



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

MEMORANDUM 18-115

TO: MAYOR AND HOMER CITY COUNCIL
THROUGH: KATIE KOESTER, CITY MANAGER
FROM: RICK ABBOUD, CITY PLANNER
DATE: October 4, 2018
SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF HOMER ALASKA
ADOPTING THE 2018 HOMER COMPREHENSIVE PLAN AND
RECOMMENDING ADOPTION BY THE KENAI PENINSULA
BOROUGH.

Background

After consultation with appropriate City Departments, Commissions, Committees, and gathering public input, the Planning Commission has reviewed and updated the Comprehensive Plan in its entirety. The new document reflects an update to the 2008 plan in consideration of work accomplished over the last 10 years and that which remains to be addressed over the next 10 years.

The values from the 2008 plan have not been altered and no significant changes have been made to the goals and objectives. What has changed is some formatting and cleaning up of duplicate and scattered cross-references. Some goals have been moved or combined. The implementation tables are more comprehensive and are found at the end of each chapter. Statistical information throughout the document has been updated to reflect current conditions and future projections.

The Comprehensive Plan was the subject of 29 meetings of the Planning Commission and went through the Parks, Art, Recreation & Culture Advisory Commission, Library Advisory Board, and Economic Development Advisory Commission. The Planning Department hosted a community Open House on March 1, 2018 and the Planning Commission held a public hearing on the draft plan on April 18. The public comment period yielded some quality community input, which the commission was able to consider for the final draft version. The Planning Commission held a public hearing on the final draft on September 5, 2018.

Planning Staff review per HCC 21.95.040

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

A. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

1. *Staff response:* This proposal updates and set forth the goals and objectives of the Homer Comprehensive Plan.

B. Will be reasonable to implement and enforce.

Staff response: This update of the Comprehensive Plan does not introduce any concepts that would be considered unreasonable to implement and enforce. The updated format will make the plan easier to implement and enforce.

C. Will promote the present and future public health, safety and welfare.

Staff response: This amendment promotes health, safety and welfare of the community by updating the plan to be responsive to current needs and aspirations.

D. Is consistent with the intent and wording of the other provisions of this title.

Staff response: This amendment has been reviewed by the City Attorney and is consistent with the intent, wording and purpose of HCC Title 21.

Recommendation:

Adopt Draft Ordinance 18-47

Attachments:

Ordinance 18-47

2018 Homer Comprehensive Plan

Backup Materials - *Includes staff reports, meeting minutes, outreach materials, and public input. Much of the draft plan material and staff report attachments are not included. A complete record is available at the Planning Department.*

CITY OF HOMER

HOMER, ALASKA

City Manager

ORDINANCE 18-XX

AN ORDINANCE OF THE HOMER CITY COUNCIL
ADOPTING THE 2018 HOMER COMPREHENSIVE PLAN AND
RECOMMENDING ADOPTION BY THE KENAI PENINSULA
BOROUGH.

WHEREAS, The Kenai Peninsula Borough as a Second Class Borough shall provide for planning on an areawide basis in accordance with AS 29.40; and

WHEREAS, As provided in Kenai Peninsula Borough Code 21.01.025, cities in the Borough requesting extensive comprehensive plan amendments may recommend to the Kenai Peninsula Borough Planning Commission a change to the city comprehensive plan; and

WHEREAS, The City of Homer has prepared a extensive comprehensive plan amendments in the form of the 2018 Homer Comprehensive Plan; and

WHEREAS, A comprehensive plan is a public declaration of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the City; and

WHEREAS, The 2018 Homer Comprehensive Plan will guide the development of the City of Homer; and

WHEREAS, The Homer Advisory Planning Commission and other City commissions and bodies have reviewed said plan and/or conducted public hearings; and

WHEREAS, The Homer City Council, based upon the recommendation of the Homer Advisory Planning Commission, recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2018 Homer Comprehensive Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The 2018 Homer Comprehensive Plan is hereby adopted as the City of Homer Comprehensive Plan, superseding the 2008 Comprehensive Plan.

Section 2. The previously adopted Homer Master Roads and Streets Plan (1986), Homer Non-Motorized Transportation and Trail Plan (2004), Homer Area Transportation Plan (2005) and the Homer Town Center Development Plan (2006), Homer Spit Plan (2010) remain part of the Homer Comprehensive Plan.

Section 3. Subsection (b) of Homer City Code 21.02.010, Comprehensive Plan—Adoption, is amended to read as follows:

b. The following documents, as initially approved and subsequently amended, are adopted by reference as comprising the Homer Comprehensive Plan.

1. Homer Comprehensive Plan (2018)
2. Homer Master Roads and Streets Plan (1986)
3. Homer Non-Motorized Transportation and Trail Plan (2004)
4. Homer Area Transportation Plan (2005)
5. Homer Town Center Development Plan (2006)
6. Homer Spit Plan (2010)

Section 4. The City hereby recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2018 Homer Comprehensive Plan as extensive comprehensive plan amendments under Kenai Peninsula Borough Code 21.01.025, and as an element of the Official Borough Comprehensive Plan within the City of Homer planning area of the Borough.

Section 5. Sections 1 through 3 of this ordinance shall take effect upon the adoption of the 2018 Homer Comprehensive Plan by the Kenai Peninsula Borough Assembly. The remainder of this ordinance shall take effect upon its adoption by the Homer City Council.

Section 6. Section 3 of this ordinance is of a permanent and general character and shall be included in the city code. The remainder of this ordinance is not of a permanent nature and is a non-code ordinance.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this xxth day of XX, 2018.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

Katie Koester, City Manager

Date: _____

Holly Wells, City Attorney

Date: _____



HOMER COMPREHENSIVE PLAN

2018



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ACKNOWLEDGEMENTS

The following groups participated in developing the Homer Comprehensive Plan 2018:

The City of Homer

Honorable Ken Castner, Mayor
Katie Koester, City Manager

Homer City Council

Tom Stroozas
Shelly Erickson
Rachel Lord
Caroline Venuti
Donna Aderhold
Heath Smith

City of Homer Planning Staff

Rick Abboud, AICP
Julie Engebretsen
Travis Brown

Homer Advisory Planning Commission

Tom Bos	Roberta Highland
Syverine Bentz	Dale Banks
Franco Venuti	Mandy Bernard
Don Stead	Shelly Erickson
Savannah Bradley	Tom Stroozas

City of Homer Commissions & Boards:

Economic Development Advisory Commission

Parks, Art, Recreation & Culture Advisory Commission

Library Advisory Board

Port and Harbor Advisory Commission

This plan is a 10-year update of the original 2008 plan, which included input from the following: Agnew::Beck Consulting, LLC, HDR Alaska, Inc., Koonce Pfeffer Bettis, Inc., Steve Colt, Ph.D., DnA Design, Homer Soil & Water Conservation District, Kachemak Heritage Land Trust (KHLT)

Photos in this document were provided by Planning Staff, Agnew::Beck, and HDR Alaska, Inc.

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■ CODE ORDINANCE ADOPTING PLAN

PLACEHOLDER 2018 UPDATE

PLACEHOLDER 2018 UPDATE

■ EXECUTIVE SUMMARY

INTRODUCTION (Chapter 1)

The 2018 Comprehensive Plan together with City of Homer's Master Roads and Streets Plan (1986), Non-Motorized Transportation and Trail Plan (2004), Area Transportation Plan (2005), Town Center Development Plan (2006), and Spit Plan (2010) comprise the Homer Comprehensive Plan.

The 2008 Comprehensive Plan update was adopted as a 20-year long-range plan and included extensive public involvement as well as professional consulting services. The 2018 Comprehensive Plan serves as a 10-year revision of the Plan and includes contributions from City Commissions, City staff, and input from the public. The next 20-year update, due in 2028, will likely include a more extensive process, similar to that of the 2008 plan.

Continued development influences Homer's character and presents many demographic, social, and economic challenges. Comprehensive planning aims to promote the type of natural and built environment that the community desires. The Comprehensive Plan identifies a broad, long-term vision for Homer's future, and establishes goals, standards, and policies for land use and development.

BACKGROUND INFORMATION (Chapter 2)

Homer's population is changing. Homer continues to grow at a steady pace. The age of the population is shifting and a new level of wealth is visible. Notably a trend has developed toward an increased population of retirees and more second homes leading to higher-priced land and housing. The general change in Homer's demographic is coupled with seasonal population variations. This change presents Homer with opportunities and challenges. Some are listed below:

- Growth will need to be guided to meet Homer's concerns about protecting community character and the quality of the environment.
- Seasonal population fluctuations create challenges for providing city services and facilities. Seasonal peak infrastructure demands force increases in capacity without necessarily providing a commensurate increase in funding.
- The outward expansion of the city affects demand for and costs of roads, water and sewer, schools and other public services, and also presents challenges for protecting open space.
- An aging population and growth in the retiree population creates demands for expanded access to health services and for increased recreational opportunities.
- New arrivals, while contributing to increases in the prices of land and housing, also create a range of jobs and local economic opportunities.
- Retirees can be a resource with the ability to volunteer their time and talents to community organizations, nonprofit agencies, and their service on boards and commissions.

These changes present challenges to the character of Homer and opportunities to emerge as a new kind of community – one that keeps the best of its character *and* embraces the need to grow and change. The purpose of this plan is to establish a framework to reach this ambitious goal.

COMMUNITY VALUES (Chapter 3)

This chapter briefly lists Homer’s community values as defined through community input in the Comprehensive Plan process. The overarching theme throughout is to “Keep Homer a lively, vital community that effectively responds to change and growth while retaining what is best about Homer’s character.”

LAND USE (Chapter 4)

The Land Use chapter of this Comprehensive Plan seeks to respect the past, to recognize the current realities of building and living in Homer, Alaska, and to create a new paradigm for the future. Befitting the aspirations of a unique and vibrant city, Homer seeks to further develop as a city which respects the environment, is wonderful to live in, and inspiring to visit. Specific goals of the chapter are listed below; the remainder of this section gives an overview of some of the most important policies in this chapter.

GOAL 1: Guiding Homer’s growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

GOAL 2: Maintain the quality of Homer’s natural environment and scenic beauty.

GOAL 3: Encourage high-quality buildings and site development that complement Homer’s beautiful natural setting.

GOAL 4: Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.

The chapter outlines strategies for building a compact, walkable community core, partly in response to concerns regarding energy use and climate change. Ideas for maintaining the functional benefits of the natural environment are presented in this chapter’s green infrastructure discussion. Other, more traditional motivations support compact development, including reduced infrastructure costs. Close neighbors sharing resources and looking out for their neighborhoods may hark back to an earlier time, but this also offers an attractive and practical model for the future.

Throughout this chapter, you will find prescriptions for encouraging more compact residential development and better walkability. The intent is to remove regulatory barriers to compact development in a way that enables the private sector to develop denser housing, particularly infill housing that is attractive, well-built, and fits well with existing homes.

The plan’s proposed land use recommendations map clarifies intended types of uses. These recommendations include more diverse housing areas and higher density mixed use residential office and commercial areas. The proposed designations would encourage a mix of development types while reducing conflicts by setting out standards for allowable densities and the character of development. This creates a spectrum of housing and commercial options to accommodate income and lifestyle diversity in Homer. Through zoning code amendments, the community will further develop these zoning concepts with clear regulations and guidelines for balancing development and open space.

The plan proposes development of an integrated system of green spaces that benefits the community aesthetically and functionally, by protecting corridors for trails, storm water management, wildlife habitat, and viewsheds. Changing land use designations recognizes the environmental constraints to development that were not apparent when some areas were initially zoned. Suggested changes correspond to the realities of the character of the land and provide ways to create guidelines and incentives to create balanced development and protect environmentally important areas.

Overall, an effort has been made to consider rural cold climate challenges, environmental understanding and economic opportunities as we work to ensure Homer remains Alaska's "cosmic hamlet by the sea."

TRANSPORTATION (Chapter 5)

As Homer continues to grow and change, the community needs to consider transportation alongside all other aspects of community growth and development. Challenges related to circulation will likely grow, including parking, highway congestion, maintenance, and bicycle and pedestrian safety.

Plan goals and associated policies, summarized below, will improve the range and quality of Homer transportation options, to better serve current needs and respond to projected growth.

GOAL 1: The street system should be configured to include arterial, collector, and local streets. Through-street connections should be encouraged, while maintaining the integrity of existing neighborhoods.

GOAL 2: The transportation system, including streets, trails, docks, and airports, should support future community economic and population growth.

GOAL 3: Homer's transportation system and services should be developed in a manner that supports community land use, design, and social goals.

Homer will benefit from creating a more complete circulation system in Homer. Policies described under Goal 1 propose the early identification of collector and arterial roads as well as methods to pay for right of way acquisition and road building and to ensure that connectivity occurs in a way that protects neighborhood character.

Homer's transportation system needs to keep pace with growth and economic development. Strategies include working collaboratively with the State, Borough, and other landowners to develop a more complete street network and corridor preservation program as well as to provide alternatives to the automobile.

Homer's transportation system can work to support broad community goals. Policies include implementing the Homer Non-Motorized Transportation and Trails Plan, improving downtown parking, developing street, sidewalk, trail design and landscaping standards that are bicycle and pedestrian friendly and that include provisions for the elderly, citizens with disabilities, and safe walking routes for children.

PUBLIC SERVICES & FACILITIES (Chapter 6)

The City of Homer provides a range of quality public services and facilities. In addition to those provided directly by the City as an independent entity, services and facilities are provided by the Kenai Peninsula Borough, the State of Alaska, and in collaboration with a variety of nonprofit organizations and community groups. Chapter 6 outlines three goals for maintaining and improving these services and facilities.

GOAL 1: Provide and improve city-operated facilities and services to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demands.

GOAL 2: Seek collaboration and coordination with service providers and community partners to ensure important community services are improved upon and made available.

GOAL 3: Encourage the broader community to provide community services and facilities by supporting other organizations and entities that want to develop community services.

As Homer continues to grow and change, work will be needed to maintain and upgrade existing fire, emergency services, law enforcement, water, sewer, and harbor services. The plan looks at the current status, as well as near and long-term priorities for each area of service delivery. Other services and facilities the plan addresses include parks and recreation development, storm water control, maintaining the library and adequate City administrative offices.

The City is an integral partner in supporting and encouraging Homer's arts and cultural activities, visitor services, health care services, senior and youth activities and services, educational opportunities, visitor attractions and services⁵. Although not necessarily the primary party responsible for these areas or activities, the City should provide assistance and leadership in these efforts.

Developing strong partnerships between the City and community partners will expand the ability of citizens to be self-sufficient and provide services and facilities beyond what the City can achieve on its own. Strategies to improve services include opportunities for increasing net revenues, providing technical assistance to community organizations, and creating incentives for organizations to take a lead in developing and providing services.

Efficiency and sustainability are key elements to the successful implementation and operation of any infrastructure, public facilities or services, whether provided by the City or by its many partners throughout the community.

ECONOMIC VITALITY (Chapter 7)

Economic vitality in a community is essential to provide the means for citizens to meet their basic needs and enjoy leisure time activities, and to provide resources for community needs. Many aspects of community and government operations affect the economy. The goals established in the Economic Vitality chapter follow.

GOAL 1: Define and encourage economic development that meets the desires and interests of Homer residents and supports the unique character of the community.

GOAL 2: Encourage the retention and creation of more year-round and higher wage employment.

GOAL 3: Identify and promote industries that show a capacity for growth.

GOAL 4: Support renewable and non-renewable energy services.

GOAL 5: Strengthen Homer as a tourism destination.

GOAL 6: Support community efforts to establish affordable housing.

Many of the factors that create “quality of life” for Homer residents also serve as economic assets. These include Homer’s spectacular natural setting, outdoor recreational opportunities, arts and culture, and small town character. Dimensions of this character include the variety of locally owned businesses, friendly people, human-scale architecture, and a lack of urban problems that often plague larger towns (e.g., blight, traffic congestion and crime). While growth is inevitable in Homer and could change Homer’s distinctive character, many cities have found ways to grow and maintain their character, through careful attention to development, including economic development.

Specific components of economic development where local government has a large role include creating a more vibrant downtown district; adopting land use policies that contribute to compact, sustainable, and attractive development; and ensuring development of a balanced transportation network including non-motorized transportation and public transportation, which will become more critical as Homer grows and as global energy challenges become more pressing.

Tourism, education, and the arts contribute significantly to Homer’s economy now and hold potential for future growth. Because of its potential to be disruptive, tourism should be guided to help sustain the qualities of the community that attract both residents and visitors. Collaboration between local government and other organizations will help ensure positive development in tourism and the arts.

Homer must maintain existing core industries such as fishing, marine trades, tourism, health care and construction, and seek new ways to promote more higher-wage jobs and to maintain a diverse economy, which reduces the risk of drastic economic downturn. Homer is fortunate to possess a relatively diverse economy currently and should seek to enhance this diversity. Another objective is to encourage year-round economic activity, which can be enhanced by promoting entrepreneurial small business ventures and “footloose” professional activity, along with expanded college programs.

Finally, Homer should look ahead to the challenges facing all communities in a “carbon-constrained world” and seek to enhance local self-reliance in agriculture, sustainable energy production, and other aspects of community life. Indeed, if Homer can develop expertise in these areas, that knowledge itself could be exported, further enhancing the local economy.

ENERGY PLAN (Chapter 8)

Homer understands the necessity of conserving finite energy resources. Reducing the use of fossil fuels and solid waste leads to the reduction of greenhouse gasses. The conservation of resources is not only a benefit to Homer taxpayers, but also contributes to the creation of a sustainable society. The creation of an energy plan situates Homer to be a leader in responsible stewardship. The energy plan positions the community to take advantage of new opportunities to strengthen the local economy, improve public health and improve community livability. The goals listed provide the framework for this stewardship.

GOAL 1: The City of Homer will be a community leader in implementing policies that promote energy efficiencies.

GOAL 2: The City of Homer will be a responsible steward of consumable resources.

GOAL 3: The City of Homer will play an active role in influencing regional policies that promote the research, development, and use of sustainable energy alternatives.

Lately, the need to contribute to a sustainable society is even more evident. The increased use of renewable energy sources represents an opportunity to benefit the environment, community and the economy, locally, regional and globally. Homer wishes to position the community to take advantage of funding opportunities to participate in the forefront of new technologies.

This energy plan dovetails upon several other city documents. Homer has adopted a Climate Action Plan and an employee sustainability handbook, addressing many of the goals presented here.

CHAPTER I INTRODUCTION

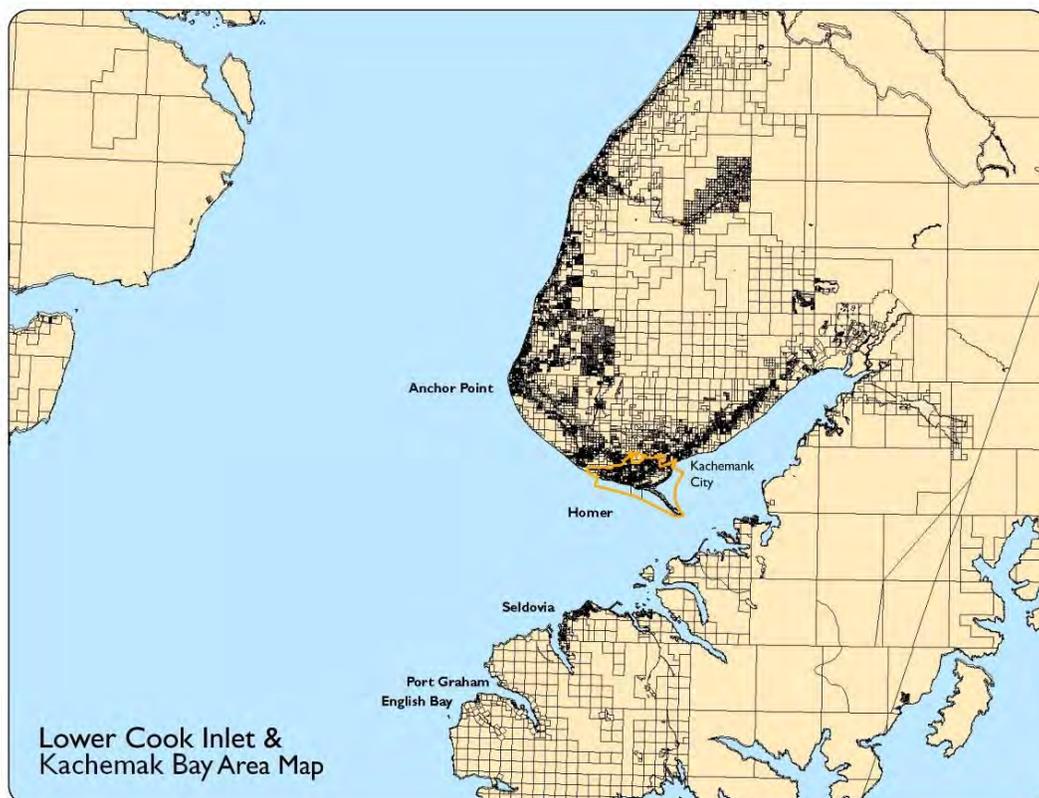
Overview

The Comprehensive Plan is an all-inclusive long-range plan for the future of Homer. It functions as a guide for policymakers as they make decisions that influence the physical, social, and economic development of the community. The plan translates community values into broad goals and identifies specific objectives and strategies to further those goals.



Overview of Community Boundaries and Setting

Homer lies on the north shore of Kachemak Bay on the southwest edge of the Kenai Peninsula. *See Kachemak Bay area map below.* It is the southernmost point of the road system connecting the Kenai Peninsula with Anchorage, which lies 227 road miles north of Homer. Homer is approximately 59.6° north latitude and 151.6° west longitude. Homer's city boundaries encompass a total area of approximately 25 square miles (15 square miles of land and 10 square miles of water). *See the City of Homer Zoning Map in Appendix C-2* According to the



Alaska Department of Community, Commerce, and Economic Development (DCCED), in 2017 Homer’s population was estimated at approximately 5,313 people.

Homer has a close relationship with many nearby communities, both along the road system and the marine highway system. Kachemak City (incorporated in 1961) shares Homer’s eastern boundary. It has a 2017 population of approximately 505 people and many of its residents are employed in Homer. Anchor Point is located 14 miles northwest of Homer along the road system and has a population of approximately 1800 residents. Like Kachemak City, many of Anchor Point residents are employed in Homer. Homer also helps to service the needs of communities across Kachemak Bay, notably Seldovia, Port Graham and Nanwalek (formerly English Bay). The Alaska Marine Highway ferry service connects Homer to Seldovia.

Purpose of the Plan

The purpose of comprehensive planning is to promote the type of environment – both built and natural – that a community desires. The City of Homer has a robust planning history, especially when compared to many Alaskan communities. Early efforts to create a comprehensive plan date to 1954 with area residents documenting existing conditions and making recommendations for growth and development. The 2008 City of Homer Comprehensive Plan previously guided the City’s growth and development; this 2018 update relies heavily on that work. The plan takes a long-term view, establishing broad goals and policies intended to guide growth over the next 10 years.

The Comprehensive Plan is an all-inclusive long-range plan for the future of Homer. It functions as a guide for policymakers as they make decisions that influence the physical, social, and economic development of the community. The plan translates community values into broad goals and identifies specific objectives and strategies to further those goals.

The plan is organized into chapters that include goals, objectives, and implementation strategies. Some of the chapters are followed by an implementation table that breaks down implementation strategies into specific projects. Each project in the table has a code indicating which goal and objective it pertains to. For example, “1-A-1” pertains to goal 1, objective A, and is implementation project 1, while “2-B-5” pertains to goal 2, objective B, and is implementation project 5.

In Alaska, comprehensive plans are mandated of all organized first and second class boroughs by Title 29 of the Alaska State Statutes. The key elements of the statute (Sec. 29.40.030) are summarized below:

The comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the municipality, and may include, but is not limited to, the following:

- Statements of policies, goals, and standards;
- Land use plan;
- Community facilities plan;
- Transportation plan; and,
- Recommendations for implementing a comprehensive plan.

A comprehensive plan provides a method to analyze past development, current issues and community views, and to use this information to establish policies guiding future development. Key components of this plan include a broad, long-term vision for Homer’s future; policies to guide land use, growth, and development; priorities to improve public facilities and services; and policies to promote economic development, retain community character and protect the natural environment.

This updated City of Homer Comprehensive Plan is built from the 1989, 1999, and 2008 City of Homer Comprehensive Plans and other plans adopted by the City of Homer, including the Town Center Development Plan (2007), Homer Spit Comprehensive Plan (2011), Capital Improvement Plan (2016), Water and Sewer Master Plan (2006), City of Homer Non-Motorized Transportation and Trails Plan (2004), and the Homer Area Transportation Plan (2005). The 2008 comprehensive plan update was a major revamp of the previous version and is considered a 20-year plan. The 2018 update serves as a 10-year revision of the existing plan and includes contributions from City Commissions and City staff.



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CHAPTER 2 BACKGROUND DEMOGRAPHIC INFORMATION

Introduction

This chapter gives an overview of Homer's history, current conditions and trends, and sets the stage for the policies presented in the remainder of the plan.

History

The area surrounding Homer has been home to Alaska Natives for over 8,000 years. The Pratt Museum and the Homer library are excellent sources of information about the rich Alaska Native history of Kachemak Bay. While archaeological evidence indicates that major Native settlements were located across Kachemak Bay from Homer, there is also evidence of early Native campsites on the Homer Spit. Today persons with Alaska Native and American Indian heritage make up approximately 6.9% percent of Homer's total population. (American Community Survey (ACS) 2014)



Homer's non-Native history began in 1895, when the US Geological Survey came to the area to study coal and gold resources. The following year, Homer Pennock, the man of character after whom the town is named, arrived with a crew of 50 gold miners and developed a small settlement on the Spit. While gold mining never became a profitable endeavor, coal mining did and was the predominant economic activity from the late 1800s through World War I. In the early 1900s, fishing developed into an important industry. The majority of canneries and fishing-related activity was centered across the bay in Seldovia. However, when the 1964 Good Friday earthquake struck, Seldovia's waterfront was devastated. The Homer Spit also subsided several feet due to the earthquake but it was able to assume Seldovia's fishing support activities. Like the Good Friday earthquake, the 1989 Exxon Valdez oil spill in Prince William Sound marked another very significant event for Homer. While Homer is somewhat distant from the point of grounding, outside Valdez, the reach of the spill was vast; Homer's shoreline was included in the 1,300 miles of coast impacted by the Exxon Valdez disaster.

Natural Environment

Homer is a breathtakingly beautiful community. Surrounded by snowcapped mountains and glaciers, this community is a gateway to mountain and maritime adventures. Homer is also well-known for the "Homer Spit," a landform of deposited gravel extending 4.5 miles into Kachemak Bay. This strong relationship to the natural environment, combined with Homer's stunning natural setting and its vibrant arts and cultural scene, has made it a popular destination for tourists.

Homer's year-round ice-free port and protected harbor provide easy access to Kachemak Bay. The Bay is traveled by Homer residents, residents of nearby communities, and visitors for recreation, wildlife viewing, fishing, and transportation. Life in Homer relates to the ocean in many ways – the climate, economy, environment, infrastructure, and way of life are all shaped by Homer's proximity to the water.



Kachemak Bay and the Homer Spit

The ocean-influenced maritime climate lends to a fairly temperate place by Alaska standards. Average daily temperatures range from 45 to 65 degrees Fahrenheit in the summer and 14 to 27 in the winter. Yearly snowfall during the winter averages 55 inches; total annual precipitation is 24 inches.

The topography of the region adds to its beauty. The City of Homer is situated in a geographical area referred to as the Homer Bench. The Homer Bench is characterized by high bluffs to the north and gently sloping shorelines in the south. Homer is bounded by Kachemak Bay to the south, and Diamond Ridge to the north, which rises from about 400 to 1,100 feet above

sea level. The area is composed of layered sand, silt, clay, conglomerate, coal seams, and volcanic ash. Common rock types include shale, sandstone, coal, and claystone. The steep slopes and the loose nature of the soil and bedrock make the area susceptible to landslides when saturated with water. Homer experiences both bluff and shoreline erosion problems. Across the bay in Kachemak Bay State Park, the dramatic, heavily glaciated mountains of the Kenai Range provide stunning scenic views for the city.

Social Environment

Homer faces several significant trends that will affect the community for at least the next 10 years. Growth in the number of residents who are over 65, and also between the ages of 20 and 34 shape the work force, job opportunities, and tax base. Significant changes in the State of Alaska budget due to the rapid decline in oil revenues is having a negative impact on school budgets, road maintenance, road constriction, and capital projects of any kind.

These trends pose important issues for the borough and its communities. Notably, an aging population creates needs for specific types of public facilities and services, tax revenue collection, and special housing. Lower school enrollment numbers often mean that State support becomes more limited and school budgets are stretched. An aging population is often indicative of the lack of local economic opportunity sufficient to attract and hold families. A more vibrant economy would attract and retain workers and families, and a more diverse tax base. Decreasing incomes may increase demands on social services while simultaneously lowering support for and ability to pay taxes or fees for services.

Economy

Education, health care, commercial fishing, and tourism form the backbone of Homer's economy. Large employers include the Kenai Peninsula Borough School District, University of Alaska Kachemak Bay Campus, and South Peninsula Hospital. Additionally, there are numerous other health and wellness providers, tourism and commercial fishing enterprises and related services such as hotels, restaurants, and retail shops. Educational services, health care, and social assistance are responsible for more than 26% of jobs in Homer (ACS 2014). Additionally, arts, entertainment, recreation, accommodation, and food services provide another 13% of local jobs.

Increasing Visitors

Homer continues to be a popular tourist destination. *Alaska Economic Trends* reports that “Homer’s visitor industry is thriving and contributes to the support of local cottage industries including bed and breakfasts and arts and crafts.”¹ This statement from 2004 still rings true in 2018. It is likely that Homer will continue to draw in visitors as the gateway to Kachemak Bay State Park, “halibut capital of the world,” and for the general access to natural habitat and wildlife areas it provides. Homer also attracts visitors who enjoy the many cultural events and festivals hosted by the community, as well as specialty stores, most notably the local art galleries. Recent trends in tourism include changes to the size of halibut a charter customer may keep, as well as the reduction in the number of days that are open to fishing. In spite of a slackening halibut fishing sector, Homer will need to market the numerous other existing tourism and ecotourism related activities in order to sustain and grow the visitor industry.

Housing Characteristics

Residential use remains the predominant function of developed land in Homer. Sixty-eight percent of Homer residents live in single family detached homes. Long term, there is little incentive for building more densely, maximizing the public investment made in water and sewers, and generating revenue (through service fees) sufficient to pay for the ongoing costs of a very spread out utility system.

The number of new residential permits has been steady since housing market stabilized after the recession. Although interest rates are slowly beginning to rise, the City expects an average of 30-40 new homes to be constructed per year for the foreseeable future. There has been an increase in redevelopment; tearing down old cabins and mobile homes, and replacing them with new energy efficient residences.

Housing prices remain high relative to income, despite a recent market trend of leveling home prices. In 2014, over 26% of mortgaged households spent 35% or more of their income on housing costs. Of households that rent, over 40% spend more than 35% of gross household income on housing. The median sale price for a single family house was \$235,000 in 2015. Housing prices and rental costs play a large role in determining who can live and thrive in Homer. *Goal 6 of Chapter 7, Economic Vitality*, discusses affordable housing in more detail.

Homer Population Trends and Demographics

Homer’s population growth tends to fluctuate, but in recent decades reflects slow to moderate growth once the effects of annexation in 2002 are discounted. Homer’s seasonal population fluctuations complicate the effort to define the community’s demographic character. In the summertime, the population of Homer swells dramatically with tourists, seasonal workers employed in commercial fishing and tourist support industries, part-time summer residents, and second-homeowners. General population growth trends, numbers, and graphs do not capture the complexity and variation of Homer’s population.

¹ *Alaska Economic Trends, November 2004, Department of Labor and Workforce Development.*

Table 1. Homer Population Statistics 1960-2015

Year	Population	Average Annual Growth
1960	1,247	
1970*	1,083	-1.40%
1980	2,209	7.39%
1990	3,660	5.18%
2000	3,946	0.76%
2010**	5,003	2.40%
2015	5,153	0.30%

Source: Alaska Department of Labor and Workforce Development, 2016

* Homer's growth rate declined due to the 1964 incorporation of the city.

** Annexation was completed in 2002, enlarging Homer and the City's population

Shifting Age of the Population

Homer has seen a population increase of persons aged 65-and-older from 7 percent in 1990 to 13 percent of the total population in 2014. (See Table 2). This may be explained by two main factors: the aging of Homers' existing population and the in-migration of retirees. Alaskans and those from other states moving to Homer to retire are part of a larger trend prevalent throughout the borough.

Similarly across the Kenia Peninsula Borough, the retirement age group has grown significantly, while other age groups have not. In 1990, 4.9 percent of the population was aged 65 years and older. In 2000 this had increased to 7.3 percent and by 2010 had risen to 11.3 percent. By 2032, this is projected to increase to nearly 24%. This phenomenon is referred to locally as the 'Silver Tsunami', representing the scale of demographic transformation that is occurring.

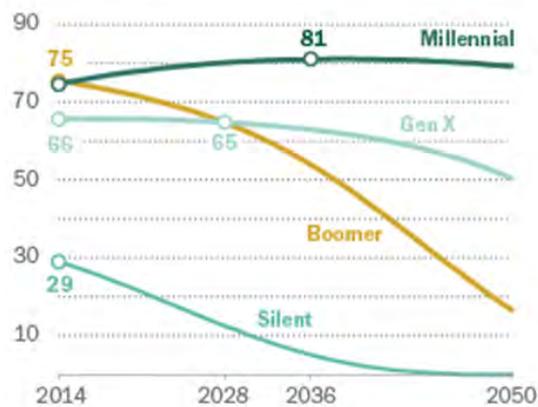
Table 2. Age Statistics for City of Homer, 2000-2014

Age	2000 Population		2014 Population	
	Number	Percent of Total	Number	Percent of Total
Total	3,946		5,229	
9 and Under	551	14%	708	14%
10 to 19	646	16%	675	13%
20 to 34	478	12%	973	19%
35 to 44	659	17%	538	10%
45 to 54	748	19%	686	13%
55 to 64	366	9%	965	18%
65 and Over	398	10%	684	13%

Source: US Census Bureau and 2014 American Community Survey Note: US Census Bureau's 2000 population is slightly different from State of Alaska numbers. The census captures the April 1 population while the State estimates the July 1 population.

Projected Population by Generation

In millions



Note: Millennials refers to the population ages 18 to 34 as of 2015.

Source: Pew Research Center tabulations of U.S. Census Bureau population projections released December 2014

PEW RESEARCH CENTER

Figure 1: Projected Population by Generation

population ages, there are relatively fewer Generation X residents to assume skilled jobs, start new businesses, and volunteer their time and expertise in the community. Time will tell if Homer can harness the people power of the Millennials to assume the rolls left unfilled by aging Baby Boomers.

Fiscal Challenges

Alaska remains particularly vulnerable to economic shocks, such as the current dip in oil prices. The State economy has somewhat matured and diversified, with growth in tourism, air cargo and mining, but oil revenue is critical to fund state government and provides numerous high paying jobs. Homer needs to plan for growth, and there are good reasons to expect this growth will continue. At the same time, the community needs to be aware that growth rates could quickly slow or reverse.

Table 4 shows the median household, family and non-family (individual) income for Homer for 2000, 2010, and 2014. Homer has seen a decline in median income when levels are adjusted to 2015 dollars. This affects resident's ability to pay increased taxes and fees for services. At the same time, Table 5 shows the slow increase in city tax revenues. As the State cuts support to local governments, cities will need to find a way to either increase revenues to pay for services, or reduce services.

Table 4. Median Income in Homer

Income	2000	2010	2014
Median household Income	59,639	57,205	55,443
Median Family Income	74,611	75,225	75,717
Median non-family income	36,744	31,311	30,132

Source: US Census Bureau, ACS and Consumer Price Index (used to adjust to year 2015 level).

Table 3. Generation Groups

Generation	Birth Years
Millennials	1982 - 2004
Generation X	1965 - 1981
Baby Boomers	1946 - 1964

Another interesting trend shown in Table 2 is the shrinking portion of the population between the ages of 35-55, and the increase of 20-34 year olds. The younger group is commonly a demographic that is under represented in Homer, as young adults move away for schooling or jobs and don't return. Perhaps this trend is shifting, although the Great Recession and lack of job opportunities in the lower 48 may have influenced more young residents to stay or return to Homer. This age group is known as the Millennials (see table 3).

They are as significant a cohort as the Baby Boom generation in terms of sheer number of people in that age group. It is reasonable to expect a continued increase in younger people, and relatively fewer residents in the age group between the Millennials and the Baby Boomers, broadly considered Generation X. In the near term, as Homer's

City sales tax and real property taxes make up the majority of City tax revenues. The 2018 City budget is based upon a 4.5 percent sales tax and a 4.5 mill property tax rate. Tax revenues continue on an upward trend. Table 5 shows the City tax revenues from property and sales taxes from 2012 through 2015. Property tax revenues have increased an average of 1.3 percent each year between 2012 and 2015. This increase reflects the slow growth of new construction and the recovery of the housing industry. Sales tax revenue has also increased. While expecting continued incremental increases in the tax base and municipal tax revenues, reduction in state spending may increase the City's costs. New expenditures by the City will need to be weighed with the likelihood that revenues will increase enough to cover the expenses.

Table 5. City of Homer Tax Revenues, 2012 through 2015

Year	Property Tax	% Change	Sales Tax	% Change
2012	\$3,009,577		\$4,752,288	
2013	\$3,220,859	7.0%	\$4,944,776	4.1%
2014	\$3,085,931	-4.2%	\$5,024,526	1.6%
2015	\$3,118,636	1.1%	\$5,126,605	2.0%

Source: COH budget 2014, 2015

Long Term Growth Forecast

The boom and bust of Alaskan economic life requires City governments to be both optimistic and realistic, and to be able to respond to change. In previous plans, population forecasts were greatly overestimated. Actual population growth has been leisurely over time. With the potential for a slow growing population forecasted in Table 6, the region can expect continued slow economic expansion. While there is the potential for mega projects such as the Natural Gas pipeline that would terminate in Nikiski, it is reasonable for the community to expect modest and steady change. This outlook applies to new jobs, new residents, growth of the tax base and increases in government revenues to pay for services.

Table 6. Population Projections 2012-2042

AK Dept. Labor and Workforce Development Population Projections 2012-2042								
Year	2012	2017	2022	2027	2032	2037	2042	
Alaska	732,298	770,417	806,479	839,191	868,902	897,034	925,042	
KPB	56,756	59,225	61,391	63,116	64,321	65,098	65,647	
City of Homer Population Projections								
Year	2012	2017	2022	2027	2032	2037	2042	
Using KPB growth rates	5,153	5,376	5,572	5,727	5,837	5,907	5,957	* low projection
1% annual growth rate	5,153	5,416	5,692	5,982	6,288	6,608	6,945	* mid projection
Southern Kenai Peninsula Population Projections								
Year	2012	2017	2022	2027	2032	2037	2042	
Using KPB growth rates	10,783	11,232	11,643	11,966	12,195	12,343	12,448	* low projection
1% annual growth rate	10,783	11,333	11,911	12,519	13,157	13,828	14,534	* mid projection

Growth Trends

Homer's future growth will be driven by a combination of what happens to the Alaska economy and also specific factors that are more or less independent of what is happening in the Alaska economy. These include things like the prices for the mix of fish species that Homer fishers tend to catch, the growth of specific visitor attractions similar to the Islands and Ocean Center, and the location decisions of businesses. Perhaps most important of all, and most difficult to forecast, is the growth of Homer as a quality-of-life community that is attracting wealthy people who want to live here. This growth will depend partly on the actions that citizens take to maintain the current attractive qualities, and it will probably also depend on more mysterious attributes that economists call "reputation effects." If Homer remains a "hot" residential destination, then it can grow, at least in some dimensions, more or less independently of changes in the conventional "economic base."

