

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:** None
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. HAPC minutes from June 1, 2016 **Page 1**
 - B. Time Extension: Foothills Sub Sunset View Estates Addn. No 2 **Page 6**
6. **Presentations:** None
7. **Reports:** Staff Report PL 16-33, City Planner's Report **Page 7**
8. **Public Hearings: None.** 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.
9. **Plat Consideration:**

A. Staff Report PL 16-31, Homer School Survey 2016 Replat Preliminary Plat **Page 11**
10. **Pending Business:**

A. Staff Report PL 16-34, Towers **Page 21**
11. **New Business:**
12. **Informational Materials:**

City Manager's Report, June 8, 2016 **Page 33**
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:** Next regular meeting is scheduled for July 20, 2016. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Session 16-09, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on June 1, 2016 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BRADLEY, HIGHLAND, STEAD, VENUTI

ABSENT: BOS, ERICKSON, STROOZAS

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Stead called for a motion to approve the agenda.

HIGHLAND/BRADLEY SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Public Comment

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

Reconsideration

Adoption of Consent Agenda

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

A. Approval of Minutes of May 18, 2016

Chair Stead called for a motion to adopt the consent agenda.

BRADLEY/HIGHLAND SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

A. Staff Report PL 16-28, City Planner's Report

City Planner Abboud reviewed the staff report.

There was brief discussion about the helicopter by Beluga Lake. Their plan is to make a floating dock for the helicopter to operate from. City Planner Abboud explained he may need to talk to them about their temporary structure in the uplands and he may have to address flood standards. They went through permitting with DOT and there are copies at the Planning Office. The City doesn't have much say about anything operative on the lake, but does have a little more authority on the uplands.

Question was raised regarding public notice and if the city has any say about flight paths. City Planner Abboud explained the DOT followed their process, but wasn't sure of the specifics. It was handled through the Central Region Aviation Leasing Agent Manager, Jamie Brooks, and he has copies of the permits in the Planning office. It isn't clear in Alaska Statutes, but they say it's a float plane lake because it's the traditional use of the lake. There was some discussion that it's arguable whether local zoning codes apply the aviation owned land around the lake, but no one has pursued it so far. In the future maybe they can look at an airport district for the airport land to make it more specific for their operation. The area the helicopter is now is CBD, which is also problematic. Mr. Abboud said flight paths are FAA territory. The advice he has received that our authority is valid until it starts to impede or interfere with operational aspects of the airport.

Public Hearings

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

A. Staff Report PL 16-29 Draft Ordinance 16-xx, Amending HCC 21.41.040 Basis for Establishing Flood Hazard Areas

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing.

Katherine Carsow, city resident, commented in support of the draft ordinance. She explained that on the old map her property on Ocean Drive is less than 2 feet into old flood zone and to date it has cost them more \$12,000 in flood insurance. She urged them to please pass this because every month that goes by costs money and there is no threat to the house that warrants that much money.

There was brief discussion that the new maps won't go into effect until the date on the map.

There were no further comments and the hearing was closed.

VENUTI/BRADLEY MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HCC 21.41.040 BASIS FOR ESTABLISHING FLOOD HAZARD AREAS AND FORWARDS IT TO CITY COUNCIL FOR PUBLIC HEARING AND ADOPTION.

There was brief discussion that this seems very straight forward and should be moved on to Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

A. Staff Report PL 16-30 for Glacerveiw Subdivision 2016 Replat, Preliminary Plat

City Planner Abboud reviewed the staff report.

Scott Smith, founder and President of Youth with a Mission and applicant, said he didn't have any comments, but thanked them for the CUP approval at last month's meeting. It seem like everything is moving forward. He's still working with the Fire Marshall and hopes to have that work wrapped up by the end of the week. This action to move the lot line will help orient the positioning of various structures they hope to build in the next several years.

There were no public comments and no questions from the Commission.

BRADLEY/VENUTI MOVED TO ADOPT STAFF REPORT PL 16-30 GLACIERVIEW SUBDIVISION 2016 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was brief comment that this preliminary plat is very straight forward and should be approved.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

A. Staff Report PL 16-31, Comprehensive Plan Update Chapter 6 Parks & Recreation (formerly Chapter 7)

City Planner Abboud reviewed the staff report and the Parks and Recreation chapter.

Initial discussion points included:

- Benefits of the Adopt-a-Park program and the need for the City to do more advertising to raise awareness and get the word out that we are looking for partners
- Ways to establish an endowment fund
 - City provides seed money
 - The Homer Foundation may be a resource for ideas to get it started

- Promoting affluent citizens to put their names on parks
- Matching fund opportunities

Commissioner Highland expressed her thoughts that parks and recreation should have its own chapter. She thinks the Parks, Recreation, and Culture chapter in the current plan is done really well. Homer plays an important part of parks and recreation in the state. She doesn't want to see it get absorbed by other things, but that it is its own chapter and its own thought process.

City Planner Abboud explained how the information was broken down into other sections or plans. For example, the trails are in transportation and we have a trails plan, so it doesn't seem appropriate to repeat the goals for trails in another section; and open space and green infrastructure mapping is in Chapter 4. He touched on other items, noting the information is still there, just separated out into more appropriate sections.

Other commissioners agreed it would be nice to have a parks and recreation chapter, but understand the reasoning for moving things around and that it might be better to have the topics moved into more appropriate slots. The current plan is a bit cumbersome and these changes could help streamline the updated plan.

They continued to review the implementation plan in the current plans chapter 7, touching on

- A high tunnel and volunteers to for the city's green house
- Physical barriers and parks
- Merging with community recreation is something Council would have to approve but would include a director, new employees, and probably higher wages.
- The multi-purpose arts and cultural facility and the arts and culture plan are things that need partners and something the private or non-profit sector would bring to the city.
- Updating 1E9 from ten years to five years.
- Include from the current plan page 7-2 desired improvements – programs hold critical importance to the quality of life and its economic vitality.

Commissioner Highland said she was involved in putting some map together with Steve Baird. She will see if she can find it and bring it.

New Business

Informational Materials

A. City Manager's Report – May 23, 2016

Comments of the Audience

Comments of Staff

Deputy City Clerk Jacobsen said Commissioner Erickson is not planning to request re-appointment and the Clerk's office will advertise a vacancy. She also let them know the City is working on doing an ADA self-evaluation and transition plan on city facilities later this year.

