



# City of Homer

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## Memorandum

### Agenda Changes/Supplemental Packet

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
FROM: MELISSA JACOBSEN, MMC, CITY CLERK  
DATE: JUNE 24, 2019  
SUBJECT: AGENDA CHANGES AND SUPPLEMENTAL PACKET

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#### **Consent Agenda**

Ordinance 19-32, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Mayor.

Ordinance 19-32(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Mayor. Page 3

#### **Announcements/Presentations/Reports**

Mayor's Report- Letter to Mayor Castner from Homer Chamber of Commerce Re: KPB Bed Tax Page 37

#### **Public Hearings**

Ordinance 19-28, An Ordinance of the City Council of Homer, Alaska, Authorizing the Expenditure in an Amount up to \$6,000 from the HART Funds for Construction of an ADA Accessible Trail on City of Homer Property and Kachemak Heritage Land Trust Property. Mayor. Introduction June 10, 2019, Public Hearing and Second Reading June 24, 2019

MOU between the City of Homer and Kachemak Heritage Land Trust as backup

Page 39

**Resolutions**

Resolution 19-044, A Resolution of the City Council of Homer, Alaska, Approving a Request for Proposals (RFP) for General Counsel Services. Mayor/Council.

Proposed language amendments from Mayor.

Page 43

1 **CITY OF HOMER**  
2 **HOMER, ALASKA**

3 Mayor

4 **ORDINANCE 19-32(S)**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING HOMER CITY CODE 2.72 ADVISORY PLANNING  
8 COMMISSION; HOMER CITY CODE 11.12.010 STREET ADDRESS  
9 ASSIGNMENT PLAN ADOPTED; HOMER CITY CODE 21.03.040  
10 DEFINITIONS USED IN ZONING; AND HOMER CITY CODE  
11 22.10.040 APPLICABLE AND EXEMPTED SUBDIVISIONS TO  
12 CHANGE THE NAME OF THE ADVISORY PLANNING COMMISSION  
13 TO THE PLANNING COMMISSION THROUGHOUT.

14  
15 WHEREAS, The Homer Advisory Planning Commission provides local knowledge and  
16 advice to the Kenai Peninsula Borough Planning Commission for matters that fall within their  
17 authority; and

18  
19 WHEREAS, The Homer Advisory Planning Commission provides Advisory comments  
20 concerning municipal policy and code development to the Homer City Council; and

21  
22 WHEREAS, The Homer Advisory Planning Commission is a decision-making body  
23 authorized and required to make decisions regarding variances, conditional use permits, and  
24 other land use matters; and

25  
26 WHEREAS, The inclusion of the word “Advisory” in the Commission’s name highlights  
27 its role as an advisory commission to the Kenai Peninsula Borough, but not its identity as a  
28 decision-making governing body under the Homer City Code.

29  
30 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

31  
32 Section 1. HCC Chapter 2.72 “Advisory Planning Commission” is hereby amended as  
33 follows:

34  
35 Chapter 2.72  
36 ~~ADVISORY~~ PLANNING COMMISSION

37  
38 Sections:

39 2.72.010 Homer ~~Advisory~~ Planning Commission established.

40 2.72.020 Incorporation of State law.

41 2.72.030 Duties and powers.

42 2.72.040 Terms of Commission members.

43           2.72.050 Zoning powers and duties.

44           2.72.060 Record of proceedings.

45

46 2.72.010 Homer ~~Advisory~~ Planning Commission established.

47

48 a. In order to maximize local involvement in planning, and in the implementation and  
49 modification of the Homer zoning ordinance, the Homer ~~Advisory~~ Planning Commission is  
50 established. ~~Advisory~~ Planning Commission jurisdiction is limited to the area within the City  
51 boundaries.

52

53 b. The Homer ~~Advisory~~ Planning Commission shall have seven members. No more than one of  
54 its members may be from outside the City limits. Members shall be appointed by the Mayor  
55 subject to confirmation by the City Council.

56

57 c. A Chairman and Vice-Chairman of the Commission shall be selected annually and shall be  
58 appointed from and by the appointive members.

59

60 d. **In addition to the seven Commission members appointed by the Mayor, t**he Mayor, City  
61 Manager **or the City Manager's designee** ~~or his designee and Public Works Director, or his~~  
62 ~~designee,~~ shall serve as consulting members of the Commission **when the Commission is**  
63 **sitting in its advisory-only capacity.** ~~In addition to the seven appointive members, and~~  
64 ~~may attend all meetings as consultants, but~~ **Consulting members of the Commission** shall  
65 have no vote.

66

67 2.72.020 Incorporation of State law.

68

69 The laws of the State of Alaska and dealing with the planning and zoning commissions  
70 present and future are incorporated into this chapter as if expressly included in this chapter.

71

72 2.72.030 Duties and powers.

73

74 The Commission shall be required to do the following:

75

76 a. Develop, adopt, alter or revise, subject to approval by the City Council, a master plan for  
77 the physical development of the City. Such master plan with accompanying maps, plats,  
78 charts, descriptive and explanatory matter shall show the Commission's recommendations  
79 for the development of the City territory, and may include, among other things:

80

81           1. Development of the type, location and sequence of all public improvements;

82

83           2. The relocation, removal, extension or change of use of existing or future public  
84 ways, grounds, spaces, buildings, properties and utilities;

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3. The general extent and location of rehabilitation areas.

When a master plan for the City has been approved by the Council, amendments, revisions and extensions thereof may be adopted by the Council after consideration and report by the Commission;

b. Review and comment on all proposed vacations, abbreviated subdivision plats, subdivision plat waivers, and preliminary plats of land within the City before their submittal to the Kenai Peninsula Borough, as provided in **the Kenai Peninsula Borough Code of Ordinances 20.25.050**;

c. Draft an official map of the City and recommend or disapprove proposed changes in such map;

d. Promote public interest in and understanding of the master plan and of general regulations with regard to planning and zoning;

e. Make investigations regarding any matter related to City planning;

f. Make and prepare reports, prints, plats and plans for approval by the City Council;

g. Make or cause to be made surveys, maps and plans relating to the location and design of any public building, dock, beach, ski ground, statue, memorial, park, parkway, boulevard, street, alley or playground. For the purpose of implementing this subsection, all departments of the City considering any such improvement are required, and all public agencies not a part of the City are requested, to inform the Commission of the proposed improvement, and submit such pertinent information to the Commission and within such time as will enable the Commission to recommend to City Council whether the proposed improvement is consistent with the general plan and established planning principles. No public improvement shall be authorized by City Council until the recommendation of the Commission shall have been received, but the City Council shall not be bound by that recommendation.

2.72.040 Terms of Commission members.

a. Members of the first Commission shall be appointed for the following terms:

1. Three members shall be appointed for three-year terms;
2. Two members shall be appointed for two-year terms;
3. Two members shall be appointed for one-year terms.

b. At the end of the respective terms set forth in subsection (a) of this section, members shall be appointed for full three-year terms.

127  
128 c. Any Commissioner who shall have two successive unexcused absences shall be subject to  
129 removal by the Commission by a majority vote of the members present.

130  
131 2.72.050 Zoning powers and duties.

132  
133 ~~a. The Homer Advisory Planning Commission, sitting as the Homer Advisory Planning~~  
134 ~~Commission to the Kenai Peninsula Borough, shall exercise zoning authority delegated by the~~  
135 ~~Borough Assembly:~~

- 136  
137 ~~1. Interpret the provisions of this chapter and make zoning compliance~~  
138 ~~determinations when requested by the local administrative official;~~  
139 ~~2. Act upon requests for PUDs, variances and conditional use permits; and~~  
140 ~~3. Prepare and recommend to the Homer City Council modifications to the Homer City~~  
141 ~~zoning ordinance.~~  
142 ~~b. The Homer Advisory Planning Commission shall adopt additional procedural rules~~  
143 ~~approved by the City Council.~~  
144 ~~c. The fee schedule shall be established by resolution of the City Council.~~

145  
146 **The Commission shall act in an advisory capacity to the Kenai Peninsula Borough**  
147 **Planning Commission regarding the following matters:**

- 148 **1. Subdivision plat proposals.**  
149 **2. Right-of-way and easement vacation petitions.**  
150 **3. City of Homer Comprehensive Plan amendments.**

151  
152 2.72.060 Record of proceedings.

153  
154 The Commission shall meet regularly twice a month, and permanent records or minutes shall  
155 be kept of Commission proceedings, and such minutes shall record the vote of each member  
156 upon every question. Copies of such minutes shall be filed in the office of the City Clerk, shall  
157 be provided to the City Council not later than its first regular meeting after their preparation,  
158 and shall be a public record open to inspection by any person.

159  
160 Section 2. HCC 11.12.010 Street address assignment plan adopted is hereby amended  
161 to read:

162  
163 11.12.010 Street address assignment plan adopted.

164  
165 A plan for assigning street addresses in the City of Homer, Alaska, dated January 8, 1975, and  
166 amended August 13, 1979, as prepared by the Homer ~~Advisory~~ Planning Commission is  
167 adopted. The plan is to be kept on file in the office of the City Clerk, and is subject to  
168 amendment by Council resolution.

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Section 3. HCC 21.03.040 Definitions used in zoning code shall be amended as follows:

21.03.040 Definitions used in zoning code.

As used in this title, the words and phrases defined in this section shall have the meaning stated, except where (a) the context clearly indicates a different meaning or (b) a special definition is given for particular chapters or sections of the zoning code.

“Abut” means to touch by sharing a common boundary at one or more points. Two adjacent lots separated by a road right-of-way do not abut.

“Accessory building” means an incidental and subordinate building customarily incidental to and located on the same lot occupied by the principal use or building, such as a detached garage incidental to a residential building.

“Accessory use” means a use or activity that is customary to the principal use on the same lot, and which is subordinate and clearly incidental to the principal use.