Summary

Taken together, the set of facts presented in this chapter support the conclusions listed below.

- The natural environment is important to Homer's economy and way of life. The community clearly desires to maintain the natural environment. New strategies will be needed to protect this environment as the community grows – particularly regarding drainage, erosion, open space, climate change and ocean acidification.
- Homer has a diverse, vibrant economy that builds on the community's strengths and character. The community will need to work to enhance and preserve economic opportunity.
- Tourism has grown significantly in Homer, contributing to growth in the overall service sector. Tourism marketing will need to diversify as charter fishing may become a less significant attraction over time.
- Homer needs room to grow, in a way that respects the community's character, addressing concerns about sprawl and climate change. The plan should designate locations and patterns for new growth, considering related needs like expanded water and sewer service.
- Homer's demographics are changing. Many out-of-town and out-of-state retirees are coming to Homer, affecting land prices and expectations about public services and facilities.
- Housing prices have been driven up by new demands and an influx of more wealthy residents. Maintaining a stock of quality housing for middle- and low-income households will be important for Homer's future, particularly for housing younger families within the City.
- The coming of age of Millennials will shape Homer's future as a place for young families with children.
- Existing housing stock is aging, and may not be attractive to retirees due to size and updates needed, which in addition to price also deter young families.
- Need to expand tax base and service fees to compensate with increases in operational costs for city programs and facilities.
- Trends of the last 30 years are likely to continue, and Homer will face new challenges and opportunities tied to growth

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CHAPTER 3 COMMUNITY VALUES

The previous chapter describes the growth and change occurring in Homer and surrounding areas along with the resulting opportunities and challenges facing the community. Chapters 4-8 present goals and strategies to respond to the impact of this growth and change. This chapter presents a general summary of the broad values of the Homer community. This material comes from the 1999 Comprehensive Plan Update, feedback received from the community in the preparation of the 2008 plan, and new ideas captured in this update.

Listed below are qualities of Homer that are strongly valued by residents. The items listed were repeatedly articulated during the comprehensive plan update process and over the years.

Keep Homer a lively, vital community that effectively responds to change and growth while retaining what is best about Homer's character.

- A strong interest in political matters; a desire to guide the future growth and development of Homer.
- Appreciation of Homer's spectacular natural setting, its great views, interesting topography, as well as a tradition of concern about the quality of natural resources and the environment.
- Support for a diverse economy, including many small, independent home-based businesses.
- Desire for ready access to open space, parks, and recreation.
- Pride and support for local arts.
- Strong commitment to encouraging a wide range of high quality medical and health-promoting services and facilities, both conventional and nontraditional.
- Support for the robust network of nonprofit and volunteer organizations giving to the community in many ways.
- Interest in lifelong learning and opportunities for access to education.
- A strong tradition of commercial fishing and a strong community bond to the marine environment and resources.
- Desire for a mix of rural and main-street character – with many residents living on larger parcels with space between neighbors – coupled with a desire to create a new “heart of Homer” – a lively town center offering the pleasures and conveniences of a thriving downtown, while not forgetting the importance of a healthy Pioneer Avenue economy.
- Maintain existing city services. Adjust the level of service when revenues fluctuate.



■ CHAPTER 4 LAND USE

Vision Statement: Guide the amount and location of Homer's growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

Overview

This chapter presents background information and policies to guide development in Homer. The first goal presents the overall goal of the land use policies. The other goals are more specific to various aspects of land use issues.

Summary of Goals

GOAL 1: Guiding Homer's growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

GOAL 2: Maintain the quality of Homer's natural environment and scenic beauty.

GOAL 3: Encourage high-quality buildings and site development that complement Homer's beautiful natural setting.

GOAL 4: Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.



Context: Land Use in Homer & Surrounding Areas

Land Use in Homer

Land use in Homer today closely corresponds to the area's unique geographical features, history of homesteading, the road system, access to Kachemak Bay, and other water resources. Two very distinct areas with very different land use characteristics developed in the last century, one on the mainland and the other on the Homer Spit. The portion of the City on the "mainland" has a ring-like land use pattern. It has a relatively concentrated, mixed use core or central business district. Transitional land uses surround the core consisting of institutional and public facilities, commercial uses, residential office, and denser, more urban residential. Farther from the central business district, larger lot/low density rural residential land uses prevail. Variations from this general pattern occur, for instance, along the Sterling Highway where roadside commercial activities are prevalent and in some instances compete with concentrated downtown activities. Additionally, the area surrounding the airport, southeast of downtown, holds most of the town's mixed industrial activities.

The Homer Spit contains its own assortment of industrial, commercial, and recreational uses. The Spit's functions and land uses fluctuate with the season; during the summer months commercial activities increase in response to the arrival of summer visitors and tourism. Activities on the Spit are sufficiently distinct and complex to warrant a separate plan, the *Homer Spit Comprehensive Plan (2011)*.

Homer's land use pattern is generally supported by the City's current zoning designations, but an eclectic mix of land uses is still found in various zoning districts (*see Appendix C-2, 2016 Zoning Map*). This mixing of uses is part of the unique character of Homer and not without benefits. The current land use zones largely fulfill their



intended functions, but in some cases do not mesh with the realities of existing or desired future use patterns. Growth in Homer will require a new set of standards to guide the form and location of future land use and development. For instance, the land downtown and extending west along the Sterling Highway is zoned central business district and gateway business district respectively. New policies are needed in the central business district to better allow for higher density and greater mixing of retail shopping, professional services, entertainment facilities, restaurants, and residential uses. The policies controlling development in the gateway business district will likely need ongoing refinement to promote business with an emphasis on the visitor industry and at the same time ensure an attractive and notable entry point to Homer and Kachemak Bay.

Homer's public water and sewer infrastructure plays a large role in shaping land use patterns in the city (*see Appendix C-4, Existing Water and Sewer Infrastructure Map*). To make the investment in public water and sewer infrastructure efficient and fair, decisions on infrastructure need to be coordinated with land use policy. For example, there are some areas within the rural residential zoning that have gained water and sewer service, providing landowners the opportunity to subdivide their lots and develop at a higher density than the existing land use classification promotes. This situation calls for a solution and is addressed in this plan.

Homer’s pattern of development is also greatly influenced by environmental constraints. Steep slopes, bluff and shoreline erosion, and wetland areas make development of many parcels costly, difficult, or even unfeasible. While such areas may be unfeasible for individual development, they can have great value for the community as a whole. Drainage ways, beach areas, or steep or erodible slopes can form an integrated open space network (“green infrastructure”) which supports the areas that may be developed more intensively. Environmental constraints and opportunities have an important role in guiding the character and location of new growth.

Land Use and Growth in Homer and the Surrounding Area

The city of Homer is growing and it is likely to continue to grow (*see Chapter 2, Background Demographic Information*). As stated previously in this plan, future growth will be driven by factors including changes in the overall economy of Alaska, the future of the fishing industry, the pace of growth in the visitor industry and – probably the most difficult to forecast – the growth of Homer as a quality-of-life community for retirees, baby boomers, and other “footloose” prospective residents. If Homer remains a desirable residential destination, then it can grow, in some ways, more or less independently of changes in the conventional economic base.



Top of
Main Street
looking
South to
Bishop's
Beach

While increasing visitation has had a great impact on the economic growth of Homer, the most significant change in Homer’s real estate landscape has been the recent, rapidly growing demand for middle- to high-end residential development. This has led to substantial increases in land prices and the construction of many new homes, particularly in the area just outside of the city’s perimeter, extending out East End Road and on the bench above town. This growth is an important consideration in the development of Homer’s Comprehensive Plan. Residents of these developments use many of the same public and commercial services as Homer residents including police, fire, water supply, shops, restaurants, visitor and medical facilities, and public institutions like the library. Planning for services requires consideration of this growing residential demand.

Goals & Objectives for Land Use

GOAL I: Guide Homer’s growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts including limiting greenhouse gas emissions.

Objective A: Promote a pattern of growth characterized by a concentrated mixed-use center, and a surrounding ring of moderate-to-high density residential and mixed-use areas with lower densities in outlying areas.

Many of the community’s most important goals are tied to the amount and location of growth. These goals include encouraging affordable housing, protecting environmental quality, creating a walkable community, and efficiently providing public services and facilities. The broad strategy behind this objective is to encourage concentrated residential and business growth in the central area of the city, with densities decreasing in outlying areas. The existing pattern of development in the city and current zoning generally follow this pattern. The alternative to this pattern – to allow this same quantity of growth to spread over a much wider area – works against all these goals.

While concentrating land uses brings many benefits, residents clearly want to maintain a sense of open space and privacy that is often associated with lower density development, particularly in residential areas. As a result, this objective of concentrated growth must be accompanied by a set of standards that ensure housing and commercial areas are well designed. The remainder of this section presents more details on the location of new development. The following sections address the character of new development.

The key element of this section is the generalized Land Use Recommendations Map (*see Appendix A-10, Comprehensive Plan Land Use Recommendations Map*). This is not a zoning map, but a general map of proposed future land uses in Homer. Before these recommendations have the force of law, a separate, subsequent process must occur to amend the City’s current zoning code.

Implementation Strategies

- Review Land Use Recommendations Map

Objective B: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth.

The Comprehensive Plan Land Use Recommendations Map establishes the location and intent of proposed land use districts, but does not address the standards needed to guide development.

Implementation Strategies

- Revise zoning map
- Encourage preservation of natural system infrastructures
- Review density objectives
- Review appropriate design standards

Objective C: Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.

Diverse, high-quality residential neighborhoods are crucial to the stability and economic health of Homer. Growth puts pressure on housing prices as land prices increase. Neighborhoods established decades ago with large lots face pressure as some landowners create subdivisions with smaller lots, while others would like to preserve the established neighborhood character. Housing choice is crucial to accommodate future growth as the dominant single family large lot developments clearly won't be able to meet future demand in quantity or price.



Implementation Strategies

- Review code for opportunities for appropriate infill
- Support options for affordable housing

Objective D: Consider the regional and global impacts of development in Homer.

Homer is a community that understands and appreciates its place in the context of the larger, global environment. As shown by its robust environmental nonprofit community and the work of the City's Global Warming Task Force, Homer residents look beyond their boundaries and have expressed the importance of acting locally as a way of addressing global issues.

Implementation Strategies

- Review opportunities that support energy efficiency for structures
- Consider land use policies that promote density and discourage sprawl

GOAL 2: Maintain the quality of Homer's natural environment and scenic beauty.

Homer's natural setting provides many benefits but also creates significant constraints. The characteristics of the physical setting need to be respected in guiding the location, amount, and density of development. Growth will need to be guided to meet Homer's concerns about protecting community character and the quality of the environment.

This plan takes two general approaches to guide development in relation to environmental conditions. One is to "overlay" information regarding environmental constraints and opportunities onto the Land Use Recommendations Map. This means, for example, that some portions of an area identified for development would be limited by the site-specific presence of steep slopes, wetland areas, drainage channels, etc. The second broad strategy is to recommend that appropriate standards be adopted so that where development does occur it is designed to respect environmental functions and characteristics. Examples in this category include site development polices for drainage, vegetation, and grading.

A need exists for the community to take seriously the issue of shoreline stabilization and the implications of allowing ongoing shoreline development. A process should be launched to examine the issue and put proposed solutions before the citizens.

Objective A: Complete and maintain a detailed “green infrastructure” map for the City of Homer and environs that presents an integrated functional system of environmental features on lands in both public and private ownership and use green infrastructure concepts in the review and approval of development projects.

Protecting the environment can be a way to achieve goals like reducing infrastructure costs and providing “environmental services” like drainage ways, parks, and trails. For example, protecting the integrity of a stream channel can help provide cost-effective drainage solutions and also provide a trail corridor. The challenge in carrying out these types of actions is that most land in Homer is already split into many individual private parcels. This objective provides the first step in solving this challenge by creating a complete base of knowledge regarding environmental features on land regardless of ownership. Specific steps to establish a system of green infrastructure are found in Appendix C-7.

Maps of important environmental features, processes, and key open space areas are valuable to the extent this information shapes decisions about development. In particular, this information is critical to protect features that cross boundaries of multiple parcels; e.g., streams and trails. This action not only protects open space values, but increases the value of neighboring properties for developers.

Green Infrastructure Defined

Green infrastructure is defined as an interconnected network of natural areas and other open spaces that conserves natural ecosystem values and functions, sustains clean air and water, and provides a wide array of benefits to people and wildlife. In contrast to traditional approaches to open space conservation, green infrastructure is integrated with and linked to development. Green infrastructure is a way of conserving natural areas that function as city infrastructure. Definition and other information based on Green Infrastructure: Linking Landscapes & Communities.

*Mark A. Benedict, Ph.D., Edward T. McMahon, J.D.
Island Press, 2006*

Implementation Strategies

- Review how developments effect on- and off-site environmental functions
- Support the preservation of green infrastructure.

Objective B: Continue to review and refine development standards and require development practices that protect environmental functions.

Once a project has been identified for development, green infrastructure concepts can be used to consider what special conditions, if any, need to be incorporated into the project’s layout and development. Guidelines for development such as setbacks from waterbodies or limits on development of steep slopes are covered through the City’s zoning code. Homer’s existing codes include many good environmental standards. Periodic review of the successes and failures of the existing standards will help identify opportunity for revisions.

Appendix C-7 includes examples of how decisions about site clearing, grading, and impervious surfaces can create very different types of development. Homer is encouraged to continue practices that bring about Objective B.

Implementation Strategies

- Review the lessons learned from the implementation of site development standards
- Consider revision of development standards in light of new information in relation to environmental functions and best practices

Objective C: Provide extra protection for areas with highest environmental value or development constraints.

Ideally, adopting more effective development standards will result in the preservation and protection of lands with high environmental value. However, there may be some areas identified that cannot easily be protected through standard means and are so important they should be preserved forever. References such as wetland, steep slope, and green infrastructure maps can help identify and prioritize these lands. Organizations, such as the Homer Soil and Water Conservation District and the Natural Resources Conservation Service of Alaska may be consulted in identifying specific local strategies. Examples of environmentally important areas might include a particular beach access corridor or a particular section of a lake or stream.

Implementation Strategies

- Support acquisition of environmentally sensitive land for preservation

Objective D: Collaborate with jurisdictions outside the City of Homer, as well as state and federal agencies, to ensure that environmental quality is maintained.

Homer’s environment is affected by actions outside of its borders. Wildlife corridors and drainage systems do not conform to borough and municipal boundaries. In this regard, Homer should work with surrounding jurisdictions, notably the Kenai Peninsula Borough along with other local, state, and federal land managers to promote environmentally suitable policy.

Implementation Strategies

- Support practices that preserve and maintain environmental quality outside the City of Homer

GOAL 3: Encourage high quality buildings and site design that complements Homer’s beautiful natural setting.



New growth and development in Homer is inevitable. The community has made clear its intent to guide the character of the built environment so this growth improves the quality of the life. The Town Center Development Plan established standards for the development of the city core and sets a good standard for policies that can be followed to achieve higher design quality. An integrated but balanced regulatory and enforcement process is needed for the entire city, to raise the bar for future development standards. While enhanced development standards help guide the character of the built environment, enforcement of nuisance properties and the undue collection of open air junk will compliment development standards to improve the quality of life.

Objective A: Create a clear, coordinated regulatory framework that guides development.

Clear, predictable, consistent rules and regulations are key to achieving standard, quality design. These rules and regulations have to fit the context of the marketplace and be accepted by the development community. Overregulation is a disincentive, while under-regulation will achieve less than desired results. Specific policies addressing this topic include:

Implementation Strategies

- Review City adopted plans for consistency
- Review rules and regulation options with consideration of operational constraints and community acceptance

Objective B: Encourage high quality site design and buildings.

Good site design, appealing architecture, and quality construction practices contribute to the creation of high quality buildings. Attractive, well-constructed buildings are a long-term asset to the community. Design can be thought of in two categories: form, meaning what the building looks like; and function, meaning the construction methods and layout of the building.

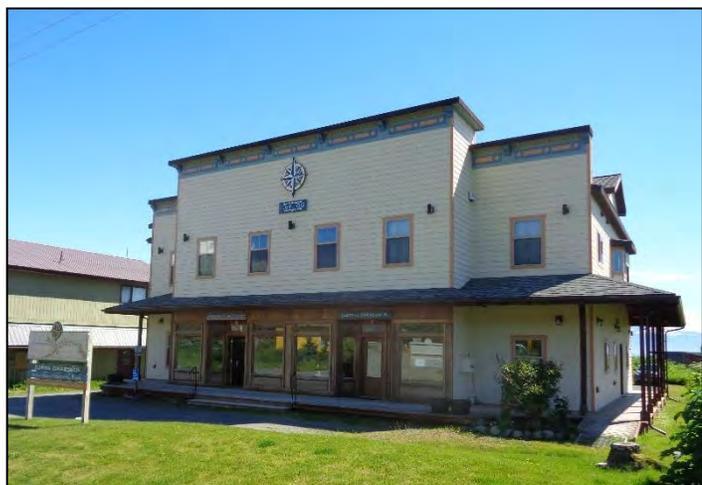
Implementation Strategies

- Consider appropriate design standards for buildings
- Review site impacts of developments

GOAL 4: Support development of a variety of well-defined commercial/business districts for a range of commercial purposes.

Objective A: Encourage a concentrated, pedestrian oriented, attractive business/commerce district in the Central Business District (CBD) following the guidelines found in the Town Center Development Plan.

Creating a vital, successful central business district – the clear commercial and civic center of Homer – won’t happen by accident. A number of strategies are required to reach this objective, as outlined below. These actions are all designed to carry forward in the spirit of the previously approved Homer Town Center Development Plan and Community Design Manual. Those documents provide additional details that need to be considered to gain a full understanding of CBD objectives.



Implementation Strategies

- Consider infrastructure appropriate to support and sustain investment in the Central Business District

Objective B: Discourage strip development along the Sterling Highway and major collectors/thoroughfares.

Strip development occurs along busy major roads with easy access to businesses. Strip development is an unplanned consequence of building transportation infrastructure, and it tends to include practically any land use in an eclectic – often cluttered and unsightly – array of buildings, parking lots, utilities, and support structures.

Strip development along highways introduces competition for the central business district and weakens its role. Strip development can create unattractive community entries (e.g., the Glenn Highway coming into downtown Anchorage) and unsafe edges along thoroughfares. Communities with no restraints on the location of commercial use often find their downtowns wither, as businesses shift to outlying, lower cost properties. On the other hand, communities need to allow for a measure of outlying commercial growth, to be fair to property owners, to meet the need for the types of commercial uses that don't fit well into a central commercial core, and to respond to ongoing demand for expansion of commercial activity.

Implementation Strategies

- Support infill of existing commercial districts prior to expansion of a district
- Consider attractive commercial design practices

Land Use Implementation table

Table 7. Chapter 4, Land Use Implementation Table

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
Goal 1 – Guide Homer’s Growth					
<i>I-A-1</i> Update the zoning map in support of the desired pattern of growth.				x	HAPC
<i>I-B-1</i> Consider additional methods for preserving natural areas and areas where ongoing natural processes may present hazards to existing or proposed development.	x				HAPC
<i>I-B-2</i> Promote standards and policies that promote mixed use and high quality, attractive medium to high-density development.				x	HAPC
<i>I-B-3</i> Develop standards and policies for new mixed-use districts, including the Gateway Business district. Consider “form-based” zoning strategies, encouraging a modest scale of development while allowing for a wide range of uses.				x	HAPC
<i>I-B-4</i> Consider zoning regulations that accommodate more mixed use and medium to high-density housing in the residential office and central business districts.				x	HAPC

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
<i>I-B-5</i> Develop consistent design standards for new development to complement the character of the land use. Include architectural and site development standards and standards for associated infrastructure (particularly roads and trails).				x	HAPC
<i>I-B-6</i> Re-evaluate height standards in commercial and mixed use districts to determine whether buildings over three stories should be permitted. Height standards must meet fire safety and insurance standards.		x			EDC
<i>I-B-7</i> Consider neighborhood planning around the hospital for the centralized expansion of medical services.				x	HAPC
<i>I-C-1</i> Promote infill development in all housing districts.				x	HAPC
<i>I-C-2</i> Encourage inclusion of affordable housing in larger developments and affordable housing in general.				x	HAPC
<i>I-C-3</i> Improve the rural residential zoning code to withstand pressure for platting large lots into smaller ones in that district.				x	HAPC
<i>I-D-1</i> Pursue environmentally sound development practices and measure success for every public facility project in Homer either by locally established benchmarks, LEED certification, or other contemporary concepts.				x	Public Works, Administration
<i>I-D-2</i> Encourage a concentrated development pattern to reduce the need for vehicle trips and encourage non-motorized transportation (see <i>Chapter 5, Transportation</i>).				x	HAPC
<i>I-D-3</i> Support planning and zoning regulations that promote land use strategies that include compact, mixed-use development, higher density development, and infill.	x			x	HAPC
<i>I-D-4</i> Adopt building codes and incentives to increase energy efficiency in all new residential and commercial development.		x			HAPC, City Council
Goal 2 – Maintain Homer’s Natural Environment and Scenic Beauty					
<i>2-A-1</i> Consider adopting incentives to encourage use of the Green Infrastructure Map developed by the Homer Soil and Water Conservation District.		x			HAPC
<i>2-A-2</i> Require developers to include details about environmental features and processes, along with plans for open space, when submitting subdivisions or other developments for approval.		x			HAPC

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
2-A-3 Require developers to demonstrate how features that cross multiple parcels will be protected in individual projects. Use this process to create links between open space areas and integrate new development into the network of open space.		x			HAPC
2-A-4 When a Green Infrastructure Map is adopted, use it in the review process.		x			Planning, HAPC
2-A-5 Audit the codes and ordinances to identify the revisions that support the implementation of green infrastructure and prioritize code amendments for adoption.	x				HAPC
2-B-1 Continue to review and refine standards and guidelines to reduce bluff erosion and shoreline erosion, such as managing surface water runoff on coastal bluffs and implementing any other applicable best management practices.		x		x	HAPC
2-B-2 Continue to review and refine standards for coastal bluff stabilization projects and building setbacks from coastal bluffs.	x			x	HAPC
2-B-3 Continue to review and refine standards for setbacks on streams and wetlands.		x		x	HAPC
2-B-4 Continue to review and refine standards for development on steep slopes, in wetland areas, areas subject to landslides, and on other sensitive sites, including standards for grading and drainage, vegetation clearing, building setbacks, and building footprints. Include flexibility in road dimensions to avoid excessive grading.		x		x	HAPC
2-B-5 Continue to review and refine review processes for hillsides, areas subject to landslides and other sensitive settings (e.g., allowance for development on steeper slopes subject to submission of more extensive site analysis and engineering reports).		x		x	HAPC
2-B-6 Consider regulation of on-site septic systems		x			HAPC
2-C-1 Work with land trusts and/or public agencies to acquire land for protection and recreational use. Build on example set by Kachemak Heritage Land Trust.				x	Administration
2-C-2 Consider land trades or variations on the transfer of development rights.		x			HAPC
2-C-3 Recommend that the City purchase property vital for the protection of the Bridge Creek Watershed.	x			x	HAPC

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
2-D-1 Identify environmentally sensitive sites and natural systems of regional importance and work towards collaborative management of these areas. Options include implementing Special Use Districts to develop and pay for needed infrastructure and addressing drainage and trail issues on a regional or watershed approach.		x		x	HAPC, Planning
2-D-2 Encourage establishment of environmentally responsible development practices by the KPB and other land managers on land surrounding Homer.				x	HAPC, Administration
Goal 3 – Encourage High Quality Development					
3-A-1 Synthesize existing rules and regulations for both public and private development in a comprehensive design manual. For instance, it is important that the Master Roads and Streets Plan is supplemented by the Community Design Manual, Transportation Plan, and a Streetscape Design Manual to balance functionality and aesthetics.				x	HAPC, Planning, Public Works
3-A-2 Provide a clear and predictable approval process for every development including organizing project review and permitting and providing appropriate staff review.				x	HAPC
3-A-3 Review code enforcement requirements and other actions in relation to meeting community expectations.				x	HAPC
3-B-1 Adopt building codes and create an inspection program.		x			HAPC, Administration, Public Works
3-B-2 Set standards that regulate the form of development to encourage attractive, diverse housing styles.	x				Planning, HAPC
3-B-3 Develop specific policies regarding site development including standards for landscaping, grading, lighting, view protection, etc., in coordination with current national efforts that promote better site development (LEED certification standards, Sustainable Sites Initiative, Low Impact Development, etc.).			x		HAPC
3-B-4 Ensure that all utility service to new developments shall be underground.				x	Planning, Public Works
3-B-5 Ensure that any redevelopment which moves overhead utilities requires moving those utilities underground.				x	Public Works

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
Goal 4 – Support Development of Well-defined Business Districts					
4-A-1 Provide incentives for private investment in the CBD. Incentives can include public investments in improved infrastructure (e.g., roads, trails, parking) and in public facilities. Particular priorities include improved public parking and construction of a new east-west road through the center of the CBD roughly parallel to the Sterling Highway and Pioneer Avenue.		x			HAPC, Public Works, Administration
4-A-2 Create an overlay zone for the “Old Town” section of the CBD, establishing general standards for building design and construction. Aim for future buildings to continue in the style of the older buildings in the area as well as the several more recently constructed buildings that follow these traditions.		x			HAPC
4-A-3 Use public/private partnerships to improve streetscapes, including better sidewalks, landscaping, and building facades. Develop an attractive, business friendly commercial streetscape for Pioneer and Old Town businesses.				x	Administration
4-A-4 Improve trail connections to and within the CBD. Provide a system of trails and sidewalks linking residential areas, commercial and civic uses.				x	Public Works
4-A-5 Concentrate commercial uses in the downtown.				x	Planning Commission
4-A-6 Support Pioneer Avenue beautification/revitalization efforts.	x			x	HAPC, Public Works, Administration
4-B-1 Use the zoning process to guide the majority of future commercial development into the central business district. Locate development as presented on the Land Use Recommendations Map. Implementation will require an ongoing balancing act.				x	HAPC
4-B-2 Use strategies to ensure the character of strip commercial development will make a positive contribution to the overall character of the community. Strategies include: controls on the size and appearance of signs, requirements for landscaping of parking areas, and basic guidelines regarding building appearance.				x	HAPC

CHAPTER 5 TRANSPORTATION

Vision Statement: Address future transportation needs while considering land use, economics, aesthetics and increasing community connectivity for vehicles, pedestrians, and cyclists.

Overview

This chapter is supplemented by the 2005 *Homer Area Transportation Plan* (Transportation Plan), the 2004 *Homer Non-Motorized Transportation and Trail Plan*, and the 2011 *Homer Spit Comprehensive Plan*. It augments these other documents and includes content not covered by these plans.

Transportation in Homer is an integral issue that is important to the future of the community. A small, low-density community typically has few serious transportation problems. However, summer visitation compounds traffic problems along certain routes. Problems related to circulation, parking, congestion, and bicycle and pedestrian safety will grow unless future transportation is considered in conjunction with land use, economic development, and aesthetics.



Transportation is also a key component in Homer’s infrastructure, supporting businesses and economic activities. The 1989 Comprehensive Plan noted “Homer is a point where people and goods often change transportation modes to arrive at the final destination.” Homer is a hub for land, sea, and air transportation. Maintaining and enhancing Homer’s role as this transportation hub will support future community economic and population growth.

Summary of Goals

A number of goals were identified during the preparation of the Transportation Plan. These goals were used as the basis for the following comprehensive plan transportation goals and objectives.

- GOAL 1:** The street system should be configured to include arterial, collector, and local streets. Through-street connections should be encouraged, while maintaining the integrity of existing neighborhoods.
- GOAL 2:** The transportation system, including streets, trails, docks, and airports, should support future community economic and population growth.
- GOAL 3:** Homer’s transportation system and services should be developed in a manner that supports community land use, design, and social goals.

Context: Transportation in Homer

Much of Homer's commercial development is spread along Pioneer Avenue, East End Road, and Ocean Drive. Homes and businesses are relatively spread out, with room provided for parking along the side or in front of most buildings. While this pattern makes it easy to get around Homer by car, it creates challenges for those who would like to have a more compact, walkable community.

Community concern, as evidenced by committee and public participation in the meetings held for the 2008 Comprehensive Plan, focused on how the community is to evolve and what it will be like to live in Homer in the future. The role of transportation is to support the development of the type of community that resident's desire. Homer residents have consistently spoken in favor of a community that has a more compact and walkable center with attractive streets that support pedestrians, bicycles, as well as cars. These objectives can be achieved. Conscious and consistent efforts to use road and property development standards that support community goals are necessary to achieve these objectives.

Awareness of the key role of transportation in community development has lead to a significant amount of local transportation planning in Homer. Relevant work includes the following plans:

- The Homer Intersections Planning Study, October 2005
- Homer Non-Motorized Transportation and Trail Plan, June 2004
- The Homer Area Transportation Plan – 2001, updated and adopted 2005
- Homer Master Roads and Streets Plan, July 1985

Goals and Objectives for Transportation

GOAL I: The street system should be configured to include arterial, collector, and local streets. Through street connections should be encouraged, while considering the impact on the integrity of existing neighborhoods.

Objective A: Ensure that collector-level streets are planned, designed, and constructed in addition to arterials and local streets.

The primary job of arterial streets is to move traffic from one place to another, rather than to provide access to adjoining property. Arterials are generally the responsibility of the State.

Collector streets move traffic from one neighborhood to another, from local streets to arterials, or from one neighborhood to other areas of the community. Predominant travel distances are shorter than on arterial routes and consequently, more moderate speeds are typical. Collectors may provide access to adjacent properties but mobility is typically a more important function. Collectors are typically constructed, owned, and maintained by the local government. Because Alaska communities have been slow to adopt road powers and actively contribute to the development of their street systems, the importance of collector street development has often come too late to inexpensively locate and construct these streets. Homer adopted the 1986 Master Roads and Streets Plan to address the development of Homer's road network.

Local streets and roads are usually built as part of residential development, then transferred to local government ownership. Their primary purpose is to provide access to adjacent land. Local streets provide the lowest level of traffic mobility and serve relatively short distances. They provide access from individual residences to the community street network by connecting to collector-level roads. Through-traffic movement is discouraged.

Identifying future collector street locations is important for a number of reasons. Early location of collector and arterial roads reduces the chance that too much traffic will use residential streets. If subdivisions are developed with minimal land-use controls, what could be called “creeping collectors” may result. For example, an early subdivision is located close to the main road. The streets built for the subdivision are all local streets with driveways opening directly onto the streets, appropriate for serving a single subdivision. Later, a second subdivision is built behind the first. The streets built for the second subdivision are connected to the first subdivision’s streets. As houses are built in the second subdivision, traffic slowly increases on the first subdivision’s streets, and in particular on the streets providing the most direct link to the main road. If the process is allowed to continue with no thought to the location and construction of collector streets, congestion, the fair distribution of road maintenance costs, safety, and other issues arise. It is also much more expensive to establish collector-level streets in a developed area with higher land costs and limited location choices.

Early location of collector and arterial roads minimizes the cost of right-of-way. Establishing future collector routes to serve rural development would allow Homer to plan for, reserve, and over time acquire the right-of-way for the street, so that by the time it is needed, it can be designed and built cost-effectively. It is appropriate for the developers of larger subdivisions to build portions of collectors that border and serve the subdivision.

Early road location minimizes hard feelings. Without locating and designating future collector roads, subdivisions are built and lots occupied before residents know where future main roads will be located. It is far preferable for those who buy land in a development to know, for example, that the western boundary of the development will, at some time in the future, have a collector route built along it, rather than for the property buyers to expect (unrealistically) that the natural area “behind the house” will stay the way it is indefinitely.

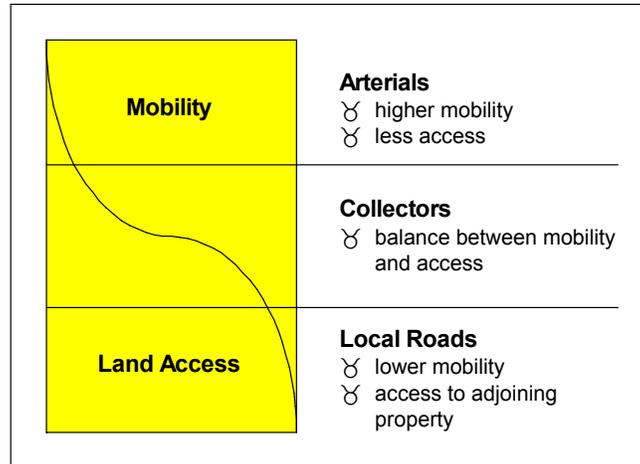
Homer has had some success in building collector routes and critical connections through the Special Assessment District (SAD) process in which residents of an area come together and cost share with the City for necessary improvements. This is one way the City can work with residents to improve Homer’s road system.

Implementation Strategies

- Update transportation planning documents.



Figure 2: Collector Streets and Local Streets Constructed at the Same Time



Source: Safety Effectiveness of Highway Design Features, Vol. 1 FHWA, 1992

Figure 3: The Mobility-Land Access Relationship

Objective B: Roadway development in Homer should focus on establishing key street connections.

The Homer Intersections Planning Study and other plans have noted that there are a very limited number of streets and roads that provide connectivity from one part of Homer to another. For example, Homer only has two routes for getting up the hill: East Hill Road and West Hill Road. Existing roadways and intersections are generally functioning acceptably, but several are expected to be at capacity by 2020. Adding road connections will help avoid the need for additional lanes on existing streets. The Intersections Planning Study and the Town Center Plan have recommended a group of new roadway connections and roadway improvements. The street connections should be reviewed, approved and added to the City's capital projects priority list.

Implementation Strategies

- Address recommendations in transportation plan

Objective C: Homer's street system should operate at acceptable levels of service, delay, and congestion.

Similar to the residents of many small communities, Homer drivers typically experience good levels of service on the community road system. The primary exceptions to this are on Pioneer Avenue and the Sterling Highway. Both can be very busy, with slow average speeds and steady traffic that makes executing left turns onto these roads difficult.

Since it is unlikely that the community will want to expand either the Sterling Highway or Pioneer Avenue to four lanes, serving the growing community adequately will require the simultaneous development considerations. As local streets develop, the collector street network also needs to expand to avoid concentrating all through traffic on the existing arterials.

Implementation Strategies

- Support a complete street network

GOAL 2: The transportation system, including streets, trails, docks, and airport, should support future community economic and population growth.

Objective A: Work in concert with the State of Alaska, the Kenai Peninsula Borough, and private landowners to appropriately develop the Homer street system as the community grows.

One of the biggest challenges in recent years, related to State transportation, is the fall in oil revenues and resulting budget cuts. Reduced revenue results in less prompt snow removal, less street sweeping, fewer road repairs, and delayed maintenance and construction projects. The City needs to pay particular attention to funding opportunities and lobbying efforts to ensure Homer road projects progress in a timely manner to serve the transportation needs of the community.

Implementation Strategies

- Review and support programs that contribute to serve Homer into the future

Objective B: Establish a corridor preservation program.

It is important that Homer ensure that its prospective street system includes collector connections as well as arterials and residential streets. Without the designation of general route locations it will be expensive-to-impossible to build the streets after an area is developed.

A corridor preservation program should identify the location of future roads, so that when a collector-level road is needed to connect subdivisions with highways or other arterials, the right-of-way is in hand or readily available. Without such a program, the cost of acquiring right-of-way can be high for the City. The impact to the residents whose homes and businesses must be relocated or impinged upon is also significant. Locating future collectors and establishing a corridor preservation program should be an important objective of the City's transportation program. It is important to ensure that the corridor management program has a solid foundation. The Transportation Plan designated road connections that will be needed as parcels of private property develop. In the near future, the City will have to take a number of steps to identify and preserve corridors. These steps include the following:

1. Create a variety of options, such as:
 - a. fee simple purchase of land for right-of-way
 - b. require building setbacks from road rights-of-way
 - c. obtain voluntary dedications or donations of right-of-way on a case-by-case basis during the land development process
 - d. other available tools include securing options to purchase, making interim use agreements, land banking, purchase of access rights, and density credits
2. Identify existing roadway easements.
3. Finalize future corridor needs as identified in the Transportation Plan.
4. Field verify recommended corridors to make sure the routes are constructible at a reasonable cost.
5. Select alternative alignments in cases in where recommended or existing (section line) rights-of-way are not feasible.
6. Although not important (or possible, in most cases) to have a precise alignment identified before the road is designed, the designated corridors should indicate corridor needs and identify that the road location will be determined by specific engineering design studies.

7. Working with the Borough and State, reserve as much land in the corridors as possible. Consider the following measures as a basket of tools to be developed, and in some cases, codified as City Ordinances:
 - a. Require subdivision developers to contribute funds toward upgrades on roads that will be more heavily used as a result of their subdivisions.
 - b. Deny requests for waivers by subdivision developers who prefer not to improve roads to City or Borough standards.
 - c. Utilize criteria for right-of-way exactions and a process for determining the amount of right-of-way dedication that is roughly proportionate to the impact of the proposed development.
 - d. Provide a reduction or reprieve from property taxes on property subject to corridor preservation restrictions; e.g., by removing property from the tax roll, reducing the tax rate for preserved land, or providing a tax credit.
 - e. Offer an option for clustering developments by reducing setbacks or other site design requirements to avoid encroachment into the right-of-way.
 - f. Utilize procedures for intergovernmental coordination between the City, the Borough, and Alaska DOT&PF.

Implementation Strategies

- Identify and support corridor preservation program

Objective C: Enhance and protect the Spit’s critical role in regional marine transportation, and improve traffic flow and safety on Homer Spit Road.

The Homer Spit Plan further describes goals and objects for transportation on the Spit.

Implementation Strategies

- Support efficient provision of transportation routes on the Homer Spit

Objective D: Work in concert with the State of Alaska to maintain and improve the Homer Airport.

The Homer Airport is owned and operated by the State Department of Transportation, but the City of Homer owns and operates the terminal building. The airport provides a 6,700-foot long by 150-foot wide asphalt runway and a 3,000 by 600-foot seaplane “runway” and an adjacent seaplane base on Beluga Lake. The airport is equipped with IFR (instrument flight) capability. The city is served by several scheduled and chartered aircraft services.

The Homer Airport Master Plan provides long-range goals for airport improvements. Current priorities include constructing parallel taxiways and expanding the south apron, replacing the rescue and firefighting building, constructing a chemical storage building, and procuring a de-icing truck. Improvements are also being planned for floatplanes on Beluga Lake, such as the recently completed haul out road.

