

**NOTICE OF MEETING  
WORKSESSION AGENDA**

1. **CALL TO ORDER, 5:30 P.M.**
2. **REGULAR AGENDA**
3. **STAFF REPORT 19-26, Permitting process and building location verification** – Licensed residential contractor Bruce Petska, of Big Mountain Builders, will be available to answer questions and provide industry perspective. Other contractors have been invited as well and may be at the meeting, depending on their availability. **p. 69**
4. **PUBLIC COMMENTS**  
The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
5. **COMMISSION COMMENTS**
6. **ADJOURNMENT, 6:30 P.M.**



## **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 March 6, 2019 p. 1**

**6. Presentations/Visitors**

**7. Reports**

**A. Staff Report 19-21, City Planner's Report p. 7**

**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 19-22, Conditional Use Permit (CUP) 19-03 for 5 dwellings at 3641 Sterling Hwy. p. 11**

**9. Plat Consideration**

**10. Pending Business**

**A. Staff Report 19-23, Permitted and conditionally permitted uses p. 37**

**B. Staff Report 19-24, Climate Action Plan p. 55**

**C. Staff Report 19-25, Building Height p. 59**

**D. Staff Report 19-26, Permitting process and building location verification p. 69**

**11. New Business**

**12. Informational Materials**

**A. City Manager's Report for the March 11 Homer City Council meeting p. 71**

**B. KPB Notice of Decision – Skyline Drive Subdivisino No. 7 Preliminary Plat p. 99**

**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 Wednesday, April 3, 2019. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.



Session 19-05, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on March 6, 2019 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BENTZ, BERNARD, BOS, VENUTI, SMITH AND BANKS

ABSENT: COMMISSIONERS HIGHLAND (EXCUSED)

STAFF: CITY PLANNER ABBOD  
DEPUTY CITY CLERK KRAUSE

The Commission met in a worksession at 5:30 p.m. On the agenda was discussion of Building Heights Maximum with Fire Chief Purcell.

### **APPROVAL OF THE AGENDA**

Chair Venuti called for a motion to approve the agenda.

BENTZ/BOS – MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC COMMENT**

### **RECONSIDERATION**

### **ADOPTION OF CONSENT AGENDA**

**A.** Approval of minutes of February 20, 2019

Chair Venuti requested a motion to approve the Consent Agenda.

BENTZ/BOS MOVED TO APPROVE THE CONSENT AGENDA.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS**

## **REPORTS**

### **A. Staff Report 19-17, City Planner's Report**

Chair Venuti introduced the item into the record by reading of the title.

City Planner Abboud reviewed his report for the commission.

City Planner Abboud reviewed his report and commented further on the following topics:

- Incorporation of a Wayfinding and Streetscape Plan within the Transportation Plan update
- Extending water service to Kachemak City
- Providing funding to Set Free Alaska which if approved would eventually require Set Free Alaska to apply for a conditional use permit.
- Appeal Hearing on the proposed Medical Center that was conducted earlier in the day

Commissioners volunteered to attend the following Council meetings:

Commissioner Bos will replace Commissioner Bentz for the March 26<sup>th</sup> meeting

Commissioner Smith confirmed he will attend the upcoming March 11<sup>th</sup> meeting

Commissioner Smith inquired about the Pioneer Ave project and provided information from a discussion he had with a State DOT representative who was also working on a similar project in Anchorage in the Spenard area.

City Planner Abboud responded that the main issue is funding. He provided a brief report on his take away on the project status what the actual project will include.

City Planner Abboud responded to questions regarding the status of the Transportation Plan stating that it is in the Administration hands as a budget will need to be determined.

Commissioner Bos offered his opinion that due to the economic climate with the City and the State he feels that they should wait until a more financially feasible time to have this plan done.

There was a brief discussion on the workload of the Planning Department and in order to schedule the items on the commission worklist so the progress does not get backlogged City Planner Abboud requested input from the Commission. The Commission recommended that the following be scheduled or actions taken:

- Updating Permitting Process: Worksession with Surveyors and Contractors in April after City Planner Abboud returns from conference.

- Review the Planning and Zoning Section of the Climate Action Plan by the Planning Staff and provide comparison on what the plan has recommended and what action has been accomplished by the city.
- Postpone the proposed Medical District until after the Appeal Decision is finalized.

City Planner Abboud advised the Commission that if they pursued the requirement in the permitting process to have the applicant come before the Commission with regard to issues found upon site visits that this action falls in the realm of enforcement. If the applicant appeals that puts the Commission in a quagmire.

## **PUBLIC HEARINGS**

## **PLAT CONSIDERATION**

## **PENDING BUSINESS**

### **A. Staff Report 19-18, Zoning Permit Process**

Chair Venuti introduce the item into the record by reading of the title.

City Planner Abboud summarized the report and provided some input on how the various items on the work list intermingled along with revision of forms, such as including questions on dealing with aspects of green infrastructure; the expenditure of staff time to review and explain these items with the applicants.

A discussion ensued on requiring asbuilts is easy; willingness to put green infrastructure in regulations then they have to figure out a way to get people to do what they should do; review work on previous projects for best practices.

This will be on the agenda for the next meeting and will try to have a visitor for the worksession.

### **B. Staff Report 19-19, Review of Permitted and Conditionally Permitted Uses**

Chair Venuti Introduced the item by reading of the title into the record.

City Planner Abboud reviewed the staff report stating it summarized the work done so far. He commented on the following:

- Code changes for lighting requirements could be written by staff but that the dumpster screening regulations would need to go to the City Attorney for review and recommendation since it was not as straight forward.
- Dumpster regulations would bring up issues of non-conforming dumpsters.
- Does not address the Council's request to reduce the number of Conditional Use Permits.

- Further discuss permitting more than one structure in the GC2, this includes application of the Design Manual which is triggered by Conditional Use Permits in the CBD, this does not apply in the GC1 and GC2

Discussion ensued on the large project requirements commercial versus residential; Addressing the more than one structure in the commercial districts, open GC2, GC1 there were a few more considerations and in the CBD there were even more restrictions to consider.

City Planner Abboud responded that over time maybe one or two Conditional Use Permits were issued when comparing the “more than one structure” category with “over 8000 sf” category.

Further discussion on the things that the City oversees versus what they should be concerned about ensued and that those items fell under a Building Department not planning and zoning. The commission commented that it should forward a recommendation to Council that the Commission has thoroughly reviewed the Conditional Use process and that it does not believe there is any way to sufficiently amend the City Code to reduce the number of applications since there are too many variables other than the Code Amendments the commission spoke about tonight.

City Planner Abboud will wrap up what they talked about here bring it back for the Commission review and public hearing.

## **NEW BUSINESS**

### **A. Staff Report 19-20, Building Height Maximum**

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud commented on the topic and learning about the availability of residential sprinkler systems, three story buildings and how they measure height from Fire Chief Purcell at the worksession. He is not sure what direction to take on this issue noting that the City could possibly eliminate the issue of three stories if they are sprinklered.

Further discussion ensued with the Commission commenting on the following topics:

- FEMA requirements for the Spit and how that effects the height requirements
- Commercial three story building requirements on Fire Suppression systems
- Requiring conditions for commercial
- Evaluation of East End Mixed Use and codify the height with an exception in one district, Marine Commercial
- The need for three story commercial buildings
- Recommend Staff draft sprinkler code and bring back more info on the proposed regulation
- Have Fire Department involvement

Chair Venuti provided historical information on sprinkler system requirement in residential projects for the State.

### **INFORMATIONAL MATERIALS**

A. City Manager's Report for the February 11, 2019 Homer City Council meeting

### **COMMENTS OF THE AUDIENCE**

### **COMMENTS OF THE STAFF**

Deputy City Clerk Krause expressed apologies for omitting the page numbers on the Chair's Agenda.

City Planner Abboud commented on the holding the worksessions and further in development they haven't created a record to document the discussion such that they had tonight with Fire Chief Purcell. This is used to provide Council documentation of their work.

### **COMMENTS OF THE COMMISSION**

Commissioner Bos stated that it was a good meeting and was disappointed that no one stayed in the audience like they had for the worksession. He believes that the worksessions are valuable and provide the Commission an opportunity to make worthwhile process on the issues before them.

Commissioner Bernard will be absent for the March 20<sup>th</sup> commission meeting.

Commissioner Bentz echoed Commissioner Bos' sentiments on the worksessions as it allows them to work through the details without the pressure of Robert's Rules and noted that she will not be attending the March 20<sup>th</sup> meeting either.

Commissioner Smith is finally not feeling like a rookie and really sees that they are a board that is advocating for the development of Homer and that they advocate and facilitate for the individual but with concern for the whole. He noted that he is learning the language and working with Council and so forth. He appreciates how everyone is diligent and works through everything with respect for each other. Tonight was very interesting and he thoroughly enjoyed it.

Commissioner Banks is a fan of the worksessions and believes they are pretty useful for the commission, educating them on a broad variety of subjects and toss around ideas. It is a prerequisite for decisions. He noted that they are going to finalizing a few things on their worklist and getting them completed before summer.

Chair Venuti appreciated the worksessions also and agreed that it was a good meeting tonight.

**ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 8:32 p.m. The next regular meeting is scheduled for Wednesday, March 20, 2019 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

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RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: \_\_\_\_\_



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

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TO: Homer Advisory Planning Commission  
FROM: Rick Abboud, City Planner AICP  
DATE: March 20, 2019  
SUBJECT: Staff report PL 19-21, City Planner's Report

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### City Council –

3.11.19

**Ordinance 19-11**, An Ordinance of the City Council of Homer, Alaska, Amending the 2019 Operating Budget to Appropriate Matching Funds in the Amount of \$40,097 from the HART Fund for Low-Impact Development Planning through the use of Green Infrastructure. City Manager/Public Works Director. Recommended Dates Introduction March 11, 2019, Public Hearing and Second Reading March 26, 2019.

**Resolution 19-014**, A Resolution of the City Council of Homer, Alaska, Issuing a Lease for Proposal (RFP) to Manage, Lease, and Renovate the Homer Education and Recreation Complex (HERC 1). Erickson/Aderhold. Recommend Adoption.

**Resolution 19-018**, A Resolution of the City Council of Homer, Alaska, Authorizing the Acceptance of an Alaska Clean Water Actions (AWCA) Grant for Low-Impact Development Planning in the Amount of \$59,784.50 and Authorizing the City Manager to Execute the Grant Agreement. City Manager/Public Works Director. Recommend Adoption

**Ordinance 19-07(S-3)(A)**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2019 Capital Budget by Appropriating FY2019 Community Assistance in the Amount of \$177,172.05 from the Police Station Fund and \$7,827.95 from the General Fund to Homer Foundation for City of Homer Grants Related to Addiction Prevention, Treatment, Harm Reduction, and Recovery; and Set Free Alaska for the Purpose of to aid the Construction of a Residential and Out-Patient Addiction Treatment Center in the City of Homer. Aderhold/Venuti Smith/Erickson Introduction January 28, 2019, Public Hearing February 11, February 25, and March 11, 2019, Second Reading March 11, 2019.

There were twelve who commented.

Amended: Line 114, delete “General Fund,” insert “General Fund Fund Balance” and Line 131, delete “of a grant,” insert “of the Residential Substance Use Disorder (SUD) Treatment Services grant”

FAILED as amended with discussion.

**Ordinance 19-09**, An Ordinance of the City Council of Homer, Alaska, Accepting and Appropriating a \$100,000 Service Extension Fees and Authorizing the Extension of City of Homer Water Services to Lot 2B, Puffin Acres Milepost 3, East End Road in Kachemak City. Mayor. Introduction February 11, 2019, Public Hearing and Second Reading February 25, 2019.

POSTPONED 19-09(S) to March 26th with discussion.

### **Staff**

I plan to take some vacation time and attend the National Planning Conference. I will be out of the office April 2<sup>nd</sup> through April 17<sup>th</sup>.

### **Commissioner opening**

We have received the resignation of Commissioner Bernard and will be looking to fill the position through the Mayor.

### **Appeal**

Oral arguments have taken place on March 6<sup>th</sup>. We are now waiting for the judge to render his decision. We have been told to expect a decision by the end of March.

### **WORKLIST**

Worklist items and summaries below.

### **CUP reduction**

On agenda

### **Site plan requirements/permit follow-up**

On agenda

### **Natural Hazards/Green Infrastructure/Coastal Bluff Definition**

No written report has been submitted for the Commission at this time.

If our Coastal Bluff Hazards project summary is approved, a full application will be developed by DGGS.

### **Climate Action Plan**

On agenda.

### **Medical District**

We now have a new Comprehensive Plan and we also have an active appeal of CUP 18-09 in the area identified in the plan for development of a medical district. We will hold off on code



development until we have a conclusion of the appeal. I expect to have a decision by the end of March.

### **Transportation Plan**

We will now need to get a proposed budget authorized.

### **City Council report sign up**

3.26.19 (Tuesday) Tom

4.8.19 Scott

4.22.19

5.13.19





# City of Homer

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## Planning

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### Staff Report 19-22

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: March 20, 2019  
SUBJECT: Conditional Use Permit (CUP) 19-03

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**Synopsis** The applicant proposes to build five, single family residences, to be used as rentals. A Conditional Use Permit (CUP) is required per HCC21.12.030(m).

Applicant: John Bouman and Jennifer Liston  
3651 Sterling Highway  
Homer, AK 99603

Location: 3641 Sterling Highway  
Parcel ID: 17316073  
Legal: Bouman's Bluff 2017 Addn Lot 1B  
Size of Existing Lot: 2.66 acres  
Zoning Designation: Rural Residential District  
Existing Land Use: Vacant  
Surrounding Land Use: North: Vacant  
South: Conservation Lands/Bluff Park  
East: Residential short-term rental/GC1 zoning  
West: Rooming house rentals

Comprehensive Plan: Goal 1, Objective A: 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.

Wetland Status: No wetlands mapped.  
Flood Plain Status: Not in a floodplain.  
BCWPD: Not within the Bridge Creek Watershed Protection District  
Utilities: City water and sewer are not available  
Public Notice: Notice was sent to 6 property owners of 8 parcels as shown on the KPB tax assessor rolls.

**ANALYSIS:**

The applicants would like to build five detached single-family dwelling units, to be used as rentals on a 2.66-acre lot. The site is immediately south of the Sterling Highway, and slopes to the southeast. The southern edge of the property drops off and is the topmost part of the bluff. See aerial map. Staff calculated the impervious area at approximately 20,000 square feet, or 17.4% of the lot. New impervious areas over 25,000 square feet require a storm water plan; the proposed development does not trigger that requirement.

The two bedroom, single story structures are about 1,120 square feet, with additional front and back covered porches of about 500 square feet total. Additionally, there is an accessory structure serving as a well house and laundry facility. Total building area is approximately 8,700 square feet. The homes will be served by a community sewer system per HCC 21.12.040(a)(b), which allows for a density of 1 dwelling unit per 20,000 square feet of lot area. The development meets the requirement of one dwelling per 20,000 square feet.

Two parking spaces per unit are required, and have been provided on the site plan. The property has a shared driveway easement with the lot to the west, providing access to the Sterling Highway via an existing driveway.

**The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, Review criteria, and establishes the following conditions:**

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

**Finding 1:** HCC 21.12.020(a) authorizes single family homes, HCC 21.12.020(e) authorizes a rooming house and HCC 21.12.030(m) authorizes more than one building containing a permitted principle use on a lot.

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

HCC 21.12.010 Purpose states: 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.

**Analysis:** The proposed development provides for one dwelling unit per 20,000 square feet of lot area. This supports the portion of the purpose statement that seeks to provide an area in Homer for low-density primarily residential development.

**Finding 2:** The proposed land use and structures are compatible with the purpose of the Rural Residential District.

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:** Many uses in the rural residential district have greater negative impacts than would be realized from five short term rental units. Pipelines, railroads, kennels and storage of heavy equipment would have a greater impact on nearby property values. Assisted living, group care, religious, cultural and fraternal assembly would generate more traffic.

**Finding 3:** The proposed five single-family residences, operated as short term rentals, are 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:** Existing uses of surrounding land include a dumpster and water delivery business, commercial greenhouse, short-term vacation rentals, and residential and vacant lands along the Sterling Highway.

**Finding 4:** The proposed rental homes are compatible with the existing mixture of commercial, vacant and residential land uses of surrounding land.

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

**Analysis:** The site is served by the state maintained Sterling Highway, natural gas, electricity, and City police and fire services. City water and sewer are not available. Applicant will provide a community septic system.

**Finding 5:** Existing public services and fire services are adequate to serve the 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.

**Analysis:** Desirable neighborhood character could be described by a portion of the Purpose statement for the district, see above under (b). The calculated impervious coverage is under 25,000 square feet, which is the triggering requirement for a Storm Water Plan. Traffic generation is expected to be low in volume.

**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.

**Analysis:** The permitting process will require the applicant to meet Federal, State and local standards.

**Finding 7:** 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:** The applicant is not requesting anything outside of code allowance.

**Finding 8:** The proposal shall comply with applicable regulations and conditions specified in Title 21.

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 1, Objective A: 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.

**Finding 9:** No evidence has been presented that the proposal is contrary to the applicable land use goals and objects of the Comprehensive Plan. The proposal aligns Goal 1 Objective A and no evidence has been found that it is not contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

**Analysis:** The Outdoor Lighting portion of the Community Design Manual applies to conditional use permits in this district. 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 per the CDM.

**Finding 10:** 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:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs: Condition 2:** Signage shall comply with Homer City Sign Code, HCC 21.60.
- 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.

**PUBLIC WORKS COMMENTS:** None received by packet publishing time.

**FIRE DEPARTMENT COMMENTS:** No concerns with the proposal as presented.

**PUBLIC COMMENTS:** None

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission approve CUP 19-03 with findings 1-10 and the following conditions.

1. Outdoor lighting must be downward directional and must not produce light trespass per the CDM.
2. Signage shall comply with the City of Homer Sign Code, HCC 21.60.

