



City of Homer

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Memorandum Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: SEPTEMBER 26, 2022
SUBJECT: SUPPLEMENTAL PACKET

ANNOUNCEMENTS/PRESENTATIONS/REPORTS

Planning Commission written report

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Cook Inlet RCAC Regional Director written report

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PUBLIC HEARINGS

Ordinance 22-42(S), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.04.120 to Clarify that all New Streets which Serve as Public Access Corridors shall have Sidewalks. Davis/Erickson.

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To: Mayor Castner and Homer City Council
From: Scott Smith, Chair, Homer Planning Commission
Date: September 21, 2022
Subject: Planning Commission Report for City Council

Work Session:

None.

Planning Commission Regular Meeting

Attending: Commissioners Highland, Conely, Chiappone via Zoom. Commissioners Stark, Smith with City Planner Abboud, Deputy City Clerk Krause and Mayor Castner in Chambers. Commissioners Barnwell and Venuti were excused.

AGENDA: Agenda amended to move Plat Considerations Item A to before Public Hearings, Item A. Motion carried. Amended Agenda approved.

PUBLIC COMMENTS: None.

RECONSIDERATIONS: None.

CONSENT AGENDA was passed without discussion or objections.

PRESENTATIONS: EDC Chair Karin Marks and Economic Development Manager Engbretsen presented Homer Quality of Life report. This is an effort to define positive growth in Homer and how this impacts quality of life and desired growth outcomes by the community.

This report reflects on Strengths, Weaknesses, Opportunities and Threats to the areas of Quality of Life, Business Climate, Built Environment, Infrastructure, Natural Environment, and Social Climate.

Highlighted discussion included the necessity of improved discussion between commissions, providing a stronger economic platform for young adults and families, perspectives of over-regulation which deters development and improved zoning and road development standards.

REPORTS: Staff Report 22-58, City Planners Report – City Planner Rick Abboud highlighted the progress to the online Permitting Software, developments with the effort to address Homelessness on the Kenai Peninsula, developments to the Transportation Plan and Planning Office Staff.

Mr. Abboud was asked about the number of Homeless in Homer. He reflected on the difficulty of identifying a number due to Federal Criteria and the unique climate in our area.

He was asked to define the Grading Ordinance and stated it is a way to determine and track how much soil is altered or relocated on building sites.

PLAT CONSIDERATIONS: Staff Report 22-60, Bidarki Creek No. 5 Preliminary Plat. City Planner Abboud presented the Report. Surveyor Tom Latimer and Applicants McKennen and Rachael Lamb made presentations highlighting their desire to preserve Homer’s “feel” and also to do everything possible to abide by Code and cooperate with the City and neighbors to create a good solution.

Public Comments: Several members of the public addressed the Planning Commission via Zoom and Chambers. Comments included concerns about water drainage, higher than normal density in the RR District, shared driveways, adequate parking, fire service access and drainage. Although several comments were made about the need for development, there were no admissions that having 11 structures on this Plat was acceptable. There were several written submissions, all discouraging the Planning Commission to allow this application.

Extensive conversation by the Commission ensued, including comments by the Mayor. A motion to Suspend the Rules was passed to allow more Public Comment. Commissioners discussed the need to evaluate the Plat through the legal lens of Code and the nature of the Comp Plan.

A Motion to Amend the Recommended Main Motion to recommend a reduction to the number of divisions on the Plat was presented and failed.

Motion to Adopt Staff Report 22-60 was presented and failed.

PUBLIC HEARINGS: To adopt Staff Report 22-59 and forward Draft Ordinance Amending Homer City Code (See Minutes for details) Regarding Conditional Uses in Each District to City Council.

Mr. Abboud briefly presented the report.

Public Hearing: One comment was offered that this effort should be communicated to the general public in a more effective way as it is a major change to Code and there might be greater public involvement if they knew about it.

Motion carried unanimously, with gratitude to those who have spent a great amount of time on this effort.

PENDING BUSINESS:

A. Memorandum from Deputy City Clerk re: Final Draft for Ordinance 22-42.

Following the Report by Mr. Abboud, Commissioner Highland made motion to strike a portion under Recommendations number 2, because it did not accurately reflect the Commissions discussion and recommendations from the previous meeting. Motion passed.

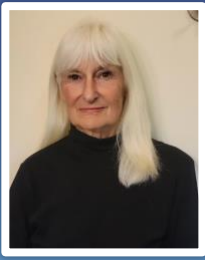
Motion as Amended was presented and passed unanimously.

NEW BUSINESS: None.

COMMENTS OF THE AUDIENCE: None.

COMMENTS OF THE COMMISSION: As it was 9:30 pm, few comments were offered. Commissioner Smith reminded others about the Transportation Plan Symposium on October 1 at the K-Bay Campus. He also shared that the Mariners Football team is having a playoff home-game at the same time.

Next Regular Meeting: October 5, 2022, 6:30 p.m.



Update from the Board of Directors Cook Inlet Regional Citizens Advisory Council

Carla Stanley, representing the City of Homer

The Cook Inlet Regional Citizens Advisory Council Board of Directors met in Seldovia on September 9th. This was the first in-person meeting for the Council since December of 2019 and our first meeting in Seldovia since 2016.