It is in the interest of the City of Homer to support a well maintained and improved airport facility. The airport and related support facilities amount to a vital economic engine that contributes to the local economy. Development decisions near the airport should take into account the externalities that exist with current and future operations.

Implementation Strategies

- Keep conflicts with airport to a minimum

GOAL 3: Homer’s transportation system and services should be developed in a manner that supports community land use, design and social goals.

Homer has expressed a consistent opinion as to how the city should grow and the “look and feel” that residents want for the community. Key desires include a more focused and walkable downtown, a more walkable and bike-able community, and the development of an attractive community that mirrors the natural beauty of Homer’s setting. The community roadway system is an important component of Homer’s development and plays an important role in whether the community’s goals will be realized.

In general, all of the pedestrian improvements noted in other adopted plans and included in this plan will benefit children, the elderly, and citizens with disabilities. Homer remains a desirable location for retirement living. As the population over 65 years of age continues to grow, consideration of the transportation needs of the aging population continues to be important. Without linked sidewalks, trails, crosswalks, and pedestrian ways, it is often difficult for seniors to navigate on foot and often impossible for those with disabilities that require a wheel chair. Additionally, there is a need for community transit type services to serve less mobile populations, such as seniors and residents with disabilities.



Objective A: The trail and sidewalk network should provide an alternative to driving, enhanced recreational opportunities, and support auto-free transportation throughout the community.

The 2004 *Homer Non-Motorized Transportation and Trail Plan* provides a comprehensive examination of walkability and bike-ability in Homer. The plan reveals a limited number of comfortable pedestrian routes and public concern over the lack of safe places to walk. A combination of increasing traffic on through-routes, limited sidewalks, and unconnected, low-traffic-volume streets has contributed to the shortage of comfortable pedestrian routes. In a small community, it is reasonable to expect substantial non-motorized travel if the trails and sidewalks are in place to support walkers and bikers. The plan suggests a number of improvements to make Homer more walkable and bike friendly.

Implementation Strategies

- Encourage alternate transportation

Objective B: City street design standards and cross sections should be bicycle and pedestrian friendly, and include provisions for the elderly, citizens with disabilities, and safe walking routes for children.

Street design should follow elements of complete streets. enable safe access for all users, including pedestrians, bicyclists and motorists of all ages and abilities. The development of a comprehensive sidewalk and trail system will require that the appropriate facilities be included with the construction of each new street. Important elements include standard designs for sidewalks, trails, street side planting, paving requirements, and the inclusion of traffic calming elements in residential streets.

The Homer Non-Motorized Transportation and Trail Plan (2004) provides sample street cross-section designs with locations for both pedestrian and bicycle facilities. These or similar cross-sections should be adopted as standards for the community core. A second set of cross-sections should be developed for more outlying areas. The primary differences between the two would include the presence of curb and gutter and facilities on both sides of the street in the community core, with facilities on one side of the street and no curb and gutter in the outlying areas. A key element of the maintenance of roadside trails in Alaska pertains to how snow is handled. Sidewalks next to the street only work if snow is plowed to the center of the street. For outlying areas with a trail along the side of the road, a key design element is sufficient trail setback to allow plowing and stockpiling of snow between the road surface and the trail.

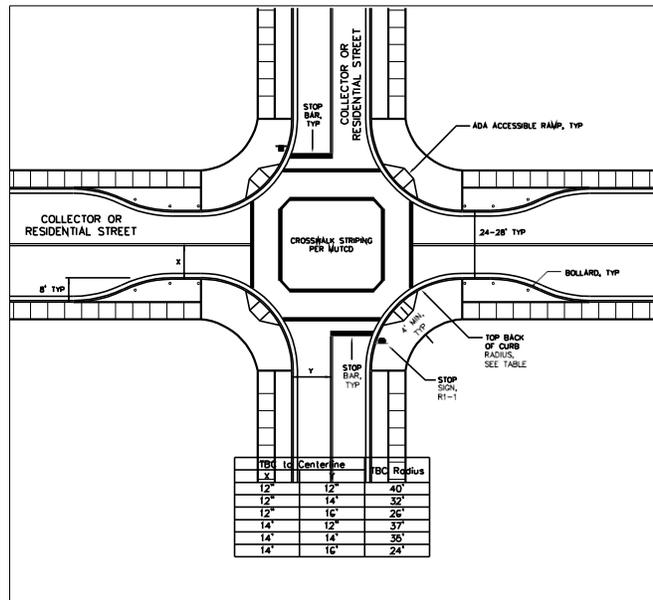


Figure 4: Neckdown or bulb-out (Municipality of Anchorage Traffic Calming Protocol Manual) the

Landscaping improves the attractiveness of streetscape, making both motorized and non-motorized travel more pleasant. Plantings can be combined with specialty sidewalk or street pavements to highlight crosswalks, bulb-outs, and other features. Alaska designs also need to incorporate temporary snow storage and snow removal.

Traffic calming has been successfully used on residential streets to reduce the speed of traffic while not limiting auto access. A feature often used in town centers is the sidewalk bulb-out or neckdown at intersections. Bulb-outs have the combined benefits of slowing traffic somewhat and shortening the distance pedestrians must cover to cross the street. They also provide additional sidewalk space for trees or other plantings.

Implementation Strategies

- Support complete street provisions

Objective C: Support community transit service to enhance mobility, support compact development, and help achieve social goals including provisions for the elderly, citizens with disabilities, and safe walking routes for children.

There are two aspects of transit in Homer that are worthy of consideration and development. The first is service for community residents who, due to disabilities or other reasons, are not able to provide their own transportation. The second aspect is service for visitors to enhance the connection between central Homer and the Spit.

For community residents with limited mobility, similar operations in other Alaskan communities use



Figure 5: CARTS First Wheelchair Passenger

a combination of vehicles owned by the private-nonprofit agencies and the transit system. On the Kenai Peninsula, Central Area Rural Transit System Inc. (CARTS) provides a ride sharing service, for a fee, to people with reduced mobility or special needs. The advantages of this type of transit organization are that the combining of user groups can result in the vehicle fleet being more efficiently utilized and operations are more productive. Operating costs are low, and these systems have typically been established as demand-responsive small bus or van service rather than the fixed-route bus systems typically found in larger communities.

As of 2016, Homer businesses and nonprofits offer transit to both community residents and visitors.

For summer visitors, a private company offers a popular trolley service between the Spit and downtown. For special populations, the Homer area has two purchase-of-service voucher programs using contracted cab companies. One is for general public rides using public transportation funds through CARTS, the other provides subsidized rides for the elderly, and persons with disabilities. Additionally, the Ninilchik Village Tribe will receive federal funding to initiate public transportation services for community and tribal members in Ninilchik and Kenai Peninsula, in the amount of \$300,000 in FY 2016.

Implementation Strategies

- Support opportunities for public transportation

Transportation Implementation Table

Table 8. Chapter 5, Transportation Implementation Table

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
Goal 1 – Encourage Street Connections and Maintain Neighborhoods					
<i>1-A-1</i> Update the 1986 Master Roads and Streets Plan.	x				City
<i>1-A-2</i> Update the 2005 Transportation Plan as needed.		x			City
<i>1-B-1</i> Improve Heath Street and Pioneer Avenue Intersection.		x			City AKDOT
<i>1-B-2</i> Construct connections between West Hill Road and Fairview Avenue.			x		City Private
<i>1-B-3</i> Link the disconnected portions of Fairview Ave through central Homer.		x			City
<i>1-B-4</i> Continue to acquire land for the planned east west connection from Bartlett to Lake Street.				x	City
<i>1-C-1</i> Develop a more complete street network including collector connections, rather than two main roads with local streets that feed them, in order to avoid the need for wide, high-volume arterials.				x	City
Goal 2 – Transportation System Should Support Community Growth					
<i>2-A-1</i> Continue to ensure adequate streets are built by private and public sponsors that keep pace with current and support future community development.				x	City
<i>2-A-2</i> Utilize the State of Alaska STIP process and capital budget requests to continue to build, maintain and upgrade State roads within and near the City.				x	City
<i>2-A-3</i> Update the 2005 Transportation Plan to reflect policies that will result in the desired road network.	x				City
<i>2-B</i> Establish a corridor preservation program (see <i>Goal 2, Objective B for steps</i>).	x				City
<i>2-C-1</i> Enhance the connectivity and infrastructure needed to support deep water dock cargo activities and Main Dock Areas.				x	City
<i>2-C-2</i> Limit number of access points to Homer Spit Road.				x	City AKDOT
<i>2-D-1</i> Consider issues such as noise impacts and safety hazards in the permitting of new housing and development near the airport.				x	City

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
2-D-2 During the zoning map amendment process discussed in the Land Use Section, consider the relationship of the airport and surrounding development. Evaluate and amend the map accordingly.	x				City
2-D-3 The City of Homer will participate in planning activities and comment on plans involving the maintenance and improvement of the airport.				x	City
Goal 3 – Develop Transportation System to Further Land Use, Design, and Social Goals					
3-A-1 Build pedestrian/bicycle friendly street networks.				x	City
3-A-2 Implement the Non-Motorized Transportation and Trail Plan. Pages 15-19, 26-31, and 33-36 list specific improvements.				x	City
3-B-1 Develop bicycle and pedestrian-friendly standard street designs and cross-sections.	x				City
3-B-2 Create standards for traffic calming, streetscape design, and landscaping.	x				City
3-B-3 Adopt cross-sections for bike and pedestrian facilities in the downtown core.	x				City
3-B-4 Amend the Site Design and Connections sections of the 1986 Design Criteria Manual for Streets and Drainage to ensure compliance with the site accessibility requirements set forth in the Americans with Disabilities Act.	x				City
3-B-5 Consider snow removal and maintenance concerns in design standards.	x			x	City
3-B-6 Include sidewalks and trails as appropriate in the construction of new streets.				x	City
3-B-7 Develop non-motorized transportation routes in accordance with the Americans with Disabilities Act.	x			x	City
3-B-8 Work with parents and school groups to create safe walking routes to schools and after school locations frequented by Homer’s school aged children.	x			x	City
3-C-1 Continue to support enhanced mobility via community transit through private-nonprofit client services.				x	City
3-C-2 Support nonprofit and private sector efforts to continue shuttle bus service from the Spit and providing a loop around downtown Homer.				x	City
3-C-3 Support the establishment of a community transit service.				x	City

■ CHAPTER 6 PUBLIC SERVICES & FACILITIES

Vision Statement: The City should strive to provide public services and facilities that meet current needs while planning for the future. The City wishes to develop strategies to work with community partners that provide beneficial community services outside of the scope of City government.

Overview

Providing adequate, accessible community facilities, services, and infrastructure is a principal function of the City of Homer. Often, government effectiveness is somewhat measured by its ability to plan for and finance these facilities. The City of Homer has been successful in this role with a variety of high quality, well-managed community facilities and services. This chapter outlines actions needed to maintain and improve facilities and services as the city changes.

The City provides public water and sewer services, police, fire protection, and emergency services. It also operates and maintains the port and harbor, public library, parks, animal shelter, airport terminal, and recreation facilities. The Kenai Peninsula Borough and City cooperate to provide education, health care, certain land use planning functions, solid waste disposal, and other human services such as assistance to senior citizens. Homer residents pay city and borough property and sales taxes to help cover the costs of these services and facilities. In addition, Homer has a wide array of community services that are provided and supported by a robust network of nonprofit organizations and community groups.

The first goal in this chapter focuses on actions to provide and improve the services and facilities for which the City is directly responsible. The second goal addresses activities that the City supports. The third goal identifies strategies for the City to work with partners to provide additional community services. Under each goal are objectives which further describe near-term priorities and long-term needs for the described public services and facilities.

This document identifies general goals for future improvements. Final decisions regarding if and when such improvements are made will be determined by the City Council, considering available funding, competing needs, and other factors. The responsibility to achieve the goals in this chapter, particularly the second and third goals, does not solely lie with the City of Homer. As with any community, it is the active participation, support, and motivation of individuals, businesses, non-profits, and other organizations that creates a home for many generations to enjoy.

Summary of Goals

GOAL 1: Provide and improve city-operated facilities and services to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demands.

GOAL 2: Seek collaboration and coordination with other service providers and community partners to ensure important community services are improved upon and made available.

GOAL 3: Encourage the broader community to provide community services and facilities by supporting other organizations and entities that want to develop community services.

Goals and Objectives for Public Services and Facilities

GOAL I: Provide and improve city-operated facilities and services to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demands.

Objective A: FIRE & EMERGENCY SERVICES – Maintain and improve the high level of fire protection and emergency services in Homer to respond to current and anticipated future needs.

Current Status

The Homer Volunteer Fire Department provides fire, rescue, and emergency medical services to the City of Homer and, when necessary, to areas outside of city limits through mutual aid agreements with neighboring fire service areas. The department also reviews new building development to ensure it meets certain emergency access criteria. The Department employs six staff. A volunteer core of approximately 30 individuals supports the department's staff. Staff and volunteers are trained in emergency medical services, structural firefighting, wildland firefighting, marine firefighting, and some specialty rescue services. Fire hydrant coverage extends throughout the majority of city limits. The city has achieved a fire insurance rating (ISO) of 4 in areas within 1,000 feet of the City's fire hydrants, resulting in significant savings in the cost of home insurance. Structures located more than 1,000 feet distant of a fire hydrant have an ISO rating of 4Y. Areas located more than five miles from a fire station are rated at an ISO of 10. The goal is to maintain the current ISO ratings as well as the 35-foot structure height limit until the adoption of regulation for allowance of taller structures that do not negatively affect ISO ratings.

The fire department manages two stations (one is unmanned) in the City of Homer as well as twelve apparatus. Kachemak City contracts annually with Homer for Fire and EMS services.

The majority of calls responded to by the department are for emergency medical services (85 percent). The 2017 adopted budget for the Homer Volunteer Fire Department was \$1,045,426, approximately 5 percent of the City's overall budget.

Near-term Priorities

The fire department's top priority needs relate to facility improvements and adequate staffing. The fire station was built in 1980 and upgraded in 1995 and again in 2017. The 2017 renovation is expected to extend the life of the facility for 10 years. With the existing level of marine activity, there is a need for increased marine fire and rescue capacity. Notably, Homer often provides refuge/safe harbor to ships not normally scheduled to stop in port due to the nature of its location, orientation, and protected waters. Homer's economy is highly seasonal with larger call volume occurring in the summer months. The City funded two seasonal positions in the Department to aid in responding to emergency calls. In 2017, the department hired an Assistant Fire Chief, a long vacant position. As Homer continues to grow and develop, the need for code enforcement capabilities is steadily increasing. Enforcement issues have been a concern for several years. Hiring a plans examiner and Fire Inspector will increase the city's capacity to meet demand. Presently this service is deferred to the State Fire Marshal's Office in Anchorage for commercial structures.

Implementation Strategies

- Improve facilities
- Evaluate expanding services and capabilities

Long-term Needs

There is a general need for greater capacity to respond to City demands. The timing and magnitude of this need will be driven by population increases within the City. In regard to marine activities, the Homer port is engaged in determining the feasibility of expanding the deep water port which, if implemented, would attract more marine cargo traffic. Firefighting capabilities should be evaluated in correlation with proposed harbor expansion. The fire department, with the assistance of other City agencies, should continue to address and update their emergency plans, such as the Local All-Hazard Mitigation Plan, as new technology and information become available.

Implementation Strategies

- Evaluate marine firefighting capabilities
- Establish reserves and correlate with equipment replacement schedule
- Increase volunteer base and training opportunities

Objective B: LAW ENFORCEMENT – Provide ample law enforcement services to meet existing demand and anticipated future demands.

Current Status

Homer has a full service municipal police department and is responsible for emergency and police dispatch, patrol, criminal investigations, operating the Homer Jail, and animal control.

Police Department staffing includes twelve full time police officers, seven full time dispatchers, and six jail officers. Police officers attend a certified police academy and receive on-going training throughout their careers. Jail officers receive initial training through the state municipal corrections officer program. All officers are state certified. Dispatchers are primarily trained through an intensive in-house training program and then receive advanced training in emergency medical dispatch and other areas. The department has been faced with recruitment problems which follow the national trend of less people being attracted to law enforcement jobs. Retention has improved in recent years. Retention is heavily impacted by wage parity with other agencies. The current vehicle fleet has many vehicles aged beyond any reasonable expectation of service.

The department's boundaries and responsibilities do not extend beyond the city limits. Homer Police officers do have enforcement authority throughout the state. The department has a very good working relationship with the State Troopers and the agencies support each other when necessary. The highest demand on the department is experienced during the summertime due to the large influx of visitors to the Homer area.

The crime rate in Homer is relatively moderate, consisting mostly of traffic offenses, property crimes, and drug and alcohol related activity. In terms of major offenses, 80 percent of crime is related to vandalism and theft. Violent crime is very low. Homer Police officers face a very high caseload per officer. The caseload per officer is currently approximately 30 percent higher than any other agency on the Kenai Peninsula. In addition to criminal investigation, crime solving and general patrol work, officers also enforce city ordinances on a complaint call basis. Ordinance enforcement related to protecting Homer's fragile beach ecosystem has been a matter of significant public concern.

The 2017 budget for the Homer Police Department is \$3,265,539, approximately 14 percent of the City's overall budget.

Near-term Priorities

The public safety radio system is nearing the end of its useful life. Key components of it will no longer be supported by the manufacturer after 2018. It is imperative to begin replacing and updating the system as soon as possible.

There is a strong need to replace the building and grounds utilized by the Homer Police Department. The existing structure was built in the late 1970's. Department operations have outgrown the current building and it has serious personnel safety and health concerns. The existing site is too small to accommodate expansion or reuse. The city formed a Public Safety Building Review Committee in 2016 and made a proposal for a new fire and police combined facility. After voters failed to approve a bond measure for a combined police and fire facility, the council has been working on a fire station renovation and a scaled down version of the original police facility proposal.

Implementation Strategies

- Maintain authorized positions
- Plan for equipment upgrade/replacement
- Review staffing levels
- Plan for new facility

Long-term Needs

To maintain the delivery of efficient, professional long term public safety services to Homer, the Homer Police Department needs a stable work force supplied with essential tools. These tools include a well-maintained and adequate vehicle fleet, on-going training and professional development, up-to-date radio, computer, investigations and office equipment, and professional management and leadership. Maintaining wage parity with other law enforcement agencies combined with proper equipment and leadership are key factors for retaining workers and providing career stability. Computer and radio equipment age rapidly and quickly become outdated. Obsolete equipment often does not interface properly resulting in increased workloads and sometimes a complete failure in necessary interagency data transfer.

Implementation Strategies

- Determine action necessary to ensure a stable workforce

OBJECTIVE C: WATER/SEWER SERVICES – Continue to provide high-quality water and sewer services, anticipate future demand, and effectively guide Homer's growth with the extension of water and sewer into areas identified in the land use plan.

Current Status

Public water and sewer service for the city of Homer is provided by the City of Homer Department of Public Works. In July 2006, a Water and Sewer Master Plan was completed for the City to provide guidance on future improvements and expansions for each of the utilities. According to the 2006 master plan, approximately 64 percent of the occupied homes in the city were served by the public water system and approximately 54 percent were served by the public sewer system.

Current estimates, based on Kenai Peninsula Borough GIS information, indicate that 74% of occupied homes are served with public piped water and 61% are served with public piped sewer.

Water System

Homer operates a Class A public water system. Water is supplied from a dammed surface water source which forms the 37-acre Bridge Creek Reservoir. This is the City's sole water source; no other groundwater wells or other surface

sources are operated by the City. It is important to note that groundwater in Homer is generally unsuitable for residential and commercial water wells due to low yields, shallow groundwater, lack of a significant freshwater aquifer, and saltwater in wells. The City established the Bridge Creek Watershed Protection District in an effort to preserve and protect the city's drinking water source. Based on current population growth projections and current water usage, the Reservoir has adequate capacity for the foreseeable future.



Water Treatment Plant built in 2006

Seasonal summer population fluctuations and increased summer water needs cause summer demand to nearly double the wintertime water production. Average winter water production (2016) is currently 350,000 gallons per day (0.35 mgd). Peak winter demand is 500,000 gallons per day (.5 mgd). Average summer demand is currently 800,000 gallons per day (0.8 mgd). Summer peak demand (2017) is currently 1,000,000 gallons per day (1.0 mgd). The water treatment plant, built in 2009, has the capacity to produce 2,000,000 gallons per day (2.0 mgd). The plant uses “ultra” filtration to produce high quality drinking water that meets or exceeds EPA drinking water standards. Based on historical population growth rates of 2-3% per year, no new treatment plant capacity will be needed for many years.

Treated water is distributed and stored in three water storage tanks, which have approximately 1,750,000 gallons of operational capacity. An additional tank has been designed and will be built when funding has been identified. These water storage tanks serve as treated water reservoirs for community water demands and fire emergencies.

The water distribution system consists of approximately 53.5 miles of buried pipe. Pipe materials consist of cast iron, ductile iron, polyvinyl chloride (PVC), and high-density polyethylene (HDPE) pipe. Sizes of pipe range from 4 to 18 inches in diameter. The piping is generally confined to the lower areas of Homer except for two corridors which carry the water down from the treatment plant through low density residential development to the more densely developed areas. Approximately 1,850 customers are served. There are also 413 fire hydrants connected to the city water distribution system.

Homer residents and businesses not on the public water system typically maintain their own wells or pay to have private contractors haul potable city water to a holding tank. Because groundwater sources are often difficult to find with sufficient production and water quality, many property owners not connected to the City's system choose to purchase hauled water. Water from Homer's distribution system is also hauled to many residences outside of Homer city limits. In 2016, bulk water accounted for approximately 13% of the water billed.

Sewer System

Homer operates a deep shaft wastewater treatment plant (WWTP). The WWTP is designed to treat 880,000 gallons per day on average (.88mgd), but has the capability for treating 1,400,000 gallons per day (1.4 mgd) peak flow. Homer has an intra-city agreement with Kachemak City to provide sewer service. Currently, the WWTP treats an average winter daily flow of 390,000 gallons per day (610,000 gallons per day average summer flow). However, intense rain storms which contribute to inflow and infiltration can substantially increase flow to the plant. A record of 1.7 million gallons per day has been recorded, but it is rare to see a flow of over 1.2 million gallons per day.



Sewer Treatment Plant (1990)

The wastewater collection system consists of approximately 55.2 miles of buried gravity sewer mains. Pipe materials consist of asbestos concrete, ductile iron, high density polyethylene (HDPE), and polyvinyl chloride (PVC). About half of the system is constructed with asbestos concrete pipe, especially the oldest sections built in the 1970's. Sizes of pipe range from 6 to 24 inches in diameter, with the majority being 8-inch size mains. The sewer system serves a total of 1,450 customers. Additionally, parts of Kachemak City are served by the sewer system.

Homer maintains seven sewage pump stations. Lift stations are used to pump sewage from topographical low points to higher portions of the gravity system. There are approximately 11.6 miles of force main pipe from the lift stations. Force main pipes are constructed from ductile iron or high density polyethylene pipe (HDPE) and range from 3 to 6 inches in diameter.

Those Homer residences and businesses not connected to the public sewer system use on-site wastewater disposal systems. Poor perking soil conditions and a perched groundwater table in Homer are not ideal for on-site systems and many are believed to function poorly.

A study was conducted to better understand the inflow and infiltration contribution to Homer's wastewater plant. Inflow is defined as surface water entering the system from various sources (i.e., building sump pumps, roof leaders, foundation drains, or system manhole lids). Infiltration is defined as groundwater entering the system through manhole/pipe cracks, faulty connections, or other openings. The study found inflow/infiltration to be a significant contributor to the overall wastewater collected. During intense rain storms, as much as 50 percent of the overall flows received at the sewer treatment plant may be attributed to inflow and infiltration. During major storms, over 1,000,000 gallons per day of flow may be attributed to infiltration and inflow.

Because the soils in Homer are silty and relatively impermeable, infiltration is not considered a significant contributor to inflow and infiltration (pipes and manholes are generally buried in impermeable soils). Inflow is considered to be a much more significant factor, the result of perched groundwater table and generally poor drainage conditions. The lack of inspections of new home construction, poor drainage around homes and businesses, lack of enforcement, and the lack of pipe storm drain systems have led to illegal storm drain connections to the sanitary sewer system.

Near-term Priorities

Demand for water will continue to rise as the community grows and as the outlying areas grow, since Homer's water is hauled to residences outside city boundaries. Water conservation measures can help reduce demands on the City's finite supplies and can also reduce demands on the City sewer system and individual septic systems. Extending the water and sewer system to meet future demands will require a careful examination of the costs and benefits and should include consideration of programs that provide for cost sharing. Encouraging infill in areas already served and keeping a reasonable schedule for maintaining current systems will provide increased revenue and long term system-wide cost savings.

Implementation Strategies

- Support measures that conserve water use
- Reduce inflow
- Consider actions to meet future demands

Long-term Priorities

The sewer system is judged to have adequate capacity to meet projected needs and does not require any major improvements. Continued maintenance of the 30-year-old sewer treatment plant is an ongoing priority.

Objective D: PORT & HARBOR – Continue to develop the infrastructure and services of the Port and Harbor in order to improve its position as an important regional port and harbor facility.

Current Status

The City of Homer owns and operates much of the land and associated facilities on the Spit. The Port and Harbor Department manages and maintains the Homer Small Boat Harbor with approximately 1,000 boat stalls, the Pioneer Dock where the US Coast Guard and Alaska State Ferry moor, the commercial Fish Dock which processes over 20 million pounds of commercial fish annually, the Ice Production Plant which produces several thousand tons of ice, the Fish Grinding Facility, and the Deep Water Dock. The department operates as an Enterprise Fund financially supported by user fees.

The Port and Harbor facilities are a critical component to Homer's economy. The Small Boat Harbor is the largest single basin facility in Alaska. Commercial fishing is a large, but often unseen enterprise. Many of the boats that operate out of the Homer port are million dollar businesses; however, their fish is either landed elsewhere or quickly moved out of town. Only a small percentage is processed locally. Sport fishing is also a large economic generator in Homer, playing a key role in tourism activities. A multitude of charter companies are based out of the Small Boat Harbor. The Port and Harbor is engaged in a delicate balancing act of trying to accommodate the needs of many user groups. Land must be maintained for marine related industrial activities which support the fishing industry and freight and shipping activities, while providing space for recreational and tourist activities.

The Port and Harbor employs 18 staff members, both full and part-time, with an annual budget in 2017 of \$4,782,246.

Near-term Priorities

Many of the projects outlined in Homer's Capital Improvement Program 2018-2023 relate to Port and Harbor activities. Two of the top five projects found in the FY 2019 State Legislative Priorities list are Port and Harbor Projects. These two projects are summarized below.

The proposed Homer Large Vessel Harbor facility would augment the existing harbor which is used beyond capacity and currently has a wait list with over 203 names on it. Boats can be accommodated only by "rafting," tying boats to other boats. In some instances crabbing boats are tied up three deep to the dock. Operating in this manner increases liability for the department and reduces the life of the docks.

The Barge Mooring & Large Vessel Haul Out Repair Facility would provide safe moorage and an associated uplands haul out repair facility for large shallow draft vessels.

Long-term Needs

Many of the Port and Harbor's long-term needs are addressed in the Homer Spit Comprehensive Plan which was adopted in 2011 as a component of the Homer Comprehensive Plan.

Implementation Strategies

- See the Homer Spit Comprehensive Plan

Objective E: PARKS & RECREATION - Identify resources needed to operate parks, recreation facilities and programs, enhance City and community-sponsored year-round recreational facilities and programs to serve people of all ages, and support citizen efforts to maintain environmental quality and public use of beaches through the Beach Policy.

Current Status

The City of Homer provides municipal parks and recreation services through two separate departments: the Parks Maintenance Division under Public Works and the Community Recreation under Administration. The Parks division maintains and is responsible for daily operations associated with the City's summer campgrounds, parks, playgrounds, restrooms, and cemetery facilities. The Community Recreation Division is responsible for providing community-based educational and recreational programming for all ages. Through a partnership with the Kenai Peninsula Borough School District, Community Recreation is able to utilize the Borough owned fields and facilities located at both the Homer Middle and High Schools. Currently 4.73 FTE's are budgeted for Parks (facilities), and 1 FTE for community recreation (programming). There is also a desire to better coordinate all efforts through a combined Parks and Recreation Department.

Long term, both parks facilities and programming need secure funding. One idea for facilities is to create an endowment fund, where city funds could be leveraged to allow private citizens to donate for the ongoing maintenance and improvement of the City's park system, thereby relieving some pressure from the City for parks. Alternately, the funds could be used as grants to support other organizations in their efforts to provide facilities. The community needs to weigh in on using public funds for private facilities. On the one hand endowment funding will help keep existing partner facilities open, and possibly allow for new facilities, but at the same time public parks need adequate funding as well.

The City's Public Art Program and public beaches fall under the purview of the Parks, Art, Recreation and Culture Advisory Commission (*Arts activities are addressed in Chapter 7, Economic Vitality*). The City

has an adopted Beach Policy, which has historically been updated about every seven years, generally in response to new or unresolved ongoing problems. As new challenges and opportunities arise, this document will need to be updated and the city will need to fund any plan implementation strategies.

Near-term

Implementation Strategies

- Seek out strategies that enhance facilities and programs

Mid-term

A particular challenge is ensuring residents from all sectors of the community have access to programs and facilities. In addition to providing programs and facilities for which the City is directly responsible (e.g., campground, trails), Homer has a hardworking sector of volunteers, nonprofit recreation organizations, and private businesses that provide recreational activities. The City will need to continue to partner with organizations and businesses for Homer to continue to enjoy the wealth of facilities and programs currently available.

Implementation Strategies

- Pursue partners to maintain and expand recreational opportunities

Long-term

In 2015, the City completed the Park, Art Recreation and Culture (PARC) Needs Assessment. The goal of the needs assessment was to determine the resources and prioritize the needs of the community concerning parks, arts, recreation and culture facilities and programs. One desired improvement identified by many Homer residents is a multi-use, year round community facility. The PARC Needs Assessment identifies a range of activities that need indoor recreation and performing arts space, although no one facility would likely accommodate all the desires. The City's role in a community recreation facility includes providing political support for the establishment of the facility and assisting to secure space in an existing building or a site for the proposed facility. It is possible that a public/private partnership is more advantageous to the community, such as a combination hotel and convention center. In the absence of a private or non-profit sector partner, the community will need to identify the priority uses, and thus building design, as one of the first steps. A working example of a successful partnership is the development of the South Peninsula Athletic and Recreation Center (SPARC). This facility relied on many donors (including the city of Homer), a \$1 a year land lease from the borough, and many volunteers hours to get the facility up and running. In the near term, the City can continue to rely on existing facilities and a collaborative approach to host performing arts events, cultural activities, community meetings, conferences, and conventions (*also, see Chapter 7, Economic Vitality*).



Lastly, the City of Homer has adopted a beach policy. As new challenges and opportunities arise, this document will need to be updated and the city will need to fund any plan implementation strategies.

Implementation Strategies

- Consider the ability of the city to support a Community Recreation Center
- Implement and review beach policies

Objective F: STORM WATER CONTROL – Provide for current and future needs and explore options for expanding the quality and extent of storm water control.

Current Status

The majority of Homer’s storm water is channeled and drained through an open ditch system. Only the downtown and Old Town area have storm drain lines, specifically along Pioneer Avenue and Main Street. In total, the City maintains approximately 3 miles of storm sewer and associated catch basins. There is one oil/water separator facility, at the intersection of Bartlett and Pioneer Avenue. The State Department of Transportation maintains drainage along state roadways. Homer’s storm water outflow is located just north of Bishop’s Beach. This outflow has not yet reached the threshold which would require monitoring the quality of discharge under NPDES rules.



A ditch along Kachemak Way near Pioneer Ave.

Currently, drainage needs for large parcel development are dealt with individually, by the developer. Homer’s Design Criteria Manual for subdivisions does not address on-site storm water management. However, in the city’s denser commercial districts, the zoning code does have provisions requiring developers to prepare storm water management plans. In some recent subdivision developments, property has been dedicated for retention ponds and related facilities due to wetland permit requirements from the Army Corp of Engineers. Better storm water management can help reduce the amount of inflow into the sewer treatment plant and reduce peak flows.

Near-term Priorities

The City should develop a long-range plan for stormwater drainage to foster appropriate development and meet increasing federal and state water quality standards. The plan should set a strategy for most efficiently meeting city stormwater needs, incorporating on-site infiltration when possible.

Implementation Strategies

- Plan and implement additional strategies for addressing stormwater

Long-term Needs

Currently significant areas of the city are not served by storm drains. As the amount and intensity of development increases, the percentage of community covered by impervious surfaces will grow and the City will need to develop new, more active stormwater management strategies. Homer’s topography lends itself to drainage issues with highly erodible bluffs and slopes. An effective strategy is to use on-site stormwater infiltration management techniques coupled with limiting development on steep slopes. Under this approach, future subdivisions and other large development projects will retain open space within their boundaries for stormwater collection and infiltration. In addition, development will need to limit impervious areas such as paved driveways and paths to reduce the quantity of runoff and provide more areas for infiltration. Increased reliance on on-site management of stormwater is consistent with the general intent of federal water quality standards, focused on reducing non-point source pollution. Open space areas for stormwater infiltration should become part of Homer’s green infrastructure network and could double as space for recreation, community gardens, and similar amenities.

Objective G: LIBRARY– Maintain Homer’s first-class library facility and continuously build on the high-quality library services to meet current and projected needs.

Current Status

In the ten years since the new Homer Public Library opened in 2006, use of the facility and library services has increased dramatically. Between 2008 and 2015, circulation of library materials grew by 43%, rising to 142,178 items. The number of people using the library’s study rooms rose 19%, while use of the meeting room increased 35%. Attendance at children’s story times grew by 63%. Fortunately, the library enjoys wide community support, as reflected in the fact that volunteer hours rose as well, by 48%. Since the closure of Homer’s Boys and Girls Club in 2013, the library has seen a significant increase in the number of children using the library after school. Tourists and transient workers use the library heavily during the summer months. Winter, traditionally a slower time at the library, has also seen increased activity in recent years, on par with the summer months.



The library building is approximately 17,000 square feet and houses about 45,800 titles with a capacity for up to 47,000. The library offers 26 public computers with internet access, wireless internet, and cabled connections in study rooms and carrels. The library employs six full-time and three part-time staff. The Friends of Homer Library and numerous other volunteers support library operations.

Resources to support the library come from the City’s general fund, the majority of which is from sales and property tax revenue, a small annual grant from the State of Alaska, and extensive local support from the Friends of Homer Library. The Friends of Homer Library is a nonprofit organization which provides resources for many library programs as well as occasional one-time equipment purchases not provided for in the city budget.

When economies tighten, library use increases because individuals are less able to afford to purchase internet connections, computers, books, and DVDs. More people use library computers to seek employment, higher education, and training. Especially during difficult economic times, the public library plays a crucial role in equalizing access to information, government, jobs, and educational resources.

The facility currently accommodates the existing level of usage with moderate conflicting demands for space or services; however, if current trends continue, the ability to provide the access to information, materials, programming, and workspace requested by the community will be challenged.

The 2018 library budget for the City of Homer is \$891,814, approximately 7.1%, of the City’s overall budget.

Short-term Priorities

Technology: The use of computers and other digital devices to access information and reading material continues to expand. The library’s public computers and wireless network are used extensively (49,406 sessions in 2015). The current public-use computers, as well as the video conference equipment, are near the end of their useful life span. A depreciation/replacement reserve fund is crucial to replace this essential equipment as it ages.

Staff: On-going training is essential to keep current on new technologies as they arise in order to implement best practices regarding technology, as well as to assist the public of all ages.

Implementation Strategies

- Keep current with the demands of new technology

Mid and Long-term Priorities

The library building was intended to provide capacity to serve projected demand for 20 years. With significant increases in library use and demand for services at the ten-year mark, meeting the demand at 20 years may be challenging. Should the demand at the library continue to increase beyond projection, it will be necessary to evaluate options for providing services into the future.

Implementation Strategies

- Consider the strategies to address the demand for library services

Objective H: ADMINISTRATION – Provide adequate administrative services and associated facilities to meet current and anticipated future administration demands on the City of Homer.

Current Status

The City Manager’s office is responsible for overall administration including property, personnel, budget and finance, planning and enforcement of ordinances, as well as implementation of policy directed by the City Council. The offices of the City Manager, City Clerk, Planning, Library, Community Recreation, Information Technology and Personnel comprise the City’s administrative services. The Finance Department is a stand-alone department. The Public Works Department is located separately from the City’s administrative offices; however, it also provides essential administrative functions.

GOAL 2: Seek collaboration and coordination with other service providers and community partners to ensure important community services are improved upon and made available.

Objective A: SOLID WASTE – Reduce waste and lessen the impact on the environment. Establish and maintain a workplace recycling program (also, see Chapter 8, Energy Plan).

The Homer Transfer Facility (HTF) is located at Mile 169.3 Sterling Highway, north of town. It is owned the Borough and operates under private contract. The HTF receives municipal solid waste, construction/demolition, land-clearing waste, wastewater treatment plant sludge from the City of Homer, and recyclables.

The HTF was constructed in 2013 and replaced the Homer Baling Facility (HBF). Refuse collection is taken care of by private business and individual residents who haul their own waste to the landfill. Recycling of a variety of consumables is available in Homer; specifically, newspaper, corrugated cardboard/brown grocery bags, glass, aluminum cans, mixed paper, tin cans, number 1 and 2 plastic, used oil, and batteries. Several local private stores offer recycling drop-off. In addition, some individual facilities such as the Islands and Ocean Visitor Center offer recycling receptacles alongside rubbish bins.

Implementation Strategies

- Support policies that reduce the amount of trash transferred from Homer

Objective B: ARTS & CULTURE – Sustain and support Homer’s robust arts and cultural traditions.

Homer has a tradition of fostering arts and cultural activities. These greatly contribute to quality of life and provide economic benefits to the community (see *Chapter 7, Economic Vitality for specific recommendations*). While the City is not the primary party responsible for continuing and expanding cultural activities, it can be a helpful partner.

Community comments expressed during the process of preparing the 2008 City of Homer Comprehensive Plan showed strong support for supporting arts and cultural opportunities in Homer (see *the PARC Needs Assessment for more current information*).

Objective C: VISITOR SERVICES – Provide and sustain public services and facilities to serve visitors.

Out-of-town visitors are a major local economic generator. Many of the facilities and amenities described in this plan reveal reasons for Homer’s rich tourist activity. Visitor attractions such as the Islands and Ocean Visitor Center, activities, and events abound in Homer. The Homer Chamber of Commerce offers a Visitor Information Center at 201 Sterling Highway. The City supports the Chamber’s visitor activities with a 2017 contribution of \$51,000 for tourism marketing. On a broad level, the City works to maintain and improve the attractiveness of the community as a visitor destination through land use, infrastructure, and circulation policies; for example by improving the character of downtown and the Spit. These policies are described elsewhere in this plan (see *Chapter 7, Economic Vitality for specific recommendations relating to visitor services*).

Objective D: HEALTH CARE – Support and encourage health care to provide exceptional cradle to grave services and keep pace with the changing needs of Homer’s community (also, see Chapter 7, Economic Vitality).

