





City of Homer www.cityofhomer-ak.gov

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Agenda Changes/Supplemental Packet

TO:	MAYOR LORD AND CITY COUNCIL
FROM:	RENEE KRAUSE, MMC, CITY CLERK
DATE:	MARCH 10, 2025
SUBJECT:	SUPPLEMENTAL

REGULAR MEETING AGENDA

ORDINANCES

a. Ordinance 25-27, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.10.030 to Amend the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to East End Mixed Use (EEMU) Zoning District. Planning Commission. Introduction March 10, 2025 Public Hearing and Second Reading March 24, 2025.

Public Comment Received

page 3-20

From:	Katherine Rice
То:	Department Clerk
Subject:	Public testimony re. rezoning Kachemak Drive
Date:	Wednesday, March 5, 2025 9:24:09 PM

Dear City Council members,

I am writing regarding the rezoning of a one acre lot on Kachemak Drive from Rural Residential Status to East End Mixed Use.

This land is prime peatland in Homer— the Homer Comprehensive Plan has designated this lot and surrounding areas as wetlands, with Important Green Infrastructure Elements and Critical Green Infrastructure Elements. These peatlands are crucial for storm water management and helping to mitigate climate change. Not only would changing the zoning and allowing commercial/ industrial development on this land be environmentally damaging, but it is also economically a poor decision— the Comprehensive Plan describes this land as Extremely Expensive to Develop and surrounding areas as Prohibitively Expensive to Develop. Draining this land for development is also likely to lead to further drainage issues in the area and further damage to Kachemak Drive and surrounding land.

Please reject this rezoning request. Thank you, Katy Rice

From:	Ed Berg
To:	Department Clerk
Subject:	Letter opposing re-zoning of the lot at 4787 Kachemak Drive
Date:	Sunday, March 9, 2025 9:06:24 PM

Homer City Council

Dear Council Members. I am writing to oppose the rezoning of the lot at 4787 Kachemak Drive from Rural *Residential* to *East End Mixed Use*. This is a flagrant case of "spot zoning," in direct contradiction to the basic concept of land zoning. There is no point in having a zoning limitation if it can simply be changed at will to fit any new proposal that someone wants to advance. Allowing this parcel to be rezoned opens up the Pandora's Box of having all the lots along the northwest side of Kachemak Drive reclassified for industrial development, as allowed by the *East End Mixed Use* classification. More generally, it would set a highly visible precedent for this kind of spot zoning anywhere in the city.

The wetlands northwest of Kachemak Drive and southeast of Northern Enterprises are valuable peatlands, with peat depths to 28 feet. The deep peat effectively filters and stores groundwater, sequesters organic carbon, and provides valuable wildlife habitat, especially for moose and birds.

Most of the nearby lots are residential; it would be nice if the area could preserve this tranguil guality. The residents don't need the noise, smell, or vehicle traffic that would be associated with a fish processing operation. Fish processing generates a lot of wastewater. This water cannot simply be dumped into the wetlands and would have to go into the city sewer line, with the possibility of overflow discharges.

There is strong interest in the Homer community for wetland and peatland preservation, as shown by the dozens of citizen scientist volunteers with the Homer Drawdown peatland project in 2021, as well as by abundant public testimony at various City and Borough meetings. The Kachemak Drive wetlands will likely be included in the new Homer Comprehensive Plan as part of the Green Infrastructure design for stormwater management and wildlife habitat. The proposed fish processing plant in this area directly contradicts the Comprehensive Plan's intention to leave these wetlands as undisturbed natural areas for stormwater management and wildlife habitat. I strongly urge the Council to reject this rezoning proposal.

Ed Berg

4492 Towne Heights Lane

Homer AK 99603

3/9/2025 608-628-2088

From:	Michael Hawfield
То:	Donna Aderhold; Rachel Lord; Bradley Parsons; Caroline Venuti; Storm Hansen; Jason Davis; Shelly Erickson;
	Department Clerk
Subject:	Proposed rezone of 4787 Kachemak Drive
Date:	Saturday, March 8, 2025 5:21:58 PM

Dear Members of the Homer City Council,

I am writing in regards to proposed rezone of 4787 Kachemak Drive from Rural Residential to East End Mixed Use. I urge you to reject this proposal.