**Attachments**

Application

Public Notice

Aerial Photograph





**City of Homer**

www.cityofhomer-ak.gov

**RECEIVED**

MAR 06 2019

Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

Planning@ci.homer.ak.us

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**CITY OF HOMER  
PLANNING/ZONING**

**Applicant**

Name: John Bouman Telephone No.: 299-6191  
Address: 3651 Sterling Hwy Email: Tboumans@gmail.com

**Property Owner** (if different than the applicant):

Name: Same Telephone No.:  
Address: Email:

**PROPERTY INFORMATION:**

Address: 3641 Sterling Hwy Lot Size: 2.66 acres KPB Tax ID # 17316073

Legal Description of Property: T 06S R 14W SEC 15 Seward Meridian Hm  
2017051 Bouman's Bluff 2017 ADDN Lot 1B

For staff use:

Date: 2/22/19 Fee submittal: Amount \$500  
Received by: TBB Date application accepted as complete  
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	EEM U	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		







- 8 a. What code citation authorizes each proposed use and structure by conditional use permit? *HCC 21.12.030 (m)*
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. *BUILDING HOMES TO BE USED AS NIGHTLY RENTALS, but will continue to low impact on traffic to the area. We will comply to the rural Residential code*
- c. How will your proposed project affect adjoining property values? of 1 structure per 20000 sq ft. *INCREASE / INHANCE*
- d. How is your proposal compatible with existing uses of the surrounding land? *SAME AS NEIGHBORS*
- e. Are/will public services adequate to serve the proposed uses and structures? *YES / JOHN BISHOP IS DESIGNING THEM + DEC IS APPROVING THEM*
- 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? *OUR STRUCTURES WILL ADD CHARACTER & WILL HAVE NO ADVERSE EFFECTS TO ROAD TRAFFIC. We kept most of the natural vegetation/trees along the Sterling Hwy so the visual impact from the road will be minimal.*
- 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, Compliments it very well. See our website (www.baycrestlodge.com) to see the caliber of work to be done.*
- 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)

- IM Tired*
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? 5 Double

If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). \_\_\_\_\_

2. How many spaces are shown on your parking plan? 5

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: \_\_\_\_\_

Date: 2/13/19

Property Owner's signature: \_\_\_\_\_

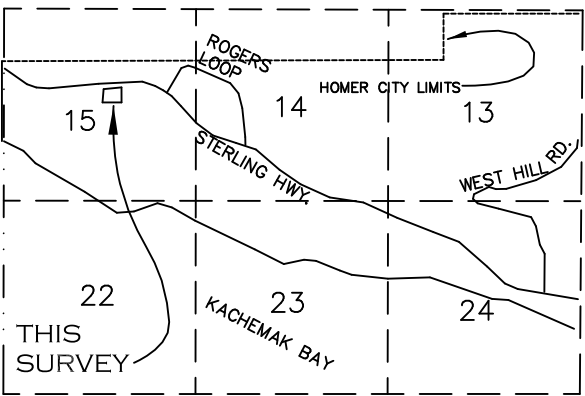
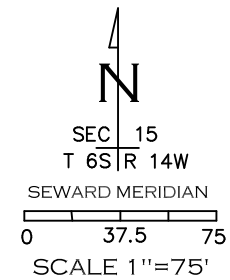
Date: 2/13/19

# SITE PLAN

RECEIVED

3/6/2019

CITY OF HOMER  
PLANNING/ZONING



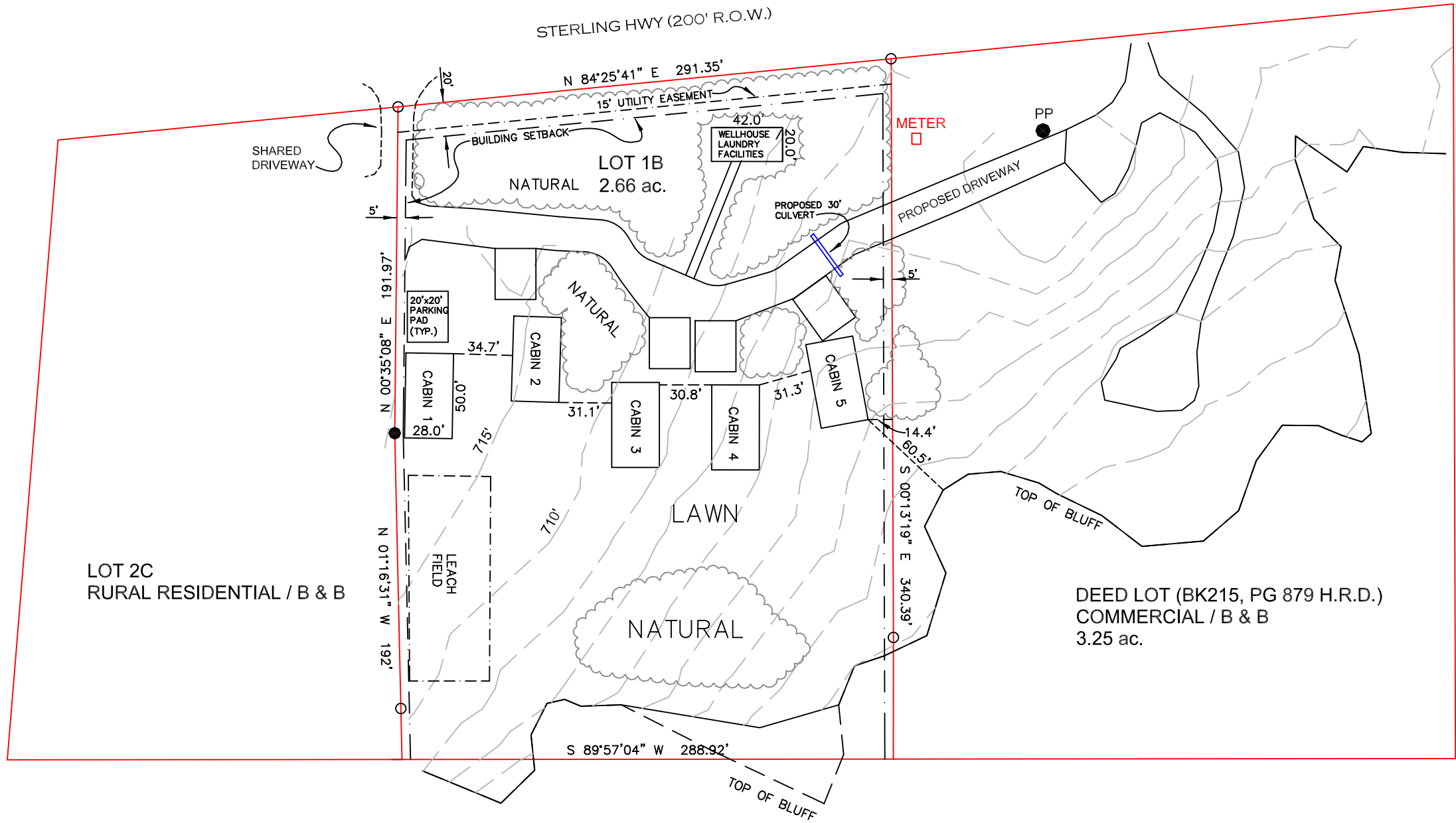
VICINITY MAP SCALE 1"=1 MILE

## NOTES:

1. ALL CABINS ARE 28' BY 50'.
2. PHASE I WILL CONSIST OF CONSTRUCTING CABINS 1 & 2.
3. ELEVATIONS LISTED ARE APPROXIMATE (+/- 10'). CONTOURS SHOWN ARE AT 5' INTERVALS.

## LEGEND:

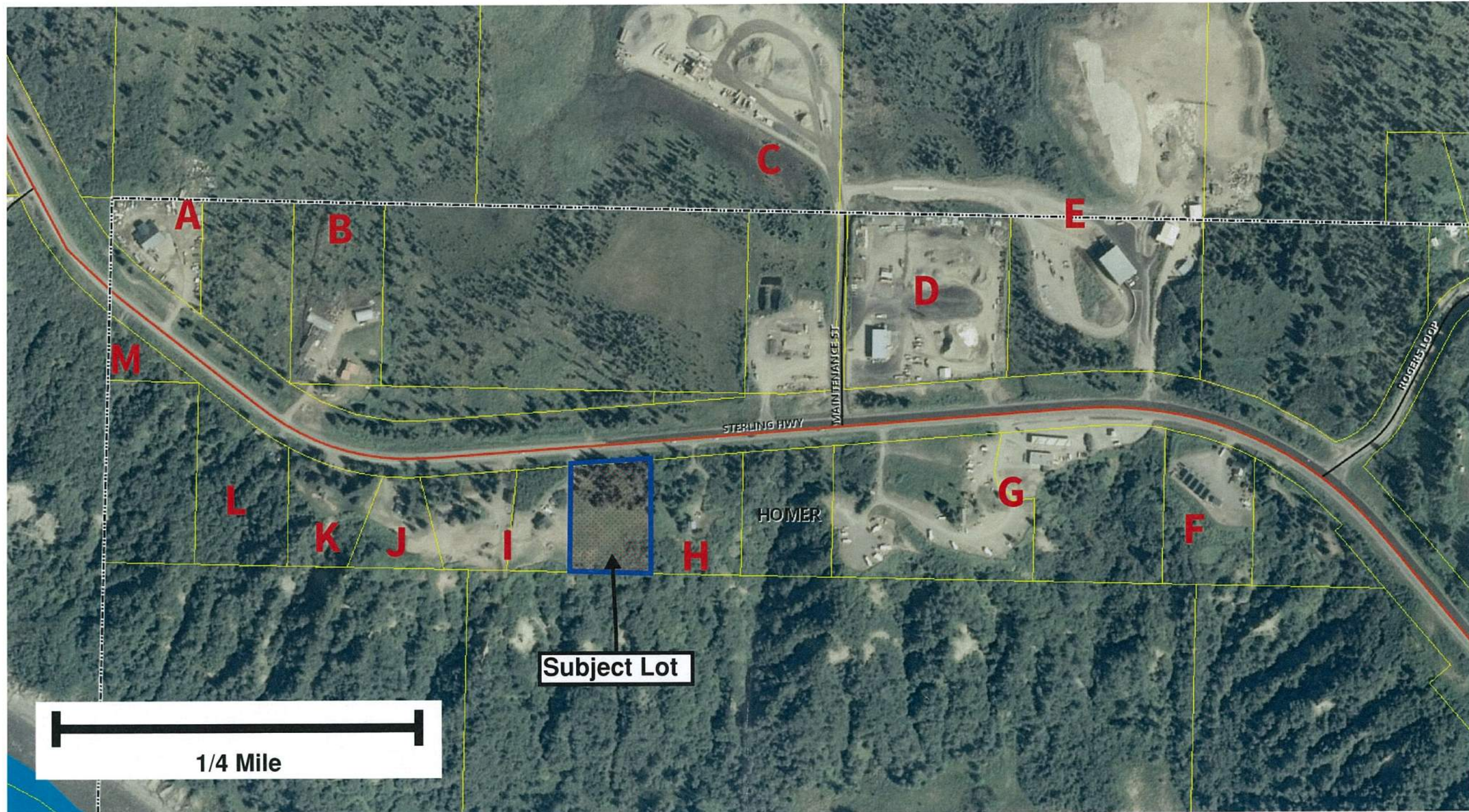
- FOUND REBAR
- FOUND REBAR WITH ALUMINUM CAP LS10771



FINELINE SURVEYS, INC.  
P.O. BOX 774  
ANCHOR POINT, ALASKA 99556  
DMITRI D. KIMBRELL, RLS (907) 360 6382



# Neighborhood map



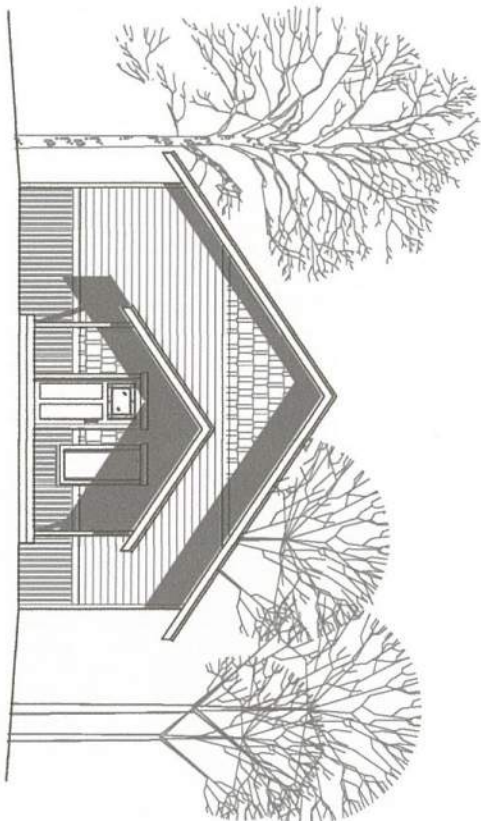
## Legend

- |  |  |
|--|--|
| <b>A</b> Lloyd Moore, which is a mega contractor; <i>Quick Draw Water</i>                                    | <b>H</b> then our adjacent property we have a commercial lot with a B&B home on it;                                      |
| <b>B</b> Danny, which is a landscaping company, road paver, golieth piers etc.; <i>Ditch Boy Landscaping</i> | <b>I</b> Kenai Peninsula Suites which is a five vacation home rental;  |
| <b>C</b> Dibble Creek, which is a concrete/road company;   | <b>J</b> then we have a vacant lot with a University of Alaska field station on it;                                      |
| <b>D</b> DOT, which is a 24 seven sanding company;   | <b>K</b> then we have a 3000 square-foot event center Adjacent to that; <i>Station 12</i>                                |
| <b>E</b> The landfill, which is a dump;  | <b>L</b> After that, we have two decrepit cabins;  |
| <b>F</b> Alaskan Suites, which is a Lodge;   | <b>M</b> then we have the Augustine Cabin, of which I just completed building, which is the last lot in the city limits. |
| <b>G</b> The gas station/RV park, which is a commercial property;  |  |



# BAYCREST LODGE - RENTAL CABIN

3651 STERLING HIGHWAY  
HOMER, ALASKA



FRONT ELEVATION

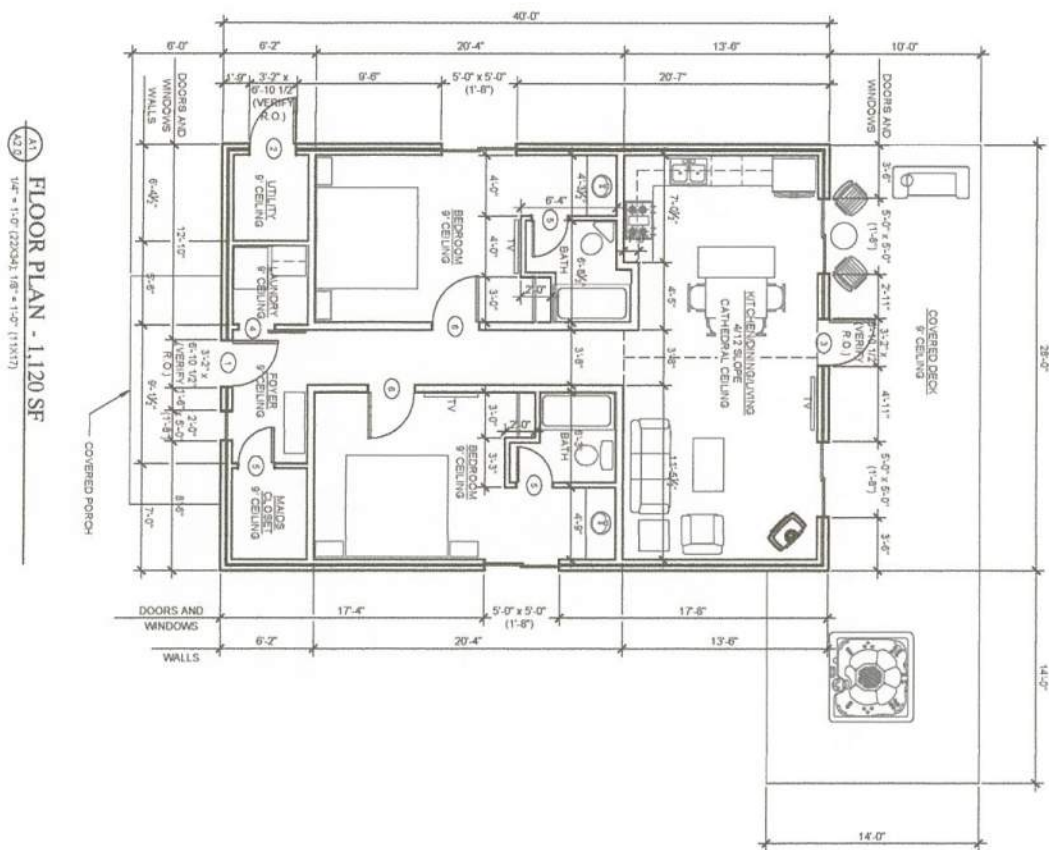
## CONTENTS

- A1.0 GENERAL NOTES AND SYMBOLS
- A2.0 FLOOR PLAN, WALL ASSEMBLIES & DOOR SCHEDULE
- A3.0 ELEVATIONS

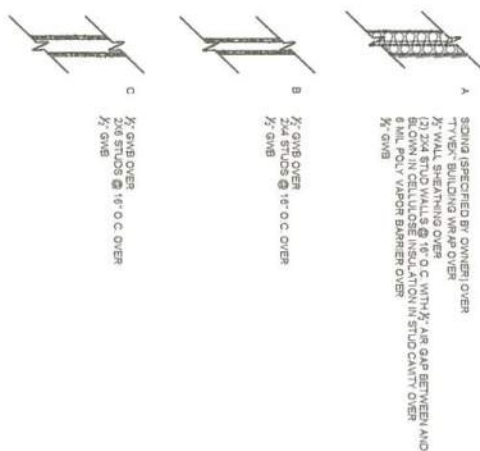


HOMER, ALASKA





FLOOR PLAN - 1,120 SF



**WALL ASSEMBLIES**

## DOORS

- 1 3'-0" X 6'-8" EXTERIOR HALF LIGHT  
- VERIFY ROUGH OPENING
- 2 3'-0" X 6'-8" EXTERIOR  
- VERIFY ROUGH OPENING
- 3 3'-0" X 6'-8" EXTERIOR FULL LIGHT  
- VERIFY ROUGH OPENING
- 4 2'-4" X 6'-8" INTERIOR BARN
- 5 2'-4" X 6'-8" INTERIOR
- 6 3'-0" X 6'-8" EXTERIOR

**DOOR SCHEDULE**

AA	AD	1/2" = 1'-0" (22X34)	1/4" = 1'-0" (11X17)
A20			

**SHEET NOTE**

ALL ENTRY PORCHES AND HOT TUB DECK ARE TO BE POURED CONCRETE WITH THICKENED FROST PROOF FOOTER.

THE DRAWINGS, ARRANGEMENTS, ANNOTATIONS AND GRAPHICAL PRESENTATIONS ON THIS DOCUMENT ARE THE PROPERTY OF DRAFT ALASKA WHO RETAINS OWNERSHIP OF THIS DOCUMENT IN ITS ENTIRETY.

AUTHORIZED USE OF THIS DRAWING IS GRANTED SOLELY FOR THE PURPOSE OF THIS SPECIFIC PROJECT AND LOCATION, AND NOT FOR CONSTRUCTION OF USE FOR ANY OTHER PROJECT.



**DRAFT ALASKA**  
Interior • Exterior • Remodeling

Kimber Graham  
4520 Kenaiest Court  
Kenai, Alaska 99611  
draftalaska@gmail.com  
907.201.0531

Baycrest Lodge - Rental Cabin  
3651 Sterling Hwy  
Homer, Alaska

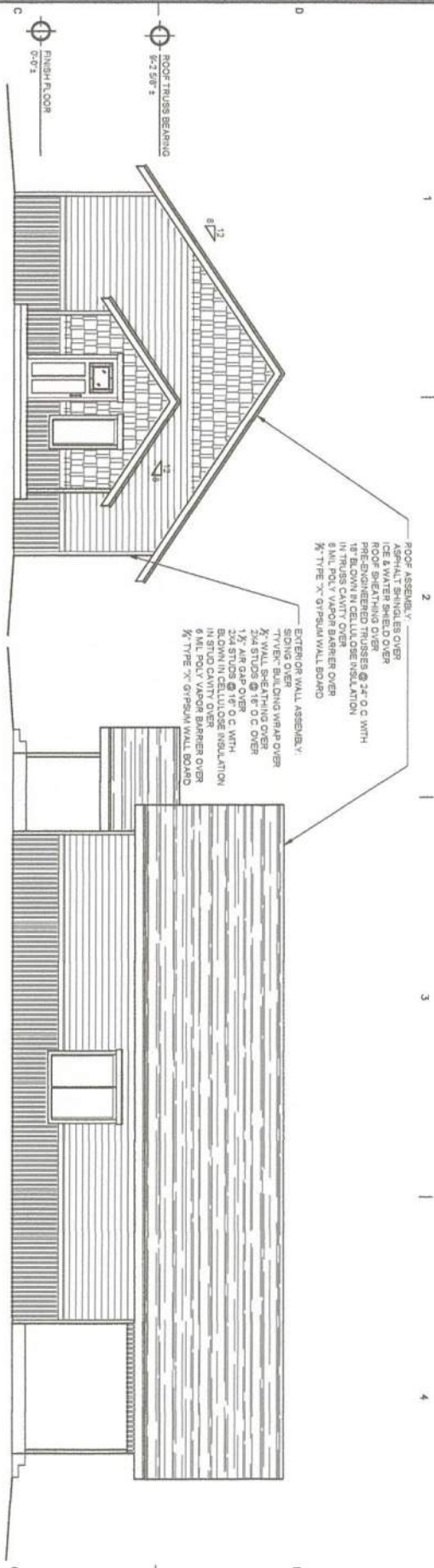
FLOOR PLAN  
WALL ASSEMBLIES  
& DOOR SCHEDULE 24

DRAWN:	
K GRAHAM	
JOB:	18.10-Bourmen3bad
DATE:	2.5.2019
REVISIONS:	

## A2.0

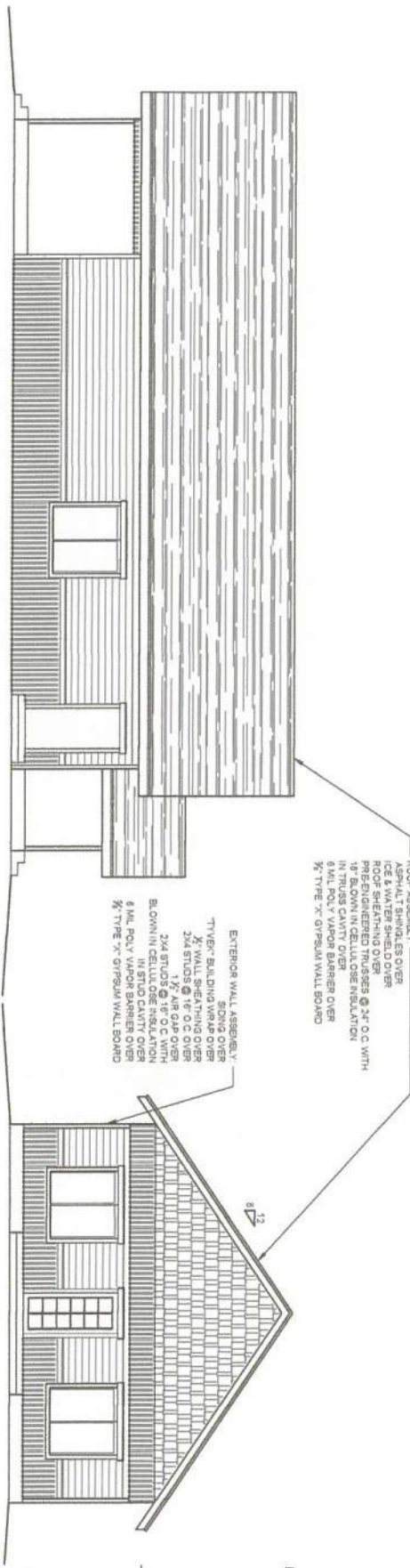
PLOTTED HALF SCALE  
SCALE: AS SHOWN





**C NORTH ELEVATION**  
1/4" = 1'-0" (22/3/4), 1/8" = 1'-0" (11/16)

**CA EAST ELEVATION**  
1/4" = 1'-0" (22/3/4), 1/8" = 1'-0" (11/16)



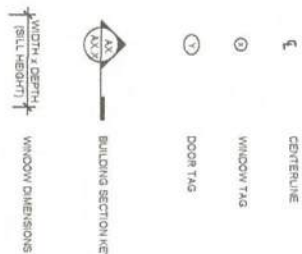
**A1 WEST ELEVATION**  
1/4" = 1'-0" (22/3/4), 1/8" = 1'-0" (11/16)