Comments of the Commission

Commissioner Highland commented that Homer lost a very special person with the passing of Carmen Fields.

Commissioner Bradley thanked the group for the work on the Comprehensive Plan. She has been going over the museum's policy and procedure on collections and its hard work trying to figure out where things go.

Commissioner Venuti asked if the vacancy could be filled by a non-city resident, and City Planner Abboud confirmed that it could. Mr. Venuti said it was an interesting meeting.

Chair Stead thanked everyone for the good discussion tonight.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 7:59 p.m. The next regular meeting is scheduled for June 15, 2016 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession may be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- a. Foothills Sub Sunset View Estates Addn. No 2 Time Extension
 KPB File 2006-004; [Imhoff/Sunset View Estates LLC]
 Location: City of Homer

STAFF REPORT

PC Meeting: 06/13/16

2006

The preliminary design for this phased subdivision was conditionally approved by the KPB Plat Committee on January 9, which was valid through January 9, 2007. On November 15, a one year time extension was requested by the surveyor on behalf of his clients and was granted and valid through December 11, 2007

2007

The first phase of this design was recorded and extended the approval to May 8, 2008.

2008

On April 7, the surveyor submitted a request to extend preliminary approval for another two years on behalf of his clients. The request was granted and was valid through April 28, 2010.

2010

The surveyor on behalf of his clients requested another two year time extension on March 31 that was granted and valid through March 31, 2012.

2012

On March 26, the surveyor requested to extend preliminary approval for two years on behalf of his clients. The request was granted and was valid through April 23, 2014.

2014

On March 27, the surveyor requested to extend preliminary approval for two years on behalf of his clients. The request was granted and was valid through April 28, 2016.

2016

On April 13, the owners of the property requested to extend preliminary approval for two years. They would like to sell the remaining lots of Phase 1 before developing more lots.

There have been no changes in the area that would affect this plat.

Approval of the requested time extension will extend preliminary approval to 2018, which is 12 years after the initial preliminary plat approval. **The owner and surveyor are put on notice** that staff may recommend any additional time extension requests revert the subdivision review to the new subdivision code (KPB 20.25, 20.30, and 20.60).

STAFF RECOMMENDATIONS: Extend preliminary plat approval for two years, through June 13, 2018, subject to the following:

1. Copy of plat with current utility reviews being submitted with the final plat.
2. Plat must comply with any subsequent changes to Kenai Peninsula Borough Code up to February 11, 2014.
3. Concurrence by the Homer Advisory Planning Commission.



City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

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(p) 907-235-3106

(f) 907-235-3118

Staff Report 16-33

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: June 15, 2016
SUBJECT: City Planner's Report

City Council: Due to scheduling the City Council has not met since the last Planning Commission meeting. They will introduce the ordinance to adopt the new flood maps and the rezone for the plat at their meeting of June 13th. These items are planned to up for public hearings on June 27th. The memo from the Planning Commission regarding Hickerson Memorial Cemetery is part of the City Manager's Report on the 13th.

Staffing: We have hired back Shelly Rosencrans to work our front desk Monday through Wednesday. At this time, it is a temporary position through the end of the year. Dotti will still be working in the office on Thursday and Friday. The office staffing will be reevaluated at the beginning of the new fiscal year in January.

Comprehensive Plan: Julie is presenting to the Economic Development Commission June 7th.

AKDOT, Lake Street Rehabilitation: A public meeting will be held June 21st in the Council Chambers, 4-7pm. The flyer for the meeting is included as an attachment.

HAPC Spokesperson at City Council meetings:

June 13 th	Tom Stroozas
June 27 th	Roberta Highland
July 25 th	_____

Attachments

AKDOT public meeting flyer



Lake Street Rehabilitation

Homer, Alaska

Project No: Z524610000

Project Overview

Lake Street travels through the core of Homer, serving as an important north-south thoroughfare and accessing many local businesses. In order to improve pedestrian and bicycle facilities, improve drainage, and extend the life of the existing roadway, the Alaska Department of Transportation & Public Facilities (DOT&PF) plans to rehabilitate Lake Street.

What kind of improvements are planned? The project will:

- Rehabilitate 2,500 feet of pavement;
- Widen the road to the west and add bike lanes to both sides of the road;
- Reconstruct curb/gutter and sidewalk on the east side of the road;
- Re-establish existing ditches;
- Improve drainage by replacing failing culverts;
- Improve the intersection with the Sterling Highway;
- Acquire right-of-way interests as needed; and
- Relocate utilities as needed



What is next? This fall DOT&PF plans to begin the process of appraising property required for the construction. Construction is planned to take place during the summer of 2018. The date is dependent upon funding, acquiring property, obtaining permits, and other items which could delay construction.

How can I get involved? Please consider attending the public Open House on June 21, 2016. Options for contacting the project team are below:

Send an email to: carla.smith@alaska.gov

Get more information on DOT&PF and its programs at:

<http://dot.alaska.gov/>

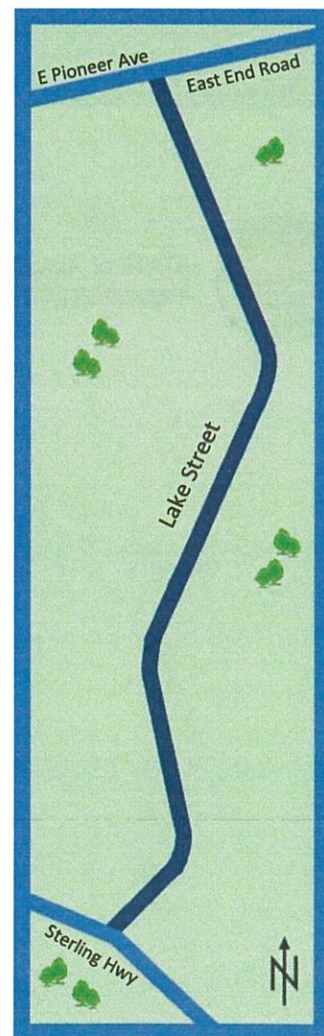
Mail your comments to:

Carla Smith, P.E., Project Manager
DOT&PF, Highway Design Section
P.O. Box 196900, Anchorage, Alaska 99519-6900
Tel: 907-269-0544

The DOT&PF operates Federal Programs without regard to race, color, national origin, sex, age, or disability. Full Title VI Nondiscrimination Policy: dot.alaska.gov/tvi_statement.shtml. To file a complaint go to: dot.alaska.gov/cvtrts/titlevi.shtml.