As you are well aware, this lot is unique peatlands, the non-commercial values of which are extremely high. Keeping this lot as Rural Residential will preserve the unique characteristics of the peatlands and still be in keeping with the Rural Residential designation of the lot and supports the public values of those lands.

Thanks for all you do for our City,

Sincerely,

Michael Hawfield 4606 S. Slope Drive, Homer

Michael Hawfield Associate Professor of History (Emeritus) Kachemak Bay Campus/KPC/UAA 907 299-0290

Please send this letter to all City Council Members and the Mayor. Thanks. Nina

P.O. Box 2994 Homer AK 99603

Homer City Council Homer AK 99603

RE: Rezone of 4787 Kachemak Drive from Rural Residential to East End Mixed Use

Dear Council Members:

I don't support the rezoning of this lot. Over the years other developments have been proposed on high value wetlands in this area, such as a boat storage yard. This development, a fish processing plant, has potential of having significant impacts to a high value wetland lot, and it requires a change of zoning. Conventional wisdom at that time, as well as a requirement of Army Corps, said other locations in dryer areas should be utilized. The boatyard was turned down.

Now we have an on-going effort to study and harness the ecological services these wetlands can provide the City in filtering run-off, managing flood events, and preventing erosion. The Peatlands Project has been a big part of this effort.

It is important to retain undeveloped lands in this area in their natural state, and it is valuable to keep adjacent lands around or next to undeveloped lands in rural residential as this use usually leaves much of the property in a natural or near natural state and is less highly developed, allowing water to flow naturally through the area. I think the public is beginning to better understand the importance of these natural wetlands.

I do not want to see a precedent of rezoning properties in any area of Homer until we have the new Comprehensive Plan in place. If we are to do a good job stewarding and guiding growth in Homer, we must look at long-term effects of decisions on the land and its surroundings. In high value wetlands, a development requiring considerable fill is likely going to affect the flow of water, possibly adversely impacting other adjacent properties because of drainage changes.

There are other places, like the Spit or in the commercial zone in Kachemak City, where this enterprise can be located. Please do not rezone this lot. Keep it rural residential.

Thank you for the opportunity to comment.

Respectfully,

Nina Faust

From: To:	<u>Kachemak Bay Conservation Society</u> <u>Donna Aderhold; Rachel Lord; Bradley Parsons; Caroline Venuti; Storm Hansen; Jason Davis; Shelly Erickson;</u> <u>Department Clerk</u>
Subject:	Comments on proposed Rezone on Kachemak Drive
Date:	Friday, March 7, 2025 5:53:19 PM
Attachments:	Kachemak Drive Rezone.pdf

Please consider the attached comments as you deliberate the proposed rezone 4787 Kachemak Drive from Rural Residential to Mixed Use.

Sincerely, Roberta Highland, President, KBCS Penelope Haas, Vice President, KBCS

Kachemak Bay Conservation Society Homer, Alaska <u>kbayconservation@gmail.com</u>

http://www.kbayconservation.org

alaskansknowclimatechange.com



March 7, 2025

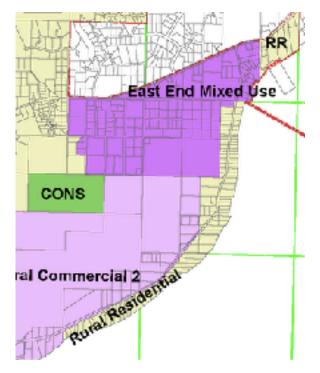
Re: Rezone of 4787 Kachemak Drive from Rural Residential to Mixed Use

Dear Members of the Homer City Council:

We urge you to deny the rezone of 4787 Kachemak Drive from Rural Residential to East End Mixed Use. (1) It is not good process in the middle of a Comp Plan rewrite to rezone a lot for a use that is not being recommended by that process; (2) the values the peatlands offer the public are extremely high, and keeping the lot as Rural Residential supports those public values; (3) the proposed processing facility can and should be located elsewhere, without any harm to the owner.

First, as you know, we are in the processes of rewriting our Comp Plan, which includes zoning. The proper place for a rezone like this to occur at the moment would be though that process; there is a team with a substantial contract from the City that is incorporating an enormous amount of public input on how areas in Homer should be zoned. As can be seen in the image to the right, the draft zoning map shows this entire area as Rural Residential. It is not good or proper for the Council to intervene and override that process

and determination and change the zoning of this one lot. Moreover, a rezone like this, in the middle of a row of Rural Residual lots, sets a precedent for the entire area. It is not wise to allow for isolated rezones smack in the middle of an area, without a codified general principal for the proper limits of cumulative rezoning. Once you let one person do it, there is no good way to explain why you won't let the next person, and so on. The Council can agree, no doubt, that it is not their place or the place of the Planning Commission to, bit-by-bit, undermine the zoning determinations that were made (and are currently being reconsidered) through extensive public process. A codified principal needs to be in place to backstop





cumulative or unequal rezoning.

As far as consistency in zoning and uses is concerned, please note—what is not visible in the above map—the extent of land that is technically zoned as General Commercial, which, is in fact, Conservation Land, (see lands owned by Kachemak Moose Habitat, Inc. in map below) and recall that the City itself—after an enormous public effort involving



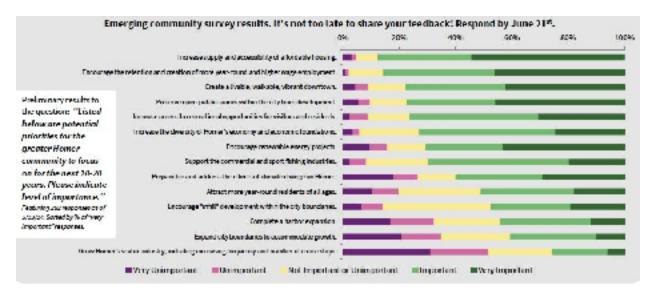
hundreds and hundreds of citizens through the interdisciplinary <u>Peatland Project</u>—is itself seeking to place lands into conservation status *next door* to the proposed rezone, because of their significant value to the public as green infrastructure and owns the two lots to the north.

2) Rezoning the high-value peatlands along Kachemak Drive from Rural Residential to General Commercial to accommodate a fish processing facility is not in the public interest. There are many good reasons this area is not currently zoned Commercial or Mixed Use, and why the draft plan does not propose to change that arrangement. As the old Comp Plan states, "growth will need to be guided to meet Homer's concerns about protecting community character and the quality of the environment." And as the Draft Comprehensive Plan points out:

"77 percent of the 551 community survey respondents said that preserving open public spaces within the city from development was important and



34 percent of residents listed sustainable and resilient development as the single most important priority during the Growth Scenarios event... Solutions called out by residents in surveys and meetings include green infrastructure incorporation, open space preservation, and greater attention to development standards for both private development and public infrastructure."



The peatlands that the applicant wants to rezone for commercial activity provide many important and unique functions that are of great value to the people of Homer, it's visitors, and it's businesses, including:

- Flood Mitigation
- Erosion mitigation
- Stormwater treatment, and thereby protection of essential fish habitat in Kachemak Bay
- Carbon Sequestration
- Migratory Bird Habitat
- Moose Habitat

Flood Mitigation

The capacity of peatlands to absorb large volumes of water is very useful for people who live around them. Peatlands are typically 95% water and 5% organic matter by weight¹ and a one-acre wetland can typically store about one million gallons of water.² The stream map below gives