**A2 SOUTH ELEVATION**  
1/4" = 1'-0" (22/3/4), 1/8" = 1'-0" (11/16)

## SYMBOLS

- |    |   |
|----|---|
| 1  | THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITIES TO ENSURE THAT ANY WORK NOT COVERED IN THESE DOCUMENTS OR ANY OTHER SPECIFICATIONS SHALL BE IN ACCORDANCE WITH ALL APPLICABLE CODES AS LISTED ABOVE. THE ARCHITECT SHALL BE NOTIFIED PRIOR TO ANY MODIFICATIONS. |
| 2  | WHEN WORK NOT SPECIFICALLY CALLED OUT IS REQUIRED TO COMPLY WITH THESE SPECIFICATIONS, IT SHALL BE OF THE BEST MATERIAL AND WORKMANSHIP.  |
| 3  | CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONARY MEASURES TO PROTECT THE PUBLIC AND ADJACENT PROPERTIES FROM DAMAGE FOR DAMAGES INCURRED DURING CONSTRUCTION.  |
| 4  | CONTRACTOR SHALL ESTABLISH AND VERIFY ALL OPENINGS AND MEMBERS FOR MECHANICAL, ELECTRICAL, AND PLUMBING WITH APPROVED TRADES.   |
| 5  | CONTRACTOR SHALL PROVIDE ALL NECESSARY TEMPORARY BRACING, SHORING, GUYS, OR OTHER MEANS TO AVOID EXCESSIVE STRESSES AND TO HOLD STRUCTURAL ELEMENTS IN PLACE DURING CONSTRUCTION.   |
| 6  | ALL UNTESTED CONJOINTS, EQUIPMENT, ETC., SHALL BE INSTALLED PER MANUFACTURER'S PRINTED RECOMMENDATIONS.   |
| 7  | FLAMING CONTRACTOR TO VERIFY ROOF OPENING SIZES AND DETAILS FOR COOPER WINDOWS EXHAUST FANS, VENTS, ETC.  |
| 8  | PROVIDE PRESERVATIVE TREATED AWAY FOR SILL PLATES AND ALL CONCRETE TO WOOD CONNECTIONS.   |
| 9  | ALL GWS SHALL BE 2x6 TYPE UNLESS NOTED OTHERWISE.   |
| 10 | PROVIDE GWS CONTROL JOINTS NOT TO EXCEED 30'-0" SPACING.  |
| 11 | PROVIDE MINIMUM 2x4 W/ NAIL, AROUND ALL POOLINGS.   |
| 12 | INSTALL ALL CONTINUOUS 1/2" PEGGED DRAIN (FABRIC WRAPPED) ALONG PERIMETER FOOTING.  |
| 13 | PROVIDE A MINIMUM OF 6" CLEARANCE FROM FINISH GRADE TO WOOD THAT IS NOT PRESERVATIVE TREATED AWAY. SLOPE FINISH GRADE AWAY FROM FOUNDATION WALL A MINIMUM OF 8" WITHIN THE FIRST 10' EXCEPT AS RESTRICTED BY LOT LINES.   |
| 14 | PROVIDE MINIMUM 2x2 1/2" ATTIC ACCESS.  |
| 15 | PROVIDE MINIMUM 4" CLEAR ABOVE ATTIC INSULATION FOR VENTILATION UNLESS NOTED OTHERWISE.   |
| 16 | PROVIDE DOUBLE TOP PLATE WITH MINIMUM 4x6 OFFSET AT 9' CICES.   |
| 17 | PROVIDE CONTINUOUS PERFORATED ALUMINUM SCOFF AT LOW EAVES FRONT AND BACK. PROVIDE INSIDE VENTS AND HALF INSIDE VENTS.   |
| 18 | PROVIDE AN APPROVED FLASHING FOR EXTERIOR OPENINGS.   |
| 19 | PROVIDE PRESERVATIVE TREATED AWAY FOR SILL PLATES AND ALL CONCRETE TO WOOD CONNECTIONS.   |
| 20 | PROVIDE CONTINUOUS 6 MIL VAPOR BARRIER TYPE ALL SEAMS AND JUNCTIONS.  |
| 21 | PROVIDE A WEATHER-PROTECTIVE BARRIER UNDER SHINGLES, TYPED OR EQUAL.  |
| 22 | APPLY FOUNDATION INSULATION ON COLD SIDE OF FOUNDATION WALL UNLESS NOTED OTHERWISE.   |
| 23 | PROVIDE GROUND RECEIPTABLES WITHIN 4'-0" OF FINIS GRADE PERCEI RECEIPTABLES WITH WATERPROOF COVERS AT ALL OUTDOOR LOCATIONS.  |
| 24 | PROVIDE MINIMUM MINIMUM 6" PLUMBING WALLS.  |
| 25 | ALL HOSE BIBBS TO BE ANTI-FROST FREE.   |
| 26 | SEAL PRODUCTION PLUMBINGS REQUIRE 60 MIN BRACING PER 100'S HEAT 1.6 BTU PER HOURS.  |
| 27 | GLASS OR ELECTRIC METER BASES SHALL BE PROTECTED FROM SLONG ICE.  |
| 28 | PROVIDE AT LEAST ONE WINDOW WITH A MINIMUM OF 5.7 SQ FT NET CLEAR OPENING WITH A MINIMUM OF 24" IN HEIGHT AND 20" IN WIDTH ON AN EXTERIOR DOOR APPROVED FOR EMERGENCY ESCAPE OR RESCUE PURPOSES AND FROM EVERY ROOM USED FOR SLEEPING PURPOSES.                   |
| 29 | PROVIDE CARRY WINDOW AND SMOKE DETECTORS PER IBC WHEN SLEEPERS WITH BATTERY BACKUP.   |
| 30 | PROVIDE A GAP/PALE 6" MINIMUM MAXIMUM 7' DIA FOR STAIRWAYS ON BOTH SIDES. HANDRAILS SHALL NOT BE LESS THAN 34" HIGH FROM 34" ABOVE THE FINISH TREAD.  |
| 31 | PROVIDE GUARD RAIL BARRIER AND LESS THAN 34" IN HEIGHT FROM WALKING SURFACE AT ALL PLANT STAIRS AND DECK REELS OPEN GUARDS SHALL HAVE ALL FASTENERS SUCH THAT A 1-1/4 INCH DIAMETER SPHERE CANNOT PASS THROUGH ANY OPENING.                                       |
| 32 | INSTALL ALL CONCRETE/SLAB ON SUBSTRATE FOR ANY WALL THE INSTALLATION.   |
| 33 | SHING SHOWN ON THESE DRAWINGS INDICATE LOCATIONS ONLY AND NOT BE CONSIDERED AS A BASIS FOR CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND CORROBORATING ACTUAL SIZES AND TYPES WITH OWNER FOR FABRICATOR PRIOR TO CONSTRUCTION.              |
| 34 | BRACING FOR CLIMBERS IS NOT SHOWN ON THESE DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND CORROBORATING ACTUAL SIZES AND TYPES WITH OWNER FOR FABRICATOR PRIOR TO CONSTRUCTION.  |
| 35 | PROVIDE GALVANIZED STEEL SHEET PILING.  |
| 36 | PROVIDE BRACES FOR UNLAPPED JOINTS FOR 2x4 OR 2x6 DIMENSIONS BRACES HAVE BRACING DEPTH OF AT LEAST 3/4 THE DEPTH OF THE DIMENSIONS. BRACES SHALL BE 1/2" THICK AND 1/2" DEEPER ANGLE BETWEEN THE HORIZONTAL AND VERTICALS.  |
| 37 | HORIZONTAL CLIMBER DIMENSIONS SHOWN ON DRAWINGS MAY BE MODIFIED TO ACCOMMODATE LOCAL CONDITIONS.  |
| 38 | VENT DRYER TO OUTSIDE. VENT DRYER COINED TOTAL DISTANCE SHALL NOT EXCEED 14'-0" WITH NO MORE THAN 12 EACH 90° ELBOWS.   |
| 39 | CLEARANCE FROM COMBUSTIBLES SHALL BE PER MANUFACTURER'S WRITTEN SPECIFICATIONS.   |
| 40 | P-OR T-FIRE STOP MATERIAL SHALL BE PROVIDED AROUND PIPE AND CEILING PENETRATIONS OF ANY FIRE RATED WALLS AND DOOR ASSEMBLIES.   |
| 41 | FIRE EXTINGUISHING P.E. SHALL BE PROVIDED FOR THE BUILDING IN COMPLIANCE WITH PER SECTION 906. THE P.E. SHALL BE TYPE 2A 10BC IN INSTALLED NO MORE THAN 4 INCHES FROM FINISH FLOOR.   |
| 42 | THE REUSE OF THESE DOCUMENTS TO CONSTRUCT A FLUORE BUILDING PROJECTS SHALL REQUIRE REVIEW BY THE DRAFTER.   |

## SYMBOLS





Address: PO Box 2501, Homer, AK 99603-2501 • Telephone: (907) 299-7609 • Website: [www.bishop-engineering.com](http://www.bishop-engineering.com)

February 21, 2019

Julie Engebretsen  
Deputy City Planner  
City of Homer  
491 East Pioneer Ave  
Homer AK 99603

**RE: On-Site Water and Sanitary Sewer Services for Cabin Development  
3641 Sterling Highway; Bouman's Bluff 2017 Addition, Lot 1B**

Dear Ms. Engebretsen:

At the request of John Bouman, owner of the above referenced parcel, this letter provides our findings and recommendations for the on-site water and sanitary sewer services for the above referenced development. The proposed plan is to construct five 2-bedroom cabins on the property with on-site water drawn from a drilled well and on-site domestic wastewater disposal system.

Based on our field studies, the on-site wastewater disposal system will consist of a conventional wastewater collection system, septic tanks, lift station, and subsurface absorption field. The absorption field will be located near the west boundary of the property. The well is proposed to be installed near the northwest corner of the property. Minimum ADEC required separation distances between the well and the wastewater disposal system components will be provided as will minimum ADEC required separation distance between the steep slopes and wastewater absorption field.

If you have any questions, please feel free to call me at (907) 299-7609.



**BISHOP ENGINEERING, LLC**





## Kenai Peninsula Borough

Assessing Department  
144 N. Binkley Street  
Soldotna AK 99669

Feb 13 2019 12:44PM

### General Information

<b>BOUMAN JOHN W</b> <b>LISTON JENNIFER S</b> <b>3651 STERLING HWY</b> <b>HOMER, AK 99603-9271</b>	<b>Property ID</b> 17316073 <b>Address</b> 3641 STERLING HWY <b>Document / Book Page</b> 20190002190 <b>Acreage</b> 2.6600
---	---

### Owners

Property ID	Display Name	Address
17316073	BOUMAN JOHN W	3651 STERLING HWY
17316073	LISTON JENNIFER S	3651 STERLING HWY

### Legal Description

Description
T 06S R 14W SEC 15 Seward Meridian HM 2017051 BOUMAN'S BLUFF 2017 ADDN LOT 1B

### Value History

Year	Reason	Assessed		
		Land	Structures	Total
2018	Main Roll Certification	\$83,800	\$0	\$83,800

### Land Details

Primary Use	Land Type	Acres	Eff Frontage	Eff Depth	Asd Value
	Residential B/Residential City	2.6600	0.00	0.00	\$83,800

**From:** Jen Liston <jenliston.bouman@gmail.com>  
**Sent:** Wednesday, March 06, 2019 9:36 PM  
**To:** Travis Brown  
**Subject:** Re: Project

Travis,

I felt it might be in my best interest to address a couple of topics that may or may not come up in the CUP meeting.

First topic would be the clearing that took place at the Augustine Cabin that I built this past year across from Lloyd Moore (Quick Draw Water) on top of Baycrest . While it may appear that I went in and clear cut everything I did everything in my power to prevent that from taking place. However when you're bringing in a large excavator dump trucks and skid steer's to do the project they have an impact on the surrounding ground. You could speak with Eric Shafford who did the dirt work and he will reaffirm the fact that I was very clear to him that we had to preserve the natural surroundings .He did the best he could. While doing that project I spent approximately \$5,000 on erosion control in order to prevent any further erosion from taking place . This spring I will be spending an additional \$7000 for additional erosion control to make certain that we preserve the bluff line, as I have done over the past 20 years . I have accomplished this at Alaskan Suites, Kenai Peninsula Suites, the old ranger station and Baycrest lodge. This spring I will also be planting new growth trees and vegetation around the Augustine dwelling and on the property, just as I have done at Baycrest Lodge over the last 18 months.

As far as my current CUP application goes, all the safeguards are being put in place to prevent any erosion from taking place within my power. Part of John Bishop's engineering process is to take a look at erosion control on the property. I will be fertilizing and vegetating areas that currently do not have any. The natural lay of the land will remain as it is and any soil that is disturbed will promptly be seeded or Hydro seeded to ensure no erosion takes place. I am spending \$1 million on this current project and you can be rest assured that I am going to do everything that is possible to preserve the land and the proposed development . As far as the trees go along the Sterling highway, 95% of them will remain in tact and undisturbed. I have such a strong desire to preserve the trees that I have granted HEA a 30 foot easement onto my adjacent property so we did not have to cut down the old growth spruce in the path of the \$20,000 line extension for my project. Also if you take a look at my site plan you'll see that the road meanders through the woods missing some key trees that I did not want to remove.

So with all this said, what I want to make clear is that I am spending money to make certain that erosion does not take place, to the best of my ability and I'm trying to preserve the natural landscape along the highway as well as on my property. If you were to take a look at the bluff lines at the properties that I mentioned above, you will see that my efforts over the past 20 years have paid off.

Thank you,  
John Bouman  
299-6191



## **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, March 20, 2019 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

**Request for Conditional Use Permit (CUP) 19-03, to allow 5 single-family dwellings at 3641 Sterling Highway. A CUP is required for more than one building containing a permitted principal use on a lot, pursuant to HCC 21.12.030(m). The project location is Lot 1B Bouman's Bluff – 2017 Addition, Sec. 15, T. 6 S., R. 14 W., S.M., HM 2017051.**

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.

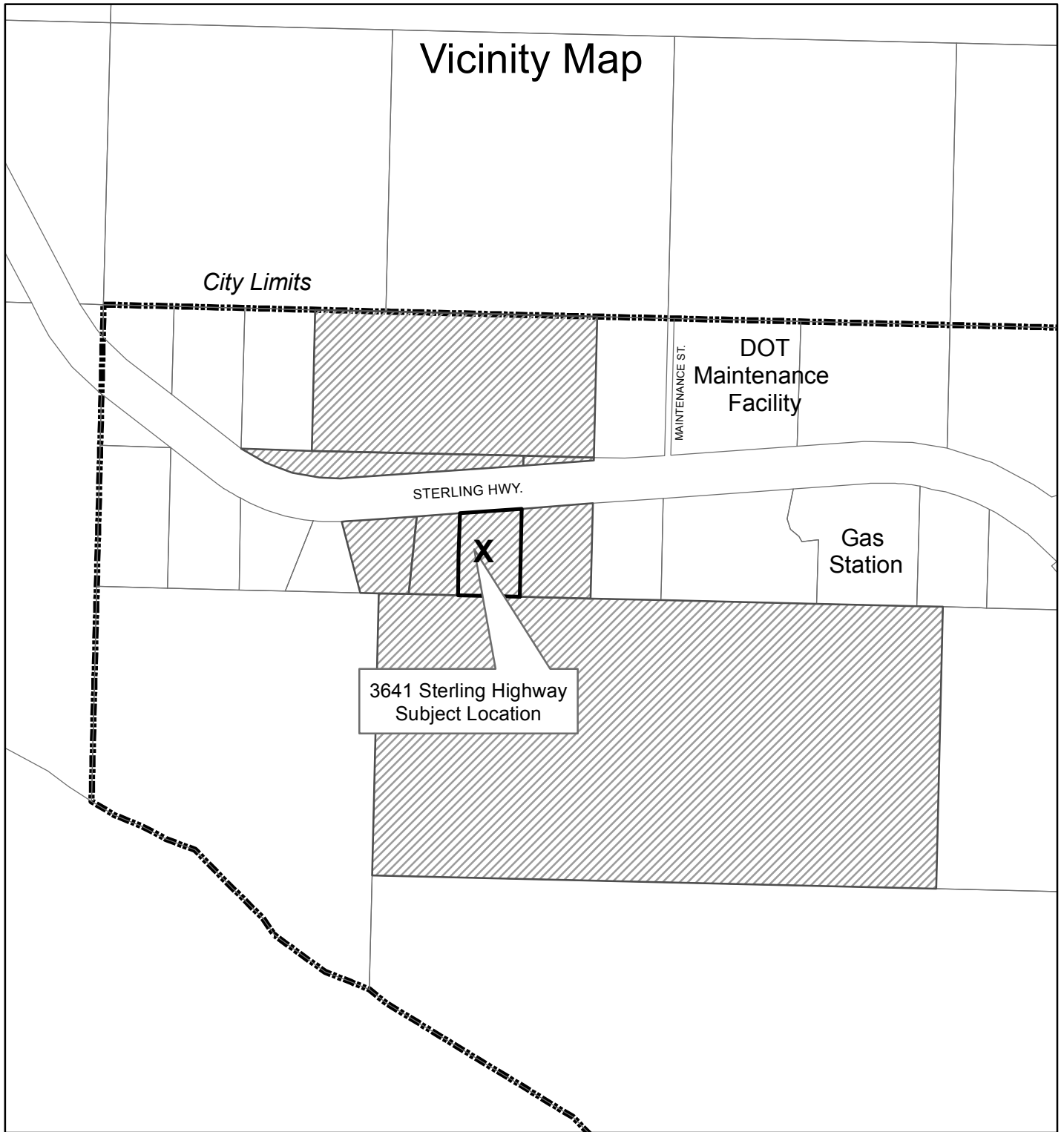
The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud at the Planning and Zoning Office, 235-3106.