“ADT” or “average daily traffic” means the estimated number of vehicles traveling over a given road segment during one 24-hour day. ADT is usually obtained by sampling and may be seasonally adjusted.

“Adverse impact” means a condition that creates, imposes, aggravates or leads to inadequate, impractical, detrimental, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities.

Aggrieved. See “person aggrieved.”

“Agricultural activity” shall mean farming, including plowing, tillage, fertilizing, cropping, irrigating, seeding, cultivating or harvesting for the production of food and fiber products (excluding commercial logging and timber harvesting operations); the grazing or raising of livestock (excluding feedlots); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise. “Agricultural activity” excludes private stables and public stables.

“Agricultural building” means a building used to shelter farm implements, hay, grain, poultry, livestock, horticulture, or other farm products, in which there is no human habitation and which is not used by the public.

“Aisle” means an area within a parking lot that is reserved exclusively for ingress, egress and maneuvering of automobiles.

211  
212 “Alley” means a public thoroughfare, less than 30 feet in width, that affords only a secondary  
213 means of access to abutting property.

214  
215 “Alteration” means any change, addition or modification in construction, occupancy or use.

216  
217 “Animal unit equivalent” is a convenient denominator for use in calculating relative grazing  
218 impact of different kinds and classes of domestic livestock. An animal unit (AU) is generally  
219 one mature cow of approximately 1,000 pounds and a calf as old as six months of age, or their  
220 equivalent. Animal unit equivalents vary according to kind and size of animals.

221 The following table of AU equivalents applies to the Homer Zoning Code.

222

**Kinds and classes of animals**

<b>Animal- equivalent</b>	<b>unit</b>
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Slaughter/feed cattle	1.00
Mature dairy cattle	1.40
Young dairy cattle	0.60
Horse, mature	2.00
Sheep, mature	0.20
Lamb, one year of age	0.15
Goat, mature	0.15
Kid, one year of age	0.10

223  
224 Exotic species (e.g., llamas, alpaca, reindeer, musk ox, bison and elk) and unlisted species  
225 require application to the Planning Commission for determination of AU equivalents.

226  
227 Apartment House. See “dwelling, multiple-family.”

228  
229 “Area, building” means the total area, taken on a horizontal plane at the main grade level, of  
230 a building, exclusive of steps.

231  
232 “Area, floor” means the total area of all floors of a building as measured to the outside  
233 surfaces of exterior walls, including attached garages, porches, balconies, and other  
234 structures when covered by a roof.

235  
236 “Area, footprint” has the same meaning as “area, building.”

237  
238 “Area, lot” means the total horizontal net area within the boundary lines of a lot, exclusive of  
239 rights-of-way for streets and alleys.

240



241 “Area ratio, floor” or “floor area ratio” means the ratio of floor area of all buildings on a lot to  
242 the area of the lot.

243 “Arterial” means a street whose principal function is the transmission of vehicular through  
244 traffic, that performs a major role in serving the transportation needs of the community, and  
245 that is identified as a “major arterial” or “community arterial” in the Homer Roads and  
246 Streets Master Plan.

247

248 “Assisted living home” has the meaning given in AS 47.32.900.

249

250 “Auto and trailer sales or rental area” means an automobile related use that may consist of  
251 any combination of the following:

252 1. An open, outdoor display area for automobiles, light trucks or trailers for rent, lease  
253 or sale;

254 2. Buildings for the indoor display and sale or leasing of automobiles, light trucks or  
255 trailers, and sale of parts and accessories customarily incidental to the sale of such  
256 vehicles; and

257 3. Buildings at the location of a motor vehicle dealership used for auto repairs  
258 customarily incidental to the operation of a dealership.

259

260 “Auto fueling station” means any premises used to sell motor fuels and lubrication to motor  
261 vehicles. An auto fueling station may include the sale of minor accessories. Auto fueling  
262 station does not include auto repair.

263

264 “Auto repair” means service and repair of motor vehicles, trailers and similar mechanical  
265 equipment, including painting, upholstering, rebuilding, reconditioning, body and fender  
266 work, frame straightening, undercoating, engine or transmission rebuilding or replacement,  
267 tire retreading or recapping, and the like. It also includes minor service work to automobiles  
268 or light trucks including tune up, lubrication, alignment, fuel system, brakes, mufflers, and  
269 replacement of small items.

270

271 “Basement” means any floor level partly or wholly underground, except when such floor level  
272 meets the definition of “story.”

273

274 “BCWP district” means the “Bridge Creek Watershed Protection District” described in Chapter  
275 21.40 HCC.

276

277 “Bed and breakfast” means a dwelling in which an individual or family resides and rents  
278 bedrooms in the dwelling to overnight guests, if the bed and breakfast use is accessory to the  
279 principal use of the dwelling as the primary residence of the operator. If the dwelling has six  
280 or more bedrooms available for rental to overnight guests it is a hotel and not a bed and  
281 breakfast.

282

283 “Bluff” means an abrupt elevation change in topography of at least 15 feet, with an average  
284 slope of not less than 200 percent (two feet difference in elevation per one foot of horizontal  
285 distance).

286  
287 “Boat storage yard” means a lot used for the indoor or outdoor commercial dry storage of  
288 boats.

289  
290 “Bridge Creek Watershed” means the watershed contributing to the City’s reservoir at Bridge  
291 Creek.

292  
293 “Buffer” means an open space, landscaped area, fence, wall, berm, or any combination  
294 thereof used to physically separate or screen one use or property from another so as to shield  
295 or block visibility, noise, lights, or other undesirable effects.

296  
297 “Buffer, runoff” means an area of natural or planted vegetation through which stormwater  
298 runoff flows in a diffuse manner so that the runoff does not become channelized and that  
299 provides for infiltration of the runoff and filtering of silt and pollutants. The buffer is  
300 measured landward from the normal full water elevation of impounded structures and from  
301 the top of the bank of each side of a stream, river, ditch, or other channel.

302  
303 “Buffer, stream” means a runoff buffer of a designated distance on each side of a channel  
304 measured perpendicularly from the top of the bank of each side of a stream, river, ditch, or  
305 other channel.

306  
307 “Building” means any structure used or intended for supporting or sheltering any use or  
308 occupancy.

309  
310 “Building construction” means the placing of construction materials in a permanent position  
311 and fastened in a permanent manner in the course of constructing or erecting a building.

312  
313 “Building height” is the vertical distance from grade to the maximum point of measurement  
314 of the building, measured according to HCC 21.05.030.

315  
316 “Building, main” means the building of chief importance or function on the lot.

317  
318 “Business, open air” or “open air business” means the retail sale or display of merchandise or  
319 services, including but not limited to farmers’ markets and flea markets, conducted outdoors  
320 or under a canopy for protection from the elements and held on a regular or periodic basis.  
321 Open air business does not include (1) outdoor display or sales of goods or services by a retail  
322 or wholesale business that is principally located in a building, or (2) sales, services or rentals  
323 of any kind of boat or motorized vehicle.

324

325 “Business, retail” means a place of business principally engaged in selling goods, substances  
326 or commodities in small quantities to the ultimate consumer, and may include rendering  
327 services incidental to the sale of such goods, substances or commodities. The term “retail  
328 business” does not include, as either a principal or accessory use, automobile oriented uses,  
329 the sale, rental, storage, service, or repair of any motor vehicles, or any use separately  
330 defined or listed in any zoning district.

331  
332 “Business, wholesale” or “wholesale” means a place of business principally engaged in  
333 selling or distributing goods, substances or commodities in quantity to retailers or to  
334 industrial, commercial or institutional users mainly for resale or business use.

335  
336 “Campground” means a parcel of land where two or more campsites are located that  
337 provides facilities for temporary recreational living in any manner other than a permanent  
338 building.

339  
340 “Cemetery” means land used or intended to be used for burial of the dead and dedicated for  
341 cemetery purposes, including columbaria and mausoleums when operated in conjunction  
342 with and within the boundary of such cemetery.

343  
344 “Channel protection storage volume” or “Cpv” means the volume used to design structural  
345 management practices to control stream channel erosion.

346  
347 Church. See “religious, cultural, and fraternal assembly.”

348  
349 “City Engineer” means an engineer within the Homer Department of Public Works designated  
350 by the Director of Public Works.

351  
352 “Clearing” means the removal of trees and brush from the land, but shall not include the  
353 ordinary pruning of trees or shrubs or mowing of grass.

354  
355 “Clinic” means a professional office with facilities for providing outpatient medical, dental or  
356 psychiatric services, which may include as incidental to the principal use a dispensary to  
357 handle medication and other merchandise prescribed by occupants in the course of their  
358 professional practices.

359  
360 “Coalescing plate separators” or “CPS” are oil/water separators that employ a series of oil-  
361 attracting plates. Oil droplets collect and float to the surface, where they can be skimmed off  
362 or removed mechanically and separators may be installed above or below ground.

363  
364 “Coastal bluff” means a bluff whose toe is within 300 feet of the mean high water line of  
365 Kachemak Bay.

366

367 “Cold storage” means a building equipped with refrigeration or freezing facilities that  
368 provides cold or frozen storage or freezing services.

369

370 “Collocation” means the placement or installation of wireless communications equipment on  
371 an existing wireless communications support structure or in an existing equipment  
372 compound.

373

374 “Commercial vehicle” means any motor vehicle defined in AS 28.90.990 as a commercial  
375 motor vehicle or any motor vehicle with signs or logos exceeding nine square feet in  
376 combined area.

377

378 “Commission” means the Homer Advisory Planning Commission.

379

380 “Community Design Manual” means the Community Design Manual for the City of Homer,  
381 adopted by City Council Resolution 04-34, as may be amended from time to time.  
382 Comprehensive Plan. See HCC 21.02.010.

383

384 “Construction camp” means one or more buildings, trailers, mobile homes or similar  
385 structures used to house workers or employees for logging, mining, off-shore and on-shore  
386 construction, development and other projects, installed primarily for the duration of the  
387 project or operation and not open for use by the general public as accommodations or for  
388 permanent mobile home living.

389

390 “Date of distribution” means the date on which a City official mails a written decision or order  
391 issued under the zoning code or, if the document is personally delivered, the date of such  
392 personal delivery.

393

394 “Day care facility” means any establishment for the care of children, whether or not for  
395 compensation, excluding day care homes and schools. Such day care facility must also be  
396 duly licensed by the State, if so required by State law or regulation.

397

398 “Day care home” means the principal dwelling unit of one or more persons who regularly  
399 provide(s) care, in the dwelling unit, whether or not for compensation, during any part of the  
400 24-hour day, to eight or less children at any one time, not including adult members of the  
401 family residing in the dwelling. The term “day care home” is not intended to include baby-  
402 sitting services of a casual, nonrecurring nature, child care provided in the child’s own home,  
403 or cooperative, reciprocating child care by a group of parents in their respective dwellings.

404

405 “Department” or “Planning Department” means the department or division of the City of  
406 Homer under the direction of the City Planner, whose functions and powers include the  
407 administration and enforcement of the zoning code as described in Chapter 21.90 HCC.

408

409 “Design year” means the year that is 10 years after the opening date of development.  
410

411 “Detention, extended” means a stormwater design feature that provides gradual release of a  
412 volume of water in order to increase settling of pollutants and protect downstream channels  
413 from frequent storm events.  
414

415 “Detention structure” means a permanent structure for the temporary storage of water  
416 runoff that is designed so as not to create a permanent pool of water.  
417

418 “Develop” or “development activity” means to construct or alter a structure or to make a  
419 physical change to the land, including but not limited to excavations, grading, fills, road  
420 construction, and installation of utilities.  
421

422 “Development” means all manmade changes or improvements on a site, including buildings,  
423 other structures, parking and loading areas, landscaping, paved or graveled areas, and areas  
424 devoted to exterior display, storage, or activities. Development includes improved open areas  
425 such as public spaces, plazas and walkways, but does not include natural geologic forms or  
426 unimproved land. See also “project.”  
427

428 “Development activity plan” or “DAP” means a plan, prepared according to standards set  
429 forth in this title, that provides for the control of stormwater discharges, the control of total  
430 suspended solids, and the control of other pollutants carried in runoff during construction  
431 and the use of the development.  
432

433 “Development, new” means development on a site that was previously unimproved or that  
434 has had previously existing buildings demolished.  
435

436 “Direct discharge” means the concentrated release of stormwater to tidal waters or  
437 vegetated tidal wetlands from new development or redevelopment projects in critical habitat  
438 areas.  
439

440 “Dividers” means areas of landscaping that separate from each other structures or  
441 improvements, including parking lots or buildings.  
442

443 “Dog lot” means any outdoor area where more than six dogs over the age of five months are  
444 kept.  
445

446 “Dormitory” means a building or portion of a building that provides one or more rooms used  
447 for residential living purposes by a number of individuals that are rented or hired out for  
448 more than nominal consideration on a greater than weekly or pre-arranged basis. A building  
449 or structure that provides such rooms on less than a weekly basis shall be classified as a

450 “hotel” or “motel,” “rooming house,” or other more suitable classification. “Dormitory”  
451 excludes hotel, motel, shelter for the homeless and bed and breakfast.

452

453 “Drainage area” means that area contributing water runoff to a single point measured in a  
454 horizontal plane, which is enclosed by a ridge line.

455

456 “Dredging/filling” means an activity that involves excavating along the bottom of a water  
457 body for the purpose of channeling, creating a harbor, mineral extraction, etc., and the  
458 subsequent deposition of the dredge material to build up or expand an existing land mass or  
459 to create a new one.

460

461 “Drip line” means the outermost edge of foliage on trees, shrubs, or hedges projected to the  
462 ground.

463

464 “Drive-in car wash” means automated or manual car wash facilities and equipment used for  
465 retail car wash services enclosed within a building, which may include accessory vacuum  
466 cleaning and other equipment for car interior detailing outside of a building.

467

468 “Driveway” means the aisle area within a parking lot which abuts designated parking spaces  
469 and which is reserved exclusively for ingress, egress and maneuvering of automobiles in and  
470 out of those spaces.

471

472 “Dwelling” or “dwelling unit” means any building or portion thereof designed or arranged for  
473 residential occupancy by not more than one family and includes facilities for sleeping,  
474 cooking and sanitation.

475

476 “Dwelling, duplex” means a building designed or arranged for residential occupancy by two  
477 families living independently, the structure having only two dwelling units.

478

479 “Dwelling, factory built” means a structure containing one or more dwelling units that is built  
480 off-site, other than a manufactured home, and: (1) is designed only for erection or installation  
481 on a site-built permanent foundation; (2) is not designed to be moved once so erected or  
482 installed; and (3) is designed and manufactured to comply with a nationally recognized  
483 model building code or an equivalent local code, or with a State or local modular building  
484 code recognized as generally equivalent to building codes for site-built housing.

485

486 “Dwelling, multiple-family” means a building or a portion thereof designed for residential  
487 occupancy by three or more families living independently in separate dwelling units.

488

489 “Dwelling, single-family” means a detached dwelling unit designed for residential occupancy  
490 by one family.

491

492 “Easement” means a grant or reservation by the owner of an interest in land for the use of  
493 such land for a specific purpose or purposes, and which must be conveyed or reserved by an  
494 instrument affecting the land.

495

496 “Educational Institution”. See “school.”

497

498 “Employee-occupied recreational vehicle” means a recreational vehicle utilized by an  
499 employee or employer for housing.

500

501 “Entertainment establishment” means a public or private institution or place of business  
502 providing live or pre-recorded shows or performances for entertainment.

503

504 “Equipment compound” means the area occupied by a wireless communications support  
505 structure and within which wireless communications equipment is located.

506

507 “Extractive enterprises” means uses and activities that involve the removal of ores, liquids,  
508 gases, minerals, or other materials or substances from the earth’s surface or subsurface.

509

510 “Extreme flood volume” or “Q<sub>f</sub>” means the storage volume required to control those  
511 infrequent but large storm events in which overbank flows reach or exceed the boundaries of  
512 the 100-year floodplain.

513

514 “Family” means an individual or two or more persons related by blood, marriage or adoption,  
515 or a group not to exceed six unrelated persons living together as a single housekeeping unit  
516 in a dwelling unit.

517

518 “Farmers’ market” means a location where the primary activity is the sale of goods:

519 1. Grown upon the land that the seller controls, in the case of fruits, nuts, vegetables,  
520 other plant products, or other processed agricultural products;

521 2. Bred, raised, cultivated or collected by the seller, in the case of animal, poultry,  
522 viticulture, vermiculture, aquaculture, eggs, honey and bee products;

523 3. Cooked, canned, preserved, or otherwise significantly treated by the seller, in the  
524 case of prepared foods; or

525 4. Created, sewn, constructed, or otherwise fashioned from component materials by  
526 the seller.

527

528 Fence Height. See HCC 21.05.030(d).

529

530 “Financial institution” means banks, credit unions, saving and loan companies, stockbrokers,  
531 and similar businesses.

532

533 “Flow attenuation” means prolonging the flow time of runoff to reduce the peak discharge.

534  
535 “Garage, parking” means any building (including an underground structure), except one  
536 described as a private garage, used principally for the parking or storage of motor vehicles.

537  
538 “Garage, private” means a building, or a portion of a building, in which motor vehicles used  
539 only by the occupants of the building(s) located on the premises are stored or kept.

540 Garage, Public. See “auto repair.”

541  
542 “Gardening, personal use” means gardening for personal purposes as an accessory use to the  
543 primary residential use of a lot.

544  
545 “Glare” means direct light emitted by a luminaire that causes reduced visibility of objects or  
546 momentary blindness.

547  
548 “Grade” in reference to adjacent ground elevation means the lowest point of elevation of the  
549 existing surface of the ground within the area between the structure and a line five feet from  
550 the structure.

551  
552 “Grading” means any act by which soil is cleared, stripped, stockpiled, excavated, scarified,  
553 or filled, or any combination thereof.

554  
555 “Group care home” means a residential facility that provides training, care, supervision,  
556 treatment or rehabilitation to the aged, disabled, infirm, those convicted of crimes or those  
557 suffering the effects of drugs or alcohol. The term “group care home” does not include day  
558 care homes, day care facilities, foster homes, schools, hospitals, assisted living homes,  
559 nursing facilities, jails or prisons.

560  
561 “Guest room” means a single unit for the accommodation of guests without kitchen or  
562 cooking facilities in a bed and breakfast, rooming house, hotel or motel.

563  
564 “Guesthouse” means an accessory building without kitchen or cooking facilities and  
565 occupied solely by nonpaying guests or by persons employed on the premises.

566  
567 “Helipad” means any surface where a helicopter takes off or lands, but excludes permanent  
568 facilities for loading or unloading goods or passengers, or for fueling, servicing or storing  
569 helicopters.

570  
571 “Heliports” means any place including airports, fields, rooftops, etc., where helicopters  
572 regularly land and take off, and where helicopters may be serviced or stored.

573 Highway. See “street” and “State highway.”

574



575 “Home occupation” means any use customarily conducted entirely within a dwelling or a  
576 building accessory to a dwelling, and carried on by the dwelling occupants, that is clearly  
577 incidental and secondary to the use of the dwelling for dwelling purposes and does not  
578 change the character thereof, and includes no display of stock in trade, no outside storage of  
579 materials or equipment and no commodity sold upon the premises. “Home occupation” does  
580 not include bed and breakfast.

581  
582 “Hospital” has the meaning given in AS 47.32.900.

583  
584 “Hostel” means any building or portion of a building containing dormitory-style sleeping  
585 accommodations for not more than 15 guests that are used, rented or hired out on a daily or  
586 longer basis.