The DOT&PF complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aids, services, and/or special modifications to participate in this public meeting should contact Jill Reese, 1-907-269-0772 or TDD number 711. Requests should be made at least 5 days before the accommodation is needed to make any necessary arrangements.

The Alaska Department of Transportation and Public Facilities oversees 249 airports, 11 ferries serving 35 communities, 5,619 miles of highway and 720 public facilities throughout the state of Alaska. The mission of the department is to "Keep Alaska Moving through service and infrastructure."



Public Meeting

DOT&PF invites you to a public meeting about the **Homer Lake Street Rehabilitation Project**:

Date: **Tuesday, June 21st**

Time: **4 pm – 7 pm**

Location: **Cowles Council Chambers, City Hall, 491 E. Pioneer Avenue, Homer, AK 99603**

Information will also be available on the Pioneer Avenue Pavement Preservation project, the Homer: East End Rd: MP 5.5-12.6 Pavement Preservation project, and the Sterling Hwy: Beluga Lake Dam Improvements project.

Representatives of DOT&PF will be available to answer your questions and discuss the projects. Please join us!

Schedule

Legend:



Milestone



Open House

	2010	2011	2012	2013	2014	2015	2016	2017	2018
Received Funding Approval (8/2010)	✕								
Preliminary Design & Environmental		PRELIMINARY DESIGN							
Open House (8/2012)			✧						
Homer Area Projects Open House (8/2013)				✧					
Environmental Document Approved (2014)					✕				
Final Design (Fall 2014 - Spring 2018)						FINAL DESIGN			
Design Study Report Approved (3/2015)						✕			
75% Design Review Meeting (8/2015)						✕			
Open House (6/2016)							✧		
Right of Way (Fall 2016 - Fall 2017)								ROW	
Open House (Spring 2018)									✧
Construction									➡



STATE of ALASKA DEPARTMENT of
TRANSPORTATION & PUBLIC FACILITIES



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Planning

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Staff Report 16-30

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: June 15, 2016
SUBJECT: Homer School Survey 2016 Replat

Requested Action: Preliminary Plat approval to divide one larger lot into two smaller lots

General Information:

Applicants:	Seabright Survey + Design Kenton Bloom, PLS 1044 East End Rd, Suite A Homer, AK 99603	Mike Navarre, Mayor Kenai Peninsula Borough 144 N. Binkley St. Soldotna, AK 99669
Location:	SW corner Homer Middle School site, east of W Pioneer Ave on the Sterling Highway.	
Parcel ID:	17510069	
Size of Existing Lot(s):	33.12 acres	
Size of Proposed Lots(s):	3.564 & 29.548 acres	
Zoning Designation:	Rural Residential District & Scenic Gateway Corridor Overlay (portion within 75 ft. of center line of the Sterling Highway),	
Existing Land Use:	Middle School	
Surrounding Land Use:	North: Residential South: Hotel/Commercial East: Residential, Office, and HERC. West: Vacant/Residential.	
Comprehensive Plan: Ch 4, Goal 3:	Encourage high quality buildings and site design that complements Homer's beautiful natural setting.	
Wetland Status:	Discharge Slope and Wetland Upland Complex are found on the site.	
Flood Plain Status:	Zone D, areas in which flood hazards are undetermined, but possible.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	

Public Notice:	Notice was sent to 148 property owners of 135 parcels as shown on the KPB tax assessor rolls.
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Analysis: This subdivision is within the Residential Office District. This plat vacates a common lot between two parcels.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: Need to add 15 foot utility easement along ROW.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements. No public use areas are dedicated with this plat.

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

Staff Response: Public Works is asking for a 20' easement, 10' feet on each side of the C/L Drainage.

- 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;

Staff Response: The plat meets this requirement.

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

Staff Response: The plat meets this requirement.

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

Staff Response: The plat meets these requirements (not applicable).

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

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

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

Staff Response: The plat meets these requirements.

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

Staff Response: This plat meets this requirement; there are no apparent encroachments.

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

Staff Response: The plat meets these requirements.

Public Works Comments: Add a 20' easement on the drainage (10' either side of marked drainage).

Fire Department Comments: No issues

Staff Recommendation: Planning Commission recommend approval of the preliminary plat with the following condition.

1. Add a 20' easement centered on the drainage line.

Attachments:

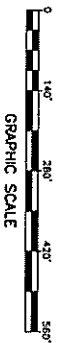
1. Preliminary Plat
2. Public Notice
3. Aerial Map

NOTES

1. NO REMAINING STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. ALL PORTION OF THIS SUBDIVISION IS SUBJECT TO THE REQUIREMENTS OF THE CITY OF HOMER'S ZONING DISTRICT.
4. THE FRONT 10' AND THE ENTIRE BUILDING SETBACK WITHIN 5 FT OF ANY SIDE LOT LINE IS ALSO A UTILITY EASEMENT.
5. THESE LOTS ARE SERVED BY THE CITY OF HOMER SEWER AND WATER.
6. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
7. DEEDS IN ACCORDANCE WITH THE OWNERSHIP IS VESTED IN THE NEW PENINSULA BOROUGH RECORDED BY 299 PG 905 HRD.
8. WETLANDS AND TOPOGRAPHY ARE DEMONSTRATED AS PER THE NEW PENINSULA BOROUGH GIS MAPPING SYSTEM.

