



City of Homer

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TO: Mayor Castner and Homer City Council
THROUGH: Port and Harbor Advisory Commission
FROM: Julie Engebretsen, Deputy City Planner
DATE: March 18, 2020
SUBJECT: Overslope Recommendations

In Resolution 19-022 adopting the 2019 Land Allocation Plan, Council tasked the Commission with making recommendations to Council on five items related to overslope development around the harbor. The Commission has had several meetings on these topics and most recently, a work session in January. The topics were:

1. Evaluate Parking
2. Utility Access
3. Drainage
4. Leasing provisions
5. Zoning Code considerations

Parking

The Commission is aware of parking concerns! In the upcoming parking study (summer 2020), parking demand from future overslope development should be a consideration. New overslope development entails not just customer parking, but also deliveries, commercial loading and unloading, trash removal and potentially even tour bus or shuttle stops. There has to be enough physical space to accommodate the support services the new business will require. The Commission is actively working with Port staff on the scope of work for the parking study.

The Commission also felt that perhaps overslope on the Fright Dock road side of the harbor, was a better long term choice. If people and vehicles are too congested along Homer Spit Road, overslope opportunities may be best located on the Freight Dock Road side of the harbor. This idea can be further explored after the parking study is done, and during the upcoming Spit Comprehensive Plan update budgeted for 2021.

Utility Access

Utility access is driven mostly by what infrastructure is actually in the ground and its location. Engineering is required for every commercial connection, regardless of the location on a boardwalk or uplands. The City does have some rules for utility connections, but a new boardwalk would be a major undertaking with a lot of utility planning involved. Planning and Public Works regular hold pre-application meetings with developers to address utilities,

drainage, site plans, etc. No special provisions for boardwalk development are needed; all commercial development city wide requires engineering and project planning.

Drainage

Drainage is not well addressed on the Spit, and that is true of most of Homer. There are two approaches possible: Big picture, or site specific. A drainage plan for the whole community is a top five project in the Capital Improvement Plan. If and when that plan is funded, it should address the Spit. On a site specific scale, the zoning code through 21.46.080 requires a plan for roof drainage and runoff, and the zoning permit process also reviews drainage for a development.

Leasing

Several lease issues were brought to light when the City issued an RFP for overslope development. Such issues include the length of the lease, and if the platform could be used to moor vessels. There was feedback that a 99 year lease would be desirable to recover the cost of the platform. If the City decides to issue another RFP in the future, length of lease and the ability to moor boats should be addressed in the RFP.

Zoning Code considerations

The Commission worked with staff to suggest some amendments to the zoning code. Recommendations are attached to this memo. Planning staff will continue to work on the ordinance with the Planning Commission.

Attachments

Resolution 19-022

Draft HCC 21.46

**CITY OF HOMER
HOMER, ALASKA**

Aderhold

RESOLUTION 19-022

**A RESOLUTION OF THE HOMER CITY COUNCIL APPROVING THE
CITY OF HOMER 2019 LAND ALLOCATION PLAN.**

WHEREAS, Chapter 19.08.020(c) requires the City to adopt a land allocation plan; and

WHEREAS, The Port and Harbor and Economic Development Advisory Commissions reviewed the draft Land Allocation Plan and provided their recommendations as outlined in a Memorandum dated March 18, 2019 by the Deputy City Planner; and

WHEREAS, the Port and Harbor Advisory Commission is interested in continued work on over slope development around the harbor; and

WHEREAS, The City Council discussed the Land Allocation Plan during a work session with members of the Port and Harbor and Economic Development Advisory Commissions on March 26, 2019; and

WHEREAS, Resolution 19-014 directed the administration to issue a Request for Proposal (RFP) to Manage, Lease, and Renovate the Homer Education and Recreation Complex (HERC 1).

NOW, THEREFORE, BE IT RESOLVED by the Homer City Council that the Port and Harbor Advisory Commission further advance their work on over slope development by evaluating parking, utility access, drainage, leasing provisions and zoning code considerations and forwarding recommendations to the City Council; and

BE IT FURTHER RESOLVED by the Homer City Council that the City of Homer 2019 Land Allocation Plan is hereby amended as follows:

1. Designate the HERC 1 building as available for lease with the terms guided by Resolution 19-014.

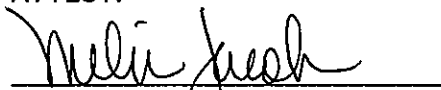
BE IT FURTHER RESOLVED by the Homer City Council that the City of Homer 2019 Land Allocation Plan is hereby approved as amended.

PASSED AND ADOPTED by the Homer City Council this 8th day of April, 2019.

CITY OF HOMER

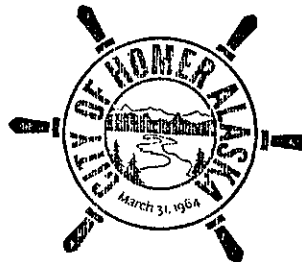

KEN CASTNER, MAYOR

ATTEST:



MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: N/A



Chapter 21.46

SMALL BOAT HARBOR OVERLAY DISTRICT

Sections:

- 21.46.010 Purpose and intent.
- 21.46.020 Overlay district boundaries.
- 21.46.030 Applicability.
- 21.46.040 Conditional uses.
- 21.46.050 Overslope platform standards.
- 21.46.060 Architectural standards.
- 21.46.070 Signs.
- 21.46.080 Landscaping.
- 21.46.090 Architectural plans.