587  
588 “Hotel” or “motel” means any building or group of buildings containing six or more guest  
589 rooms that are used, rented or hired out to be occupied for sleeping purposes by guests.  
590 “Hotel” or “motel” also means any building or group of buildings containing five or less guest  
591 rooms that are used, rented or hired out to be occupied for sleeping purposes by more than  
592 15 guests. The terms “hotel” and “motel” exclude bed and breakfast, rooming house,  
593 dormitory, shelter for the homeless, and hostel.

594  
595 “Impervious coverage” means an area of ground that, by reason of its physical characteristics  
596 or the characteristics of materials covering it, does not absorb rain or surface water. All  
597 parking areas, driveways, roads, sidewalks and walkways, whether paved or not, and any  
598 areas covered by buildings or structures, concrete, asphalt, brick, stone, wood, ceramic tile or  
599 metal shall be considered to be or have impervious coverage.

600  
601 “Impound yard” means a lot, establishment, area, facility or place of business used for the  
602 temporary custody of abandoned or junk vehicles, as defined in HCC 18.20.010, or other  
603 abandoned or illegally stored personal property pending determination of possessory or  
604 proprietary rights therein. If impounded property is held in custody longer than six months, it  
605 shall be classified as a junk yard and not an impound yard.

606  
607 “Independent business” means a business establishment that operates independently of  
608 other business establishments. If retail and wholesale business establishments have  
609 common management or common controlling ownership interests, they are not operated  
610 independently of one another.

611  
612 “Infiltration” means the passage or movement of water into the soil surface.

613  
614 “Islands,” when used to describe landscaped areas within parking lots, means compact areas  
615 of landscaping within parking lots designed to support mature trees and plants.

616

617 “Itinerant merchant” means a “transient or itinerant merchant” as defined in HCC 8.08.010.

618

619 “Joint use parking area” means a parking lot that contains required off-street parking spaces  
620 for more than one lot.

621

622 “Junk” means any worn out, wrecked, scrapped, partially or fully dismantled, discarded, or  
623 damaged goods or tangible materials. Junk includes, without limitation, motor vehicles that  
624 are inoperable or not currently registered for operation under the laws of the State and  
625 machinery, equipment, boats, airplanes, metal, rags, rubber, paper, plastics, chemicals, and  
626 building materials that cannot, without further alteration or reconditioning, be used for their  
627 original purpose.

628

629 “Junkyard” means any lot, or portion of a lot, that is used for the purpose of outdoor  
630 collection, storage, handling, sorting, processing, dismantling, wrecking, keeping, salvage or  
631 sale of junk.

632

633 “Kennel” means any land and any buildings thereon where three or more dogs, cats, or other  
634 animals at least four months of age are kept for boarding, propagation or sale. If a use meets  
635 the definitions of both “dog lot” and “kennel,” it shall be classified as a dog lot.

636

637 “Kitchen” means any room or part of a room intended or designed to be used for cooking or  
638 the preparation of food. The presence of a range or oven, or utility connections suitable for  
639 servicing a range or oven, shall be considered as establishing a kitchen.

640

641 “Landscaping” means lawns, trees, plants and other natural materials, such as rock and  
642 wood chips, and decorative features, including sculpture.

643

644 “Level of service” or “LOS” means a qualitative measure describing operational conditions  
645 within a traffic stream, based on service measures such as speed and travel time, freedom to  
646 maneuver, traffic interruptions, comfort, and convenience. Six levels of service, from A to F,  
647 are used to represent a range of operating conditions with LOS A representing the best  
648 operating conditions and LOS F the worst.

649

650 1. “LOS A” means the LOS at which vehicles are almost completely unimpeded in their  
651 ability to maneuver within the traffic stream, passing demand is well below passing  
652 capacity, drivers are delayed no more than 30 percent of the time by slow moving  
653 vehicles.

654 2. “LOS B” means the LOS at which the ability to maneuver a vehicle is only slightly  
655 restricted; passing demand approximately equals passing capacity, and drivers are  
656 delayed up to 45 percent of the time; the level of physical and psychological comfort  
657 provided to drivers is still high.

658 3. "LOS C" means the LOS at which the ability to maneuver a vehicle is noticeably  
659 restricted and lane changes require more care and vigilance on the part of the driver;  
660 percent time delays are up to 60 percent; traffic will begin to back up behind slow  
661 moving vehicles.

662 4. "LOS D" means the LOS at which speeds begin to decline with increasing traffic  
663 flow, density begins to increase somewhat more quickly, passing demand is very high  
664 while passing capacity approaches zero, and the driver experiences reduced physical  
665 and psychological comfort levels; the percentage of time motorists are delayed  
666 approaches 75 percent, even minor incidents can be expected to back up traffic  
667 because the traffic stream has little space to absorb disruptions.

668 5. "LOS E" means the LOS at which roadway is at capacity; the percentage of time  
669 delay is greater than 75 percent, passing is virtually impossible, as there are virtually  
670 no usable gaps in the traffic stream; vehicles are closely spaced, leaving little room to  
671 maneuver, physical and psychological comfort afforded to the driver is poor.

672 6. "LOS F" means the LOS at which traffic is heavily congested with traffic demand  
673 exceeding traffic capacity, there is a breakdown in vehicular flow, and vehicle delay is  
674 high.

675  
676 "Light trespass" means light emitted by a luminaire that shines beyond the boundaries of the  
677 property on which the luminaire is located.

678  
679 "Living ground cover" means low growing, spreading, perennial plants that provide  
680 continuous coverage of the area.

681  
682 "Living plant life other than ground cover" means plants, including, but not limited to, trees,  
683 flower beds, rock gardens, shrubs and hedges.

684  
685 "Loading space" means an off-street space on the same lot with a building or contiguous to a  
686 group of buildings, designated or intended for the use of temporarily parked commercial  
687 vehicles while loading and unloading, and that abuts upon a street, alley or other appropriate  
688 means of access.

689  
690 "Lodging" means any building or portion of a building that does not contain a dwelling unit  
691 and that contains no more than five guest rooms that are used, rented or hired out to be  
692 occupied for sleeping purposes by guests.

693  
694 "LOS". See "level of service."

695  
696 "Lot" means a single parcel of land of any size, the boundaries of which have been  
697 established by some legal instrument of record, that is recognized and described as a unit for  
698 the purpose of transfer of ownership. It may shown on a subdivision plat map, or record of

699 survey map, or described by metes and bounds and recorded in the office of the District  
700 Recorder. "Lot" includes tracts and parcels of land of any size or shape.

701

702 "Lot, corner" means a lot situated at the intersection of two or more streets having an angle  
703 of intersection of not more than 135 degrees.

704

705 "Lot depth" means the horizontal distance between the front and rear lot lines measured on  
706 the longitudinal centerline.

707

708 "Lot, interior" means a lot other than a corner lot.

709

710 "Lot line, front" means the shortest lot line that is a street line. In the case of (1) a square, or  
711 nearly square-shaped, corner lot, or (2) a through lot, the owner may choose which street to  
712 designate as the front of the lot by giving written notice to the Department. Once the choice  
713 of frontage has been made, it cannot be changed unless all requirements for yard space with  
714 the new front lot line are satisfied.

715

716 "Lot line, rear" means a lot line that is opposite and most distant from the front lot line and,  
717 in case of an irregular or triangular lot, a line 10 feet in length within the lot, parallel to and at  
718 the maximum distance from the front lot line.

719

720 "Lot line, side" means any lot boundary line that is not a front lot line or rear lot line.

721

722 "Lot, through" means a lot having a frontage on two parallel or approximately parallel  
723 streets.

724

725 "Lot width" means the width of a lot calculated according to HCC 21.05.050.

726

727 "Luminaire" means a complete lighting unit, including a lamp or lamps together with parts to  
728 distribute light.

729

730 "Luminaire, cut-off" means a luminaire that allows no direct light from the luminaire above  
731 the horizontal plane through the luminaire's lowest light emitting part, in its mounted form  
732 either through manufacturing design or shielding.

733

734 "Luminaire, height of" means the vertical distance from the ground directly below the  
735 centerline of the luminaire to the lowest direct light emitting part of the luminaire.

736

737 "Ministorage" means one or more buildings containing units available for rent for the  
738 purpose of the general storage of household goods and personal property in which each unit  
739 (1) is separated from all other such units, (2) is fully enclosed, and (3) does not have an area  
740 greater than 600 square feet.

741  
742 “Mitigation plan” means a plan designed to mitigate the effect of impervious cover on water  
743 flow and loss of ground cover, and may include systems of water impoundment, settling  
744 ponds, grease and sand traps, and leach fields among others.

745  
746 “Mobile commercial structure” means a structure constructed as a movable or portable unit,  
747 capable of being transported on its own chassis or wheels, that is designed for  
748 nonpermanent uses and placed on a nonpermanent foundation and is used in any activity  
749 that promotes, supports or involves a land use permitted outright in the zoning district in  
750 which the mobile commercial unit is to be placed.

751  
752 “Mobile food service” has the meaning defined in HCC 8.11.020 and, for purposes of the  
753 zoning code, is treated as a temporary business.

754  
755 “Mobile home” or “manufactured home” means a structure, transportable in one or more  
756 sections: (1) that in the traveling mode is eight feet or more in width or 40 feet or more in  
757 length, or when erected on site is 320 square feet or more; and (2) that is built on a  
758 permanent chassis and is designed for use as a dwelling with or without a permanent  
759 foundation when the plumbing, heating, and electrical systems contained therein are  
760 connected to the required utilities. A mobile home shall be construed to remain a mobile  
761 home whether or not wheels, axles, hitch or other appurtenances of mobility are removed,  
762 and regardless of the nature of the foundation provided. A mobile home shall not be  
763 construed to be a recreational vehicle or a factory built dwelling.

764  
765 “Mobile home park” means one or more lots developed and operated as a unit with  
766 individual sites and facilities to accommodate two or more mobile homes.