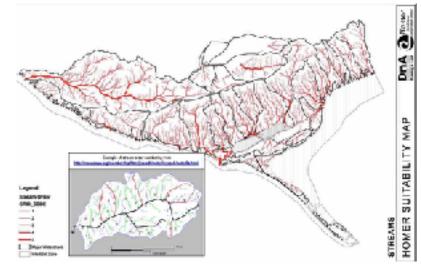
¹ https://www.iucn-uk-peatlandprogramme.org/sites/default/files/ 2019-05/12%20Tracks%20on%20peatland v2 FINAL.pdf

² "Wetlands: Protecting Life and Property from Flooding," EPA



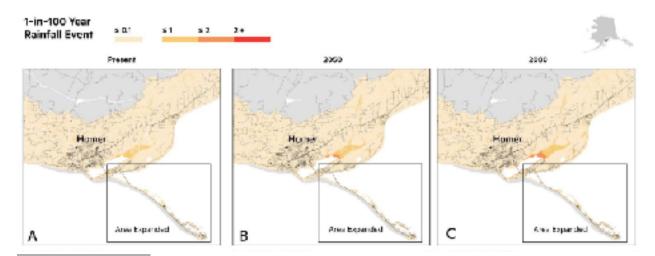
a good sense of the huge volume of water that flows into the Beluga Wetlands Complex. Acting as a catchment basin, peatlands in this complex absorb large volumes of water and mitigate the

harmful effects of storm surges and thaw events of the drainages that feed into it, protecting Kachemak Drive, as well as the homes and businesses on both sides of the road from large-scale flooding. Known variously as Green Infrastructure, Nature-Based Engineering, Nature-Based Flood Solutions, the utilization of nature to help manage stormwater is endorsed by FEMA, the US Army Corps of Engineers, and the EPA as the



preferred path to effective stormwater management.

It is anticipated that storm surges, along with associated flooding, will only increase moving forward, as the warming climate changes regional precipitation rates.³ ⁴ A City of Homer climate risk analysis of the area, mapped in the images below, anticipates significant increase of flood risk in to the east of Beluga Lake, with inundations of up to three feet today, and up to six feet by 2050.



³ "Annual precipitation increases of about 15% to 30% are projected for the region by late this century if global emissions continue to increase. All models project increases in all four seasons" (<u>https://nca2014.globalchange.gov/report/regions/alaska</u>)

⁴ "The amount of inundation from a 1-in-100 year rainfall event in Homer, AK will increase from present day to 2080, particularly east of Beluga Lake due to increased precipitation. Most flooding is limited to near the river banks and on the east side of the lake" (<u>https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/public_works/page/76631/</u> homer-seldovia_ak_climate_risk_analysis.pdf)





"Homer/Seldovia, AK Climate Risk Analysis" by Woodwell Climate Research Center. Online at: <u>https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/public_works/page/76631/homer-seldovia_ak_climate_risk_analysis.pdf</u>

Additionally, ongoing and projected industrial and residential development in the Homer area will contribute to increased flood risk going forward. The value of every bit of the Beluga Wetlands peatlands is tied directly to the changes in flooding risk in the area.

Erosion Mitigation

The image below was created for the City of Homer by the Kachemak Bay National Estuarine Research Reserve and shows a long-term trend of significant loss of land along the Homer coastline.⁵ The image illustrates that peatlands play an important role in mitigating erosion, with erosion rates much reduced around the Beluga Wetlands area in comparison to Baycrest.

In recent years, the natural buffer provided by the peatlands has been increasingly compromised through property fill and drainage works on the north side of Kachemak Drive. These developments increase the speed of water flowing through the system, exacerbating bluff and littoral erosion. As we chip away at the peatlands above Kachemak Drive, hardening surfaces and ditching, we jeopardize the very existence of the high-value properties and road below them.

The same property development and climate trends that are driving up flood risk, increase erosion rates. We can expect rates of coastal erosion to increase because stormwater runoff causes the bluff erosion. Filling and ditching the peatlands speeds up this process significantly. The stakes here are quite high, and we hope the City will do their utmost to protect the peatlands above Kachemak Drive and help preserve the coastline below and direct commercial development to areas zoned for it.