21.46.010 Purpose and intent.

The purpose of the Small Boat Harbor Overlay District is to establish additional development regulations specifically designed for the unique nature and needs of water- and tourism-oriented uses on platforms over the small boat harbor. These regulations will delineate special performance and design standards, encourage mixed use developments which contribute to the stabilization of water-dependent and water-related uses, encourage the link between the marine business and general business sectors of the community, and encourage safe and enjoyable access along the harbor's edge. [Ord. 09-44(S) § 3, 2009].

21.46.020 Overlay district boundaries.

The Small Boat Harbor Overlay District applies to the property described as Lot G-8 and Small Boat Harbor, Homer Spit Subdivision No. Two, T6S, R13W, Sections 35 and 36, and T7S, R 13W, Sections 1 and 2, Seward Meridian, as shown on Plat No. 92-50. [Ord. 09-44(S) § 3, 2009].

21.46.030 Applicability.

Unless otherwise noted, the requirements of the Small Boat Harbor Overlay District apply to all development and are in addition to the requirements of the underlying zoning district. Where a requirement of the underlying district conflicts with a requirement of the overlay district, the overlay district requirement shall govern. [Ord. 09-44(S) § 3, 2009].

STAFF NOTE: There is some vagueness in the code that staff will address in the next draft. Docks, like the fish dock, should not be regulated by this overslope development code. Industrial working docks moving fish or fuel are not places that are desirable for general public access. Overslope regulations were intended to address general commercial activities such as retail, restaurants, etc places where the public would normally be present.

21.46.040 Conditional uses.

The following uses may be permitted in the Small Boat Harbor Overlay District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Overslope development. [Ord. 09-44(S) § 3, 2009].

21.46.050 Overslope platform standards.

An overslope platform shall comply with the following standards:

- ~~a. An overslope platform shall be 40 feet deep, and shall be not less than 40 feet nor more than 240 feet wide.~~

b. There shall be a minimum 20-foot setback separating an overslope platform from a dedicated right-of-way. Except as provided in the preceding sentence, there are no setback requirements for overslope platforms, and an overslope platform may be constructed to the lot line.

c. An overslope platform that is used for the docking of boats shall be designed to bear the loads associated with that use, and include suitable rail access, gates, stairs and fenders.

d. The bottom of the lowest structural member of the lowest floor of an overslope platform (excluding pilings and columns) shall be at least one foot above the base flood elevation.

e. The area of an overslope platform that at the time of its construction is within ~~15-10~~ feet of the edge of a ramp shall be used as a public access area, within which no sales or commercial activity may occur. Such a public access area ~~shall not~~ may be counted to meet open space or landscaping requirements.

f. Direct access from an overslope platform to the ramp shall be limited to avoid user conflicts. Gates or other moveable barriers that facilitate loading and unloading may be used to control access. [Ord. 09-44(S) § 3, 2009].

21.46.060 Architectural standards.

Overslope development shall conform to the following architectural standards:

a. All buildings on the same overslope platform shall receive a common architectural treatment. The main color of the exterior walls of all buildings on an overslope platform shall be one or more earth or seascape tones.

b. Not less than five percent of the area of an overslope platform area shall be outdoor public open space.

c. Overslope development shall include pedestrian walkways that provide direct access between common areas in the overslope development and public rights-of-way.

d. Opaque walls, fences or planter boxes, or any combination of them, shall be used to screen mechanical equipment and trash containers from view in adjacent public areas.

e. The design of structures and outdoor pedestrian areas shall take into consideration environmental factors such as prevailing wind, salt spray, solar exposure, snow and heavy rains.

f. Along the length of a building, the roofline shall not be continuous for more than 60 feet. Roofs shall be gabled.

g. The maximum height of a building measured from the overslope platform or the adjacent grade to the highest roof peak shall not exceed 25 feet.

~~h. A public access not less than eight feet wide to an area overlooking the harbor shall be provided at each end of an overslope platform and at intervals not greater than 150 feet on the overslope platform.~~

i. A continuous pedestrian corridor at least eight feet wide must extend the length of the overslope development, on either the harbor or the uplands side, or some combination thereof. The corridor must be clear of obstructions, but may be covered by an awning or roof overhang. The minimum eight-foot width of the corridor may not be counted to meet landscaping or public open space requirements. [Ord. 09-44(S) § 3, 2009].

21.46.070—Signs.

~~Signs are subject to the requirements in Chapter 21.60 HCC that apply in the underlying zoning district; provided, that the maximum combined total area for all signs under Table 2 in HCC 21.60.060(c) is~~

~~calculated on a per building basis instead of on a per lot basis. No sign bearing a commercial message, as defined in HCC 21.60.040, may be placed in an outdoor public open space. [Ord. 09-44(S) § 3, 2009].~~

21.46.080 Landscaping.

- a. Five percent of the area of an overslope platform must be landscaped.
- b. In addition to the types of plantings listed in the definition of landscaping in HCC 21.03.040, landscaping on an overslope platform may include planter boxes and hanging basket plantings.
- c. The Commission may permit the substitution of durable outdoor art, or amenities for public use such as bike racks, benches, trash receptacles and information kiosks, for part of the required landscaping on an overslope platform. [Ord. 09-44(S) § 3, 2009].

21.46.090 Architectural plans.

An application for an overslope development conditional use shall include the following detailed plans and specifications showing compliance with the requirements of this chapter:

~~a. Floor plans at a scale of one-eighth inch equals one foot.~~

b. Architectural elevations.

c. Site elevation showing the relationship to the platform of the base flood elevation and mean high tide line, and the elevation of the land where the platform adjoins the shore.

~~d. Exterior finish schedule.~~

e. Roof plan showing direction of drainage and where runoff will go.

f. Drawings must show design oversight by an architect or engineer registered under the laws of the State of Alaska. [Ord. 09-44(S) § 3, 2009].