The Board heard a presentation from David Duffy of Hilcorp's Land Department regarding tidal energy concepts for Cook Inlet. A number of small-scale tidal energy projects have been deployed in Cook Inlet over the years, but as the technology advances, there are more opportunities for research which could provide more complete data for future power generation models. Several state and federal agencies including the National Renewable Energy Laboratory (NREL) and the Alaska Center for Energy and Power at the University of Alaska Fairbanks, among others, have partnered to conduct research and pilot programs. Hilcorp reported that they have no plans at this time to install significant generation capacity, but the company is interested in the potential for using Cook Inlet's existing oil production platforms as part of the infrastructure that could accommodate tidal power generation in the future. We look forward learning more about the technologies in play, what other partnerships could be developed and how that existing infrastructure could find new life in helping harness the power of Cook Inlet's unique tidal movements.

Marathon Petroleum's Vice President of Marine Operations, Marc Bayer, updated the Council on the company's marine operations and its investments in new and updated resources. Examples include adding 50 barrels of recovered oil capacity to the tug Bob Franco, allowing it to also be classified as an Oil Spill Response Barge (OSRB). The Council appreciates Marathon's continued commitment to doing safe and responsible work in the sensitive environment of Cook Inlet.

The Council also received an operational update from U.S. Coast Guard Sector Anchorage Commander Captain Leanne Lusk. The Coast Guard was active over the summer, responding to a number of sunken vessel incidents and conducting rescue operations. One of these was a legacy incident in Women's Bay near Kodiak where the F/V St. Patrick went down in 1989. Working with other state partners, the Coast Guard has been monitoring this vessel for decades and recently had more than \$4.5 million released from the Oil Spill Liability Trust Fund for spill response efforts that recovered some 16,000 gallons of oily water. Captain Lusk also noted CIRCAC's assistance in the effort to recover a lost anchor that had gone unreported and was found wrapped around a subsea pipeline following a routine inspection by Marathon Petroleum. Numerous state and federal agencies coordinated in the ultimately successful

effort to retrieve the anchor and no spills occurred during the operations. Captain Lusk expressed appreciation for CIRCAC'S continued interest in ensuring and encouraging Oil Spill Removal Organizations (OSRO) to meet the National Planning Criteria (NPC) or continue to expand their capabilities to meet NPC.

CIRCAC staff each delivered updates to the board regarding their programs and current projects. Executive Director Michael Munger presented a brief budget overview and noted upcoming elections and preliminary work on the organization's annual reauthorization by the U.S. Coast Guard. Director of Science and Research, Susan Saupe, highlighted field work that resumed over the summer, including significant updates to the Alaska ShoreZone imagery database. Director of Operations Steve "Vinnie" Catalano reported with updates from area committees and recent drills.

Our next meeting is scheduled for December 1st and 2nd in Anchorage.

1 CITY OF HOMER
2 HOMER, ALASKA

Davis/Erickson

3
4 ORDINANCE 22-42(S)

5
6 AN ORDINANCE OF THE CITY OF HOMER ALASKA AMENDING
7 HCC.04.120 TO CLARIFY THAT ALL NEW STREETS WHICH SERVE AS
8 PUBLIC ACCESS CORRIDORS SHALL HAVE SIDEWALKS.
9

10 WHEREAS, The Homer Non-Motorized Trails and Transportation Plan states that “All
11 new road construction projects will include facilities designed for non-motorized
12 transportation,” which “may include sidewalks, safe crossings, separated/shared pathways,
13 wide outside lanes, paved shoulders and striped, signed bikeways,” **but with no enforcement**
14 **mechanisms or timelines;** and
15

16 WHEREAS, The City of Homer has not been consistently requiring pedestrian access
17 when new streets are being approved, in part because city code as currently formulated does
18 not clearly require sidewalks, but rather only easements for sidewalks, and even then only on
19 certain streets specified in a long-outdated map; and
20

21 WHEREAS, Numerous new roads have been built in town in the past several years that
22 lack any pedestrian access; **and**
23

24 **WHEREAS, Any new standards adopted in the final draft of the Master**
25 **Transportation Plan currently in process will not be applied retroactively to the projects**
26 **already approved by the City of Homer.**
27

28 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
29

30 Section 1. HCC 11.04.120 Street construction, design and dedication requirements –
31 General, is hereby amended to read as follows:
32

33 11.04.120 Sidewalks and non-motorized transportation corridors.
34

35 a. New streets to be accepted by the City and identified ~~which serve~~ as public access corridors
36 in the adopted Homer Non-Motorized Transportation and Trail Plan shall have easements for
37 sidewalks, bicycle paths or other non-motorized transportation facilities **a dedicated**
38 **pedestrian path or trail** to ensure convenient mobility and convenient access to parks,
39 recreation areas, trails, playgrounds, schools and places of public assembly **pedestrian**
40 **safety.**
41

42 b. New streets to be accepted by the City ~~and not identified as public access~~ **which do not**
43 **serve as** corridors in the ~~Non-Motorized Transportation and Trail Plan~~ may, at the developer's
44 option, have sidewalks, bicycle paths or other non-motorized transportation facilities.

45
46 c. Sidewalks, bicycle paths and other non-motorized transportation facilities shall be designed
47 in accordance with the design criteria of the City of Homer Design Criteria Manual, **and/or the**
48 **most current version of the Master Transportation Plan.**

49
50 Section 2. This ordinance is of a permanent and general character and shall be included
51 in the City Code.

52
53 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2022.

54
55 CITY OF HOMER

56
57
58
59 _____
60 KEN CASTNER, MAYOR

61 ATTEST:

62
63
64 _____
65 MELISSA JACOBSEN, MMC, CITY CLERK

66
67
68 YES:

69 NO:

70 ABSTAIN:

71 ABSENT:

72
73 First Reading:

74 Public Reading:

75 Second Reading:

76 Effective Date: