

September 7, 2016
5:30 P.M.

Cowles Council Chambers
491 East Pioneer Avenue
Homer, Alaska 99603

WORK SESSION

Advisory Planning Commission

1. Call To Order, 5:30 P.M.
2. Discussion of Items on the Regular Meeting Agenda
3. 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

REGULAR MEETING AGENDA

1. Call to Order

2. Approval of Agenda

3. 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).

4. Reconsideration

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 and considered in normal sequence.

1. Approval of Minutes of August 3, 2016

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6. Presentations

7. Reports

- A. SR 16-48 City Planner's Report

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8. Public Hearings

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

- A. Staff Report PL 16-46, CUP 16-04, HVFD Equipment Storage Facility-4060 Heath St.

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- B. Staff Report PL 16-40, CUP 16-05, Amending CUP 15-04, at 5185 Slavin Drive

Page 29

- C. Staff Report PL 16-41, CUP 16-06, Homer Medical Clinic Expansion

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9. Plat Consideration: None

10. Pending Business

- A. Staff Report PL 16-47, HAWSP Recommendations

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11. New Business

- A. Staff Report PL 16-51, Ordinance from Cannabis Commission

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- B. Staff Report PL 16-52, Recommendation for number of commissioners on the
Borough Planning Commission

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12. Informational Materials

- A. City Manager's Report dated Aug. 17, 2016

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13. Comments of The Audience

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

14. Comments of Staff

15. Comments of the Commission

16. Adjournment

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission. Notice of the next regular or special meeting or work session will appear on the agenda following “adjournment.”

Session 16-12, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on August 3, 2016 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER

Approval of Agenda

Chair Stead called for a motion to approve the agenda.

STROOZAS 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 July 20, 2016
- B. Decision and Findings for CUP 16-03

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

STROOZAS/BOS SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

A. Public Safety Building Update

Public Works Director Meyer commented on the Public Safety Building Committees work over the last two years that has included what to build, where to build it, what size and so forth. The Committee decided not to build the \$30 million combined police and fire complex, but appropriating \$1 million to extend the life of the current fire station and build a police station as phase I of the project. They have established a master plan on using the HERC site at the corner of Pioneer and the Sterling Highway. The police station will be built on the west side of the building and house essential services including dispatch, jails, and offices. The existing HERC building will be renovated to accommodate non-essential square footage. The city is using a design/build GC/CM process hiring the architect and contractor at the same time to work together on the design, cost estimates, and constructability. They cost estimate is at about \$12 million. Council has authorized a bond proposition be put to the voters in October asking the community to pay an additional sales tax until and authorize borrowing up to \$12 million for the project to cover the upfront capital costs to build. The Committee is still meeting with a focus of public involvement and educating the community about the project. They are working to find some champions for the project, not city officials, department heads or councilmembers, but community members who be perceived to have less potential conflict and more credible as to why this is really needed.

In response to questions Mr. Meyer explained non-essential services and space needs. Evidence storage makes up a large part of it; evidence required to be stored securely for long periods of time has increased dramatically. There is also a Sally port where offenders can be moved into the station through a secured area and taken to the processing area. There will also be bunks, a radio room, the gym will become an exercise and training area, and a firing range is proposed. He reiterated the offices, dispatch, and jails are the essential services provided for in the new section of the building. The definition the fire marshal has on essential and non-essential has a lot to do with determining locations for the services.

When people ask why they aren't using the existing department he explains that it isn't configured to be able to use it efficiently for a police department, it wasn't designed for that purpose.

Mr. Meyer said the preliminary design work is somewhere between conceptual and preliminary. The site plan shows the building footprint, parking, re-location of the skateboard park, and so forth. The floor plans for the first and second floors of the new building and for the existing HERC building have been developed. They have worked through heating, dealing with seismic loads, and so forth and they continue to discuss revolve around creating cost effective usable space of satisfactory quality. The goal is to get good value for the money being spent.

Relating to the overall cost, Mr. Meyer explained there is a requirement for the size of building we need to operate now and plan for future growth. They are consistently working on the cost and looking at ways to save on the expenses and get it below \$12 million if possible.

In closing Public Works Director Meyer said there will be more efforts with articles in the paper and outreach to community organizations as we move through the process.

Reports

- A. Staff Report PL 16-41, City Planner's Report

City Planner Abboud reviewed his staff report in the packet.

There was no discussion.

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 16-42, Vacation of a portion of Mission Road Right-of-Way and Road Easement

City Planner Abboud reviewed the staff report and referenced the laydown item explaining how the carport got into the setback. He noted in the staff report states that Planning does not support the vacation on the Mission Road right of way and Public Works opposes both the right of way and road easement vacation.

Kenton Bloom, city resident and licensed surveyor, commented on behalf of the applicant. He thinks the information provided does a good job of conveying the confusing history. He thinks it boils down to a question of how we handle things that don't fall inside the normal box. The contractor built in the wrong spot and is no longer in business so there is no way to get recourse from them. The current owner is trying to resolve the issues so he can have clear title. There is no validation within code to accept the current situation. He referenced the asbuilt and noted on the right side of the lot there is a 10 foot jog in the right of way that reduces what he thinks is a 45 foot wide road down to 35 feet and that entire road is on the north side of the right of way. When they went from the fog line to the garage door, there is an excess of 25 feet, so the road is quite a ways away from the garage; enough room for a full sized car to park on the landing and not be in the road. The garage is concrete and steel, so fundamentally we are at a place to try to find a way to vacate the minimum area around this building along with the dedication. Mr. Bloom noted there is no other dedication further down the line, just these couple of lots and the slope is very steep. They recommended 6 feet for the vacation to address the overhang that is pertinent to the building. What the applicant has there works, no one is adversely affected by what's happening there and it's a choice as a community to rally and say this isn't anything anyone really wants, but sometimes we have to help things get resolved so it works.

Chair Stead opened the public hearing. There was no public to comment and the hearing was closed.

There was brief discussion of how this relates to the platting action on tonight's agenda and how to keep these issues from happening in the future.

Question was raised about what happens to the road right of way as it goes to the east. Mr. Bloom responded there is no continuation of that extra strip farther to the east. The road becomes ten feet narrower as far as the dedicated right of way goes.

Public Works Director Meyer commented that the minimum road right of way that the city would expect to have to construct and maintain a road improvement is 60 feet. Normally that is 30 feet dedicated from a property on each side and currently there is 30 feet dedicated on the south side. To do a road improvement the city will need more right of way. The terrain is steep there so the expectation is there will be a need for slope easements that will move off the property. You can argue that an 80 foot right of way is better in that type of terrain to accommodate cut and fill slopes within the right of way. Public Works is sympathetic to the property owner, but if they give this up, the city will have to buy it back later.

There wasn't any confirmation whether this would keep the city from being able to install the water line, and Mr. Meyer addressed dealing with slopes in relation to rights of way, utility easements, and roadside ditches when curb and gutter aren't available. The city accepted Mission Road from the state so we are working with what we have now. Mr. Meyer said he has to look toward the future, not what happened before.

There were further comments from the Commission regarding ways to resolve this including the property owner purchasing a portion of an adjacent property, if the city will sell him the two and a half feet he needs so his garage will be on his property, or helping the applicant out and Public Works could find a way to make it work if and when the right of way is improved.

VENUTI/STROOZAS MOVED THAT THE PLANNING COMMISSION APPROVES THE VACATION OF A RIGHT OF WAY EASEMENT ALONG THE NORTHERN LOT LINE AT 1095 AND 1135 MISSION ROAD, LOT 2 AND LOT 3 SKYLINE VIEW SUBDIVISION LOT 20-B REPLAT.

Commissioner Venuti commented about his time as an inspector he's aware one project built over a setback. He thought when it happened it would be a cloud on the title but it wasn't a problem for the individual who bought the property to obtain financing. He also knows when you build you have to pay attention to the rules. He cited Kenai Peninsula Borough Code that rights of way which are utilized by a public utility or which should be logically required by a public utility shall not be vacated unless it can be demonstrated an equal or superior access is or will be available. He does not see that as the case here and it will be hard for him to support this.

Commissioner Highland commented that there are situations where the house can be put differently than what has been staked out. It gets hard for her in these situations to say where the buck stops.

Chair Stead commented it's interesting that it goes 50 feet in front of some lots and to the east and west it's 40 feet. The city is going to be purchasing right of way if they wish to improve this road for a majority of the area if they wish to go to 60 feet. He has a difficulty socializing these particular costs and putting them onto our population, but this might be one of those times when we should.

Further discussion ensued whether it needs to be clarified in the motion that this is an exception and not setting precedence. Chair Stead didn't think so because these come before the commission on a case by case basis. His reasoning is that it's simpler to grant this than it is for the property owner to have to move or modify the building, and it's unknown what burden it might put on the property owner if we don't grant this.

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Commissioner Venuti reminded them that Public Works does not recommend this.

City Planner Abboud noted he received one phone call from a neighbor to the east stating no objection to this.

VOTE: YES: STEAD, HIGHLAND, ABRAHAMSON, STROOZAS, BRADLEY
NO: BOS, VENUTI

Motion carried.

Chair Stead called for a break at 7:53 p.m. and the meeting resumed at 7:56 p.m.

HIGHLAND/BRADLEY MOVED THAT THE PLANNING COMMISSION APPROVES THE VACATION OF A PORTION OF THE RIGHT OF WAY EASEMENT ALONG THE NORTHERN PORTION OF LOT 2 AND LOT 3 SKYLINE VIEW SUBDIVISION LOT 20-B REPLAT.

It was clarified for this action it's not the easement, it's the right of way.

City Planner Abboud commented this would bring the right of way to 43.5 feet. It's the boroughs rule to have a 60 foot right of way and it will be interesting to hear their opinion on us approving a reduction of an already inadequate right of way.

Commissioner Highland commented she thinks 10 feet makes a difference. In the days before annexation it goes down to less width of road to the east. City Planner Abboud commented the plat dates back to pre-statehood and it has a 40 foot right of way and reviewed the history of the area's platting to date.

Commissioner Bradley commented most of the section being considered is the driveway already.

There was further discussion about the location of the garage and confirmed the portion that is in the platted Mission Road.

HIGHLAND/BOS MOVED TO AMEND THE MOTION TO REMOVE THE WORD EASEMENT.

There was no discussion.

VOTE: (Amendment) NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

VOTE: (Main motion as amended) YES: HIGHLAND, ABRAHAMSON, STROOZAS, BRADLEY
NO: STEAD, VENUTI, BOS

Motion carried.

Plat Consideration

A. Staff Report PL 16-44, Skyline View Subdivision 2016 Replat Preliminary Plat

City Planner Abboud reviewed the staff report.

Kenton Bloom, city resident and licensed surveyor, commented they provided the slope on a separate document and that most of the lot is over 20%. The only level spot on the property is the house site and it's about 40 feet below the road. The plat fundamentally corrects the lot line encroachment with the neighbors who have been entirely willing to rectify that. When they did the equivocation it turned out the land they received at the bottom was on uplands on their side of the drainage so it worked to their benefit as well.

There were no public comments or questions of the applicant.

BOS/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 16-44 AND THE SKYLINE VIEW SUB. 2016 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: YES: STEAD, BRADLEY, STROOZAS, BOS, HIGHLAND, ABRAHAMSON
NO: VENUTI

Motion carried.

Pending Business

A. Staff Report 16-47, Homer Accelerated Water Sewer Program (HAWSP)

City Planner Abboud reviewed the staff report.

Commissioner Stroozas reiterated that he doesn't understand why this came to the commission.

Commissioner Abrahamson commented she understands this is an integrated problem between city departments and there are questions and solutions for Finance and Public Works, as well as Planning. It seems they may have been brought into this a little prematurely, or with less of an understanding of why the 1.25 service ratio is designated and if it's a set number. She would like clarification on the ratio before making decisions about how to implement it.

City Planner Abboud commented the 1.25 is what City Council decided on. We are slated to look at this and general policy matter, maybe not to find a solution to this condition that was created. He said the 1.25 is probably the highest conservative number a financial institution would see favorably when borrowing money. There are variables that can change the dynamics of the city revenue. He addressed some history on how the fund came to be.

Chair Stead commented the debt service coverage ratio is a target ratio. Council is asking how they should apply the debt service ratio of 1.25 and are looking for a process. The city has to be able to show revenue of 125% to cover their debt on HAWSP projects and we have to answer the question how we apply the debt service ratio. Since it's a financial ratio, he would recommend calculating a cost for a project, adding a small percentage for contingencies, and then giving the cost to the city finance to calculate the ratio. If it meets the 1.25 ratio then the project can be approved, but if not, the project is moved to the deferred list. Chair Stead added he doesn't think the city should use the HAWSP program to finance any of its maintenance or on going issues with the water and sewer services, it is strictly for assessment districts.

City Planner Abbound talked about the moratorium and said he has a hard time rectifying this. When the projects get submitted they have to go through the process to see if there is enough interest and if the district is adequate for support. After the first estimate we would know if it fits in with the debt ratio and amount of funds. He suggests setting a date to submit projects and the city evaluates them to see what rises to the top. The HAWSP manual has 8 things they can use to evaluate the projects and a benefit cost analysis is the first thing he would do.

Chair Stead said he prefers first come first serve because if you evaluate based on benefit, some projects may continue to be set aside if other better projects are submitted in each application period.

Commissioner Abrahamson thinks the focus should be on prioritizing or tracking the applications for special assessment districts rather than getting mired down in the financial mechanisms and debt service ratio. Those are things that are more for the finance department and council level.

The Commission briefly discussed the application fee and the notion of increasing it. It could encourage applicants to canvass their area to see if neighbors are interested in paying for the improvements before they apply for a special assessment district. They also touched on how to deal with the application fee if a project isn't selected during a specified time frame.

New Business

Informational Materials

- A. City Manager's Report – July 25, 2016

Comments of the Audience

Comments of Staff

Comments of the Commission

Commissioner Stroozas commented that he questions the ordinance to reduce the senior property tax exemption over a period of several years. It will be grandfathered for those who turn 65 on January 1, 2018 then gradually phased out over several years. He has read that if you are going to

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grant someone an exemption you have to give it to everyone in the same bracket, and he questions the constitutionality of phasing it out. He said Jorje's last day at the Chamber is Friday, the new membership coordinator is Emily Berg.

Commissioner Venuti welcomed Ms. Abrahamson to the Commission. It's good to get younger members because they are the future. He said the proposed reduction of Borough Planning Commission members was postponed at Tuesday night's Assembly meeting. Tonight's meeting was interesting and he thinks they are making some progress with the water and sewer. He thinks the decisions they made tonight about the Mission Road property were emotion. He voted no so he would be able to discuss it at the Borough level. He doesn't think making decisions based on emotion serves the public.

Commissioner Bos welcomed Ms. Abrahamson. He would like figure out a way to hold people more accountable. You can't just build a house anywhere. There are property lines and if you don't have the money to hire a surveyor to figure out where they are, then you probably don't have enough money to start a project. Sooner or later people who don't follow the rules need to be held accountable, or else we are going to go down this path for a long time.

Commissioner Abrahamson commended the planning department's efforts to establish the FEMA community rating system; she thinks it highlights the open space preservation qualities for the city; and also the plan to update the coastal erosion map as they will be useful in assessing coastal vulnerability and threats to infrastructure and future planning.

Commissioner Bradley said it's nice to see another young person on the Commission. She thinks the HAWSP discussions are progressing and starting to make more sense.

Commissioner Highland welcomed Ms. Abrahamson. She thinks we are to a place where people aren't just doing things helter skelter, but in the past they were. It will be a long time before things get where they are supposed to be and she doesn't think some will be able to, like the one today. It's always interesting when we make decisions that affect people.

Chair Stead welcomed Ms. Abrahamson. He commended them on a good job. The decisions tonight were probably was based on emotion, but he agrees there is a point where we have to fix problems that are existing when we kind of helped create them years ago by allowing someone to get that close to a property line. He looks forward to continuing to work on the water sewer program to help make it better for the city.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 9:20 p.m. The next regular meeting is scheduled for August 17, 2016 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

STAFF REPORT PL 16-48

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 7, 2016
SUBJECT: City Planner's Report

City Council

8/22

We now have a tower ordinance.

FEMA representatives presented a Community Rating System plaque honoring the City's acceptance into the CRS program. With this rating, property owners whom purchase flood insurance will save 10% on the cost of flood insurance.

9/12

City Council will be discussing the 2017-2022 Capital Improvement Plan and legislative priorities for the state fiscal year 2018.

No other Planning items noted.

Staff

We continue to run short staffed. I will be looking forward to getting Julie back in the office in mid-September. At this point we can resume more work on the comprehensive plan.

10/10/10



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 16-46

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: August 3, 2016
SUBJECT: CUP 16-04, Fire Hall Equipment Storage Facility

Synopsis The applicant proposes adding an equipment facility similar to the one built for the Public Works Department in 2015. The purpose for the storage facility is to provide a place for vehicles and equipment to be parked and stored out of the weather and out of site. A Conditional Use Permit (CUP) is required per HCC 21.18.030, Conditional Uses and Structures, 21.71, (e) Public Utility Facilities and Structures, and (j) More than one building containing a permitted principal use on a lot.

Applicants: City of Homer, Public Works

Location: 4060 Heath Street
Parcel ID: 177-020-57
Size of Existing Lot: 1.57 acres
Zoning Designation: Central Business District
Existing Land Use: Homer Volunteer Fire Department
Surrounding Land Use: North: Homer Police Department
South: Mall/Retail
East: Kenai Peninsula Borough maintenance building
West: Homer Jeans/Retail

Wetland Status: No designated wetlands on this parcel.
Flood Plain Status: Not in a floodplain.
BCWPD: Not within the Bridge Creek Watershed Protection District
Utilities: Public utilities service the site.
Public Notice: Notice was sent to 20 property owners of 27 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The applicant is proposing adding an equipment facility similar to the one built for the Public Works Department in 2015. The purpose for the storage facility is to provide a place for vehicles and equipment to be parked and stored out of the weather and out of site.

A Conditional Use Permit (CUP) is required per HCC 21.18.030, Conditional Uses and Structures, 21.71 (e), Public Utility Facilities and Structures, and (j) More than one building containing a permitted principal use on a lot.

Existing Structures:

Building	Year built	Constructed prior to zoning	Zoning permit	Size (Sq Ft)
Police station and Jail	1974	Yes-Public Safety Building permitted 1977	Yes	5688
Fire station	1970	Yes-renovation permit 1980	Yes	5700
Police pole barn	1981	Documented on 'site plan' 1981	unverified	1140
Proposed new shed				1400

Total square footage

13,928

Parking: No standards are prescribed for public safety structures. The proposed storage structure is located in a parking/storage area and minimally affects parking spaces. Now some of the things stored in the open will be in the structure. Ten spaces are displayed on the application. This does not account for the four spaces located in the front of the building which includes a handicap stall. Additional parking is also found on the west side of the lot. Functionally, there are at least eighteen spaces onsite. Currently, the staff consists of 4 FTE's and volunteers. I find that this project leaves adequate parking for operations.

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

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

Finding 1: HCC 21.18.030(e) authorizes a Public Utility Facility and Structure as a conditional use in the Central Business District and (j) More than one building containing a permitted principal 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.

Purpose: The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

Analysis: The Homer Fire Department and Police Department provides dispatch, jail, equipment and evidence storage, meeting space, emergency operation command, communications and administrative functions at and from the site. This location has been in use since the 1970's, prior to the adoption of zoning. The complex provides the infrastructure and infrastructure support required to provide public safety services for the community. This location is appropriate in that it is centrally located for dispatching and easily accessible to the public. A pedestrian bench and garden area is provided adjacent to Pioneer Avenue. The proposed storage structure is located behind the station and is mostly out of site.

Finding 2: The Public Safety complex, in its current location, is an appropriate land use within the central business district and is compatible with the purpose of the 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 Central Business District district have greater negative impacts than would be realized from a storage facility located at the Fire Station. Entertainment establishments, retail and wholesale, restaurants, clubs and drinking establishments would have a greater impact on nearby property values. Hotels and Motels, religious, cultural and fraternal assembly would generate a good deal of traffic.

Finding 3: A storage facility is not expected to negatively impact the adjoining properties greater than that of other permitted or conditional uses.

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

Analysis: Surrounding land uses include a park, maintenance building, Kachemak Center, Homer High School, and a few residential lots. The proposal is located in a mostly surrounded by commercial and institutional uses. Fire response time is minimal to the neighboring properties. A storage shed is not incompatible to the neighboring uses.

Finding 4: This proposal is compatible with the surrounding land uses.

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

Finding 5: Existing public, water, sewer, and fire services are adequate to serve the additional structure.

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

Analysis: The addition of a storage structure to the Fire Station supports the safety that the station currently provides to the neighborhood. It will not generate additional traffic and will not have a negative effect on the neighborhood character.

Finding 6: The proposal will not cause undue harmful effect upon desirable neighborhood character.

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

Analysis: The Homer Fire Station and Public Safety operations support the health, welfare and safety of the community. The operations are not of a nature to cause a detrimental impact to the surrounding area, or the City as a whole.

Finding 7: The existing Public Safety complex and the proposed equipment shed will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

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

Finding 8: Gaining a CUP and zoning permit which includes Fire Marshall review will comply with applicable regulations.

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

Analysis: The project supports Goal 1 of the Public Services and Facilities Chapter, Provide and improves city-owned facilities and services to meet the current needs of the community.... It is not found contrary to land use goals as it contributes to the desired growth rings by being centrally located to serve the community efficiently.

Finding 9: No evidence has been found that the proposal is 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).

Finding 10: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM

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

PUBLIC WORKS COMMENTS: Applicant

FIRE DEPARTMENT COMMENTS: State Fire Marshall approval is required.

PUBLIC COMMENTS: None

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP **Staff Report PL 16-46** with findings 1-10.

Attachments

Application

Public Notice

Aerial Photograph



City of Homer

www.cityofhomer-ak.gov

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JUL 20 2016

**CITY OF HOMER
PLANNING/ZONING**

16-04

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Applicant

Name: City of Homer, Public Works Telephone No.: 907-235-3170

Address: 3575 Heath Street Email: cmeyer@ci.homer.ak.us

Property Owner (if different than the applicant):

Name: City of Homer Telephone No.: 907-235-8121

Address: 491 E. Pioneer Ave Email: _____

PROPERTY INFORMATION:

Address: 4060 Heath Street Lot Size: 1.57 acres KPB Tax ID # 177-020-57

Legal Description of Property: T 6S, R 13W, Sec 17 & 20, S.M. New Homer High School No. 2 Tract 1-B

For staff use:

Date: _____ Fee submittal: Amount _____

Received by: _____ Date application accepted as complete _____

Planning Commission Public Hearing Date: 9/7/16

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

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

- ☒ Y ☐ N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: _____
- ☒ Y ☐ N Will your development trigger a Development Activity Plan?
Application Status: _____
- ☒ Y ☐ N Will your development trigger a Storm water Plan?
Application Status: _____
- ☒ Y ☐ N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____
- ☒ Y ☐ N Is your development in a floodplain? If yes, a Flood Development Permit is required.
- ☒ Y ☐ N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>
- ☒ Y ☐ N Do you need a traffic impact analysis?
- ☒ Y ☐ N Are there any nonconforming uses or structures on the property?
- ☐ Y ☐ N Have they been formally accepted by the Homer Advisory Planning Commission?
- ☒ Y ☐ N Do you have a state or city driveway permit? Status: Existing
- ☒ Y ☐ N Do you have active City water and sewer permits? Status: Existing

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

The property is used for the City of Homer Police and Fire Department

2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible).

The current use for the property is for COH Police Station and Fire Department. The Fire Department would like to add an equipment storage facility similar to the one built for the Public Works Dept in 2015. The purpose for the storage facility is to provide a place for vehicles and equipment to park and store out of the weather and out of site.

- a. What code citation authorizes each proposed use and structure by conditional use permit? **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: **(e)** Public Utility Facilities and Structures; **(f)** More than one building containing a permitted principal use on a lot
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. The Equipment storage facility will be located behind the Fire department building, out of site from travels on Pioneer Ave. It will act as a place to storage and park vehicles out of the weather and out of site from the public. No additional noise or light pollution will be generated, or other disruption to the surrounding community.
- c. How will your proposed project affect adjoining property values?
No anticipated affect
- d. How is your proposal compatible with existing uses of the surrounding land?
Adjacent properties are the Homer High School to the north and the Kenai Peninsula Borough Maint. Dept to the East. With both adjacent properties having similar storage needs and facilities the proposed equipment storage facility will fit right in with the surrounding land and existing uses.
- e. Are/will public services adequate to serve the proposed uses and structures?
Yes
- 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?
The storage facility will be out of site from travels on Pioneer Ave. The structure will not generate traffic or additional need for parking.
- 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,
Chapter 6: Public Service Facilities, provide and improve city operated facilities and services to meet the current needs of the community.
- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (circle each answer)
1. Y ☒ N Special yards and spaces.
 2. Y ☒ N Fences, walls and screening.
 3. Y ☒ N Surfacing of parking areas.
 4. Y ☒ N Street and road dedications and improvements (or bonds).
 5. Y ☒ N Control of points of vehicular ingress & egress.
 6. Y ☒ N Special provisions on signs.
 7. Y ☒ N Landscaping.
 8. Y ☒ N Maintenance of the grounds, buildings, or structures.

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

PARKING

1. How many parking spaces are required for your development? 10 drawn in ^{N/A}
If more than 24 spaces are required see HOC 21.50.030(f)(1)(b). _____
2. How many spaces are shown on your parking plan? 10
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

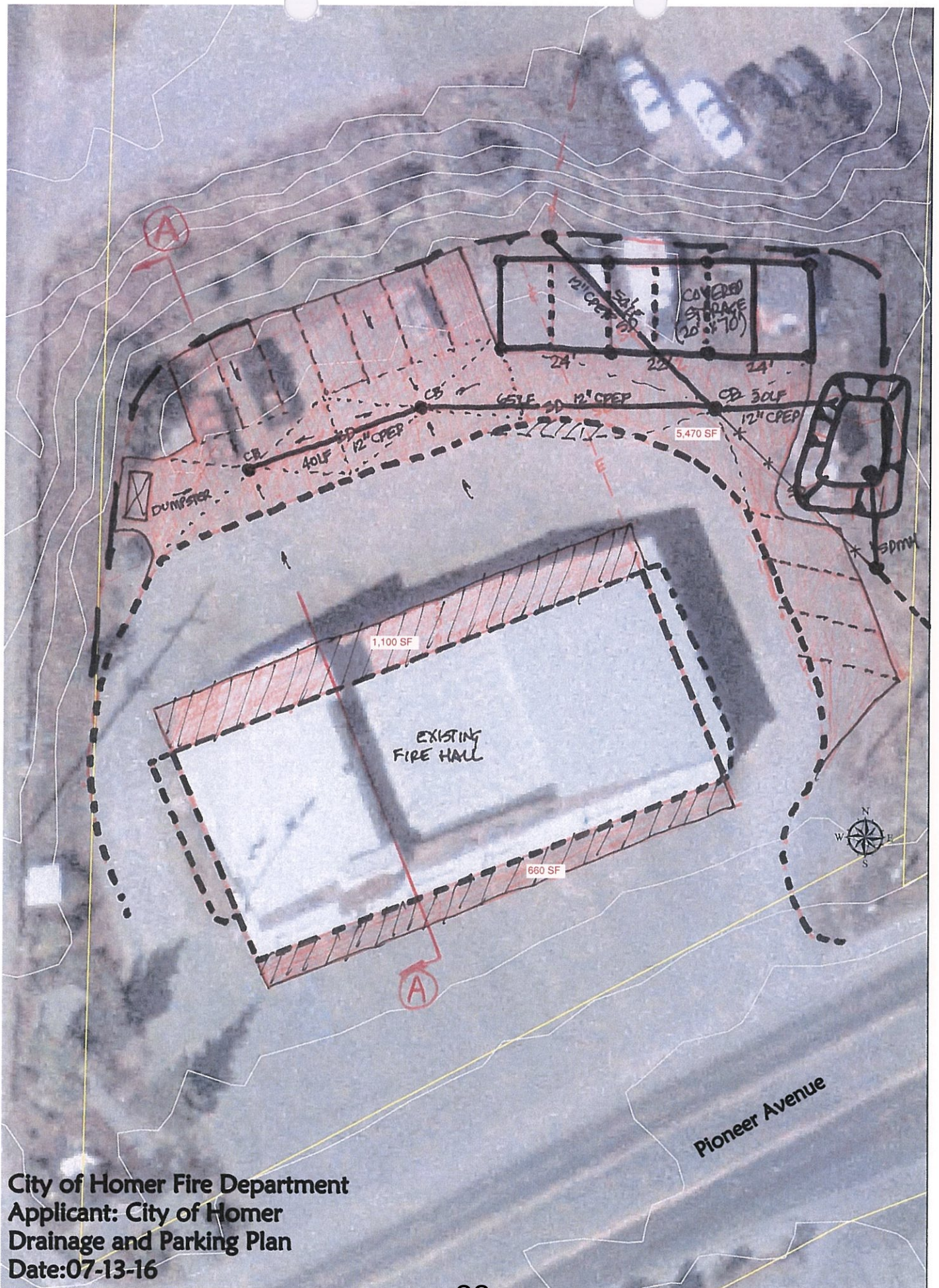
Applicant signature: Jan Hight Date: 7-14-10

Property Owner's signature: Latie West Date: 7-18-10



City of Homer Fire Department
Applicant: City of Homer
Site Plan
Date:07-13-16

1 inch = 60 feet



City of Homer Fire Department
Applicant: City of Homer
Drainage and Parking Plan
Date:07-13-16



City of Homer Fire Department
 Applicant: City of Homer
 Adjacent Property Information
 Date: 07-13-16

1 inch = 200 feet

PUBLIC NOTICE

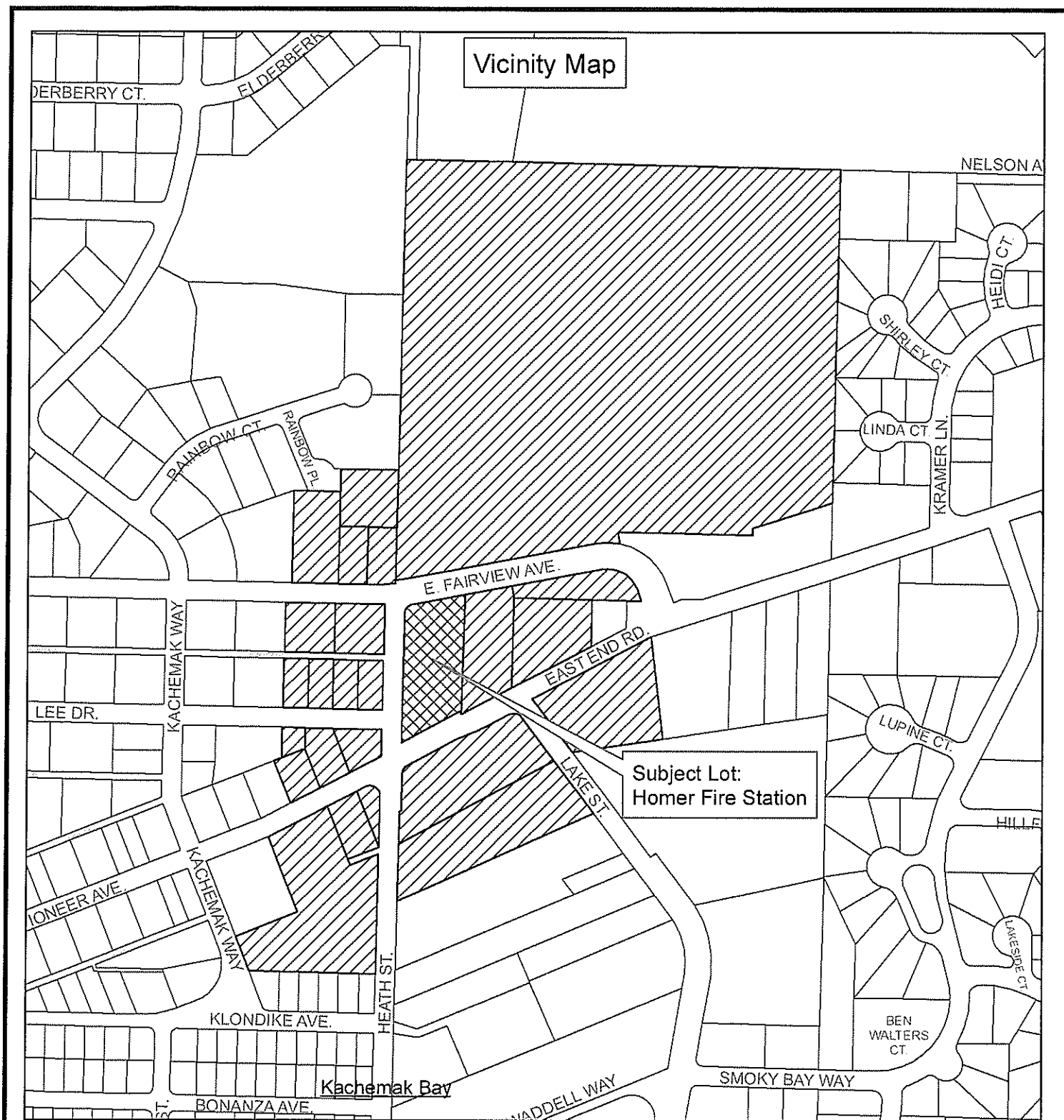
Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, September 7, 2016 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska on the following matters:

A proposal for a storage facility to provide a place for vehicles and equipment to be parked and stored out of the weather and out of site at 4060 Heath Street. A Conditional Use Permit (CUP) is required per HCC 21.18.030, Conditional Uses and Structures, 21.71 (e), Public Utility Facilities and Structures, and (j) More than one building containing a permitted principal use on a lot.

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.

For additional information, please contact Rick Abboud at the City Planning and Zoning Office, 235-3106.

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



City of Homer
Planning and Zoning Department

8.22.16

Homer Fire Station expansion
CUP 16-04, 4060 Heath Street
equipment storage facility

Marked lots are within 300 feet
and property owners notified

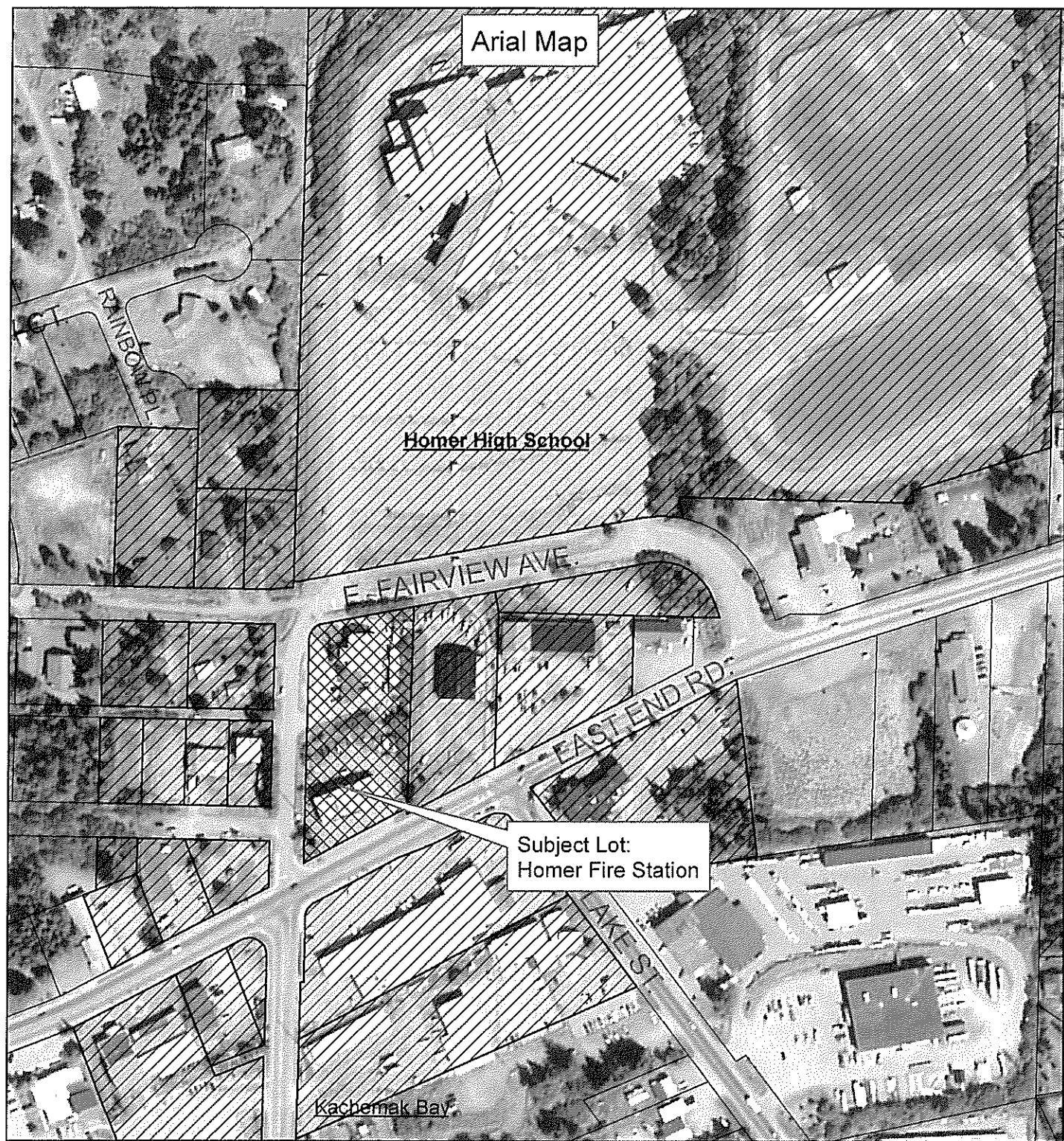


Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.



City of Homer Fire Department
Applicant: City of Homer
Site Plan
Date:07-13-16

1 inch = 60 feet



City of Homer
Planning and Zoning Department

8.31.16

Homer Fire Station expansion CUP 16-04, 4060 Heath Street New Homer High School No. 2 Tract 1-B

Marked lots are within 300 feet
and property owners notified



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City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 16-40

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 7, 2016
SUBJECT: CUP 16-04, 5185 Slavin Drive AMENDING cup 15-04

Synopsis The applicant proposes to build a fourth dwelling unit on the property. A Conditional Use Permit (CUP) is required per HCC 21.12.030(m).

Applicants: Fred Pfiel, 5185 Slavin Dr, Homer, AK 99603

Location: North of East End Road, at the end of Slavin Drive. (Across from Clover Lane and north of the American Legion)

Parcel ID: 17411207

Size of Existing Lot: 2.73 acres (118,918.8 square feet)

Zoning Designation: Rural Residential

Existing Land Use: Residential

Surrounding Land Use: North: Vacant/Conservation
South: Residential/Commercial Greenhouse/American Legion
East: Residential/Mobile home/Conservation
West: Residential/Vacant

Wetland Status: No designated wetlands in the area proposed for development.

Flood Plain Status: Zone D, Flood Hazards are undetermined.

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities serve the site.

Public Notice: Notice was sent to 25 property owners of 17 parcels as shown on the KPB tax assessor rolls.

PUBLIC WORKS COMMENTS: No comments on the additional structure.

FIRE DEPARTMENT COMMENTS: No Fire Department issues.

PUBLIC COMMENTS: None

ANALYSIS: This property is served by City water and sewer. There is an existing 3,680 square foot, two story single family home, along with a 336 and a 465 square foot cabin on the site. The applicant is proposing to build an additional small 24' x 18' cabin on the property. A CUP is needed for "more than one building containing a permitted principal use on a lot" in the rural residential district per HCC 21.12.030(m). The Rural Residential District establishes that a minimum of 10,000 square feet is required per dwelling when city water and sewer are provided, per HCC 21.12.040. Four dwellings establish a density of one dwelling per 29,729.7 square feet.

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

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

Finding 1: HCC 21.12.020(a) authorizes single family dwellings. HCC 21.12.030(m) authorizes more than one building containing a permitted principal use on a lot as a conditional use in the Rural Residential District. HCC 21.12.040(a)(3) allows for one dwelling unit per 10,000 square feet of lot area when served by city water and sewer.

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

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

Finding 2: The residential use and proposed new dwelling on a 2.73 acre lot provides low density development that meets the district density requirement and is compatible with the purpose of the 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 a small rental cabin. Pipelines, railroads, and kennels would have a greater impact on nearby property values. Assisted living, group care, religious, cultural and fraternal assembly would generate a good deal of traffic.

Finding 3: A fourth dwelling unit on the property is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Analysis: The surrounding land is currently occupied by single family homes, a conservation area, and the American Legion. The addition of a small cabin is compatible with the existing uses of surrounding land.

Finding 4: The proposed cabin is a similar use to the other single family homes found in the adjacent and surrounding area.

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

Finding 5: Existing public, water, sewer, road maintenance and police and fire services are adequate to serve the additional dwelling.

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

Analysis: The addition of one small dwelling on this lot will be in line with the neighborhood character in terms of scale, bulk and coverage. The increased traffic will be easily handled by the site's access on Slavin Drive, a City maintained road. While more density will increase the intensity of this lot's current use, the increase is not expected to cause any undue harmful effects.

Finding 6: Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

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

Analysis: City water, sewer, road maintenance, and police and fire services are adequate to serve this area.

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: No relief from code is sought from the applicant. All known applicable regulations will be addressed through the permitting process. The proposed parking plan meets the standards of HCC 21.55 "Off-Street Parking." There are two adequately sized parking spaces per dwelling unit.

Finding 8: The proposal will comply with all applicable regulations and conditions when the permitting process is successfully navigated as provided in the CUP and permitting process.

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

Analysis: Goals of the Land Use Chapter of the Homer Comprehensive Plan include increasing the residential density of this area, served by city water and sewer.

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan. Building a new dwelling unit meets the goal of increasing residential density in areas served by city water and sewer.

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

Finding 10: Outdoor lighting must be down lit per the provisions of the CDM.

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:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.

10. Limitation of time for certain activities: No specific conditions deemed necessary.

11. A time period within which the proposed use shall be developed: No specific conditions deemed necessary.

12. A limit on total duration of use: No specific conditions deemed necessary.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP 16-40 with findings 1-10.

Attachments

Application

Public Notice

Aerial Photograph



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Applicant

Name: FRED PFEIL Telephone No.: 907-299-1716
Address: 5185 SALVIN DR. HOMER, AK Email: alaskanyantee@gmail

Property Owner (if different than the applicant):

Name: Maeting Telephone No.: _____
Address: PO Box 1625, 99603 Email: _____

PROPERTY INFORMATION:

Address: 5185 Salvin Dr Lot Size: 2.7 acres KPB Tax ID # 17411207

Legal Description of Property: Long legal —

For staff use: Date: 8/19/15 Fee submittal: Amount \$200
Received by: shh Date application accepted as complete 8/19/15 RA
Planning Commission Public Hearing Date: _____

Conditional Use Permit Application Requirements

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

Circle Your Zoning District

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

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AUG 19 2015
CITY OF HOMER
PLANNING/ZONING

[Handwritten signature]

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

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

Y/N Will your development trigger a Development Activity Plan?

Application Status: _____

Y/N Will your development trigger a Storm water Plan?

Application Status: _____

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

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

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

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

Y/N Do you need a traffic impact analysis?

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

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

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

Y/N Do you have active City water and sewer permits? Status: Approved

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

HOME - RESIDENTIAL - 3,700^{sq}
CABIN - RENTAL - 288^{sq}

2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible).

SAME AS ABOVE
16'x24' CABIN 1 BEDROOM

CONDITIONAL USE INFORMATION: (Please use additional sheet(s), if necessary)

- a. What code citation authorizes each proposed use and structure by conditional use permit?

More than one building containing a permitted principal use on a lot.
HCC 21.12.030(m)

- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district. PROVIDE QUALITY AFFORDABLE RENTAL

- c. How will your proposed project affect adjoining property values? NONE

- d. How is your proposal compatible with existing uses of the surrounding land? SAME - RESIDENTIAL
- e. Are/will public services adequate to serve the proposed uses and structures?
YES
- 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?
NO IMPACT
- 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 2006 Town Center Plan and the 2008 Comprehensive Plan are online at:
<http://www.ci.homer.ak.us/documents/planning>
- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (circle each answer)
1. ☒ Y ☒ N Special yards and spaces.
 2. ☒ Y ☒ N Fences, walls and screening.
 3. ☒ Y ☒ N Surfacing of parking areas. gravel
 4. ☒ Y ☒ N Street and road dedications and improvements (or bonds).
 5. ☒ Y ☒ N Control of points of vehicular ingress & egress. slavin
 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.

Handwritten signature/initials

PARKING

1. How many parking spaces are required for your development? 2 additional
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? two
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: _____

8/19/15

Property Owner's signature: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Thank you for your interest in applying for a Conditional Use Permit (CUP). This sheet will provide some basic information about the application and review process. Planning staff is always available to answer questions.

Process

- Submit your application on or before the application deadline.
- Once your application is determined to be complete, a public hearing will be scheduled before the Homer Advisory Planning Commission (HAPC) within 45 days.
- The hearing is advertised in the newspaper, and nearby property owners will receive a notice by mail.
- After the hearing, the Planning Commission has 45 days to make a decision. The Commission will announce its decision at a meeting along with any conditions and findings to support its decision.
- The Commission's decision may not happen at the public hearing.

Who makes the decisions?

- Staff decides when the application is complete, and then schedules the hearing.
- Staff reviews the proposal and makes a recommendation to the HAPC.
- The HAPC makes the final decision after a public hearing.
- It takes four yes votes to pass. (There are seven Commissioners.)
- Do not contact Commissioners about your project. Prior to the hearing, Commissioners must declare all contact(s) with the applicant, whether in person, by telephone or electronic. Contact with Commissioners may be considered a conflict of interest which excludes a Commissioner(s) from participating in the CUP process.

How can I make this go faster?

- Apply early! Expect this process to take at least two months or longer from the date that your application is accepted as complete.
- Discuss your project with planning staff before you apply; identifying problems early on gives you more time to find a solution. This avoids scrambling at the last minute.
- For commercial projects, the Planning Department will schedule a pre-application meeting with planning, public works and the fire department.
- Site plans must be neat, legible, and to scale. Surveys may be required. Planning staff has a list of surveyors and draftspersons.
- The more complete your application is, the faster it will be processed.

J.8 -

What happens at the meeting?

The Public Hearing:

- The applicant or his/her representative should attend the public hearing.
- The public hearing begins with the staff outlining the project in relation to the city code and the staff recommendation(s).
- The applicant may present the project. Visuals with architectural designs are helpful. Be concise.
- Each member of the public has 3 minutes to address the Commission. Prior to the close of the public hearing, the applicant may respond to comments from the public and/or answer questions.
- Once the public hearing is closed, no new information can be submitted.

Planning Commission Deliberation:

- Once the hearing is closed, the members of the Commission will talk over the proposal. They may do so in the meeting, or they may go into deliberations. This means they may leave the chambers and go to another room to speak in private.
- The Commission may make a decision right away, or it may ask for more information, and may conduct another public hearing.

Lastly

Decisions and Findings document and appeals.

- Using the approved minutes from the Commission meeting(s), staff prepares a legally binding document called a *Decisions and Findings*, a copy of which is sent to you.
- If you or a member of the public wishes to appeal the Commission's decision, he/she must file within 30 days after the *Decisions and Findings* document has been signed.
- If your project is approved, then you can move forward and apply for a zoning permit, which must be approved before you begin development.

Zoning Permit is required before construction.

If your project is granted a conditional use permit, you can apply for your Zoning Permit. Fees for a Zoning Permit vary depending on the scope of your project.

Other requirements, such as Fire Marshal, Stormwater Plan, driveway/water/sewer permits, must be in place before the city can issue a Zoning Permit. If ALL of the required permits are in place and you have met the conditions of your CUP, a Zoning Permit will be issued within seven to ten working days.



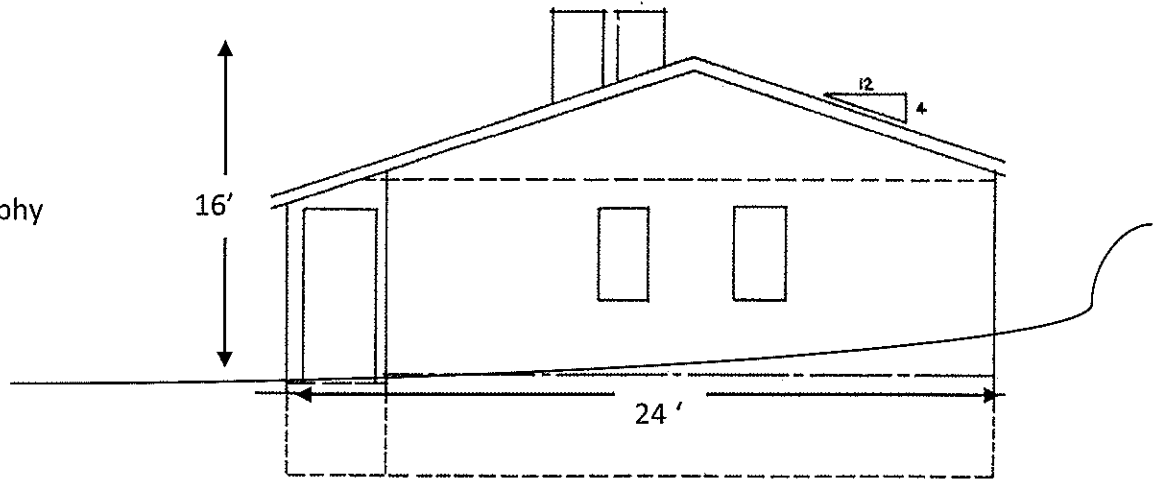
Applicant's signature



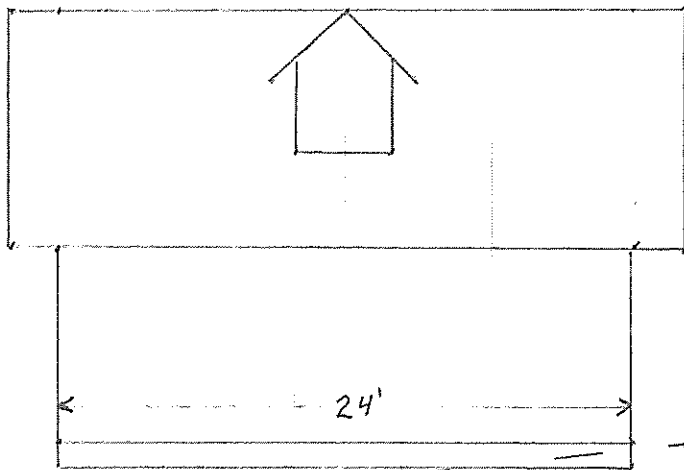
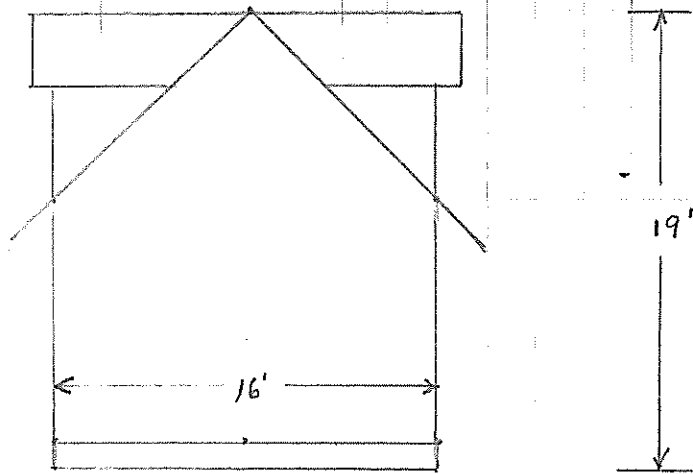
Date

Sample building elevation drawing

- ☐ Building height
- ☐ Wall dimensions
- ☐ Grade / topography

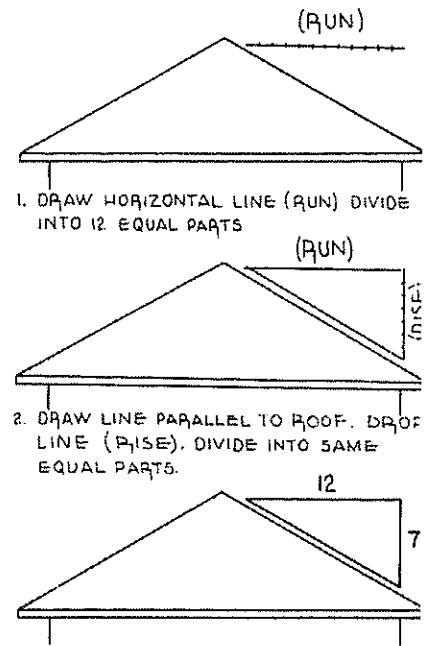


Your drawing here:



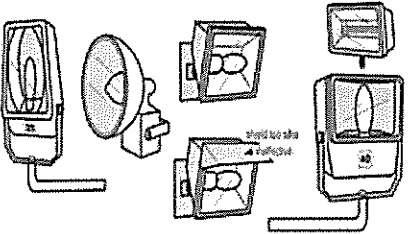
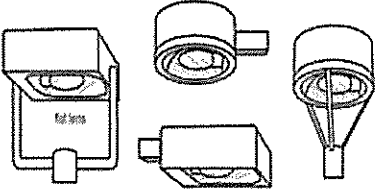
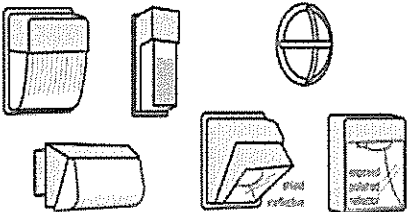
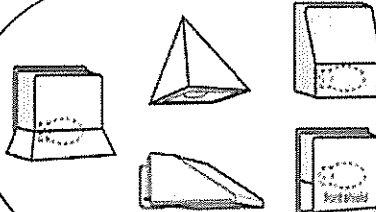
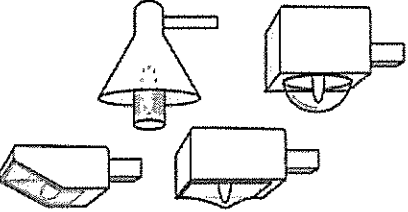
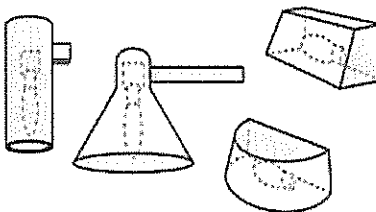
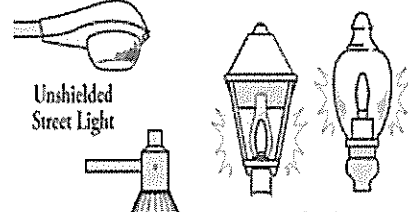
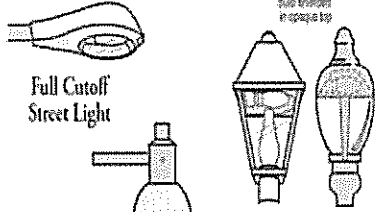

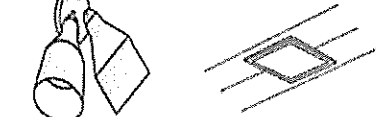
GRADE

ON PILES



Lighting Standards

The **Lighting standards** aim to reduce glare and light trespass and apply to the business and commercial projects. Depending on the scope of the project a Lighting Plan maybe required per HCC 21.59.030. For simple projects simply circle the type of cut-off light fixture you are using or provide your own.

UNACCEPTABLE Fixtures that Produce Glare and Light Trespass	ACCEPTABLE Fixtures that Shield the Light Source to Minimize Glare and Light Trespass - Facilitating Better Night Vision
 <p>Unshielded or Poorly-shielded Floodlights</p>	 <p>Full Cutoff Fixtures</p>
 <p>Unshielded Wallpacks & Poorly-shielded Wall Mount Fixtures</p>	 <p>Fully-shielded Wallpack & Wall Mount Fixtures</p>
 <p>Drop-lens & Sag-lens Fixtures with Exposed Bulb/Refractor Lens</p>	 <p>Fully-shielded Fixtures</p>
 <p>Unshielded Street Light</p> <p>Unshielded Security Light</p> <p>Unshielded 'Period' Style Fixtures</p>	 <p>Full Cutoff Street Light</p> <p>Fully Shielded Security Light</p> <p>Fully Shielded 'Period' Style Fixtures</p>
 <p>Unshielded PAR Floodlights</p> <p>Drop-lens Canopy Fixtures</p>	 <p>Shielded/Properly Aimed PAR Floodlights</p> <p>Flush Mounted Canopy Fixtures</p>

104'

- PLOT PLAN -
5185 SLAVIN DR.

50'



FRED & BECKY PFEIL
299-1716

HOUSE

411.49'

APPROX. 24'

24'

18'

CABIN

CABIN

120'

25' R.O.W.

372.28

EXISTING UTIL. LINES

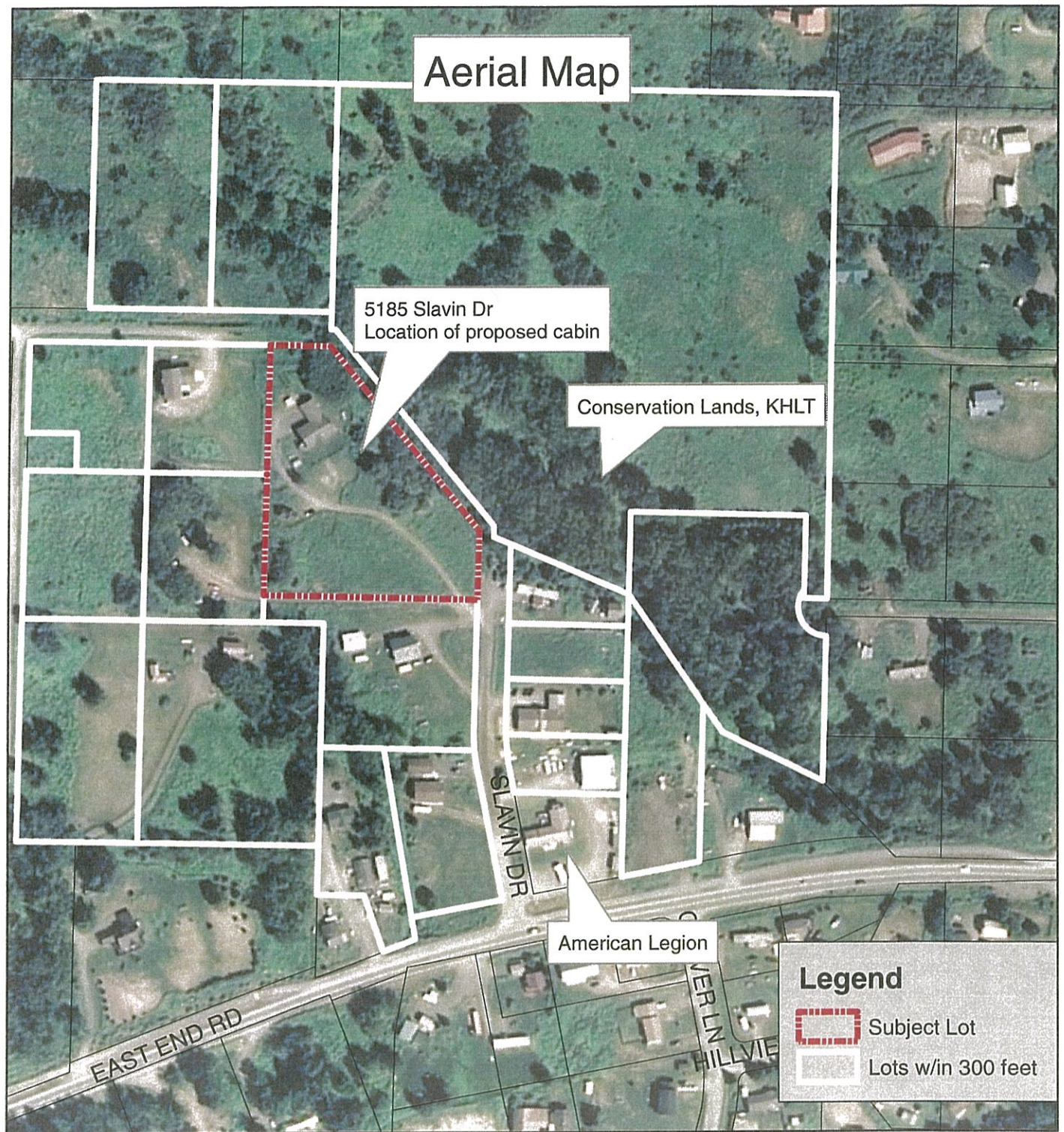
— U.G. ELEC.