LEGEND

- AREAS OF 20% GRADE OR HIGHER
- LOW WET AREA
- EXISTING BURIED HIGH ELECTRICAL CABLE C/L 15' ELECTRICAL DISTRIBUTION LINE EASEMENT PLAT #2000-022 HRD
- 2" ALCP 268-5 (#00-22 HRD)
- DO/TF BC C/L MON IN CASING (#00-22 HRD)
- FIRE HYDRANT
- APPROX. LOCATION C/L SEPTIC MAIN
- C/L WATER MAIN
- 5/8" x 3" REBAR W/ ALCP (#69-773 HRD)
- BC MON (#69-773)

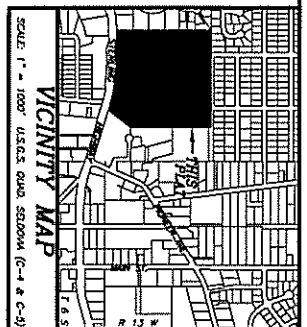
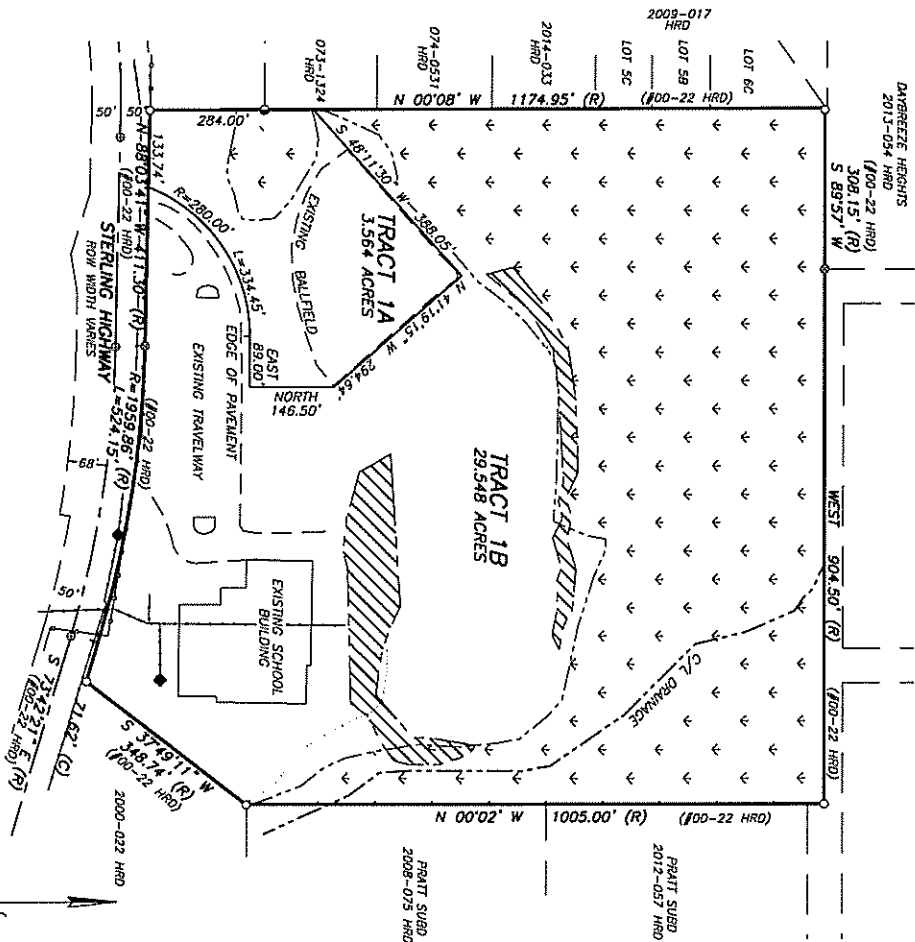


PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE NEW PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____ AUTHORIZED OFFICIAL DATE _____

NEW PENINSULA BOROUGH



CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT I AM THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT I HEREBY ADAPT THIS PLAT OF SUBDIVISION, AND BY MY FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

WILLIAM J. JACOBSON
144 N. BRINKLEY ST.
SOLDOTNA, AK 99689

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2016.
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT

FILE NO. 2016-117

HOMER SCHOOL SURVEY

2016 REPLAT

A REPLAT OF HOMER SCHOOL SURVEY 144 2000022, LOCATED WITHIN THE SE 1/4 NW 1/4 AND THE SW 1/4 NE 1/4, SEC 19, T. 6 S., R. 13 W., S.M., WITHIN THE CITY OF HOMER, NEW PENINSULA BOROUGH, HOMER JUDICIAL DISTRICT, ALASKA

CONTAINING 33.112 ACRES

SEABRIGHT SURVEY + DESIGN

KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: KK	CHKD BY: KB	JOB #2016-14
DATE: 5/2016	SCALE: 1"=140'	SHEET #1 OF 1

NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Homer School Survey 2016 Replat Preliminary Plat

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

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, June 15, 2016 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

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

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

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

.....

VICINITY MAP ON REVERSE

Vicinity Map

Subject Lot:
Homer Middle School

Sterling Highway

Kachemak Bay



City of Homer
Planning and Zoning Department

6/2/16

Homer School Survey 2016 Replat

Marked lots are within 500 feet
and property owners notified



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



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City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 16-34

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: June 15, 2016
SUBJECT: Towers

Introduction: This subject was sent back to the Planning Commission by the City Council in order to address a few specific policies. Those policies include a mechanism for recovering the cost of a third party review and bonding requirement to ensure site remediation after a tower is no longer in use or presents a danger.

Analysis: The City Attorney has addressed the above subjects and introduced another in the process. Although not specifically requested by the City Council, I found the Attorney's suggestion worthy of further considerations.

1. Lines 194-206. Costs of third party review.

This provides the requirement that the applicant provides a deposit for the actual cost of the review. I will be looking into what exactly the appropriate amount may be. This may come with a RFP for a firm which is qualified to make the review. The fee schedule may be amended without Planning Commission approval and would be passed along to the City Council. My guess is that we could be looking at an amount between \$5-8k and some sort of administrative fee for the city.

2. Lines 303-320. Insurance requirements.

This seems to be a concern of most. We would expect that businesses would have liability insurance. This provides an appropriate amount (what we would expect from a tenant of the city) and a mechanism for the city to be notified if the policy lapses. I believe this is a worthy amendment and provides those onsite and nearby with some additional measure of security regarding financial liability.

3. Lines 331-336. Bonding.

This amendment provides a vehicle to provide funds for decommission and removal of a tower if the tower is found unsafe and the owner is unwilling to repair or the tower is no longer operational.

Staff Recommendation: Please review, make amendments if appropriate, and schedule for public hearing.