**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

March 7, 2019

## Request for CUP 19-03 3641 Sterling Highway

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

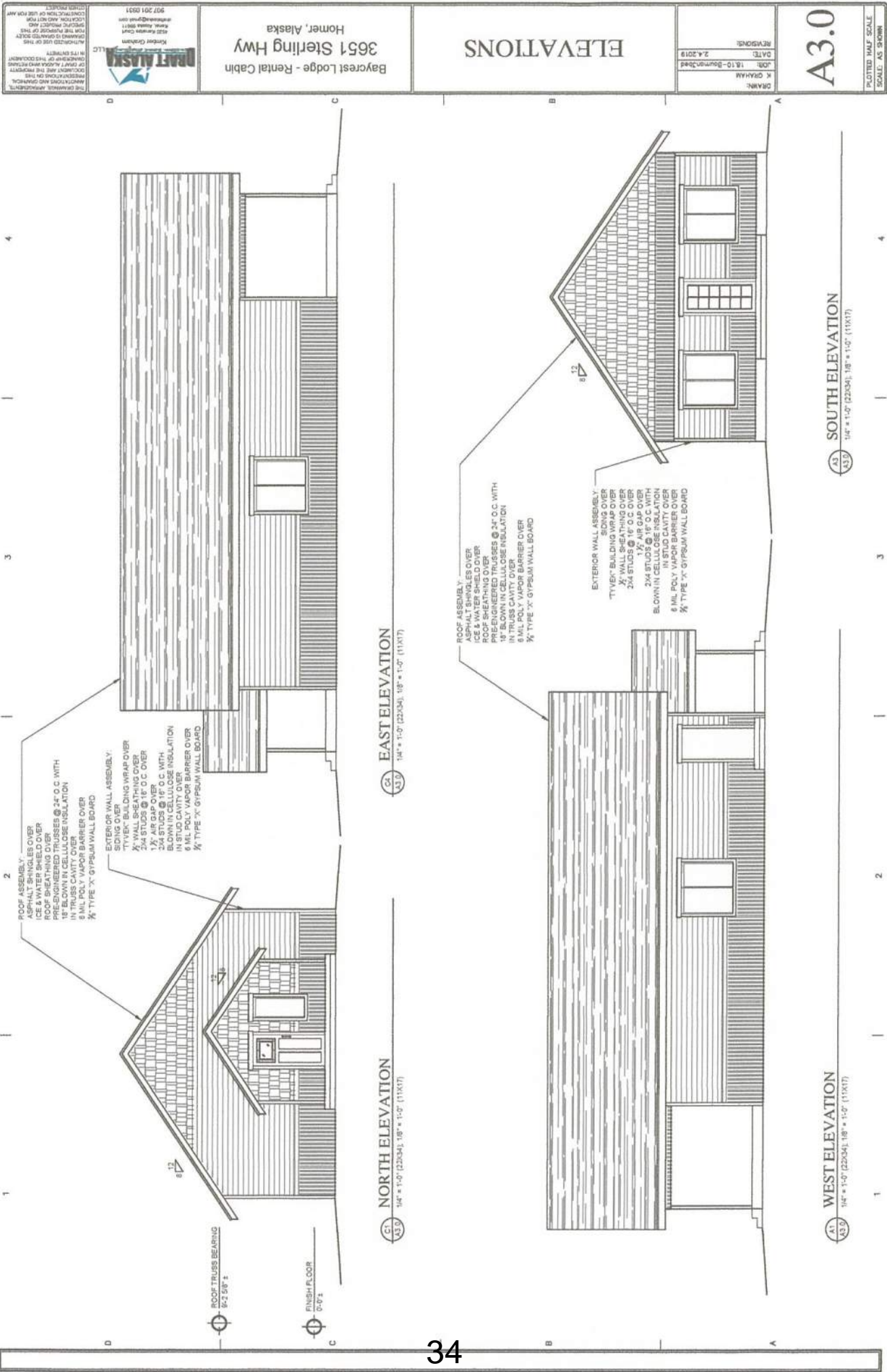
0 250 500 Feet



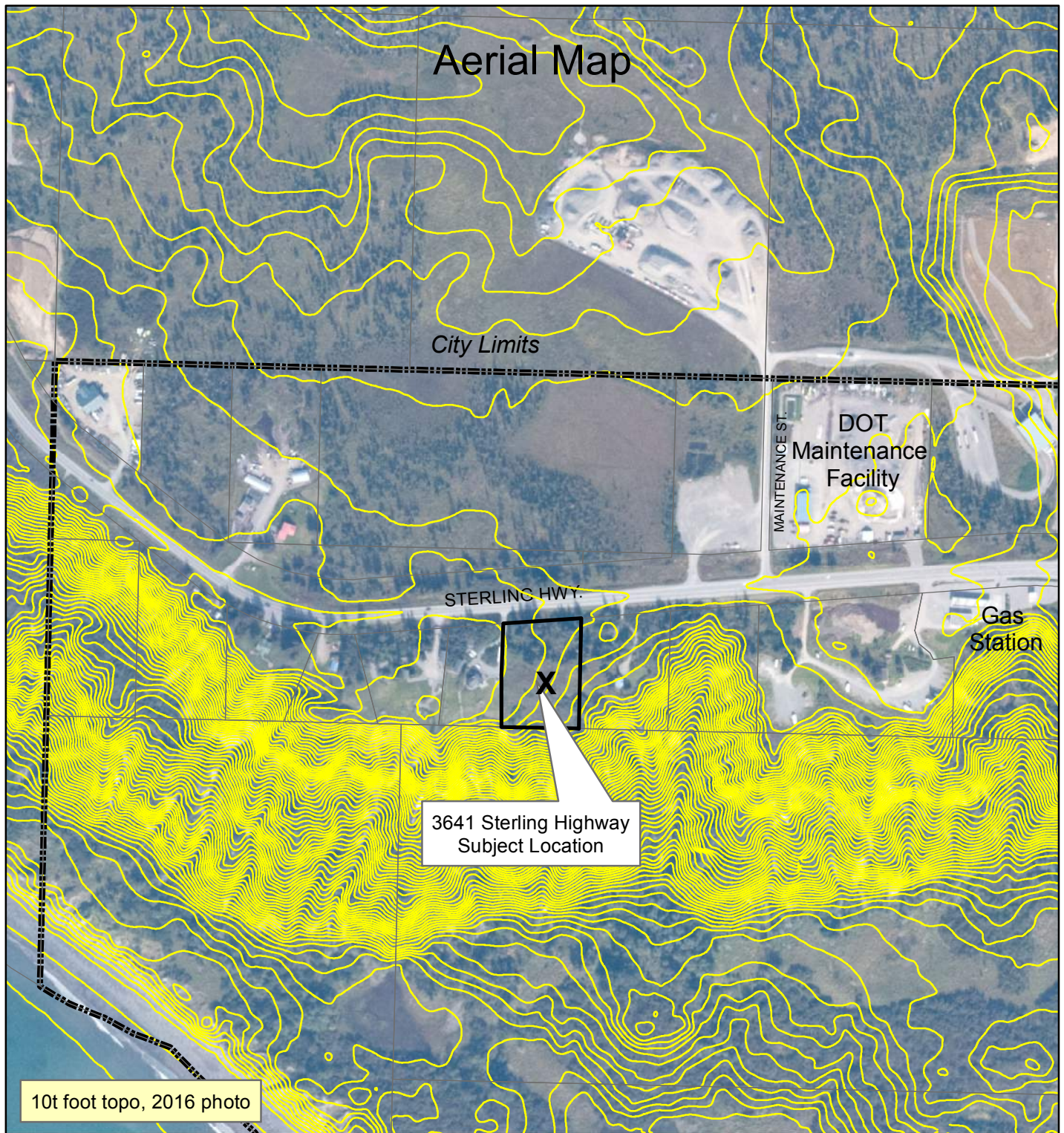
*Disclaimer:  
It is expressly understood the City of  
Homer, its council, board,  
departments, employees and agents are  
not responsible for any errors or omissions  
contained herein, or deductions, interpretations  
or conclusions drawn therefrom.*











City of Homer  
Planning and Zoning Department

March 7, 2019

## Request for CUP 19-03 3641 Sterling Highway

0 250 500 Feet



*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](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report PL 19-23

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud, City Planner AICP  
DATE: March 20, 2019  
SUBJECT: Review of “more than one” conditionally permitted uses

---

The Planning Commission suggested some recommendations at the last meeting in regards to conditional use permits. I have broken the recommendations from the Planning Commission into two separate items.

1. Because of the frequency of adding conditions for lighting standards in districts that currently do not address them in code, we have a draft code amendment adding the standards to lots that support 3 or more dwelling units in RR and UR.

This has been made into a separate ordinance to make it easier to segregate from the recommendations that may have an effect on the total amount of CUP application we process. What this really does is add the common condition found in CUP's located in the RR and UR districts to code. If adopted, you will not see this item as a CUP condition because it will be a requirement of code.

### Staff Recommendation

Discuss and give consideration to move to a public hearing

2. Also requested was the elimination of the ‘more than one’ conditional uses in the commercial districts.

I have reviewed the commercial districts that have ‘more than one’ as a conditional use. The districts for consideration of replacing the now required CUP with a permitted use include CBD, GC1, GC2, and MI. In EEMU, CUP's are not currently required for ‘more than one’. I do not recommend a change of policy for the ‘more than one’ CUP in the Gateway Business District in consideration of the view shed concerns for the entry to town. The Commission may wish to discuss this.

When removing this item from the CUP list, other dimensional requirements may still trigger a CUP. Past experience might lead us to believe that few CUP's may be avoided, but it could trigger a demand for something that avoids the require extra review. Most ‘more than one’ CUP's also consist of more than 8,000 square feet of building area, which would

still be present in all the districts proposed to be amended. Another trigger found to commonly complement the 'more than one' pertains to the percentage of building area on the lot. CBD, GC1, GC2 require a CUP when the total building area is in excess of 30% of the lot area, MI is triggered when the total building area is in excess of 70%.

### **Staff Recommendation**

Review the language of the proposed draft ordinance and make recommendations for revision and/or move to a public hearing.

### **Attachments**

Draft ordinance 19-xx Lighting Standards

Draft ordinance 19-xx Permitted and Conditional Uses

CITY OF HOMER  
HOMER, ALASKA

Planning

ORDINANCE 19-xx

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
ADDING RURAL RESIDENTIAL ZONING DISTRICT 21.12.060  
LIGHTING STANDARDS AND URBAN RESIDENTIAL ZONING  
DISTRICT 21.14.060 LIGHTING STANDARDS.

WHEREAS, .....; and

WHEREAS, .....; and

WHEREAS, .....

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.12.060 is hereby adopted to read as follows:

**21.12.060 Lighting standards.**

**The level one lighting standards of HCC 21.59.030 apply to all developments that support three or more dwellings on single a lot in this district.**

Section 2: Homer City Code 21.14.060 is hereby adopted to read as follows:

**21.14.060 Lighting standards.**

**The level one lighting standards of HCC 21.59.030 apply to all developments that support three or more dwellings on single a lot in this district.**

Section 3: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_\_ DAY OF \_\_\_\_\_,  
2019.

CITY OF HOMER

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ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

\_\_\_\_\_  
Mary K. Koester, City Manager

Date: \_\_\_\_\_

\_\_\_\_\_  
KEN CASTNER, MAYOR

\_\_\_\_\_  
Holly Wells, City Attorney

Date: \_\_\_\_\_



**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 19-xx**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
AMENDING CENTRAL BUSINESS ZONING DISTRICT 21.18.020  
PERMITTED USES AND STRUCTURES 21.18.030 CONDITIONAL  
USES AND STRUCTURES, GENERAL COMMERCIAL 1 ZONING  
DISTRICT 21.24.020 PERMITTED USES AND STRUCTURES  
21.24.030 CONDITIONAL USES AND STRUCTURES, GENERAL  
COMMERCIAL 2 ZONING DISTRICT 21.26.020 PERMITTED USES  
AND STRUCTURES 21.26.030 CONDITIONAL USES AND  
STRUCTURES, AND MARINE COMMERCIAL ZONING DISTRICT  
21.28.020 PERMITTED USES AND STRUCTURES 21.28.030  
CONDITIONAL USES AND STRUCTURES.

WHEREAS, ....; and

WHEREAS, ....; and

WHEREAS, .....

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.18.020 is hereby amended to read as follows:

21.18.020 Permitted uses and structures. The following uses are permitted outright in the  
Central Business District, except when such use requires a conditional use permit by reason of  
size, traffic volumes, or other reasons set forth in this chapter:

- a. Retail business where the principal activity is the sale of merchandise and  
incidental services in an enclosed building;
- b. Personal service establishments;
- c. Professional offices and general business offices;
- d. Restaurants, clubs and drinking establishments that provide food or drink for  
consumption on the premises;
- e. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;

- f. Hotels and motels;
- g. Mortuaries;
- h. Single-family, duplex, and multiple-family dwellings, including townhouses, but not including mobile homes;
- i. Floatplane tie-up facilities and air charter services;
- j. Parks;
- k. Retail and wholesale sales of building supplies and materials, only if such use, including storage of materials, is wholly contained within one or more enclosed buildings;
- l. Customary accessory uses to any of the permitted uses listed in the CBD district; provided, that a separate permit shall not be issued for the construction of any detached accessory building prior to that of the main building;
- m. Mobile homes, provided they conform to the requirements set forth in HCC 21.54.100;
- n. Home occupations, provided they conform to the requirements of HCC 21.51.010;
- o. Ministorage;
- p. Apartment units located in buildings primarily devoted to business or commercial uses;
- q. Religious, cultural, and fraternal assembly;
- r. Entertainment establishments;
- s. Public, private and commercial schools;
- t. Museums and libraries;
- u. Studios;
- v. Plumbing, heating and appliance service shops, only if such use, including the storage of materials, is wholly within an enclosed building;

**[Bold and underlined added.]** Deleted language stricken through

w. Publishing, printing and bookbinding;

x. Recreational vehicle parks only if located south of the Sterling Highway (Homer Bypass) from Lake Street west to the boundary of the Central Business District abutting Webber Subdivision, and from Heath Street to the west side of Lakeside Village Subdivision, provided they shall conform to the standards in HCC 21.54.200 and following sections;

y. Taxi operation limited to a dispatch office and fleet parking of no more than five vehicles; maintenance of taxis must be conducted within an enclosed structure, and requires prior approval by the City Planner of a site, access and parking plan;

z. Mobile food services;

aa. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;

bb. Day care homes and facilities; provided, however, that outdoor play areas must be fenced;

cc. Rooming house, bed and breakfast and hostel;

dd. Auto repair and auto and trailer sales or rental areas, but only on Main Street from Pioneer Avenue to the Sterling Highway, excluding lots with frontage on Pioneer Avenue or the Sterling Highway, subject to the following additional requirements: Vehicles awaiting repair or service, inoperable vehicles, vehicles for parts, and vehicles awaiting customer pickup shall be parked indoors or inside a fenced enclosure so as to be concealed from view, on all sides. The fence shall be a minimum height of eight feet and constructed to prohibit visibility of anything inside of the enclosure. The portion of any vehicle exceeding eight feet in height may be visible outside of the fence. Vehicle parts (usable or unusable), vehicle service supplies, and any other debris created in the repair or servicing of vehicles shall also be stored indoors or inside the fenced enclosure out of view of the public;

ee. Farmers' market;

ff. Dormitory;

gg. Financial institutions;

hh. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts;

ii. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-family dwelling on a lot;

jj. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law.

**kk. More than one building containing a permitted principle use on a lot.**

Section 2. Homer City Code 21.18.030 is hereby amended to read as follows:

21.18.030 Conditional uses and structures. The following uses may be permitted in the Central Business District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

a. Planned unit developments, excluding all industrial uses;

b. Indoor recreational facilities and outdoor recreational facilities;

c. Mobile home parks;

d. Auto fueling stations;

e. Public utility facilities and structures;

f. Pipeline and railroads;

g. Greenhouses and garden supplies;

h. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;

i. Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;

~~j. More than one building containing a permitted principal use on a lot;~~

~~kj.~~ Group care homes and assisted living homes;

**[Bold and underlined added.]** Deleted language stricken through

~~lk.~~ Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber  
Subdivision to Heath Street;

~~ml.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;  
provided, that it is the only wind energy system of any capacity on the lot;

~~nm.~~ Other uses approved pursuant to HCC 21.04.020.

Section 3: Homer City Code 21.24.020, is hereby amended to read as follows:

21.24.020 Permitted uses and structures The following uses are permitted outright in the  
General Commercial 1 District, except when such use requires a conditional use permit by  
reason of size, traffic volumes, or other reasons set forth in this chapter.

- a. Air charter operations and floatplane tie-up facilities;
- b. General business offices and professional offices;
- c. Dwelling units located in buildings primarily devoted to business uses;
- d. Auto repair;
- e. Auto and trailer sales or rental areas;
- f. Auto fueling stations and drive-in car washes;
- g. Building supply and equipment sales and rentals;
- h. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- i. Garden supplies and greenhouses;
- j. Heavy equipment and truck sales, rentals, service and repair;
- k. Hotels and motels;
- l. Lumberyards;
- m. Boat and marine equipment sales, rentals, service and repair;
- n. Mortuaries;

**[Bold and underlined added.]** Deleted language stricken through

- o. Open air businesses;
- p. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- q. Manufacturing of electronic equipment, electrical devices, pottery, ceramics, musical instruments, toys, novelties, small molded products and furniture;
- r. Publishing, printing and bookbinding;
- s. Recreation vehicle sales, rental, service and repair;
- t. Retail businesses;
- u. Trade, skilled or industrial schools;
- v. Wholesale businesses, including storage and distribution services incidental to the products to be sold;
- w. Welding and mechanical repair;
- x. Parks and open space;
- y. Appliance sales and service;
- z. Warehousing, commercial storage and mini-storage;
- aa. Banks, savings and loans, credit unions and other financial institutions;
- bb. Customary accessory uses to any of the permitted uses listed in the GC1 district; provided, that no separate permit shall be issued for the construction of any type of accessory building prior to that of the main building;
- cc. Dry cleaning, laundry, and self-service laundries;
- dd. Taxi operation;
- ee. Mobile food services;
- ff. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;

**[Bold and underlined added.]** Deleted language stricken through

gg. Recreational vehicle parks, provided they shall conform to the standards in Article II of Chapter 21.54 HCC;

hh. Day care homes; provided, that a conditional use permit was obtained for the dwelling, if required by HCC 21.24.030; all outdoor play areas must be fenced;

ii. Rooming house and bed and breakfast;

jj. Dormitory;

kk. As an accessory use, one small wind energy system per lot;

ll. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law.

**mm. More than one building containing a permitted principle use on a lot.**

Section 4. Homer City Code 21.24.030 is hereby amended to read as follows:

21.24.030 Conditional uses and structures. The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

a. Campgrounds;

b. Crematoriums;

c. Multiple-family dwelling;

d. Public utility facility or structure;

e. Mobile home parks;

f. Planned unit developments;

g. Townhouses;

h. Pipelines and railroads;

i. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;

**[Bold and underlined added.]** Deleted language stricken through

- ~~j. More than one building containing a permitted principal use on a lot;~~
- ~~k.~~ j. Day care facilities; provided, however, that outdoor play areas must be fenced;
- ~~l.~~ k. Other uses approved pursuant to HCC 21.04.020;
- ~~m.~~ l. Indoor recreational facilities;
- ~~n.~~ m. Outdoor recreational facilities.

Section 5: Homer City Code 21.26, General Commercial 2 District, is amended to read as follows:

21.26.020 Permitted uses and structures.

The following uses are permitted outright in the General Commercial 2 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

- a. Production, processing, assembly and packaging of fish, shellfish and seafood products;
- b. Construction, assembly and storage of boats and boat equipment;
- c. Manufacture and assembly of pottery and ceramics, musical instruments, toys, novelties, small molded products, electronic instruments and equipment and electrical devices;
- d. Research and development laboratories;
- e. Trade, skills or industrial schools;
- f. Publishing, printing and bookbinding facilities;
- g. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair, excluding storage of vehicles or equipment that is inoperable or in need of repair;
- h. Storage and distribution services and facilities, including truck terminals, warehouses and storage buildings and yards, contractors' establishments, lumberyards and sales, or similar uses;

**[Bold and underlined added.]** Deleted language stricken through



- i. Airports and air charter operations;
- j. Underground bulk petroleum storage;
- k. Cold storage facilities;
- l. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- m. Mobile commercial structures;
- n. Accessory uses to the uses permitted in the GC2 district that are clearly subordinate to the main use of the lot or building, such as wharves, docks, restaurant or cafeteria facilities for employees; or caretaker or dormitory residence if situated on a portion of the principal lot; provided, that separate permits shall not be issued for the construction of any type of accessory building prior to that of the main building;
- o. Taxi operation;
- p. Mobile food services;
- q. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;
- r. Recreational vehicle parks, provided they shall conform to the standards in Chapter 21.54 HCC;
- s. Hotels and motels;
- t. Dormitory;
- u. As an accessory use, one small wind energy system per lot;
- v. Open air business;
- w. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law.

**x. More than one building containing a permitted principal use on a lot.**

Section 6. Homer City Code 21.26.030 is hereby amended to read as follows:

**[Bold and underlined added.]** Deleted language stricken through

21.26.030 Conditional uses and structures. The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Mobile home parks;
- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;
- l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;
- ~~m.~~ m. More than one building containing a permitted principal use on a lot;
- ~~n~~m. Day care facilities; provided, however, that outdoor play areas must be fenced;
- ~~o~~n. Group care homes and assisted living homes;
- ~~p~~o. Other uses approved pursuant to HCC 21.04.020;
- ~~q~~p. Indoor recreational facilities;
- ~~r~~q. Outdoor recreational facilities.