⁵ https://www.cityofhomer-ak.gov/planning/coastal-erosion



Stormwater Treatment and Essential Fish Habitat

As can be seen in the below images of drainages from the Homer Boat Yard (left) and drainage from the Beluga Wetlands (right), the peatlands clean water that passes through them. Peatlands are known to remove sediment, fecal coliform, micro-plastics, and hydrocarbons such as engine oil and diesel discharged off of roads, parking lots, boat storage facilities, etc.⁶



Photo 2. Turbid Witter about to be decharged into Euclement Bay 22 direct range from the industrial areas, and bookpard, shruting visible particulants and flooding of the Kechenak Dep. erosion and regulated flow during the heavy discharge event on October 30th, 2021 drawage dick elementing the small waterful that is manify here, October 30th, 2021

The water quality of stormwater runoff in this

area is of paramount importance to the Homer community, because it goes directly into Kachemak Bay, which is an Alaska Department of Fish and Game Critical Habitat Area, an International Reserve of the Western Hemisphere shorebird reserve Network and the Kachemak Bay National Estuarine Research Reserve. Kachemak Bay is essential habitat for salmon, shellfish, migratory birds and marine mammals. The value of the ecology and biodiversity of Kachemak Bay cannot be overstated, as Homer's culture is based the health of Kachemak Bay; it is also a significant factor in our property values and propels our tourism industry.

⁶ <u>https://onlinelibrary.wiley.com/doi/abs/10.1002/clen.202100404</u>, <u>https://peatlands.org/assets/uploads/2019/06/</u> Panov-88.pdf, <u>https://www.e3s-conferences.org/articles/e3sconf/pdf/2020/08/e3sconf_etmc2020_07011.pdf</u>

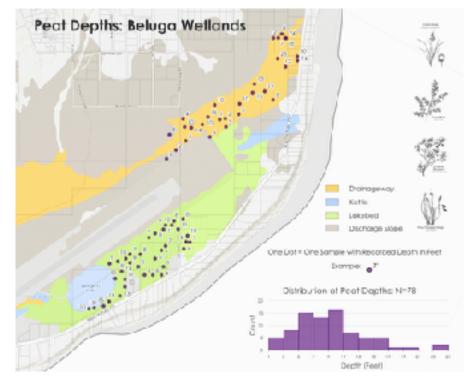


The cumulative impact of rezoning Rural Residential Lots along Kachemak Drive will continue to reduce the water quality of stormwater runoff into the bay, damaging essential habitat for fishes, waterfowl, and marine mammals. The impact of increased turbidity alone is worth special attention. According to USGS:

"high concentrations of particulate matter affect light penetration and ecological productivity, recreational values, and habitat quality...Particles also provide attachment places for other pollutants, notably metals and bacteria. For this reason, turbidity readings can be used as an indicator of potential pollution in a water body."⁷

Carbon Sequestration

Peatlands store a lot of carbon. Although they cover just 3 percent of the earth's land area, they are second only to oceans in the amount of carbon they store twice that held by the world's forests.⁸ As rule of thumb, the deeper the peat, the more carbon it stores. As can be seen in this map generated by Homer Drawdown Peatland Project, peat depths around the lot is



16 -25 ft, which means it is very old. According the the National Estuarine Research Reserve, the average carbon sequestration of Kenai Peninsula peatlands is approximately 150 tons per acre, depending on peat depth. The land that the applicant would like to rezone is sequestering a lot of carbon. Fill of this lot and cumulative fill of lots around it—which we must seriously consider—will dry out and break down the peat, releasing the carbon they are sequestering into the atmosphere. Fill in this one also impedes flow of water downstream as it heads west, toward Lampert Lake, contributing to the drying of those peatlands and associated carbon release. This

⁷ https://www.usgs.gov/special-topics/water-science-school/science/turbidity-and-water

⁸ Drawdown: The Most Comprehensive Plan Ever Proposed to Reverse Global Warming, by Paul Hawken



is not Homer's interest, where the value for preparation for climate change is very high (see survey on p. 3).