Current Status

Homer offers a range of health care service options. Homer has a major hospital facility, South Peninsula Hospital, which is Borough-owned, operated by a nonprofit management board, and part of a borough service area. Homer also has a state funded Public Health Center. This nurse-run facility offers immunizations, health education programs, and infectious disease control, among other services. Seldovia Village Tribe also operates a health care facility. South Peninsula Behavioral Health Services, Inc. is Homer’s primary outpatient and emergency services provider of mental and behavioral health service and support. Homer has seen an increase in medical services that has expanded the opportunity for care and recovery from an increasing range of medical procedures. The Homer City Council has participated in discussions about substance abuse and has recognized the opportunity to address strategies that might assist those addicted or at risk of addiction.



Implementation Strategies

- Respond to local demands for service

Objective E: SENIOR SERVICES – Keep Homer an attractive place to live for people at all stages of life by providing and supporting public services and facilities to serve the senior population.

Current Status

Many features make Homer attractive to this growing segment of the city’s population, including a relatively concentrated downtown with some walkable areas, senior center, library, university, hospital, doctors, and other health care providers. The community has an effective, active nonprofit agency which provides services to Homer’s seniors including assisted living and long-term care.

Implementation Strategies

- Support senior services

Objective F: YOUTH SERVICES – Enhance year-round opportunities for youth to be stimulated and engaged in safe, fun, healthy activities.

Current Status

See the PARC Needs Assessment for more information.

Implementation Strategies

- Support a variety of activities geared toward youth

Objective G: EDUCATION – Support high-quality education in Homer and enhance and sustain lifelong learning opportunities.

Current Status

The City of Homer partners with the Borough to use school facilities for the Community Recreation programs in which school buildings are used to provide recreational, educational, social, and cultural activities to the entire community after school hours and in the summer. School enrollment for Homer and the entire borough has been declining in recent years, with attendant loss of programs.

The University of Alaska Anchorage (UAA) provides postsecondary education, continuing education, professional development, and vocational training to Homer residents. The University also provides K-12 and public education programs, workshops and trainings through the Kachemak Bay National Estuarine Research Reserve. There is a community consensus that UAA expansion would lead to widespread economic and cultural benefits for the area. Development of student housing will allow the Kenai Peninsula College (KPC) to attract students to Homer, thereby promoting Homer as a “college town.” The Economic Vitality Chapter identifies specific actions to support Homer’s post-secondary educational system.

Homer offers additional educational opportunities to both residents and visitors through various business and nonprofit agencies and has become a popular destination for seminars and learning programs. For instance, many marine related educational programs are offered through the Alaska Islands and Ocean Visitor Center, which is the headquarters for the Alaska Maritime National Wildlife Refuge. The Center for Alaskan Coastal Studies also offers a broad menu of educational programs attracting participants from across the state.

Implementation Strategies

- Support educational opportunities in Homer

GOAL 3: Encourage the broader community to provide community services and facilities by supporting other organizations and entities to develop community services.

In many communities there is a disconnect between the services and facilities area residents would like the City to provide and the capacity for providing those programs with current City resources. Homer has the benefit of over 100 nonprofit entities operating within its borders. Supporting their successes and partnering when possible will further improve community services.

Objective A: Increase the City’s capacity to provide and expand community services. Improve the synergy between the City and other community partners.

Residents and businesses will continue to have high expectations for the public services and facilities available in the community. To meet the needs and desires of Homer residents, a strong partnership between the City and community partners will help to bring services and projects to the community beyond what the City can achieve on its own. The following actions will strengthen this partnership and expand the capacity to provide services:

Implementation Strategies

- Encourage and support shared goals with community groups
- Support existing community organizations and facilities by providing technical assistance and creating incentives

Public Services and Facilities Implementation Table

Table 9. Chapter 6, Public Services and Facilities Implementation Table

Project	Timeframe			Primary Duty
	Near Term	Mid Term	Longer Term	
Fire & Emergency Services				
<i>I-A-1</i> Construct new building and training facility.		x		City
<i>I-A-2</i> Maintain personnel funding.	x			City
<i>I-A-3</i> Hire Fire Marshal/Code Examiner.	x			City
<i>I-A-4</i> Increase marine fire/emergency response capabilities.		x		City, Port & Harbor merchants & patrons
<i>I-A-5</i> Increase volunteer core to 50 people.		x		City, community volunteers
<i>I-A-6</i> Establish an adequate on-going annual budget for replacing or refurbishing essential equipment.		x		City
<i>I-A-7</i> Evaluate capacity to respond to emergencies associated with possible expansion of harbor or neighboring waters.		x		City
<i>I-A-8</i> Increase training opportunities.	x			Fire Department

Project	Timeframe			Primary Duty
	Near Term	Mid Term	Longer Term	
I-A-9 Update Emergency Operations & Hazard Plans.		x		City
Police Department				
I-B-1 Retain and recruit to maintain full staffing levels	x			City
I-B-2 Address retention and recruitment issues, and retain a competitive compensation package.	x			City
I-B-3 Implement a reasonable vehicle replacement plan.	x			City
I-B-4 Hire dedicated Homer Spit Officer for summer months.	x			City
I-B-5 Pursue grants and city funding to upgrade and replace radio system.	x			City
I-B-6 Construct new building.	x			City
I-B-7 Ensure adequate on-going funding.			x	City
I-B-8 Maintain aggressive training program in all divisions.			x	Police Department
I-B-9 Communicate department needs with community leaders.			x	Police Department/Admin.
Water and Sewer				
I-C-1 Institute a community water conservation program and provide incentives.	x			City
I-C-2 Support the installation of low flow plumbing fixtures as well as the encouragement of landscaping using natural vegetation that does not require extensive irrigation.	x			City
I-C-3 Determine and plan for some limited near-term sewer system improvements that include sewer system main repair and rehabilitation for reduction of infiltration.	x			Public Works
I-C-4 Enact an inflow reduction program.	x			Public Works
I-C-5 Replace/rehabilitate failing pipes.	x			Public Works
I-C-6 Identify an additional water source for use in the next 10 to 20 years. An important consideration is that the location of any new source could have implications for land use development in Homer.			x	City
I-C-7 Enact a better cost-share plan for the extension of water and sewer services.		x		City
I-C-8 Construct water and sewer lines to developed properties as demand warrants.			x	City
Port and Harbor (Also, see the Homer Spit Comprehensive Plan)				
I-D-1 Develop large vessel harbor.		x		City
I-D-2 Develop barge mooring & large vessel haul out facility.	x			City

Project	Timeframe			Primary Duty
	Near Term	Mid Term	Longer Term	
Parks and Recreation				
<i>I-E-1</i> Research the year-round and seasonal staff needs to maintain and operate city park facilities and programs. Increase staffing and volunteer involvement as needed to provide basic City services.	x			City
<i>I-E-2</i> Expand and promote the “adopt-a-park” program in which local businesses, service organizations, or youth groups care for a particular park.	x			City
<i>I-E-3</i> Establish a park endowment fund through the City or in partnership with the Homer Foundation.	x			City
<i>I-E-4</i> Conduct a cost benefit analysis on creating a unified Parks and Recreation Department that combines the Community Recreation and Parks Maintenance Division.	x			City
<i>I-E-5</i> Maintain a balance between natural and manicured park development.	x			City
<i>I-E-6</i> Create structure for public/private partnership grants for operations.	x			City
<i>I-E-7</i> Partner with other organizations to continue providing programs and facilities.	x			City
<i>I-E-8</i> Continue to work with the school district and borough to maintain and expand the partnership for community use of their infrastructure for recreational purposes.	x			City
<i>I-E-9</i> Every 5-10 years, assess whether available park and recreation facilities and programs are meeting demands, from inside and outside city limits.		x		PARC Commission
<i>I-E-10</i> Pursue financial strategies that leverage City tax dollars to build public recreation facilities.			x	City
<i>I-E-11</i> Use the Capital Improvement Plan, city budget, bond measures and partnerships with other organizations (such as Little League) to lobby, fundraise and build public recreation facilities.			x	City
<i>I-E-12</i> Establish Community Recreation Center; define what is needed as part of this facility, what gap it will fill, what purpose it will serve, and how operations and maintenance will be funded.		x		City
<i>I-E-13</i> Support the policies and recommendations of the Beach Policy document.	x			City
<i>I-E-14</i> As the need arises, update the beach policy and implement the recommendations.		x		City
<i>I-E-15</i> Discourage right-of-way and public access easement vacations to the beach.	x			City
<i>I-E-16</i> When opportunities arise, enhance or improve public access to the beach at public access points.		x		City

Project	Timeframe			Primary Duty
	Near Term	Mid Term	Longer Term	
Storm Water				
<i>I-F-1</i> Review storm water design criteria.	x			City
<i>I-F-2</i> Develop storm water master plan.	x			City
<i>I-F-2</i> Adopt area wide storm water management standards.	x			City
<i>I-F-3</i> Encourage the utilization of green infrastructure mapping as a means to identify and retain natural drainage channels and important wetlands, which serve drainage functions.	x			City
<i>I-F-4</i> Enhance stream channels with the creation of ponds, wetlands, and different habitats that allow for trail systems, water bird habitat, overflow surface water and storm water collection.	x			City
<i>I-F-5</i> Encourage on-site storm water infiltration management.			x	City
<i>I-F-6</i> Maintain existing systems.	x			Public Works
<i>I-F-7</i> Create public announcements concerning storm water control.	x			City
Library				
<i>I-G-1</i> Create technology fund.	x			City Council, Administration
<i>I-G-2</i> Maintain training schedule.	x			Library administration
<i>I-G-3</i> Continue to report usage and demand for services to the City Council.	x			Library administration/LAB
<i>I-G-4</i> Track demand for space and share information with others providing community meeting spaces.	x			Library administration/LAB
<i>I-G-5</i> Identify and explore funding opportunities for operations.		x		LAB/Friends of the Library
<i>I-G-6</i> Evaluate appropriate levels of service in relation to probable budget scenarios.		x		Library administration/ City Council
<i>I-G-7</i> Keep abreast of and comment on neighborhood developments.			x	Library administration/LAB
Solid Waste				
<i>2-A-1</i> Demonstrate City leadership by encouraging recycling within municipal departments.	x			City
<i>2-A-2</i> Develop or partner with other organizations to create a public education program to encourage recycling within the community.	x			City

Project	Timeframe			Primary Duty
	Near Term	Mid Term	Longer Term	
2-A-3 Work with the Borough to develop future strategies for waste disposal.	x			City
2-A-4 Partner with others to reduce city waste stream.	x			City
Health Care				
2-D-1 Support activities that increase the ability to respond to intensive behavioral health needs of the community, including residential needs for behavioral health consumers of all ages, by looking at the possibility of developing a residential behavioral health facility, particularly for children and youth, located in Homer.	x			City
2-D-2 Support the continuation of KPC's course and degree programs in the allied health occupations, to provide a trained labor force for health care facilities.	x			City
2-D-3 Support local and regional strategies that address the substance abuse and prevention.	x			City
2-D-4 Continue to support the South Peninsula Hospital via the Kenai Peninsula Borough and the South Kenai Peninsula Hospital Service Area Board.	x			City
2-D-5 Support increased local educational opportunities in health care fields, including KPC, that create opportunities for residents to fill these medical industry jobs.		x		City
Senior Services				
2-E-1 Retain attractiveness as a community that appeals to all ages, from youth through retirement.	x			City
2-E-2 Require that all public facilities be accessible by senior citizens and individuals with disabilities in accordance with ADA requirements.	x			City
2-E-3 Provide amenities and access for seniors in public facilities developed by the City.	x			City
2-E-4 Encourage and/or create incentives that encourage private businesses to make every effort to provide ADA compliant facilities and/or improve accessibility for the senior population.	x			City
2-E-4 The city, through its land use decisions, will continue improving the walkability of the downtown core to make the community more habitable and friendly for seniors and for those with disabilities.		x		HAPC
Youth Services				
2-F-1 Promote a healthy lifestyle by increasing activities available for youth.	x			City
2-F-2 Support the efforts of Homer organizations that offer a variety of programs for youth.	x			City

Project	Timeframe			Primary Duty
	Near Term	Mid Term	Longer Term	
2-F-3 Encourage efforts to remove barriers to youth participation.	x			City
Education				
2-G-1 Continue to partner and work to support efforts of the Kenai Peninsula School District.	x			City
2-G-2 Monitor state education funding if school enrollment continues to decline.	x			City
2-G-3 Continue active support of the KPC.	x			City
Chapter 3 - Community Capacity				
3-A-1 Continue to work with residents and businesses to better understand community priorities, and to the extent possible, find resources to meet these needs.	x			City
3-A-2 Continue to work with citizen groups and nonprofit organizations that play a large role in providing desired services in Homer.	x			City, Community
3-A-3 Increase the net revenues coming into the city, through managing costs and expanding the community's tax base.	x			City
3-A-4 Improve the ability of the City to provide technical assistance for community organizations seeking to expand their services. Provide information regarding possible sources of funding for community service projects. Express support for specific fund raising efforts by writing letters when requested and through this comprehensive plan.		x		City
3-A-5 Continue to create incentives for other organizations to take a lead in community services by providing small matching grants, limited technical assistance, and the option to use City land or facilities at reduced rates.		x		City
3-A-6 Support the efficient use of existing community facilities. Partner with organizations to keep city facilities operating beyond normal hours.	x			City
3-A-7 Create an environment in which Homer's robust nonprofit community can thrive and respond to needs not met by the City.			x	City
3-A-8 Support the health improvement coalition "Mobilizing for Action through Planning and Partnerships" (MAPP).	x			

CHAPTER 7 ECONOMIC VITALITY

Vision Statement: Homer’s economic industries remain strong and show continued growth.

Overview

This chapter presents goals and objectives related to economic development. While the private and non-profit sectors, along with state and federal spending, ultimately drives much of the economic activity, local government plays an important role in stimulating and guiding growth through its land use and infrastructure policies and projects.

The 1989 comprehensive plan stated:

Though it is generally recognized that fishing has been the backbone of the Homer economy for the past forty years, diversification of the Homer economy has taken place, especially in the last few years. Tourism, commercial and government services, retail trade, and a retirement population have been added in [the 1980s]...

These trends have continued and perhaps accelerated in the years since the 1989 plan. Additionally, as state and federal funding has changed, local and regional governments are bearing increased costs in providing services. Private sector economic health and growth are required to build the tax base if residents want to maintain existing government services and facilities.

Most of the economic development actions presented here are tied to topics addressed in other chapters. For example, recommendations regarding commercial development are included in Chapter 4 – Land Use. As a result, much of the value of this chapter is for those readers who are focused on economic issues and want to see a compilation of plan policies regarding economic development together in a single chapter. In 2011, the city adopted the Community Economic Development Strategy (CEDS). The CEDS document is a broad document covering many sectors of Homer’s economy.

Homer’s quality of life is a principal economic asset. Maintaining and improving the quality of life in Homer is crucial to keeping existing business and attracting new business and professional activity. Quality of life is challenging to define because it involves many dimensions of a community to which people place varying degrees of importance. The elements of quality of life that are particularly valuable to economic development are those that make the community especially attractive to residents, visitors, and small businesses. While there is room for further improvement, Homer currently possesses many such elements.

Homer’s Quality of Life Elements

- A strikingly beautiful natural setting
- A diverse, engaged, involved community, and rich civic life
- Diverse culture and leisure activities, including ready access to parks and a wide range of year-round outdoor recreation
- Eclectic neighborhoods such as Old Town and Pioneer Ave.
- Access to education and lifelong learning
- A feeling of safety and freedom from crime
- A clean, healthy, natural environment
- An active arts community, tradition of skill and interest in performing and visual arts
- Multiple transportation and access options, a developing trail system, and road access to Anchorage
- Access to commercial and recreational activities in and around Kachemak Bay
- High quality, comprehensive healthcare service

Summary of Goals

GOAL 1: Define and encourage economic development that meets the desires and interests of Homer residents and supports the unique character of the community.

GOAL 2: Encourage the retention and creation of more year-round and higher wage employment.

GOAL 3: Identify and promote industries that show a capacity for growth.

GOAL 4: Support renewable and non-renewable energy services.

GOAL 5: Strengthen Homer as a tourism destination.

GOAL 6: Support community efforts to establish affordable housing.

Goals and Objectives for Economic Vitality

GOAL 1: Define and encourage economic development that meets the desires and interests of Homer residents and supports the unique character of the community.

Homer residents would like to foster economic development in its many existing sectors. Education, sustainable tourism, health care, construction, commercial fishing and marine industries, arts, and culture are the industries that Homer has been built upon. These industries are viable and stable today and offer good prospects for growth. The remainder of this chapter looks in more detail at steps to strengthen Homer's economy, and to do so in a manner that provides economic opportunity while sustaining Homer's unique character and high quality of life.

Implementation Strategies

- Support local businesses with internal and external policies.
- Partner with organizations that have interests in the success of local merchants and products.
- Review and update city economic plans.



GOAL 2: Encourage the retention and creation of more year-round, higher wage jobs.

Homer residents desire more year round, living wage jobs. This in turn will help support small businesses, and the tax base.

Objective A: Increase year-round employment that will enable local people to work, live, and raise their families in Homer.

While almost all city actions will ultimately affect the course of economic change and job growth, city actions to promote year-round jobs include those listed below:

Implementation Strategies

- Consider zoning regulations that support new business opportunities while minimizing negative impacts.
- Evaluate opportunities to create and support public and private infrastructure.
- Encourage science, information infrastructure, and technology-based business development.
- Evaluate regional or other successes for opportunity within Homer.

Objective B: Encourage retention of existing and the relocation of new Federal and State Government jobs and training programs to Homer.

Government jobs are an important part of the local and regional economy. Government employment, whether research, visitor or education related, comprises 17.5% of local jobs. (American Community Survey 2014). Some government employment is found in every community, such as local, borough and state jobs related to day-to-day activities (airports, roads, schools, etc.). In addition, Homer has many residents who are employed through state agencies such as state parks, the court system, public health, the university, including the Kachemak Bay Research Reserve, and federal agencies such as the U.S. Fish and Wildlife Service and the Alaska Maritime National Wildlife Refuge, which are headquartered in Homer. The Coast Guard also has a presence in the community. The City of Homer is also known as an important base for marine research and education activities.

Implementation Strategies

- Work to retain existing state and federal jobs.
- Promote Homer as a place to expand and attract government operations



Homer: Not just the Halibut Capital of the World

Objective C: Support efforts to increase the scale and scope of the education industry to support a skilled workforce.

Education is important to Homer's economic vitality for two reasons. First, it provides residents with the ability to acquire the skills and knowledge ("human capital") needed to succeed in the global economy, and find a local job. To the extent people can acquire these skills and knowledge without leaving home, they can earn higher incomes, create new businesses and jobs for others, keep their education expenditures circulating in the local economy, and provide the skilled workers needed for existing local jobs. Education is also an exportable product if people come to Homer to learn.

University of Alaska provides essential post-secondary and vocational education to Homer residents. The economic impact is broad and significant. Additional educational programs are provided by several nonprofit organizations operating in Homer and across Kachemak Bay. The marine environment and spectacular setting of Homer and Kachemak Bay are significant assets that could lead to growth of the education industry. The implementation strategies below apply not only to Kenai Peninsula College (KPC), but also to any other interested educational institution.

Implementation Strategies

- Support development of programs that prepare individuals through workforce development
- Support opportunities for partnerships and collaborative educational programs

GOAL 3: Identify and promote industries that show a capacity for growth.

Objective A: Recognize emerging industries.

Homer is a place of big ideas and entrepreneurial spirit. Examples include the fervor with which local agriculture has developed, particularly high tunnel cultivation and commercial peony growing. These are growing local and regional business opportunities. Over time, there will be new economic opportunities that arise; the city should be open to these new ideas and support those that show reasonable opportunities for growth.

Implementation Strategies

- Interact with those involved in introducing new industries and services to Homer

Objective B: Promote the marine trades including mariculture and shipping industries.

Homer's harbor and associated marine trade and services activities are an important component of the local and regional economy. Marine related activities could be expanded to increase the number of living wage, skilled jobs in the community. Local seafood processing, boat building, and fabrication services offer a chance for a local product to reach the local, state and national markets. Homer's public and private port facilities also serve as a staging area for freight destined to more remote parts of the coast.

Implementation Strategies

- Work to identify and support infrastructure for marine related industries

Objective C: Promote recreation, the arts, and non-governmental organizations as a complement to tourism and as an export industry.

Recreation and the arts are key components of the Homer economy and support the tourism industry and Homer's quality of life. Actions to promote the arts include those listed below. Some of these objectives are best carried out by the City, while others are best undertaken by local arts groups and tourism marketing organizations with City cooperation and encouragement.

Implementation Strategies

- Consider and review zoning for opportunities that support the arts industry
- Support sustainable recreational facilities and opportunities (*see Objective E of Chapter 6, Public Services and Facilities*)

Objective D: Support the health care and wellness industries.

Health care and wellness are a growing sector of Homer's economy. This is partially driven by an aging population, but also by resident's desire for improved health. Over the past decade, South Peninsula Hospital has completed a major expansion, several new dental clinics have been constructed, and the Seldovia Village Tribe constructed both a medical clinic and a wellness center. Specialized medical services such as surgeries, sleep studies, oncology and VA care are also available. As the health care industry continues to change, Homer can expect to see growth in the types of medical services available, and more jobs in this field.

Implementation Strategies

- Support allied programs and businesses that strengthen Homer's local health care opportunities

GOAL 4: Support regional renewable and non-renewable energy exploration and production.

Homer citizens support researching and pursuing renewable energy projects. Outside of the city, oil and gas exploration continues. Supporting the exploration, extraction, and renewable energy industries does not necessarily have to compromise Homer's scenery or quality of life. There are many opportunities to benefit from the construction, research, and extraction activities, whether through direct employment, or by providing services such as worker housing, catering, fuel, payroll, and transportation to local and non-local contractors who work on site (*also, see Chapter 8, Energy Plan*).

Implementation Strategies

- Consider Homer's ability to provide support services

GOAL 5: Strengthen Homer as a tourism, business travel, education and recreation event destination.

Homer is already one of Alaska's premier tourist destinations and appears to be enjoying continuing growth in visitation and expenditures. A trend is also emerging to hold professional conferences and educational events in the community in addition to the many athletic, cultural and recreation opportunities. City actions can have a significant impact on the economic importance of the visitor economy by promoting longer stays, increased expenditures per person, and more repeat visitation.

Equally important, City government plays a crucial role in guiding the growth of tourism to maximize its benefits and to minimize the costs imposed on the people of Homer.

Objective A: Invest in local infrastructure, parks, and civic improvements that will serve locals well as visitors by promoting longer stays, increased expenditures per person, and more repeat visitation as a form of economic development.

One economic development strategy is to find ways to encourage visitors to stay in the community longer during their visit, or to visit again in the future. The Farmer’s Market in downtown Anchorage is an example; visitors to the market also visit other downtown businesses. Even staying an hour or two longer in the community may result in visitors eating more meals in local restaurants or spending more money shopping. The City benefits through increased sales tax revenue. To keep Homer an attractive destination requires that the City and private business work in partnership to provide the basic services that visitors and locals expect. These improvements and public expenditures should also benefit local taxpayers.

Effort should be made in the future to have more tourists visit downtown Homer to support year round businesses. Seasonally, the Spit will continue to be a huge draw, but investment in tourist amenities should be equally focused on downtown Homer.

Implementation Strategies

- Maintain a welcoming environment that serves the needs of visitors

Objective B: Support efforts to improve community attractions, including land and water trails, and access to marine activities and the marine environment. Improve links between attractions.

Homer can be considered to have three main tourism destination areas: The downtown and Old Town area, the Spit, and the area across Kachemak Bay. While each of these areas currently attracts numerous visitors, it is likely that more tourists could be accommodated and more spending could be encouraged if the unique attributes of each area were further developed and if better connections were made among the three areas. Ideally, the enhancements that attract more tourists equally benefit local residents as well, resulting in an increase to business activity, tax receipts, and quality of life.

Implementation Strategies

- Improve the ability and convenience of travelers to travel throughout Homer

Objective C: Increase the net benefits that tourism brings to Homer.

Homer’s distinctive character and attractions create substantial economic benefits to the community in terms of jobs, business opportunities, and tax revenues. Tourism also helps the community host a greater number and diversity of businesses and services than what local spending alone can support. While tourism creates a wide array of benefits, it can also be disruptive to local life. For example, tourism may exacerbate traffic congestion, transform commercial areas from local to visitor-serving, cause crowding at recreation destinations enjoyed by residents, and potentially adversely affect fish, wildlife, and other elements of the natural environment. Community members have expressed a desire to encourage tourism activities that do not require extensive changes to the existing environment, but rather help to conserve Homer’s natural setting and improve the area.

As a result of this mix of positive and potential negative impacts, Homer should pursue a guided tourism growth policy. The community will promote tourism growth, but do so in a manner that helps sustain the qualities of the community that attract residents and visitors.

Implementation Strategies

- Promote tourist amenities that provide benefits beyond the tourist season
- Review the cost to maintain tourist amenities and minimize the amount of local subsidy
- Promote tourist activities that have the least negative impact to locals
- Promote Homer as a tourist destination

GOAL 6: Support community efforts to establish affordable housing.

Many residents expressed the view that economic development depends, at least in part, on a balance between income and the cost of living. Strategies to promote a diverse range of housing options are discussed in *Chapter 4, Land Use*. This goal is included as a component of economic vitality to explicitly reflect the connection between housing opportunities and the economic well-being of Homer.

City government has few tools to address the issue of affordable housing. The direct role of the City of Homer is limited by the fact the City is not a housing authority, and city taxation and development fees are relatively low. In recent years, the Economic Development Commission (EDC) has studied Homer's tax policies. The EDC found that the tax credits for housing that the city could institute do not significantly affect the cost of housing. The market demand is for homes that are more expensive, and the high cost of real estate and land development results in very few new 'affordable' housing units. However, the city can support the efforts of other groups in building new affordable housing units, which will free up units on the private rental market.

Implementation Strategies

- Consider support mechanisms for special population

Economic Vitality Implementation Table

Table 10. Chapter 7, Economic Vitality Implementation Table

Project	Timeframe			Ongoing	Primary Duty
	Near Term	Mid Term	Longer Term		
Goal 1 - Encourage Economic Development					
1-1 Support Chamber's Buy Local campaign and source city purchases locally when price competitive.				x	Administration
1-2 Continue the local bidders preference in city procurement policies.				x	City Council
1-3 Review and make zoning recommendations that promote local agriculture and other locally sourced products.	x			x	HAPC
1-4 Plan for economic development by partnering with organizations such as the Chamber of Commerce. Retain an active board role with the chamber, and involvement with Kenai Peninsula Economic Development District, Inc. (KPEDD), Homer Marine Trades, non-profits and other similar organizations.				x	Administration
1-5 Review the Community Economic Development Strategy (CEDS) Plan.		x			EDC
1-6 Create an action plan from the CEDS plan.	x				Administration, EDC
1-7 Stay abreast of the requirements of information technology infrastructure.				x	HAPC, EDC
Goal 2 - Encourage Year-round Jobs					
2-A-1 Review zoning regulations to ensure new businesses and development are not unduly restricted.				x	HAPC
2-A-2 Continue to invest in community infrastructure and transportation systems (see <i>Chapter 5, Transportation</i>).				x	City Council, Administration
2-A-3 Identify business needs through business retention program participation.				x	EDC
2-A-4 Stay abreast of the needs of technology-based business and review the ability of the city to support.				x	EDC
2-A-5 Partner with KPEDD to identify options for incentives to encourage local business growth.	x			x	EDC, Administration
2-A-6 Work with KPEDD to identify regional successes.	x			x	EDC, Administration
2-B-1 When local state or federal jobs are being considered for elimination or relocation, lobby to retain them.				x	City Council, Administration

Project	Timeframe			Ongoing	Primary Duty
	Near Term	Mid Term	Longer Term		
2-B-2 Actively work with the Coast Guard to support the retention and expansion of facilities in Homer.	x			x	City Council, Administration
2-B-3 Work with state and federal authorities to promote the expansion of their activities in Homer.				x	City Council, Administration
2-C-1 Keep abreast of KPC program offerings and consider resolutions of support.				x	City Council
2-C-2 Review zoning requirements in regard to student housing opportunities.		x			HAPC
2-C-3 Support collaborative educational programs.				x	City Council
2-C-4 Connect sources of information that contribute to identifying local job training needs.				x	EDC, Administration
Goal 3 – Promote Growing Industries					
3-A-1 Periodically review land use regulation effects upon new business opportunities.				x	HAPC, Planning
3-B-1 Make ice available year round for fish processing, when demand dictates.		x			Port
3-B-2 Continue to evaluate demands and plan to address ways to support the fishing industry.				x	Port and Harbor Commission
3-B-3 Continue efforts to expand the Deep Water Dock and other Harbor infrastructure.	x			x	Administration, Port, City Council
3-B-4 Continue East Boat Harbor expansion studies.				x	Administration, Port, City Council
3-C-1 Review zoning for opportunities that accommodates art studio, art education activities, and residential living (<i>also, see chapter 4, Land Use</i>).	x				Planning, HAPC
3-C-2 Investigate options for creating a new, multi-purpose cultural, performing arts and community center in Homer’s town center (<i>see the Town Center Plan and Park Art Recreation and Culture Needs Assessment</i>).			x		Administration
3-D-1 Lobby for support of Kenai Peninsula College (KPC) programs supporting the local healthcare industries.				x	City Council
3-D-2 Consider shared marketing opportunities to also include Homer as a healthcare destination.				x	Administration, Chamber of Commerce

Project	Timeframe			Ongoing	Primary Duty
	Near Term	Mid Term	Longer Term		
Goal 4 – Support Energy Exploration and Production					
4-1 Maintain and/or expand industrial zones.				x	Planning Commission
4-2 Support community efforts to remediate brownfield locations via letters and resolutions of support and technical assistance for grant applications.				x	Administration, City Council, other departments as appropriate
4-3 Continue to review zoning options for provisions of renewable energy systems in the City.				x	Planning Commission
4-4 Promote renewable energy development regionally with resolutions of support.				x	City Council
4-5 Review how land use policies may be used to support energy, mining, oil, and gas support services.				x	Planning Commission
Goal 5 – Strengthen Homer as a Destination					
5-A-1 Support and fund beautification efforts on Pioneer Avenue through budget appropriations, CIP, cost sharing and grant applications.				x	City Council, Administration
5-A-2 Ensure that City facilities are sufficient to support events that draw visitors such as festivals and activities (e.g., clean restrooms on the Spit, RV dump stations, adequate trash collection, park maintenance, etc.).				x	City Council, Administration, Public Works
5-B-1 Review opportunities to improve shuttle stops (also, see 5-B-3).				x	Public Works, City Council
5-B-2 Design and build a wayfinding system that includes the Spit, Pioneer Ave., and Old Town, consider a local partnership.		x			City of Homer, Chamber of Commerce, community partner
5-B-3 Consider constructing ADA accessible sidewalk improvements and installing benches and trashcans at central shuttle stops, such as the corner of Bunnell and Main.	x				Public Works, City Council
5-C-1 Adequately fund maintenance of public facilities.				x	City Council, Administration, Public Works
5-C-2 When planning new amenities, evaluate projects benefits for both residents and visitors (e.g., trails).				x	City Council, Administration, Public Works
5-C-3 Support eco-tourism concepts and passive or quiet low-impact recreation activities in marketing information.				x	City partnership with Chamber of Commerce

Project	Timeframe			Ongoing	Primary Duty
	Near Term	Mid Term	Longer Term		
5-C-4 When opportunities arise, work with private sector partners to support private sector establishment of conference and convention capabilities.				x	Administration
5-C-5 Review infrastructure capacity for the ability to meet current and future demands.				x	Public works
5-C-6 Recommend and support taxation policies and fee structures that result in revenues from tourism that cover the city's costs in providing services to tourists.	x			x	City Council and City Departments
5-C-7 Support shoulder season activities that are not seasonally dependent as a way to expand the local economy.				x	Public Works, Administration, City Council
5-C-8 Identify, promote and expand, and target visitor markets, including Alaska residents, out-of-state independent travelers, and small group package tour travelers.				x	Chamber of Commerce, KPTMC
5-C-9 Accommodate and encourage events such as the Shorebird Festival and Kachemak Bay Writers' Conference, professional and educational conferences, and sporting tournaments.				x	Administration, City Council, and community partners
Goal 6 – Support Efforts to Establish Affordable Housing					
6-1 Support the efforts of other organizations to provide housing for target populations such as seniors, low income and special needs residents. Write letters or pass resolutions of support.				x	City Council, Administration
6-2 Support senior housing that allows seniors to age within the community, such as assisted living and long term care. Write letters or pass resolutions in of support for grant applications to expand housing.				x	City Council, Administration
6-3 Maintain land use regulations that support cradle to grave housing options for special populations.				x	HAPC

CHAPTER 8 ENERGY PLAN

Vision Statement: The City of Homer will be a model for energy conservation, wise use of environmental resources, and supporting renewable energy development.

Overview

The City of Homer continues to develop policies that further advance the goal of contributing to a more sustainable environment, seeking to be on the forefront of sustainable thought and action. This energy chapter builds on the Climate Action Plan, adopted in 2007. The goal of the Climate Action Plan is to reduce the threat of global climate change through government and community efforts. Additionally, the City has produced an employee sustainability handbook. “*Money, Energy and Sustainability*” sets operational policies for City staff and is a resource for other organizations pursuing energy conservation. Both documents suggest actions that citizens and government can take to reduce carbon emissions and conserve energy.

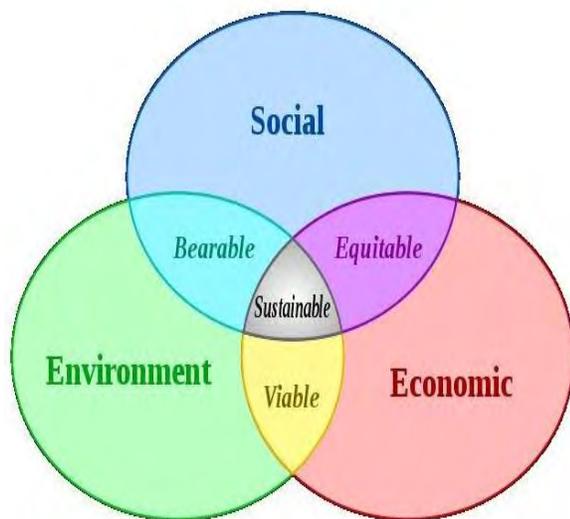


Figure 6. Three Pillars of Sustainability
Author: Johann Dréo

Access to an affordable, secure supply of energy is necessary for almost every activity of government, business and private life. Energy policies can play a crucial role in the development of a local and regional energy system that can help ensure the long-term economic viability and livability of Homer. Currently, national energy policies are beginning to reflect the need to reduce greenhouse gas emissions and establish a fair degree of independence from uncertain international energy markets. Locally, policies can facilitate responsible contributions from our community to the global human and natural environment. Progressive energy policies should strive for an energy system that is sustainable, locally and globally. On the local level, some direct benefits of these policies can include job creation and retention of money in the community, as the need to buy energy from sellers outside the region is reduced. In addition, addressing energy use in the transportation sector can improve quality of life by reducing traffic congestion and associated impacts.

The City of Homer has a role in the broader discussion of energy resources and conservation. One major role is to ensure municipal buildings and projects are energy efficient and as sustainable as possible, in a cost efficient manner. A second role includes working with public and private parties to support the use of local renewable resources for power generation. Taking advantage of local renewable energy production is likely to lead to the creation of new jobs. The City can accomplish these and other desired goals by creating and implementing a long-range energy plan.

Several sections of the 2008 Homer Comprehensive Plan discuss energy related policies. The following chapters and goals also relate to this chapter and can be considered as part of the City’s energy policies:

Chapter 4, Land Use, Goal 1 Objective D, and Goal 3 Objective B

- Consider the regional and global impacts of development in Homer. Encourage high quality site design and buildings. Implementation actions in this chapter include items such as developing policies for LEED, Sustainable Sites and Low Impact Development (*see Chapter 4, Land Use*).

Chapter 5, Transportation, Goal 3

- Homer’s transportation system and services should be developed in a manner that supports community land use, design, environmental, and social goals. The trail and sidewalk network should provide an alternative to driving, enhanced recreational opportunities, and auto-free connectivity throughout the community (*see Chapter 5, Transportation*).

Chapter 6, Public Service and Facilities, Goal 1

- Provide and improve city-operated facilities and services to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demand. (*see Chapter 6, Public Services and Facilities*).

Chapter 7, Economic Vitality, Goal 7

- Support regional renewable and non-renewable energy exploration and production. Implementation items include encouraging renewable energy development locally and regionally and supporting efforts to supply local energy needs with natural gas. (*see Chapter 7, Economic Vitality*).

Summary of Goals

GOAL 1: The City of Homer will be a community leader in implementing policies that promote energy efficiencies.

GOAL 2: The City of Homer will be a responsible steward of consumable resources.

GOAL 3: The City of Homer will play an active role in influencing regional policies that promote the research, development, and use of sustainable energy alternatives.

Goals and Objectives for Energy Planning

GOAL I: The City of Homer will be a community leader in implementing policies that promote energy efficiencies.

Objective A: City of Homer operations will save taxpayer money and set an example by adopting cost effective energy saving technologies and operating procedures.

Implementation Strategies

- Continue to monitor energy and water use
- Support the Climate Action Plan

Objective B: Encourage energy efficiency in building construction and for the life of the building.

Buildings use a lot of energy over their lifecycle, and construction is a very energy and material intense activity. Building and construction design can minimize construction waste and maximize energy efficiency (*also, see Chapter 4, Land Use as referenced above*).

Implementation Strategies

- Consider the use of energy over the life of facilities

Objective C: Consider the full costs, direct and indirect, of energy use when performing economic analyses.

The real environmental and social costs of fossil fuels are not reflected in consumer prices. Consumers pay the cost of energy production and transportation, but not directly for air pollution, health problems, or other environmental or social effects of burning fossil fuels. “True or full cost accounting” is a term used to describe how a dollar value can be attributed to these indirect costs. Wise energy production and use requires these external costs to be internalized in energy prices. Paying the true cost will increase energy prices, but also will encourage energy conservation and energy production from renewable sources. Presumably when the full cost of fossil fuels are reflected in consumer prices, renewable energy will be cost competitive.

Implementation Strategies

- Be mindful of the impact of indirect costs reflected in city projects and facilities

GOAL 2: The City of Homer will be a responsible steward of consumable resources.

Minimizing solid waste is in the long-term interest of the community. The former local landfill is now the Homer Transfer Facility, and solid waste is trucked to the Central Peninsula Landfill south of Soldotna. Reducing garbage in the land fill will stretch the life of existing facilities and postpone the expensive process of constructing new disposal sites. The three R's - Reduce, Reuse and Recycle - are the pillars of solid waste reduction. There reuse of materials and using less material (reducing) are especially important. Effective solid waste reduction requires coordination between the public, private, and non-profit sectors. The City should work with the Kenai Peninsula Borough and private entities to take advantage of recycling and waste reduction opportunities.