767  
768 “Native vegetation” means native plant communities that are undisturbed or mimicked.

769  
770 “Natural or manmade features” means features in landscaping other than plants, including,  
771 but not limited to, boulders, or planters.

772  
773 Nonconforming Lot. See HCC 21.61.010.

774  
775 Nonconforming Structure. See HCC 21.61.010.

776  
777 Nonconforming Use. See HCC 21.61.010.

778  
779 “Nursing facility” means a facility that is primarily engaged in providing skilled nursing care  
780 or rehabilitative services and related services for those who, because of their mental or  
781 physical condition, require care and services above the level of room and board. “Nursing

782 facility” does not include a facility that is primarily for the care and treatment of mental  
783 diseases or an assisted living home.

784

785 “Occupancy” means the purpose for which a building is used or intended to be used. The  
786 term may also include the building or room housing such use. Change of occupancy does not  
787 result from a mere change of tenants or proprietors.

788

789 “Office” means a physical location designed for, or used as, the office of professional,  
790 business, administrative, institutional, charitable, personal service or public organizations or  
791 persons, but does not include direct retail or wholesale sale of goods except for those sales  
792 that are clearly incidental to the principal office use.

793

794 “Office, general business” means an office maintained and operated for the conduct of  
795 management level administrative services or in which individuals or entities are provided  
796 services in office settings in the nature of government, business, real estate, insurance,  
797 property management, title companies, investment and financial, personnel, travel, and  
798 similar services, including business offices of public utilities or other activities when the  
799 service rendered is a service customarily associated with office services. Offices that are part  
800 of and are located with a business or industrial firm in another category are considered  
801 accessory to that firm’s primary activity. Professional office is excluded.

802

803 “Office, professional” means an office maintained and operated for the conduct of a  
804 professional business or occupation requiring the practice of a learned art or science through  
805 specialized knowledge based on a degree issued by an institute of higher learning, including  
806 but not limited to medicine, dentistry, law, architecture, engineering, accounting, and  
807 veterinary medicine. General business office and clinic are excluded.

808

809 “Off-road vehicle” means any motorized vehicle designed for or capable of cross-country  
810 travel on or immediately over land, water, sand, snow, ice, wetland, or other natural terrain,  
811 except that such terms exclude (1) registered motorboats, (2) military, fire, emergency, and  
812 law enforcement vehicles when used for such military, emergency, and law enforcement  
813 purposes, and (3) any vehicle whose use is expressly approved by the City of Homer.

814 “Oil water separators” means passive, physical separation systems, designed for removal of  
815 oils, fuels, hydraulic fluids, and similar products from water. They are generally large-  
816 capacity, underground cement vaults installed between a drain and the connecting storm  
817 drain pipe. These vaults are designed with baffles to trap sediments and retain floating oils.  
818 The large capacity of the vault slows down the wastewater, allowing oil to float to the surface  
819 and solid material to settle out.

820

821 “Open space” means an area reserved or developed for recreational uses or preserved for its  
822 natural amenities. Open space may include squares, parks, bicycle and pedestrian paths,

823 refuges, campgrounds, picnic areas, playgrounds, and gardens. “Open space” does not  
824 include outdoor recreation facilities.

825

826 “Overbank flood protection volume” or “Qp” means the volume controlled by structural  
827 practices to prevent an increase in the frequency of out of bank flooding generated by  
828 development.

829

830 “Overlay district” means a defined area with supplementary regulations that is superimposed  
831 upon all or part of one or more underlying zoning districts. The boundaries of an overlay  
832 district are usually shown on the official map, but may be established by description

833 .

834 “Overslope development” means an overslope platform and the structures located on the  
835 overslope platform.

836

837 “Overslope platform” means an elevated horizontal structure designed to support buildings  
838 that are located above the slope between an upland lot and the water of the Homer small  
839 boat harbor.

840

841 “Parking lot” means an off-street, ground level open area, usually improved, containing  
842 parking spaces for motor vehicles.

843

844 “Parking lot, double-loaded” means all or any portion of a parking lot in which there are  
845 parking spaces on both sides of the driving aisle.

846

847 “Parking lot, single-loaded” means all or any portion of a parking lot in which there are  
848 parking spaces on only one side of the driving aisle.

849

850 “Parking space” is a space in a parking lot that is reserved for the parking of a vehicle.

851

852 “Parking stall” is synonymous with “parking space.”

853

854 “Peak hour” in reference to traffic means a one-hour period representing the highest hourly  
855 volume of traffic flow on the adjacent street system during the morning (a.m. peak hour),  
856 during the afternoon or evening (p.m. peak hour) or representing the hour of highest volume  
857 of traffic entering or exiting a site (peak hour of generator).

858

859 “Pedestrian way” means a maintained walkway or path, no less than four feet wide, that  
860 connects two or more focal points of pedestrian activity, including other pedestrian ways,  
861 trails, transit stops, street or parking area crossings, or building entry points. Sidewalks may  
862 be pedestrian ways.

863

864 “Performance standards” means minimum requirements or maximum allowable limits on  
865 the effects or characteristics of a use.

866

867 “Permeable, continuous nonliving ground cover” means landscaping surfaces made up of  
868 materials such as, but not limited to, crushed rock, bark and mulch.

869

870 “Permit” means any permit, approval or other authorization issued by the City under the  
871 authority of the Homer Zoning Code or regulations.

872

873 “Person aggrieved” means a person who shows proof of the adverse effect an action or  
874 determination taken or made under the Homer Zoning Code has or could have on the use,  
875 enjoyment, or value of real property owned by that person. An interest that is no different  
876 from that of the general public is not sufficient to establish aggrievement.

877

878 “Personal service” means a business primarily engaged in providing services involving the  
879 care of an individual or his or her personal goods or apparel.

880

881 “Pipeline” means a line six inches or larger, which may include accessory pumps, valves and  
882 control devices, for conveying liquids, gases or finely divided solids that are constructed  
883 within rights-of-way or easements or from one parcel to another. However, for the purpose of  
884 securing a conditional use permit the following are excluded: the mains, hydrants, pumps,  
885 services, and pressure stations of the City of Homer water utility; the mains, services,  
886 manholes and lift stations of the City of Homer sewer utility; and the local service mains,  
887 valves and services of a gas utility legally authorized to provide such service within the City.

888

889 “Planned unit development” or “PUD” means a residential, commercial, office, industrial, or  
890 other type of development, or a combination thereof, approved under the conditional use  
891 procedures and applicable provisions of this title and characterized by comprehensive  
892 planning for the entire project, the clustering of buildings to preserve open space and natural  
893 features, and provision for the maintenance and use of open space and other facilities held in  
894 common by the property owners within the project.

895

896 “Planning Commission” means the Homer Advisory Planning Commission.

897

898 “Pollutant” in reference to waters means any substance that causes contamination or other  
899 alteration of the physical, chemical, or biological properties of waters including change in  
900 temperature, taste, color, turbidity, or odor of the waters, or such discharge of any liquid,  
901 gaseous, solid, radioactive or other substance into the waters that will or is likely to create a  
902 nuisance or render such waters harmful. These substances include, but are not limited to,  
903 any dredge, spoil, solid waste, incinerator residue, oil, grease, garbage, sewage, sludge,  
904 medical waste, chemical waste, biological materials, heat, petrochemical, and sediment.

905



906 “Pollution, nonpoint source” means pollution from any source other than from any  
907 discernible, confined, and discrete conveyances and shall include, but not be limited to,  
908 parking lots and roof tops and include substances such as pathogens, petrochemicals,  
909 sediments, debris, toxic contaminants, or nutrients.

910  
911 “Pollution, point source” means pollution from any discernible, confined, and discrete  
912 conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well,  
913 discrete fissure, container, landfill leachate collection system, vessel or other floating craft  
914 from which pollutants are or may be discharged.

915  
916 Principal Use. See “use, principal.”

917  
918 “Project” means an existing or proposed development.

919  
920 “Public spaces” means space containing amenities for public use or enjoyment, for example,  
921 benches, bike racks, water features, public art, and kiosks that enhance the community.

922  
923 “Public utility facility or structure,” for the purpose of requiring a conditional use permit,  
924 means (1) any facility or structure owned and operated by a public or private utility, or (2) a  
925 telecommunications tower or antenna, but it excludes water distribution mains, pressure  
926 stations and hydrants, sewage collection lines, manholes and lift stations, underground and  
927 overhead electrical, cable and telephone lines and poles, street lights and small wind energy  
928 systems.

929  
930 “Ravine” means a long, deep hollow in the earth’s surface with walls that have a height of at  
931 least 15 feet and an average slope of not less than 500 percent (five feet difference in  
932 elevation per one foot of horizontal distance).

933  
934 “Recharge volume” or “Rev” means that portion of the water quality volume used to  
935 maintain groundwater recharge rates at development sites.

936  
937 “Recreational facility, indoor” means a building used for indoor sports, recreation, physical  
938 activities or games such as bowling alleys, racquetball courts, skating rinks, and other  
939 physical recreation activities.

940  
941 “Recreational facility, outdoor” means a lot used for outdoor sports activities or games such  
942 as skating rinks, batting cages, sports fields, golf courses, miniature golf, driving ranges,  
943 equestrian arenas, open air performing arts centers and similar activities. It does not include  
944 sport fishing in the waters of any watercourse, water body, or Kachemak Bay.

945  
946 “Recreational vehicle” is a vehicular unit, other than a manufactured home, that is designed  
947 and manufactured as temporary lodging for travel, recreational and vacation use, and which

948 is either self-propelled, mounted on or pulled by another vehicle. Examples include, but are  
949 not limited to, a travel trailer, camping trailer, truck camper, motor home, and fifth-wheel  
950 trailer.

951  
952 “Recreational vehicle park” means a parcel of land that has been planned and improved for  
953 use by two or more recreational vehicles for transient occupancy.

