



City of Homer

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Office of the City Clerk

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Memorandum Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: APRIL 26, 2021
SUBJECT: SUPPLEMENTAL PACKET

ANNOUNCEMENTS PRESENTATIONS AND REPORT

Planning Commission written report

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ORDINANCES

Ordinance 21-26, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 10.08.210 Vessel Speed Limits, Renaming the Section, Extending the No Wake Zone throughout City Tidelands, and Closing Louie's Lagoon and the Entrance to Beluga Slough to Motorized Vessels and Amending the FY21 Operating Budget to Authorize Expenditure of up to \$2,000 for Motorized Vessel Regulation Changes. Lord.

Written public comments

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To: Mayor Castner and Homer City Council
From: Scott Smith, Homer Planning Commissioner
Date: April 21, 2021
Subject: Planning Commission Report for City Council Meeting

Work Session: The Commissioners held deliberations on the Appeal of ZP 1020-782 in a closed session.

Attending: Commissioners Bentz, Highland, Barnwell, Venuti, Conley and Smith.

Planning Commission Regular Meeting

Attending: Commissioners Bentz, Highland, Venuti, Conley and Smith, City Planner Rick Abboud and Deputy City Clerk Renee Krause. Mr. Barnwell was unable to establish an internet connection.

Agenda passed as presented.

There were neither **Public Comments** nor **Reconsiderations**.

Consent Agenda was passed without discussion or objections.

Presentations: Director of Public Works Janette Keiser introduced the Proposed 5-year Capital Improvement Plan and gave a brief overview.

Reports

City Planner Abboud presented **Staff Report 21-23**, briefly reviewed the various Ordinances and Resolutions therein.

Public Hearings

Staff Report 21-24, Conditional Use Permit 21-03 to allow a light manufacturing brewery at 870 Smokey Way.

City Planner Abboud provided this report emphasizing the only reason it triggered a CUP was because of the light manufacturing. All other Code is

satisfied. Applicant Don Stead attended and shared his desires to be attentive to the needs and desires of nearby residences as much as possible, which includes architectural and landscape enhancements, and also compliance with State Beverage laws. One Member of the Public shared both his respect for the applicants and their history as a quality business in the community, but strongly objected to the thought of having a brewery near City Parks and areas where children were frequently present. He was against having the brewery in this location. One other Member of the Public shared her support for the Applicant. A motion was presented and during discussion, several commissioners shared how there is a tension between being a business that produces and serves adult beverages and the proximity to neighborhoods with many young children. This was a reality of the stroke of the pen when the district lines were drafted. The Motion passed without objection.

Plat Consideration: Staff Report 21-25, Fowler’s Bench Preliminary Plat

City Planner Abboud presented this report. Applicant John Fowler attended and shared how it was beneficial to divide this Plat into two so that it could be more enjoyed by more individuals and also gain better access to the Plat. He noted that they would provide for trail accessibility for continued public enjoyment. A motion was presented and passed without objection.

Pending Business: Staff Report 21-26, Community Design Manual Update

City Planner Abboud presented this report and encouraged HPC to review and comment on this effort, particularly the Architectural Design portion. Mr. Abboud believes this project is nearing completion.

Informational Materials: Chairman Smith drew attention to the Police Report and the incredible reduction of crime over the last four years.

Comments of the Staff: Deputy Clerk Krause noted the many positions open on various commissions and encouraged our participation in finding new people to fill these seats.

Comments of the Commission

Adjournment

Next Regular Meeting is May 5 at 6:30 pm.

From: [Brad Somers](#)
To: [Department Clerk](#)
Subject: Dear Council members, I hope you will consider voting for the approval of the ordinance opposing jet ski use on Kachemak Bay.
Date: Monday, April 12, 2021 9:21:45 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We say NO to Jet Ski's on Kachemak Bay! No use of Homer harbor boat launch

Noise pollution is off the charts, they never go slow. Kachemak bay can be dangerous- day breeze kicks up. Safety issues. They stay to close to shore disrupting sea life and our neighbors! They can go all over the state. They can access Cook Inlet from ship creek ,anchor point , whisky gulch already. Can we please keep them out of Kachemak Bay and not allow them access to our boat launch , nor our critical habitat bay please.

Jet skis are not something , We Long term homer residents care to share these precious waters with. Sincerely,
Amy Christiansen Sue Butler Deborah Limacher

Sent from my iPadTh

From: [olga vonziegesar](#)
To: [Department Clerk](#)
Subject: jetskis in Kachemak Bay
Date: Friday, April 23, 2021 9:19:36 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I feel very strongly that the use of jet skis in Kachemak Bay is a very bad thing. I study whales and am very concerned. Even though I would rather they be banned completely, next best is that they have certain rules they must follow. Please limit them from being able to launch anywhere. Please restrict them to only be able to launch from the harbor.

Thank you, Olga von Ziegesar

From: [Nina Faust](#)
To: [Department Clerk](#)
Subject: Ordinance 21-26
Date: Monday, April 26, 2021 9:51:47 AM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please email this to all council members and mayor. Thanks.
Nina

P.O. Box 2994
Homer AK 99603

April 26, 2021

RE: Ordinance 21-26

Dear Council Members:

Homer and Kachemak Bay have been very fortunate to have had 20 years to build a world-renowned reputation for a “place of quiet beauty.” Scientific research on the importance of quiet to human health as well as the health of the animals we share Kachemak Bay with have benefitted from this quiet. The unfortunate, capricious lifting of the Jetski Ban in the Kachemak Bay Critical Habitat Area ignored all the science behind the original decision and the recommendations of the State’s wildlife biologists responsible for reviewing the Critical Habitat Management Plan. Now the unfunded mandate that allows these problematic vessels in Kachemak places the enforcement and protection burden on the City.

There is plenty of good evidence in news articles all over the country to support the need to regulate these craft. Ordinance 21-23 is a good start and I fully support this.

Ordinance 21-26 is the next important step to protect the sensitive habitats and wildlife within the City’s boundaries nearshore. It will also help prevent conflicts with non-mechanized users on the water, such as paddle boarders , kite surfers, and kayakers. My preference would be to simply keep them out of these waters entirely as the proximity of jet skis even transiting through the nearshore waters will bring more noise to the areas along our shores, areas that are now relatively quiet and free of boat traffic. There are often rafts of birds in these areas along with otters and seals. It would be much simpler to just require that they exit the harbor and go out into the main Bay at least a mile offshore, or whatever distance places the vessel outside of the city-owned tidelands. That would make enforcement easier, would protect nearshore quiet areas, avoid conflicts with sensitive nearshore habitats and wildlife, and avoid most conflicts with non-motorized nearshore recreationists. Making the ordinance as simple to enforce as possible will reduce problems and costs and provide a much higher level of protection for the values we want to preserve.

If the Council does not see fit to make Ordinance 21-26 stronger by simply keeping the jet skis out of these areas, then the recommendations for no wake zones would be helpful. How will this information be conveyed to these vessel operators? I would recommend passing this ordinance, but prefer the suggested changes.

Thank you for proactively addressing this issue.

Sincerely,

Nina Faust