Implementation Strategies

- Support and implement plans that reduce, reuse, and recycle consumables
- Develop a solid waste and recycling plan for municipal facilities and operations
- Develop procurement policies to reduce resource and energy consumption “upstream” (*see the City of Homer employee policy guide “Money, Energy and Sustainability”*)
- Support efforts to increase community recycling and waste reduction

GOAL 3: The City of Homer will play an active role in influencing regional policies that promote the research, development, and use of sustainable energy alternatives.

Objective A: Express support for energy planning with emphasis on long term sustainability and affordability.

Energy Planning

The energy industry is changing rapidly as renewable energy sources are found and new technologies emerge. Federal and State funding sources may become available for renewable energy projects and/or energy efficiency planning and implementation. Homer should examine these funding opportunities and emerging technologies for potential use in the community. Recent examples include investigating tidal energy opportunities in Kachemak Bay and capturing energy in the gradients of Homer’s water system.

A sound energy policy has several basic principles. There must be an understanding of the energy source, the financial and environmental implications of utilizing that source, and where and how the energy is used. Homer should analyze the energy systems supplying the community, potential renewable energy resources, and emerging technologies. The end goal is long term, affordable, and sustainable energy supplies.

Implementation Strategies

- Monitor local and region energy policies
- Support sustainable energy projects

Objective B: Support renewable-energy research and development.

Homer’s proximity to hydroelectric generation and potential ocean energy resources presents an opportunity to guide future energy consumption toward renewable energy sources and away from the negative economic and environmental impacts associated with fossil fuel consumption. Least-cost planning, where energy conservation investment is weighed against energy purchase investment, with life-cycle costs factored in, can provide a framework for cost-effective, responsible energy planning and conservation.

Implementation Strategies

- Encourage and support opportunities for research and development of renewable-energy

Objective C: Encourage industrial and commercial users to be energy efficient.

Industries with large amounts of fuel or energy by-products (e.g. wood waste or steam), may be able to generate electricity to add to the utility grid. The design and operation of industrial developments can be managed to reduce or transfer this otherwise wasted energy and also to maximize use of renewable energy. This can increase overall community energy efficiency.

Implementation Strategies

- Maximize the use of renewable and minimize energy waste

Energy Plan Implementation Table

Table 11. Chapter 8, Energy Plan Implementation Table

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
Goal 1 – Promote Community Energy Efficiencies					
<i>I-A-1</i> Implement the Climate Action Plan and strategies to grow and maintain the Revolving Energy Fund.	x			x	City
<i>I-A-2</i> Continue to maintain and utilize Revolving Energy Fund.	x			x	City
<i>I-A-3</i> Continue to monitor, evaluate, and report energy use in city facilities.	x			x	Public Works
<i>I-A-4</i> Conduct a performance audit of water and wastewater facilities.		x			Public Works
<i>I-A-5</i> Continue to review energy audit items for implementation.	x			x	City
<i>I-A-6</i> Evaluate renewable energy opportunity for all major capital projects.	x			x	City
<i>I-A-7</i> Monitor water use trends in city facilities that might indicate overuse or leaks.	x			x	City

Project	Timeframe				Primary Duty
	Near Term	Mid Term	Longer Term	Ongoing	
<i>1-B-1</i> Require the calculation of full life cycle costs in economic and energy analysis of city projects.	x			x	City
<i>1-B-2</i> Analyze LEED or similar principles in design of public structures of facilities at bid.				x	
<i>1-C-1</i> Consider direct and indirect costs when performing economic analysis of city projects.				x	
<i>1-C-2</i> Quantify external and indirect costs for energy when conducting lifecycle costs.				x	
Goal 2 – Stewardship of Consumable Resources					
<i>2-1</i> Assign city staff to create a solid waste and recycling plan for City operations.	x				City
<i>2-2</i> Continue to support environmentally friendly procurement policies through the Sustainability Guidebook.	x			x	City
<i>2-3</i> Encourage and advertise recycling activities through newsletters and billings.	x			x	City
Goal 3 – Influence Regional Policies that Promote Sustainable Energy Alternatives					
<i>3-A-1</i> Form relationship with regional stakeholders in energy policies.		x			City
<i>3-A-2</i> Assign staff to work with regional entities regarding energy resource development.	x			x	City
<i>3-A-3</i> Report to City Council with information regarding local and regional long range energy plans.				x	City
<i>3-B-1</i> Draft resolutions of support that encourage renewable, by-product, and co-generated energy projects.	x				City
<i>3-B-2</i> Investigate in-kind or funding partnerships to encourage renewable energy projects.				x	City
<i>3-B-3</i> Consider periodic review of code for accommodation of existing and emerging renewable energy technology.		x		x	City
<i>3-C-1 2</i> Review zoning code for accommodation of renewables.				x	City

■ Appendix A – Land Use Recommendations

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Appendix A

Land Use Designation Categories

INTRODUCTION

Homer’s existing set of land uses and built environment offers much to be commended and retained. Two qualities in particular stand out as strengths:

Mix of uses

Homer has a freewheeling, organic character. In many parts of town, land uses – residential, office, retail, storage, industrial, and open space – are freely mixed. This style breaks common rules of traditional planning, but in most instances the result is attractive and functional. This eclectic mix of uses fits together with little or no conflicts, and helps create Homer’s unique, well-liked character.

1. Building appearance

Homer has an organic building aesthetic where the majority of buildings “fit.” Many are actually quite attractive, while relatively few stand out as offensive or out-of-place.

2. Development aesthetic

Homer has a widespread site development aesthetic that is also quite attractive. Many commercial lots in Homer feature hand-crafted informal signage, natural landscaping, and a comfortable, natural fit with the land. This contrasts with the buildings and parking areas in many Alaskan communities (e.g., Wasilla) where development is rarely pleasing to the eye.

In many instances these qualities exist in spite of, or possibly out of, compliance with the City’s zoning rules. In light of these realities, the function of an updated zoning code for the City of Homer should be to strengthen and institutionalize the styles and patterns most builders and developers are already following. Care needs to be taken that simplistic zoning rules don’t damage the more, unique home-grown qualities that give Homer its special character. At the same time, odds are good that future developers may not know the “unwritten rules” that have made past development generally attractive.

For these reasons and to implement comprehensive plan policies, Homer needs to upgrade and revise its existing zoning code. As part of this comprehensive plan, a “land use designation map” has been prepared identifying intended land uses, working from the existing zoning map. This product is not as detailed or specific as a zoning map, but does express the general land use strategies of the comprehensive plan. This map is a starting point in the process of amending the zoning code to refine and implement these general policies. A particular focus of this land use designation map is to use mixed use zoning practices that focus more on offsite impacts and building forms and less on controls on the specific type of use. This approach provides necessary guidance while still preserving the unique and functional character of the community.

Between the adoption of the 2008 Comprehensive Plan and the 2018 plan, several parts of the community were rezoned, zoning district text was amended, and the East End Mixed Use district created. The following descriptions of land uses are split into two parts: proposed new zoning districts, and existing zoning districts. The Land Use Recommendations Map depicts the areas of the community where the proposed new districts could be implemented. A map of the existing zoning districts, as of the draft of this plan, can be found in Appendix C, Background Land Use Information.

NEW LAND USE CATEGORIES

RT (RESIDENTIAL TRANSITIONAL)

- **Intent** The R-2 district is intended to provide a transitional residential zone between higher and lower density residential or residential office developments with a focus on residential land uses. Densities in this area will be in between the lower density rural residential zone (R-3) and the more urban, higher density uses in the R-1 district.
- **Primary Use** Medium-density residential including single-family and duplex; provide for a scale, density, and character of residential development appropriate for locations between urban and rural residential areas.
- **Other Uses, Allowances, and Specifications**
 - Areas generally served by water and sewer or likely to be served in the future; full city services.
 - Moderate lot size minimums (for example, 10,000 square foot lots for single family homes).
 - Allows second units and duplexes by right (both subject to standards).
 - Allows bed-and-breakfasts by right; other small scale accommodations¹ allowed with administrative review. (For purposes of this plan a B&B defined as lodging where owner proprietor resides on site – see footnote for details.)
 - Allows home-based businesses by right (subject to standards); allows some larger non-retail business activities subject to administrative review.
- **Development standards**
 - Encourage retention of quasi-rural character.
 - Encourage attractive diverse housing types (vs. “cookie-cutter” subdivisions).
 - Encourage open space subdivisions as alternative to more typical lot layouts.

DT (DOWNTOWN MIXED USE)

- **Intent** The intent of the DT district is to provide a mixed use business district in the core area of Homer, with safe, pleasant, and attractive circulation for pedestrians and vehicles.
- **Primary Use** Provide a concentrated, centrally located district in the center of Homer for a mixture of urban uses, including general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and related businesses, civic uses, recreation and residential uses. Create high quality public spaces (sidewalks, trails, gathering areas) and encourage pedestrian movement throughout the area; allow for a mixture of residential and commercial uses with conflicts resolved in favor of commercial uses.
- **Other Uses, Allowances and Specifications**
 - Areas served by public water and sewer, full range of other urban services
 - Allow and encourage densities typical of small town, “main street” settings (sufficient concentration of uses to encourage circulation by foot).
 - Residential densities – multi-family dwellings; for example, up to 6 units per acre allowed by right; up to 14 units per acre with administrative review.

- Minimal building setbacks to create a friendly, pedestrian-oriented streetscape.
- Encourage parking off-site (e.g., allowing payment of a fee in lieu of meeting on-site parking standards, through shared parking arrangements, through reducing on-site requirements by providing public parking and protected pedestrian ways).
- **Development standards include:**
 - Create an attractive, pedestrian-oriented environment (e.g., windows and doors that are close to the street, landscaped parking, standards to humanize buildings such as clearly articulated entries).
 - Advisory guidelines re design character, so buildings and other structures within the district are compatible with one another and with the surrounding area.
 - Consider establishing an overlay zone for Old Town so buildings in that portion of the district feature an “Old Homer” historical character.
 - Consider establishing a University district.

MEDICAL DISTRICT

- **Intent** Acknowledge demand for medical services will increase with a larger, aging population. Enact zoning regulations that allow medical services to expand with the growing need for life long medical care, in a localized area near the hospital.
 - Work with area residents and business owners to identify desirable neighborhood character and appropriate performance standards such as building bulk and scale, density, signage, lighting and parking lot development.
 - Other issues may be identified and addressed through the zoning process.

EXISTING LAND USE CATEGORIES

RESIDENTIAL

UR (URBAN RESIDENTIAL)

- **Intent** The R-1 district is intended to provide more intense residential development in the city core, in a manner that matches Homer’s small town character and encourages increased densities near pedestrian-oriented commercial areas.
- **Primary Use** Medium and medium-high density residential including single-family, duplex, and multiple-family; allow for a variety in housing types and housing price levels.
- **Other Uses, Allowances, and Specifications**
 - Areas generally served by water and sewer; central locations with excellent access to a range of urban services and facilities.
 - Residential is primary use; but allows for other uses where these uses maintain residential character.
 - Moderate lot size minimums (for example, 6000 square foot lots for single family homes).
 - Allows bed and breakfasts by right, allows second units and duplexes by right (both subject to standards). (For purposes of this plan, a B&B is defined as lodging where owner proprietor resides on site.)

- Allows home-based businesses by right (subject to standards).
- **Development standards**
 - Encourage attractive, diverse housing types (vs. “cookie-cutter” subdivisions).
 - Ensure newer housing is compatible with character of older neighborhoods (for example, by requiring transitional densities, buffer uses).

RR (RURAL RESIDENTIAL)

- **Intent** The R-3 district is intended to provide areas for low density residential development and limited agricultural pursuits.
- **Primary Use** Low-density residential development in outlying locations, generally with less services and/or lower level of service than in urban areas.
- **Other Uses, Allowances, and Specifications**
 - Areas generally not served by water and sewer, nor likely to be served in the near future.
 - Larger lot sizes or cluster subdivisions to preserve sense of open space.
 - Allows accessory housing units by right (subject to standards).
 - Allows bed and breakfasts by right, subject to standards (for purposes of this plan B&B defined as lodging where owner proprietor resides on site)
 - Allows home-based businesses by right, subject to standards; allows some larger non-retail business activities subject to administrative review.
- **Development standards**
 - Option for higher densities and cluster development. Encourage open space subdivisions as alternative to more typical lot layouts.
 - Ensure newer housing is compatible with character of older neighborhoods.

COMMERCIAL AND MIXED USE

CBD (CENTRAL BUSINESS DISTRICT)

- **Intent** The intent of the CBD commercial district is to provide a mixed use business district in the core area of Homer, with greater allowance for vehicular use than in the Downtown district, but still with a character that encourages pedestrian use.
- **Primary Use** Provide a centrally located area within the City for a mixture of urban uses and activities, including general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and related businesses, civic uses, recreation, and residential uses. Allow a mixture of residential and commercial uses but conflicts resolved in favor of business.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - On-site parking required (option for shared parking with an approved parking plan).

- Residential densities – for example, multi-family up to 6 units per acre - allowed by right
- **Development standards include:**
 - Create an attractive, pedestrian-oriented environment (e.g., landscaped parking, standards to humanize buildings such as clearly articulated entries).
 - Advisory guidelines regarding design character, so buildings and other structures within the district are compatible with one another and with the surrounding area.
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

RO (RESIDENTIAL OFFICE)

- **Intent** The intent of the RO district is to allow for a range of residential and residential compatible uses. While allowing office, certain commercial and other business uses, buildings and sites must have a scale and character similar to single family detached or small multi-family homes. This district serves as a transition zone between commercial and residential neighborhoods.
- **Primary Use** Provide a mix of low-density to medium-density residential uses with certain specified businesses and offices which may include professional services, administrative services and/or personal services, but does not include direct retail or wholesale transactions except for sales which are incidental to the provision of services.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services, close to other urban services.
 - Moderate lot size minimums (for example, 7500 square feet); allows for attached housing.
 - Guide use to create/maintain an attractive highway environment
- **Design and development standard**
 - Required (not advisory) standards to maintain residential character/residential scale of buildings (e.g., height, setbacks, parking location, signage).
 - Advisory design guidelines regarding building style (e.g., use of materials, architectural style).
 - Allow for limited commercial signage, consistent with overall goal of retaining a largely residential character.

G-MU (Gateway Mixed Use)

- **Intent** The intent of the G-MU district is to provide land uses that primarily cater to the tourism and visitor industry of Homer and to promote year round activity. The gateway district serves as the primary roadway entry into Homer. It will provide an attractive built environment and promote those uses that will not compete with the DT, CBD and GC districts.
- **Primary Use** Promote mixed-use development, with emphasis on the visitor industry. Serve needs and interests of the visitor industry, as well as year-round residents and Homer's role as the Gateway to Kachemak Bay (not to conflict w/CBD). Minimize future

- traffic congestion along the Sterling Highway corridor and preserve the experience residents and visitors have when entering Homer by way of the Sterling Highway.
- Commercial uses are primary objective; focus on “Gateway” appropriate businesses such as visitor amenities, hotels – no gas stations, fast-food, strip development.
 - **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
 - **Development standards**
 - Advisory guidelines re “Gateway” design character.
 - Encourage parking behind buildings (through appropriate set-back rules).
 - Design standards that create an entry point the community can be proud of - attractive, pedestrian-oriented to a degree (e.g., landscaped parking).
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

E-MU (EAST END MIXED USE)

- **Intent** The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and to ensure such uses, which are important to Homer’s economy, continue to have a viable location.
- **Primary Use** Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but residential/retail and commercial conflicts will be resolved in favor of commercial/industrial uses.
- **Other Uses, Allowances and Specifications**
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD.
 - On-site parking required.
 - Guide use to create/maintain an attractive highway environment.
- **Development standards**
 - Minimal – basic guidelines for parking, setbacks.
 - Encourage basic landscaping.
 - Properties adjacent to the Conservation zone should use best management practices when developing near the southern edge of the property. Strategies may include, but are not limited to, 100 foot buffer zones along the southern property lines adjacent to the conservation areas, tree retention (bird habitat, moose cover), habitat and vegetation retention, and storm water and pollution management techniques. Developers are encouraged to use a combination of techniques to minimize impacts

within 100 feet of the south property line and to provide for storm water filtration. Development is encouraged to concentrate on the northern portions of these lots.

GC-1 (GENERAL COMMERCIAL 1)

- **Intent** The intent of the GC-1 district is to provide for auto-oriented business.
- **Primary Use** Provide for a diverse array of commercial, retail, and civic uses; commercial uses are primary objective. Applied in locations where the auto is primary means of access.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Residential densities – for example, residential uses up to 6 units per acre allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
 - On-site parking required (option for shared parking with an approved parking plan).
 - Guide use to create/maintain an attractive highway environment.
- **Development standards include:**
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).
 - Provide for safe pedestrian circulation.

GC-2 (GENERAL COMMERCIAL-2)

- **Intent** The intent of the GC-2 district is to locate commercial and industrial uses where access to transportation infrastructure is a primary consideration. This district will also serve as a reserve to allow for future commercial and industrial expansion.
- **Primary Use** Promote a sound heavy commercial area within the community with good access to main roads, and reserve land for future industrial expansion. Designed to permit manufacturing, processing, assembly, packaging, or treatment of products within enclosed utilities and facilities required to serve these uses. Residential uses permitted, recognizing the primacy of light industrial and commercial activities. Residential uses limited; certain retail enterprises limited. Performance standards for heavy commercial uses, especially where the district abuts other zoning districts. Allows for heavier commercial uses – manufacturing, processing, packaging, and support of airport activities / needs.
- **Other Uses, Allowances, and Specifications**
 - Accessible by vehicle/direct access.
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD
 - On-site parking required.
- **Development standards include:**
 - Minimal – basic guidelines for parking, minimal setbacks
 - Encourage basic landscaping, screening

MC (MARINE COMMERCIAL) (See also 2011 Homer Spit Comprehensive Plan)

Provide adequate space for the commercial needs which service and support water-dependent industries and facilities; encourage adequate separation between allied but potentially incompatible commercial and industrial uses while providing proximate locations for the mutual benefit of such

water-oriented commercial and water dependent industrial uses. Commercial enterprise permitted to the extent that it services and supports the water-dependent industries which are important to Homer's economic base (e.g., fishing, marine transportation, off-shore energy development, recreation, and tourism) and to the extent that location elsewhere creates unnecessary hardship for the users of such commercial services. Performance standards are required to minimize the impact of commercial development on the natural features on which it depends.

MI (MARINE INDUSTRIAL) (See also 2011 Homer Spit Comprehensive Plan)

Provide adequate space for those industrial uses that require direct marine access for their operation and to encourage the most efficient utilization of land. Promote marine-dependent industries important to Homer's economic base (e.g., fishing, fish processing, marine transportation, off-shore oil development, and tourism); give priority to those uses, and minimize conflicts among industrial, commercial and recreational uses.

OSR (OPEN SPACE—RECREATIONAL)

Promote public recreational opportunities while protecting natural and scenic resources. Give priority to pedestrian uses over motor vehicles uses and preserve public access to the tidelands. All development proposals in the district will be evaluated in terms of their compatibility with natural hazard and erosion potential and their effect on scenic vistas and public access.

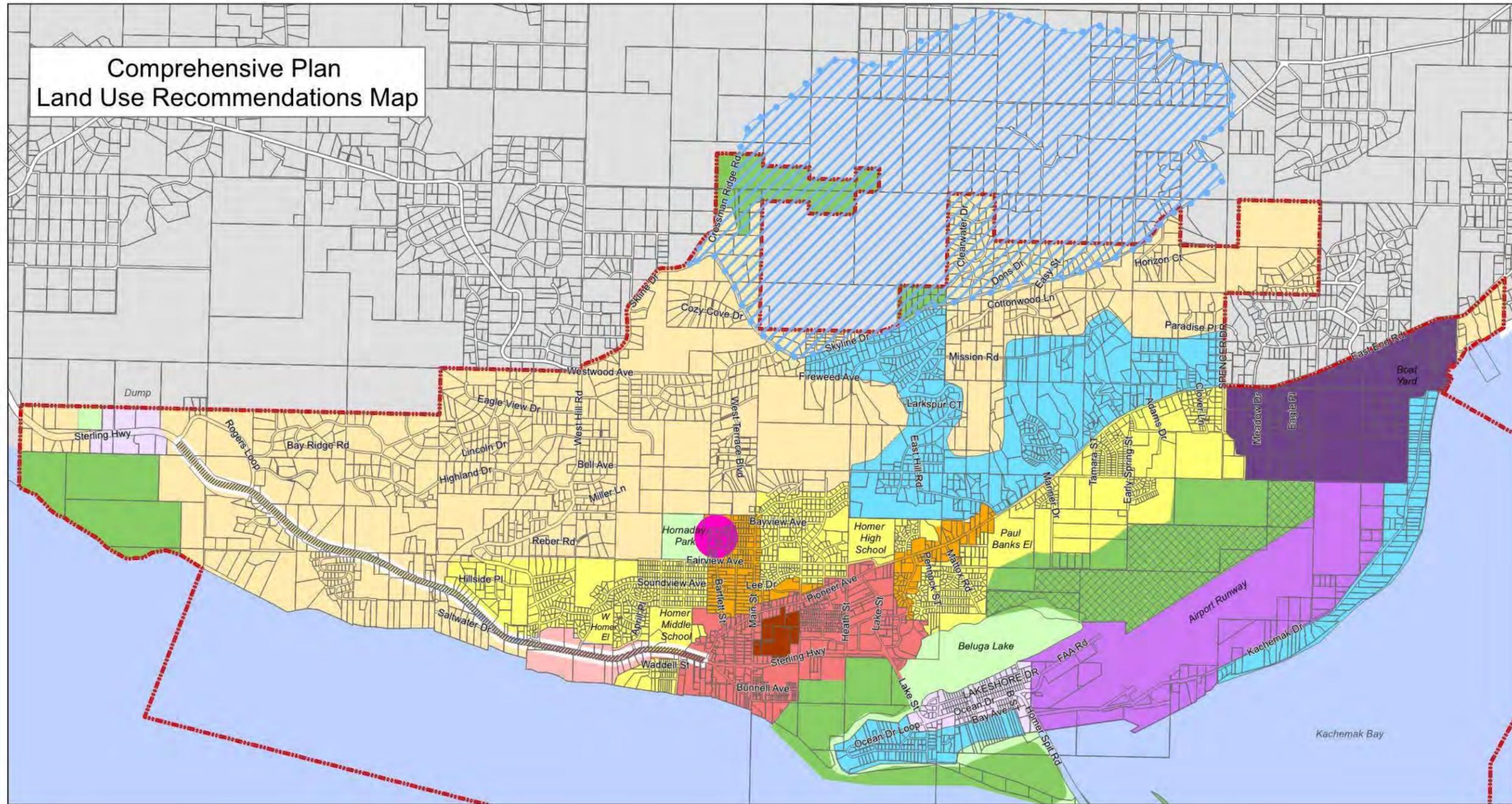
CO (CONSERVATION)

- **Intent** The conservation district is applied to sensitive public and in some instances private lands that are critical to the maintenance of fish and wildlife resources, serves important watershed protection areas, or serves other key environmental functions. These lands are to be maintained in an undisturbed and natural state, except for enhancement projects. Private landowners may agree to have this designation on their property. The Green Infrastructure map discussed is an important reference in identifying conservation areas.
- **Primary Use** Acceptable uses in this district include undeveloped open space, parks with passive recreation activities and facilities (e.g., wildlife viewing, nature walks, educational and interpretive uses) and other uses that do not change the character of the land or disrupt fish and wildlife. Passive recreation activities are secondary to habitat protection and enhancement. Private landowners may agree to have this designation on their property.
- **Development standards include:**
 - Where applied to private lands, specific development strategies and standards are needed to balance the interests of private land owners with the need for protection of functionally valuable, sensitive natural areas.
 - Consider requiring a 100 foot habitat buffer on all lands bordering the airport area conservation zone, as discussed under the East End Mixed Use zone.

BCWP (BRIDGE CREEK WATERSHED PROTECTION DISTRICT)

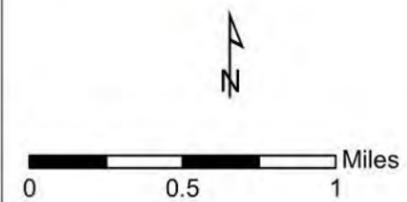
Prevent degradation of water quality and protect the Bridge Creek Watershed to ensure its continuing suitability as a water supply source for the City's public water utility. Restrict land use activities that would impair the water quality or increase the cost for treatment.

Comprehensive Plan Land Use Recommendations Map



Legend

Town Center	Medical District	Rural Residential	City Limits
Bridge Creek Watershed	General Commercial 1	Residential Office	Airport Critical Habitat Area
Gateway Business District	General Commercial 2	Urban Residential	
Downtown Mixed Use	East End Mixed Use	Open Space Rec	
		Conservation	
		Residential Transition	Scenic Gateway Corridor Overlay



City of Homer

■ Appendix B – Annexation Process

Summary

Develop a clear and open public process for future changes to City of Homer boundaries. Explore a planned, phased possible expansion; and initiate and establish regional planning processes with the Kenai Peninsula Borough.

Existing land use and future growth around the periphery of Homer has significant impacts on the quality of life, the environment, and the economy of those who live and work within city limits. As a consequence, the City needs to be open to the possibility of annexing lands beyond city boundaries. Some of the specific benefits for those in the annexed areas include:

- Access to water for domestic use
- Improved fire protection services
- Improved street maintenance and snow removal services
- Improved law enforcement services provided by the City police department (as continued growth in outlying areas requires more services than the Alaska State Troopers can provide)
- Local control over planning and zoning (when done in a manner that reflects local values, city planning and zoning authority can help avoid the intrusion of incompatible uses into neighborhoods and help maintain and increase property values)
- Right to vote for elected representatives in Homer, and serve on City Boards and Commissions (currently sales tax provides the majority of the city's revenue. People outside city boundaries pay sales tax but don't vote for the people who make the decisions about how sales tax money is spent)

Step 1: Develop a clear and orderly process to assess the need and apply for the expansion of the boundaries of the City of Homer, which is likely to be necessary over the coming decades as surrounding areas grow and develop.

Step 2: Develop a fair, planned process for involving affected members of the public when considering annexation.

Step 3: Develop land use and infrastructure policies to address issues such as access and water use for areas that may be annexed in the future.

Step 1: Develop a clear and orderly process to assess the need and apply for the expansion of the boundaries of the City of Homer, which is likely to be necessary over the coming decades as surrounding areas grow and develop.

For the long-term benefit of both the city and surrounding areas, Homer will adopt a proactive planning strategy in the greater Homer area. Overall intentions regarding possible boundary changes are outlined below:

Implementation Strategies

1. Regularly assess the need for phased annexations to guide growth and provide for effective delivery of municipal services which benefit landowners, residents, and businesses.
2. Identify specific criteria for prioritizing prospective annexation areas. Focus near term attention where the uses have the greatest impact on City of Homer interests, including the area of the Bridge Creek water reservoir and associated watershed, areas where City water is delivered to residents outside city limits, areas directly adjacent to Homer city boundaries, and areas where recreational and open space resources (trails, greenbelts, water and drainage ways) are already in existence or may be easily developed.
3. Establish a clear and open public process for proposing annexations, including obtaining input from interested persons regarding land use and City services.
4. Work actively with the KPB to develop shared plans for current uses and future growth in the areas outside current city boundaries; including services, land use, and development standards.
5. In addition to considering the impacts of proposed annexation on residents and land owners, evaluate the costs and benefits of specific possible annexations to the City of Homer; looking, for example, at the relative balance of expected revenues versus costs to provide needed services.

Step 2: Develop a fair, planned process for involving affected members of the public when considering annexation.

Past annexation procedures in Homer have been painful, slow, and costly. Some of this cannot be avoided: annexation is a complex issue and not everyone will be satisfied with the outcomes. Nonetheless, there is room for improvement in the procedures associated with annexation. Specific policies include:

Implementation Strategies

1. In the near term, carry out an initial “annexation issues scoping process” for areas outside the city. Get early input from landowners, residents, and businesses in possible annexation areas regarding annexation issues. This will help Homer in planning for future growth, and enable landowners and businesses outside Homer to be part of the process and to understand how annexation may affect them.
2. Prior to proceeding with any annexation petition, the City, working with the Borough, will undertake a planning study of the specific area proposed for annexation. This will include providing public notice and public meetings to help define recommended future land uses and to indicate how and when municipal services (including public safety, utilities, streets and trails) will be extended to the area, together with estimated associated costs. The recommendations

of the study will be incorporated into any annexation proposal submitted to the Alaska Local Boundary Commission.

3. Extra effort will be made to give the public a meaningful role in the consideration of annexation costs and benefits.
4. Explore options for different levels of services where clear distinctions can be made in the level of service required. For example, the level of fire protection service may vary greatly as a function of road infrastructure, vegetation, and response time. In outlying areas for example, the focus may be prevention of loss of human life and containment versus protection of life and property in locations closer to town.
5. It is not possible or appropriate for the City of Homer to prepare land use policy for potential annexation areas. At the same time, the City needs to convey general intentions for the future use of annexed lands. These intentions are established through the general policies of this Comprehensive Plan and other policies for land inside City limits, but also give a helpful sense of what policies might apply in future annexation areas. Examples of general policies that apply citywide and would likely be extended to annexed areas include creating and maintaining quality residential neighborhoods, using setbacks and buffers to ensure compatibility between different types of uses, providing open space and trails, and ensuring roads are built to City standards. The annexation planning studies called for above will build from the general framework in the Comprehensive Plan and take into account the opportunities and constraints of specific locations, as well as the perspectives of affected property owners and residents.

Step 3: Develop land use and infrastructure policies to address issues such as access and water use for areas that may be annexed in the future.

Regardless of any future annexations, which may be decades away, the City needs to address several specific land use and infrastructure issues that cross city boundaries into greater Homer. Specific issues and recommended policies are presented below:

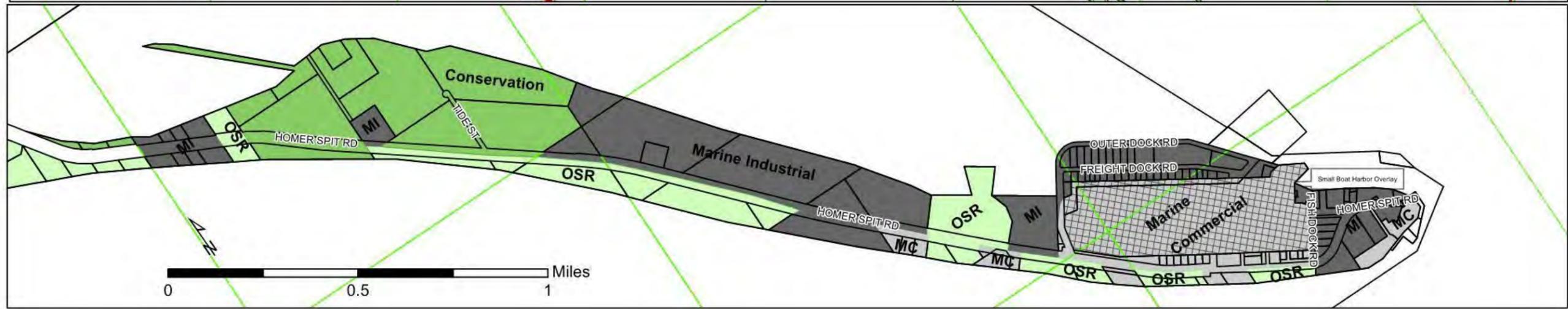
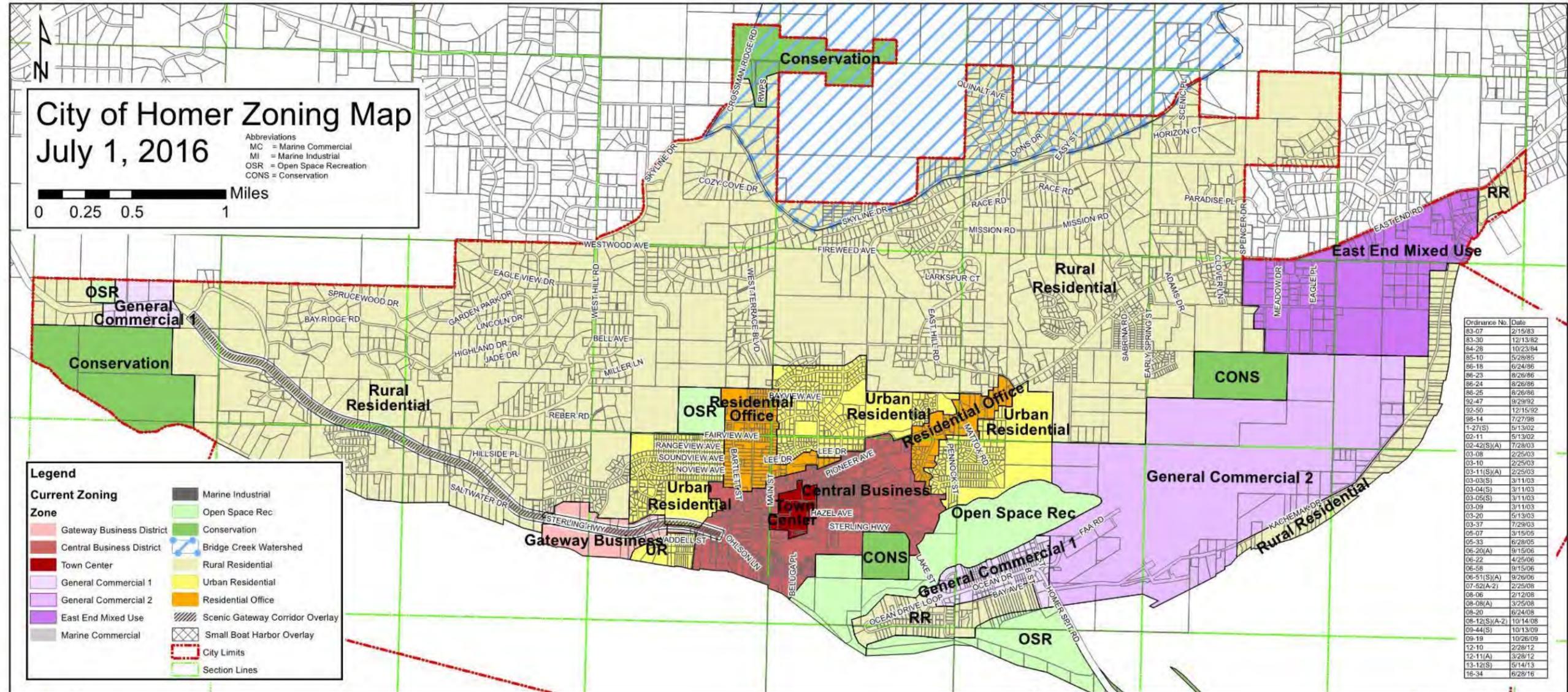
Implementation Strategies

1. Working through a cooperative planning process with the Borough, establish mechanisms to deal with issues outside City of Homer boundaries with greatest impact on the City. Examples include agreement to use common road standards and for cooperative work on trail and open space issues.
2. Re-examine the City’s current policy for the provision of water from the public water system to users outside city limits and determine the impact of this practice. Currently approximately 26% of occupied homes within Homer city limits do not enjoy the benefit of piped water delivery. The ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited. Water delivery in outlying areas contributes to the outward spread of residential uses, which in turn increases driving, energy use and contributes to greenhouse gas emissions. Determine if areas receiving water should be high priority areas for annexation. Investigate options for “reciprocity” by either developing plans for annexation or by establishing KPB-enforced land use practices that align with similar practices in the City of Homer (*See Chapter 6, Public Services and Facilities, Goal 1, Objective C, for more on water use*).