954  
955 “Religious, cultural and fraternal assembly” means a use or building owned or maintained by  
956 an organized religious organization or nonprofit entity for assemblies for social, cultural,  
957 civic, or philanthropic purposes, or where persons regularly assemble for worship.

958  
959 “Reservoir” means a pond, lake, or basin, either natural or artificial, for the storage,  
960 regulation, and control of water.

961  
962 “Residential districts” or “residential zoning districts” means the rural residential, urban  
963 residential, and residential office zoning districts.

964  
965 “Retention structure” means a permanent structure that provides for the storage of water  
966 runoff.

967  
968 “Right-of-way” means the entire width of property dedicated for a public street or private  
969 easement providing ingress and egress from property abutting thereon.

970  
971 Road. See “street.”

972  
973 “Roadside stand” means a temporary structure on land adjacent to a street, usually for the  
974 attraction of motorists for profit-making purposes. Common roadside stands sell local food,  
975 produce, firewood, handcrafted items or imported goods.

976  
977 “Rooming house” means a dwelling containing not more than five guest rooms that are used,  
978 rented or hired out to be occupied for sleeping purposes by guests. A rooming house shall not  
979 accommodate in excess of 15 guests. A rooming house shall also include any structures  
980 associated with the dwelling, such as guest cabins; provided, that a conditional use permit  
981 was obtained for any associated structures, if a permit is required in order to have more than  
982 one building containing a permitted principal use on the lot. “Rooming house” does not  
983 include bed and breakfast.

984  
985 “School” means an institution or place for instruction or education, including all structures  
986 and land necessary to the accomplishment of educational purposes.

987  
988 “School, commercial” means a school for the teaching of clerical, managerial, administrative,  
989 service or artistic skills. This applies to schools operated privately for profit that do not offer a

990 complete educational curriculum, e.g., beauty school, modeling school and secretarial  
991 school. Commercial school does not include trade, skilled or industrial school.

992  
993 “School, private” means a school that provides a complete educational curriculum and is  
994 owned and operated by private educational, religious, charitable, or other institution. It may  
995 provide elementary, secondary or post-secondary levels of education.

996  
997 “School, public” means a school owned and operated or chartered by the Kenai Peninsula  
998 Borough or the State or University of Alaska for the purpose of public education.

999  
1000 “School, trade, skilled or industrial” means a school for the teaching of industrial,  
1001 construction, technical and skilled trades skills, including schools operated by or for labor  
1002 unions. Examples include welding, carpentry, electrician, and similar training schools.

1003  
1004 “Sediment” means soils or other surficial materials transported or deposited by the action of  
1005 wind, water, ice, or gravity as a product of erosion.

1006  
1007 “Senior housing” means attached or detached independent living developments, including  
1008 retirement communities, age-restricted housing and active adult communities.

1009  
1010 Service Station. See “auto fueling station” and “auto repair.”

1011  
1012 “Setback” means the required minimum distance between the lot line and a building,  
1013 measured according to Chapter 21.05 HCC. The setback area establishes a required yard in  
1014 which structures are prohibited or limited as provided in the zoning code.

1015  
1016 “Sewer, community” means that portion of a nonpublic sewerage serving:  
1017       1. One or more multifamily dwellings;  
1018       2. A mobile home park, a trailer park, or a recreational vehicle park;  
1019       3. Two or more:  
1020           a. Single-family homes or duplexes;  
1021           b. Commercial establishments;  
1022           c. Industrial establishments; or  
1023           d. Institutions; or  
1024       4. Any combination of two or more of the structures listed in subsections (3)(a)  
1025       through (d) of this definition.

1026  
1027 “Sewer, public” means a sewer system operated for the benefit of the public by the City of  
1028 Homer or a public utility under a certificate of convenience and necessity issued by the  
1029 Regulatory Commission of Alaska or by its predecessor or successor agency.

1030

1031 “Shelter for the homeless” means a building used primarily to provide on-site meals, shelter  
1032 and secondary personal services such as showers and haircuts to the homeless and the  
1033 needy on a nonpermanent basis for no or nominal compensation.

1034

1035 Sign. See HCC 21.60.040.

1036

1037 “Site” means any lot, tract, or parcel of land, or a portion thereof, or any combination thereof  
1038 that is in one ownership or is contiguous and in diverse ownership, where development exists  
1039 or will be created as one unit, subdivision, or project.

1040

1041 “Site plan” means a plan, to scale, showing the proposed use and development of a site. The  
1042 plan generally includes lot lines, streets, points of vehicular access to the site, building sites,  
1043 reserved open space, existing buildings, major landscape features (both natural and  
1044 manmade), and the locations of utility lines. Additional information may be required on a site  
1045 plan by applicable provisions of the zoning code.

1046

1047 “Slash pile” means a row or pile of woody debris from timber harvesting, land clearing, or  
1048 similar activity.

1049

1050 “Slope” means, with respect to two points on the surface of the ground, the ratio, expressed  
1051 as a percentage, of the difference between their elevations divided by the horizontal distance  
1052 between them. Slope is measured as provided in HCC 21.05.040.

1053

1054 “Small wind energy system” means a wind energy system having a rated capacity of less than  
1055 25 kilowatts and a total height less than 170 feet, whose primary function is to provide  
1056 electric power for on-site consumption.

1057

1058 “Stabilization” means the prevention of soil movement by any of various vegetative or  
1059 structural means.

1060

1061 “Stable, private” means an accessory building in which one or more horses are kept for  
1062 private use and enjoyment and not for boarding, hire or sale; or in which not more than one  
1063 horse is kept for boarding, hire or sale.

1064

1065 “Stable, public” means a building in which two or more horses are kept for boarding, hire or  
1066 sale.

1067

1068 “State highway” means a street designated by the State as a part of the State highway  
1069 system.

1070

1071 “Steep slope” means an elevation change in topography of at least 15 feet, with an average  
1072 slope of not less than 45 percent (one foot difference in elevation per 2.22 feet of horizontal

1073 distance). A steep slope can occur naturally or can be created by excavation into or filling  
1074 over natural ground.

1075

1076 “Stormwater management” means:

1077 1. For quantitative control, a system of vegetative and structural measures that  
1078 control the increased volume and rate of surface runoff caused by manmade changes  
1079 to the land; and

1080 2. For qualitative control, a system of vegetative, structural, and other measures that  
1081 reduce or eliminate pollutants that might otherwise be carried by surface runoff.

1082

1083 “Stormwater management, off-site” means the design and construction of a facility  
1084 necessary to control stormwater from more than one development.

1085

1086 “Stormwater management, on-site” means the design and construction of systems necessary  
1087 to control stormwater within an immediate development site.

1088

1089 “Stormwater management plan” or “SWP” means a set of drawings or other documents  
1090 prepared according to the requirements of this title and submitted by a person as a  
1091 prerequisite to obtaining a stormwater management approval. A SWP will contain all of the  
1092 information and specifications pertaining to stormwater management.

1093

1094 “Stormwater runoff” means flow on the surface of the ground, resulting from precipitation or  
1095 snow melt.

1096

1097 “Story” means that portion of a building included between the upper surface of any floor and  
1098 the upper surface of the floor next above, except that the topmost story shall be that portion  
1099 of a building included between the upper surface of the topmost floor and the ceiling or roof  
1100 above. If the finished floor level directly above a basement or cellar is more than six feet  
1101 above grade for more than 50 percent of the total perimeter or is more than 12 feet above  
1102 grade at any point, such basement or cellar shall be considered a story.

1103

1104 “Story, half” means a story under a gable, hip, gambrel or mansard roof, the wall plates of  
1105 which on at least two of its opposite exterior walls are not more than two feet above the floor  
1106 of such story.

1107

1108 “Stream” means anybody of flowing water, including a river, creek, tributary, or other  
1109 watercourse.

1110

1111 “Stream banks” are defined by the steep or sloping ground that borders a stream and  
1112 confines the water in the natural channel when the water level or flow is normal.

1113

1114 “Stream, intermittent” means a stream that does not flow continuously but stops or dries up  
1115 from time to time.

1116

1117 “Stream, perennial” means a stream that flows continuously throughout the year, in contrast  
1118 to an intermittent stream.

1119

1120 “Street” means a public thoroughfare including a public street, road or highway of any  
1121 description that affords a principal means of access to abutting property. Street does not  
1122 include alley or driveway.

1123

1124 “Street line” means the line of demarcation between a street right-of-way and the abutting  
1125 lot(s).

1126

1127 “Stripping” means any activity that removes the vegetative surface cover including tree  
1128 removal, clearing, grubbing and storage or removal of topsoil.

1129

1130 “Structural alteration” means any change of the supporting members of a building or  
1131 structure such as bearing walls, columns, beams or girders.

1132

1133 “Structure” means anything constructed or erected that requires location on the ground or  
1134 that is attached to something having location on the ground.

1135

1136 “Studio” means a room, rooms or building where an artist or photographer does work, a  
1137 place where dancing lessons, music lessons, or similar artistic lessons are given, or where  
1138 radio or television programs are produced or where recordings are made.

1139

1140 “Taxi” means any motor vehicle, permitted and licensed by the City, having a manufacturer-  
1141 rated seating capacity of nine passengers or less engaged in the carrying of persons in  
1142 exchange for receiving fares, not operated over a fixed route, and subject to calls from a  
1143 central location or otherwise operated for hire to perform public transportation.

1144

1145 “Taxi operation” means a taxi business operated from a fixed location, but not limited in its  
1146 operation to any particular route, which may include a dispatch office and vehicle fleet  
1147 parking.

1148

1149 “Timber growing, harvesting and forest crops” means the growing, harvesting, or both, for  
1150 commercial purposes, of (1) trees including, without limitation, live trees, Christmas trees  
1151 and tree products in the form of logs, chunks, bark chips or similar items; or (2) minor forest  
1152 crops such as cones, ferns, greenery, berries and moss.