Migratory Bird and Moose Habitat

Despite the fact that these peatlands are in the middle of town, they support an amazingly rich ecosystem, valued by residents and visitors alike. Increased industrialization of this area represents a diminishment of a rich and valuable local resource that builds up residents' quality

of life, the values of our properties, is a basis for substance hunting, and drives tourism. According to the Alaska Department of Fish and Game:

"More than 100 species of birds visit the vicinity [of Beluga Lake] during spring migration or nest in summer, including shorebirds, waterfowl and songbirds such as golden-crowned and ruby-crowned kinglets. Aleutian terns [classified as <u>vulnerable</u>] sometimes raise young in the Beluga wetlands along Kachemak Drive. Owls, northern harriers and bald eagles take wing over the lake. Chickadees, kinglets and sparrows can be seen in the brush and forest."⁹

These birds are also a major source of revenue for local people. Every year thousands of people come to Homer for the Kachemak Bay Shorebird Festival, staying in hotels, using water taxies, visiting local restaurants, etc. Birding is a big industry that supports many local businesses and good jobs: a recent study found that the Alaska bird tourism sector generated a total of \$204 million in wages, salary, and benefit. Its contribution to Alaska's GDP as measured through value added, amounted to \$326 million, roughly 1% of Alaska's current-dollar GDP.¹⁰

⁹ https://www.adfg.alaska.gov/index.cfm?adfg=viewinglocations.belugalake

¹⁰ Schwoerer T, Dawson NG (2022) Small sight—Big might: Economic impact of bird tourism shows opportunities for rural communities and biodiversity conservation. PLoS ONE 17(7): e0268594. <u>https://doi.org/10.1371/</u> journal.pone.0268594.



In addition to the high-value bird habitat, this area is also important habitat for our iconic Moose population, especially in the winter months. According to the Alaska Department of Fish and Game:

"from November through April, up to 100 moose can be observed feeding on dwarf willows and other plants growing in the [Critical Habitat] area, or seeking shelter from winds and cold temperatures in the area's spruce forest."¹¹

These moose depend on the wetlands at the proposed site. ADF&G has identified the Beluga Wetland Complex as essential for the survival to the local Homer bench moose herd. It is critical overwintering habitat, valuable in both its food source and its quietude during the stressful late winter months prior to spring "green-up." If moose habitat is not protected, a "large proportion of the population will die due to malnutrition every winter."¹² This is especially important because the Homer moose population likely act as a "source" population in providing dispersing individuals to areas of lower moose densities around the lower Kenai Peninsula.¹³ Hunters, visitors, and local nature-lovers alike all lose when the moose populations are harmed.



FISH PROCESSING CAN AND SHOULD OCCUR ELSEWHERE

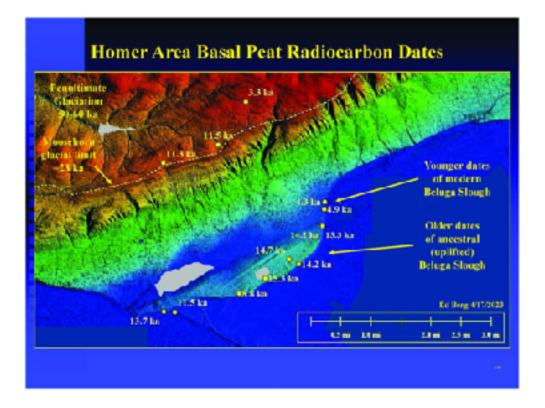
While Homer very much supports fisherman and fishing businesses, profitable processing facilities can be constructed any number of places, from the spit, to East End Rd or in town, but these peatlands need to be right where they are. Commercial development can and should go elsewhere: we, the pubic, have limited peatlands in the City of Homer; we cannot make more of them (see below study from Ed Berg showing that it probably took 13-14 thousand years to make the peat in at the lot in question), and we need them to be exactly where they are, doing exactly what they are doing for us. Damage to high-value peatlands constitutes a significant loss to Homer; the benefits of a fish processing facility this location fall far short of the costs. The preservation of these high value wetlands are in Homer's best interest.