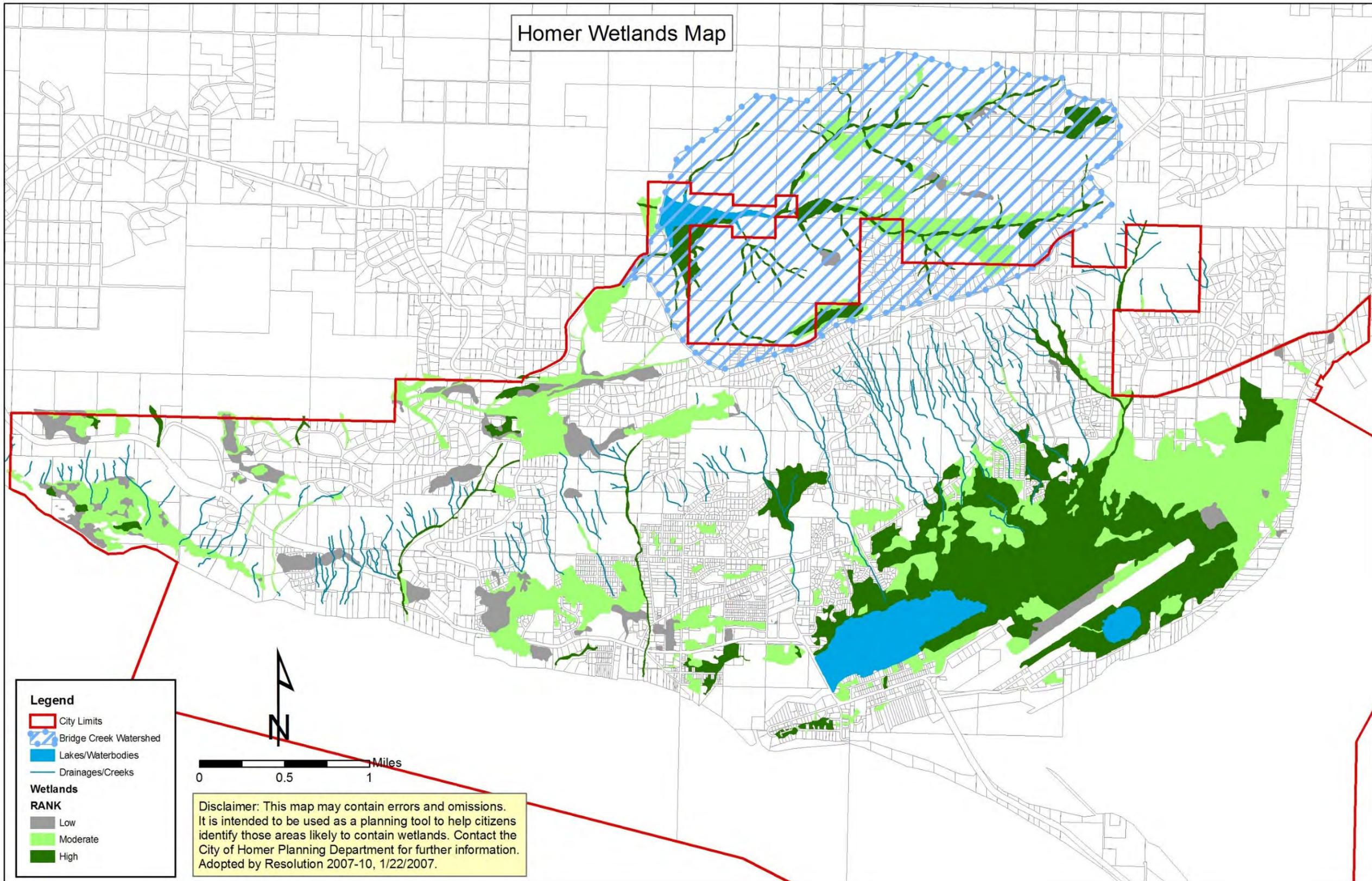
■ Appendix C – Background Land Use Information

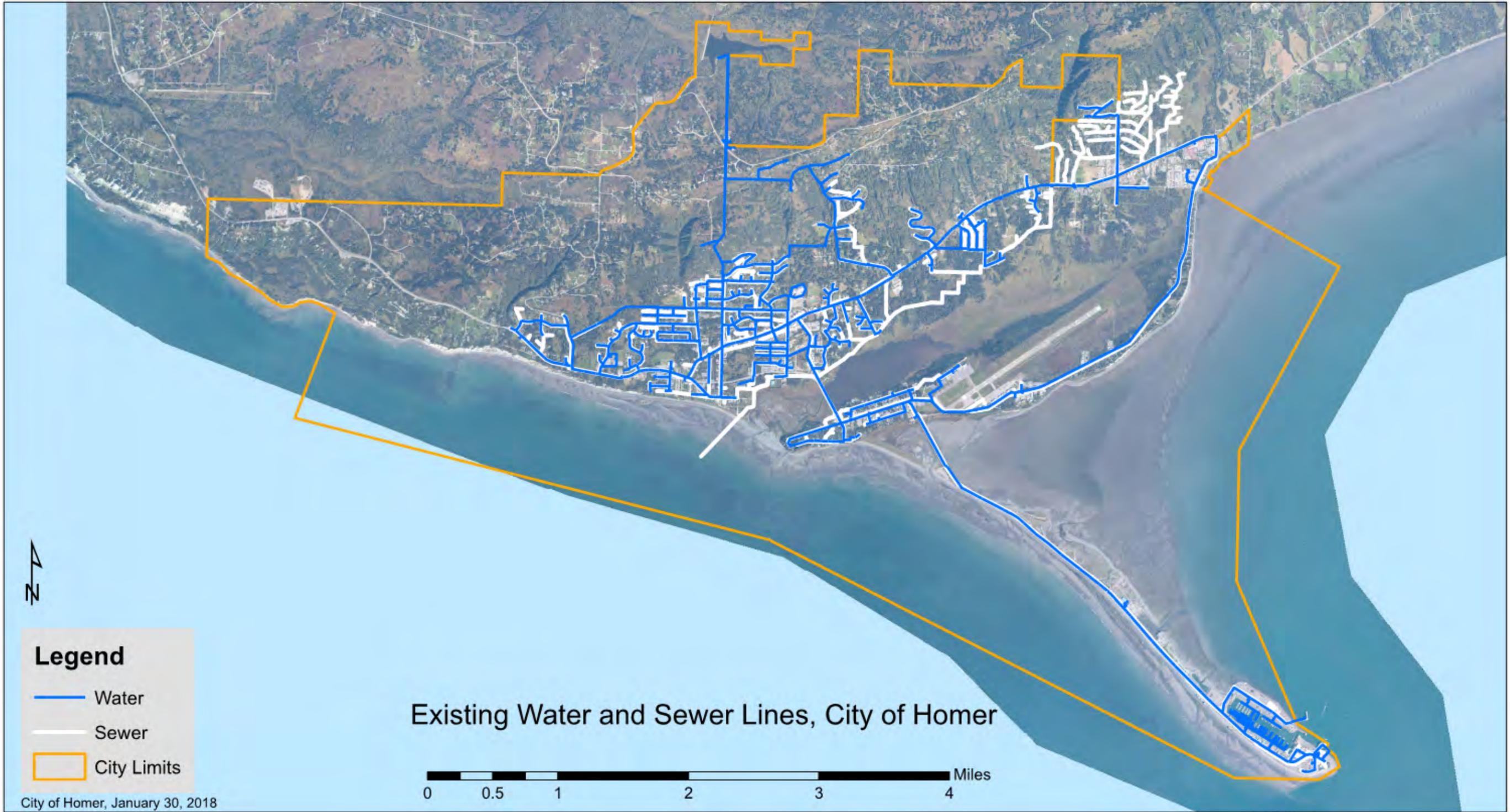
Index

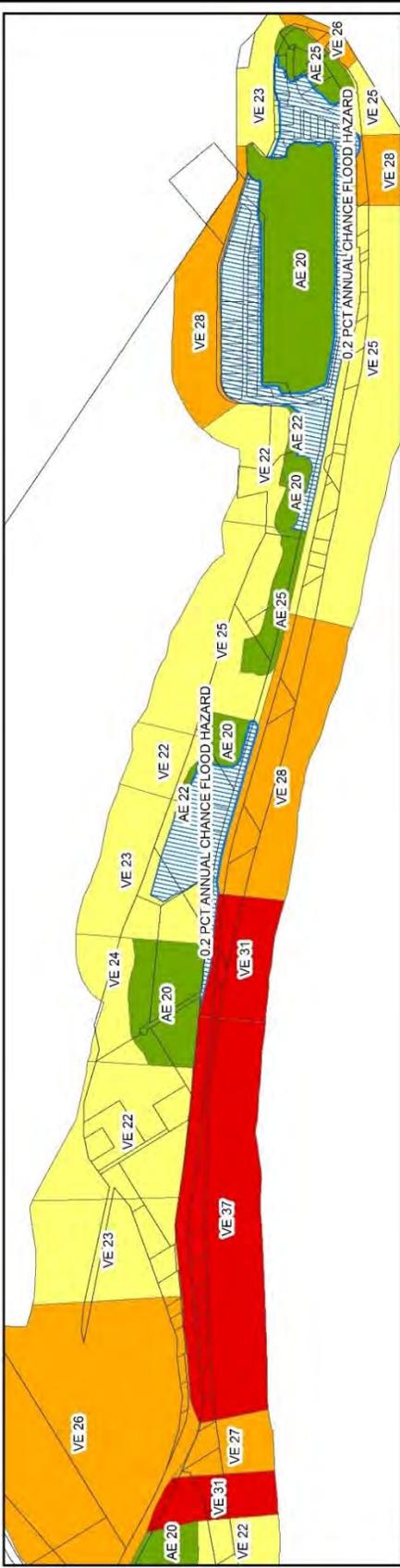
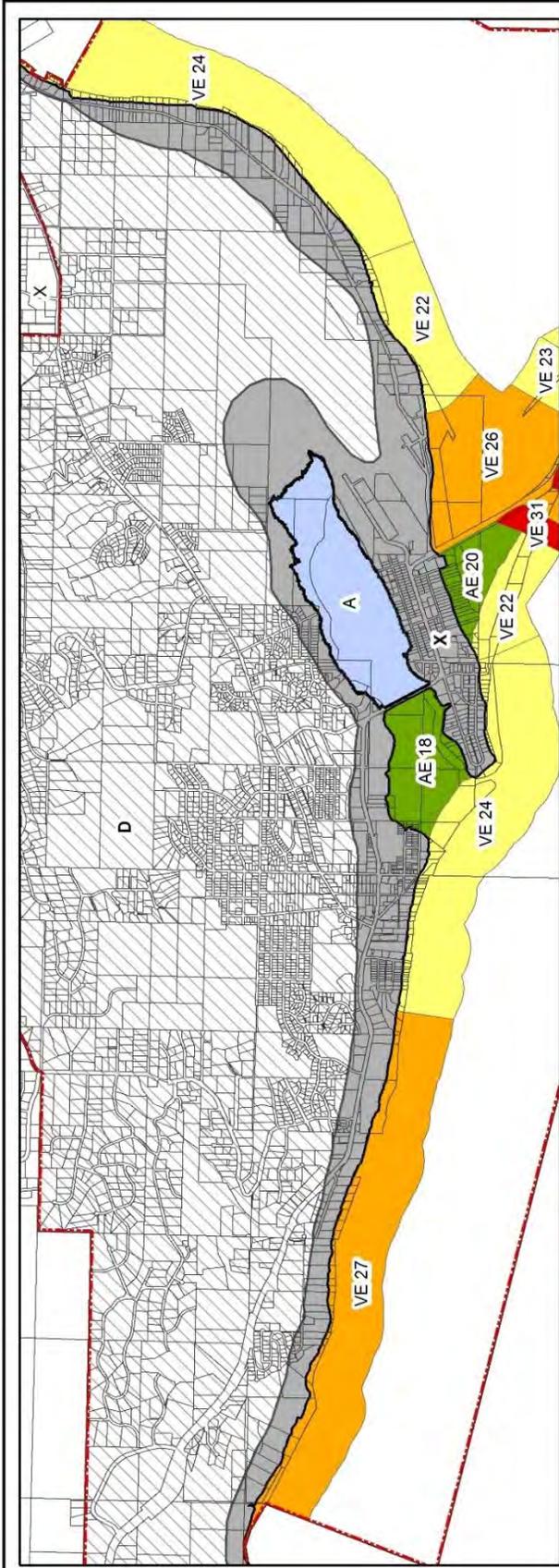
2016 Zoning Map	C-2
2005 Wetlands Map	C-3
Existing Water and Sewer Infrastructure Map	C-4
Flood Plain Map	C-5
Coastal Erosion Map	C-6
Green Infrastructure Mapping	C-7 – C-10
Land Suitability Mapping	C-11
Woodard Creek Plan Excerpt	C-13



Homer Wetlands Map







11/14/2017

Legend

Homer Flood Areas 2016

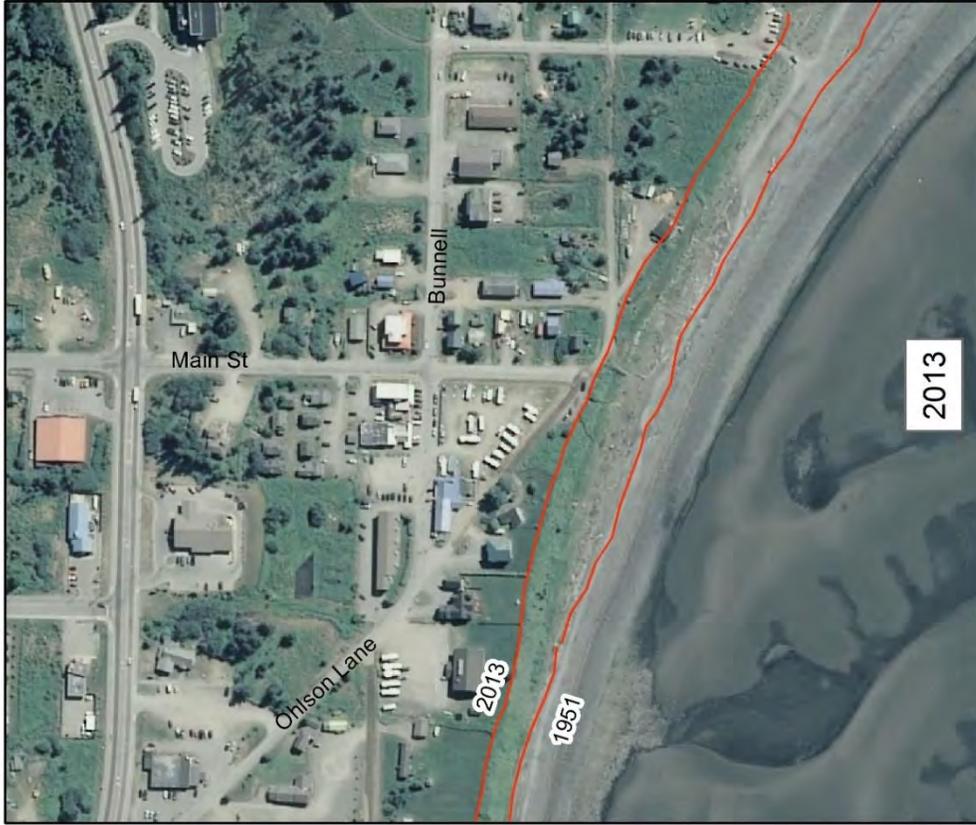
- AE, 20
- AE, 22
- AE, 25
- VE, 22
- VE, 23
- VE, 24
- VE, 25
- VE, 26
- VE, 27
- VE, 28
- VE, 31
- VE, 37

Flood Zone, BFE

- A, Unnumbered
- AE, 18
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- X, Outside 0.2% annual chance flood
- D, Flood Hazards undetermined

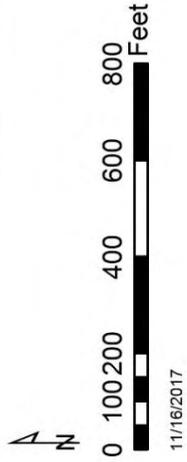


Coastal Erosion: Homer's Changing Coastline 1951-2013



City of Homer
Planning and Zoning Department

The red lines show the top of the bluff, derived from aerial photos. The end of Main Street, on Bishop's Beach, is one of the more active areas of coastal erosion.



Green Infrastructure Mapping

Following is a draft Green Infrastructure Map developed by DnA Design of Homer as part of an independent project with the local Soil & Water Conservation District. The map was developed as a way to define lands viable for future development while considering the need to protect drainage, open space, and other environmental features that would complement development. The project defines incentives for developers to consider landscape systems in their projects while maintaining or enhancing their bottom line. The green infrastructure elements are determined by overlaying scientific, ecological, and economic values to provide not only an ecological benefit, but also quantifiable economic and quality of life benefits. Since Green Infrastructure (GI) looks at larger scale landscape systems, the map extends beyond the boundaries of the city to include entire watersheds and other key features that cross the political boundary of the city limit. The map legend categories are defined more precisely as follows:

Highly Developable/Developed (white)

Areas that are well suited for development or are already developed.

Some Green Infrastructure Elements (yellow)

Areas that are well suited for development with consideration of larger landscape systems, such as storm water management, upland-wetland complexes, poor soils, unstable slopes, trails, habitat, etc. These areas will likely have associated incentives to maintain environmental systems while enhancing land values.

Important Green Infrastructure Elements (light green)

Development in these areas should consider the specific Green Infrastructure characteristics present. These are not critical natural areas. However, if development in these areas is not careful, it will negatively impact larger landscape systems. Construction costs in these areas will probably be higher if the natural characteristics are not considered. These are areas where the public and property owners should be made aware that there is some important characteristic that they should consider protecting (such as steep slope, valuable wildlife habitat, adjacent creeks, trails or wetlands). Carefully planned development that preserves or enhances Green Infrastructure elements can add value to real estate, for example, by retaining natural features and wildlife. These are areas that would benefit from clear development guidelines to preserve landscape systems, and would be eligible for special development or restoration incentives.

Critical Green Infrastructure (dark green)

These areas have sensitive or critical landscape systems, processes, or connections and are most appropriate for conservation. They are predominantly areas with steep slopes, critical wetlands, poor soils, or other sensitive landscape features. These areas would likely be very difficult and expensive to develop, and are limited by existing federal regulation. Development in these areas will cause significant impacts on natural systems, neighboring properties and possibly view sheds, and will increase the risk and associated costs due to natural hazards. These areas should be considered amenities for the city and its residents because of their value for storm water management, habitat protection, view shed protection, open space, and trails. Options for preserving these lands should be explored, for example, through conservation easements, land or development trades, or other creative incentives, particularly for areas held in private ownership.

Mapping Background

This Green Infrastructure Map is generated from spatially explicit GIS base maps which include the following characteristics:

- | | |
|---|--|
| • Soils | • Storm water management |
| • Creeks and drainages | • Wetlands |
| • Slopes | • Vegetation habitat |
| • Bluff erosion | • Wildlife habitat |
| • Construction costs (essentially development costs due to slope, road access, soils, wetlands, open water and drainages) | • Accessible lands—lands already served by road and water and sewer (basically a weighted buffer by infrastructure construction costs) |
| • Trails and public amenities | • Views and view sheds |

Specific steps to establish a system of green infrastructure include those outlined below; the Green Infrastructure Map provides a simplified illustration of this approach:

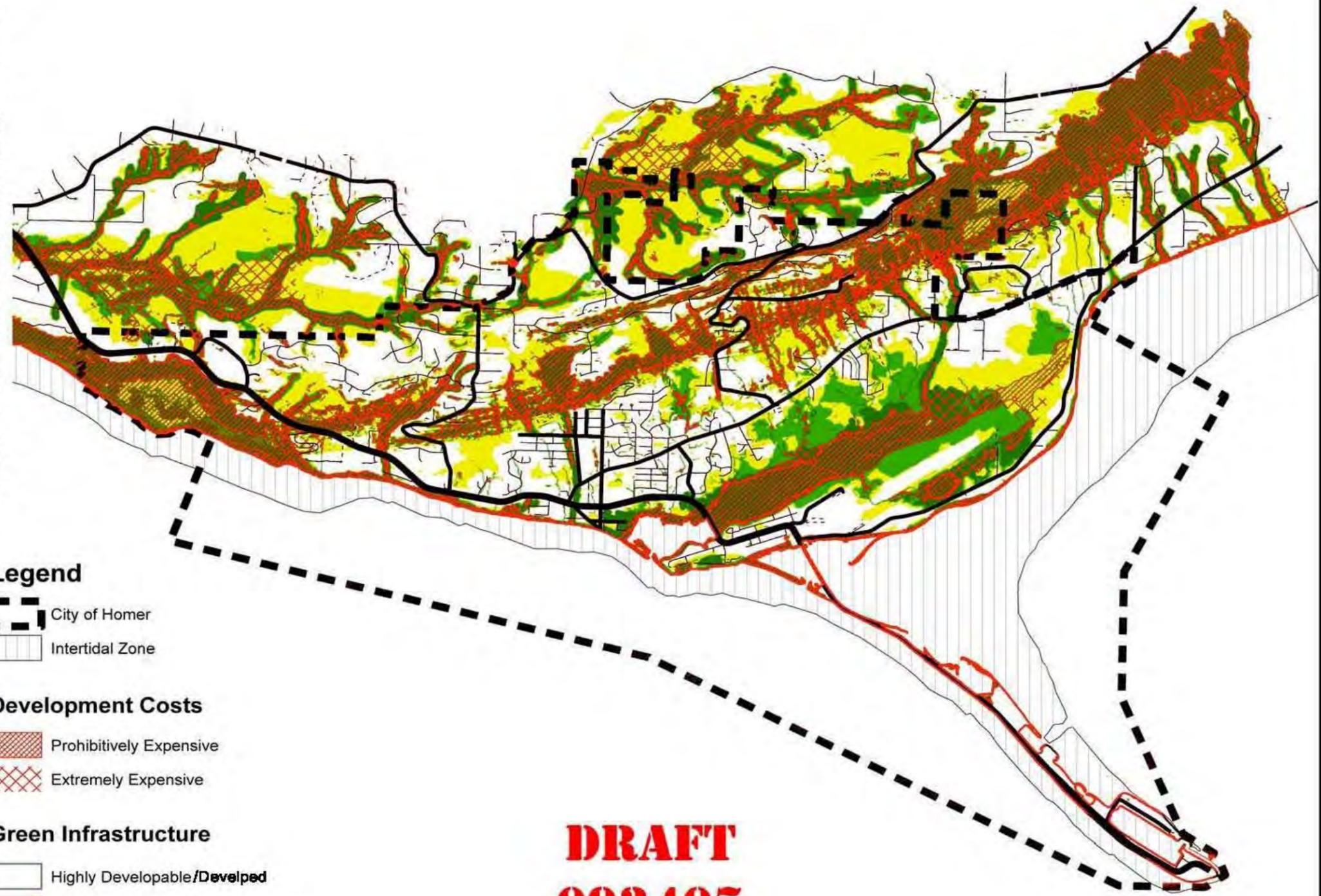
1. Identify and map individual environmental features and processes – erosion areas, wetlands, steep slopes, aquifer recharge areas, shoreline access points, critical view sheds, etc.
2. Identify open space and recreation areas – trails, parks and recreation use areas, view sheds and other features that are best protected by allowing the land to remain largely undeveloped.
3. Overlay mapped environmental features with open space and recreation areas to create an integrated “green infrastructure” network map. This should identify features such as stream corridors and trails that cross multiple properties. Also identify areas that may be able to support development, but will require special standards to maintain environmental quality (e.g., steep slope areas).
4. Limit areas included in the green infrastructure map to those of highest value or greatest constraint. For example, the map should identify the most important trails, the most important wetlands and streams, and the steepest slopes.
5. Formally adopt the map, recognizing that site-specific developments may lead to changes in the features that need protection for particular development projects.
6. Establish a formal process that balances the long-term communitywide benefits of the green infrastructure concept with short-term impacts on individual private landowners.



Note: The map shown on this page is provided only as an illustration. It was developed by the Homer Soil and Water Conservation District and is included in this document for descriptive purposes only. While illustrating the general objectives for green infrastructure that are endorsed by this plan, this draft map will not be adopted as part of this comprehensive plan.

HOMER SUITABILITY MAPPING

G.I. and DEVELOPABLE LANDS



Legend

-  City of Homer
-  Intertidal Zone

Development Costs

-  Prohibitively Expensive
-  Extremely Expensive

Green Infrastructure

-  Highly Developable/**Developed**
-  Some Green Infrastructure Elements
-  Important Green Infrastructure Elements
-  Critical Green Infrastructure Elements

**DRAFT
092407**



HOMER SUITABILITY MAPPING

G.I. and DEVELOPABLE LANDS 2

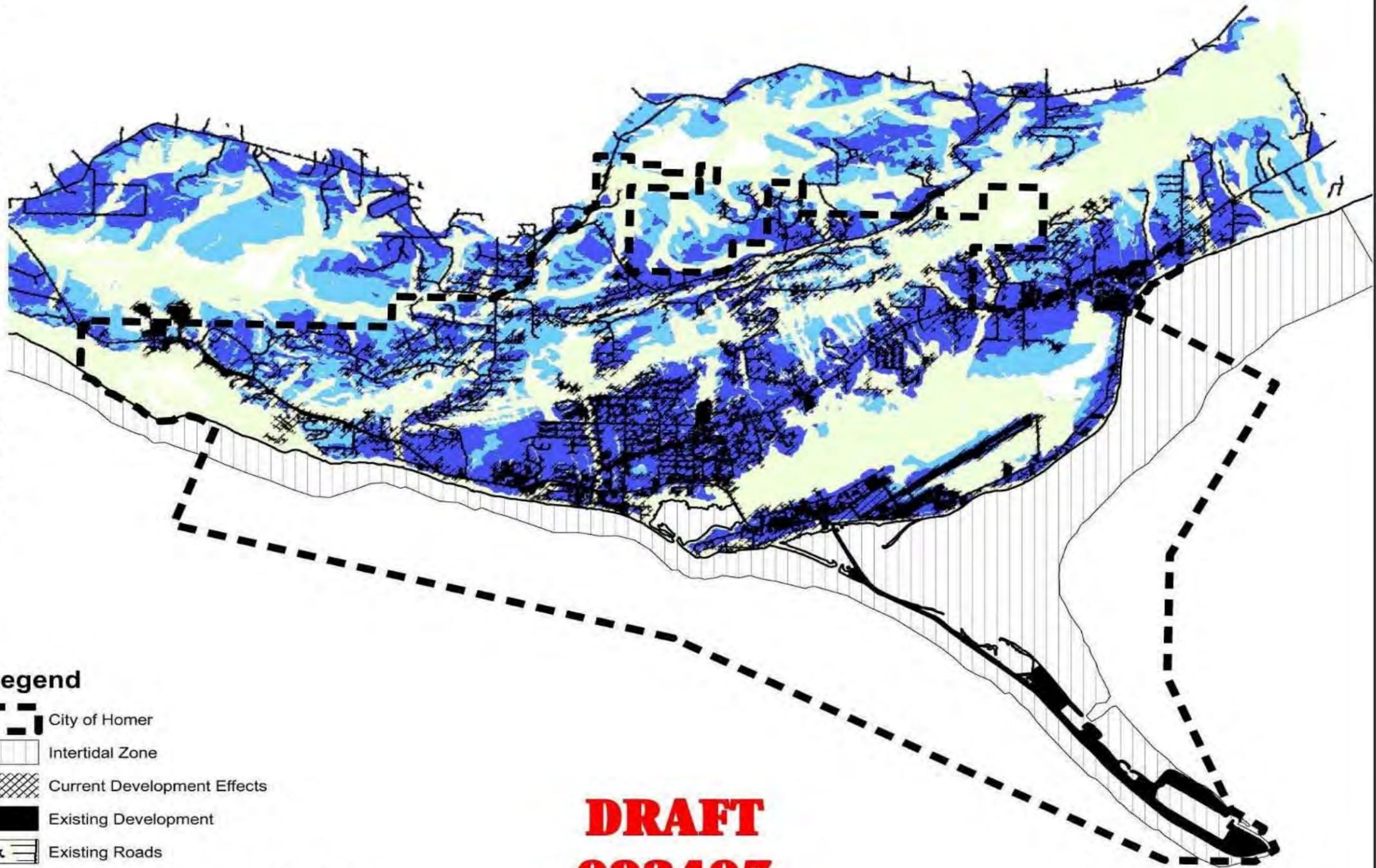


Legend

- City of Homer
- Intertidal Zone
- Current Development Effects
- Existing Development
- Existing Roads

High-Value Development Lands

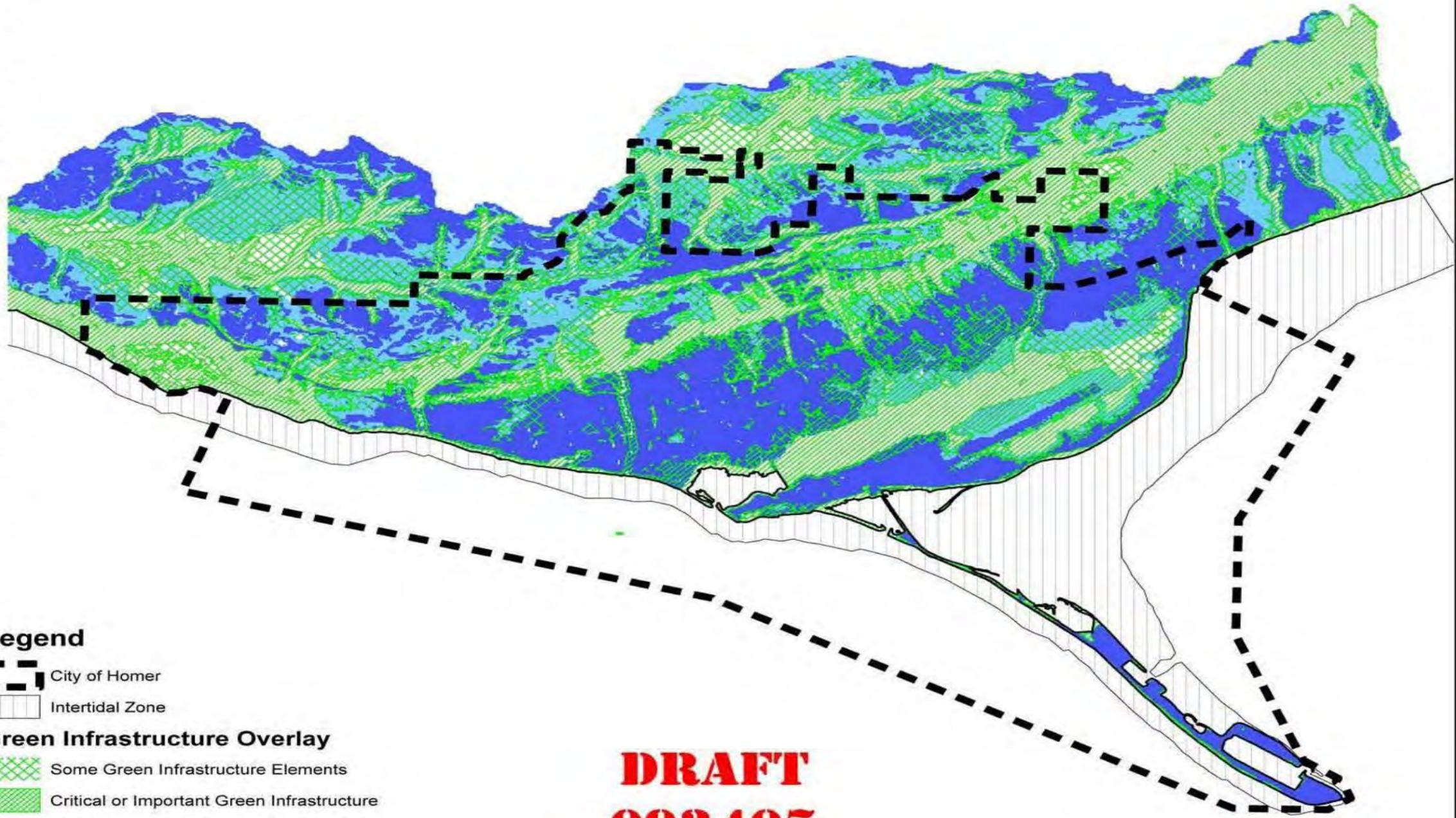
- Moderate Value
- High Value



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092407

HOMER SUITABILITY MAPPING

G.I. and DEVELOPABLE LANDS 3



Legend

- City of Homer
- Intertidal Zone

Green Infrastructure Overlay

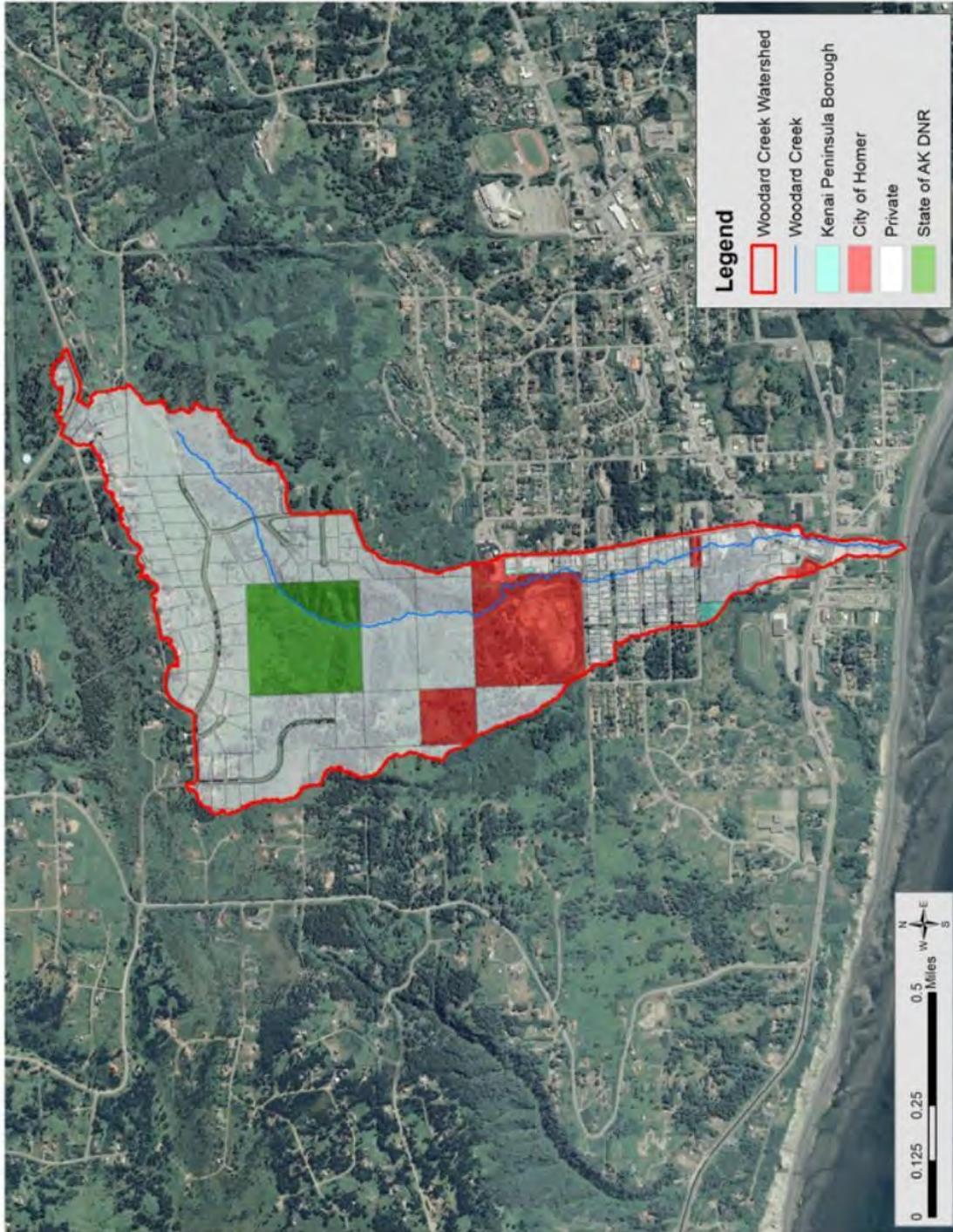
- Some Green Infrastructure Elements
- Critical or Important Green Infrastructure

High-Value Development Lands

- Moderate Value
- High Value

DRAFT
092407





Land ownership within the Woodard Creek Watershed (Watershed boundary: Kachemak Bay National Estuarine Research Reserve, 2017; Basemap: Kenai Peninsula Borough imagery, 2012; Ownership parcels: Kenai Peninsula Borough GIS Division, 2017).

Projects for Future Consideration		Objectives Met
Task	Description	
1. Identify areas prone to overflow (culverts, low banks) and work with Homer Public Works Department to mitigate flooding.		
1	Map areas with low banks	• Identify, study, and address high risk areas in the Woodard Creek Watershed
2	Inventory debris in culverts	• Identify, study, and address high risk areas in the Woodard Creek Watershed
3	Remove debris from culverts as necessary	• Identify, study, and address high risk areas in the Woodard Creek Watershed • Protect natural systems
2. Daylight Woodard Creek throughout the watershed.		
1	Work with the City of Homer to daylight Woodard Creek at Fairview Avenue	• Address stream channelization and culverting in the lower watershed • Increase outreach, education, and stewardship opportunities
2	Work with the City of Homer to daylight Woodard Creek at Homer Bypass	• Address stream channelization and culverting in the lower watershed • Increase outreach, education, and stewardship opportunities
3	Work with the City of Homer to daylight Woodard Creek at Pioneer Avenue	• Address stream channelization and culverting in the lower watershed • Increase outreach, education, and stewardship opportunities
4	Work with the City of Homer to daylight Woodard Creek at the area below Homer Bypass	• Address stream channelization and culverting in the lower watershed • Increase outreach, education, and stewardship opportunities
5	Work with the Pratt Museum to daylight Woodard Creek on Pratt Museum land	• Address stream channelization and culverting in the lower watershed • Increase outreach, education, and stewardship opportunities
3. Add buffer strips along Woodard Creek		
1	Identify priority areas for buffer strips	• Protect natural systems
2	Install buffer strips in key areas	• Protect natural systems
4. Install features to reduce flow in key areas		
1	Identify priority areas for waterfalls	• Protect natural systems
2	Install waterfalls in the stream in key areas	• Protect natural systems
5. Paint the roads to show where Woodard Creek flows		
1	Coordinate annual road painting at Pioneer Avenue	• Increase outreach, education, and stewardship opportunities
6. Develop program to engage the community in keeping Woodard Creek clean		
1	Host annual Woodard Creek clean-up	• Increase outreach, education, and stewardship opportunities • Protect natural systems
2	Encourage participation in adopt-a-stream program	• Increase outreach, education, and stewardship opportunities • Protect natural systems
7. Develop program to educate the community about Woodard Creek		
1	Create an outdoor classroom for the community to learn about Woodard Creek	• Increase outreach, education, and stewardship opportunities • Protect natural systems
2	Deliver presentations at schools, council meetings, and local interest groups	• Increase outreach, education, and stewardship opportunities

Projects for Future Consideration	
Task	Description
	Objectives Met
8.	Develop observation points for community members to view Woodard Creek
1	<ul style="list-style-type: none"> Identify priority areas for observation points Create and enhance public access points
9.	Continue to work with partners to acquire properties for public access along Woodard Creek
1	<ul style="list-style-type: none"> Identify priority properties for public access Create and enhance public access points
10.	Increase pedestrian access to Woodard Creek at the beach near Crittenden Drive
1	<ul style="list-style-type: none"> Create and enhance public access points
11.	Discourage culverts in new road development
1	<ul style="list-style-type: none"> Integrate Woodard Creek into local planning efforts
12.	Connect Woodard Creek trails to existing trail systems.
1	<ul style="list-style-type: none"> Integrate Woodard Creek into local planning efforts Create and enhance public access points
13.	Include Woodard Creek plans in the Homer Comprehensive Plan
1	<ul style="list-style-type: none"> Integrate Woodard Creek into local planning efforts
14.	Restrict vehicular access on Gordon Road
1	<ul style="list-style-type: none"> Integrate Woodard Creek into local planning efforts Protect natural systems
15.	Develop partnerships with other groups with mutual interests
1	<ul style="list-style-type: none"> Maintain open and ongoing communication with potential partners, continue to invite partners to clean-up days Integrate Woodard Creek into local planning efforts Increase outreach, education, and stewardship opportunities Protect natural systems
16.	Develop watershed best management practices for property owners and land managers
1	<ul style="list-style-type: none"> Develop document that describes best management practices in Woodard Creek Watershed Increase outreach, education, and stewardship opportunities Protect natural systems
2	<ul style="list-style-type: none"> Disseminate document to property owners and land managers in the Woodard Creek Watershed Increase outreach, education, and stewardship opportunities Protect natural systems
17.	Create incentive system to encourage property owners and land managers to implement best management practices
1	<ul style="list-style-type: none"> Increase outreach, education, and stewardship opportunities Protect natural systems
18.	Map impervious cover in the Woodard Creek Watershed
1	<ul style="list-style-type: none"> Identify, study, and address high risk areas in the Woodard Creek Watershed

2018 Homer Comprehensive Plan - Work Log

Date	Material - Staff Report, Memo, other	Meeting	Minutes	Topic
1/13/16	Memo - Rick Abboud	HAPC & LAB, PARC		Concept introduction
2/16	Memo - Rick Abboud	Department Heads		City Manager, Police Chief, Public Works Director, Port & Harbor Director, Library Director, Parks, Community Recreation, Water/Wastewater Division
2/17/16	SR 16-13	HAPC	x	Energy
3/2/2016	SR 16-16	HAPC	x	Energy, background
3/16/16	SR 16-19	HAPC	x	Transportation
4/21/16	SR dated 4/14/16	PARC	x	Public Services & Facilities
5/3/16	SR dated 4/27/16	LAB	x	Public Services & Facilities
5/19/16	SR dated 5/13/16	PARC	x	Public Services & Facilities
6/1/16	SR 16-31	HAPC	x	Parks & Rec
6/7/16	SR dated 6/1/16	EDC	x	Economic Vitality
7/20/16	SR 16-39	HAPC	x	Parks & Rec
8/9/16	SR dated 7/12/16	EDC	x	Economic Vitality
9/13/16	SR dated 9/8/16, Memo dated 9/13/16	EDC	x	Economic Vitality
4/5/17	SR 17-39	HAPC	x	Economic Vitality
4/19/17	SR 17-44	HAPC	x	Economic Vitality
5/3/17	SR 17-49	HAPC	x	Land Use
5/17/17	SR 17-52	HAPC	x	Land Use
6/7/17	SR 17-58	HAPC	x	Land Use
6/21/17	SR 17-59	HAPC	x	Land Use
7/19/17	SR 17-63	HAPC	x	Land Use, Economic Vitality
8/16/17	SR 17-78	HAPC	x	Public Services & Facilities
10/4/17	SR 17-81	HAPC	x	Public Services & Facilities
10/17/17	SR 17-84	HAPC	x	Public Services & Facilities
11/1/17	SR 17-89	HAPC	x	Public Services & Facilities

2018 Homer Comprehensive Plan - Work Log

Date	Material - Staff Report, Memo, other	Meeting	Minutes	Topic
12/6/17	SR 17-93	HAPC	x	Public Services & Facilities
1/3/18		HAPC	x	Process update; not a meeting topic
1/17/18	SR 18-05	HAPC		Process update; not a meeting topic
2/7/18	SR 18-07	HAPC		Process update; not a meeting topic
2/15/18	Peninsula Clarion Ad			Outreach
2/16/18	letter to CBD property owners			Outreach
2/20/18	Press Release			Outreach - City website, radio, newspaper
2/21/18	SR 18-10, Flyer	HAPC		Outreach - Homer News Flyer (2,000 copies)
2/22/18	Homer Tribune Ad			Outreach
3/1/18	Comments & meeting materials			Outreach - Open house at City Hall
3/7/18	SR 18-13	HAPC	x	Process update; not a meeting topic
3/21/18	SR 18-15, SR 18-16, meeting laydown comments	HAPC	x	Addressing Comp Plan Comments
4/18/18	SR 18-19, Public Comments Packet, Feb. 2018 Draft Comp Plan, Public Hearing Notice	HAPC + Work Session	x	Public Hearing
5/2/18	18-25	HAPC	x	Land Use Recommendations Map
6/6/18	18-37	HAPC	x	Land Use Designations
6/20/18	18-41	HAPC + Work Session	x	Land Use Recommendations Map
7/18/18	18-43	HAPC	x	Appendices
8/23/18	Press Release			Outreach - City website, radio, newspaper
9/5/18	18-52, Draft Ordinance, Comp Plan Final Draft	HAPC	x	Public Hearing

A similar letter went to the City Manager, Police Chief, Public Works Director, Port and Harbor Director, Library Director, parks, Community Recreation, water/wastewater division



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

TO: Chief Painter
FROM: Rick Abboud, City Planner
DATE: February 2, 2016
SUBJECT: Update to Homer Comprehensive Plan

Bob,

Here is what is in the Comprehensive Plan pertaining to the activities of Fire and Emergency services. We are looking at 10 – 20 years into the future. For the purposes of our implementation table near-term is up to 5 years, mid-term is 5-10 years and long-term is 10-20 years. I would like for you to review this information and provide any relevant updates to the information provided here based upon your experience. You can mark up the copy and provide suggested language that reflects current expectations in light of the current state of our budget and funding opportunities. Timeframes may need to be adjusted and new projects added, such as updating the communications equipment.

