer Advisory Planning Commission recommended approval of the vacation on April 19, 2017.
9. The 10-foot alley easement within Lot 117 Bay View Subdivision will remain in place.
10. Bay View Subdivision Johnson Subdivision to the west did not grant alley easements so the alley easement in the subject block is only within Lots 115-118.

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The proposed vacation has been forwarded to the Homer City Council. The City Council has 30 days from June 26, 2017 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Commission will stand.

Please contact the Homer City Office to verify the date the subject vacation will be reviewed by the Council.

This notice and unapproved minutes of the subject portion of the meeting were sent June 28, 2017 to:

Seabright Survey + Design
1044 East End Road #A
Homer, AK 99603

John Rummery
AK Power Sports, LLC
1263 Ocean Dr.
Homer, AK 99603

Floyd C. Newkirk
Augustine Services, LLC
C/O Kar-A-Van Building Services
P.O. Box 4
Seldovia, AK 99663

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603

Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

John Rummery
1275 Ocean Dr.
Homer, AK 99603

AGENDA ITEM F. PUBLIC HEARINGS

1. Vacate the north 10 feet of the existing 20-foot wide alley easement along the south boundary of Lots 115 and 116 as dedicated on Bay View Subdivision, Plat HM 839; located within the SW1/4 SW1/4 of Section 21, T06S, R13W, S.M., Alaska, and within the KPB; File 2017-062V.

Staff Report given by Paul Voeller

PC Meeting: 6/26/17

Purpose as stated in petition: Unused alley; No need for its existence.

Petitioners: John Rummery, Alaska Power Sports & Floyd C. Newkirk, Augustine Services, LLC of Homer, Alaska

Notification: Public notice was published in the Homer News on June 15 as a separate ad and on June 22 as part of the Commission's tentative agenda.

Twenty-two certified mailings were sent to owners of property within 300 feet of the proposed vacation. Nineteen receipts had been returned when the staff report was prepared.

Thirty-four public hearing notices were sent by regular mail to owners within 600 feet of the proposed vacation.

Nineteen public hearing notices were emailed to agencies and interested parties. The public hearing notice was emailed to several KPB Departments.

Notices were mailed to the Homer Post Office and Homer Community Library with a request to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

Homer Advisory Planning Commission approved the proposed vacation on April 19 with staff findings and recommendations:

- 20.70.170. - Vehicular access
Staff finding: Vehicle access on Ocean Drive and Douglas Place is sufficient.
- 20.70.180. - Other access
Staff finding: Access on Ocean Drive, Douglas Place and Bay Avenue is sufficient for users such as pedestrians and cyclists.
- 20.70.190. - Utility provisions.
Staff finding: Utility access on Ocean Drive and Douglas Place is sufficient. A separate platting action grants a 15-foot utility easement along both rights of way. According to the preliminary plat, electricity and telephone are located in the Ocean Drive right of way.

ACS: No objection.

GCI: No objection.

ENSTAR: No comments, recommendations, or objections.

Public Works Comments: No objections.

Fire Department Comments: No concerns.

Homer Electric Association: Reviewed/no comments.

State Department of Transportation: No comment.

Staff Discussion: If the vacation is approved, it will be finalized by recording Bay View Subdivision 2017 Replat. The preliminary plat is scheduled for Plat Committee review on July 17.

The plat that granted the alley easement was recorded on June 9, 1953. Since that time several alley easements have been vacated by plat and by resolution (Plat Committee and Planning Commission). The imagery dating back to 1996 shows large structures extremely close to if not in the alley easement. It apparently has not been used for ingress/egress for years.

The block is generally defined by Ocean Drive, Douglas Place, Bay Avenue, and E Street. All the block's rights-of-way are constructed. The block is approximately 360 feet square.

Bay View Subdivision Johnson Subdivision to the west did not grant alley easements so the alley easement in the subject block is only within Lots 115-118.

Findings:

1. Sufficient rights-of-way exist to serve the surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the alley easement proposed for vacation is not in use for access.
4. Per the submittal, the alley easement proposed for vacation has not been constructed.
5. The block, which complies with KPB 20.30.170, is generally defined by Ocean Drive, Douglas Place, Bay Avenue, and E Street.
6. All the block's rights-of-way are constructed.
7. ACS, ENSTAR, GCI, and HEA submitted statements of non-objection or no comments to the proposed vacation.
8. Homer Advisory Planning Commission recommended approval of the vacation on April 19, 2017.
9. The 10-foot alley easement within Lot 117 Bay View Subdivision will remain in place.
10. Bay View Subdivision Johnson Subdivision to the west did not grant alley easements so the alley easement in the subject block is only within Lots 115-118.

STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:

1. Grant utility easements as requested by the utility providers per KPB 20.30.060 and KPB 20.60.150.
2. Submittal of the final plat in accordance with Chapter 20 of the KPB Code in a timeframe such that the plat can be recorded within one year of vacation consent.

KPB 20.70.110:

A vacation of a city street, public right-of-way, public area, or public easement located within an incorporated city may not be approved without the consent of the city council. The Homer City Council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the city or borough shall be considered to have given consent to the vacation.

KPB 20.70.120:

- A. Denial of a vacation petition is a final act for which no further consideration shall be given by the Kenai Peninsula Borough.
- B. Upon denial by the planning commission, no reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.

**KPB 20.70.130:
THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.**

END OF STAFF REPORT

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Carluccio to vacate the north 10 feet of the existing 20-foot wide alley easement along the south boundary of Lots 115 and 116 as dedicated on Bay View Subdivision in Homer.

Findings:

1. Sufficient rights-of-way exist to serve the surrounding properties.
2. No surrounding properties will be denied access.
3. Per the submittal, the alley easement proposed for vacation is not in use for access.
4. Per the submittal, the alley easement proposed for vacation has not been constructed.
5. The block, which complies with KPB 20.30.170, is generally defined by Ocean Drive, Douglas Place, Bay Avenue, and E Street.
6. All the block's rights-of-way are constructed.
7. ACS, ENSTAR, GCI, and HEA submitted statements of non-objection or no comments to the proposed vacation.
8. Homer Advisory Planning Commission recommended approval of the vacation on April 19, 2017.
9. The 10-foot alley easement within Lot 117 Bay View Subdivision will remain in place.
10. Bay View Subdivision Johnson Subdivision to the west did not grant alley easements so the alley easement in the subject block is only within Lots 115-118.

Commissioner Foster stated that this action was a housekeeping measure. They have been trying to eliminate this non-existing alley for quite some time so he will be voting for approval.

VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND ABSENT	ERNST ABSENT	FIKES YES	FOSTER YES	ISHAM YES	LOCKWOOD YES
MARTIN YES	MORGAN ABSENT	RUFFNER YES	VENUTI YES	WHITNEY YES		9 YES 3 ABSENT

AGENDA ITEM F. PUBLIC HEARING

2. State application for a marijuana establishment license; Kalifornsky Area

Staff Report given by Bruce Wall

PC MEETING: Monday, June 2, 2017

Applicant: Green Thumb Solutions

Landowner: Jacob Nyman

Parcel ID#: 055-081-65

Legal Description: Lot 5, Block 2, Ashton Park Subdivision, according to Plat 97-74, Kenai Recording District.

Location: 47375 Aries Court, Soldotna



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2215

www.kpb.us

MIKE NAVARRE
BOROUGH MAYOR

June 14, 2017

KENAI PENINSULA BOROUGH PLANNING COMMISSION NOTICE OF DECISION MEETING OF JUNE 12, 2017

RE: Vacate that portion of the 33-foot public roadway easement that lies along the western boundary of Lot 12-A-1 of DeGarmo Subdivision No. 2, Plat HM 2009-05, as granted in United States Patent 1137121 on December 15, 1952; within the SW1/4 NW1/4 of Section 23, T6S, R13W, S.M., Alaska and within the City of Homer and the KPB; Location: off Kachemak Drive; KPB File 2017-005V; KPBPC Resolution 2017-15

During their regularly scheduled meeting of June 12, 2017, the Kenai Peninsula Borough Planning Commission granted approval of the proposed right-of-way vacation based on the following findings of fact.

Findings:

1. The proposed vacation is within the City of Homer.
2. Development within the property must comply with the requirements of the zoning district.
3. The proposed vacation is within the Rural Residential zoning district.
4. Homer Advisory Planning Commission approved the proposed vacation on April 5, 2017 with Homer staff findings and recommendations.
5. HM 2009-5 granted a 20-foot pedestrian easement along the line common to Lot 12-A-1 and Lot 13 B-1 to the top of the bluff.
6. HM 2011-53 vacated the underlying 33-foot section line easement.
7. Sufficient rights-of-way exist to serve surrounding properties.
8. No surrounding properties will be denied access.
9. Per the submittal, the 33-foot roadway easement proposed for vacation is not in use for access.
10. Per the submittal, the 33-foot roadway easement proposed for vacation has not been constructed.

Conditions

1. The 10-foot pedestrian easement as shown in Lot 12-A-1 on HM 2009-5 **is not** being vacated by this vacation petition.
2. Consent of the proposed vacation by the Homer City Council.
3. File Planning Commission Resolution 2017-15 not less than 30 calendar days from the date of the Commission's approval and within one year of vacation consent by the Homer City Council.
4. The Planning Department is responsible for filing the Planning Commission resolution.
5. Attach a copy of an as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor with Resolution 2017-15.
6. The petitioner will provide the recording fee for the resolution and its attachment to the Planning Department.

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The proposed vacation has been forwarded to the Homer City Council. The City Council has 30 days from June 12, 2017 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Commission will stand.

Please contact the Homer City Office to verify the date the subject vacation will be reviewed by the Council.

This notice and unapproved minutes of the subject portion of the meeting were sent June 14, 2017 to:

Jerry Anderson
2836 S. Ranchview Rd #206
Brookline, MO 65619

Joshua & Elizabeth Garvey
4037 Mattox Rd
Homer, AK 99603

Ann Griffith Reed
110 Falling Creek Dr
Thomasville, NC 27360

Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603

AGENDA ITEM F. PUBLIC HEARINGS

2. Vacate that portion of the 33-foot public roadway easement that lies along the western boundary of Lot 12-A-1 of DeGarmo Subdivision No. 2, Plat HM 2009-05, as granted in United States Patent 1137121 on December 15, 1952; within the SW1/4 NW1/4 of Section 23, T6S, R13W, S.M., Alaska and within the City of Homer and the KPB; Location: off Kachemak Drive; KPB File 2017-005V; KPBPC Resolution 2017-15

Staff Report given by Max Best

PC Meeting: 6/12/17

Purpose as stated in petition: It was the intention of the previous section line easement vacation action to eliminate portions of the roadway reservation in this location. During the 2017 proposed replat, it was determined that because the 2011 vacation public notice did not specifically include the patent easement so it still exists.

Petitioners: Joshua and Elizabeth Garvey of Homer, Alaska

Notification: Public notice was published in the June 1 issue of the Homer News as a separate ad and as part of the Commission's tentative agenda on June 8.

Eleven certified mailings were sent to owners of property within 300 feet of the parcels. Nine receipts had been returned when the staff report was prepared.

Three public hearing notices were sent by regular mail to owners within 600 feet of the proposed vacation.

The public hearing notice was emailed to agencies, interested parties, and KPB Departments.

The public hearing notice was mailed to the Homer Post Office and Homer Community Library to be posted in public locations.

The notice and maps were posted on the Borough bulletin board and Planning Department public hearing notice web site.

Comments Received:

ENSTAR submitted a statement of no comments, recommendations, or objections.

River Center: The proposed vacation is not within the Anadromous Habitat Protection District.

State Department of Natural Resources submitted a statement of no comment providing that (as the sketch says) the pedestrian easement remains.

State Department of Transportation submitted a statement of no comments.

Staff Discussion:

The City of Homer regulates the floodplain by HCC 21.41 Flood Prone Areas.

Homer Advisory Planning Commission approved the proposed vacation on April 5, 2017 with staff findings and recommendations.

- **Staff Finding 1 for KPB 20.70.170:** This access is undeveloped and superior access is available on Kachemak Drive, which is a paved, state maintained road.
- **Staff Finding 2 for KPB 20.70.180:** Other access has previously been granted. There is a 10-foot pedestrian access easement already in existence. No other access is needed.

- **Staff Finding 3 for KPB 20.70.190:** Utilities are within the Kachemak Drive Right of Way. No additional easement is required.
- **Staff Finding 4 for KPB 20.70.200:** Access to Kachemak Bay is wholly impractical due to the approximately 70-foot steep bluff down to the beach. Physical access to public waters is not possible within this easement. A 10 foot pedestrian access easement was granted, so the public may walk to the edge of the bluff.

Findings:

1. The proposed vacation is within the City of Homer.
2. Development within the property must comply with the requirements of the zoning district.
3. The proposed vacation is within the Rural Residential zoning district.
4. Homer Advisory Planning Commission approved the proposed vacation on April 5, 2017 with Homer staff findings and recommendations.
5. HM 2009-5 granted a 20-foot pedestrian easement along the line common to Lot 12-A-1 and Lot 13 B-1 to the top of the bluff.
6. HM 2011-53 vacated the underlying 33-foot section line easement.
7. Sufficient rights-of-way exist to serve surrounding properties.
8. No surrounding properties will be denied access.
9. Per the submittal, the 33-foot roadway easement proposed for vacation is not in use for access.
10. Per the submittal, the 33-foot roadway easement proposed for vacation has not been constructed.

STAFF RECOMMENDATION: Based on the above findings, staff recommends approval of the vacation as petitioned, subject to:

1. The 10-foot pedestrian easement as shown in Lot 12-A-1 on HM 2009-5 **is not** being vacated by this vacation petition.
2. Consent of the proposed vacation by the Homer City Council.
3. File Planning Commission Resolution 2017-15 not less than 30 calendar days from the date of the Commission's approval and within one year of vacation consent by the Homer City Council.
4. The Planning Department is responsible for filing the Planning Commission resolution.
5. Attach a copy of an as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor with Resolution 2017-15.
6. The petitioner will provide the recording fee for the resolution and its attachment to the Planning Department.

KPB 20.70.110:

A vacation of a city street, public right-of-way, public area, or public easement located within an incorporated city may not be approved without the consent of the city council. The Homer City Council shall have 30 calendar days from the date of approval in which to veto the planning commission decision. If no veto is received by the planning director within the specified period, the city shall be considered to have given consent to the vacation.

KPB 20.70.120:

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KPB 20.70.130:

THE FINAL PLAT MUST BE RECORDED WITHIN ONE YEAR OF THE VACATION CONSENT IN KPB 20.70.110.

END OF STAFF REPORT

Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak Chairman Martin closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Venuti moved, seconded by Commissioner Foster to approve the vacation of a public roadway easement in the Homer area, a portion of a 33-foot public roadway easement that lies along the western boundary of Lot 12-A-1 of DeGarmo Subdivision No. 2, Plat HM 2009-05, as granted in United States Patent 1137121 on December 15, 1952.

VOTE: The motion passed by unanimous consent.

CARLUCCIO YES	ECKLUND ABSENT	ERNST YES	FIKES YES	FOSTER YES	ISHAM YES	LOCKWOOD YES
MARTIN YES	MORGAN YES	RUFFNER YES	VENUTI YES	WHITNEY YES		11 YES 1 ABSENT

AGENDA ITEM F. PUBLIC HEARINGS

3. Ordinance 2017-12; An ordinance authorizing a cooperative sale and exchange of interests in lands with the State of Alaska Department of Transportation and Public Facilities in the areas of Crown Point and Miller Loop Road.

Memorandum & Staff Report given by Marcus Mueller

PC Meeting: 5/22/17 & 6/12/17

The Kenai Peninsula Borough ("borough") has received final approval for the conveyance from the state of a 4.14 acre parcel through the municipal entitlement program. The parcel abuts the Alaska Department of Transportation and Public Facilities' ("DOT&PF") Crown Point Maintenance Station and the parcel could be used for expansion of the state's maintenance facility. The borough anticipates patent will be issued in the summer of 2017. The parcel is assessed at \$58,500. Rather than charging DOT&PF the value of the property, Land Management proposes a cooperative exchange of interests, where DOT&PF would release its material site interest in approximately 40 acres of an 80 acre parcel near the proposed LNG site in Nikiski. This would make the land eligible for conveyance to the borough. This 40 acres is valuable land which would not otherwise be available to the borough until the gravel resource is exhausted by DOT&PF.

The parcel has good soils and has a good location. The property is adjacent to the LNG footprint.

The Moose Pass Advisory Planning Commission met and discussed this proposal. Mr. Mueller from the KPB and Mr. Hyde from DOT were able to attend. They discussed the property in the Crown Point area. There was some history on that property. It was known as the Pioneers of Alaska parcel.

The discussion that occurred had a lot to do with what was available for community use. There was a long term interest in community use lands in that area. There are additional lands of 11 acres that the borough now has further to the south contiguous to this that would be similarly situated and available for the same types of public uses that the community was considering for this parcel.

Another part of the discussion and the recommendation that came from the Moose Pass Advisory Planning Commission was to institute buffers on the parcel and that DOT would maintain the buffers from the highway, the adjacent property and the river.

The plan is to incorporate a conservation easement in the conveyance document in the deed to DOT. This will be worked out and presented to the Assembly according to the Moose Pass APC recommendation.

END OF MEMORANDUM & STAFF REPORT