**[Bold and underlined added.]** Deleted language stricken through

**Section 7:** Homer City Code 21.28.020 is hereby amended to read as follows:

21.28.020 Permitted uses and structures. The following uses are permitted outright in the Marine Commercial District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

- a. Offices for tourism-related charter and tour businesses, such as fishing, flightseeing, day excursions and boat charters and tours;
- b. Marine equipment sales, rentals, service, repair and storage;
- c. Retail stores limited to the sale of seafood products, sporting goods, curios, and arts and crafts;
- d. Business offices for water-dependent and water-related activities such as fish brokers, off-shore oil and gas service companies, and stevedores;
- e. Customary accessory uses that are clearly subordinate to the main use of the lot or building such as piers or wharves; provided, that separate permits shall not be issued for the construction of an accessory structure prior to that of the main structure;
- f. Mobile food services;
- g. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;
- h. Recreational vehicle parks, provided they shall conform to the standards in Chapter 21.54 HCC;
- i. Restaurants;
- j. Cold storage facilities;
- k. Campgrounds;
- l. Manufacturing, processing, cooking, and packing of seafood products;
- m. Parks;
- n. Boat launching or moorage facilities, marinas;

**[Bold and underlined added.]** Deleted language stricken through

o. Caretaker, business owner or employee housing as an accessory use to a primary use, and limited to no more than 50 percent of the floor area of a building and for use by an occupant for more than 30 consecutive days;

p. Lodging as an accessory use, limited to no more than 50 percent of the floor area of a building;

q. As an accessory use, one small wind energy system per lot;

**r. More than one building containing a permitted principal use on a lot.**

Section 8. Homer City Code 21.28.030 is hereby amended to read as follows:

21.28.030 Conditional uses and structures. The following uses may be permitted in the Marine Commercial District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

a. Drinking establishments;

b. Public utility facilities and structures;

c. Hotels and motels;

d. Lodging;

~~e. More than one building containing a permitted principal use on a lot;~~

~~f.~~ Planned unit developments, limited to water-dependent and water-related uses, with no dwelling units except as permitted by HCC 21.28.020(o);

~~g.~~ Indoor recreational facilities;

~~h.~~ Outdoor recreational facilities;

~~i.~~ The location of a building within a setback area required by HCC 21.28.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and

**[Bold and underlined added.]** Deleted language stricken through

2. Have a design that is compatible with that of the structures on the adjoining property.

Section 5: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_ DAY OF \_\_\_\_\_, 2019.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

\_\_\_\_\_  
Mary K. Koester, City Manager

\_\_\_\_\_  
Holly Wells, City Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**[Bold and underlined added.]** Deleted language stricken through





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report PL 19-24

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud, City Planner  
DATE: March 20, 2019  
SUBJECT: Climate Actions

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#### Introduction

At the last meeting, it was requested that we take a look at the Climate Action Plan section on Land Use/Planning & Zoning.

#### Analysis

It looks as though the document addresses a few planning related concepts. Basically, it is a call for more compact development and improved non-motorized transportation. These items seem to be well supported in the Comprehensive plan. Below is the section in the Climate Action Plan, the italics are the plan and the blue type is my response to the item.

One opportunity that seems to be missed is addressing how green infrastructure might contribute to the goals of the plan. Not being a subject matter expert, I am not certain of how this issue is thought of in the context of such a plan. Although we are certainly addressing the issue regardless of its possible connection with the goal of reducing CO2 levels.

#### **LAND USE/PLANNING & ZONING**

*Through land use planning, including transportation planning, local government has enormous influence over community energy use and greenhouse gas emissions. Development that reduces the need to drive and encourages non-motorized and public transportation will significantly reduce the use of fossil fuels.*

*Many of these same strategies (often referred to as “smart growth”) help reduce costs in providing services. Denser “cluster development,” for example, reduces taxpayer expenditures for water and sewer lines, road construction and road maintenance, and street lights. These reductions are tied directly to reductions in energy use and greenhouse gas emissions. Another benefit of more compact development is that less soil is disturbed, which helps prevent the release of CO2 stored in the soil.*

*In September 2007, the Urban Land Institute and the National Center for Smart Growth Research and Education at the University of Maryland published Growing Cooler: The Evidence on Urban Development and Climate Change. After reviewing dozens of empirical studies, the authors predict that if sprawling development continues to fuel growth in driving, the increase in total miles driven will overwhelm expected gains from vehicle efficiency and low-carbon fuels. Lead author Reid Ewing stated, "The research shows that one of the best ways to reduce vehicle travel is to build places where people can accomplish more with less driving."*

*Depending on several factors, from mix of land uses to pedestrian-friendly design, compact development reduces driving from 20 to 40 percent, and more in some instances. Typically, Americans living in compact urban neighborhoods where cars are not the only transportation option drive a third fewer miles than those in automobile-oriented suburbs, the researchers found.*

*At the same time, the book documents market research showing a shift in future housing demand to smaller homes and lots, townhouses, and condominiums in neighborhoods where jobs and activities are close at hand. Homer planners and developers would be wise to recognize the benefits of such development and encourage these trends.*

***The City of Homer will develop and implement land use plans that explicitly recognize the urgent need to reduce greenhouse gas emissions.***

- 1. Support current (or stronger) language in the draft Homer Comprehensive Plan Update that calls for denser, more compact development and increased emphasis on developing infrastructure for non-motorized transportation.*

*Chapter 4 of the Comprehensive Plan has several objectives and implementation items that support infill and development of more density and mixed uses. Chapter 4, Goal 1 addresses infill, density, and global impacts. Goal 4 also addresses infill and density.*

*Non-motorized transportation is addressed in its own plan, which we may propose to review in a transportation plan update. Non-motorized transportation is supported in Chapter 5, Objective A, B, & C*

- 2. Update City planning and zoning regulations to promote land use strategies that include compact, mixed-use development, higher density development, and infill.*

*This is addressed in the implementation items associated with the Chapter 4 objectives listed above including 1-A-1, 1-B-2, 1-B-4, 1-B-6, 1-C-1, 1-D-3.*



3. *Implement the City of Homer Non-Motorized Transportation and Trails Plan, including construction of specific trails, sidewalks, and safe crossings recommended in the plan, and revisions to Homer City Code, Title 21, to require non-motorized circulation systems.*

*This is something that we could make into an annual review and recommendations.*

4. *Institute traffic calming measures and “complete street” designs to make bicycling and walking safer and more pleasant. (“Complete streets” are those which are designed to encourage and safely accommodate pedestrians, bicyclists, and transit users as well as automobiles. A number of cities and states have passed complete-street legislation.)*

*This is a tough nut to crack for Homer. We have only a few examples of these principles being acted upon. We find some elements worked into projects but they are generally constrained by physical and fiscal elements.*

5. *Develop Homer’s “Town Center” in line with the guiding principles in the Homer Town Center Development Plan and use this as a model for future development as Homer grows.*

*We have the plan. We do not have development.*

***The City of Homer will make use of the permitting process to encourage development that helps reduce greenhouse gas emissions.***

1. *Provide assistance to developers and builders in evaluating plans to increase energy efficiency and promote non-motorized transportation.*

*We could work on this thought. No particular incentive or regulation exists.*

2. *Adopt building codes and incentives to increase energy efficiency in all new residential and commercial development.*

*Every meeting we bring up issues that are best handled by building codes and inspectors.*

3. *Keep abreast of new LEED (Leadership in Energy and Environmental Design) standards for neighborhood development and building remodeling and consider adopting these standards in the permitting process.*

**I feel that this concept needs to be reevaluated for practical concerns.**

**Staff Recommendation**

Discuss and make recommendations.



## City of Homer

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## Planning

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### Staff Report PL 19-25

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Julie Engebretsen, Deputy City Planner  
DATE: March 20, 2019  
SUBJECT: Building Height Definition

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#### Recap from 2/6/19 Work Session and Regular Meeting

Chief Purcell spoke at the last work session about Insurance Services Office (ISO) ratings, building height, life safety, fire department capabilities, and sprinkler systems. In summary, he provided information about the change in ISO ratings and evaluations, and that a building height of 35 feet was no longer the standard. He states in his email of February 26th that the new ISO standard is three stories, or 32 feet or more measured from ground to eaves. This new standard allows for more flexibility in roof design. Additionally, he recommended in his email that all three-story buildings have full fire sprinkler systems installed.

The current building height limit of 35 feet does allow for a three-story building, but limits a developer to a very low pitch roof. Changing the definition of building height, or how it is calculated, will give developers a little more leeway in roof design. Chief Purcell does not think that a small change in building height will affect the community's ISO rating. However, it is relevant from a life safety perspective, all three-story buildings, regardless of final roof height, should be sprinkled.

Based on Chief Purcell's comments, and Memorandum 19-016, the Planning Commission is looking at several topics related to building height. Staff would like to work through one to two topics per meeting. The 'topic list' as staff understands it is provided below.

1. Building height calculation in flood hazard areas
2. Definition of building height and grade
3. Existing sprinkler requirements in three story commercial structures
4. Building heights in EEMU, GC1, GC2, MC, MI
5. Sprinkler requirements for all three-story buildings, including residential
6. Should there be an allowance for buildings higher than 35 feet in the CBD?

**Staff comment:** This staff report has two sections below. The first section will address a possible code amendment to respond to Memorandum 19-016, regarding building height in flood hazard areas. The second section contains a discussion of the definitions of building height and grade. **Recommendation:** Work through section one and provide direction to the City Planner for next steps. Time allowing, discuss section two; does the city want to amend its height definition to allow for greater roof design variation? (We would follow that conversation up with a discussion of sprinklers, but first, does the Commission want to pursue this topic?)

## **Section 1 Building height in flood zones**

### **Analysis**

Staff has provided draft language for amending HCC 21.05.030, measuring heights. While there is a general standard of a 35 foot height limit, Homer City Code also specifies how this vertical distance is measured. See # 3 below. The proposed amendment would exclude the vertical distance for the required flood elevation, from the measurement of building height.

#### **21.05.030 Measuring heights.**

a. When measuring height of a building, the following are included in the measurement: screening, parapets, mansards or similar structures.

b. When measuring height of a building, the following are excluded from the measurement:

1. Steeples, spires, belfries, cupolas and domes if not used for human occupancy, chimneys, ventilators, weather vanes, skylights, water tanks, bulkheads, monuments, flagpoles, wind energy systems, television and radio antennas, other similar features, and necessary mechanical appurtenances usually carried above roof level.

2. Wireless communications equipment that does not extend more than 10 feet above the height of the building.

### **3. Elevation from grade to lowest horizontal structural member of the lowest floor for buildings located within an area of special flood hazard.**

c. When determining building height on a sloping lot, building height shall be calculated as follows: more than 50 percent of the perimeter of the building shall meet the maximum building height requirements; the maximum elevation of the remainder of the building shall not exceed the elevation of the first portion nor add more than 12 feet of building height at any point.

d. When determining the height of a nonbuilding structure, such as a sign, fence, amateur radio tower, communications tower or wireless communications support structure, the height shall

be calculated as the distance from the base of the structure at normal grade to the top of the highest part of the structure, excluding lightning rods. For this calculation, normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any fill, berm, mound, or excavation made for the purpose of locating or supporting the structure. In cases in which the normal grade cannot reasonably be determined, structure height shall be calculated on the assumption that the elevation of the normal grade at the base of the structure is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the main building on the lot, whichever is lower. [Ord. 14-18(A)(S-2) §§ 2, 3, 2016; Ord. 09-34(A) § 3, 2009; Ord. 08-29, 2008].

**Part 1 Staff recommendation:** Discuss the code amendment proposed above. Ask for any additional information needed, and when ready, ask staff to draft an ordinance.

## **Part 2 Building height and grade Analysis**

Homer generally has a current height limit of 35 feet. While it is possible to build a three story building in 35 feet, the options for roof design are limited. Additionally, from Chief Purcell's information, 35 feet is no longer a standard that merits strict adherence. There is a lot more conversation to be had about sprinklered buildings, but for the start of this topic, is the Commission interested in amending code to allow for roof variation?

Staff has included zoning code language from Kenai and Soldotna. Both communities have adopted the building code and have a building permit review and inspection process. Staff brings this up because the adopted zoning code may have district height limitations, but may not be the definitive measure of height – or grade. This conversation about the relationship and effect of a building code vs the zoning code is rapidly advancing beyond what Homer planning staff is knowledgeable about.

Homer City Code: *"Building height" is the vertical distance from grade to the maximum point of measurement of the building, measured according to HCC 21.05.030.*

"Grade" in reference to adjacent ground elevation means the lowest point of elevation of the existing surface of the ground within the area between the structure and a line five feet from the structure.

**Soldotna:** "Building Height" means the vertical distance above the average existing grade measured to the highest point of the building. The height of a stepped or terraced building is the maximum height of any segment of the building. *(Staff note – generally, heights range from 36-48 feet)*

**Kenai:** “Building Height” means the vertical distance from the “grade,” as defined herein, to the highest point of the roof. *(Staff note: generally a 35 foot height limit in residential districts)*

“Grade (Ground Level)” means the average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five (5) feet of a public sidewalk, the ground level shall be measured at the sidewalk.

**2003 IBC Building Height:** The vertical distance from grade plane to the average height of the highest roof surface.

**Part 2 Staff Recommendation:** Be familiar with Homer definitions of height and grade. Briefly discuss if any changes should be considered, and provide staff direction. Should the City consider a code amendment to allow for more varied rooflines than are allowed under current code?

## **Attachments**

Memorandum 19-016

Minutes excerpt from 3/6/19 meeting

2/26/19 email From Chief Purcell



## Memorandum 19-016

TO: HOMER ADVISORY PLANNING COMMISSION

FROM: COUNCILMEMBERS SMITH AND ERICKSON

THROUGH: HOMER CITY COUNCIL

DATE: JANUARY 28, 2019

SUBJECT: PLANNING COMMISSION REVIEW OF REGULATORY REQUIREMENT FOR FLOOD  
ELEVATION ON HOMER SPIT

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It has come to our attention that structures subject to increasing regulatory requirements for flood elevation may become noncompliant with height requirements due to circumstances out of their control.

**Homer's participation in** Federal Emergency Management Association (FEMA) Flood Insurance Program requires that new and rebuilt structures must elevate the bottom floor. This elevation is subject to change and is subject to increases in the future. **Compliance with FEMA's Flood Insurance Program** is critical for area wide insurance ratings and eligibility for FEMA funding.

The purpose of this memo is to request that the Planning Commission review the topic and consider a height allowance based on FEMA elevation requirements and prepare a draft Ordinance for review by City Council.





- Further discuss permitting more than one structure in the GC2, this includes application of the Design Manual which is triggered by Conditional Use Permits in the CBD, this does not apply in the GC1 and GC2

Discussion ensued on the large project requirements commercial versus residential; Addressing the more than one structure in the commercial districts, open GC2, GC1 there were a few more considerations and in the CBD there were even more restrictions to consider.

City Planner Abboud responded that over time maybe one or two Conditional Use Permits were issued when comparing the “more than one structure” category with “over 8000 sf” category.

Further discussion on the things that the City oversees versus what they should be concerned about ensued and that those items fell under a Building Department not planning and zoning. The commission commented that it should forward a recommendation to Council that the Commission has thoroughly reviewed the Conditional Use process and that it does not believe there is any way to sufficiently amend the City Code to reduce the number of applications since there are too many variables other than the Code Amendments the commission spoke about tonight.

City Planner Abboud will wrap up what they talked about here bring it back for the Commission review and public hearing.

#### NEW BUSINESS

##### A. Staff Report 19-20, Building Height Maximum

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud commented on the topic and learning about the availability of residential sprinkler systems, three story buildings and how they measure height from Fire Chief Purcell at the worksession. He is not sure what direction to take on this issue noting that the City could possibly eliminate the issue of three stories if they are sprinklered.

Further discussion ensued with the Commission commenting on the following topics:

- FEMA requirements for the Spit and how that effects the height requirements
- Commercial three story building requirements on Fire Suppression systems
- Requiring conditions for commercial
- Evaluation of East End Mixed Use and codify the height with an exception in one district, Marine Commercial
- The need for three story commercial buildings
- Recommend Staff draft sprinkler code and bring back more info on the proposed regulation
- Have Fire Department involvement

Chair Venuti provided historical information on sprinkler system requirement in residential projects for the State.

#### INFORMATIONAL MATERIALS

A. **City Manager's Report for the** February 11, 2019 Homer City Council meeting

#### COMMENTS OF THE AUDIENCE

#### COMMENTS OF THE STAFF

Deputy City Clerk Krause expressed apologies for omitting the page numbers on the Chair's Agenda.

City Planner Abboud commented on the holding the worksessions and further in development they haven't created a record to document the discussion such that they had tonight with Fire Chief Purcell. This is used to provide Council documentation of their work.

#### COMMENTS OF THE COMMISSION

Commissioner Bos stated that it was a good meeting and was disappointed that no one stayed in the audience like they had for the worksession. He believes that the worksessions are valuable and provide the Commission an opportunity to make worthwhile process on the issues before them.

Commissioner Bernard will be absent for the March 20<sup>th</sup> commission meeting.

Commissioner Bentz echoed Commissioner Bos' sentiments on the worksessions as it allows them to work through the details without the pressure of Robert's Rules and noted that she will not be attending the March 20<sup>th</sup> meeting either.

Commissioner Smith is finally not feeling like a rookie and really sees that they are a board that is advocating for the development of Homer and that they advocate and facilitate for the individual but with concern for the whole. He noted that he is learning the language and working with Council and so forth. He appreciates how everyone is diligent and works through everything with respect for each other. Tonight was very interesting and he thoroughly enjoyed it.

Commissioner Banks is a fan of the worksessions and believes they are pretty useful for the commission, educating them on a broad variety of subjects and toss around ideas. It is a prerequisite for decisions. He noted that they are going to finalizing a few things on their worklist and getting them completed before summer.

Chair Venuti appreciated the worksessions also and agreed that it was a good meeting tonight.

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**From:** Robert Purcell <[rpurcell@ci.homer.ak.us](mailto:rpurcell@ci.homer.ak.us)>

**Sent:** Tuesday, February 26, 2019 1:15 PM

**To:** Travis Brown <[tbrown@ci.homer.ak.us](mailto:tbrown@ci.homer.ak.us)>

**Subject:** RE: Planning Commission Work Session Looking at Building Height Maximum

Good Morning Travis,

There has been a change to the Insurance Services Office (ISO) Fire Suppression Rating Schedule (FSRS). In the past, the ISO addressed buildings 3 stories or 35 feet in height overall. The new standard is buildings 3 stories or 32 feet or more in height (ground to eaves)". The issue is access to the roof, so measuring to the roof eaves is a better standard and allows more flexibility in roof design. The 3 stories standard is unchanged and it is the number of 3 story buildings in the City of Homer that is principally responsible for the need for a Ladder Company.

This is the new standard taken directly from the FSRS :

NUMBER OF NEEDED LADDER COMPANIES (NL): Individual ladder/service response areas with at least 5 buildings of 3 stories or 32 feet or more in height (ground to eaves) or with at least 5 buildings that have a Needed Fire Flow greater than 3,500 gpm or with at least 5 buildings meeting any combination of those criteria must have a ladder company.

When no individual response area needs a ladder company, the fire protection area needs at least 1 ladder company if buildings in the fire protection area meet the criteria above

A Ladder Company is an aerial apparatus (ladder truck) and its crew. Homer does not have a ladder company although we have far exceeded the 5 buildings meeting the criteria above. Nor do we have a fire station that can house an aerial apparatus due to the overall height of the apparatus. The issue is that it is difficult to impossible to effectively fire fires in buildings 3 stories or more or over 32' at the eaves without an aerial apparatus by using ground ladders. As a result, these structures are at a much higher risk if a fire breaks out, as are any occupants in the upper parts of the structure. This will usually result in higher insurance rates for these structures and because the community is effectively penalized with a lower ISO Rating due to the lack of a Ladder Company, the rates of the broader insurance market may also be negatively impacted with higher rates, principally on commercial properties. This is intended to create an incentive for the community to meet its full fire protection needs. The risk can and should be mitigated by requiring all buildings 3 stories or more or over 32' at the eaves to have a full fire sprinkler system installed.

Note: Both Kachemak Emergency Services and Anchor Point have aerial apparatus. We have mutual aid with both. However, because we are a separate fire protection area (note the ISO standard above) we do not receive credit for their apparatus and the response time is excessive so they would be of very limited use in most cases.

Recommendation:

Because the number of buildings in the City of Homer that already exceed the height standard or are 3 stories in height, the height limitation on new construction based on controlling community insurance rates is no longer relevant to the communities ISO rating. From fire and life safety perspective, it remains very relevant. The City of Homer Code should require all new construction 3 stories or more or over 32' at the eaves to have full fire sprinkler systems installed.

If you wish to include this text in the materials you will send out, please feel free to do so.

Robert Purcell

Interim Fire Chief

Homer Vol Fire Dept

907-435-7974

[rpurcell@ci.homer.ak.us](mailto:rpurcell@ci.homer.ak.us)





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report PL 19-26

TO: Homer Advisory Planning Commission  
THROUGH: Rick Abboud, City Planner  
FROM: Travis Brown, Planning Technician  
DATE: March 20, 2019  
SUBJECT: Permitting Process and Building Location Verification

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#### Introduction

Some commissioners expressed concern over the lack of a City verification procedure for building locations, particularly when buildings are near required setbacks. It is believed that the public assumes significant and avoidable risk by leaving it up to property owners or contractors to build structures in the right location. The commission would like to identify practical and effective permitting requirements that will ensure new structures are built precisely in the approved location.