Also, the formatting is horrendous. Background information is found under the objectives, some implementation items are actually goals. I am planning on reformatting this after I get your information. I may need to have you take another look or add some information after this is done.

GOAL 1: Provide and improve city-operated facilities and services to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demands.

Objective A: FIRE & EMERGENCY SERVICES – Maintain and improve the high level of fire protection and emergency services in Homer to respond to current and anticipated future needs.

Current Status

The Homer Volunteer Fire Department provides fire, rescue, and emergency medical services to the City of Homer and, when necessary, to areas outside of city limits through mutual aid agreements with neighboring fire service areas. The department also reviews new building development to ensure it meets certain emergency access criteria. The Department employs six-five staff. A volunteer core of approximately 30 individuals supports the department's staff. Staff and volunteers are trained in emergency medical services, structural fire-fighting, wildland fire-fighting, marine fire-fighting, and some specialty rescue services. Fire hydrant coverage extends throughout the majority of city limits. The city has achieved a fire insurance rating (ISO) of 3-4 in areas within 1,000 feet of the City's fire hydrants, resulting in significant savings in the cost of home insurance. Structures located more than 1,000 feet

Commented [BP1]: I would verify with Carey the percent of hydrant coverage, rather than "majority".



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Memorandum

TO: Homer Advisory Commissions and Library Advisory Board
THROUGH: Rick Abboud, AICP, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: January 13, 2016
SUBJECT: 2016 Comprehensive Plan Update

Starting soon, the Planning Department will be working on updating the City's Comprehensive Plan. The last major update of the Homer Comprehensive Plan was adopted in 2010. Most of the work was done between fall 2006 and spring 2008, right about the peak of the local and national economy prior to the recession. Much of the plan infers that there are unlimited financial and personnel resources within the City and the community to expand services and regulation. This is clearly not the financial reality of the City and community today, or in the next 5-10 years. A new tax base could evolve and change the fiscal environment, but in the meantime, our Comprehensive Plan should be realistic and help guide us on what is most important and how to make the most of what we have.

Between adoption and 2015, many of the goals and implementation items have been addressed. It is time to update the plan to reflect the work that has been accomplished, add new work items, possibly prioritize items within the plan, and change the character of the plan to reflect the City's fiscal reality.

This work will begin in January 2016, with City Planner Rick Abboud communicating with department heads about their respective chapters of the plan. Next, the Commissions will review their portion of the plan, with the department head comments (Draft 1). Planning staff will likely make some formatting changes in the document in this timeframe. Having worked with this plan for a number of years, there are some changes that can be made to make it user friendly, such as the implementation tables. After the Commissions have reviewed the first draft, a second draft with Commission recommendations will be released and public meetings will be held. Changes to the draft will be made based on public comment, and a public hearing draft will be presented to the Commissions. Eventually the Planning Commission will hold a hearing, passing the document to the City Council, and then the Kenai Peninsula Borough for final adoption.

A project timeline is presented on the next page. Timing may change depending on workload and project progress.)



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(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 16-13

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: February 17, 2016
SUBJECT: Comprehensive Plan Update-Energy Chapter

Introduction

After having updated this chapter, I am looking for further input from the Planning Commission to create a draft plan for public comment. Right now, “it is all on the table” and I am looking for input on everything including format, typos, and content.

Analysis

I hope to produce a plan that has a logical and easy flow to it. The objectives and implementation strategies should lead to implementation items. Sometimes we may not have an implementation item that is as specific as all the others, but I have a goal of not leaving implementation item out of the table. For instance, I wish to avoid naming an implementation item in the Chapter narrative and not carrying it forth to the table. Ideally, we will get a bit more specific with the implementation table and put some thought into just how realistic it may be for the city to perform the task. For example: Would we really be able to devote the resources necessary to partner and work on a regional energy planning? Maybe it can be put on the radar by assigning an employee to monitor and we could show a letter of support or provide a resolution when appropriate.

Items need to be considered with many factors in mind such as; community support, fiscal ability, and administrative capability. Sometimes the acronym S.M.A.R.T. is used when making goals. This means *Specific, Measurable, Achievable, Realistic, and Time Bound*. While S.M.A.R.T. goals are mostly associated with strategic planning which is a more precise and focused plan than our comprehensive plan, we should keep this in mind as we are going through the chapters. The goal itself may not reference all of these components, but they should be reflected in the chapter as a whole.

Content should be considered. Is it still realistic? Why may we have not moved forward in the last five years? Do we need to open up some subjects to a wider conversation about community support? What would it take to become realistic? I have also noted several items, like the last item on the implementation table, which may not consider just what effort we may realistically expect the city to put forth.

The Chapter 6 Objective H, 2. I am looking to break this down a bit as I am unfamiliar with what exactly is meant by “legal” framework. Also, I was thinking this information should be moved to chapter 9. #1 is already found in chapter 9.

A conversation item: Is Goal 1 a realistic goal for the City or just city government? Should the implementation strategy reflect the city or just city government?

Staff Recommendation

Come ready for some thoughtful discussion and recommendations. I will then incorporate and hopefully improve the format for the next meeting

Attachments

1. Energy Chapter

Presentations

Reports

- A. Staff Report PL 16-11, City Planner’s Report

City Planner Abboud reviewed the status of the marijuana ordinances that are scheduled before City Council at their next meeting. He updated the Commission about what was addressed at the last City Council public hearing including rural residential, buffers, and commercial activity on the spit.

There was brief discussion about Hickerson Cemetery, but City Planner Abboud said he didn’t have a report yet from the neighborhood meeting.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

Plat Consideration

Pending Business

New Business

- A. Staff Report PL 16-12 Draft Ordinance 16-xx amending HCC 21.12.020 to simplify code language in the Rural Residential District regarding detached dwelling units

City Planner Abboud reviewed the staff report.

There was brief discussion about dimensional requirements regulating septic requirements, whether a lot must be served by city sewer and when a septic is allowed.

Commissioner Bos expressed his concern about a second dwelling being built and using an existing septic tank.

VENUTI/HIGHLAND MOVED TO APPROVE THE DRAFT ORDINANCE AMENDING 21.12.020 TO SIMPLIFY CODE LANGUAGE IN THE RURAL RESIDENTIAL DISTRICT REGARDING DETACHED DWELLINGS

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- B. Staff Report PL 16-13 Comprehensive Plan Update



City planner Abboud reviewed the staff report.

The Commission started their review of the Energy Chapter. Discussion points included:

- Some of the implementation tables aren't realistic.
- We need to look at why things haven't moved forward and what it might take to make them more realistic.
- Assign a City staff person who has a passion for this to implement the climate action plan and energy.
- City government should set the standard and be the example for the community.
- Tidal and wind power are showing that they aren't feasible for the City overall, but solar energy is an area to address.
- The City has a revolving energy fund and Public Works tracks the energy used by the facilities.
- Putting natural gas throughout the city is a major component in a long range energy plan that we don't really have.
- We need outreach to the community to help educate on reduce, reuse, and recycle.
- HEA is a cooperative that reaches a lot more people than the City of Homer would have to be the first partner. They have a lot of information already and know the most about it.
- Design of new city buildings needs to be done by architects who are knowledgeable about energy saving components such as a ground source heat pump which would have worked great for the new Harbormaster building, also solar heating and solar gain.
- Promote a bike-able and walkable community and improvements to better accommodating could be a way to address reducing fossil fuels.
- Develop an energy plan.
- Look for volunteer groups to help implement, for example contacting the Center for Alaskan Coastal Studies about programs for picking up recycling.
- The City has a Sustainability Guide Book for employees.
- Carpooling and public transportation.
- People may not know what renewable resources are and may not have by products. This relates to a statement in the Comp Plan about encouraging people using renewable resources.

City Planner Abboud will bring more information back at their next meeting.

Informational Materials

A. City Manager's Report

Comments of the Audience

Comments of Staff

Comments of the Commission

Commissioner Stroozas said he will be absent from the next two meetings.



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Planning

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(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 16-16

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 2, 2016
SUBJECT: Comprehensive Plan Chapters 9 and 2

This staff report is in two parts: Chapter 9 Energy is discussed first, and Chapter 2 Background Information, is second.

Requested action: Complete work on Chapter 9, and identify any major trends missing from Chapter 2.

Chapter 9, Energy

Introduction

After the first run through at the last meeting, I found quite a bit of opportunity for improvement. I have streamlined the chapter and reorganized it for clarity and elimination of internal and external redundancies. I will do my best to explain below. You may want to review the version from last meeting if you want to get into fine details.

Analysis

First, the vision statement was revised to be more succinct and ordered to follow the same as the items in the plan. I removed the reference to actions of the private sector, as we are not suggesting anything in the way of regulating them and really have no direct control of their actions. We do, however, wish to be an example and encourage some actions. The benefits of these actions are covered in the overview. The overview was rearranged to align with the order of the chapter.

The Chapter is reorganized to reflect first, the things we can do in our internal organization, goals 1 and 2, and second, how we wish to influence the regional actions of others, goal 3. This eliminates the overlapping and shared implementation items of the last draft. The implementation items are in numerical order, satisfying my OCD tendencies. Goals 2 and 3 of the last draft formed the basis of actions we will perform internally as a model for others. The previous goals 1, 4, and 6 were combined and refined to become the new goal 3 dealing with how we wish to influence policies of others and those outside of the city. Goal 5, dealing with

fuels for transportation is left to be incorporated with the transportation chapter which already deals with it.

Goal 1

Objective A

You may notice that this list has one less item. The item dealing with actively supporting renewable energy projects was incorporated into goal 3.

Goal 1

Objective B

This is a cut and paste, except for the previous strategy #3. This talked about using materials efficiently and reducing construction waste. I feel that this is addressed when considering the value of incorporating LEED or other similar values in #2. I believe everyone is addressing the benefit of reducing waste and it is more of a result of actual errors.

Objective C

Here is where I need help. After reading this twice (my head started spinning), I realized that it is something much more than just lifecycle costs. Full cost accounting, in this case, takes into consideration much more than the intrinsic costs of materials. I understand the value of and am intellectually intrigued in this concept, but am also aware of the many pitfalls of information and question the city's ability to gather and access such information. How much are we willing to sacrifice based on economic societal analysis? Are we willing to spend 10%, 20%, or more? Do we have the resources to weigh and assign empirical values to indirect costs? I truly believe this concept is worthy of everyone's consideration, but is it realistic? I am leaning toward recommending that this be eliminated, but did not want to make this decision without the Planning Commission concurrence. Additionally, the implementation items just parrot the implementation strategies and I really do not have any realistic suggestions for implementation.

Goal 2

This was derived from the previous goal 2. I did remove the strategy of supporting recycling strategies for the transfer station, as they have since incorporated this into the new facility since the last plan. We do have an implementation item, 2-3 that will promote recycling throughout the community.

Goal 3

Objective A

No policy changes here, pretty much a straight cut and paste from the previous goal 1.

Objective B

Not much changed here from previous goal 4.

Objective C

Again, not much changed from goal 6.

Implementation table

Please pull out the table and review the proposed items to the numbered implementation strategies. Provide any suggestions for additional modifications. I felt pretty good about most until I got to Goal 1, Objective three, mentioned above. Next I had just a little problem aligning Goal 3, Objective A items. Please give these some thought and provide comments.

Please have an eye out for typos. I always seem to find another. I also plan to tighten up the formatting structure (spacing and such) later on. I hope to use this chapter as a type of template for the other chapters.

Staff Recommendation

Come ready for some thoughtful discussion and recommendations.

Attachments

1. Energy Chapter second draft

Chapter 2, Background Information

Introduction

The purpose of a background chapter is to provide an overview of the community, past trends, and future trends. These future trends and expectations should be reflected in the goals and objectives of the plan. For example if the population is aging, medical facility planning will probably be more important than picking a new elementary school site. Ideally, the issues brought up at the end in the summary will be addressed in subsequent chapters of the plan.

Changes from original plan

Overall, this chapter has been shortened, mainly due to the lack of data available to update some of the tables. The Kenai Peninsula Borough used to annually publish a document called "Situations and Prospects," and it contained a wealth of data that was repeated in the Comprehensive Plan. Additionally, the Institute for Social and Economic Research (ISER), provided some analysis for the original plan which staff is unable to update and replicate. In particular, wage and salary employment data by sector is much more limited. Staff did

research multiple data sources to find relevant information to inform this chapter. More information about demographics has been included, as well as updated information about zoning permits and tax revenues.

Future Trends

The Plan was originally written in a time of rapid development in our community. The short term growth patterns of fast growth appeared to be long term trends. (Remember the boom before the Great Recession?) This has not held true according to data provided by the state, and US census. Our population is in fact slowly growing, and we can expect continued slow growth, not the large population increases that were originally forecast. The original plan forecasts a population today of 5,676. The current state estimate is 5,153, and the 2014 American Community Survey only 5,229. While there is always a margin of error with statistics and demographics, you can imagine that a difference of 7-8% in just ten years would lead to huge discrepancies between the projected population, and how many people may actually live here in 20-30 years. Rather than expecting continued gains in the tax base and tax revenues, a much more realistic pattern may be slow steady growth. This will be a major factor for private business decisions, nonprofit activities, and government services for at least the next 5-10 years. This needs to be reflected throughout the plan.

Staff Recommendation

Please read the chapter. Are there any major trends you think are missing? Big picture issues affecting our community?

Attachments

Chapter 9, Energy
Chapter 2, Background Information

A. Staff Report PL 16-14, City Planner's Report

City Planner Abboud reviewed the staff report.

There was brief discussion about FEMA and the State Hazard Mitigation Grant Program.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

A. Staff Report PL 16-12 Draft Ordinance 16-xx amending HCC 21.12.020 to simplify code language in the Rural Residential District regarding detached dwelling units

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing. There was no public present and the hearing was closed.

HIGHLAND/BRADLEY MOVED TO APPROVE STAFF REPORT PO 16-15 AND THE DRAFT ORDINANCE AMENDING HCC 21.12.020 PERMITTED USES AND STRUCTURES REGARDING THE PERMISSION OF DETACHED DWELLING UNITS IN THE RURAL RESIDENTIAL ZONING DISTRICT, AND FORWARD IT TO COUNCIL FOR PUBLIC HEARING AND ADOPTION.

There was brief discussion that this is a very clean simple way to make things clearer for the zoning.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

Pending Business

A. Staff Report PL 16-16 Comprehensive Plan Update. Background Information and Energy Chapters

City Planner Abboud reviewed the staff report.

The group discussed:

1. Updating the vision statement to clarify that as a city we can be a model for energy conservation and wise use of the resources, and that we will support renewable energy development.
2. Formatting issues and fonts.

- 
3. Staff removed a goal 5 dealing with fuels for transportation from chapter nine as its better addressed in the transportation chapter.
 4. Goal 1 Objective C
 - a. It raises challenges relating to considering full direct and indirect costs of energy when performing economic analysis.
 - b. Beyond the common sense aspect it is unclear how far to delve into the full cost of getting a product; and when addressing project costs it hard to fathom how to work it into our process.
 - c. It raises questions like, how much do we pay for the full cost accounting, who will do it, who proofs it, and who is the arbitrator of the value of the full cost.
 - d. Consider removing 1.C.1 and change 1.C.2. to Use quantifiable external and indirect cost of energy.
 - e. It doesn't hurt to acknowledge there are some direct and indirect costs, and change wording to consider objective C. It allows us to think about this.
 - f. It is a difficult concept to grasp and the Planner has indicated this as a problem for the City to implement.
 - g. Keep looking at wording to incorporate this concept.
 5. Goal 2
 - a. Took out references supporting the recycling strategy at the transfer station because it's already addressed.
 - b. Implementation table includes item 2-1 to assign city staff to create a solid waste and recycling plan for City operations.
 - c. The goal doesn't define what is considered scarce resources.
 - d. Share the city's sustainability guidebook with other entities.
 - e. If the city had an environmental staff person so many of these things would have been tied together by now and the savings could pay for that staff person.

The Commission and the City Planner reviewed Chapter 2 Background Information and suggested,

1. Numbering the summary.
2. Addressing climate change and ocean acidification.
3. Under the summary second bullet removing the word vibrant and leave it as "Homer has a diverse economy.."
4. May need to include marijuana.

New Business

Informational Materials

- A. City Manager's Report – February 22, 2016

Comments of the Audience

Comments of Staff

City Planner Abboud said they will continue to work on this. There are memos out and there will be different sections to work on. The Planning Convention will be in Phoenix the first week in April.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 16-19

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: March 16, 2016
SUBJECT: Comprehensive Plan Update Chapter 5 Transportation

Introduction

Staff has reviewed this chapter for duplications, language, typos, updates, and created a new implementation table. Most of this chapter is not original work to this plan; its a summary of the Transportation Plan and the Homer Non-Motorized Transportation and Trails Plan. These documents are adopted in the Comprehensive Plan as standalone documents.

Staff Recommendation

Please provide any comments on chapter and the implementation tables

- Check task timeframes, etc

Attachment

Draft Chapter 5 Transportation

Presentations

Reports

- A. Staff Report PL 16-17, City Planner’s Report

City Planner Abboud reviewed the staff report.

There was brief discussion regarding FEMA and the Beluga Lake dam elevations. City Planner Abboud also commented that he will be at training the first week in April and there are no applications submitted, so he suggested canceling the April 6th Commission meeting.

Public Hearings

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

None

Plat Consideration

- A. Staff Report PL 16-18 W.R. Benson’s 2016 Preliminary Plat

City Planner Abboud reviewed the staff report.

There was no applicant or public comment.

There was brief discussion that the applicant is responsible for verifying wetlands in the area.

It was noted there is conflicting information in that the staff report refers to the area as commercial and the surveyor suggests it’s residential. City Planner Abboud confirmed it is in the Commercial Business District.

ERICKSON/HIGHLAND MOVED TO ADOPT STAFF REPORT PL 16-18 W.R. BENSON’S 2016 PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

- A. Staff Report PL 16-19 Comprehensive Plan Update, Chapter 5 Transportation



City Planner Abboud reviewed Chapter 5, Transportation, with the Commission. He noted some of the challenges with wording, particularly with language that is carried over from other plans. Discussion topics included:

1. Connector streets, particularly the Waddell connection, also where the road dead ends on Fairview.
2. STIP funds that may be available from unfinished projects.
3. The need for sidewalks and proper road improvements.
4. The State's desire to turn Pioneer Avenue over to the City for maintenance.
5. Volunteer efforts to make trails happen as a community project in light of the City's current budget issues.
6. Cluster developments.
7. Making the spit road a pedestrian zone to slow vehicles down in the congested area, and limiting access points to the road.
8. Airport standards, airplane flight patterns and associated noise.
9. Challenges of public transportation alternatives.
10. The need to update the city's existing transportation plans.
11. The city taking a more active role in affordable housing on their properties.

The Commission did not propose any amendments to Chapter 5.

New Business

Informational Materials

- A. City Manager's Report – March 14, 2016

Comments of the Audience

Comments of Staff

City Planner Abboud commented that he will be attending a Planning Conference the first week in April, they will cancel the April 6 meeting, and will continue to bring Comp Plan chapters to the group.

Comments of the Commission

Commissioner Venuti noted the pictures of the concrete anchors in the City Manager's report. He said it was an interesting meeting tonight.

Commissioner Bos wished everyone luck at the Winter King tournament this weekend.

Commissioner Erickson said it's nice to be back.

Commissioner Highland congratulated Deputy City Clerk Jacobsen on her position on the AAMC board, and is going to continue to look into recycling for the city.



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Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

To: Parks and Recreation Advisory Commission
From: Julie Engebretsen, Deputy City Planner
Date: April 14, 2016
Subject: Comprehensive Plan Update

Requested Action: review the draft P&R section and provide comments to staff. Staff plans on two meetings for this process.

Staff comments: There is quite a bit of difference between the current plan, and this draft document. The current plan has a separate Park, Recreation and Culture chapter. However, when you get rid of all the duplications in this chapter with other chapters, there is not a lot of content left. Also, most if not all city services are discussed in a chapter called Public Services and Facilities. The City Planner and myself think P&R should be in this chapter with all the other city services; police, fire, water/sewer, port, etc. So the draft you have before you is a boiled down document, with some of the ideas from the needs assessment.

Are there missing ideas? Things you'd like to ask the public during public meetings/com plan process?

I have not completed the implementation table for this section. I will have that for the May meeting after the Commission has had some discussion.

Below is an outline of how Chapter 6 works – all the city functions are listed under goal 1. Goal 2 will go in to partnerships with others, and goal 3 is things we hope others in the community do.

Summary of Goals – Public Services and Facilities

GOAL 1: *(Stuff the City does directly)* Provide and improve city-operated facilities and services to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demands.

GOAL 2: *(Things the City partners with others to make available in the community)* Seek collaboration and coordination with other service providers and community partners to ensure important community services are improved upon and made available.

GOAL 3: *(Things the City hopes other entities will do, not a city service or obligation)* Encourage the broader community to provide community services and facilities by supporting other organizations and entities that want to develop community services.

Background

The last major update of the Homer Comprehensive Plan was adopted in 2010. Most of the work was done between fall 2006 and spring 2008, right about the peak of the local and national economy prior to the recession. Much of the plan infers that there are unlimited financial and personal resources within the City and the community to expand services and regulation. This is clearly not the financial reality of the City and community today, or in the next 5-10 years. A new tax base could evolve and change the fiscal environment, but in the meantime, our Comprehensive Plan should be realistic and help guide us on what is most important and how to make the most of what we have.

Between adoption and 2015, many of the goals and implementation items have been addressed. It is time to update the plan to reflect the work that has been accomplished, add new work items, possibly prioritize items within the plan, and change the character of the plan to reflect the City's fiscal reality.

Process

This work began in January 2016, with City Planner Rick Abboud communicating with department heads about their respective chapters of the plan. Next, the Commissions will review their portion of the plan, with the department head comments (Draft 1). After the Commissions have reviewed the first draft, a second draft with Commission recommendations will be released and public meetings will be held (fall 2016). Changes to the draft will be made based on public comment, and a public hearing draft will be presented to the Commissions. Eventually the Planning Commission will hold a hearing, passing the document to the City Council (2017).

Attachments

1. Draft Chapter 6 Section E, Parks and Recreation
2. Current Chapter 7, Parks, Recreation and Culture

LOWNEY/BRANN - MOVED TO EXTEND THE MEETING NO LONGER THAN 30 MINUTES TO ADDRESS FINAL AGENDA TOPICS.

There was a brief discussion on extending the meeting only 30 minutes or less was preferable.

VOTE. YES. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Comprehensive Plan Update

Ms. Engebretsen provided a summary progress made by the Planning Department on the Comprehensive Plan. She noted the remaining pages related to Parks & Recreation is about three pages which does not leave much for a full chapter so it is being proposed to include under the Public Services and Facilities this is what the city does and would like feedback from the commission.

Commissioners opined the following:

- Nice to have their own chapter, however understand the repetitious nature
- If it can be delineated in the Table of Contents
- Concern that it will diminish the need for a Parks and Recreation Department even if only on paper
- Concern with being lost under the more generalized heading
- Just remove the wish list items and still maintain separate a chapter

Staff noted the following:

- some items can be addressed under Economic Development

Ms. Engebretsen stated the commission can submit comments to her and she is not trying to incorporate new items that have not been listed under the needs assessment and other. Commissioner Lowney stated that she has several comments on items that she would like to see incorporated into how they do business and how the city does business with the commission.

This item will be on the May agenda.

INFORMATIONAL MATERIALS

- A. Commission Annual Calendar 2016
- B. Commissioner Attendance at City Council Meetings 2016
- C. Parks and Recreation Advisory Commission Strategic Plan 2016

Vice Chair Brann noted the informational items and which commissioners were signed up for meetings. He commented that they will have to have additional volunteers for June.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Ms. Engebretsen commented that at the next Council meeting to comment favorably on the placement of the rocks at Bishop's Beach. She feels that it would go a long way. Thanks for the inout there was a lot on the agenda.

Ms. Krause commented that it was a good meeting.

COMMENTS OF THE COUNCILMEMBER *(If one is present)*

COMMENTS OF THE COMMISSION



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Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

To: Library Advisory Board
From: Rick Abboud, City Planner
Date: April 27, 2016
Subject: Comprehensive Plan Update

Requested Action: Review the draft Library section and provide comments to staff.

Background

The last major update of the Homer Comprehensive Plan was adopted in 2010. Most of the work was done between fall 2006 and spring 2008, right about the peak of the local and national economy prior to the recession. Much of the plan infers that there are unlimited financial and personal resources within the City and the community to expand services and regulation. This is clearly not the financial reality of the City and community today, or in the next 5-10 years. A new tax base could evolve and change the fiscal environment, but in the meantime, our Comprehensive Plan should be realistic and help guide us on what is most important and how to make the most of what we have.

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Process

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Staff comments: The library is demonstrating increase demand for services at the same time the city has to make tough decisions on which services to maintain or retain with tax revenue that is not keeping up with status quo budgets. The question of how to respond to demand has gone from wishes of expansion to just how to provide services with no additional or decreasing revenue.

The draft has kept the objective from the current plan “**Objective G: LIBRARY**– Maintain Homer’s first-class library facility and continuously build on the high-quality library services to meet current and projected needs.” We may want to look at this more closely. A new thought might revolve around adjusting levels of services in consideration of resources. We are looking for ways to address the current budget reality. I believe the comprehensive plan may be best used to propose framing the questions and looking for solutions.

You will notice that the section provides narration on the current state of operations and identifies service trends. Matched to each implementation strategy is an implementation item(s) in the implementation table. This should reflect a specific action to be carried forth with a time frame reference. Are there missing ideas? Any different ways that concerns may be addressed? Things you’d like to ask the public during public meetings/com plan process?

Attachments

1. Draft Chapter 6 Objective G, Library



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

To: Parks and Recreation Advisory Commission
From: Julie Engebretsen, Deputy City Planner
Date: May 13, 2016
Subject: Comprehensive Plan Update

Requested Action: review the draft P&R section and provide comments to staff.

Commission comments from last meeting:

- In the index, list contents of chapter 6 so its easy to find P&R, library, etc.
- Tie in with Economic Development Chapter

Staff Questions:

1. Line 57: Last comp plan said: Create park landscaping standards to find a balance between natural and manicured park development. Is this still a goal, to regulate all park landscaping? Other than K Hornaday Park, I don't recall any concerns with park landscaping. Thoughts?
2. Line 37: Community recreation program funding ideas? Public/private partnerships for capitol and operations. Thoughts? Ask this question of the public during the comp plan public process?
3. Are there missing ideas? Things you'd like to ask the public during public meetings/com plan process?
4. Please review the implementation table and timeframes.

Attachments

1. Draft Chapter 6 Section E, Parks and Recreation

Commissioner Lowney advocated for using as educational incentive and having at kiosks in the parks, there was consensus that the visitors were compliant and do very well cleaning up after their pets. There are more problems with the locals not cleaning up after their pets.

The commission discussed flyers and the design that was included in the packet was a big hit and agreed to use that one if they could, the discussion included laminating the flyer so it can be posted in more areas and at kiosks in the parks.

Commissioner Lowney requested time to work on the proposal and bring it back at the next meeting. She will try to contact some businesses; Commissioner Archibald offered to stop in at KBBI regarding a PSA.

The commission also discussed trash cans and noted that trash cans are needed where dispensers are posted. It was noted that they may be able to approach the near businesses to take on that responsibility. Further discussion ensued on the liability issues and responsibilities to collect and empty the trash cans. Staff provided an example of streetscaping and choosing a design, process and the ability of the city and willingness of the community.

Chair Steffy cited time and lengthy agenda to get through and invited Commissioner Lowney to report on the Trails Symposium.

B. Trails Symposium Recap and Next Steps

Commissioner Lowney reported that they had a very good showing and response, 34 people attended and many took forms and she is hopeful that they will complete and return those forms. She additionally reported that many of the attendees preferred longer sessions; polling provided lots of feedback and the following trails were listed as requesting further attention:

1. Forest Glen Trail received the highest vote of 39
2. Greatland Trail
3. Karen Hornaday Park
4. Crittenden 25
5. Shellfish
6. Homer High School to East End Road
7. Islands & Ocean Extension
8. Library Extension

All the scores were weighted and these will at least give direction on giving priority and requesting funding from HART and other sources. So she will be bringing the information back to the Trails Group and proceed on getting this going. Commissioner Lowney commented on getting the Trails Funding program. Ms. Engebretsen stated that if there was a group that was interested in working on a trail and there was nothing stopping them from going before Council to requests funding. She added that just because there was no program in place at this time does not prohibit a group from approaching Council. Commissioner Lowney stated she has already presented a summary report to Council at the May 9, 2016 meeting.

C. Comprehensive Plan Update

Deputy City Planner Engebretsen had a few question regarding landscaping and requested some input from the Commissioners on this idea and she believed that it was directed to Karen Hornaday Park and is this something that the commission wants for all city parks.

Chair Steffy responded that he believed it should be in respect to the individual park since some parks such as the Skateboard Park is not natural at all and where a trail through the woods is 95% natural. The term, "Landscaping Standards" sounds technical and very limiting. He questioned how much of a park is natural versus manicured and offered the following points:

- a. those two words would need to have technical definitions created for them
- b. decreases the diversity of the types of parks that the city would have

Deputy City Planner Engebretsen added that some of this language in the comprehensive plan was directed at Karen Hornaday and the city does not have landscaping standards but has outlined in certain building standards technical requirements for landscaping such as requiring so many types of trees of a certain size, etc. She did not advocate against it but was concerned that the commission wanted to keep this as a near term item and if it was a good thing to keep in the plan.

Commissioner Lowney was in favor of keeping some landscaping standards since it was too easy to watch them become overtaken by the natural environment. Chair Steffy suggested a less restrictive such a maintaining a balance between natural and maintained. Commissioner Ashmun agreed noting that the ability to maintain our parks is going to be questionable for a while.

Staff requested assistance with wordsmithing the requirement from the Chair who suggested the following:

Maintain ~~Create~~ Maintain park landscaping standards to ~~find~~ provide a balance between natural and manicured park development.

The next question is requesting input on funding ideas for community recreation and parks and this can also be put to the public when they have meetings on this document.

The commission raised concerns with the city funding private enterprise projects that do not have any city oversight. There was concern that tax payer dollars were being given to private enterprise and then the tax payer would be unable to use the facility because it is being built for basically a single purpose. Further discussion on using public funds for a non-public facility ensued. The commission can keep this in mind to see how things develop and it may end up in a larger agreement between the City, School District and SPARC. Ideally in the future a South Peninsula Recreation District will be formed with all the smaller groups forming one larger group. Additional points on the large financial stake the individual group has undertaken and that they will be managing the facility, the facility is following item ten on page 7-3 of the Comprehensive Plan by pursuing financial strategies that leverage city tax dollars but there was concern on how to make sure the city residents have opportunity to use the facility, long term consideration is if the city managed it would they be able to perform that.

Deputy City Planner Engebretsen pointed out the implementation table and asked for their review and if anything needed changing. Commissioners recommended the following:

- Change 1-E-5 to ongoing from near term
- Change 1-E-10 to ongoing from mid term
- Change 1-E-3 to change to ongoing from near term while they may be able to flesh out wording but maintaining that mechanism also has to be considered.

The Commission would like Ms. Otteson's input on the parks maintenance needs and would appreciate her attendance at a meeting.

Staff clarified 1-E-15 regarding discouraging right of way and public access easement vacations in response to a question from the Commissioner Ashmun.

Staff will make the edits and then the Planning Commission will review Chapter 6 to make sure that it is not piecemeal and it flows together and the public meetings on the revised document will be in the fall. Commissioner Lowney questioned more public process especially to have items of concern to the commission to come before the commission before going to the Council. Staff explained that having an endowment fund through the Homer Foundation there would be public process. Further comments on appreciating the efforts of Councilmember Lewis' efforts with recreational funding, the Homer Foundation handles all aspects and staff was unsure whether the City stipulated certain requirements.

D. Beach Policy Review and Revisions Continuation

Deputy City Planner Engebretsen did not complete that and is hoping to have everything completed and will keep an eye on the Airport Access issue and bring this back for the June meeting.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 16-31

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Planning Technician
MEETING: June 1, 2016
SUBJECT: Comprehensive Plan Update Chapter 6

Requested Action: Review the draft Parks and Recreation of chapter six and provide comments

GENERAL INFORMATION

Julie has worked with Parks, Art, Recreation and Culture Advisory Commission on significant revisions. In the current plan, Chapter 7 Parks, Recreation and Culture, is its own chapter and contains many duplications with other parts of the plan. Once staff removed duplicate references, there really was not enough substance to keep it as a separate chapter. Additionally, almost all other city services are covered in Chapter 6, Public Services and Facilities. (The Economic Development Chapter also has some park and art references, and these will be retained). The Commission agreed with staff it makes sense to get rid of the duplications, and include parks in with the other city services, rather than separate out this one aspect of city services.

STAFF COMMENTS/RECOMMENDATIONS:

1. Review Object E, Parks and Recreation, and provide any comments

ATTACHMENTS

1. Chapter 6, draft section E, Parks and Recreation

VENUTI/BRADLEY MOVED THAT THE PLANNING COMMISSION APPROVES THE DRAFT ORDINANCE AMENDING HCC 21.41.040 BASIS FOR ESTABLISHING FLOOD HAZARD AREAS AND FORWARDS IT TO CITY COUNCIL FOR PUBLIC HEARING AND ADOPTION.

There was brief discussion that this seems very straight forward and should be moved on to Council.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

A. Staff Report PL 16-30 for Glacerveiw Subdivision 2016 Replat, Preliminary Plat

City Planner Abboud reviewed the staff report.

Scott Smith, founder and President of Youth with a Mission and applicant, said he didn't have any comments, but thanked them for the CUP approval at last month's meeting. It seem like everything is moving forward. He's still working with the Fire Marshall and hopes to have that work wrapped up by the end of the week. This action to move the lot line will help orient the positioning of various structures they hope to build in the next several years.

There were no public comments and no questions from the Commission.

BRADLEY/VENUTI MOVED TO ADOPT STAFF REPORT PL 16-30 GLACIERVIEW SUBDIVISION 2016 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was brief comment that this preliminary plat is very straight forward and should be approved.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

A. Staff Report PL 16-31, Comprehensive Plan Update Chapter 6 Parks & Recreation (formerly Chapter 7)

City Planner Abboud reviewed the staff report and the Parks and Recreation chapter.

Initial discussion points included:

- Benefits of the Adopt-a-Park program and the need for the City to do more advertising to raise awareness and get the word out that we are looking for partners
- Ways to establish an endowment fund
 - City provides seed money
 - The Homer Foundation may be a resource for ideas to get it started

- Promoting affluent citizens to put their names on parks
- Matching fund opportunities

Commissioner Highland expressed her thoughts that parks and recreation should have its own chapter. She thinks the Parks, Recreation, and Culture chapter in the current plan is done really well. Homer plays an important part of parks and recreation in the state. She doesn't want to see it get absorbed by other things, but that it is its own chapter and its own thought process.

City Planner Abboud explained how the information was broken down into other sections or plans. For example, the trails are in transportation and we have a trails plan, so it doesn't seem appropriate to repeat the goals for trails in another section; and open space and green infrastructure mapping is in Chapter 4. He touched on other items, noting the information is still there, just separated out into more appropriate sections.

Other commissioners agreed it would be nice to have a parks and recreation chapter, but understand the reasoning for moving things around and that it might be better to have the topics moved into more appropriate slots. The current plan is a bit cumbersome and these changes could help streamline the updated plan.

They continued to review the implementation plan in the current plans chapter 7, touching on

- A high tunnel and volunteers to for the city's green house
- Physical barriers and parks
- Merging with community recreation is something Council would have to approve but would include a director, new employees, and probably higher wages.
- The multi-purpose arts and cultural facility and the arts and culture plan are things that need partners and something the private or non-profit sector would bring to the city.
- Updating 1E9 from ten years to five years.
- Include from the current plan page 7-2 desired improvements – programs hold critical importance to the quality of life and its economic vitality.

Commissioner Highland said she was involved in putting some map together with Steve Baird. She will see if she can find it and bring it.

New Business

Informational Materials

- A. City Manager's Report – May 23, 2016

Comments of the Audience

Comments of Staff

Deputy City Clerk Jacobsen said Commissioner Erickson is not planning to request re-appointment and the Clerk's office will advertise a vacancy. She also let them know the City is working on doing an ADA self-evaluation and transition plan on city facilities later this year.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue

Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

To: Economic Development Advisory Commission
Through: Rick Abboud, City Planner
From: Julie Engebretsen, Deputy City Planner
Date: June 1, 2016
Subject: Comprehensive Plan Update

Requested Action: Review the draft chapter and provide comments to staff. Staff plans on two meetings for this process. Are there missing ideas? Are things you'd like to ask the public during public meetings?