Attachments: Draft Ordinance (Attorney edit 6.3.16)

CITY OF HOMER
ORDINANCE 16-xx

Planning Commission

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS USED IN ZONING CODE, HOMER CITY CODE 21.05.030, MEASURING HEIGHTS, AND HOMER CITY CODE 21.70.010, ZONING PERMIT REQUIRED; REPEALING HOMER CITY CODE CHAPTER 21.58, SMALL WIND ENERGY SYSTEMS; AND ENACTING HOMER CITY CODE CHAPTER 21.58, TOWERS AND RELATED STRUCTURES.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 21.03.040, Definitions used in zoning code, is amended by adding the following definitions:

"Collocation" means the placement or installation of wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound.

"Equipment compound" means the area occupied by a wireless communications support structure and within which wireless communications equipment is located.

"Tower, amateur radio" means a fixed vertical structure used exclusively to support an antenna used by an amateur radio operator licensed by the Federal Communications Commission, plus its accompanying base plates, anchors, guy cables and hardware.

"Tower, communications" means a fixed vertical structure built for the primary purpose of supporting wireless communications equipment, plus its accompanying base plates, anchors, guy cables and hardware.

"Wireless communications equipment" means the set of equipment and network components used in the provision of wireless communications services, including without limitation antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding any wireless communications support structure.

"Wireless communications services" means transmitting and receiving information by electromagnetic radiation, by an operator (other than an amateur radio operator) licensed by the Federal Communications Commission.

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

“Wireless communications support structure” means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a communications tower, utility pole, or building.

Section 2. Subsection (b) of HCC 21.05.030, Measuring heights, is amended to read as follows:

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

1. Steeples 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.

Section 3. Subsection (d) of Homer City Code 21.05.030, Measuring heights, is amended to read as follows:

d. When determining the height of a nonbuilding structure, such as a sign, ~~or 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.

Section 4. Homer City Code Chapter 21.58, Small Wind Energy Systems, is repealed.

Section 5. Homer City Code Chapter 21.58, Towers and Related Structures, is enacted to read as follows:

CHAPTER 21.58

TOWERS AND RELATED STRUCTURES

Article I. Communications Towers and Wireless Communications Equipment

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

21.58.010 Purpose.

The purpose of this article is to provide standards and procedures for communications towers and for wireless communications equipment.

21.58.020 Exemption from regulation.

a. Each of the following communications towers is a permitted principal or accessory use or structure in each zoning district and is exempt from the provisions of this article:

1. A communications tower that is placed temporarily to support wireless communications equipment that is provided in response to a state of emergency declared by a federal, state, or local government authority and is removed within 12 months after the termination of the state of emergency.

2. A communications tower that is placed temporarily to support wireless communications equipment that is provided for media coverage of a special event, and that is placed no more than 30 days before the special event and removed no more than 15 days after the end of the special event.

3. A communications tower with a height not exceeding 35 feet.

4. An amateur radio tower, to the extent that it is exempt from regulation under AS 29.35.141.

b. The collocation, removal, replacement or installation of wireless communications equipment is a permitted principal or accessory use or structure in each zoning district and is not subject to approval under this title if it meets all of the following requirements:

1. The collocation, removal or replacement is in an existing wireless communications support structure or existing equipment compound that is in compliance with the requirements of this title in effect at the time of its construction and with the terms and conditions of any previous final approval under this title.

2. The collocation, removal or replacement will not do any of the following:

A. Increase the overall height of the wireless communications support structure by more than 20 feet or 10% of its original height, whichever is greater.

B. Increase the width of the wireless communications support structure by more than the minimum necessary to permit the collocation, removal or replacement.

3. The collocation, removal or replacement complies with the terms and conditions of any previous final approval of the wireless communications support structure or equipment compound under this title.

4. The installation is on an existing building that is in compliance with the requirements of this title and with the terms and conditions of any previous final approval under this title, and the wireless communications equipment does not extend more than 10 feet above the height of the building.

21.58.030 Permission for communications towers.

a. Except as provided in subsection (b) of this section, a communications tower is permitted as a principal or accessory use or structure in each zoning district.

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

b. A communications tower that exceeds the following maximum height for the zoning district in which the communications tower is located is permitted only when authorized by conditional use permit issued in accordance with Chapter 21.71.

<u>District</u>	<u>Maximum Height (feet)</u>
CBD	60
TC	60
GBD	60
GC1	120
RO	85
UR	60
RR	85
CONS	60
GC2	120
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

21.58.040 Application requirements.

a. An application for a zoning permit or conditional use permit for a communications tower that is subject to regulation under this article shall include the following information, in addition to information required by other provisions of this title:

1. A level two site plan that shows the location of the communications tower.
2. A written narrative explaining why placing wireless communications equipment at the proposed location is necessary to the applicant's wireless communications services coverage, including confirmation that there is no available site for collocation of the wireless communications equipment within a radius of 1,000 feet from the proposed location in consideration of the proposed technology, why an existing structure may not be used, an evaluation of alternate communications tower locations that the applicant considered, and an explanation why the proposed location is the best alternative.
3. A demonstration that the height of the communications tower is the minimum required for the effective operation of the wireless communications equipment plus the present and future collocations that it supports.
4. A map showing the locations of the applicant's existing communications towers that serve customers in the city and of all current and currently proposed communications towers that the applicant intends to construct to serve customers in the city.
5. A detailed list of major components of the wireless communications equipment that the communications tower will support, and accessory structures such as equipment cabinets and generators.

173 6. An analysis of the potential visual impacts of the communications tower at
174 distances of 500 feet and 1,500 feet from the proposed location, through the use of
175 photo simulations of the communications tower and the wireless communications
176 equipment that it will support. The analysis shall include, to the extent practicable, the
177 visual impact along two lines extending from the shore of Kachemak Bay through the
178 communications tower site that are separated by an angle of at least 90 degrees, and
179 show the relationship of the communications tower to structures, trees, topography,
180 and other intervening visual barriers. The analysis will include recommendations to
181 mitigate adverse visual impacts of the communications tower on other properties.

182 7. A certificate from an engineer licensed in Alaska that the communications
183 tower, and all antennas and other wireless communications equipment located on it,
184 meet industry standards for their construction, including ANSI 222 G or most recent
185 version.