#### Building site challenges

Property owners can face numerous challenges when trying to determine their property boundaries and the precise location of their new structure. Without verification by a professional, mistakes are bound to happen. Some of these challenges include: properties may have missing monuments, monuments may be too difficult to locate due to vegetation or terrain, the owner may lack the aptitude to know whether they have found the correct property marker or not, and miscommunications can happen between contractors and owners.

#### Meeting local professionals

This meeting provides an opportunity for the commission to meet local building industry professionals, become familiar with their current construction practices, and hold a discussion regarding how potential new regulations may affect project timelines and costs. I expect some general contractors and earthwork contractors to be present and available for questions during the work session. My aim is to have local surveyors attend another work session in April.

#### Questions for contractors:

- Do you typically hire a surveyor to mark the lot lines?
- When a surveyor has been hired, do they typically mark one corner? Two corners? Flag one lot line? Flag all lot lines?
- When a building will be near a setback, how do you typically ensure the location? Do you have the surveyor mark a single corner, the entire lot line, the foundation location

itself? If the surveyor determines the foundation location, does this take place before or after the forms are in place?

- Do any contractors utilize control lines to pull from two or more property markers?
- Have any of the contractors done projects in other Alaska municipalities? How about projects outside of Alaska?
- If the City were to require a surveyor to verify setbacks or foundation locations, how might that impact the typical project?

### **Next Steps**

- Invite local surveyors to attend a work session
- Review a summary of building location/setback verification & as-built requirements found in other Alaska municipalities and beyond





## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

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Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

## Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Katie Koester, City Manager  
DATE: March 6, 2019  
SUBJECT: March 11 City Manager Report

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### **Hilcorp Exploration in the Inlet**

This summer you may notice a rather large ship stationed in the Inlet. Beginning in May, Hilcorp will be conducting exploration via contractor Polarcus, a marine seismic exploration company, approximately 30 miles west of the Homer Spit. The attached map and white paper has additional information. Though the Polarcus may dock for a few days in Homer, it will spend most of its time in the Inlet and will be working with local providers to shuttle goods and people.

### **ROW Clearing**

Since 2016, Public Works has made a conscious effort to be more proactive about clearing rights-of-way (ROW) since years of “vegetation creep” allowed alders and large spruce branches to impede the ROW. The goal of this effort was to have the ROW proactively surveyed and cleared when staff had the dedicated time to do so versus staff responding reactively to a ROW that unexpectedly impeded regular maintenance or posed a safety hazard. Being proactive with ROW maintenance is efficient and cost effective since work can be done when the crews have time and the conditions are ideal versus on an emergency basis. It also extends the life of the road and facilitates access to utilities in need of repair. Nevertheless, ROW clearing can be one of the things you as councilmembers hear about the most from your constituents as the impacts are close to home. There is no question the right of way has to be cleared-- the City has not only a right but an obligation to keep the right of way clear and well maintained, however I wanted to have a conversation with the Council about the best way to manage our resources while adequately maintaining City streets. Equally important is to be consistent with how we approach properties so Public Works knows the Council and City Administration has their back. I am hoping to spend some time getting Council feedback and ideas during the Committee of the Whole meeting.

### **Summary of Neighborhood Seawall Meeting**

On February 28<sup>th</sup>, Public Works Director Meyer and Councilmembers' Smith and Aderhold joined me in hosting a discussion on the Seawall while listening to comments and suggestions made by the public. There were seven community members present, two of which joined telephonically. I am currently drafting a list of suggestions made at the meeting, which will be submitted to all the homeowners residing in the Ocean Drive Loop Service Area (ODLSA), a neighboring property owner interested in paying into the Seawall's maintenance fund, and to Coastal Engineer Ronny McPherson. Mr. McPherson's Anchorage-based firm HDR is typically hired by the Department of Transportation for its Homer-based projects, including coastal erosion issues. Mr. McPherson will then provide the City with a quote that reflects how much his firm's

coastal engineering analysis will cost; the analysis will take into consideration the suggestions we submit. I will then come before Council on March 26<sup>th</sup> to request authority to spend funds from the Seawall Revenue Accounts (City account 156-0369 and ODLA residents' mill rate deposits account 808-0375) to cover a coastal engineering analysis for the Seawall that addresses preventative measures and future next steps to extend the life of the wall. The majority of the community members were in favor of using the Seawall maintenance funds to cover this analysis. As of the end of 2018, the remaining fund balance for Seawall maintenance is around \$90,000.

### **Northern Enterprises Boat Yard Inc. Lease Postponed**

In my last City Manager's report, I shared with Council that staff would come before Council on March 11<sup>th</sup> with a Northern Enterprises Boat Yard Inc. lease proposal for sixty square feet of City tidelands. This topic has been tentatively postponed to the March 26<sup>th</sup> City Council meeting but may be additionally delayed due to the applicants' needs.

### **Library Director Busy Applying for Grants**

Library Director Dixon has applied for a Tier 1 Rasmuson grant request with two parts: "collection enhancement" for books, DVDs, and Great Courses in CD and DVD formats (\$9,550); and funding for construction of a locking storage case to house a collection of historical and rare Alaskan books (\$3,000).

The Collection Enhancement portion is to purchase new books in several targeted sections, including health and medicine; STEM/Maker topics for older teens and adults; art books with quality photos; updated travel guides; replacements for classics in poor condition; updated children's book series on countries of the world; and bilingual/world languages books for children. Media purchases will include Great Courses; adding and replacing popular DVD classics; and DVDs on drug education and prevention.

The locking, glass-front cabinet will allow us to move a collection of historical and rare Alaskan books out of the director's office and into the main library, where patrons may utilize them in the library under controlled conditions. The collection contains items from the libraries of Toby Tyler, ???, and other local residents to the library over the years. These books are too valuable, or difficult to replace, or fragile to circulate in the regular collection. This grant request was submitted at the beginning of the month. The Rasmuson Foundation takes three to six months to decide on acceptance of the proposal.

The Library has applied for the Rasmuson grant a couple of times in the recent past. However, there are grants that we apply for and receive every year. These include the Federal e-rate grant that covers 70% of bandwidth costs at the Library (\$9,000) and a \$7,000 State Public Library Assistance Grant for books.

### **City Manager Out of the Office but Not Off Work**

I will be out of the office the week of March 18<sup>th</sup> attending the International City Manager Association West Coast Regional Conference. I am looking forward to the opportunity to be reenergized and inspired by from my West Coast colleagues. Please feel to contact me while I am away – I will be engaged with packet prep and other City business and should be 100% available by phone and email.

### **SCBA Funding Request to Legislature**

The Kenai Peninsula Borough has submitted a request to the Legislature for the replacement of self-contained breathing apparatus (SCBA) for Peninsula fire departments. This is in addition to the joint application to the Assistance to Fire Fighters Grant Program the City of Homer is participating in for the same equipment (Resolution 18-080). The Homer Volunteer Fire Department SCBA will be expiring in less

than one year and we will have to find general fund dollars to replace the equipment if one of these grants is not successful. The City appreciates the Borough taking the lead for Peninsula departments; working together we have a stronger voice and it ensures the interoperability of our equipment when we need to engage in mutual aid. Though it is unlikely there will be much of a capital budget this year, this project hits all the marks of life safety, regional benefit, and is a high need item. The City should advocate for it with the Legislature if the opportunity becomes available.

#### **Update on 1% for the Art for Fire Hall**

Resolution 18-081 awarded a contract to Jeffery Dean of Creative Fire Studio for a steel engraving to mount on the Fire Hall. In the resolution, the Art Selection Committee directed the artist to work with members of the Homer Volunteer Fire Department and members of the selection committee on final design and placement. After much back and forth, the artist and Department settled on the attached design to be placed in Pocket Park by the Fire Hall. This piece, complete with a bench and landscaping, will bring attention to this lovely little space. See attached proposal for details. The City appreciates the patience and professionalism of the artist as we have worked to get the perfect piece to enhance our Fire Hall property.

#### **Tsunami Awareness Activities at the End of March – Plan to Participate!**

Special Projects Coordinator Jenny Carroll has been working with the Fire Department, community volunteer Wayne Aderhold and various community partners to help make citizens aware of Homer's tsunami safe zone. They've planned a variety of Tsunami Awareness events for the last week of March, which coincides with Alaska's Tsunami Awareness Week. Activities include Facebook posts throughout the week promoting new emergency information materials on the City's website; KBBI's Coffee Table call in show at 10 am, Wednesday March 27<sup>th</sup> and a call in to Radio Realty, Thursday, March 28<sup>th</sup>; and a feature story in the Homer News.

To culminate the week, on Saturday, March 30<sup>th</sup>, the City and Kachemak Bay Running Club will be co-sponsoring the "Tsunami Blue Line Fun Run/Walk" event. The 2.66-mile round trip course follows Homer's tsunami safe zone, a 50' blue line through Homer from the Homer Elks Lodge around Ben Walters and back. The attached white paper and flyer have more information. Please plan on participating in any way you can!

Enc:

- White paper and map from Hilcorp
- Ordinance 16-51; back up memo 16-164 and City website page "Why Are You Cutting Down the Trees in Front of my Property"
- January 14<sup>th</sup> City of Homer letter to DOT Commissioner RE: Drainage Issues in Baycrest Subdivision and DOT response dated February 25<sup>th</sup>
- CAPSIS request for SCBA
- Art Proposal for City of Homer – HVFD Pocket Park
- "Tsunami Blue Line Fun Run/Walk" flyer and white paper





## Hilcorp Alaska

Post Office Box 244027, Anchorage, AK 99524-4027  
3800 Centerpoint Drive, Suite 1400, Anchorage, AK 99503  
Phone: 907/777-8300 Fax: 907/777.-8301

Dear Neighbor,

Later this year, Hilcorp Alaska, LLC (Hilcorp) plans to conduct seismic surveys in the lower Cook Inlet area to gather geologic data. The proposed grid displayed on the enclosed map shows the area we will be collecting the data from a seismic vessel. Hilcorp has hired Polarcus to perform this work. Polarcus is a pioneer in the marine seismic exploration industry, with a proven track record of responsibly operating without harm to the environment. To learn more about Polarcus, their dedication to the environment, and past projects, you can reference their website at [Polarcus.com](http://Polarcus.com).

We plan for the seismic survey activity to commence in early May 2019. The complete survey is expected to take approximately 6-8 weeks. The total duration of the survey may vary due to weather and other local conditions, but our goal is to complete the survey as safely and efficiently as possible with minimal disturbance to the area.

Polarcus plans to dock in Homer and will be in the proposed area navigating the seismic vessel. Two additional guide vessels will be locally contracted to ensure the safety of all project personnel, nearby vessels and area wildlife. The exact path and direction of the vessel is weather dependent.

Hilcorp has applied for the required permits to conduct this work from:

- Bureau of Ocean Energy Management (BOEM)
- United States Fish & Wildlife Service (USFWS)
- National Marine Fisheries Service (NMFS)

***Hilcorp recognizes the importance and sensitivities of the Cook Inlet region and our obligation to execute our work in a responsible manner.***

***Our team will be doing all it can to minimize any potential disturbances.***

Fairweather Science, LLC, an Anchorage-based consulting firm will manage the marine mammal monitoring program during the seismic survey, as required by the Federal law. Protected Species Observers (PSOs) will be placed on project vessels to collect information on marine mammals in the area and work with the vessel crews to initiate shutdown activities when marine mammals are observed within specified distances to our activity. The Polarcus seismic crews will also be fully trained on Cook Inlet species and permit requirements to ensure an environmentally sustainable operation. It is important to note:

- Seismic activities will not start unless no marine mammal has been sighted for a minimum of 30 minutes within established work zones.
- Seismic activities will be shut down and will not start again if a marine mammal has been sighted within an established risk zone.

Hilcorp has also contracted JCS Consulting, a firm based out of Soldotna, to coordinate stakeholder engagement and outreach.

To convey any concerns you may have about this project, activity or to request a community meeting with Hilcorp and/or Polarcus specialists, please reach out to Jill Schaefer at [ak3dinfo@hilcorp.com](mailto:ak3dinfo@hilcorp.com) or 907-841-8185.

At Hilcorp we strive to improve each and every day in all aspects of our business – safety, environmental protection and production. We are excited to work with our Kenai Peninsula neighbors on this project.

For additional information about Hilcorp, our team members or other activity in the area, please contact me directly.

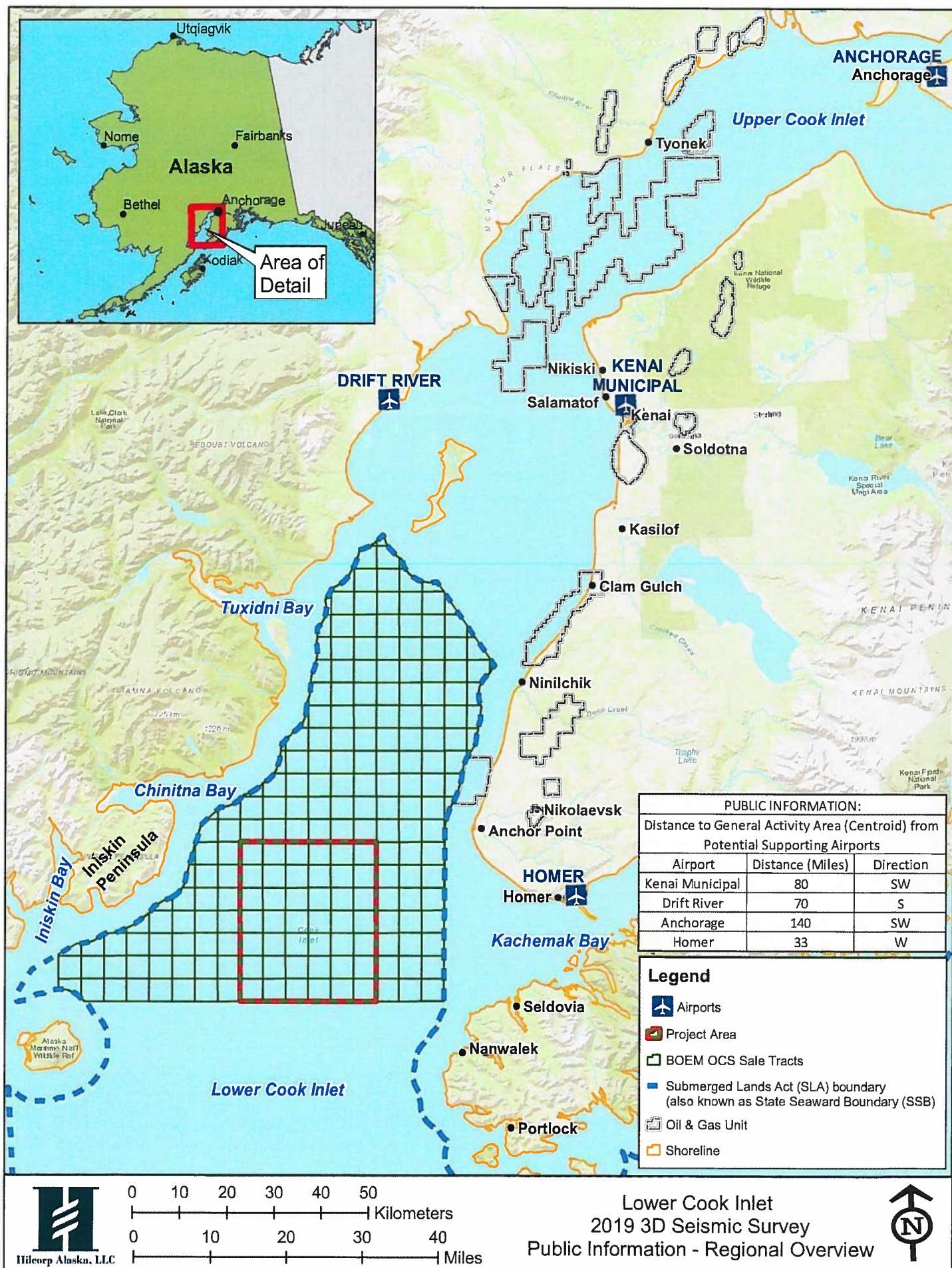
*Sincerely,*



Lori Nelson  
Manager, External Affairs  
Hilcorp Alaska, LLC  
[lnelson@hilcorp.com](mailto:lnelson@hilcorp.com)

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# Polarcus Naila

14 streamer 3D/4D seismic vessel

## Overview

Delivered in 2010 Polarcus Naila is an ultra-modern 14 streamer 3D/4D seismic vessel. Built to the ULSTEIN SX124 design and incorporating the innovative ULSTEIN X-BOW® hull, this vessel combines the latest developments in maritime systems with the most advanced seismic technology commercially available. The vessel is also amongst the most environmentally sound seismic vessels in the market with diesel-electric propulsion, high specification catalytic convertors, double hull, and advanced bilge water cleaning system. This vessel complies with the stringent DNV CLEAN DESIGN notation.

## Vessel

• Design	ULSTEIN SX124
• Builder	Drydocks World Dubai LLC
• Date Built	2010
• Flag	Bahamas
• Classification	DNV 1A1, SP5, BWM-T, TMON, SF, E0, DYNPOS-AUTR, CLEAN DESIGN, COMF-V (3), ICE-C, NAUT-AW, HELDK
• Helideck	Sikorsky S-61N / S-92
• Length Overall	91.0m
• Beam	19.0m
• Max Draft	7.5m
• Gross Tonnage	6667t
• Propulsion	Diesel Electric
• Maximum Speed	15.0 knots
• Bollard Pull	155t
• Fuel Capacity	1,540 m3 gas-oil
• Main Engines	6 x Wartsila 9L20, MCR rating 1800kW at 1000rpm
• Main Propulsion	2 x Berg CPP at 3700kW
• Bow Thrusters	1 x Brunvoll tunnel thruster at 1200kW 1 x Brunvoll retractable azimuth thruster at 850kW
• Stern Thruster	2 x 400kW
• DP System	Kongsberg K-Pos DP-21 - DPII
• Berths	60, including 23 single cabins

## Navigation & Positioning

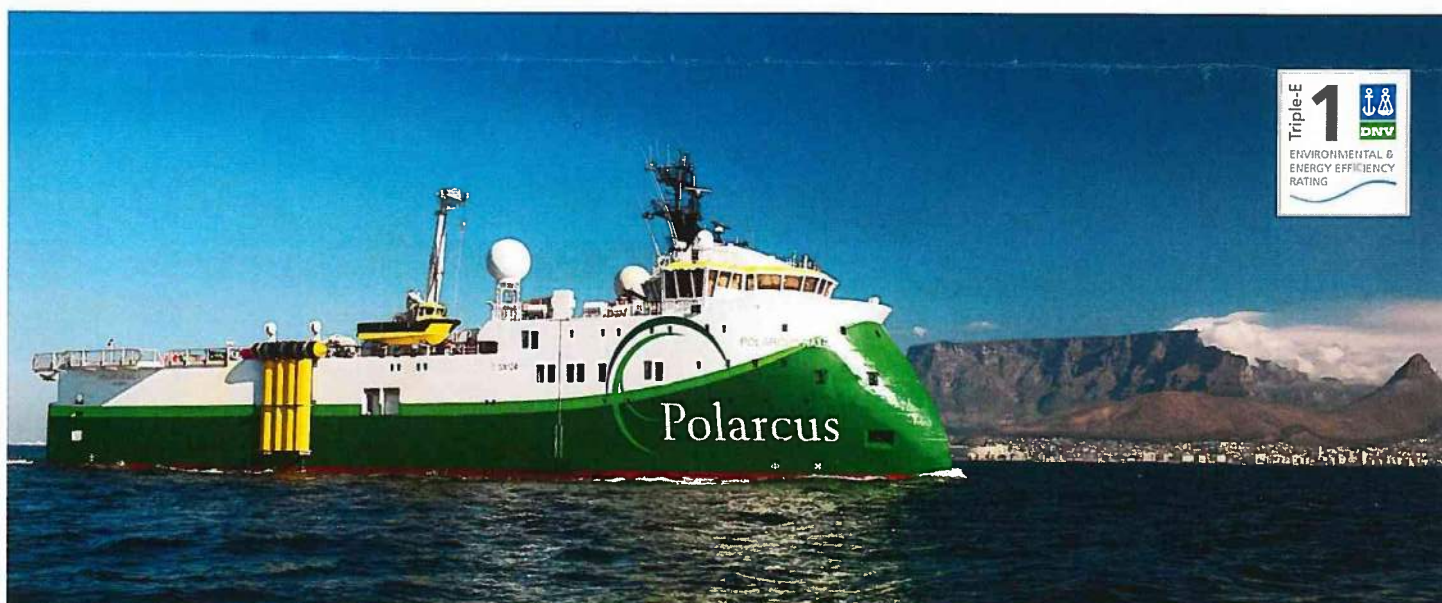
• Radar plants	S-band ARPA radar X-band ARPA radar
• Navigation	ECDIS chart system, DGPS

## Communications

• Primary	GMDSS A4
• Secondary	Inmarsat F Fleet-77
• Communication	VSAT

## Seismic Systems

• Seismic Source	Bolt Technology 1500-LL/1900-LLXT dual sources
• Marine Compressor	3 x LMF Compressors
• Streamers	14
• Streamer Type	Sercel Sentinel solid streamers
• Acquisition System	Sercel Seal Marine Data Acquisition System
• Navigation System	ION Orca
• Streamer Positioning	SERCEL Nautilus® 2D steering system
• Source Controller	Seamap GunLink 4000 fully distributed digital gun controller



**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**ORDINANCE 16-51**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
ENACTING HCC CHAPTER 11.36, VEGETATION IN RIGHTS-OF-  
WAY, PROVIDING FOR THE REMOVAL OF VEGETATION THAT  
INTERFERES WITH THE REASONABLE PUBLIC USE OF A RIGHT-  
OF-WAY.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 11.36, Vegetation in Rights-of-Way, is enacted to  
read as follows:

Chapter 11.36  
VEGETATION IN RIGHTS-OF-WAY

Sections:

11.36.010 Vegetation in rights-of-way.

11.36.020 Removal of vegetation in rights-of-way.

11.36.010 Vegetation in rights-of-way.

All or any part of a tree, shrub or other vegetation that is located in, over or under a  
public right-of-way in the city is subject to removal by the city as necessary for the reasonable  
public use of the right-of-way, including without limitation removal as authorized in HCC  
11.36.020, regardless of whether:

a. The vegetation existed in, over or under the right-of-way before the granting,  
dedication or improvement of the right-of-way;

b. The vegetation was planted in the right-of-way by another person, including  
without limitation an owner of property adjacent to the right-of-way; or

c. The vegetation originated on property adjacent to the right-of-way, to the extent  
that limbs, branches or roots of the vegetation extend into, over or under the right-of-way.