1153

1154 “Total suspended solids” means the sum of the organic and inorganic particles (e.g.,  
1155 sediment) suspended in and carried by a fluid (e.g., water).

1156  
1157 “Tower, amateur radio” means a fixed vertical structure used exclusively to support an  
1158 antenna used by an amateur radio operator licensed by the Federal Communications  
1159 Commission, plus its accompanying base plates, anchors, guy cables and hardware.

1160  
1161 “Tower, communications” means a fixed vertical structure built for the primary purpose of  
1162 supporting wireless communications equipment, plus its accompanying base plates,  
1163 anchors, guy cables and hardware.

1164  
1165 “Townhouse” means a building on its own separate lot containing one dwelling unit that  
1166 occupies space from the ground to the roof and is attached to one or more other townhouse  
1167 dwelling units by at least one common wall.

1168  
1169 “Trip” in reference to traffic means a single one-way motor vehicle movement either to or  
1170 from a subject property or study area.

1171  
1172 “Turbidity” means an expression of the optical property that causes light to be scattered and  
1173 absorbed rather than transmitted in straight lines through a water sample; turbidity in water  
1174 is caused by the presence of suspended matter such as clay, silt, finely divided organic and  
1175 inorganic matter, plankton, and other microscopic organisms.

1176  
1177 “Use” means the purpose for which land or a structure is occupied, arranged, designed or  
1178 intended, or for which either land or a structure is or may be occupied or maintained.

1179  
1180 “Use, principal” means the use of a lot or structure that is of chief importance or function on  
1181 the lot.

1182  
1183 “Variance” means any deviation from the requirements of the zoning code authorized by the  
1184 Planning Commission pursuant to Chapter 21.72 HCC.

1185  
1186 “Vehicle fleet” means a group of vehicles operated under unified control.

1187  
1188 Vehicle Maintenance. See “auto repair.”

1189  
1190 Vehicle Repair. See “auto repair.”

1191  
1192 “Visibility or vision clearance” means the assurance of adequate and safe vision clearance  
1193 particularly for vehicle operators and pedestrians; a specified area of clearance at corners of  
1194 intersections where no plantings, walls, structures or temporary or permanent obstructions  
1195 exceeding a specified height above the curb level are allowed.

1196

1197 “Water-dependent” means a use or activity that can be carried out only on, in or adjacent to  
1198 water areas because the use requires access to the water body.

1199

1200 “Water quality volume” or “WQv” means the volume needed to capture and treat 90 percent  
1201 of the average annual runoff volume at a development site.

1202

1203 “Water-related” means a use or activity that is not directly dependent upon access to a water  
1204 body, but which provides goods and services that are directly associated with water-  
1205 dependent uses or activities.

1206

1207 “Watercourse” means any natural or artificial stream, river, creek, ditch, channel, canal,  
1208 conduit, culvert, drain, waterway, gully, ravine or wash, in and including any adjacent area  
1209 that is subject to inundation from overflow or floodwater.

1210

1211 “Watershed” means any area of land that water flows or drains under or across ground on its  
1212 way to a lake, pond, river, stream, or wetland. A watershed can be delineated on a  
1213 topographical map by connecting the high points of the contour lines surrounding any water  
1214 body.

1215

1216 “Wetland” means an area of land that is inundated or saturated by surface or groundwater at  
1217 a frequency and duration sufficient to support, and that under normal circumstances do  
1218 support, a prevalence of vegetation typically adapted for life in saturated soil conditions.  
1219 Wetlands generally include swamps, marshes, bogs, and similar areas.

1220

1221 Wholesale. See “business, wholesale.”

1222

1223 “Wind energy system” means a wind turbine and its supporting wind energy system tower.

1224

1225 “Wind energy system tower” means a fixed vertical structure that supports a wind turbine,  
1226 including a monopole or lattice tower, plus its accompanying base plates, anchors, guy  
1227 cables and hardware.

1228

1229 “Wind turbine” means a bladed or other type of rotating mechanism that converts wind  
1230 energy into electric energy.

1231

1232 “Wireless communications equipment” means the set of equipment and network  
1233 components used in the provision of wireless communications services, including without  
1234 limitation antennas, transmitters, receivers, base stations, equipment shelters, cabinets,  
1235 emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding  
1236 any wireless communications support structure.

1237



1238 “Wireless communications services” means transmitting and receiving information by  
1239 electromagnetic radiation, by an operator (other than an amateur radio operator) licensed by  
1240 the Federal Communications Commission.

1241  
1242 “Wireless communications support structure” means a structure that is designed to support,  
1243 or is capable of supporting, wireless communications equipment, including a  
1244 communications tower, utility pole, or building.

1245  
1246 “Yard” means a required open, unoccupied space on a lot. A yard is unobstructed by any  
1247 structure or portion of a structure from 30 inches above the general ground level of the  
1248 graded lot upward, except (1) fences, walls, posts, poles and other customary yard  
1249 accessories, ornaments and furniture may be permitted in any yard subject to height  
1250 limitations and requirements limiting obstruction of visibility, and (2) certain structures may  
1251 be permitted in certain yards when authorized by code provisions applicable to a particular  
1252 zoning district.

1253  
1254 “Yard, front” means a yard extending across the full width of a lot, the depth of which is the  
1255 minimum horizontal distance between the front lot line and a line parallel thereto.

1256  
1257 “Yard, rear” means a yard extending across the full width of the lot, the depth of which is the  
1258 minimum horizontal distance between the rear lot line and a line parallel thereto.

1259 “Yard, side” means a yard between a main building and the side lot line extending from the  
1260 front yard to the rear yard.

1261  
1262 “Zoning code” means this title.

1263  
1264 “Zoning districts” means those districts established and described in Division II of this title.

1265  
1266 Section 4. HCC 22.10.040 Applicable and exempted subdivisions is amended to read as  
1267 follows:

1268  
1269 22.10.040 Applicable and exempted subdivisions.

1270  
1271 The standards of this chapter shall apply to all subdivisions in the City of Homer. Exemptions  
1272 from the requirements of this chapter may be granted concurrent with preliminary plat  
1273 approval by the Homer ~~Advisory~~ Planning Commission under the following conditions:

1274  
1275 a. Resubdivision of existing subdivisions not to exceed three lots, and involving no new  
1276 dedications of rights-of-way;

1277

1278 b. Special conditions and circumstances exist which are peculiar to the property involved,  
1279 and are not generally applicable to other properties in the City. These special conditions  
1280 cannot be caused by the actions of the applicant;

1281  
1282 c. Financial hardship or inconvenience shall not be considered grounds for granting  
1283 exception;

1284  
1285 d. Previous exceptions shall not be considered grounds for granting exception.

1286  
1287 Section 5. This ordinance is of a permanent and general character and shall be  
1288 included in the City Code.

1289  
1290 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_ day of \_\_\_\_\_, 2019.

1291  
1292  
1293 CITY OF HOMER

1294  
1295 \_\_\_\_\_  
1296 KEN CASTNER, MAYOR

1297  
1298  
1299 ATTEST:  
1300  
1301  
1302 \_\_\_\_\_  
1303 MELISSA JACOBSEN, MMC, CITY CLERK

1304  
1305  
1306 YES:  
1307 NO:  
1308 ABSTAIN:  
1309 ABSENT:  
1310  
1311 First Reading:  
1312 Public Hearing:  
1313 Second Reading:  
1314 Effective Date:

1315  
1316  
1317 Reviewed and approved as to form:

1318  
1319

1320 \_\_\_\_\_  
1321 Katie Koester, City Manager  
1322  
1323 Date: \_\_\_\_\_

\_\_\_\_\_  
Holly Wells, City Attorney  
  
Date: \_\_\_\_\_





Mr. Ken Castner, Mayor  
City of Homer  
491 E Pioneer Ave  
Homer, AK 99603

June 11, 2019

Re: Kenai Peninsula Borough Assembly Proposed Ordinance 2019-09

Dear Mayor Castner;

Enclosed is a letter from the Homer Chamber of Commerce & Visitor Center to KPB Assembly President Wayne Ogle. It was asked by the Chamber membership to forward the letter to the City of Homer and ask for their support in opposing this ordinance.

Alaska is a long-haul destination and on many bucket lists. The Kenai Peninsula and specifically Homer face competition for those visitor dollars with communities with marketing budgets over a million dollars. We are known as Alaska's Playground because the demographics of our visitor's is 60% Alaskans. What the Borough is proposing will price Homer out of most visitor's budgets.

Thank you for your consideration.

  
Debbie Speakman

Executive Director

cc: Homer City Council  
Katie Koester, Homer City Manager

Homer Chamber of Commerce & Visitor Center  
[www.HomerAlaska.org](http://www.HomerAlaska.org)  
201 Sterling Hwy, Homer, AK 99603  
p. 907-235-7740 e. [info@homerak.org](mailto:info@homerak.org)



## **Memorandum of Understanding**

between

City of Homer  
491 E. Pioneer Avenue  
Homer, AK 99603

and

Kachemak Heritage Land Trust  
315 Klondike Ave  
Homer, AK 99603

This Memorandum of Understanding between the City of Homer (hereinafter referred to as the "City"), acting through the City Manager or designee, and the Kachemak Heritage Land Trust (hereinafter referred to as KHLT), acting through the Executive Director or designee.

The purpose of this agreement is to allow KHLT to apply for a grant and construct a trail on KHLT and City lands. The trail will provide universal access to residents and visitors to enjoy the natural environment and travel between Pioneer Ave and Poopdeck Street.

### Parcel Legal Descriptions

#### KHLT Parcel

T 6S R 13W SEC 20 SEWARD MERIDIAN HM 0910041 NILS O SVEDLUND SUB NO 10 LOT 16A-1

#### City of Homer Parcel

T 6S R 13W SEC 20 SEWARD MERIDIAN HM 2013052 NILS O SVEDLUND SUB 2013 REPLAT LOT 7-A

### WITNESSETH:

WHEREAS, the City is a local government entity which promotes cooperative economic development that preserves the essence of community while enhancing the quality of life.