186 8. Evidence that all wireless communications equipment supported by the
187 communications tower meets applicable Federal Communications Commission
188 requirements.

189 9. A determination of no hazard to air navigation for the communications tower
190 issued by the Federal Aviation Administration.

191 10. For a conditional use permit, minutes of each public meeting held under
192 Section 21.58.060(a), and copies of all public comments received under Section
193 21.58.060(b)(5).

194 b. The applicant shall pay the cost of an independent technical review of the
195 communications tower application by a consultant retained by the city. The applicant shall
196 submit with the application a deposit according to the fee schedule established by resolution
197 of the City Council toward the cost of the technical review. If at any time the city finds that the
198 actual cost of the technical review will exceed the amount of the deposit, the city may require
199 the applicant to increase the amount of the deposit to equal the city's current estimate of the
200 cost of the technical review. Continued review of the application shall be conditioned upon the
201 city's receipt of the increased deposit amount. After final city action on the application, the
202 city shall determine the actual cost of the technical review. If the actual cost exceeds the total
203 deposit received, the applicant shall pay the balance to the city prior to permit issuance; if the
204 total deposit received exceeds the actual cost, the city shall refund the excess to the applicant.
205 Deposits received under this subsection shall be disbursed only as authorized by this
206 subsection and shall not bear interest.

207
208 21.58.050 Communications tower standards.

209 a. The distance from a communications tower to the closest property line of a lot that
210 contains a dwelling unit, dormitory, hotel, motel, bar, restaurant, school, day care facility,
211 church, retail establishment or place of public assembly may not be less than 1.1 times its total
212 height.

213 b. The height of the communications tower shall not be greater than the minimum
214 height required for the effective operation of the wireless communications equipment and
215 collocations that it will support upon its initial construction.

c. The communications tower and any related equipment compound are painted or coated in a color that blends with the surrounding environment, except to the extent that obstruction marking is required by the Federal Aviation Administration, and the fence or wall that surrounds the equipment compound at the base of the communications tower, combined with any landscaping adjacent to its exterior, shall obscure the equipment compound to view from its exterior.

d. All guy wires, cables and other accessory support structures for a communications tower shall be on the same lot as the tower, but may be located within required setback areas, and shall be properly jacketed to ensure visibility in accordance with applicable safety standards.

e. The equipment compound for a communications tower shall conform to the minimum setback requirements of the zoning district in which it is located.

f. Not less than two off-street parking spaces conforming to the requirements of this title shall be provided on the lot where a communications tower is located for use in the operation and maintenance of the communications tower and the wireless communications equipment that it supports.

h. The equipment compound at the base of a communications tower shall be surrounded by a fence or wall not less than six feet in height with a secured gate. The lowest part of a climbing apparatus that provides access to equipment on a communications tower shall be at least 12 feet above the ground, and the tower shall have no handholds or footholds below the climbing apparatus.

h. Except for switch type lighting, no artificial lighting shall be mounted on a communications tower, and a communications tower shall not be illuminated with artificial lighting, except when required by the Federal Aviation Administration.

i. Signs. No sign, flag or pennant may be attached to a communications tower except that the following shall be posted in a location that is visible from the ground outside the equipment compound:

1. A sign identifying the party responsible for the operation and maintenance of the communications tower, with a 24-hour emergency contact telephone number.

2. Any antenna structure registration number required by the Federal Communications Commission.

3. Warnings of dangers associated with the communications tower or equipment that is located on the communications tower.

21.58.060 Public notification of communications tower application.

a. The applicant for a conditional use permit for a communications tower shall hold at least one meeting informing the public of the application that conforms to the following requirements.

1. The meeting shall be held at city hall, or at a public facility that is nearer to the location of the proposed communications tower and capable of seating a minimum of 20 people.

2. The meeting shall be held on a day that is not a city holiday at least 15 days before the applicant submits its application to the city.

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

259 3. The meeting shall be scheduled to last a minimum of two hours and shall not
260 start before 5:00 p.m. or after 7:00 p.m.

261 b. The applicant shall notify each record owner of property within 1200 feet of the
262 parcel that is the site of the proposed communications tower by first class mail at least 15 days
263 before the meeting of the following:

264 1. The legal description, street address and a map of the vicinity, of the parcel
265 that is the site of the proposed communications tower;

266 2. A description of the proposed communications tower, including its height,
267 design, and lighting, the proposed access to the site and the services proposed to be
268 provided by the tower;

269 3. The date, time, and location of the meeting;

270 4. A contact name, telephone number, and address of the applicant; and

271 5. A form on which to submit written comments, with a comment submittal
272 deadline and instructions.

273
274 21.58.070 Action on communications tower application.

275 a. The reviewing authority shall approve a communications tower only if the applicant
276 demonstrates that it meets the following criteria:

277 1. The communications tower conforms to the requirements in Section
278 21.58.050, and the other applicable standards in this title.

279 2. The coverage for the applicant's wireless communications services customers
280 that the communications tower will provide cannot be provided by collocation on an
281 existing wireless communications support structure.

282 3. Of the available alternate sites, the selected site provides necessary coverage
283 for the applicant's wireless communications services customers with the least visual
284 impact on other properties.

285 b. No action may be taken on a communications tower application on the basis of the
286 environmental effects of radio frequency emissions to the extent that the wireless
287 communications equipment that will be located on the tower complies with Federal
288 Communications Commission regulations concerning such emissions.

289 c. The reviewing authority shall act on a communications tower application within a
290 reasonable period of time after the application has been filed with the city taking into account
291 the nature and scope of the application, but within no more than 150 days after the application
292 is filed. The 150-day period excludes (i) any time that begins when the reviewing authority
293 gives written notice to the applicant within 30 days of receipt of the application that the
294 application is incomplete, clearly and specifically delineating all missing documents or
295 information, until the applicant makes a supplemental submission in response to the notice of
296 incompleteness; and (ii) any time that begins when the reviewing authority has given written
297 notice to the applicant within 10 days of receipt of such a supplemental submission that the
298 supplemental submission did not provide the information identified in the original notice
299 delineating missing information until the applicant makes another supplemental submission.

300 d. An action denying a communications tower application shall be in writing and
301 supported by substantial evidence contained in a written record.