11.36.020 Removal of vegetation in rights-of-way.

The city manager may cause the removal of all or any part of a tree, shrub of other  
vegetation that is located on, over or under a public right-of-way if the city manager finds that  
the vegetation:

a. Obstructs or interferes with the use of the right-of-way by vehicular or pedestrian  
traffic;

b. Obscures visibility to or from the right-of-way or otherwise constitutes a safety  
hazard;

c. Interferes with the maintenance of the right-of-way, including without limitation  
paving, grading, cleaning and snow removal;

d. Has the potential if not removed to damage pavement or other improvements in the right-of-way;

e. Has the potential if not removed to damage or interfere with the operation of overhead or underground public utility facilities in the right-of-way.

Section 2. This ordinance is of a permanent and general character and shall be included in the City code.


ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24<sup>th</sup> day of October, 2016.



CITY OF HOMER

  
BRYAN ZAK, MAYOR

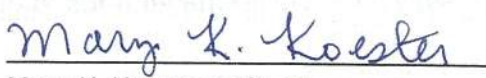
ATTEST:

  
JO JOHNSON, MMC, CITY CLERK

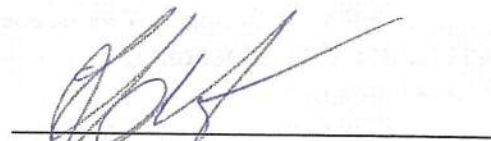
AYES: 6  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

First Reading: 10/10/16  
Public Reading: 10/24/16  
Second Reading: 10/24/16  
Effective Date: 10/25/16

Reviewed and approved as to form:

  
Mary K. Koester, City Manager

Date: 10.26.16

  
Holly C. Wells, City Attorney

Date: 11.7.16



## Memorandum 16-164 Vegetation in Road Right-of-Ways

### Memorandum ID:

16-164

### Memorandum Status:

Backup

### Related Meetings

City Council Regular Meeting - Mon 10/10/16

City Council Regular Meeting - Mon 10/24/16

### Related Ordinances/Resolutions

Ordinance 16-51 Enacting HCC Chapter 11.36, Vegetation in Rights-of-Way, Providing for the Removal of Vegetation

### Details

Memorandum 16-164

To: Katie Koester, City Manager

From: Dan Gardner, PW Superintendent

Date: September 23, 2016

Subject: Vegetation in Road Right-of-Ways

The city is charged with clearing vegetation within the right-of-way (ROW) in order to deal with sight distance issues, maintain drainages, and to prevent damage to equipment. Over the years, ROW creep has occurred where branches from large spruce and alders have reached into the ROW. This can create problems where snow laden branches fall to a point where snow removal equipment cannot operate without the cab being slapped by the branches. This is a safety matter and also a matter of protecting equipment. Some of the ROW creep prevents periodic ditching efforts to maintain drainages due to alders growing into the drainage ditch and backslope areas.

As many of the alders have grown over the years to significant heights, it is becoming increasingly more hazardous to attempt to “trim” the sides of the alders vertically as the heights often reach higher than our equipment can reach. And, it’s not the safest operation to be trimming vertically at those heights with the brush cutter.

It is our intention to begin the task of manually cutting vegetation to the limits of the ROW to reclaim the ROW and then attempt to keep the vegetation mowed to ground elevation with the brush cutter. This will take years to accomplish as time permits. The proposed vegetation ordinance is intended to put existing standards and law into a city ordinance. As we work through areas where clearing will take place, reasonable efforts will be made to notify property owners of any trimming that will take place of branches on trees that are located on private property where branches are encroaching into the ROW. No work will take place on private property unless approval is obtained from the property owner.

[Return to Top](#)



City of Homer (907) 235-8121  
491 E. Pioneer Avenue Homer, AK 99603

Select Language ▼



## Why Are You Cutting Down the Trees in Front of my Property?

We understand that to some property owners, trees and vegetation growing in the right-of-way act as a visual buffer to their property. It is especially difficult to see trees removed when the aphides and beetles have killed so many healthy trees in our town.

Public Work, over the last few years, has dedicated a portion of our summer to improving drainage along roads by re-establishing road side ditches. This work extends the life of roads, improves their level of service, and reduces long term maintenance costs. To complete ditch maintenance, vegetation along the road side is impacted.

Road side ditches play an important role in collecting surface water from adjacent property and draining the road subgrade. Poor drainage contributes to saturated road gravel/subgrades which (especially during breakup) causes roads to become impassable. Good drainage reduces the severity and the length of time gravel roads suffer during thawing and wet conditions. Paved roads will deteriorate more quickly if underlying subgrade and gravel are allowed to become saturated.

Unfortunately, trees in the right-of-way can and do block sight distances, interfere with snow plowing and storage. They also interfere with the maintenance and operation of drainage improvements, gas mains, telephone and power lines, and cable facilities. Street right-of way is intended to serve the public and provide access, drainage, and a corridor for aboveground and underground utilities. In most cases, trees in the right-of-way conflict with these public needs.



In summary, the work described above is completed for the following reasons:

- Maintain and improve drainage
- Provide for snow storage and the ability to “wing back” snow during heavy accumulations
- Maintain sight distances at driveways and intersection
- Allow for utility companies, including power, telephone, gas and cable TV facilities, to efficiently operate and maintain their facilities
- Clear overhanging/protruding vegetation that interferes with the heavy maintenance equipment and emergency vehicle response

It is probable that the lack of attention in the past to maintaining street right-of-way in the manner described above has contributed to the severity of the work some of the clearing being accomplished now. We hope that the community can understand and support our ongoing efforts to maintain street right-of-way for the benefit of the many users of our public rights-of-way.

When significant clearing is anticipated, Public Works makes every effort to contact adjacent property owners about the work in their neighborhood and explain why the work is necessary. In this situation, we knock on doors and leave door hangers. At the property owner’s request, downed trees can be salvaged for firewood. All work is completed within street right-of-way. Surveyors are employed to locate property lines to make sure we are not excavating or clearing vegetation on private property.







## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Homer City Council

491 East Pioneer Avenue  
Homer, Alaska 99603

(p) 907-235-3130

(f) 907-235-3143

Commissioner John MacKinnon  
Alaska Department of Transportation and Public Facilities  
3132 Channel Dr #300  
Juneau, AK 99801-7898

January 14, 2019

RE: Drainage concerns in Baycrest Subdivision, Homer, Alaska

Dear Commissioner MacKinnon,

Congratulations on your appointment as Commissioner of the Alaska Department of Transportation and Public Facilities. Your experience building and maintaining the infrastructure of Alaska will be most valuable in this pivotal position.

The City of Homer would like to bring to your attention what may seem like a small concern given the breadth of your responsibilities, but one that has the potential to be devastating. Properties in Baycrest subdivision in Homer, Alaska experience unusually high levels of soil saturation, runoff and erosion. This has caused lasting damage in at least 3 homes off of Judy Rebecca Court. The slope instability in this neighborhood threatens these homes and their occupants. Contributing significantly to the water saturation is an ADOT beehive that collects water from the Sterling Highway and discharges it unrestricted onto the properties below rather than into a natural drainage pattern.

In January of 2018 the City of Homer passed Resolution 18-008 requesting the Alaska Department of Transportation and Public Facilities work to fix Sterling Highway Drainage that is Adversely Effecting Baycrest Subdivision. As a follow up, City of Homer Councilmembers met with Deputy Commissioner Holland in Juneau in February of 2018. ADOT has sent hydrologists twice to the area, but there has been no meaningful follow up to solve the problem. As a simple solution, the City has proposed ADOT divert the water coming from the beehive into a neighboring natural draining a short distance away.

The City of Homer understands that slope instability in the Baycrest subdivision is likely due to a number of factors. To that end, the City is vigilant about maintaining ditches and culverts on the City roads in the subdivision. The Planning Commission is exploring a Natural Hazards Overlay District in the area and is working with the Alaska Division of Geological and Geophysical Surveys on LIDAR mapping to assess landslide risk. The City asks that ADOT do its part and address the runoff from the Sterling Highway that is exacerbating the slope stability issues in Baycrest subdivision.

Thank you in advance for your time and attention.

Sincerely,

Ken Castner, Mayor  
Oh Behalf of Homer City Council

Cc: Representative Sarah Vance  
Senator Gary Stevens

Enc:  
Map of Baycrest Subdivision showing beehive  
Estimate for culvert diverting beehive drainage  
Resolution 18-008



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

## Department of Transportation and Public Facilities

CENTRAL REGION  
Office of the Regional Director

Address: 4111 Aviation Avenue  
P.O. Box 196900  
Anchorage, Alaska 99519-6900  
Main: 907.269-0770  
Fax: 907.248.1573  
dot.alaska.gov

February 25, 2019

The Honorable Ken Castner  
City of Homer  
491 East Pioneer Avenue  
Homer, Alaska 99603

Dear Mayor Castner:

Thank you for your recent letter to the Alaska Department of Transportation & Public Facilities (DOT&PF) and a copy of Resolution 18-008. Commissioner MacKinnon asked that I address your concerns. As you know, we have spent a number of years and staff time considering and investigating the drainage at MP 170.5 (Baycrest Hill), Sterling Highway. Most recently, our staff met with representatives from the City of Homer in February 2018 and our regional hydrologist conducted a site visit in July 2018. We have been very clear in all of our communications, that the drainage in this area is following the natural drain pattern, is not exacerbating the existing soil conditions, and we have no plans to alter the current drain location, size or pattern.

The issue focuses on a 24" culvert that conveys water from the uphill side of the Sterling Highway to the downhill side. The Sterling Highway was constructed in the 1950s and at that time a 24" culvert was installed. Our regional hydrologist has reviewed aerial photos of this area from the 1950's to current conditions. He has also reviewed "As-Builts" of the road during this time period (1950's-today). The photos and "As Builts" clearly show that the 24" culvert that currently exists at this location has been replaced a number of times but is the exact same size and is in the exact same location as it was in the original 1950's construction. In addition, the water which this culvert conveys from one side of the road to the other follows the natural drainage pattern as is evident from the 1950's aerial photo. The Baycrest Subdivision was constructed sometime in the 1970's—long after the road and culvert were constructed.

According to the representatives from the City of Homer, the subdivision in question was not built to City of Homer standards, sufficient drainage was not installed to convey water across the steep unstable hillside and subsequent construction activities and lack of erosion protection measures have made the situation worse.

We have seen no engineering analysis that would suggest that moving the location of the culvert in question would improve the issues this subdivision is currently faced with. In addition, rerouting the water from its current location, to a new location, would almost certainly result in claims that we had altered the natural

*"Keep Alaska Moving through service and infrastructure."*

drainage patterns (which would be correct) and we would then be held responsible for any and all erosion in the area downhill.

There does appear to be consensus that many factors have contributed to the issues that this subdivision is faced with. The first and foremost is that the soils in this area are mostly silty and are by their nature unstable. When vegetation is removed these soils quickly become unstable especially on a steep hillside. In addition, sufficient drainage structures were not installed when the streets and homes were originally constructed. Our regional geologist also believes that the water issues on the lower portion of this subdivision (far below our road) are caused by groundwater that is naturally coming to the surface due to the geology of this area.

While we do not believe that we have any responsibility to resolve these issues we have agreed to provide contact information for DCED grants-which may be available for a project like this. We sent that information last year to the Homer City Manager. We also agreed that our regional hydrologist and our regional geologist could provide opinions on options available to the City of Homer if requested.

Thank you again for your thoughtful letter and for forwarding the City Council of Homer's resolution.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D Kemp', is written over the typed name.

Dave Kemp, P.E., PMP  
Regional Director

cc: John MacKinnon, Commissioner



# Kenai Peninsula Borough

Year 2019 State Capital Improvement Projects

## SUPPORTING KENAI PENINSULA FIRE CHIEFS ASSOCIATION

**Funding Recipient:** Kenai Peninsula Borough

**Project Name:** Areawide SCBA Replacement Project

Project Priority  
Ranking:

1

### Detailed Project Description and Justification:

On behalf of the municipal and volunteer fire departments, the borough respectfully requests \$1,999,200 to replace 294 SCBA units that are no longer serviceable or able to be upgraded. This grant will supplement the high cost to have total interoperability among all municipal and volunteer fire departments with standardized SCBA inventories and compliance with NFPA / OSHA mandates. The borough will purchase and distribute the SCBA to all participating departments through memorandum of agreements to non-borough entities. The goal of this project is to lower the risk of inhalation hazards, hardening the safety and wellbeing of our firefighters with properly outfitted, reliable SCBA. Additionally, purchasing SCBA units (consisting of a face mask, pack and two cylinders) will resolve the issue with the departments' current inventories of 4500 PSI air cylinders that are past their serviceable life and can no longer be legally hydro-tested.

In 2013 the Alaska Fire Chiefs Association received a legislative appropriation for fire stations across Alaska to repair and upgrade SCBA models to the 2007 NFPA standards. However, the last useful upgrade was to the 2013 standard, which many stations have not met the 2013 standard due to costs. These aged SCBA continue to have problems with maintenance and serviceability that can no longer be addressed. Maintaining the mixed inventory of unserviceable cylinders, different versions of universal rescue connections (URC) or rapid intervention couplings (RIC), varying URC/RIC hose, pack frames and escape rope positions is not cost effective or safe for our firefighters. We should not issue cobbled packs to firefighters with the potential to expose them to chemical or biological hazards and expect them to have confidence in the issued PPE.

Aside from the municipalities of Homer, Kenai, Seward and Soldotna, our rural fire response zones do not have building plan requirements or construction codes, and fire code restrictions are nonexistent for single dwelling homes. Fire suppression is compounded by unpredictable construction techniques - where residents build houses with dilapidated materials, heat with fuel oil or propane tanks and stage fuels containers in/outside of structures. Our firefighters respond to structure fires with no knowledge of what they will be exposed to while encountering taxing conditions that are capable of pushing the limits of their abilities. In closing, the standardization will achieve interoperability and enhance firefighter safety. By using standardized SCBA, firefighters will be more confident and proficient in their personal protective equipment, which in turn will support their capabilities to perform at a high-functioning response level for our civilians that need protection of life and property. Upon award notification, these funds will purchase the 2018 editions of NFPA 1981 "Standard on Open-Circuit SCBA for Emergency Services" and NFPA 1982 "Standard on Personal Alert Safety Systems"; both standards provide for significant safety changes.

The 2017 borough population is 58,024; the fiscal savings to our residents by the State supplementing this project is approximately \$35 per resident ( $\$1,999,200 \div 58,024$ ). The total project cost of \$1,999,200 is a small investment versus losing a firefighter. (FEMA 2009 Benefit Cost Analysis calculates the value of \$1.74 million per statistical human life.)

Funding Requested: \$1,999,200

Total Project Cost: \$1,999,200

Local Match (if any): \$  
See budget narrative

Election District:

Senate: O, P

House: 29, 30, 31 & 32

### CONTACT INFORMATION

Name, Title: Brenda Ahlberg, Community & Fiscal Projects Mgr

Address: 144 N. Binkley Street

City, State Zip: Soldotna, AK 99669

Phone: 907 714-2153

Fax: 907 714-2377

Email: bahlberg@kpb.us



Funding Plan:		
Total Project Cost:	\$ 1,999,200	This should be the most accurate estimate of how much this project will cost.  How much of the project costs are in hand, secured, guaranteed, appropriated, etc. You may include in-kind contributions and volunteer labor. Do not include hypothetical funds.  How much is being requested from this year's capital budget.  Amount requested from other sources not yet received.  Additional funding needed to complete the project.
Funding Secured:	\$ 0	
Funding Requested:	\$ 1,999,200	
Pending Requests	\$ 0	
Project Deficit:	\$ 1,999,200	

**Please list Secured Funding Sources and Amounts:**

The estimated cost per unit is \$6,800, and each department will provide any overrun costs for additional packs due to the high shipping costs in Alaska. See 2018 SCBA inventory list and individual department's financial contribution (NOTE THE TOTAL INVENTORY DIFFERS FROM THE REQUEST AT 294 VS. 301).

**If this project is funded this year, will you be requesting state funding again?**

Yes: ☐ No: ☒

**Please describe the project time-line and when the expenditures will occur:**

**Has this project gone through a public review process at the local level?**

Yes: ☒ No: ☐  
Yes: ☒ No: ☐

**If a community or service area meeting was conducted, how was it advertised? When and where was it held? Who attended?** Peninsula Chiefs have met three times throughout 2018 to evaluate different vendor options and training to the SCBA. The borough will work to negotiate with the chosen vendor to receive some credit for the existing SCBA and training to the new SCBA units will be done by departments. We will continue to use in-house technicians, ensuring that they are certified instructors that will perform training and maintenance to the new units.

NEED MORE INPUT HERE...

**Who will own the project or facility?** Kenai Peninsula Borough will own the equipment during the grant performance period and enter into memorandum of agreements with non-borough entities prior to distributing SCBA packs. Owner transfers will be issued with DCCED approval.

**Entity responsible for providing ongoing operation and maintenance of this project?** Each department will be responsible for operation and maintenance as well as training to equipment.

**How will operations and maintenance be funded after the project is complete?** Each department will have the funds in their annual operating budgets.

**Please select a project type** (chosed only one):

- ☐ Planning and Research
- ☐ Maintenance and Repairs
- ☐ Remodel, Reconstruction and Upgrades
- ☐ New Construction and Land Acquisition
- ☒ Equipment and Materials
- ☐ Information System and Technology
- ☐ Other:



## Art and Innovation from the Creative Fires...

Fine art and functional sculpture in clay, wood, bronze, stone, steel and more.

Art Proposal for City of Homer - HVFD Pocket Park

2/18/1019

City of Homer  
Attn. City Clerk's Office  
491 E. Pioneer Avenue  
Homer, Alaska 99603

Hello Robert, Renee and Art Committee,



Here is a new design for the Homer Vollarunteer Fire Department Pocket Park. The working title is 'Nor'Easter'.

The picture will be engraved on brass. Similar to my steel engravings, the different areas in the design will be ground and textured to suggest the form, movement and character of the subject. There may be subtle patination as well to create the desired effect.

'Nor'Easter' will be approximately 80" high x 72" wide x 1.75" deep. The 14 gauge brass sheet will be mounted on a cedar back board that also serves to frame the design.

It will be supported with a stand made from red cedar timbers. The 4" x 10" timber posts can anchored to the ground with steel post brackets secured in concrete.

I made the original sketch last year after spending a few days at a clients house on the coast in Massachusetts during a winter storm.

As with many of my designs, it is intended to be part of a small limited edition. The piece for the park will be the first and numbered 1/7. Additional pieces in the edition might be made in a variety of sizes and materials with each being an original and unique in it's own right.

I envision this standing just behind the benches at the front of the park so as to be visible from the street and attract more use of the park. I'm also open to suggestions for other locations.