¹¹ http://www.adfg.alaska.gov/index.cfm?adfg=homerairport.species

¹² Thomas McDonough ADFG Wildlife Biologist, *Homer Wetland Complexes and Management Strategies*.

¹³ *Ibid*.





In conclusion, it is not good process in the middle of a Comp Plan rewrite to rezone a lot for a use that is not being recommended by that process; keeping the lot as Rural Residential supports the natural value of the peatlands; (3) the proposed processing facility can and should be located elsewhere, without any harm to the owner, who is free to build their facility on any number of available commercial or mixed use lots.

Sincerely,

Roberta Highland, President

Penelope Haas, Vice-President



Yahoo Mail: Search, Organize, Conquer

----- Forwarded Message -----

From: "Annette Koth" <akkpierce54@yahoo.com>

To: "Susan Jacqu'e" <sjacque414@yahoo.com>, "rkause@ci.homer.ak.us" <rkause@ci.homer.ak.us>

Sent: Sun, Mar 9, 2025 at 9:09 PM

Subject: SPOT ZONING, Wetlands, Tsunami route.

Hello Renee Krause, I'm in such duress over this Spot zoning one piece of property -Wetlands, Tsunami (Spit evacuation route) on my street 4758 Kachemak Dr. I've lived here since 1991. I've seen the development of the wetlands (across the street from me) it's nearly destroy my neighborhood. The more the filling of the propertys the more water rises. Before they resurfaced our dirt road, no one had any water problems what so ever! On less the state DOT don't clean the ditches in winter. Once they surfaced it, (paved it) the flooding started with our yard crawl space/ basement. The water would run like a water Fall though our yard over the bluff and into Kackemak Bay. Our yard & neighbors yards, crall spaces - basements up and down our mile stretch of

road. Flooded every fall and spring! We still have flooding every year!! We fought the city, state..you name it. We then got French drains, what a joke. And if you have lived in Homer in those days you know the story. Now with this

information the odds of more water being displaced by "Spot Re- zoning" this one piece of property that is going to build a pad for heavy fishing equipment and a fish processing plant it's going to wear and tear on the road.. our Second and only other exit Off the Spit, for a Tsunami. Toxic waste water seeping from the refrigeration and the cleaning processing areas of the fish taken to and from the nets. THE NOISE THAT WILL COME FROM THE TRAFFIC refrigeration machines processing machines all the heavy equipment and the hoisting hydraulics heavy equipment coming and going plus all the extra clients traffic... it's going to TOTALLY DISTROY our years and years of a residential family living styles. This is going to cause a lot duress! Let it be noted: You will be hearing from people over these events

#2. Wetlands..... I totally disagree with (SPOT Re-zoning). IN MY IMMEDIATE RESIDENTIAL NEIGHBORHOOD. Every year)spring summer fall winter) the Shore Birds, Water Fowl, Sand Hill Cranes, Coyotes, MOOSE, Bear, Lynx, Bobcats, Eagles, Goshawks, Owls, Song bird's, Muskrats, Beavers, Geese, Ducks, insects, multiple bird species, plants trees, Grassy fields, Berries... is and incredible wild life refuge. We'd really like to keep it that way. We disagree with this plan. WE LOVE THE WETLANDS! Thank you for your time. Annette and Dennis KOTH. 4758 Kachemak Dr. Sense 1991 -2025. We don't want a noisy, smelly, dirty fishy equipment across the street from our homes we have chosen the raise our families in and retire for this to take place. (If this was your neighborhood you're Home). How would you feel?? I don't want to be kept up all night with the noise and Smells for my retirement days I have left in my home. It's wrong for this land owner to impinge all of that on these neighbors and us, that's been there for years and years. Thank you for reading. Yahoo Mail: Search, Organize, Conquer