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

302
303 21.58.080 Communications tower insurance requirements.

304 The issuance and continuation of a zoning permit or conditional use permit for a
305 communications tower that is subject to regulation under this article shall be conditioned upon
306 the permittee securing and at all times maintaining insurance meeting the requirements of this
307 section.

308 a. The insurance policy shall provide commercial general liability coverage for personal
309 injuries, death and property damage with limits not less than \$1,000,000 per occurrence and
310 \$3,000,000 aggregate.

311 b. The insurance policy shall be issued by an agent or representative of an insurance
312 company licensed to do business in the State of Alaska and with an AM Best's rating of at least
313 A.

314 c. The insurance policy shall contain an endorsement obligating the insurance company
315 to furnish the city with at least thirty (30) days prior written notice in advance of the
316 cancellation of the insurance.

317 d. The permittee shall provide the city with an insurance policy or certificate of
318 insurance demonstrating compliance with the requirements of this section before the permit is
319 issued, and a renewal or replacement policy or certificate at least fifteen (15) days before the
320 expiration of the insurance that is to be renewed or replaced.

321
322 21.58.090 Communications tower removal requirements.

323 a. The owner and the lessee of the property that is the site of a communications tower
324 are jointly and severally responsible for its removal:

325 1. If corrective action is not taken within six months after notice that the City
326 Engineer has found the communications tower, or equipment on the communications
327 tower, to be unsafe or not in compliance with applicable law.

328 2. Within 90 days after all wireless communications equipment on a
329 communications tower has not been operational for a period of at least 12 consecutive
330 months

331 b. The issuance and continuation of a zoning permit or conditional use permit for a
332 communications tower that is subject to regulation under this article shall be conditioned upon
333 the permittee providing the city with a performance bond in an amount of at least \$150,000
334 issued by corporation licensed to act as a surety in Alaska and securing the obligations of the
335 owner and the lessee of the property that is the site of the communications tower under
336 subsection (a) of this section.

337
338 Article II. Small Wind Energy Systems

339
340 21.58.110 Purpose and application. The purpose of this article is to establish minimum
341 health and safety standards for small wind energy systems. It applies to small wind energy
342 systems in all districts where they are allowed as permitted or conditional uses.

343
344 21.58.120 Installation requirements.

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

345 a. The wind turbine of a small wind energy system may be mounted on a building or a
346 wind energy system tower.

347 b. The surfaces of all small wind energy system components that are visible when the
348 small wind energy system is in operation shall be painted a nonreflective, neutral color.

349 c. A zoning permit application for a small wind energy system shall include the
350 following information:

351 1. A level one site plan that shows the location of the small wind energy system.

352 2. Specifications for the small wind energy system including manufacturer make
353 and model, an illustration or picture of the turbine unit, maximum rated power output,
354 blade diameter, total height, tower color and, if proposed, the location of ladders
355 and/or climbing pegs.

356 3. Tower foundation blueprints or drawings.

357 4. Noise decibel data prepared by the wind turbine manufacturer or qualified
358 engineer indicating noise decibel level at the property line nearest to the location of the
359 small wind energy system.

360 5. Evidence of compliance with, or exemption from, Federal Aviation
361 Administration requirements.

362 6. Evidence that the small wind energy system complies with current
363 Underwriters Laboratories standards for local utility connections.

364 d. Dimensional Requirements.

365 1. The distance from a small wind energy system to the closest property line
366 may not be less than 1.1 times its total height.

367 2. All guy wires, cables and other accessory support structures for a small wind
368 energy system must be on the same lot as the small wind energy system, but may be
369 located within required setback areas, and shall be properly jacketed to ensure visible
370 safety standards.

371
372 21.58.130 Operation standards.

373 a. Electrical Standards.

374 1. A small wind energy system shall comply with the National Electric Code.

375 2. All electric transmission wires connected to a small wind energy system must
376 be underground, or within the building on which the small wind energy system is
377 mounted.

378 3. A small wind energy system shall not interfere with television, microwave,
379 navigational or radio reception.

380 b. Noise and vibration from a small wind energy system shall not exceed the levels
381 permitted in HCC 21.59.010(b) and (c), except during short-term events such as utility outages
382 and severe wind storms.

383 c. Tower Safety.

384 1. The lowest part of a climbing apparatus that provides access to a wind turbine
385 shall be at least 12 feet above the ground, and the wind energy system tower or
386 building on which the wind turbine is mounted shall have no handholds or footholds
387 below the climbing apparatus.

2. The lowest point through which a wind turbine blade rotates must be at least 20 feet above the ground.

d. Lighting. Except for switch type lighting, no artificial lighting shall be mounted on a small wind energy system, and a small wind energy system shall not be illuminated with artificial lighting, except when required by the Federal Aviation Administration and approved by conditional use permit.

e. Signs. No sign, flag or pennant may be attached to a small wind energy system except for the following:

1. A sign identifying the manufacturer or installer of the small wind energy system.

2. Signs warning of dangers associated with the small wind energy system.

f. Removal. The owner and the lessee of the property that is the site of a small wind energy system are jointly and severally responsible for its removal:

1. If corrective action is not taken within six months after notice that the City Engineer has found the small wind energy system to be unsafe or not in compliance with applicable law.

2. Within 90 days after the small wind energy system has not been operational for a period of at least 12 consecutive months.

Section 6. Subsection (c) of Homer City Code 21.70.010, Zoning permit required, is amended to read as follows:

c. The following are exempt from the requirement to obtain a zoning permit, but not from compliance with applicable requirements of the Homer Zoning Code, such as, but not limited to, the development activity plan or stormwater protection plan:

1. Any change to an existing building that does not increase the height, or exterior dimension of any floor, of the building, and any change to an existing structure that does not increase the height, or footprint area, of the structure.

2. Erection or construction of a one-story detached accessory building used as a tool and storage shed, playhouse, or other accessory use, provided the building area does not exceed 200 square feet; and further provided, that there is already a main building on the same lot.

3. Erection or construction of a communications tower with a height not exceeding 35 feet, or an amateur radio tower.

~~4~~3. Fences or walls used as fences, unless otherwise regulated by the Homer City Code.

~~5~~4. Removal of any building or structure.

~~6~~5. Termination of any type of use.