— WATER

— SEWER



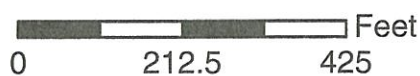
PROPOSED NEW CABIN 43



City of Homer
Planning and Zoning Department
 August 27, 2015

Request for Conditional Use Permit 15-04
 More than one building containing a
 permitted principal use on a lot

Lots w/in 300 feet are marked and
 land 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.



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 16-41

TO: Homer Advisory Planning Commission
FROM: Rick Abboud AICP, City Planner
DATE: September 7, 2016
SUBJECT: CUP 16-06, Medical Clinic of more than 8000 square feet in the Residential Office District

Synopsis The applicant proposes an expansion of approximately 5000ft. to the existing medical clinic. A Conditional Use Permit (CUP) is required per HCC 21.16.030(d), Medical Clinic & HCC 21.16.030(e), more than 8000 square feet of building area.

Applicants: Scott Curtin, Kenai Peninsula Borough
144 N Binkley Street
Soldotna, AK 99669

Location: 4136 Bartlett Street
Parcel ID: 17506212
Size of Existing Lot: 1.8 acres
Zoning Designation: Residential Office
Existing Land Use: Medical Clinic
Surrounding Land Use: North: Residential/Vacant
South: Residential/Vacant
East: Residential
West: Office/Residential

Wetland Status: Wetlands may be located on the northeastern corner of this parcel.
Flood Plain Status: Not in a mapped floodplain.
BCWPD: Not within the Bridge Creek Watershed Protection District
Utilities: Public utilities service the site.
Public Notice: Notice was sent to 46 property owners of 39 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The applicant is proposing an addition of approximately 500 square feet of the current medical clinic for a approximate total of 10,000 square feet, a CUP is needed for a

medical clinic in the Residential Office district per HCC 21.16.030(d) and more than 8,000 square feet of building area per HCC 21.16.040(e).

Parking: Currently the facility is served by a mostly unpaved lot. Medical Clinics are required to provide 1 space per 300 of gross floor area. At approximately 10,000 square feet, this translates to 34 spaces. Several site visits in the late morning to lunch time frame shows that the facility currently uses over 30 spaces.

Spaces can be optimized if a parking lot is paved and striped. In this case, I would like to see more parking. The applicant is working with the Corps of Engineers on defining wetlands and they may have more parking spaces available in the northeast corner.

Additional parking could be address be internal police of the facility. This facility is now an extension of SPH which does provide nearby parking. Offsite employee parking would ease what is most likely to be an increased demand for parking at the site.

I recommend a condition that the parking lot is to be paved and a pedestrian pathway be created to intersect with the sidewalk located on Bartlett Street. Per 21.50.030, 10% of parking areas over 24 spaces shall be landscaped in islands, dividers, or a combination of the two.

Drainage/stormwater: The expansion combined with the current parking is very near one acre. Once the total impervious gets beyond an acre, a stormwater plan is required. I recommend that a stormwater plan is developed. The stormwater plan is needed to mitigate drainage concerns from the adjacent property to the southeast. Water from the parking lot and structure needs to be directed to west and the south to avoid impacting the residence to the southeast.

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

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

Finding 1: HCC 21.14.030(d) authorizes medical clinics and HCC 21.16.040(e) authorizes more than 8,000 square feet of building area as conditional uses in the Residential Office District.

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

Purpose: The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

Analysis: The Residential Office District is the home of the South Peninsula Hospital and is supporting a growing number of allied services. The clinic is found in relative close proximity to the hospital and adjacent to other healthcare providers. The entrance to the parking lot is found on a collector street that was designed to handle traffic to the hospital. The lot is 1.8 acres, which can support ten residences according to density requirements of the Residential Office District. It is appropriate that this district and location, in specific, allows the clustering of medical services.

Finding 2: The use and structure is compatible with the purpose of the 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 Residential Office district have greater negative impacts than would be realized from a medical clinic. Hospitals and heliports would have a greater impact on nearby property values. Assisted living, group care, religious, cultural and fraternal assembly would generate a good deal of traffic and would not limited hours of operation.

Finding 3: A medical clinic is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Analysis: Surrounding uses include medical facilities and residences. The clinic has been in operation from the early eighties when there were even less medical facilities located nearby. Also nearby is the hospital, which shares in the care of many of the same patients and medical personnel. It is a benefit for Homer to cluster medical services together not only for the benefit of those receiving services, but for the city in general, as sprawl is inhibited.

Finding 4: The proposal is compatible with existing uses of surrounding land.

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

Finding 5: Existing public, water, sewer, and fire services are adequate to serve the medical clinic.

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

Analysis: The clinic is located on a large lot adjacent to a collector street that leads to the hospital. Traffic is generally confined to the collector and neighboring local streets should not experience a significant increase in traffic. Hours of operation are limited.

Finding 6: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character.

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

Analysis: The services provided by the medical clinic certainly contribute to the health safety and welfare of the entire community. The lot is well positioned on a collector route which has been developed as a route to the hospital.

Finding 7: The proposal is not unduly detrimental to health, safety, or welfare.

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

Analysis: Gaining a CUP along the zoning permit process addresses the applicable regulations.

Finding 8: The proposal will comply with applicable regulations.

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 encouraging infill and minimizing impacts of public facilities (Chapter 4, Goal 1). The proposal grows the current site, as opposed to introducing an entire new facility. It is conveniently located nearby to allied services.

Finding 9: No evidence has been found that the proposal is 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 standards are applicable the Residential Office District.

Finding 10: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM

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

PUBLIC WORKS COMMENTS: There is an existing 1 ½" waterline that will need to be abandoned at the main. With that said, I would recommend HMC move their proposed 4" DIP line to that location rather than dig the road up twice.....

PW would like to see their proposal for materials used connecting to the mainline.

They need to be aware that per COH standards they will be required to pressure test and disinfect the line before use.

FIRE DEPARTMENT COMMENTS: No FD issues. Will require FM review.

PUBLIC COMMENTS: Tom Schroeder, southeast neighbor at 254 W Fairview Ave. Mr. Schroeder came to my office and expressed concern about additional runoff might affect his property. He wants the applicant to direct all runoff into the existing drainage easement that runs adjacent to Bartlett and then Fairview to the east to his property. He suggests that the parking lot be graded to move all runoff to the west and that snow storage be moves to the west side of the lot so it does not drain on to his property.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP **Staff Report PL 16-41** with findings 1-10 and the following conditions.

1. All lighting must comply with community design manual guidelines
2. Parking area shall be paved and a pedestrian path shall be established to Bartlett Street.
3. Develop and install stormwater plan per HCC 21.75.

Attachments

Application
Public Notice
Aerial Photograph



City of Homer

www.cityofhomer-ak.gov

RECEIVED

AUG 16 2015

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Applicant

Name: SCOTT CURTIN (KPB) Telephone No.: (907) 740-8103 cell

Address: 144 N. BINKLEY Soldotna, AK Email: SCURTIN@KPB.US

Property Owner (if different than the applicant):

Name: Scott Curtin (Kenai Peninsula Borough) Telephone No.: 907.262.2032

Address: 144 North Binkley Street, Soldotna, AK 99669 Email: SCurtin@kpb.us

PROPERTY INFORMATION:

Address: 4136 Bartlett Lot Size: 1.8 acres KPB Tax ID # 17506212

Legal Description of Property: T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 2-A BLK 5

For staff use:

Date: 8/16/16 Fee submittal: Amount \$1000.00
Received by: YBA Date application accepted as complete 8/16/16
Planning Commission Public Hearing Date: 9/7/16

Conditional Use Permit Application Requirements:

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

Circle Your Zoning District

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

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

- ☒ Y ☐ N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: Fire marshal review will begin when design is complete
-
- ☒ Y ☐ N Will your development trigger a Development Activity Plan?
Application Status: Contractor has not been selected yet.
-
- ☒ Y ☐ N Will your development trigger a Storm water Plan?
Application Status: _____
-
- ☒ Y ☐ N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: A permit is not likely to be required per a previous determination. COE is currently evaluating expansion of the attached finding.
-
- ☒ Y ☐ N Is your development in a floodplain? If yes, a Flood Development Permit is required.
-
- ☒ Y ☐ N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>
-
- ☒ Y ☐ N Do you need a traffic impact analysis? Very Little Additional Traffic.
-
- ☒ Y ☐ N Are there any nonconforming uses or structures on the property?
-
- ☒ Y ☐ N Have they been formally accepted by the Homer Advisory Planning Commission?
-
- ☒ Y ☐ N Do you have a state or city driveway permit? Status: CONTRACTOR WILL OBTAIN
-
- ☒ Y ☐ N Do you have active City water and sewer permits? Status: CONTRACTOR WILL OBTAIN

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

Property is used by the South Peninsula Hospital as a walk-in health clinic. Existing building is approximately 5,000 s.f.

2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible).

No change in use is proposed. This project will add approximately 5,000 s.f. to the existing clinic.

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

- a. What code citation authorizes each proposed use and structure by conditional use permit?
Health clinics are allowed per 21.16.030 d.
- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.
Health clinics are allowed per 21.16.030 d.
- c. How will your proposed project affect adjoining property values?
No change anticipated.
- d. How is your proposal compatible with existing uses of the surrounding land?
No change in use, so no change in compatibility
- e. Are/will public services adequate to serve the proposed uses and structures?
Utilities have been verified.
- 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?
This addition will match the existing building, no increase in height. Traffic may increase slightly due to new exam rooms (10).
- 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,
The plan calls for expanded access to health services, and this is a direct response to that need
- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? (**circle each answer**)
1. Y/N Special yards and spaces.
 2. Y/N Fences, walls and screening.
 3. ☒ Y/N Surfacing of parking areas. Design for future paving is part of building documents
 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. All exterior light fixtures have full cut-off shielding
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. New portion of building creates height variation without increasing total 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? 35
- 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? 39
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:

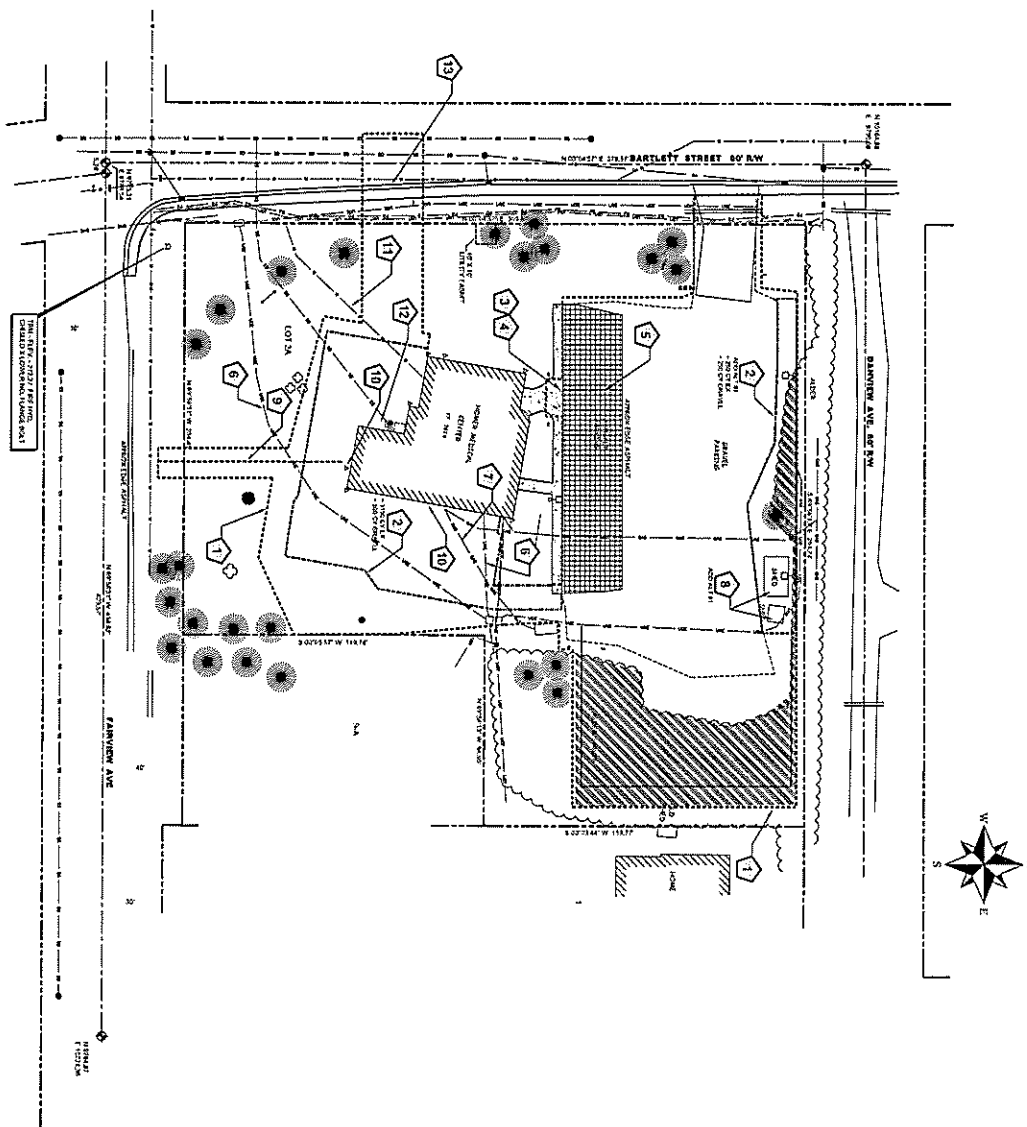
Owner of record

Lessee

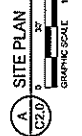
Contract purchaser

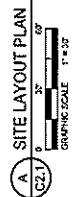
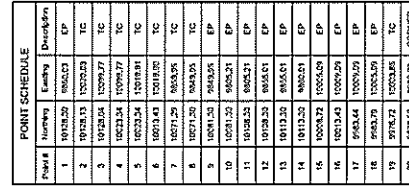
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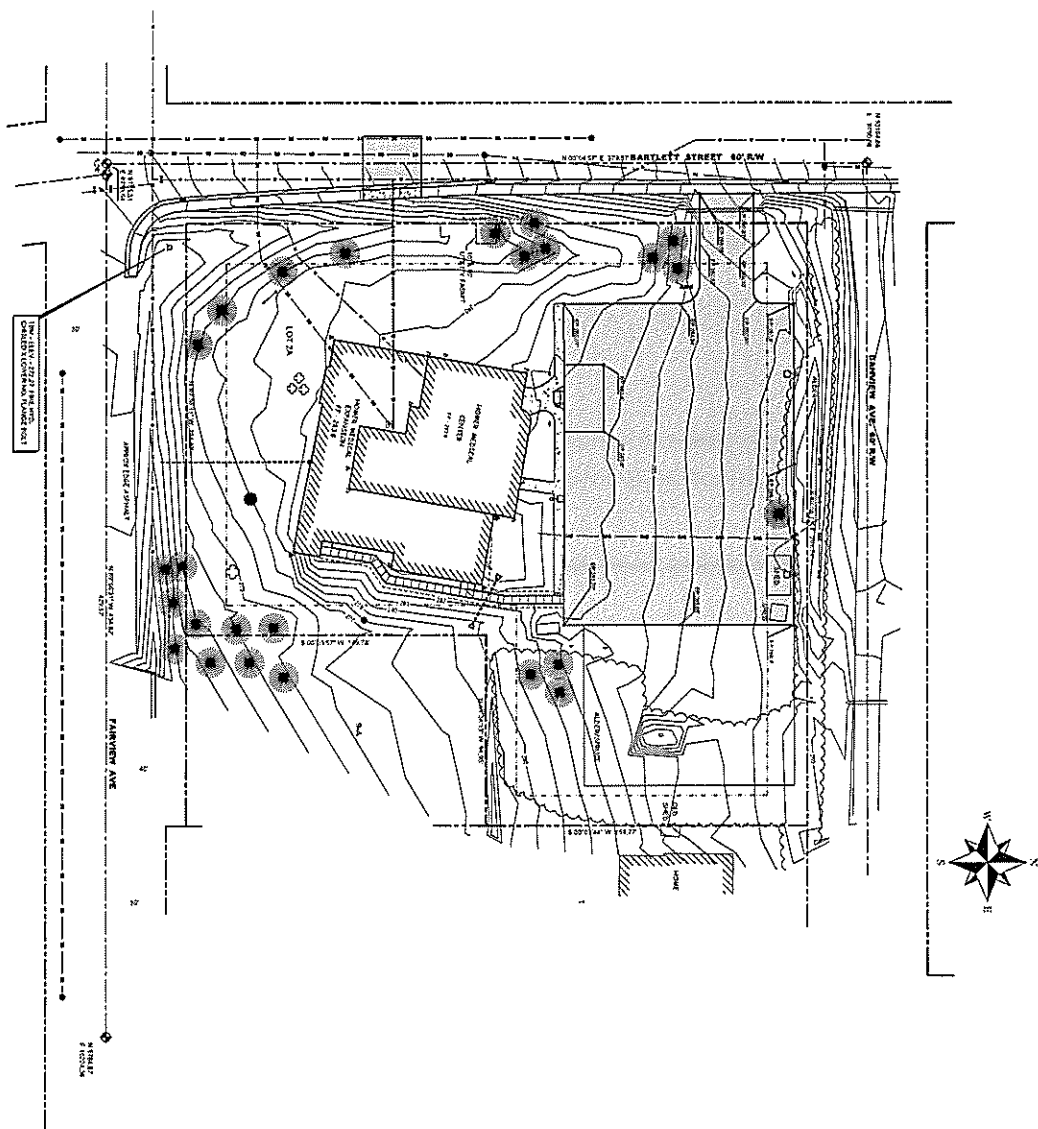
Property Owner's signature: [Signature] Date: 7-22-2016
KPB Land Mgmt office