WHEREAS, KHLT is a non-profit organization which preserves, for public benefit, land on Alaska's Kenai Peninsula with natural, recreational, or cultural values by working with willing landowners.

NOW THEREFORE. The parties agree as follows:

- I. AUTHORIZATION: The City and KHLT agree to partner to construct and maintain a trail between Pioneer Avenue and Poopdeck Street hereinafter described for a period of 5 years commencing on the day following the ratification of this agreement by the City.
- II. CITY, and KHLT RESPONSIBILITIES: the City will provide the 10% required matching funds for the State of Alaska Recreation Trails Program Grant for the trail construction. After trail construction, the City will provide two trash cans, one dog waste bag dispenser station, with seasonal daily maintenance, annual brushing of the trail, and every two years, heavy vegetation removal if needed. KHLT will provide the necessary materials, services, funds and project management for the construction of the trail. Further, KHLT will work to coordinate volunteers to perform annual trail maintenance. Failing successful volunteer efforts, the City will provide staff to execute the required trail maintenance on city lands.

### III. SCOPE OF WORK:

- A. Specifically, KHLT shall:
  1. Plan, manage, and provide coordination of all entities and any vendors to design, review, and construct the trail.
  2. Coordinate with a city representative and KHLT representative on any construction issues on city lands.
  3. Ensure that all contractors and volunteers have insurance and sign waivers per city policies.
  4. If possible, coordinate annual trail maintenance with volunteer groups.
- B. Specifically, the City shall:
  1. Provide funds for the matching requirements of the grant.
  2. Coordinate with KHLT on any construction problems on city lands.
  3. Provide annual maintenance on the trail if no volunteer labor is available.
  4. Provide two trashcans, one each at the north and south ends of the trail.
  5. Provide one dog waste bag dispenser station near one of the trash cans mentioned in #4.
  6. Provide biennial heavy brush clearing.
  7. Coordinate with KHLT on any extensive future maintenance or repairs.

### IV. PERIOD OF PERFORMANCE

The period of performance for this agreement shall be five years. This agreement will automatically renew for one additional 5-year period on October 1 of the last year, unless reasonable notice of cancellation is given by either party before the date of renewal. If no changes have been made in the agreement during the life of the agreement, the agreement may be renewed by memorandum. While the City and KHLT reserve the right to terminate the agreement, or any part thereof, at any time upon reasonable notice without the necessity



of any legal process, KHLT and the City agree to hold a meeting prior to termination discussing the reasons for termination.

V. PROJECT OFFICERS

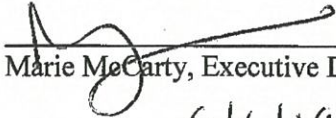
- A. For the City: Matt Steffy, C, 491 E Pioneer, Homer, AK 99603; 907-235-8121; [msteffy@ci.homer.ak.us](mailto:msteffy@ci.homer.ak.us)
- B. For KHLT: Joel Cooper, Stewardship Director, Kachemak Heritage Land Trust, 315 Klondike Ave, Homer, AK 99603 907235-5263  
[Joel@KachemakLandTrust.org](mailto:Joel@KachemakLandTrust.org)

VI. SPECIAL PROVISIONS

- A. This MOU may be modified or amended as necessary upon written consent of all parties or may be terminated by either party with a 30 day written notice to all other parties. No change to this agreement shall be binding upon KHLT or City unless and until reduced to writing and signed by both/all parties.
- B. The parties to this agreement agree to be responsible, as between the parties to this agreement, for damages to their own property and injuries to their own employees/volunteers, except for damages/injuries resulting from the fault or negligence of the other party to this agreement.
- C. The principle contacts for this MOU are:
  - 1. For KHLT: Marie McCarty, Executive Director, Kachemak Heritage Land Trust, 315 Klondike Ave, Homer, AK 99603 907235-5263  
[Marie@KachemakLandTrust.org](mailto:Marie@KachemakLandTrust.org)
  - 2. For the City: Katie Koester, City Manager, 491 E Pioneer, Homer, AK 99603; 907-235-8121; [kkoester@ci.homer.ak.us](mailto:kkoester@ci.homer.ak.us)

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed as of the date of last signature below.

KACHEMAK HERITAGE LAND TRUST

  
\_\_\_\_\_  
Marie McCarty, Executive Director

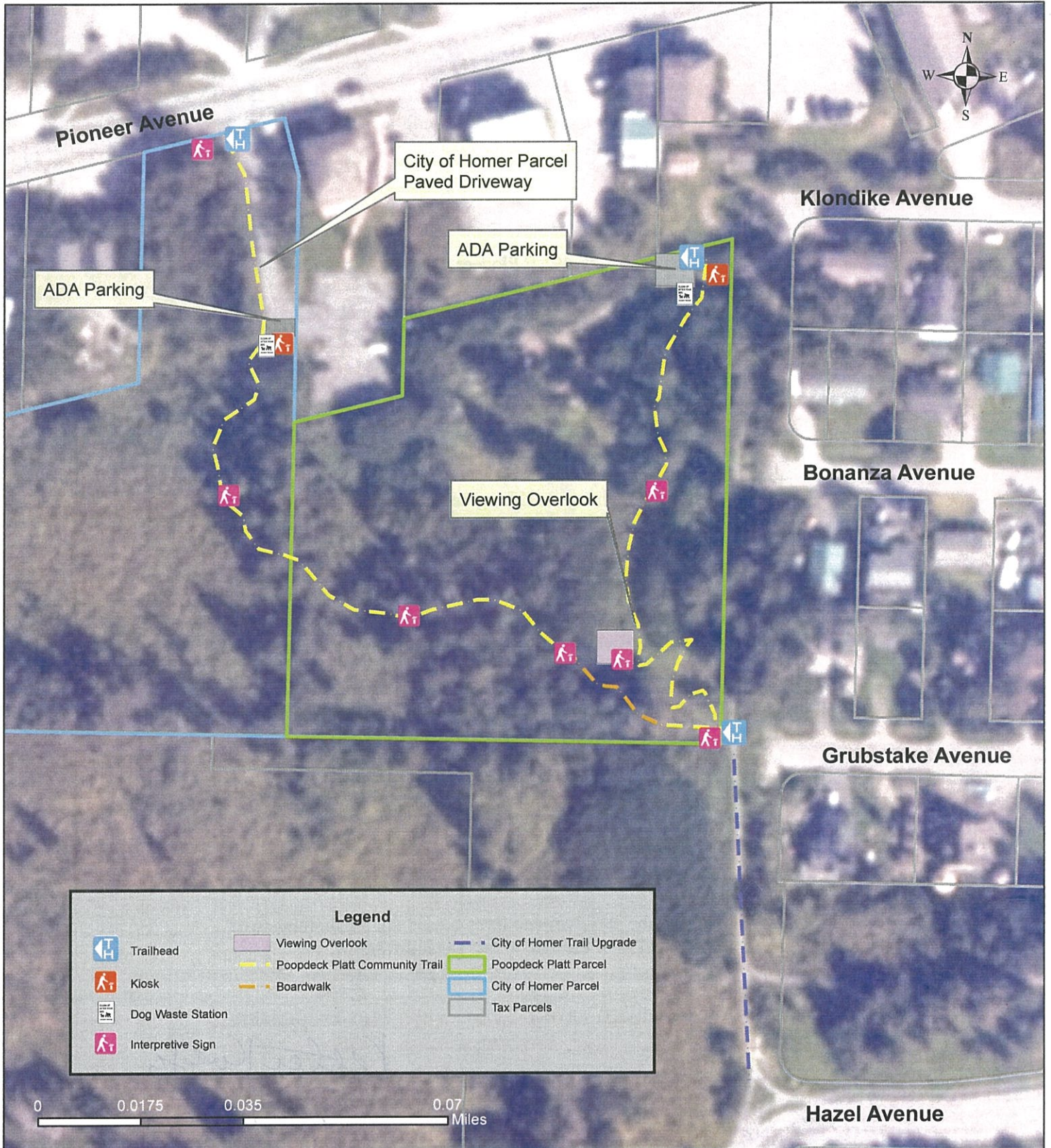
6/6/19  
\_\_\_\_\_  
(Date)

CITY OF HOMER

  
\_\_\_\_\_  
Katie Koester, City Manager

6-11-19  
\_\_\_\_\_  
(Date)





**Legend**

	Trailhead		Viewing Overlook		City of Homer Trail Upgrade
	Kiosk		Poopdeck Platt Community Trail		Poopdeck Platt Parcel
	Dog Waste Station		Boardwalk		City of Homer Parcel
	Interpretive Sign		Tax Parcels		



315 Klondike Ave., Homer, AK 99603  
 (907) 235-5263, [www.KachemakLandTrust.org](http://www.KachemakLandTrust.org)

## Poopdeck Platt Community Trail Site Plan

NAD 1983 State Plane Alaska 4 FIPS 5004 Feet,  
 Transverse Mercator, KPB 2016 aerial imagery,  
 Created 04/19/2019. The information depicted  
 on this map is a graphical representation of best available sources.  
 KHLT assumes no responsibility for any errors on this map.



II A (6)

At the request of the City Manager, or by ~~action resolution~~ of the City Council, draft opinion letters regarding, among other things, the interpretation of the City's Codes and policies, state and federal laws, and case law.

III H

References. Provide a minimum of five (5) references from ~~similar clients to include local government, state, and/or private clients, for whom the proposer has performed legal services within the last three years.~~ individuals that will support proposer's application to serve as Homer's General Counsel. Relevant observations might come from clients, members of the Alaska Bar and/or representatives of advocacy agencies. The City may contact any and all references for validation of information submitted and other information relative to the proposal.

VII L

(typo: "a11d")