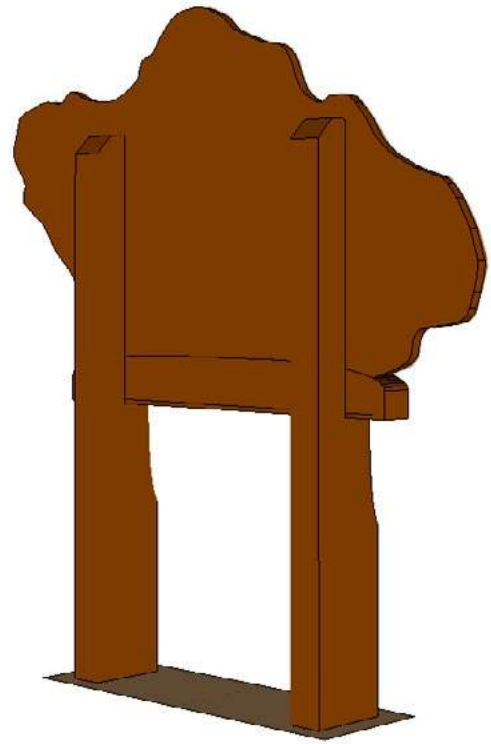
Warm Regards,  
Jeff



*Nor'Easter* • Engraved brass on Red Cedar. Approximately 80" high x 72" wide.

---







KBay Running Club & City of Homer present

# TSUNAMI BLUE LINE FUN RUN/WALK

SHOULD I  
STAY

OR

SHOULD I  
GO?

RUN THE BLUE LINE  
SO YOU WILL KNOW

March 30 10 AM

Start: Homer Elks Lodge

2.66 mile course follows Homer's tsunami safe zone

Free! Register at Homer Elks Lodge at 9 am. Wear Blue!  
Pass all blue line stations and be entered for prize drawings.

More info: City of Homer (907) 435-3101



### **Tsunami Awareness Activities at the End of March – Plan to Participate!**

When the next tsunami evacuation siren sounds, do you know, should you stay or should you go?

Special Projects Coordinator Jenny Carroll has been working with the Fire Department, community volunteer Wayne Aderhold and various community partners to help make citizens aware of Homer's tsunami safe zone.

They've planned a variety of Tsunami Awareness events for the last week of March, which coincides with Alaska's Tsunami Awareness Week. Activities include Facebook posts throughout the week promoting new emergency information materials on the City's website; KBBI's Coffee Table call in show at 10 am, Wednesday March 27<sup>th</sup>, the Chris Story Radio Show at ??, Thursday, March 28<sup>th</sup> and a feature story in the Homer News.

To culminate the week, on Saturday, March 30<sup>th</sup> the City and Kachemak Bay Running Club will be co-sponsoring a The Tsunami Blue Line Fun Run/Walk event. The 2.66-mile round trip course follows Homer's tsunami safe zone, or 50' blue line through Homer from the Homer Elks Lodge around Ben Walters and back. Wells Fargo Bank is offering to host a refreshments table for the runners at their blue line crossing.

Don't be intimidated by the word **run**. The fun run/walk is free and open to all abilities. Registration begins at 9 am at the Homer Elks Lodge. The run/walk event starts at 10 am.

In addition, from 10 am to 2 pm, volunteers will host Blue Line Stations at various places where the blue line crosses our roads. These will be set up from 10 am to 2 pm to educate the public about Homer's tsunami safe zone. I believe we are working on some prize drawings to congratulate participants who check in at all the Blue Line Crossing stations.

Thanks to many community organizations, businesses and individual volunteers for joining us in this awareness effort. It is a fun way to highlight the Blue Line! Plan to participate. You might be surprised where it actually is!

*Want to help with this fun event? Volunteers are greatly appreciated.*

--Let Jenny know if you can help advertise the event. She can provide you with a poster or other information as needed.

--Please let Jenny Carroll know if you would be willing to volunteer at one of the stations. Commitment would be from 10 am – 2 pm.

--Participate in the community fun run/walk. The more people that participate the more we'll bring attention to the blue line. Remember to wear all blue!

You can reach Jenny at [jcarroll@ci.homer.ak.us](mailto:jcarroll@ci.homer.ak.us) or 435-3101.





## Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce  
Borough Mayor

February 26, 2019

### **NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE MEETING OF FEBRUARY 25, 2019**

Re: Skyline Drive Subdivision No. 7 Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of February 25, 2019 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.

#### **AMENDMENT A MOTION**

An amendment motion to grant exception to KPB 20.30.240, building setback passed by unanimous consent based on the following findings of fact.

##### *Findings*

1. The 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 in the Rural Residential Zoning District.
4. Per HM 82-40, a building setback of 70 feet exists from the centerline of West Hill Road.
5. KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980.
6. Ordinance 83-25, enacted on May 3, 1983, delegated zoning regulations to the City of Homer.
7. The Planning Commission approved HM 82-40 on February 8, 1982.
8. Building setbacks within the subdivision must comply with the requirements of the zoning district per KPB 20.30.250.
9. Approval of the exception will allow the building setback(s) to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.
10. Plat Note 1 states the subdivision is subject to Homer City Code.

#### **AMENDMENT B MOTION**

An amendment motion to grant exception to KPB 20.30.190, lots-dimensions passed by unanimous consent based on the following findings of fact.

##### *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 subdivision is in the Rural Residential Zoning District.
4. Homer Advisory Planning Commission conditionally approved the proposed plat on January 2, 2019 with no concern or discussion regarding flag lot width.

5. Slopes greater than 20 percent have been shown and labeled.
6. The section line easement affecting Lot 2A and Tract B-1A is 66 feet wide.
7. Per HM 2010-46, Bidarki Creek is within the ravine to the west.
8. Two 20-foot wide access will be combined into one 40-foot access.
9. A drive has been constructed and is being used for access to the existing residence.
10. The access will only serve one lot, Lot 2A.
11. A steep ravine limits any connecting access to the west.
12. All lots front a dedicated right of way.

### **AMENDMENT C MOTION**

An amendment motion to grant exception to KPB 20.40m wastewater review portion passed by unanimous consent based on the following findings of fact.

#### *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 subdivision is in the Rural Residential Zoning District.
4. Homer Advisory Planning Commission conditionally approved the proposed subdivision on January 2, 2019 with no concern or discussion regarding wastewater disposal.
5. Per the Homer City staff report, the Homer Advisory Planning Commission was aware city water and sewer has not been extended to Tract B-1A.
6. Tract B-1A contains 3.535 acres.
7. Per the submittal, Tract B-1A contains 29,490 square feet (0.677 acres) less than its parent tract.
8. Per the Homer City staff report, the subdivision is not affected by low wet areas.
9. Slopes greater than 20 percent have been shown and labeled.
10. Tract B-1A is affected by steep slopes on the northwest side of the parcel.
11. Per the submittal, the majority of area formerly within Tract B-1 is subject to slopes greater than 20 percent.
12. City water and sewer lines serve Lots 1A and 2A of the proposed subdivision.
13. City water and sewer lines are approximately 200 feet south of Tract B-1A.
14. Former Tract B-1 is not being subdivided into additional developable lots.
15. A small portion of Tract B-1, where the neighbors are parking their cars, is being is being adjoined to the neighboring parcel to the south.

This notice and unapproved minutes of the subject portion of the meeting were sent February 26, 2019 to:

**City of:** City of Homer  
491 East Pioneer Avenue  
Homer, AK 99603

**Advisory Planning Commission/Community Council:** Homer Advisory Planning Committee  
491 East Pioneer Avenue  
Homer, AK 99603

**Survey Firm:** Ability Surveys  
152 Dehel Avenue  
Homer, AK 99603

**Subdivider/Petitioner:** Theresa Louise Dubber  
PO Box 352  
Homer, AK 99603-0352

Charles M & Debra L Rehder  
PO Box 2065  
Homer, AK 99603-2065

**KPB File Number:** 2019-008

## AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

1. Skyline Drive Subdivision No. 7  
KPB 2019-008; Ability Surveys/Rehder, Dubber

Staff Report Given by Scott Huff

Plat Committee Meeting: February 25, 2019

Location: off West Hill Road, City of Homer  
Proposed Use: Residential  
Water/Sewer: Lot 1A and 2A = city; Lot B-1A = on-site  
Zoning: Rural Residential  
Assessing Use: Residential, Vacant  
Parent Parcel Number(s): 175-030-14, 175-030-40, 175-030-41, 175-030-42

Supporting Information:

The proposed subdivision replats four lots into three lots ranging in size from 1 to 3.5 acres. Lots 1A and 2A are connected to city water and sewer services. Tract B-1A has on-site water and sewer. A soils report is required for Tract B-1A, and an engineer will sign the plat. The subdivision fronts paved State maintained West Hill Road.

Homer Advisory Planning Commission approved the proposed plat on January 2, 2019, subject to:

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 requested note is on the plat submitted for KPB review.*

Notice of the proposed plat was mailed to two beneficial interest holders on January 23, 2019. First National Bank Alaska notified staff they needed to review and approve the subdivision. No comments from Wells Fargo Bank had been received when the staff report was prepared. Preliminary review of the subdivision may continue; however, a statement of approval or non-objection from First National Bank Alaska will be required before the plat can be finalized.

**Staff recommends** that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested A:

KPB 20.30.240 – Building setback – exception is required so the building setback plat note does not have to be carried forward from the parent plat.

Staff Discussion: A plat note on HM 82-40, which created Tract B-1, states the plat is subject to a 70-foot building setback from the centerline of West Hill Road.

The exception is a housekeeping matter to ensure the plat complies with the current requirements for building setbacks per the city's zoning district.

KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980. Ordinance 83-25 delegated zoning regulations to the City of Homer three years later.

AS 29.40.120 states a recorded plat may not be altered or replatted except by the platting authority on petition of the state, the borough, a public utility, or the owners of a majority of the land affected by the alteration of replat. Enactment of zoning regulations by a city will not automatically erase notations on the recorded plat.

The proposed plat is within the City of Homer and is subject to the requirements of the zoning code. Approval of the exception will allow the 70-foot building setback from the parent plat to not be carried forward and will allow the building setback to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.

### Findings

1. The 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 in the Rural Residential Zoning District.
4. Per HM 82-40, a building setback of 70 feet exists from the centerline of West Hill Road.
5. KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980.
6. Ordinance 83-25, enacted on May 3, 1983, delegated zoning regulations to the City of Homer.
7. The Planning Commission approved HM 82-40 on February 8, 1982.
8. Building setbacks within the subdivision must comply with the requirements of the zoning district per KPB 20.30.250.
9. Approval of the exception will allow the building setback(s) to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.
10. Plat Note 1 states the subdivision is subject to Homer City Code.

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 1-10 appear to support this standard.**

### Exception Requested B:

20.30.190. Lots-Dimensions. – If the access portion is less than 60 feet in wide, it may not exceed 150 feet in length.

Staff Discussion: The access portion of proposed Lot 2A is 40 feet in width. An existing driveway provides access to the residence. This platting action will be combining two 20-foot wide access into one 40-foot-wide access. A 33-foot section line easement to the north of the property provides additional area for access to Lot 2A.

**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 subdivision is in the Rural Residential Zoning District.
4. Homer Advisory Planning Commission conditionally approved the proposed plat on January 2, 2019 with no concern or discussion regarding flag lot width.
5. Slopes greater than 20 percent have been shown and labeled.
6. The section line easement affecting Lot 2A and Tract B-1A is 66 feet wide.
7. Per HM 2010-46, Bidarki Creek is within the ravine to the west.
8. Two 20-foot wide access will be combined into one 40-foot access.
9. A drive has been constructed and is being used for access to the existing residence.
10. The access will only serve one lot, Lot 2A.
11. A steep ravine limits any connecting access to the west.
12. All lots front a dedicated right of way.

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 1-12 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 1-12 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 1-12 appear to support this standard.**

**KPB 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 Range be corrected in the legal description.***

- 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: Per the AKDOT review, the right of way for West Hill Road is shown on plat HM 94-48. **Staff recommends** the right of way be shown and monumented per HM 94-48. **Staff recommends** one width of West Hill Road be labeled, such as mid-point of the proposed 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 Township and Range be labeled.*
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;  
*Platting Staff Comments: **Staff recommends** the 10-foot by 40-foot anchor easement be carried forward from the parent plat and the source cited.*
- 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: The Plat Committee approved a preliminary plat to re-subdivide Tract 7 to the southwest. **Staff recommends** the status of the preliminary plat be confirmed before the mylar is plotted.*

#### KPB Department/Agency Review Comments

- KPB Addressing/Street Name Review:
  - 4079 West Hill Road, 4061 West Hill Road, and 1691 Hillside Place will need to be updated by the City of Homer.
  - Existing street names are correct.
- KPB Planner: The subdivision is in city limits; no review was prepared.
- KPB Roads Department: Not available when the staff report was prepared.
  - Platting Staff Comments: The subdivision is outside KPB Roads Department jurisdiction.
- State Department of Fish & Game: Not available when the staff report was prepared.
- State Parks: Not available when the staff report was prepared.

#### **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.

- A. The streets provided on the plat must provide fee simple right-of-way dedications to the appropriate governmental entity. These dedications must provide for the continuation or appropriate projection of all streets in surrounding areas and provide reasonable means of ingress for surrounding acreage tracts. Adequate and safe access for emergency and service vehicle traffic shall be considered in street layout.

*Platting Staff Comments: Staff is not recommending dedication of the 66-foot section line easement. The section line easement is approximately centered on a hairpin curve. The western portion of the section line easement is affected by slopes greater than 20 percent. Per the parent plat, Bidarki Creek is within the drainage to the west. Dedication of the section line easement will not provide usable, practical access to the tracts to the west.*

- 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: The ROW for West Hill Road is shown on sheet 2/4 Plat*



94-48 and Plats 54-2019 and 78-85. The ROW should be shown and labeled on both sides of the road.

20.30.060. Easements-Requirements.

- B. Upon submittal of a preliminary plat, the planning department shall provide a copy to public utility companies for their comments-and recommended design of utility easements. If the property is subject to existing natural gas or petroleum pipeline easements, a copy shall also be furnished to the appropriate company for comment.
- 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 emailed the subdivision plat public hearing notice as part of the routine notification process. HEA replied with 'reviewed/no comments'. ACS replied 'No Objections'. **Staff recommends** compliance with 20.30.060.*

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 subdivision is within the size parameters but does not meet the block length requirements. Due to topographical constraints, specifically the steep ravine, and the location of existing right-of-way, **staff recommends** the plat committee concur that this plat cannot meet the standards of 20.30.170 and an exception is not required.*

20.30.280. Floodplain requirements.

*Platting Staff Comments: The City of Homer administers the floodplain program by HCC 21.41 Flood Prone Areas. Per the Homer City staff report, the proposed subdivision is in Flood Zone D, flood hazards undetermined.*

20.30.290. Anadromous habitat protection district.

*Platting Staff Comments: Per KPB GIS mapping, the subdivision is not affected by the Anadromous Habitat Protection District. If the River Center review states the plat is affected by 20.30.290, staff recommends compliance with River Center recommendations per KPB Code.*

*Per KPB GIS mapping, no anadromous streams flow through the subdivision.*

**KPB 20.40 -- Wastewater Disposal**

*Platting Staff Comments: Lots 1A and 2A are connected to city water and sewer and are increasing in size from the parent lots. **Staff recommends** the wastewater disposal note per 20.40.070 clarify it is for Lots 1A and 2A.*

*Tract B-1A is served by on-site water and sewer and is decreasing in size. A soils report is required for Tract B-1A.*

**Staff recommends** compliance with KPB 20.40.

**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.

20.60.030. Certificate of borough finance department required.

*Platting Staff Comments:* All taxes and special assessments levied on the property within the subdivision shall be paid prior to recordation of the final plat. If approval is sought between January 1 and the tax due date, there shall be on deposit with the borough finance department an amount sufficient to pay the entire estimated real property tax for the current year. Additionally, the entire balance, or estimated balance of all special assessments or pending special assessments, as provided in KPB 5.35.070(8) and KPB 14.31.080(8), against the property owed to the borough must be paid in full prior to filing of the final plat. Prior to filing of the final plat, a certificate to this effect shall be provided by the borough finance director or [HIS] designee upon request by the planning director. Estimated tax payments shall be applied to the actual bill as of July 1 or such earlier date as the taxes due have been determined.

*Per KPB GIS mapping, the proposed subdivision is not within a special assessment district.*

**Staff recommends** compliance with 20.60.030.

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. The label showing the area taken from Tr-B-1 is not required. **Staff recommends** this label be removed to avoid confusion and just the new acreages for each lot be labeled.

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** the recording information for the general easement granted by document recorded in Book 19 Page 83 be included in Plat Note 7. This easement affects property in Section 13.

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments:* **Staff recommends** the parcel information (former lot information) be added to each owner's signature lines. **Staff recommends** the year in the Notary Acknowledgements be corrected.

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: 20.25.120. - REVIEW AND APPEAL.**

**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.**

**A DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE HEARING OFFICER BY A PARTY OF RECORD WITHIN 15 DAYS OF THE DATE OF NOTICE OF DECISION IN ACCORDANCE WITH KPB 21.20.250.**

END OF STAFF REPORT

Staff Report Addendum given by Scott Huff

Plat Committee Meeting: February 25, 2019

After the meeting packet was distributed, an exception to wastewater review for Tract B-1A was received.

**Staff recommends** that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception Requested C: wastewater review portion of KPB 20.40

Staff Discussion: The parent subdivision was not approved under KPB 20.14. The parent plat file did not contain any documentation confirming the Alaska Department of Environmental Conservation reviewed and approved the parent plat.

An affidavit stating the owners were aware of the Alaska Department of Environmental Conservation regulations and requesting KPB to record the plat (an acceptable practice at the time) was not in the parent plat file.

City water and sewer lines are approximately 200 feet south of Tract B-1A. It is not unreasonable to expect the city's lines will be extended to Tract B-1A at some point in the future.

### 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 subdivision is in the Rural Residential Zoning District.
4. Homer Advisory Planning Commission conditionally approved the proposed subdivision on January 2, 2019 with no concern or discussion regarding wastewater disposal.
5. Per the Homer City staff report, the Homer Advisory Planning Commission was aware city water and sewer has not been extended to Tract B-1A.
6. Tract B-1A contains 3.535 acres.
7. Per the submittal, Tract B-1A contains 29,490 square feet (0.677 acres) less than its parent tract.
8. Per the Homer City staff report, the subdivision is not affected by low wet areas.
9. Slopes greater than 20 percent have been shown and labeled.
10. Tract B-1A is affected by steep slopes on the northwest side of the parcel.
11. Per the submittal, the majority of area formerly within Tract B-1 is subject to slopes greater than 20 percent.

12. City water and sewer lines serve Lots 1A and 2A of the proposed subdivision.
13. City water and sewer lines are approximately 200 feet south of Tract B-1A.
14. Former Tract B-1 is not being subdivided into additional developable lots.
15. A small portion of Tract B-1, where the neighbors are parking their cars, is being is being adjoined to the neighboring parcel to the south.

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 1-9, 10-15 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 1-9, 10-15 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 1-9, 10-15 appear to support this standard.**

**STAFF RECOMMENDATION:** Compliance with staff recommendations and conditions for preliminary plat approval in the February 25, 2019 staff report, subject to exception(s) granted, and adherence to KPB Code.

**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.**

END OF STAFF REPORT ADDENDUM

Vice Chairman Martin opened the meeting for public comment.

1. Gary Nelson, 152 Dehel Avenue, Homer

Mr. Nelson is the surveyor on the project and was available for questions.

The committee members did not have any questions for Mr. Nelson. Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the committee.

**MAIN MOTION:** Commissioner Whitney moved, seconded by Commissioner Morgan to approve the preliminary plat for Skyline Drive Subdivision No. 7 based on staff recommendations and compliance to borough code.

**AMENDMENT A MOTION:** Commissioner Whitney moved, seconded by Commissioner Morgan to approve exception A: KPB 20.30.240, building setback, citing staff report findings 1 through 10 supporting the three standards.

**AMENDMENT A PASSED:** Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

**AMENDMENT B MOTION:** Commissioner Whitney moved, seconded by Commissioner Morgan to approve exception B: KPB 20.30.190, lots-dimensions, citing staff report findings 1 through 12 in support of the three standards.

**AMENDMENT B PASSED:** Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

**AMENDMENT C MOTION:** Commissioner Whitney moved, seconded by Commissioner Morgan to approve exception C: wastewater review portion of KPB 20.40, citing staff report findings 1 through 9 and 10 through 15 supporting the three standards.

**AMENDMENT C PASSED:** Seeing and hearing no discussion or objection, the motion passed by unanimous consent.

**MAIN MOTION PASSED:** Seeing and hearing no discussion or objection, the motion passed by unanimous consent.