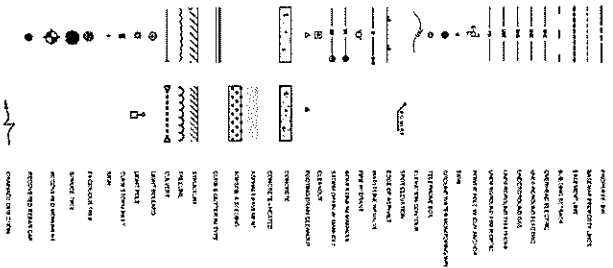
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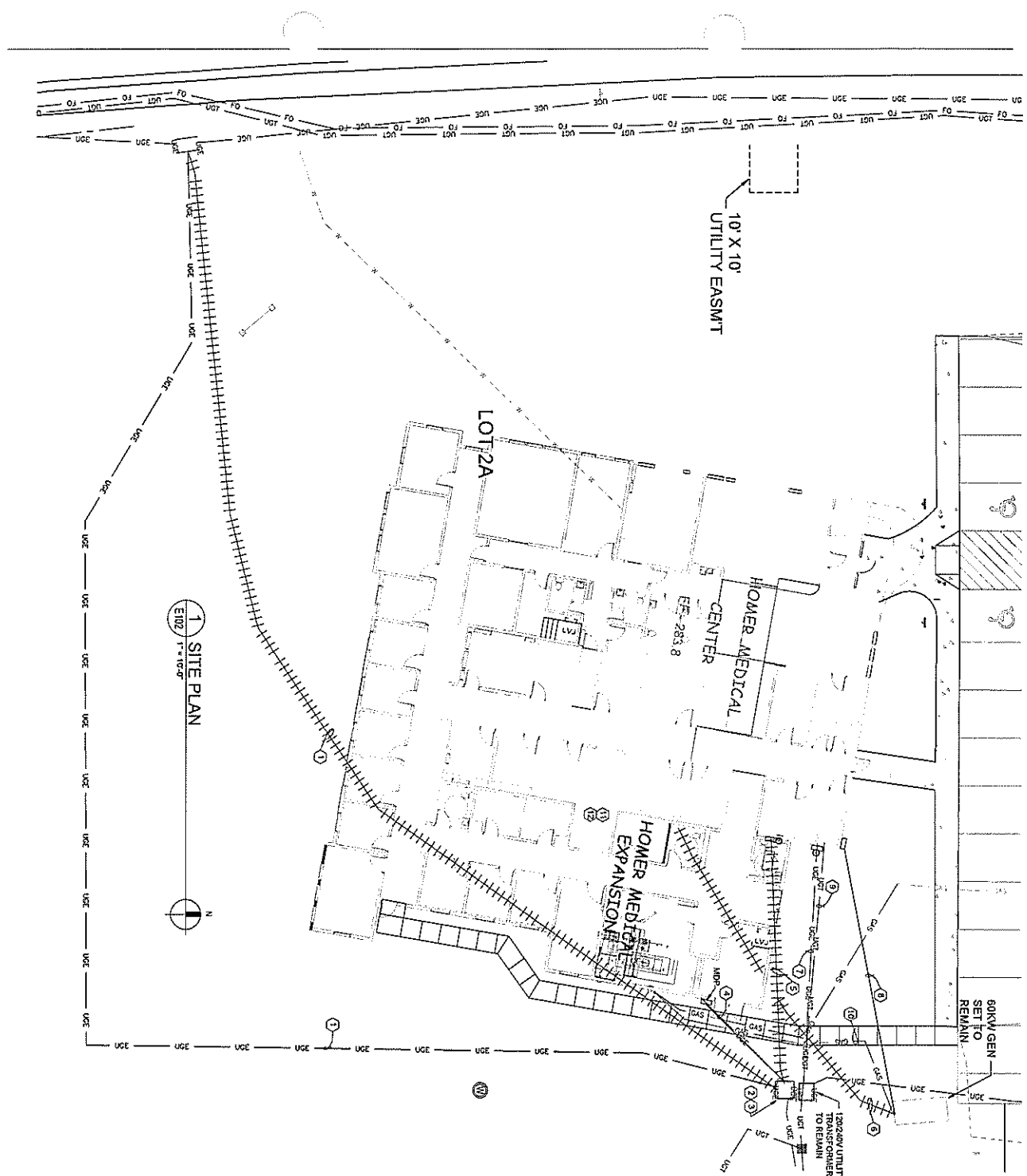




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EX-105

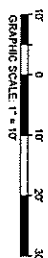




SHEET NOTES:

- 1 COORDINATE WITH ELECTRIC UTILITY HOMER ELECTRIC ASSOCIATION (HEA) TO RELOCATE PRIMARY LINE FROM SECTION 4000 TO NEW 400V/277V TRANSFORMER.
- 2 COORDINATE WITH HEA TO REMOVE EXISTING 208V 3-PHASE TRANSFORMER.
- 3 COORDINATE WITH HEA TO PROVIDE A NEW 400V/277V TRANSFORMER TO FEED MDP.
- 4 COORDINATE WITH HEA TO PROVIDE A NEW 1200KV UTILITY UNDERGROUND FEED TO CI ENCLOSURE AND MDP.
- 5 DEMOLISH 208V 3-PHASE FEEDER.
- 6 COORDINATE WITH MECHANICAL TO DEMOLISH GAS FEED TO GENERATOR.
- 7 EXISTING 1200KV UNDERGROUND FEEDER TO REMAIN.
- 8 EXISTING GENERATOR UNDERGROUND FEEDER TO REMAIN.
- 9 EXISTING UNDERGROUND UTILITY TELEPHONE CABLE TO REMAIN.
- 10 COORDINATE WITH MECHANICAL TO REFEED GAS TO GENERATOR.
- 11 DEMOLISH EXTERIOR RECEPTACLE FOR NEW ADDITION.
- 12 DEMOLISH EXTERIOR WALL PACK LIGHT FOR NEW ADDITION.

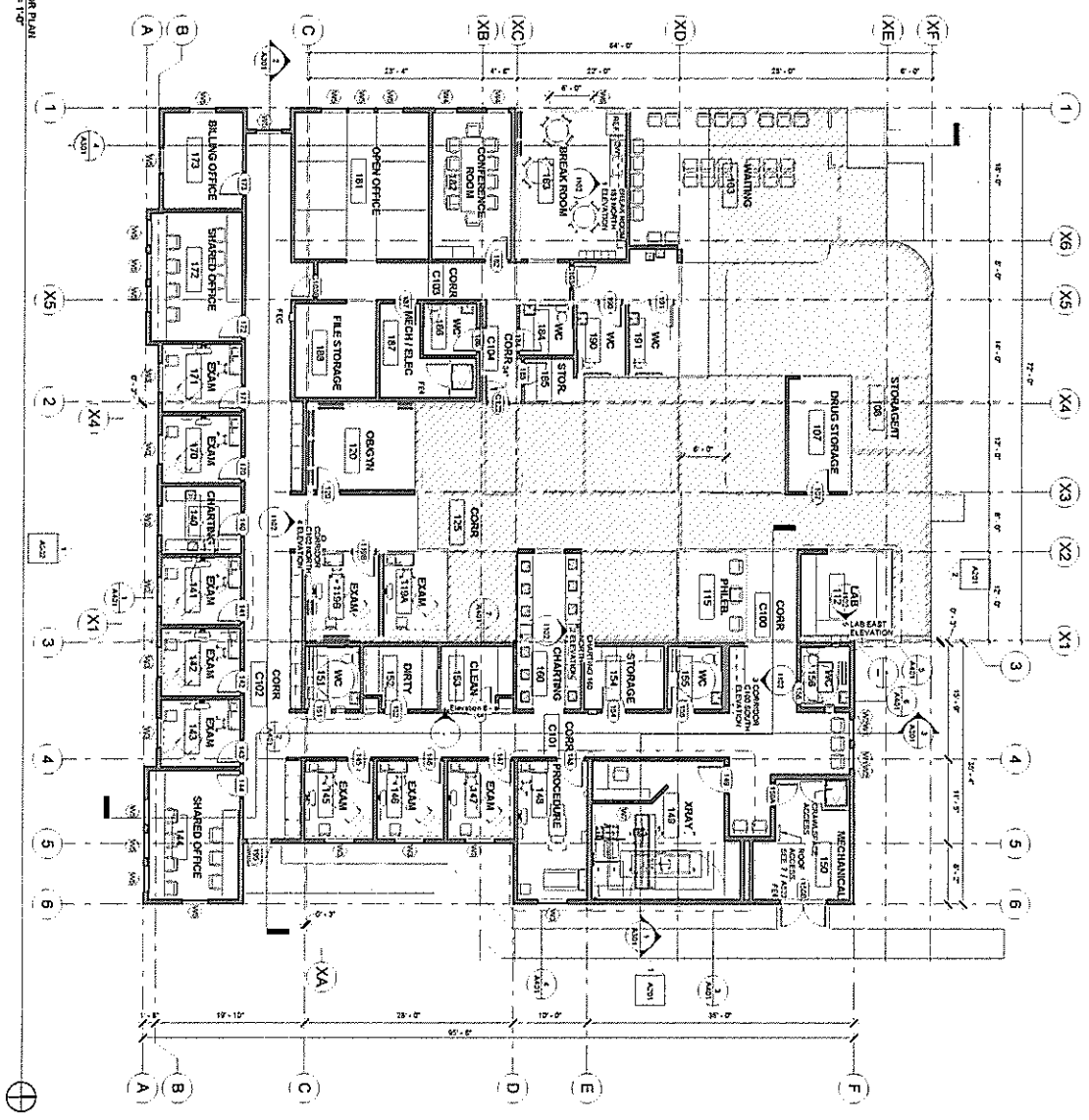
<p>KENAI PENINSULA BOROUGH</p> <p>SOUTH PENINSULA HOSPITAL</p> <p>HOMER MEDICAL CLINIC EXPANSION</p> <p>HOMER, ALASKA</p>	<p>LIVINGSTON</p> <p>ARCHITECT</p> <p>1000 W. 10TH AVE. SUITE 100</p> <p>ANCHORAGE, ALASKA 99501</p>	<p>MBA</p> <p>Consulting Engineers, Inc.</p> <p>400 W. 10TH AVE. SUITE 100</p> <p>ANCHORAGE, ALASKA 99501</p>	<p>PROJECT NO. 151600</p> <p>DATE 6-20-2014</p> <p>DRAWN BY SWS</p> <p>REVIEWED BY ENR</p> <p>DESIGN DEVELOPMENT</p> <p>SHEET TITLE</p> <p>ELECTRICAL</p> <p>SITE PLAN</p> <p>SHEET NO. E102</p>
---------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------



- | PARKING LOT | Δ3 FC | MAXIMUM |
|--------------------|--------|---------|
| UNIFORM | 0.2 FC | |
| UNIFORMITY RATIO | 11.01 | |
| EIS RECOMMENDATION | | |
| PARKING LOT | | |
| UNIFORM | 0.2 FC | |
| UNIFORMITY RATIO | 20.1 | MAXIMUM |
- ACTURES WERE SELECTED TO BE FULL CUTOFF WITH BACK SHEET TO CONTROL GLARE TO THE ADJACENT PROPERTY.
- LIGHTING LAYOUT MEETS OR EXCEEDS EIS RECOMMENDATION REQUIREMENTS FOR OTHER PARKING.

60

1. FLOOR PLAN
1/8" = 1'-0"



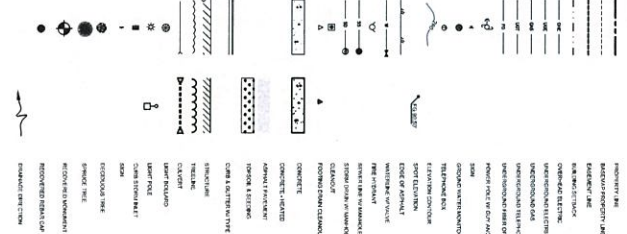
FLOOR PLAN SHEET NOTES


1. PARTITION TYPE SHOWN AS SHOWN ON THE PLAN FROM PARTITION REFERENCE TO PARTITION.
2. ALL PARTITIONS SHALL BE CONSTRUCTION TYPE 1.5 PERMITTED BY THE BUILDING DEPARTMENT.
3. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
4. ALL STUD SPACING SHALL BE MAXIMUM 16" O.C. UNO.
5. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
6. ALL WALL ASSOCIATES, NOT IN PARTITION AND NOT IN ATTACHMENT AND BRANCH DETAILS.
7. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
8. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
9. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
10. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
11. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
12. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
13. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.
14. PROVIDE 1/2" DIA. WELDED STEEL UPRIG. JOISTS UNGRADED LATHING, EQUIPMENT AND ACCESSORIES SEE ROOM FINISH SPECIFICATIONS FOR DETAILS.

<p>KENAI PENINSULA BOROUGH</p> <p>SOUTH PENINSULA HOSPITAL HOMER MEDICAL CLINIC EXPANSION</p> <p>HOMER, ALASKA</p>		<p>LIVINGSTON STONE</p> <p>ARCHITECTURE ENGINEERING PLANNING INTERIOR DESIGN</p> <p>3500 ARCTIC BOULEVARD, SUITE 301 ANCHORAGE ALASKA 99503</p>	<p>PROJECT NO. 151600</p> <p>DATE 6-20-16</p> <p>DRAWN BY ALAN</p> <p>REVIEWED BY CHUCK</p> <p>DESIGN DEVELOPMENT</p> <p>SHEET TITLE FLOOR PLAN</p> <p>SHEET NO. A102</p>
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[illegible][illegible]

EXIST



SHEET NO. C2.0	PROJECT NO. 15K-030 DRAWING TITLE: SOUTH PENINSULA HOSPITAL HOMER MEDICAL CLINIC EXPANSION DATE: JUNE 06, 2016 DESIGN DEVELOPMENT SITE PLAN	Copyright © 2016 by Livingston Stone, Inc. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Livingston Stone, Inc. This drawing is the property of Livingston Stone, Inc. and is loaned to the client for the specific project identified above. It is not to be used for any other project without the prior written permission of Livingston Stone, Inc. L LARSON ENGINEERING & DESIGN, P.C. CIVIL ENGINEERING 215 FORDS ROAD, SUITE 203 KENAI AK 99551 TEL: (907) 263-5565 FAX: (907) 263-5566	 2000 NORTH BRADDOCK ROAD, SUITE 200 ANCHORAGE, ALASKA 99503-5700 TEL: (907) 562-2700 FAX: (907) 562-2702	KENAI PENINSULA BOROUGH SOUTH PENINSULA HOSPITAL HOMER MEDICAL CLINIC EXPANSION HOMER, ALASKA
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PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, September 07, 2016 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

A Request for a Conditional Use Permit (CUP) at 4136 Bartlett St., Homer Medical Center. The applicant proposes a 5000 square foot expansion at Fairview Sub No. 11 Lot 2-A Blk 5. A (CUP) is required per HCC 21.16.030 (d), Medical Clinic & HCC 21.16.040 (e) more than 8000 square feet of building area.

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

8.17.16

Homer Medical Center expansion CUP 16-06, 4136 Bartlett Fairview Sub No 11 Lot 2-A Blk 5

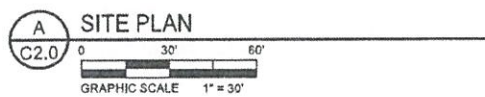
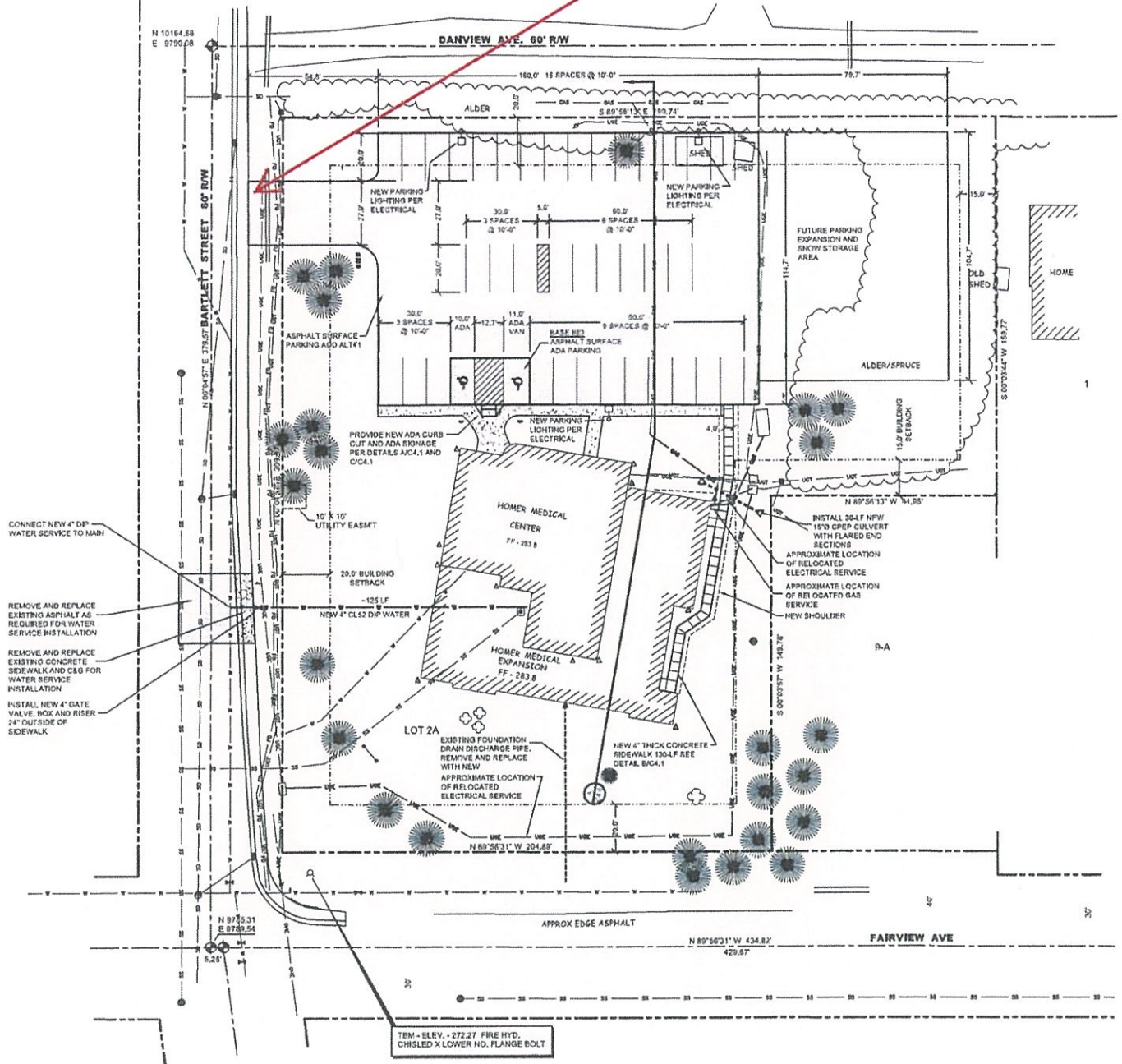
Marked lots are within 300 feet
and property owners notified



*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.*

Right of Way Access Plan

Access to the property will not change from the existing. Driveway access to Bartlett Street as indicated below.



Arial Map



City of Homer
Planning and Zoning Department

8.29.16

Homer Medical Center expansion

Marked lots are within 300 feet
and property owners notified



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or conclusions drawn therefrom.*



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 16-47

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: August 3, 2016
SUBJECT: HAWSP - Recommendations

Introduction: We have heard from both the Finance and Public Works Director and seem to have come away with a few concepts. I am providing a review of these concepts and recommending some polies. But, I am afraid the hard part is to figure out just how to enact these policies. We will need some legal support.

The Planning Commission has been directed by the City Council to develop recommendation regarding the HAWSP policies including:

- How the City should apply the debt service ratio
- When the debt service ratio should be calculated
- When pending HAWSP projects should be inputted into the debt service ratio calculation
- A process for keeping track of and prioritizing special assessment district requests that occur while a moratorium on new districts is in effect
- A process for lifting and implementing a moratorium on water and sewer special assessment district projects

How and when the debt service ratio should be applied and calculated?

The service ratio should be calculated using the current experience regarding debt payment and revenue. The ratio can be calculated whenever necessary to respond to a proposal. In general, it is thought that it might be useful to calculate annually. Perhaps the ratio is presented and discussed with the proposed budget and the council could decide when to lift a moratorium based upon a report from finance.

Where should the debt service ratio be in order to lift the moratorium?

In order to keep a debit service ratio of 1.25, or any ratio for that matter, we need to have enough room to borrow for the project and stay above 1.25. Roughly, it was figured that .1 or

when we get to 1.35 would be enough to fund a million dollar project. A million gets you a fairly large project.

How do we queue in, revue, and account for project's effect on the debt ratio.

Current thought supports the review of projects in the order of submission. Some issues surrounding this include whether or not to accept a proposal in a moratorium. One thing that was agreed upon is that the \$100 fee is inadequate to cover costs of setting up a district and leaves little incentive for someone to propose a district that is more likely to have support than not. Soldotna charges \$500 and the Borough charges \$1000. Others governments have input on the district boundaries and provide the petition but have the applicant seek signatures. This could be problematic in Homer because of the amount of property owners located out of state.