Section 7. This Ordinance is of a permanent and general character and shall be included in the City Code.

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of
_____ 2016 .

CITY OF HOMER

MARY E. WYTHER, MAYOR

ATTEST:

JO JOHNSON, MMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Mary K. Koester, City Manager

Holly C. Wells, City Attorney

Date: _____

Date: _____



City of Homer

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Office of the City Manager

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Memorandum

TO: Mayor Wythe and Homer City Council
FROM: Katie Koester, City Manager
DATE: June 8, 2016
SUBJECT: City Manager's Report - June 13, 2016

Western Hemisphere Shorebird Reserve Network Destination Earns Homer Recognition

In July of 2015 Council passed Resolution 15-064 nominating some lands in the Beluga Slough Area to become part of the Western Hemisphere Shorebird Reserve Network. Deputy Planner Julie Engebretsen and George Matz were instrumental in working with the Parks and Recreation Advisory Commission, USFWS and AK DFG in coordinating the nomination. Attached is a copy of the Anchorage Daily News article, the State's press release, and the certificate from WHSRN. Not only was the area of the network expanded, the Kachemak Bay site has now also been designated a site of international importance. Congrats for putting Homer on the map!

Homer Ranks as One of Top Small Towns for Wine Lovers

And speaking of maps...not only are we known for great birding, but we are known for our wine thanks to Bear Creek Winery. Top Value Reviews recently published an article online listing Homer as one of the top small towns in the U.S. for wine lovers. Just adds to the list of things to visit Homer for, though technically the winery is in Kachemak City.

Homer Library in National Spotlight (Again!)

Claudia Haines, Homer Youth Services Librarian, is quoted in a new book for librarians, "Inspired Collaboration: Ideas for Discovering and Applying your Potential" by Dorothy Stoltz and published by the American Library Association. Also a picture from our Children's library featuring Megan Murphy and daughter Olivine reading with Sevie, a trained companion dog.

Repairs to Load and Launch Ramp

During the extreme low tides that occurred in April it was reported to Harbor staff that there was a "drop off" at the end of lane 5 of the launch ramp. Staff was able to get a closer look at the bottom during those same tides and took photos of other issues of concern all along the bottom edge of the ramp in the transition between concrete and the rock runoff.

Port and Harbor Director Hawkins contacted the Engineers and Fish and Game (partners on the project) for an onsite meeting. Since then, a full underwater video survey was conducted and the contractor has been back to re-work these areas where the deficiencies were found. This work was conducted during the extreme tides at the latter part of May and again in June and will continue until the project is completed as designed and signed off by the engineers

and accepted by Fish and Game and the City. All lanes are open for use and the “holes” have been addressed.

From a contract standpoint, money has been held back from payment and there is a security bond in place that will not be released until our launch ramp project is completed as designed.

Award of ATAP Grant Could Delay Soundview Sidewalk Project

City of Homer has prepared a draft Alaska Transportation Alternatives Program (ATAP) grant application to fund Soundview sidewalk improvements. In consultation with AK DOT&PF, we have learned that some complexities of the Federal funding process could delay actual construction of the project (if funded) until next spring. The August 2016 date for the grant agreement originally published by AK DOT&PF could very well be pushed back due to DOT's right-of-way certification process and their requirement to approve project cost estimates. Even though the City will not be able to build the project this year if the grant is successfully awarded, it is still worth pursuing. The grant will cover approximately 70% of project cost which allows us to expand the scope of the project to bring the sidewalk all the way to the school in addition to saving some funds for other HART eligible projects. We should know by the end of July if we are going to receive the grant.

GSFA and EDA Grant

The City of Homer has been approached multiple times over the last 2 years by non-profit Global Sustainable Fisheries of Alaska (GSFA- also known as Ocean Rich Communities of Alaska) about leasing lots 9A and 10A near the Fish Dock to construct a training facility for modular flash freezing technology. GSFA plans to construct modular units for flash freezing fresh seafood using Cells Alive System, – or CAS – technology that preserves the freshness much longer than traditional methods. The units would be built on the Homer Spit and shipped to villages along the Alaska coastline for value added processing in rural Alaska. Employees would be trained on how to use the modular units at a facility on the Homer Spit. This project has great potential to provide jobs in Homer, for our rural neighbors, and change the way fresh seafood is preserved in Alaska. However, it also faces financial hurdles for startup funds which has stalled the project thus far and prevented them from submitting a complete lease application. GSFA has approached the U.S. Economic Development Association for a \$1.6 million grant to launch the project. As owners of the land, the City of Homer had to sign as a co-applicant on the EDA application. The application is contingent on a joint agreement that will come before Council at the next meeting detailing the City of Homer's responsibility which will be limited to owner of the land. It is important that the City not give special treatment to any leaseholder, regardless of the prospects of their project. The EDA will require GSFA to go through the proper channels before being awarding any grant, including review by the Port and Harbor Advisory Commission and approval by Council. If for any reason the Council does not award a lease to GSFA, the City would notify EDA and their grant application would be put on hold.

Reminder of Pioneer Avenue Upgrades

As a reminder, sod leveling continues in the right-of-way along Pioneer Avenue. Crews are trying to finish up this week so grass has time to take hold (you may have noticed hydro seeding of the completed sections). Over time the grass has grown above the curb resulting in a steep drop off between the grass and the pavement. This is a tripping hazard, unsightly, and gets in the way of snow removal equipment. Public Works is leveling those areas out and reseeding them, bringing in extra topsoil when needed. Where they are sloping, they will slope the grade so there is no steep drop off. Public works crews will also be removing, or moving back, obstructions in the first 18-24 inches of the right-of-way that hamper plowing and maintenance of Pioneer. This includes some dead stumps of mountain ash trees that have not fared well over the years and have nothing but a few scraggly shoots coming out of them. All live trees will remain.

Enc:

Maps/Press release/ADN article for WHSRN

Excerpt from online article "Small Towns for Wine Lovers"

Letter from Library Director to USDA inquiring about refinancing library loan

Excerpt from Inspired Collaboration: Ideas for Discovering and Applying your Potential

Draft letter to Kenai City Council in support of KPHI housing

Letter submitted to KPB Assembly on proposed Landfill Management Plan

Thank you note from Pratt

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