Rules from other to consider include that no property shall be accessed more than 50% of value (this may be offset by prepayment), all delinquent taxes must be paid prior to accepting the district, and an owner may not own more that 40% of the benefitted properties in a proposed district. Issues we would like to have a policy about include determining the excluded properties prior to assembling the district.

When should pending projects be inputted into the debt service ratio?

As soon as we are able to give an estimate and until the project is dropped/paid it should be included in the ratio. Unfortunately, it can take up to four months to get back petitions of interest and workup a rough estimate of cost. A concern here is just how much of a 'cushion' do we need to have? The project's costs could vary greatly from one to another and waiting to get to the estimate would considerably slow down any other pending applications. One way to get more feasible proposals might be to raise the cost to the borough level of \$1000. Another thought might be to refund this cost upon approval and work it back into the estimate, otherwise the funds are nonrefundable. Even another thought on the subject includes accepting a proposal during a moratorium and not collecting the fee until we are able to consider the project.

The last suggestion is an answer to the tracking and processing requests. Basically, take requests and put them into a queue until we are able to consider them. The clerk would be the keeper of the requests.

Status of the program: It seems that the only significant progress in lowering the debt service ratio in any near timeframe will come with better experience with tax revenues. When meeting with the City Manager and the Finance Director and looking at the numbers in consideration of relatively flat rates of sales tax collection, it does look like we should not

even consider a project in the next five years. But, this could all change with a banner sales tax collection year.

My general conservative fiscal thought leads me to a few conclusions in general about the program. The twenty year length of the financing really ties up the program. Not only does it encumber the sales tax long into future, it takes a really long time to continue to input new projects until the past debt is settled. We have inputted some really expensive projects that will affect the program for a long time, like the Kachemak Drive projects and the water plant.

The basic premise of the program was to help facilitate an increase in the amount of system users and pay off sewer debt associated with the sewer treatment plant (paid off in 2012), but it is also used to fund other large maintenance and general infrastructure. Now we find competition in the funding of one or another.

Staff Recommendation: Discuss and provide direction on the items.

Attachments

1. Resolution 99-53
2. Resolution 99-92
3. Ordinance 99-14(S)(A)

**CITY OF HOMER
HOMER, ALASKA**

**Finance
Public Works
City Clerk**

RESOLUTION 99-53

**A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA AUTHORIZING THE HOMER ACCELERATED
WATER AND SEWER PROGRAM.**

WHEREAS, City of Homer property owners continually express their needs regarding water and sewer and have urged the Council at Council meeting to address this need: and

WHEREAS, sewer particularly is a health and safety matter within the Homer City limits and many homes are without connection to City water; and

WHEREAS, for the majority of Homer residents water and/or sewer improvements are cost prohibitive; and

WHEREAS, a need exists for some type of water and sewer program for the Homer residents that will provide for utility improvements without the heavy financial burden placed on the individual property owner and will increase users to the system(s), thereby increasing revenues to the Water and Sewer Enterprise Funds.

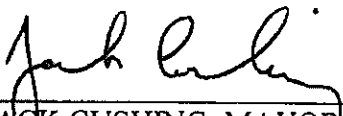
NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby authorizes the Homer Accelerated Water and Sewer Program: and

BE IT FURTHER RESOLVED that funding of the program should be defined by January 1, 2000.

PASSED AND ADOPTED by the City Council of Homer, Alaska this 28th day of June, 1999.

CITY OF HOMER

ATTEST:


JACK CUSHING, MAYOR


MARY L. CALHOUN, CMC/AEE, CITY CLERK

Fiscal Note: Included.

**CITY OF HOMER
HOMER, ALASKA**

**City Clerk
Canvass Board**

RESOLUTION 99-92

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMER,
ALASKA CERTIFYING THE RESULTS OF THE GENERAL MUNICIPAL
ELECTION HELD OCTOBER 5, 1999 TO ELECT THREE
COUNCILMEMBERS AND VOTE ON TWO PROPOSITIONS.**

WHEREAS, in compliance with the Homer City Code 4.35, the Canvass Board of the City of Homer has opened, counted, and tallied the votes on absentee ballots found to be valid and made determinations on questioned ballots, and has opened, counted, and tallied those questioned ballots found to be valid, cast in the General Municipal Election held on October 5, 1999; and

WHEREAS, the total number of voters voting in the City Election reflect the number of voters not the number of votes cast; and

WHEREAS, in accordance with Homer City Code 4.35, the Canvass Board of the City of Homer has opened and inspected the precinct reports, election center Logs, Accu Vote reports and entered the results of the absentee and questioned ballots on the Certification of Election along with the results of the precinct counts; and

WHEREAS, no candidate for the one year term received in excess of forty percent of the votes cast for that race there will be a Run-off Election held on Tuesday, November 2nd, 1999 between the two candidates receiving the highest number of votes. Bill Smith and Ray E. Kranich, Sr.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the Council hereby accepts and certifies the results of the General Municipal Election for the City of Homer held October 5, 1999, as presented in the Certificate of Election by the Canvass Board, in accordance with the Homer City Code;

BE IT FURTHER RESOLVED the following candidates having received in excess of forty percent (40%) of the votes cast for the office of City Council, two - three year term, of the City of Homer are hereby declared elected, a Run off situation exists for the one year term in that no candidate received in excess of forty percent (40%) of the votes cast, and the following results for each of the propositions:

COUNCILMEMBERS (TWO - 3 YR. TERM)

**Patricia (Pat) Cue
Kurt Marquardt**

City of Homer
Regular Municipal Election
October 5, 1999

CERTIFICATE OF ELECTION (S)

We, the Election Canvass Board, duly appointed, of the City of Homer, Alaska hereby certify that the validated absentee and validated questioned ballots were opened, counted, and recorded at a legally authorized and convened meeting of the City of Homer Canvass Board, held October 11, 1999 and that the results of that count are hereon entered with the certified results of the judges of election for votes counted at the precinct polling places via Accu-Vote Ballot Tabulation System and that the total results are recorded hereon.

RACE	PRECINCT 1	PRECINCT 2	PRECINCT 3	ABSENTEE & QUESTIONED & NON PROS	TOTAL VOTES RECEIVED	PERCENTAGE
------	------------	------------	------------	----------------------------------------	-------------------------	------------

CITY COUNCIL - 2						
Three year term						
KEYS, Robert Edward	65	67	80	26	236	33.2%
MARQUARDT, Kurt	175	152	136	41	504	70.8%
CUE, Patricia (Pat)	172	156	152	38	518	72.9%
COUSINS, Bob	42	43	51	15	151	21.2
Write In votes	2	2	7		11	
CITY COUNCIL - 1						
One year term						
FRANZ, Nancy P.	23.00	22.00	19.00	2	66	8%
KRANICH, Ray E. Sr.	101.00	78.00	78.00	21	278	33.9%
SMITH, Bill	98.00	88.00	79.00	19	283	34.5%
MEEKER, George	45.00	46.00	70.00	30	191	23.3%
Write in votes	2.00	1.00	3.00	1	6	

PAGE 7
OCTOBER 5, 1999 ELECTION CERTIFICATE

PROPOSITIONS	PRECINCT 1	PRECINCT 2	PRECINCT 3	ABSENTEE & QUESTIONED & NON PROS	TOTAL VOTES RECEIVED	PERCENTAGE
Proposition No. 1	Y - 184 N - 81	Y - 155 N - 81	Y - 168 N - 71	54 19	Y - 561 N - 252	na
Proposition No. 2	Y - 165 N - 100	Y - 147 N - 89	Y - 156 N - 79	48 24	Y - 518 N - 292	na

There were 789 Regular voters, We further certify that 865 voters voted in this election. There were 70 absentee voters and 6 questioned voters. Percentage of voter turn out - ~~25.9%~~ is 25.9%.

Total registered voters for the City of Homer are 3,327.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th day of October, 1999.

Lois R. Irvin Rose Faust Mary Thompson
Lois Irvin Rose Faust Mary Thompson

Attest: Mary L. Calhoun
Mary L. Calhoun, CMC/AAC, City Clerk

Page Two
Resolution 99-92
City of Homer

**COUNCILMEMBERS (ONE - 1 YEAR TERM)
RUN OFF ELECTION BETWEEN**

**Bill Smith
Ray E. Kranich Sr.**

PROPOSITION 1. YES

PROPOSITION 2. YES

BE IT FURTHER RESOLVED that the Certificate of Election be attached permanently as part of this Resolution.

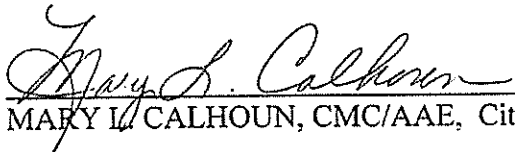
PASSED AND ADOPTED by the Homer City Council this 11th day of October, 1999.

CITY OF HOMER

ATTEST:



JACK CUSHING, MAYOR



MARY L. CALHOUN, CMC/AEE, City Clerk

Fiscal Note: NA

**CITY OF HOMER
HOMER, ALASKA**

**City Clerk
Canvass Board**

RESOLUTION 99-92

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOMER,
ALASKA CERTIFYING THE RESULTS OF THE GENERAL MUNICIPAL
ELECTION HELD OCTOBER 5, 1999 TO ELECT THREE
COUNCILMEMBERS AND VOTE ON TWO PROPOSITIONS.**

WHEREAS, in compliance with the Homer City Code 4.35, the Canvass Board of the City of Homer has opened, counted, and tallied the votes on absentee ballots found to be valid and made determinations on questioned ballots, and has opened, counted, and tallied those questioned ballots found to be valid, cast in the General Municipal Election held on October 5, 1999; and

WHEREAS, the total number of voters voting in the City Election reflect the number of voters not the number of votes cast; and

WHEREAS, in accordance with Homer City Code 4.35, the Canvass Board of the City of Homer has opened and inspected the precinct reports, election center Logs, Accu Vote reports and entered the results of the absentee and questioned ballots on the Certification of Election along with the results of the precinct counts; and

WHEREAS, no candidate for the one year term received in excess of forty percent of the votes cast for that race there will be a Run-off Election held on Tuesday, November 2nd, 1999 between the two candidates receiving the highest number of votes, Bill Smith and Ray E. Kranich, Sr.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the Council hereby accepts and certifies the results of the General Municipal Election for the City of Homer held October 5, 1999, as presented in the Certificate of Election by the Canvass Board, in accordance with the Homer City Code;

BE IT FURTHER RESOLVED the following candidates having received in excess of forty percent (40%) of the votes cast for the office of City Council, two - three year term, of the City of Homer are hereby declared elected, a Run off situation exists for the one year term in that no candidate received in excess of forty percent (40%) of the votes cast, and the following results for each of the propositions:

COUNCILMEMBERS (TWO - 3 YR. TERM)

**Patricia (Pat) Cue
Kurt Marquardt**

CITY OF HOMER
HOMER, ALASKA

Staff
City Attorney

ORDINANCE 99-14(S)(A)

AN ORDINANCE AMENDING HOMER CITY CODE SECTION 9.16.010(b) TO REDEDICATE CURRENT UNEXPENDED SALES TAX REVENUES COLLECTED UNDER THAT SUBSECTION TO WATER AND SEWER IMPROVEMENTS: AND FURTHER ELIMINATING THE CURRENT TERMINATION DATE OF THE TAX AND REDEDICATING THE ENTIRE TAX TO WATER AND SEWER SYSTEMS IMPROVEMENTS AFTER SATISFACTION OF SEWER TREATMENT PLANT DEBT RETIREMENT OBLIGATIONS.

WHEREAS, HCC Section 9.16.010(b) currently levies a 3/4% sales tax dedicated "for the purpose of funding debt retirement of the sewer treatment plant improvements": and

WHEREAS, there are significant unexpended sales tax revenue generated by that levy in excess of the funds needed currently to fund debt retirement obligations for the sewer treatment plant improvements; and

WHEREAS, the City Council recently authorized the new Homer Accelerated Water and Sewer Program (HAWSP) to promote construction of additional improvements to the City water and sewer systems, and funds are needed to implement the program: and

WHEREAS, the HAWSP is suitable for use for unexpended revenues collected under HCC 9.16.010(b): and

WHEREAS, the tax levy under HCC 9.16.010(b) is scheduled to terminate upon full repayment of the sewer treatment plant debt on or before December 21, 2012, whichever occurs first, and if the levy were extended it could be used in its entirety to fund sewer and water improvements, ~~under HAWSP or another City program.~~

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Section 9.16.010(b) is hereby amended to read as follows:

b. An additional consumer's sales tax in the amount of three-quarters percent (3/4%) is hereby levied by the City of Homer on all sales, rents and services within the City except as the purpose of funding debt retirement of the sewer treatment plant improvements, and to the extent revenues from such tax exceed such debt retirement obligations, for the purpose of funding water and sewer systems improvements.

Section 2. Section 1 of this Ordinance shall take effect on October 26, 1999 only if the following proposition is approved by the qualified voters of the City of Homer at the General Election of October 5, 1999:

Under Homer City Code Section 9.16.010(b), 3/4 of 1 percent of the sales tax is currently dedicated for the purpose of funding debt retirement of the sewer treatment plant improvements. Shall the dedication be amended to allow current unexpended sales tax revenue in excess of that needed to fund debt retirement to be dedicated to water and sewer system improvements, ~~such as the Homer Accelerated Water and Sewer Program?~~

YES _____ NO _____

Section 3. The sales tax levy imposed by Section 9.16.010(b) shall continue to remain in effect after full repayment of the debt for the sewer treatment plant improvements and after December 31, 2012. Provisions to the contrary in Ordinance 91-19(S)(A) are repealed. After full repayment of the debt of approximately \$6.8 million (as of August 12, 1991, the date of enactment of Ordinance 91-19(S)(A)) for the sewer treatment plant improvements, the entire tax generated by the levy imposed by Section 9.16.010(b) shall be used for the purpose of funding water and sewer systems improvements.

Section 4. Section 3 of this Ordinance shall take effect on October 26, 1999 only if the following proposition is approved by the qualified voters of the City of Homer at the General Election of October 5, 1999:

Under Homer City Code Section 9.16.010(b), 3/4 of 1 percent of the sales tax now dedicated for the purpose of funding debt retirement of the sewer treatment plant improvements is scheduled to terminate upon retirement of \$6.8 million in sewer treatment plant debt or on December 31, 2012, whichever occurs first. Shall this termination provision be repealed and, after the applicable debt has been repaid in full, shall the entire amount of the 3/4 of 1 percent sales tax levy be dedicated to water and sewer systems improvements, ~~such as the Homer Accelerated Water and Sewer Program?~~

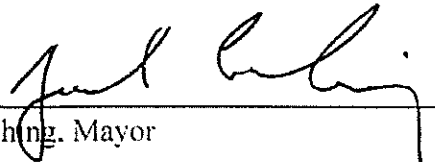
YES _____ NO _____

Section 5. Section 1 of this ordinance is of a permanent and general character and shall be included in the City Code if the proposition set forth in Section 2. is approved by the voters. Section 3 of this Ordinance removes a termination date for the current sales tax levy, and the only codification required is the removal of the footnote to HCC 9.16.010(b), if the proposition set forth in Section 4 is approved by the voters. Sections 2 and 4 will not be included in the City Code.

Page Three
City of Homer
Ordinance 99-14(S)(A)

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA on this
23rd day of August, 1999.

CITY OF HOMER



Jack Cushing, Mayor

ATTEST:



Mary L. Calhoun, CMC/AAE, City Clerk

AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 1


First Reading: 7/12/99

Public Hearing: 7/26/99

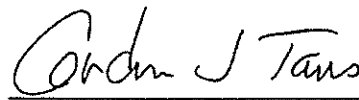
Second Reading: 8/23/99

Effective Date: Upon approval by the Voters Oct 5, 1999 &
certification by the Council, scheduled for Oct 11th.

Reviewed and approved as to form and content:



Ronald Wm. Drathman, City Manager



Gordon J. Tans, City Attorney

Fiscal Note: Cost of putting on the ballot and election advertising.



Planning
Jordan Avenue
City of Homer
www.cityofhomer-ak.gov
(p) 907-235-3106
(f) 907-235-3118

Planning
491 East Pioneer Avenue
Homer, Alaska 99603
Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 16-51

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 7, 2016
SUBJECT: Ordinance 16-xx, AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

Introduction

The City Attorney was asked by the Cannabis Advisory Commission to create a procedure in code for the review of proposed State marijuana establishment applications.

Analysis

Part of the State procedure for marijuana applications is to request that the local authority review the application and recommend approval, approval with conditions, or denial. In this case, I would review all applicable zoning regulations and make my recommendation based on the code. If the application would trigger any other permits, I would make a conditional recommendation for approval.

Commissioner Harris had a concern that the application could be held up if a timely response from the city was not received. I suggested that a 15 day response timeframe would not be an issue for the Planning Office.

This process makes the Planning Office the only official reviewer of the applications at this stage. If someone chooses to challenge the recommendation they would have to bring an appeal to the Planning Commission.

To be clear, the CAC made a motion for a 15day time limit for my review of an application review submitted from the state. I will have the Attorney review and amend for the public hearing if it is acceptable to the Planning Commission.

Staff Recommendation

Staff recommends the commission discuss and set a public hearing for the next meeting.

Attachments

1. Ordinance 16-xx
2. Minutes of EDC meeting

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 16-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.62.040 CURRENTLY ENTITLED "PRE-APPLICATION CONFERENCE," TO AUTHORIZE THE CITY PLANNER TO RECOMMEND TO THE STATE OF ALASKA THAT IT DENY AN APPLICATION FOR A MARIJUANA ESTABLISHMENT THAT DOES NOT COMPLY WITH HOMER CITY CODE AND AUTHORIZE THE CITY PLANNER TO RECOMMEND THAT THE STATE IMPOSE CONDITIONS TO APPROVAL WHEN NECESSARY TO ENSURE COMPLIANCE WITH THE HOMER CITY CODE.

WHEREAS, THE State of Alaska marijuana establishment registration application process required under Alaska Statute 17.38 subjects approval of all applications to the non-opposition of the city in which the applicant's establishment is located; and

WHEREAS, it is in the City's best interest to authorize the City of Homer Planner ("City Planner"), or his or her designee, to review the State of Alaska applications for registration of marijuana establishments within the City and ensure that all establishments operating within the City comply with Homer City Code;

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.62.040, "Pre-application conference," is amended to read as follows:

Homer City Code 21.62.040 Pre-application conference **and State of Alaska application review process.**

a. When this title requires a conditional use permit for a marijuana facility, the applicant must meet with the City Planner to discuss the conditional use permit process and any issues that may affect the proposed conditional use. This meeting is to provide for an exchange of general and preliminary information only and no statement made in such meeting by either the applicant or the City Planner shall be regarded as binding or authoritative for the purposes of this title.

b. **The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner, or his or her designee, shall**

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

45 recommend to the State of Alaska denying an application that does not comply
46 with this code or he or she may recommend approving the application with
47 conditions that, if adopted, will result in compliance with this code.
48

49 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.
50

51 Section 3. This ordinance shall be of a permanent and general character and shall be included
52 in the City code.
53
54
55
56

57 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
58 _____, 2016.
59
60

61 CITY OF HOMER
62
63

64 _____
65 MARY E. WYTHE, MAYOR
66

67 ATTEST:
68
69

70 _____
71 JO JOHNSON, MMC, CITY CLERK
72

73 YES:

74 NO:

75 ABSTAIN:

76 ABSENT:
77
78

79 First Reading:

80 Public Hearing:

81 Second Reading:

82 Effective Date:
83

84 Reviewed and approved as to form.
85
86

87 _____
88 Mary K. Koester, City Manager

Thomas Klinkner, City Attorney

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



MEMORANDUM

TO: ADVISORY PLANNING COMMISSION
FROM: CANNABIS ADVISORY COMMISSION
THRU: RENEE KRAUSE, CMC, DEPUTY CITY CLERK
CC: KATIE KOESTER, CITY MANAGER
DATE: AUGUST 30, 2016
SUBJECT: DRAFT ORDINANCE 16-XX, AMENDING TITLE 21.62.040, DESIGNATING THE CITY PLANNER TO APPROVE ALL MARIJUANA RELATED APPLICATIONS

At the regular meeting on August 25, 2016 the Cannabis Advisory Commission reviewed and approved a draft ordinance providing the City Planner or his/her designee, as the designated authority to review and approve all applications submitted to the City of Homer from the State of Alaska pertaining to marijuana as they relate to city code with the amendment that it be reviewed and approved or denied with or without recommendations within 15 days of receipt of the application.

Following is the excerpt of the meeting minutes that reflects the discussion and motions amending and approving the draft ordinance.

Recommendation:
Review and Amend or Approve the Draft Ordinance.

NEW BUSINESS

A. Draft ordinance 16-XX, Outlining the Regulatory Responsibilities of the Commission regarding Applications

Correct title according the draft ordinance submitted by the City Attorney: Amending Homer City Code 21.62.040, Currently Entitled Pre-Application Conference” to Authorize the City Planner to Recommend to the State of Alaska that it Deny an Application for a Marijuana Establishment that Does Not Comply with Homer City Code and Authorize the City Planner to Recommend that the State Impose Conditions to Approval When Necessary to Ensure Compliance with the Homer City Code.

There was a bit of confusion to bringing the ordinance to the floor for discussion or making a motion to approve. City Planner Abboud stated he could provide a report on the ordinance. Chair Young yielded the floor.

City Planner Abboud stated that this ordinance was very simple and amended Title 21 putting the applications under his review. Since it is amending Title 21 this will have to go before the Planning Commission for review, Public Hearing and approval before going to Council and he has not finalized the next Planning Commission agenda so he can get it on that for the next meeting.

Commissioner Harris wanted to postpone this ordinance until after the new council is elected.

Commissioner Clark commented that he saw no reason to move this forward that it is pretty straight forward. Commissioner Reynolds agreed and recommended sending this to Planning Commission that everything is so up in the air that there is no reason to withhold action on it now.

Commissioner Harris expressed concerns with expediency in reviewing and approving applications received by the city. City Planner Abboud responded with the time requirement that is already imposed in state regulations regarding local opposition. He did not believe it would take much time to review and resubmit to the state.

Commissioner Harris expressed clarification on her concerns that existing membership on Planning Commission would try to change the rules from the time an application is received and approval. City Planner Abboud noted that under the proposed regulation the Planning Commission would not be involved unless the applicant appealed his decision. He further noted that his recommendations would fall under existing requirements. He further noted that reviewing an application within 10 or 15 days is doable.

Commissioner Harris further explained that she would like to see a date within this ordinance that current regulations as of this date to make sure that no regulations change in the meantime.

Discussion and points made by the commission ensued on the following:

- 10-15 day limit is appropriate*
- the application will be coming from the state to the city planner*
- to change current city code will require two meetings at the planning commission and two meetings at the city Council level and will also require at least two weeks to get on the agenda.*
- lack of public involvement in the zoning changes because they fall under the public's radar*
- notice requirement by the state gives the city the notice required to make changes in building requirements and codes*

- preference to have a review board other than the planning commission review an application especially those applications that have been denied

REYNOLDS/YOUNG - MOVED TO AMEND LINE 45 TO ADD WITHIN 15 DAYS OF RECEIPT OF APPLICATION.

Discussion ensued in clarification of intent of the motion was to amend the ordinance to provide the 15 day time limit for review and approval with or without recommendations. The intent for the paragraph to read as follows:

b. The City Planner shall be responsible for reviewing all applications filed with the State of Alaska under AS 17.38 for the operation of marijuana establishments in the City of Homer once those applications have been submitted to the city for its review by the State of Alaska. The City Planner or his or her designee, shall recommend to the State of Alaska, WITHIN 15 DAYS OF RECEIPT OF AN APPLICATION, denying an application that does not comply with this code or he or she may recommend approving the application with conditions that, if adopted, will result in compliance with this code.

City Planner Abboud stated that he does have staff available to act in his absence in response to a question by the commission.

Chair Young called for the vote.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Reynolds recognized that the City Planning Department has a responsibility to follow and apply the guidelines and regulations that are imposed and she has never seen a bias previously. Commissioner Sarno echoed those sentiments and further stated that City planner Abboud has shown professionalism and believes that any application they received would get a fair hearing.

Commissioner Sarno inquired if any zoning changes were proposed to revise code that affect marijuana businesses would this (Cannabis Advisory) commission get a chance to review these changes before going to Council?

Commissioner Stead responded that they would not, he is not the expert but any proposed changes to zoning falls under the purview of the Planning Commission and there is no requirement to notify this commission. He also stated that to suggest that members of the Planning Commission are nefarious and feels that those acts would be a criminal, he cannot think that the commission in how it acts and works together today would do that, they do their very best to put personal feeling aside and he is a bit affronted at the implication but appreciates it is Commissioner Harris' personal opinion and she is entitled to her opinion. Commissioner Stead appreciates the other commissioners supportive comments and believes City Planner Abboud does his very best to be fair in his recommendations.

HARRIS/REYNOLDS - MOVED TO AMEND THE DRAFT ORDINANCE TO INCLUDE ADDITIONAL WHEREAS ON LINE 16 THAT STATES CONDITIONAL USE PERMITS WILL BE APPROVED ACCORDING TO EXISTING ZONING REGULATIONS AS OF THIS MONTH.

Commissioner Reynolds cited that there is no precedent to set a zoning map and regulations in place. She understands that it is confusing but does not think there is a way to lock the zoning into place. Further discussion on the time frame for approval within 15 days and additional limits would be onerous.

VOTE. NO. ROBL, STEAD, YOUNG, SARNO, REYNOLDS, CLARK

VOTE. YES. HARRIS.

Motion failed.

REYNOLDS/ROBL – MOVED TO FORWARD THE DRAFT ORDINANCE TO THE PLANNING COMMISSION.

There was no discussion.

VOTE. YES. CLARK, REYNOLDS, SARNO, YOUNG, STEAD, ROBL.

VOTE. NO. HARRIS.

Motion carried.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report PL 16-52

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: September 7, 2016
SUBJECT: Borough Planning Commission

Introduction

The Borough has reworked their proposal to eliminate the number of representative on the Planning Commission. Previously, a seat would have been shared between Homer and Seldovia.

Analysis

The amended ordinance keeps Homer as an individual seat of a Planning Commissioner. Some seats are eliminated by combining of some rural areas. Currently, Anchor Point/Ninilchik and Kasilof/Clam Gulch both have representatives. The new ordinance would combine the area into one for representation on the Borough Planning Commission.

Interestingly, the ordinance states, "Nothing in this ordinance prohibits a planning commissioner from an at-large geographic area from applying for any open at-large planning commission seat." The Proposed change in the district boundaries will take place in 2020 and only eleven seats will be available. It is really not said what district will not be represented in 2020, only that no more than eleven will be on the commission. This means that one out of the 5 first class/home rule cities and 7 at-large geographic regions will not have a commissioner. Just guessing that it may be Seldovia, but nor sure, as it is not clearly indicated.

Staff Recommendation

Review and make motion to support or make recommendation.

Attachments

1. 2016-25 Mayor Substitute
2. Memorandum dated August 11, 2016 regarding Ordinance 2016-25
3. Proposed Planning Commission Apportionment Map dated July 15, 2016

Introduced by:	Mayor
Substitute Introduced:	08/23/16
O2016-25 (Johnson):	See Original for Prior History
Hearing:	08/23/16
Action:	Postponed until 09/20/16
Hearing:	09/20/16
Vote:	

**KENAI PENINSULA BOROUGH
ORDINANCE 2016-25
(MAYOR SUBSTITUTE)**

**AN ORDINANCE AMENDING KPB 2.40.010 TO REDUCE PLANNING
COMMISSION MEMBERSHIP**

- WHEREAS,** AS 29.40.020(a) requires that planning commission membership be apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough; and
- WHEREAS,** all members are subject to appointment by the mayor and confirmation by the assembly, provided that members from home rule or first class cities must be selected by the mayor from a list of recommendations submitted by the city council; and
- WHEREAS,** KPB 2.40.010 currently provides that the planning commission shall include one member from each first class or home rule city of the borough, which is not required by statute, and that the number of remaining members from areas in the borough outside such cities must comply with the statutorily required apportionment; and
- WHEREAS,** based upon the 2010 US Census figures, the commission would have to be increased by either one or two members to satisfy the statutorily required apportionment figures if the planning commission continues to include one member from each first class or home rule city of the borough; and
- WHEREAS,** it is not in the best interest of the borough to further increase the number of members appointed to the planning commission; and
- WHEREAS,** both the Kenai Peninsula Borough Assembly and School Board are composed of nine members; and
- WHEREAS,** limiting the total planning commission membership to eleven members, adopting the statutory apportionment requirement, and removing the requirement that every city have one representative but limiting each city to no

more than one member would resolve the problem of an ever-expanding planning commission; and

WHEREAS, beginning the transition on August 1, 2020 would coincide with the expiration of some members' terms and the commencement of the next decennial census, improving the accuracy of information that would become available upon its completion to properly apportion city membership on the planning commission; and

WHEREAS, at its meeting of August 22, 2016 the planning commission recommended ____;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB 2.40.010 is hereby amended as follows:

2.40.010. Membership—Apportionment.

In accordance with AS 29.40.020(a) through 11:59 p.m. July 31, 2020:

- A. The planning commission shall consist of a maximum of thirteen members including one member from each first class or home rule city of the borough and the remainder apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough. The first class or home rule cities of the borough are:
 - 1. Kenai
 - 2. Soldotna
 - 3. Seward
 - 4. Homer
 - 5. Seldovia
- B. Planning commissioners from outside of first class and home rule cities shall be appointed by the mayor and confirmed by the assembly from each of the following geographic areas as generally described below and depicted in the map on file at the borough clerk's office bearing the borough seal and identified as the planning commission apportionment map approved in Ordinance 2001-29. The sections described in the map and below provide guidelines from which deviations are permitted consistent with the intent that commissioners reside in areas throughout the borough:

- 1[6]. East Peninsula;
- 2[7]. Southwest Borough;
- 3[8]. Anchor Point/Ninilchik;
- 4[9]. Kasilof/Clam Gulch;
- 5[10]. Kalifornsky Beach
- 6[11]. Ridgeway;
- 7[12]. Sterling;
- 8[13]. Northwest Borough.

SECTION 2. That KPB 2.40.010 is repealed effective August 1, 2020.

SECTION 3. That KPB 2.40.015 is hereby enacted to read as follows:

2.40.015. Membership—Apportionment.

In accordance with AS 29.40.020(a):

- A. The planning commission shall consist of a maximum of eleven members. Commission membership shall be apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough. No more than one member of the commission may be from any single home rule or first class city in the borough unless more are required to satisfy the statutory apportionment requirement. A city member shall be selected by the mayor from a list of recommendations submitted by the council of any cities from which no member will be on the commission when the vacancy is effective, unless apportionment requires more than one member from a city. In that event all eligible city councils may submit a list of recommendations for the additional seat provided that no city may have greater than one member more than any other home rule or first class city. Appointments shall be subject to confirmation by the assembly.
- B. Planning commissioners from outside of first class and home rule cities shall be appointed at-large by the mayor and confirmed by the assembly and may be as representative of the following geographic areas as practical:
 - 1. East Peninsula;
 - 2. Southwest Borough;
 - 3. Anchor Point/Ninilchik/Clam Gulch/Kasilof;
 - 4. Kalifornsky Beach

5. Ridgeway;
6. Sterling;
7. Northwest Borough.

The geographic areas referenced in this section are depicted in the map on file at the borough clerk's office bearing the borough seal and identified as the planning commission apportionment map approved in Ordinance 2001-29.

- C. All planning commission members shall be appointed for their expertise and knowledge of the community and shall represent the entire borough.

SECTION 4. Transition. Existing seats of planning commission members from each area within the new Anchor Point/Ninilchik/Clam Gulch/Kasilof area whose term expires first on or after July 31, 2020 shall not be filled unless necessary to comply with apportionment requirements and provided the total number of commissioners does not exceed eleven. Nothing in this ordinance prohibits a planning commissioner from an at-large geographic area from applying for any open at-large planning commission seat.

Existing seats of city members whose terms expire first on or after July 31, 2020 shall only be filled if, by doing so the number of city members would meet the statutory apportionment requirements and the total number of commissioners would not exceed eleven.

SECTION 5. That Sections 1 and 4 of this ordinance take effect immediately upon its enactment, and Sections 2 and 3 of this ordinance shall take effect August 1, 2020.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS *
DAY OF * 2016.**

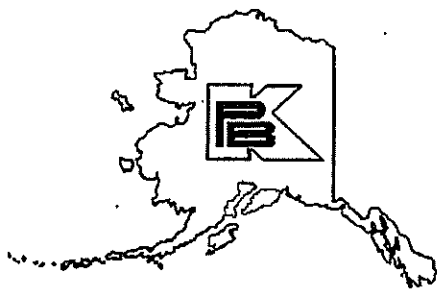
Blaine Gilman, Assembly President

ATTEST:

Johni Blankenship, MMC, Borough Clerk

Yes:

No:



KENAI PENINSULA BOROUGH

144 North Binkley Street • Soldotna, Alaska 99669-7520

Toll-free within the Borough: 1-800-478-4441

PHONE: (907) 262-4441 • FAX: (907) 262-1892

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

MEMORANDUM

TO: Blaine, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Mike Navarre, Mayor *MN*

DATE: August 11, 2016

SUBJECT: Ordinance 2016-25, Substitute (Mayor), An Ordinance Amending KPB
2.40.010 to Reduce Planning Commission Membership

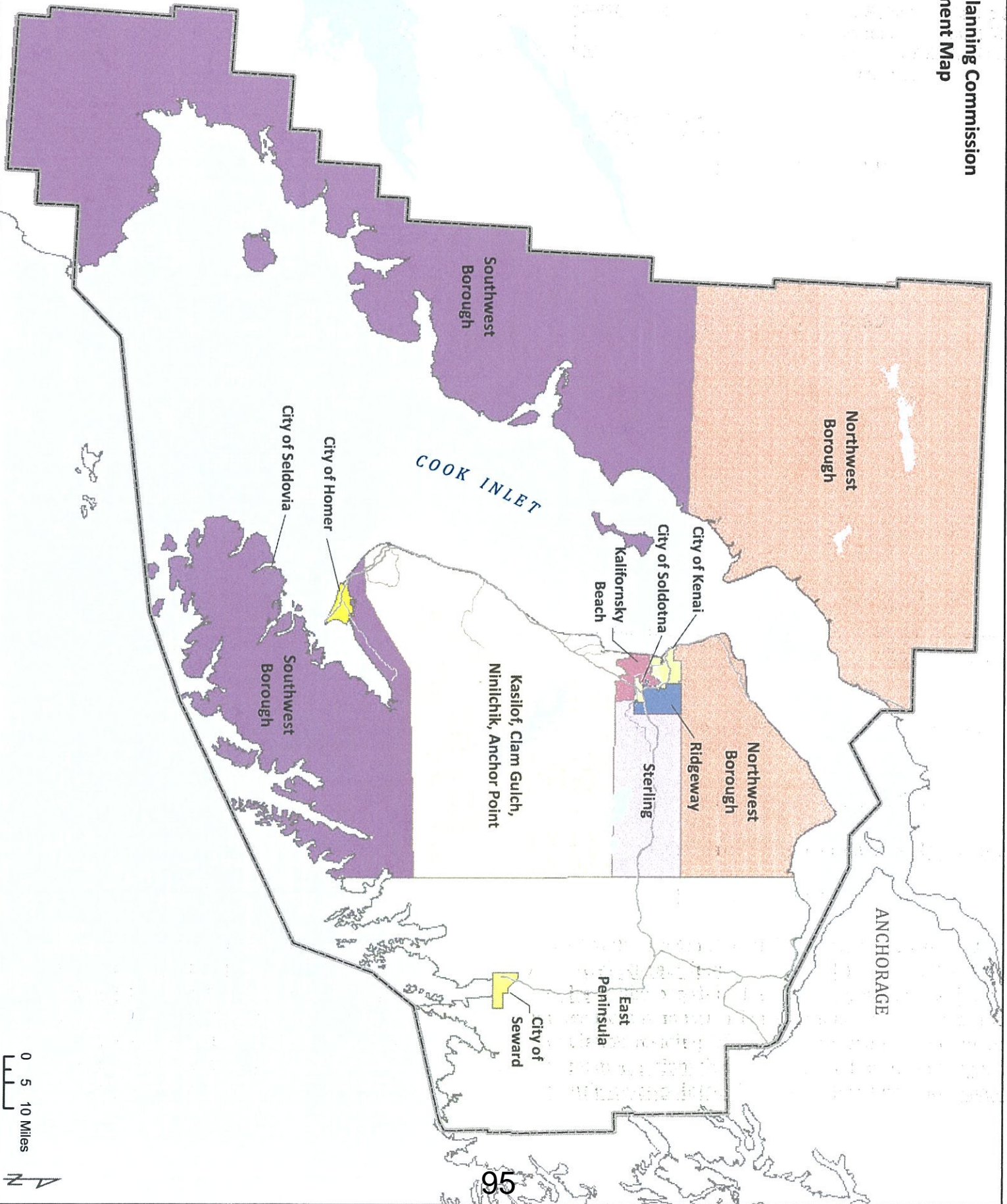
This proposed substitute ordinance 2016-25 would ultimately reduce the number of planning commissioners to 11. Through July 31, 2020 the proposal retains 13 planning commissioners with no changes. After July 31, 2020 two seats, one representing the first class and home-rule cities, and one representing the area of the borough outside the cities, will be eliminated. There will be no more than one planning commissioner from each of the first class and home rule cities unless more are necessary to meet the statutory apportionment requirement in AS 29.40.020. Appointments to city seats will be made by the mayor from a list presented by the city councils subject to confirmation by the assembly. Planning commissioners will be appointed for their expertise and knowledge within the community and, where practical, selected to be representative of seven areas. These areas are the current planning commission districts outside of cities except that districts currently numbered eight and nine are combined.

This proposal seeks the most qualified candidates while reducing the disproportionate representation of the cities on the commission. Few issues from the cities are presented to the full planning commission as all first class and home rule cities have been delegated the power to exercise land use regulation as well as the ability to adopt their own platting regulations while the borough retains the final authority for subdivision approval. The borough exercises the comprehensive planning power for all the cities, providing grant money to the cities to fund the cities' planning efforts and borough staff support as needed. The cities contract for the development of their comprehensive plans. The borough planning commission recommends and assembly approves each city's comprehensive plans.

Your consideration of this substitute is appreciated.

Proposed Planning Commission
Apportionment Map

July 15, 2016





City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue

Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Wythe and Homer City Council
FROM: Katie Koester, City Manager
DATE: August 17, 2016
SUBJECT: City Manager's Report – August 22, 2016

Dispatch

The Kenai Peninsula Borough Mayor's office has engaged City Administration since fall of last year on a proposal to consolidate dispatch services. Concerned about losing their contract with the State for Dispatch, they have reached out to Seward, Kenai and Homer to gauge interest in consolidation. Soldotna Police Department already dispatches through the Borough, though their cost would go up under this proposal. City administration has actively participated, providing stats and attending meetings. This is not the first time consolidation has come up. The proposal to consolidate dispatch has been floated a number of times during Chief Robl's tenure, and the City has always come to the conclusion that although the idea of greater efficiency with consolidated services sounds good, it begins to fall apart in the details. This round is no different, though the stakes are potentially higher with the budget being so tight. I have run the numbers and see no long term cost savings for the City. Administrative staff would have to be retained, and PERS termination study penalties would be incurred. There are also considerable risks including equipment failure, loss of local knowledge, and loss of control over how dispatch services are provided to the City and what we are charged for them. I have attached both the Borough's proposal and my response which provides a more detailed analysis of a complicated topic. Up until now I have refrained from digging into the details publicly as I want to be sensitive to the hard working and dedicated public servants who answer to our 911 calls any time of day or night and make sure they know their jobs are not on the line. Dispatch is a notoriously difficult position to fill and we have a great team there now. I would hate to lose any of them based on the misconception their job is at risk and want to ensure any Dispatcher reading this that is not the case. Nevertheless, this is an important enough topic that Council needs to be in the loop. The Borough would like an opportunity to address you on the topic. Would you like to extend an invitation to Mayor Navarre to present to Council during Committee of the Whole at the next Council meeting (September 12)? Mayor Navarre and Larry Persily are scheduled as visitors for the regular meeting to discuss the KPB ballot propositions that will go before the voters this fall.

Operation Northern Edge

After the passage of Resolution 16-081(A), Opposing Siting and Timing of U.S. Navy Training Exercises that Pose Risks to Fish and Fisheries in the Gulf of Alaska, I was contacted by

Senator Murkowski's office who emphasized Senator Murkowski's involvement in insisting that the Navy and Alaskan Command work with local communities regarding exercise scheduling and activities. Murkowski's staff will be meeting with the Navy this month and will request they reinitiate consultation with the City of Homer. I have extended an open invitation to Senator Murkowski's staff on this topic, and let them know how much the City appreciates that this issue has not dropped off their radar.

Audit Presentation Scheduled for September 26

Auditors across Alaska are waiting for information from the State on PERS to be able to finalize the 2015 audits. The State should release that information next week and the audit firm, BDO, is scheduled to present to you September 26. The date has been delayed by months, however I am glad Council will have information on 2015 before budget talks for 2017 begin.

Assistant Fire Chief Position Funded through SAFER Grant

I am ecstatic to announce that the City of Homer has received a SAFER grant through Homeland Security for an assistant fire chief at the Homer Volunteer Fire Department. This is a two-year grant that fully funds (salary and benefits, \$248,000 over two years) an assistant chief position. As you are aware, an assistant chief position has been on the books but not funded for many years due to budget constraints. In my opinion, this position is the number one staffing need for the City. This position will have a dramatic impact on the department, the volunteers, and our department's responsiveness and readiness. The morale boost to the crew to know they have help cannot be articulated. The timing could not be better. This position will have such a positive impact on our community, and allow the department to play a bigger role in the community. If you were in my office on Wednesday morning you would have seen me doing my best happy dance yet. I should have a grant agreement in September for Council to accept by Ordinance.

Sales Tax and Vacation Rentals by Owner

At the August 8 Council meeting while discussing budget priorities, Council brought up a question about how vacation rentals (Airbnb and VRBO, for example) are taxed. I contacted Larry Persily with the Borough and he confirmed that their lodging transactions are taxable--though compliance can be difficult. The sales tax staff scans the websites (Airbnb and VRBO) on a monthly basis looking for unregistered businesses.

From Mr. Persily, "A couple of points to keep in mind: Under the proposed code revision, anyone taking in less than \$2,500 a year would be exempt from collecting sales tax. So the low-priced room that gets rented out 30 nights a year at \$60 a night would be tax exempt. And, also under the code revision, we clarify and reaffirm that either the property owner pays the tax or Airbnb pays the tax, we don't really care much which one. (We don't say Airbnb by name, but reference out-of-borough businesses with an agent or business link in the borough.) Though, admittedly, it will be easier to collect from the local rental operator. This same provision would apply to Amway, Shaklee and other distributors who use local agents to peddle their goods."

Lunch with a Councilmember

With fall around the corner (though it seems like it has settled in already), the timing is right to resurrect Lunch with a Councilmember, as long as Councilmembers are still up for it.

The Library Director spoke with the Friends who sponsor this event. Their suggestions are:

- Start in October
- Do it the same day every month through March
- Send out the schedule to all the non-profits and other organizations we can think of in town
- Have councilmembers sign up in advance so the Friends can make one poster (with the election in October we should wait till the second meeting to circulate a signup sheet)

Questions for Council are:

- Is the first Council Monday of the month still the preferred day?
- If so, would someone like to sign up for Oct. 10th?
- Any other suggestions (timing, etc.)? - the Friends are open to ideas.

Enc:

Draft Dispatch Consolidation Proposal from KPB
City of Homer Response



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Navarre, Kenai Peninsula Borough
FROM: Katie Koester, City Manager, City of Homer
DATE: May 17, 2016
SUBJECT: Dispatch Consolidation

Redundancy/ loss of connectivity

This is a big issue for the City, Homer is the most distant client in this proposal. How would redundancy be provided if connectivity is lost? This happens from time to time now. According to our consultant, ProComm, employing 2 systems, like ALMR and HPD 1&2 or HVFD 1&2 is not redundant, once connectivity to Homer is lost we would be 100% down. I understand that we cannot necessarily plan for 'the big one,' but it is a policy call to decide how much risk we are willing to take on. I am unable to say with confidence that the risk of losing connectivity is limited to a major, regional natural disaster and would like a greater degree of assurance that routine outages can be prevented.

Extra charges/services

Cameras. Like Seward, the City of Homer has a number of security cameras that are monitored by dispatch (airport, port, etc.) From the paperwork you presented at the meeting, this looks like a \$143 charge per month per circuit?

Cost for other departments. Depending on events, there can be a lot of radio work for dispatchers with Public Works and Port and Harbor. KPB dispatch would have to tie into the Harbor radio system and Public works repeaters, which would have an equipment cost and call level cost.

Local alarms. There are several local alarms that ring into dispatch (panic buttons at City Hall, the College, High School, etc.). There are also alarms for the water treatment plant and pump stations. What will that service cost? Can it be provided?

Cost

We have confirmation from the state that by eliminating the classification of employees – dispatchers – it would trigger a termination study.

The HPD does not track call volume with the same software the Borough does. Though we had dispatch go through the call log by hand to try and come up with more comparable statistics, we are certain our call volume – and therefore cost – will increase under the CAD system used by KPB. Under the proposal, Homer would be paying less than Soldotna. HPD is a busier department than Soldotna and our call volume under CAD would reflect that.

Local Knowledge

The importance of local knowledge is more than just knowing the local geography and landmarks. Our local dispatchers know the frequent callers, know when to take a call more seriously and can think quickly to apply local resources in a situation. At least once a year we have a potentially major incident turn out well because of this type of local knowledge.

Capital cost avoidance

This may be an area where municipalities can experience true cost savings. It would be helpful to understand what one time cost saving there are (new radios that cities would have to buy anyway) and what ongoing savings there would be (ongoing dispatch equipment replacement cost?).

The City of Homer is in the process of designing a new police station. There will be a cost avoidance in not housing dispatch that Council will need to consider.

Control and the future/ administration

What is the guarantee to municipalities that this cost will not escalate in the future? How will all the municipalities have a true seat at the management table? I know this question is equally important to the administration as it is to the municipalities. I do not have a solution. A joint operating agreement where each municipality has a seat may be a viable option, but I would worry that efficiencies would be lost in this type of management structure, which could drive up cost. I also worry about a central peninsula bias in such a structure. Figuring out this structure would be a necessity before making any final commitments. I am interested to see proposals from the other municipalities, or a consultant that specializes in 911 services, on how to handle this issue.

City of Homer staffing under a consolidated dispatch

The staffing needs for HPD are one jail officer (dispatch currently monitors cameras when there is no coverage in the jail) and 2.5 administrative support staff. We also would need some increased overtime hours for the officers for the paperwork processing dispatch helps with. A good argument can be made that the City should be replacing a jailer regardless of the location of dispatch. However, this would still not push the needle to an annual cost savings for the City of Homer.

<u>Salary & Wages</u>	<u>Benefits Total</u>	<u>Total Labor Costs</u>
65,000	34,130	99,130
60,000	32,612	92,612
28,000	22,899	50,899
46,000	28,363	74,363

2.5 dispatchers retained as staff = \$317,000/ year Total Labor Costs
+ 1 jailer added
350 hours additional OT officers = \$14,000/ year

PERS Termination Study estimate = \$130,000/ initial year
= \$85,000 / every year after

First year = Costs City \$461,000 (Labor Costs/ OT/ PERS Termination estimate)

Every year after = \$416,000 (Labor Costs/ OT/ PERS Termination estimate)

In Summary

Thank you for taking on this incredibly complex issue. As this concept progresses, the City would like to see a radio systems engineer to design the connectivity needed for a joint dispatch center. The engineer can design the center and the satellites as a unified system connected with multiple redundant links for reliability. An emergency communications consultant with experience in 911 systems and radio systems should be employed in system design and to ensure all users are treated equally. A radio systems consultant, the City of Homer uses ProComm, could provide a feasibility assessment before investing significant dollars in design. Radio communications is a very complicated topic. With these assurances from professionals, I think removed locations like the City of Homer would feel much more secure that we are not taking on an untenable amount risk.

The City of Homer is willing to see this process through until we can get more reliable information and assurances on some of the larger unknowns. Given the preliminary numbers I am skeptical this will be financially feasible for Homer. Nevertheless, there are many moving pieces and it is important to explore all the options and present Council with the risks and benefits of consolidation.

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1. SUMMARY

The Soldotna Public Safety Communications Center (SPSCC) provides dispatch services to a number of borough service areas and the city of Soldotna. The borough is examining the possibility of offering these services to the cities in the borough that currently operate independent dispatch centers (Kenai, Homer, and Seward). This document proposes a fee structure for all agencies that a consolidated SPSCC would dispatch for. This fee structure is calculated based on the actual cost to run dispatch with the addition of Seward, Kenai and Homer dispatch centers. This structure may be changed slightly – based on the number of additional dispatchers needed – if all three cities do not decide to consolidate. The maximum borough-wide savings will be achieved with consolidation of all centers. *This document is a DRAFT PROPOSAL only and is intended to outline a potential structure and important points of consideration moving forward.*

Total direct cost for borough¹ operated consolidated center: \$3,001,057

The cost of running this consolidated center will be split amongst all agencies that the SPSCC dispatches for, after the deduction of the E911 surcharge, State Park Service contributions, individual city specialized services, and borough general fund contribution. The borough general fund will cover small agencies that are not within cities or service areas (Moose Pass, Hope, Cooper Landing, and Ninilchik), 911 addressing, and the purchase of 6 new radio consoles.

This cost breakdown is based on the cost of running a center (FY2017 budget) with **6 additional dispatchers and .5 additional administrative assistants** (Totaling 13 public safety dispatchers, 3 shift supervisors, 1 communications center manager, 1 IT specialist, 1 administrative assistant) There are also 8 state dispatchers and 1 state office assistant in the SPSCC.

This number also includes the estimated cost of annual training for airport response (\$8,000 annually), maintaining radio/IP linkage with Seward and Homer (\$232/month), and door buzz-in circuit charges (\$100/month for Homer and Seward, \$300/month for Kenai). However, city specific costs are billed separately and deducted from the overall budget before calculating cost/call. These fees are discussed in the specialized services below.

2. GENERAL COST BREAKDOWN

Event call volume, rather than 911 call volume, is the best way to measure cost allocation. The current borough CAD system will be able to track these numbers, and these numbers represent the proportional workload for each agency at the center. To account for year-to-year fluctuation, fees for call volume ranges have been established.

Police calls are generally more frequent and have a shorter duration, and are thus weighted at half of the cost per call (\$24/call). Fire and EMS calls tend to be longer duration and are thus weighted at \$48/call. This reflects

¹ The state pays for a portion of personnel and equipment, these costs are not included in this discussion

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the average workload for each call, and is similar to the structure used by Fairbanks Emergency Communications Center. This ratio should be reassessed and adjusted at a future date to reflect relative average workload of the two types of calls. However, as there is not data collected at a standardized center at this time, a 2:1 ratio will be used.

**Fire and EMS calls: \$48/call
Police calls: \$24/call**

Minimum fees for fire agencies will be based on 200 calls/ year and police agencies will be based on 1000 calls/year. Fire agency rates will increase every 200 calls until reaching 1000 calls. At this point the rate will increase every 1000 calls. Rates for police agencies will increase every 1000 calls. This system is used by Fairbanks Emergency Communications Center.

This fee system is structured simply so that agencies participating in the SPSCC have a realistic idea of what they will be charged. These ranges should be reassessed when this structure is reviewed. If agencies in the borough frequently fluctuate between two blocks - for instance if the call volume of Anchor Point fluctuates regularly between 190 and 210 - this structure should be adjusted to maximize year-to-year stability and ease of agency budgeting.

Fire Agency		
0	200	\$9,600
201	400	\$19,200
401	600	\$28,800
601	800	\$38,400
801	1000	\$48,000
1001	1200	\$57,600
1201	1400	\$67,200
1401	1600	\$76,800
1601	1800	\$86,400
1801	2000	\$96,000
2001	3000	\$144,000
3001	4000	\$192,000
4001	5000	\$240,000
5001	6000	\$288,000

Police Agency		
0	1000	\$24,000
1001	2000	\$48,000
2001	3000	\$72,000
3001	4000	\$96,000
4001	5000	\$120,000
5001	6000	\$144,000
6001	7000	\$168,000
7001	8000	\$192,000
8001	9000	\$216,000
9001	10000	\$240,000
10001	11000	\$264,000
11001	12000	\$288,000
12001	13000	\$312,000
13001	14000	\$336,000

These rates are calculated by dividing operating budget (after deduction of E911 surcharge, State Park contributions, borough general fund contributions, and specialized services) by total weighted call volume to calculate a cost/call value. This will be recalculated after the first year of operating a consolidated center, and every three years beyond that. There will be a 2% annual increase in these rates to account for inflation.

All call volume charges after year one will be based on borough tracked call volumes for the previous calendar year, this will be standardized across all agencies. The borough will submit a notice by March 1st of each year,

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and an invoice by July 1st, which will be paid in full by September 30th each year. If this becomes effective in the middle of a fiscal year, the agency will pay a prorated amount for the first year. Rates for FY2017 will be based on CY2015 call volumes.

3. ANNUAL SPECIALIZED SERVICES

Fees will also include a cost for any specialized service outside of normal dispatch responsibilities. The below list includes fees for services that dispatch currently offers. Additionally services may be offered per agreement between the agency and the SPSCC, the fees for these services should be actual additional cost of providing these services at the center. Specialized costs are deducted from the operating budget prior to the calculation of the general cost/call discussed above.

Service		Rate	Measurement
Police Administrative Call Taking*	Upon request	\$1.50	Per call
Airport Preparedness Staff Training	Kenai required	\$8,000	Estimated annual training cost at 8 hours/dispatcher
TLS Circuit Charge	Homer	\$232/month	Per month, if cities move to ALMR this charge will be eliminated
	Seward		
Buzz-in circuit charge	Homer	\$100/month	Per month
	Seward		
Airport circuit charges	Kenai	\$300/month	Estimated – will be based on actual cost
Camera Access†	Upon request	TBD	Charge will include TLS circuit charge plus an additional \$143/month to increase TLS circuit speed, other charges will be agreed upon based on specific needs

*For administrative calls, each city is responsible for coordinating with DPS to add a circuit to utilize the current administrative phone system, for configuring scheduled forwarding of administrative calls to the DPS line, for the cost of circuit tying their phone system to the DPS administrative system, and for any long distance charges incurred. Any call that does not result in a CAD Call for Service (CFS) will be billed at the administrative call rate. Any administrative call requiring CFS and associated records management data entry will be billed at standard rates.

†Camera systems must integrate with the current borough system and charges will be determined on an individual basis. Agencies are responsible for any set up cost. Passive access only, active monitoring not available.

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4. ONE TIME CITY INTEGRATION FEES

These costs reflect one time fees associated with the transition and integration of the dispatch centers. There will be a one-time integration fee of **\$10,000** per city to cover general transition costs. Other costs are estimated in the table below, but will be charged to the cities at actual cost.

Service		Estimate	Measurement
One time integration fee	All cities	\$10,000	Flat fee
Radio/IP linkage*	Homer/Seward	\$6,000	Actual cost
Buzz-in capabilities	Homer/Seward	\$5,000	Actual cost
Airport transition	Kenai	\$15,000	Actual cost

* Homer and Seward will be responsible for maintaining their own legacy radio system, and will be required to maintain the remote end of the radio-IP bridge.

5. ESTIMATED FEES PER AGENCY

General Cost

Agency	Fire and EMS	Police	Contribution
City of Soldotna	0	11,322	\$288,000
City of Kenai	1,378	7,840	\$259,200
City of Homer	637	8,819	\$254,400
City of Seward*	694	3,728	\$134,400
KESA	174	-	\$9,600
Central Emergency Services	2,802	-	\$144,000
BCFSA	130	-	\$9,600
Nikiski Fire Service Area	884	-	\$48,000
Anchor Point	213	-	\$19,200
State Park Service	Pays for 1 dispatcher		\$105,000
Total			\$1,271,400

**Seward call-volume CY2015: SVAC 523, SVFD EMS 205, SVFD Fire/Other 144. To avoid charging Seward twice for EMS calls, SVFD EMS calls are not included in total Fire/EMS call volume*

Specialized Cost

Will be determined based on additional services selected by agencies and actual cost.

Agency	Type	Fee
City of Kenai	Airport training, airport circuits	\$11,600
City of Homer	TLS Circuit, buzz-in circuit	\$3,984
City of Seward	TLS Circuit, buzz-in circuit	\$3,984
Total		\$19,568

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Integration Cost

Estimated one time cost of integrating new centers. This is not included in overall operating budget overview below, as these fees are specifically to cover transition costs, not annual operating budget.

Agency	Type	Fee
City of Kenai	Integration, airport	\$25,000
City of Kenai	Integration, radio/IP, buzz-in	\$21,000
City of Homer	Integration, radio/IP, buzz-in	\$21,000

Total Charges

Estimated total cost of consolidated center per agency.

Agency	First Year	Annual
City of Soldotna	\$288,000	\$288,000
City of Kenai	\$295,800	\$270,800
City of Homer	\$279,384	\$258,384
City of Seward	\$159,384	\$138,384
KESA	\$9,600	\$9,600
CES	\$144,000	\$144,000
BCFSA	\$9,600	\$9,600
Nikiski Fire Service Area	\$48,000	\$48,000
Anchor Point	\$19,200	\$19,200

Borough Charges

The borough general fund will cover the following costs

Item	Measurement	Cost
Radio replacement*	Annual budget	\$98,963
911 Addressing	Annual budget	\$122,115
Small agency calls†	433 calls (401-600 block)	\$28,800
Total		\$249,878

*The equipment replacement fund will be used to cover the cost of 6 new dispatch radio consoles

†Hope (19), Ninilchick (229), Cooper Landing (123), Moose Pass (62)

This document provides an estimate of consolidation costs. If additional services and integration costs specific to each city are identified, these costs will be billed to the integrating agency. General unexpected transition costs for the SPSCC itself (such as project management) will be covered by the borough. Estimated costs include:

Item	Measurement	Cost
ProQA software licensing	One time	\$11,000
New equipment	One time	\$20,000
Total		\$31,000

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6. CONSOLIDATED CENTER BUDGET OVERVIEW

Consolidated dispatch budget summary	
Revenue from agencies	1,290,968
E911 revenue	1,544,348
Borough general fund	249,878
Total revenue	3,085,194
FY 2017 budget	2,431,295
- E911 Payments	(158,400)
+ 6 dispatchers, .5 admin	708,594
+ Airport and radio/IP costs	19,568
Total consolidated annual budget	3,001,057
Fund Balance	84,137

7. AGENCY INPUT

Cities will be charged based on their actual call volume collected by the CAD system at the SPSCC. Actual costs after year one may vary from estimated costs in this document, as there is not currently a unified way of collecting call volume data. Fees will be determined based on calendar year call volume and charged to cities on an annual basis during fiscal year budget preparation. The base rate (fee/call) will be recalculated every three years based on overall center call volume and operating budget.

In order to account for advances in technology and other changes in dispatch center operations, the entire fee structure will need to be reassessed periodically. The group for this fee structure reassessment will include representatives from each of the agencies participating in the call center. In addition, there will need to be an avenue created for input on fee methodology and other aspects of dispatch operations.

This proposal does not go in to detail on the structure of this group, which will be worked out with the agreement of all agencies.

8. E911 SURCHARGE

The borough will continue collect all E911 surcharges and this charge will be deducted from overall operating cost before rate per call for Fire, EMS, and Police are determined.