Staff comments: There are some differences between the current plan and this draft document. Staff removed items that were duplicated in other chapters, and also shifted many sections around. Hopefully the draft chapter now has a better flow of ideas. The entire plan is also being edited to clearly state what actions the city should take, vs ideas or policies that we would support but that another organization would make happen. For example, shuttle service between the Spit and downtown is a great idea. But that service is best handled by the private sector, not city staff. Another example might be marketing. The City might be better off collaborating with the Chamber for a targeted marketing campaign, rather than trying to stretch limited staff resources. If you think of new implementation items, think about the role of the city- what is within our government powers to do, what can we afford to do, what can we do well? Is there another organization that can do it better?

I have not completed the implementation table for this section. I will have that for the next meeting after the Commission has had some discussion.

FAQ's: Where did the old goals go? What changed?

- The maritime academy idea is gone, where did it go? Cut by staff. There are 5 maritime academies in the US. The East Coast has 2 schools, but otherwise the Great Lakes, Gulf of Mexico and West Coast regions each have one school. Homer is not likely to see a maritime academy. Instead, we have a college, and expansion of voc-tech and degree programs is much more likely.
- Encouraging tech business is like information science and software development has been cut. While this is a nice idea, Homer has slow, expensive bandwidth, limited to no local work, and we are a long way for a home-based consulting businesses to travel to outside clients, conventions and to network. Homer might see a few jobs created here, but in a very limited scale. We'd be better off talking about industries that have growth potential in Homer. Staff kept and added to the text talking about increasing bandwidth for Homer. It might not attract

new business, but that would benefit current businesses and residents alike. Who doesn't want faster cheaper internet?!

- Cut: create a tech/media person to promote tourism, using endowment and grant funds. Reality: City is not in a position to create a new staff person, nor are most organizations. Grant and endowment funds are not readily available. Instead, the City should collaborate more with existing partners like the Chamber and the Kenai Peninsula Tourism Marketing Council to promote Homer.
- Parks and Recreation related items: Some have been cut. P&R recently completed a Park Art Recreation and Culture Needs Assessment, so some ideas have been refined. This chapter has been amended to reflect the ideas in the needs assessment.
- Former goal 6: consider plans to develop unimproved rights of way...etc. The City has paved Freight Dock Road, and construction of Outer Dock Road is in the works. Additionally, the private sector is working to develop roads near the boat yard to support private sector boat building and industrial activities. This task is substantially completed.
- Former goal 8: item #13, "Create a community tourism plan." This is a great idea, but there has been no progress or interest, and its expensive and time consuming. Instead, this objective has been fine-tuned a bit to reflect where our community is today, and current problems/concerns.
- Former Goal 3 was incorporated into the existing Goal 2. (Goal 2 is all about year round higher wage jobs. Goal 2 was also expanded to talk about education opportunities for the work force. All education discussion for this chapter is in this one location.
- Former goals 4,5 &6 are now part of the new goal 3: identify and promote industries that show a capacity for growth. Former goals 4,5,6 are not objectives under goal 3. Health care and wellness also became an objective – its part of the EDC's current strategic plan, and its definitely a section of Homers economy that could use a little more attention in our comp plan...SPH is the largest employer, etc.
- Former goals 7, 8 & 9 became goals 4 ,5 6 with some editing.
- Former goal 10, "Maintain Homer's quality of life as a principle economic asset," had no strategies or implementation. So it has been moved up front to the overview portion of this chapter.

Background

The last major update of the Homer Comprehensive Plan was adopted in 2010. Most of the work was done between fall 2006 and spring 2008, right about the peak of the local and national economy prior to the recession. Much of the plan infers that there are unlimited financial and personal resources within the City and the community to expand services and regulation. This is clearly not the financial reality of the City and community today, or in the next 5-10 years. A new tax base could

evolve and change the fiscal environment, but in the meantime, our Comprehensive Plan should be realistic and help guide us on what is most important and how to make the most of what we have.

Between adoption and 2015, many of the goals and implementation items have been addressed. It is time to update the plan to reflect the work that has been accomplished, add new work items, possibly prioritize items within the plan, and change the character of the plan to reflect the City's fiscal reality.

Process

This work began in January 2016, with City Planner Rick Abboud communicating with department heads about their respective chapters of the plan. Next, the Commissions will review their portion of the plan, with the department head comments (Draft 1). After the Commissions have reviewed the first draft, a second draft with Commission recommendations will be released and public meetings will be held (fall 2016). Changes to the draft will be made based on public comment, and a public hearing draft will be presented to the Commissions. Eventually the Planning Commission will hold a hearing, passing the document to the City Council (2017).

Attachments

1. Draft Chapter 8, Economic Vitality
2. Existing/Current Chapter 8

ECONOMIC DEVELOPMENT ADVISORY COMMISSION
REGULAR MEETING
JUNE 7, 2016

- Maybe it's a better suggestion and use of time and money to recommend adding \$10,000 more into the Chamber's budget for the purpose of create this video
 - First get something going with the Chamber to promote not just coming to homer for more than a week but to stay even longer
 - Then we get back to thinking about the bigger plan
- If the best bang for the buck is to justify to council why we need to progress beyond pushing for the tourists and harbor; we need to push for the other kinds of businesses and provide more funding to the Chamber that has started some of this, to continue to do a good job of it
- Currently the Chamber focuses heavily on tourism and doesn't have manpower to do more, maybe the council can look at redefining and focusing in the role of the chamber

Chair Marks commented that using the information the group will be gathering is worthwhile to lay out and put into a report to review next meeting. They can start to build the message to council that this is important, and then move on from there. The Commission agreed this seems like a reasonable task to look at at the next meeting.

NEW BUSINESS

- A. Elect a Vice Chair

Chair Marks opened the floor to nominations for Vice Chair.

GUSTAFSON/PETERSON NOMINATED COMMISSIONER SANSOM

Commissioner Sansom accepted the nomination.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried

- B. Comprehensive Plan Update Economic Vitality Chapter

Chair Marks noted they discussed this at the worksession with Deputy City Planner Engebretsen and will bring comments and recommendations to the next meeting.

- C. Scheduling Worksessions

Chair Marks confirmed with the Commission that if they need to hold worksessions in the future that meeting the hour before the regular meeting works better than trying to poll everyone for avialalbielty.

INFORMATIONAL ITEMS

- A. City Manager's Report May 23, 2016
B. Commissioner Attendance at City Council Meetings

Chair Marks agreed to attend the June 13th City Council meeting.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 16-39

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
MEETING: July 20, 2016
SUBJECT: Comprehensive Plan Chapter 6, Parks and Recreation Section

Requested Action: Review the revised implementation table. Staff also provided more information about how the goals changed between the current plan and this draft, as well as the staff reports and minutes from the Parks and Recreation Commission.

GENERAL INFORMATION

Goals of the comprehensive plan update:

- Reduce redundancy
- Become a more readable, focused document
- Be reflective of Homer and the state's fiscal situation for at least the next 5 years
- Better delineate what is a city function, and what are the responsibilities of other organizations

Summary of Goals, former Chapter 7, Parks Recreation and Culture

Original: GOAL 1: Explore resources needed to operate parks and recreation facilities and options for expanding parks and recreation programs.

Revision: Retained as Implementation Strategy #1.

Original: GOAL 2: Create a Parks and Recreation Master Plan.

Revision: Cut. There is neither funding nor staff resources for this effort. Additionally, the recently completed PARC Needs Assessment provides many resources and guides to move forward. Until there is more money for P&R, a master plan would sit on a shelf and not result in more park improvements. Should money become available and there is citizen interest in a master plan, this project could move forward.

Original: GOAL 3: Enhance area wide recreational trail systems and connections between residential areas, downtown, schools, university, institutional areas, and recreational areas.

See Transportation Chapter.

Revision: This section is referred to and was a duplicate of Chapter 5, Transportation, and also the Homer Non-motorized Transportation and Trail Plan, which is an already adopted part of the comprehensive plan. Deleted due to redundancy.

Original: GOAL 4: Identify recreation resources and key open space areas as part of green infrastructure mapping. *See Land Use Chapter.*

Revision: This goal is a reference to the land use chapter where it is more fully discussed. The Green infrastructure mapping has been completed since before this plan was first adopted. Cut for being duplicate/redundant.

Original: GOAL 5: Maintain, improve, and create new citywide parks and recreation facilities and Community School programs to offer year-round opportunities for residents and visitors.

Revision: This has been revised to reflect a policy of 'lets keep what we have' motto, more along the lines of maintain and improve what is available to the community through the City and in partnership with other entities. See implementation items 6-11.

Original: GOAL 6: Implement the recreation and cultural components of the Homer Town Center Plan for downtown.

Revision: Cut because it's a duplication (town center plan is already an adopted part of comp plan, and referenced in chapter 4 land use). Additionally, the PARC Needs Assessment provides more current discussion on town center, ie., that its likely a public private partnership is needed, as well as which kinds of uses were desirable based on public input.

Original: GOAL 7: Support public beach access.

Revision: Stays in comp plan under implementations 13-16

Original: GOAL 8: Continue to improve local arts and cultural opportunities and Homer's reputation as an art-and-culture-friendly community.

Revision: Art references are now included more fully in Chapter 8, Economic Development. (Economic Vitality Chapter 8 Goal 3 objective C, and Goal 5). The city has a supporting role in promoting Homer as an art and culture community, but it's somewhat indirect. 'Homer's reputation' speaks more to community marketing and businesses, not so much what art activities the City will provide through community recreation art classes.

Staff comments: At the June 1st meeting, the Commission talked about the importance these programs have to our quality of life. Rick and I talked about this, and we think one solution is in the overview of chapter 6, to spend some time talking about city services and quality of life. We could have the same conversation about the library and quality of life as we do for recreation, etc. So rather than repeat it over and over again, we'd address it up front under public services and facilities. Additionally, the revised Chapter 8, Economic Vitality, also uses this language and the idea that quality of life and economic health go together in our community. The HAPC will be reviewing Chapter 8 when the EDC is done with it, probably at an August meeting.

The HAPC also recommended changing the timeframe for assessing 1-E-9:
"Every 5-10 years, assess whether available park and recreation facilities and programs are meeting demands, from inside and outside city limits." The Commission recommended every 5 years. Staff would like to remind the Commission that it was a process that took over 1 year and more than \$40,000, nearly as much as time and effort as a section of the comprehensive plan. Not every assessment needs to be as comprehensive, but having just completed the process, the Parks and Rec Commission agreed a 5-10 year timeframe was an adequate prioritization.

STAFF COMMENTS/RECOMMENDATIONS:

Make any further revisions or comments on this section of Chapter 6.

ATTACHMENTS

1. Draft Chapter 6, Parks and Recreation Section
2. HAPC draft minutes from 6/1/2106 meeting
3. May 13, 2016 P&R Commission staff report and minutes
4. April 14th, 2016 P&R Commission staff report and minutes

Motion carried.

B. Staff Report PL 16-38 Towers and Tall Structures Ordinance

City Planner Abboud reviewed the staff report.

Chair Stead opened the public hearing. There were no comments and the hearing was closed.

There were no questions from the Commission.

STROOZAS/VENUTI MOVED THAT THE PLANNING COMMISSION FORWARDS THE DRAFT ORDINANCE 16-XX REGARDING TOWERS AND TALL STRUCTURES TO THE CITY COUNCIL FOR PUBLIC HEARING AND ADOPTION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

A. Staff Report PL 16-40, Commerce Park 2016 Preliminary Plat

City Planner Abboud reviewed the staff report.

There was no applicant presentation and no public comment.

Chair Stead asked if the flag had been modified on one of the drawings. City Planner Abboud explained the drawing on page 52 is the current configuration. On page 50 is the notice that went out showing the panhandle to the southwest and it was moved to the east.

BRADLEY/BOS MOVED TO APPROVE STAFF REPORT PL 16-40 AND THE COMMERCE PARK 2016 PRELIMINARY PLAT REPLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

A. Staff Report PL 16-31, Comprehensive Plan Update Chapter 6 Parks & Recreation

City Planner reviewed the staff report.



Commissioner comments and questions included:

- The CUP they approved tonight for the indoor recreation facility helps move forward with goal 5 to offer year-round opportunities to the community.
- Line 25 on page 57 reads 4.73 FTE's are budgeted. Question was raised if 4.73 is correct.
 - City Planner Abboud noted that Parks and Recreation has their regular staff and seasonal hires. He will follow up and confirm the number.
- Question was raised if line 26 *There is also a desire to better coordinate all efforts through a combined parks and recreation program* is an appropriate comp plan statement or if it's editorializing.
 - City Planner Abboud explained that is a community and an internal conversation. If the demand is to grow the program then we need a structure to grow it. Currently Parks Maintenance is part of Public Works and Community Recreation is part of Administration. There would be benefit to a department that is all encompassing.
- Line 66 *Partner with other organizations to continue providing programs and facilities* is almost the same as line 48 *Expand and promote adopt a park program..*
 - Others didn't see it as the same and City Planner Abboud said generally they are similar and perhaps they could be expanded a little more for clarification.
- Line 50 number 3 in the in the implementation strategies to establish the park endowment fund and possibly partner with the Homer Foundation is a really good idea.

The Commission agreed overall that staff has done a great job and commended Rick and Julie for their work.

B. Staff Report 16-32, Homer Accelerated Water Sewer Program (HAWSP)

City Planner Abboud reviewed the staff report, highlighted areas of the HAWSP, and touched on the process for initiating a special assessment district. He explained the City Council directed the Commission to develop recommendations for HAWSP regarding:

- How the City should apply the debt service ratio;
- When the debt service ratio should be calculated;
- When pending HAWSP projects should be inputted into the debt service ratio calculation;
- A process for keeping track of and prioritizing special assessment district requests that occur while a moratorium on new districts is in effect;
- A process for lifting and implementing a moratorium on water and sewer special assessment district projects.

Commissioner Highland asked who is in charge of the program now and if this is causing people not to develop property in town. City Planner Abboud explained that several departments play a role in the process including the Clerk's office, Public Works, and Finance. He isn't sure if this prohibits anything because we aren't doing new subdivisions with the fund. However if someone has a bigger lot and the water and sewer lines are installed, they are able to subdivide in to smaller lots down to 10,000 square feet. In areas like Mission Road, there aren't a lot of customers, but if there were denser developments, it would increase the customer base.



City of Homer

www.cityofhomer-ak.gov

Administration
491 East Pioneer Avenue
Homer, Alaska 99603
(p) 907-235-8121 x2222
(f) 907-235-3148

Memorandum

TO: Economic Development Advisory Commission
FROM: Jenny Carroll, Special Projects & Communications Coordinator
DATE: July 12, 2016
SUBJECT: Staff Report to EDC

CITY OF HOMER COMPREHENSIVE PLAN

Last month Julie Engebretsen presented the draft Economic Vitality Chapter 8 from the Comprehensive Plan, asking that the Commission review the draft and be prepared to share comments and ideas with Planning at the next EDC meeting. At that time the Implementation Table was incomplete. A copy of the current working draft is included in the packet for your review; hopefully you have had time to read and think about Chapter 8 in the past month. If not, please take some time with it and the draft Implementation Plan.

Julie is currently on leave, so Rick Abboud, Planning Director, will be attending the July 12 EDC meeting to gather the Commission's comments. Specifically, Planning would like to hear if there are missing ideas or things you'd like to ask the public during public meetings.

CITY OF HOMER CIP PLANNING PROCESS

July must be the month for EDC input on City of Homer plans. I have been preparing the draft Capital Improvement Plan over the past month plus. I will be introducing the draft CIP and public input process to the EDC this month, with a request for the EDC to review the Plan and provide feedback and Legislative Request priorities at the August meeting. (See separate CIP memo in packet).

I will be travelling from August 1-19th, and unable to attend the August EDC meeting. I will arrange with Melissa and your capable Chair to solicit and document your feedback to incorporate in the CIP upon my return.

ECONOMIC DEVELOPMENT ADVISORY COMMISSION
REGULAR MEETING
AUGUST 9, 2016

A. Comprehensive Plan Update Economic Vitality Chapter

The Commission discussed chapter 8 and the economic vitality chart with the City Planner.

Chair Marks noted in the old chapter there were specific items like finding a high tech business to come into town, and the updated chapter suggests we need to have some of these businesses but doesn't specify the type of business. She submitted that one thing that needs to be added back is there should be a city employee who works as an economic development staff member. She recognized Special Projects and Communications Coordinator Carroll who works with the Commission and is indirectly doing this, but thinks it's important that it be listed as a function for a staff member to have in their title.

There was brief discussion around the success of high tunnels increasing the growing season for local farmers and for the Farmer's Market, and also wind turbines. City Planner Abboud commented that city code could be improved in relationship to high tunnels depending on how we want to see them supported. He referenced item 2A1 in the list. He explained there are rules for wind turbines and in researching them there is concern of the view shed and in town there are just a few very specific areas that will provide enough wind for a year to pay for a device. There haven't been any requests other than the demonstration project on Pioneer. When the spit was suggested City Planner Abboud noted it is unique because there may be too much wind and that he hasn't had any permitting requests for them. Commissioner Sansom suggested a fast track permitting process as an incentive for people wanting to install solar or wind energy systems.

They reviewed and discussed the Economic Vitality chart in the packet the following suggestions:

- Expand Residential Office zoning
- Continue commercial zoning out East End Road where there is more opportunity and open land available
- Increase GC1 zoning allowing for more industrial and commercial activities
- It would be important for the commission to know what commercial land is available before we start looking for businesses
- Including the EDC in item 2A1 to look at different types of land use options
- Information Infrastructure
- Lobbying to expand the nursing program at the local campus and also develop student housing
- Encouraging multifamily development and rental properties to accommodate student rentals and affordable housing.

The commission agreed to finish this up at the next meeting.

B. Action Plan Goals on Marketing and Promoting Complementary Medicine

Commissioner Sansom noted information she passed out to the commission to take a look at and said she will have more at the next meeting specific to wellness.

Chair Marks noted their work schedule of trying to have something to Council in time for the budget, but recognized it may take more time to prepare a complete package and they continue to work on it for a future budget request. She also suggested they continue to work on a catch phrase as Councilmember Smith had suggested as it has worked well for the Peonies on Pioneer project. Lastly



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Memorandum

TO: Economic Development Commission
FROM: Rick Abboud AICP, City Planner
DATE: September 8, 2016
SUBJECT: Chapter 8, 2016 Comprehensive Plan Update

Introduction:

I am looking for comments and guidance on the Economic Vitality Chapter of the Homer Comprehensive Plan. Chapter 8 is one of the larger chapters and it seems to have something for everyone. In fact, it has over 60 implementation strategies which create a large unwieldy table. Input from the EDC that I would find particularly valuable deals with the direction of the chapter, in particular are we coving too much ground or have we left out any components.

Review:

The Commission has reviewed the plan and liked the reorganization and focus of the chapter. The implementation table was included in the last meeting. It was particularly difficult to perform a comprehensive review due to the number of items. I have been feeling that the implementation items might be a bit too ambitious and some maybe unrealistic from the perspective of how a municipality might address the items. For example, how will the city influence the cost of electricity and high-speed internet service?

The chapter was updated so that the goals do not look so much like objectives, while a great deal of the implementation strategies is retained. The implementation table of this chapter is basically a table of all of the implementation strategies found in the chapter. This is where I need the attention of the Commission. Please consider the implementation items with a focus on the “working column” of the implementation table.

Requested action:

Please discuss the ability of the city to facilitate the action in the implementation items, while paying special attention to the comments in the “working column” of the implementation table. We may want to eliminate items that are unrealistic and/or combine other items that cover the same subject matter. I would like to get suggestions for revision or exclusion from the table. If you take notes, I would be glad to receive a copy in an email at rabboud@ci.homer.ak.us or at the meeting.

Attachments: Comprehensive Plan Chapter 8 & Implementation table



City of Homer

www.cityofhomer-ak.gov

Administration

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Economic Development Advisory Commission
FROM: Jenny Carroll, Special Projects & Communications Coordinator
DATE: September 13, 2016
SUBJECT: Staff Report to EDC

CITY OF HOMER COMPREHENSIVE PLAN

Last month Rick Abboud, Planning Director attended the EDC meeting to elicit feedback on Chapter 8 of the Comprehensive Plan and its implementation table. Rick will attend the September 13 meeting to continue work on revising the Chapter's implementation table. Please refer to Rick's Memo in the packet, and take some time with the Chapter to develop concrete feedback on how to revise the implementation table into a more useful tool. The Chapter will reflect the goals and guide the EDC's implementation of those goals well into the future.

2017-2022 CAPITAL IMPROVEMENT PLAN

I recently incorporated advisory commission updates into the CIP and completed a final draft for consideration by City Council at their September 12 worksession. Public Hearings on the draft plan will be held at the September 26 and October 10, 2016 City Council Meetings. Thank you for your feedback and EDC's nominations for priority projects as part of this process.

HOMER RELOCATION GUIDE

Some months ago, the Homer Chamber of Commerce asked that city staff update the Homer Relocation Guide, which the Chamber distributes to people who contact them about moving to Homer. I recently completed a revamp of the Guide to be ready for distribution in mid-October. The guide's welcome letter is signed jointly by the City of Homer and the Chamber of Commerce, recognizing the cooperative efforts at its production, and the complimentary services provided to prospective new residents by the Chamber and EDC. I provide a draft of the Relocation Guide to you in this packet for your information; final draft and production will take place after the upcoming Regular Municipal Election.

The Commission provided feedback on the relocation packet.

PUBLIC HEARINGS

PENDING BUSINESS

A. Comprehensive Plan Update Economic Vitality Chapter

City Planner Abboud reviewed the timeline and process for the Comprehensive Plan update.

It was noted the commission has reviewed the chapter and are now reviewing the chart and point was raised that the chart essentially is the chapter. The chart is long and has a lot of redundancy and a lot of the goals are too specific. They addressed some of the specificities within the chart and goals.

It was suggested they eliminate *Goal 6: Support community efforts to establish affordable housing*. As it's defined, there is very little the city can or will do to see it come to fruition.

City Planner Abboud noted that traditional affordable housing is created by an agency that is doing it and having it as a goal in the City's Comprehensive Plan shows support for those agencies that are applying for state funding for housing special populations.

Special Projects and Communications Coordinator Carroll added that it's also a way the commission can try to influence the ability to have more affordable housing in relation to zoning. Coming from that industry she explained often the funding that goes to the agency to build the affordable housing requires the city supports it as a goal in a city plan. Agencies will have a better chance at funding if it's part of a comprehensive plan and completely removing the goal would hinder that ability somewhat.

City Planner Abboud said he will continue to go through and work on the chart and chapter and will provide an update to the commission before the draft goes to the public.

B. Action Plan Goals on Marketing and Promoting Complementary Medicine

i. Memo re: Scheduling and information gathering session with business owners

Chair Marks and Commissioner Gustafson explained their goal of getting feedback from local business owners in an informal setting and bringing the information back to the group in November.

There was brief discussion about the process and the Commission agreed by consensus that Chair Marks and Commissioner Gustafson hold an information gathering session and bring their report back to the Commission at their November 8th regular meeting.

ii. Wellness Video

The Commission watched a video of Sallie Rediske, a local Physical Therapist at Homer Physical Therapy, responding to questions prepared, presented, and filmed by Commissioner Sansom. They also reviewed a written interview from Ken Domela a local holistic healer and martial arts instructor.

PUBLIC
HEARING

PENDING
BUSINESS

Comp Plan
Economic
Vitality
Chapter

Action Plan
Goals
Marketing &
Complementary
Medicine



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-39

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 5, 2017
SUBJECT: Comprehensive Plan Update Chapter 8 Economic Vitality

Introduction

Staff has reviewed this chapter for duplications, language, typos, updates, and created a new implementation table. It has been to the EDC for two meetings.

Analysis

The chapter has represented a catch-all and doesn't prioritize items. Revision was particularly difficult. Much of the content is redundant within the chapter and other chapters of the comprehensive plan. I do not feel that I am at liberty to change the direction of the chapter without extensive public participation, such as we would do if we were to replace our plan. Being an update, we tried to refine the best we could without introducing wholesale changes.

The Chapter, as it was written, is much more specific than I would prefer for the plan. It has an inordinate amount of implementation items. It may be a bit unrealistic to think that we have the capacity to work on all proposed. Never the less, it represents all the concepts the community wished to address. It can now act as type of clearing house of ideas for consideration.

Please take a close look at the chapter and the implementation table in particular. Input on the elimination or consideration of new implementation actions would be very valuable.

Staff Recommendation

Please provide any comments on chapter and the implementation tables

Attachment

Draft Chapter 8 Economic Vitality and implementation table
EDC Memo

maximize the space so there's more separation from the trail to the buildings. Having the trail easement at 10 feet puts it much closer to the building. He explained the route of legal pedestrian access. It's true that five feet would only be a foot path until the other five could be acquired.

Commissioner Abrahamson questioned if the trail is in the Non Motorized Transportation and Trails Plan. City Planner Abboud was unsure if this specific location is called out but believes that a connection in this area is in the plan.

HIGHLAND/BRADLEY MOVED TO APPROVE STAFF REPORT PL 17-37 AND CHAMBERLAIN AND WATSON SUBDIVISION 2017 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

Commissioner Abrahamson noted the letter they received as a laydown from the Payne's expressing opposition to this action.

Discussion ensued regarding staff recommendation three to narrow the ten foot pedestrian easement to five feet. If this action includes the five foot pedestrian easement, Alaska USA would have to go through a similar platting process to grant the five feet on their property. If they don't do a platting action, they would likely request compensation if the city or adjacent property owner asks them to give up the other five feet.

ABRAHAMSON/HIGHLAND MOVED TO AMEND THE EXISTING MOTION AND REMOVE STAFF RECOMMENDATION 3.

There was brief comment questioning whether they could include language to request the property owner contact the other property owner to try to work out getting the other five feet. City Planner Abboud indicated it wouldn't be appropriate to add that language.

VOTE: (Amendment) NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

VOTE: (Main motion as amended): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Chair Stead called for a five minute break at 8:06 p.m. The meeting resumed at 8:11 p.m.

Pending Business

New Business

A. Staff Report 17-39, Comprehensive Plan update – Chapter 8 Economic Vitality

The commission discussed this at the worksession.



Commissioner Highland commented about a book she's reading *High Tide on Main Street* about sea level rise. It addresses financial impacts to communities and she encouraged adding a paragraph explaining the economic problems we may be facing with climate change, ocean rise, and acidification.

Chair Stead acknowledged the book addresses community impacts but questioned if it's appropriate for Chapter 8 of the Comprehensive Plan and is it something Homer can resolve.

Commissioner Abrahamson commented she is hearing that Commissioner Highland is trying to look at potential issues that will impact economic vitality and incorporate those challenges and barriers into the plan as part of a strategy for the future.

City Planner Abboud said it makes him think of mitigation and adaptation type of concepts, but isn't sure how it works into this chapter.

Commissioner Abrahamson suggested an approach to incorporate best available information into the economic vitality strategies like the erosion map update as a way to keep a finger on the pulse of current issues or arising issues. She explained the climate issue impacts will include multiple sectors of economic industries for our community including commercial fishing, access to the harbor for recreation, development of land on the bluff, and water quality and availability. We should try to anticipate some of those impacts and build in some resilience efforts for them.

Other discussion comments included having Steve Baird present to the City Council and public outreach.

B. Memorandum from Deputy City Clerk Re: Commissioner Absences

Chair Stead referenced the memo in the packet and asked for a motion.

ABRAHAMSON/BOS MOVED TO DECLARE COMMISSIONER ARNOLD'S SEAT VACANT DUE TO HIS CONSECUTIVE ABSENCES IN ACCORDANCE WITH PLANNING COMMISSION BYLAWS SECTION 0.5.

There was brief discussion in support of the motion and noting this is the sixth consecutive absence.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Informational Materials

- A. City Manager's Report February 13, 2017
- B. City Manager's Report February 27, 2017

Commissioner Highland expressed her concerns about Graphite One and the graphite mine proposal addressed in the City Manager's report.

Comments of the Audience



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-44

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 19, 2017
SUBJECT: Comprehensive Plan Update Chapter 8 Economic Vitality

Introduction

After receiving comments from the Planning Commission, I have made revisions. I am including Julie's staff report to the EDC and made a notated version of the chapter to help display the changes that have been made.

Analysis

The chapter has represented a catch-all and doesn't prioritize items. Revision was particularly difficult. Much of the content is redundant within the chapter and other chapters of the comprehensive plan. I do not feel that I am at liberty to change the direction of the chapter without extensive public participation, such as we would do if we were to replace our plan. Being an update, we tried to refine the best we could without introducing wholesale changes.

The Chapter, as it was written, is much more specific than I would prefer for the plan. It has an inordinate amount of implementation items. It may be a bit unrealistic to think that we have the capacity to work on all proposed. Never the less, it represents all the concepts the community wished to address. It can now act as type of clearing house of ideas for consideration.

Please take a close look at the chapter and the implementation table in particular. Input on the elimination or consideration of new implementation actions would be very valuable.

Staff Recommendation

Please provide any comments on chapter and the implementation tables

Attachment

Draft Chapter 8 Economic Vitality and implementation table
EDC Memo

ABRAHAMSON/BRADLEY MOVED TO APPROVE STAFF REPORT PL 17-43, BAY VIEW SUBDIVISION 2017 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

A. Staff Report 17-44, Comprehensive Plan update – Chapter 8 Economic Vitality

The Commission began discussion on Chapter 8 Economic Vitality during their worksession.

City Planner Abboud stated an amendment they discussed at the worksession to replace Goal 4 with “Support Renewable and Non Renewable Energy Services”.

ABRAHAMSON/HIGHLAND SO MOVED.

Commissioner Highland noted in their discussion they felt this is a little clearer of what the Commission will be supporting.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

They continued to review the chapter updates provided by City Planner Abboud and addressed the following changes.

- Goal 2 Objective A –
 - Include number 4, line 118 as bold and underlined and shorten to read: Encourage science, information infrastructure, and technology based business development.
 - Remove number 6.
 - Combine number 7 with 1-5 relating to CEDS.
- Goal 2 Objective B- Line 135 strike Fish and Game operations.
- Goal 2 Objective C-
 - Line 157 strike The existing KBC of the so it begins. University of Alaska programs.
 - Remove 2-C-3.
 - Line 164 change to Support development of programs that prepare individuals through workforce development.
 - Line 166 change to Support opportunities for partnerships and collaborative educational programs.
 - Change 2-C-4,5,6,7 to Support collaborative education programs.
 - Change 2-C-4,5,6,7A Change the first word Identify to Connect and ECD duty.
- Goal 3 Objective A

- 
- Eliminate 3-A-1
 - Encompass 3-B-2 in 3-B-1
 - Goal 3 Objective C
 - Line 216 change to read Promote recreation, the arts, and non-governmental organizations
 - Goal 5 Objective C
 - Shorten 5-C-1 to Adequately fund maintenance to public facilities.
 - Change 5-C-8 Change support shoulder season activities to support activities that are not seasonally dependent as a way to expand the local economy.
 - Remove 5-C-9A.
 - Change 5-C-9B Change maintain and enhance Homer's reputation to say accommodate and encourage events

New Business

Informational Materials

- A. City Manager's Report April 10, 2017

Comments of the Audience

Comments of Staff

City Planner Abboud thanked everyone for the work tonight; everyone's input was very helpful.

Comments of the Commission

Commissioner Venuti had no comment.

Commissioner Highland thanked everyone and wished them happy spring and summer.

Commissioner Bradley encouraged everyone to participate in the science and Earth Day events this weekend.

Commissioner Abrahamson commented that the Kachemak Bay National Estuarine Research Reserve is hosting a two-day climate resilience workshop to focus on strategies and implementation actions to improve the preparedness of our community to respond to environmental change April 20 and 21, and also about a FEMA training in Anchorage on May 5th.

Vice Chair Bos said he may be absent May 3rd. It was a good meeting the comp plan is challenging to him and he thanked everyone for their support.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 9:23 p.m. The next regular meeting is scheduled for May 3, 2017 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-49

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: May 3, 2017
SUBJECT: Comprehensive Plan Update Chapter 4 Land Use

Introduction

This is the first conversation about chapter 4. Nothing in the chapter has been revised

Analysis

We are looking for some input of the direction the Commission wishes take in regards to land use policy. As you review the chapter, please take note of the things we have accomplished so we might be able to removed items as appropriate. Eventually, we are also hoping to take a good look at the Land Use Recommendations Map. We have accomplished some of our recommendations, while others like residential-transitional have been discussed but no action was taken. It is a good time to evaluate what recommendations have not come to pass and consider refinement of the recommendations.

In this first look at the chapter, I hope to get input on the first few objectives under Goal 1. I believe that we may have extended discussion about the map and may not get much further than this in the meeting.

Goal 1 – is still valid. We talk of ‘protect[ing] community character’, which I believe could be better defined in the plan. So far, the only reference in the plan eludes to ‘an eclectic mix of land uses... This is found on lines 44-50.

I’m not sure the phrase “of public facilities including limiting greenhouse gas emissions” (lines 110-111) is appropriate since we are in the ‘land use’ section and we have another chapter that speaks to public facilities.

Objective A – This objective is very general in nature and seems a bit self-evident. We have examples of how we have been addressing the implementation strategies. We may be able to wrap this concept (or what’s left) into another section.

Objective B – This is basically a brief explanation of the components of the Land Use Recommendations map. I have made some notes about the current designations and am looking for some input on how to better tailor and update the recommendations.

R2 – In consideration of our experience with this, I question the value of the transitional concept. Is the actual difference between urban and transitional residential useful. Perhaps just the concept of transitioning into a more dense residential (or UR) district is warranted. I'm not sure that it would be useful to form a transitional district with the intent to get to urban. We should show that the areas nearest to established infrastructure have support for more dense development.

DT Mixed Use – It's good to review this, I believe that our CBD regulations support this concept and we could change this to CBD for clarity.

CBD – This is displayed as the eastern section of the current CBD. Here is where I am asking the Commission to consider a different recommendation. The Planning Office has worked with developers to limited success to find areas in the city to support commercial development on moderate sized lots. This is extremely limited in the current GC1 District and there are few options for expansion of the district. While this is in the center of town, the current development in this area is more intensive commercial in nature and can support a relatively easy transition into a more commercial designation.

NC Neighborhood Commercial East End Road – I do believe our experience in this area has shown that there is limited demand for a commercial area design to 'meet the needs of neighborhood residents'. I cannot see why we would want to support stringing out the opportunity for more service-oriented business beyond the current business districts where many lots and several structures sit vacant.

Land Use Recommendations Map – Here we can take some time to review how the area depicted on the map meets our needs and expectations. Take time to consider each of the designations and the areas depicted.

Objective C & D – Here we can discuss each of the implementation strategies and determine if we have completed items and the support for the concepts.

Staff Recommendation

Please provide any comments on chapter and the implementation tables

Attachment

Chapter 4 Land Use 4.24.17

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

Pending Business

- A. Staff Report 17-49, Comprehensive Plan update – Chapter 4 Land Use

Deputy City Planner Engebretsen stated the planning commission discussed this during the work session. Going forward, some goals will be to come up with concepts to take to the public and put on the city website eventually. She said she will put together another staff report on Chapter 4 for the next meeting. Commissioner Bos requested that the commission look into removing Goal 3 Objective C, shifting platting authority from the borough to the City, from the comprehensive plan.

New Business

Informational Materials

- A. City Manager's Report April 24, 2017
B. KPB Notice of Decision- Time Extension Request for Bay View Subdivision High Tide Replat Preliminary Plat

Comments of the Audience

Comments of Staff

Comments of the Commission

Commissioner Bradley stated she looks forward to continuing to work on the Comprehensive Plan.

Vice Chair Bos acknowledged this meeting as Deputy City Clerk Jacobson's last meeting as clerk for the Planning Commission and thanked her for making the whole commission more effective.

Chair Stead echoed Vice Chair Bos's comments.

Commissioner Venuti asked Deputy City Planner Engebretsen if the City had received any interest from the public to fill the empty Planning Commission seat. Her response was that staff is not aware of any current City residents who have an interest in serving. She offered clarification that the vacant seat must be filled by a City resident and stated that there is a borough resident in the process of moving to the City who has expressed interest.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-52

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 17, 2017
SUBJECT: Comprehensive Plan Update – Land Use Chapter 4

Introduction

At the work session of May 3, 2017, and briefly at the regular meeting, the HAPC discussed the following issues:

~ A focus on the natural beauty of Homer is a positive thing, but equal attention should also be paid to the amount of junk around town.

~ The Comp plan talks about community character. The Commission declined to further define exactly what that means, other than to say it is diverse.

~ Commissioner Bos requested that the commission look into removing Goal 3 Objective C, shifting platting authority from the borough to the City, from the comprehensive plan.

~ Staff suggested keeping a running list of bigger or new topics to take to the public meetings. We will add to this list as we work through Chapter 4.

Topic List:

~ Should the city put more effort into cleaning up junk?

~ Should more land use activities be allowed by right – i.e. fewer conditional use permits and more streamlined process?

Staff Recommendation

Continue the conversation in SR 17-49

Attachments

Staff Report 17-49

Minutes excerpt from May 3, 2017

PENDING BUSINESS

A. Staff Report PL 17-52, Comprehensive Plan Update, Chapter 4, Land Use

Chair Stead read the title into the record and opened discussion by acknowledging where the commission left off from the worksession prior to the meeting.

Discussion ensued on Chapter 4 Land Use on page 37 of the packet and noted that the Commission wanted to include a statement dealing with junk. The discussion contained the following the following points:

- Steep slopes, building standards refinement
- Fill standards
- Including Woodard Creek Plan in the Comprehensive Plan
 - o Not a city plan, speaks to essentially locking the land down
 - o More of a park development plan
 - o Advocating with the State to be more sensitive to the creek
 - o Mostly private land
 - o This is considered green infrastructure
- Remove Overlay
- Referenced Appendix D - Infrastructure Map
 - o Only informational purposes
 - o Unless regulations are to be implemented it will be informational only
- Debate on the detriment to the land versus the hydrology and green infrastructure and use of fill materials
 - o Need additional information

Chair Stead requested clarification on Commissioner Highland's comment on "it's a big deal" and referred to Objective A, under Goal 2 on page 4-11 of the plan (page 37 of the packet) or the Implementation Strategies

Additional comments on Woodard Creek were made by Commissioner Highland and City Planner Abboud that evolved into discussing critical habitat and the effects on the surrounding area.

Chair Stead requested clarification from Commissioner Highland when referring to "this thing". City Planner Abboud commented he is hearing a restriction. Commissioner Highland stated that she would like Homer to learn from actions and mistakes learned elsewhere so they do not continue doing the same thing. City Planner Abboud cited that others may advocate for engineering your way out of a problem and the whole regional bigger picture and concentrate population in one area to save nature in another. There is going to be a trade off somewhere.

Ensuing discussion contained points on doing something now to stop the non-reactive nature of doing nothing and establishing policy and regulations occurred between Commissioner Highland and City Planner Abboud.

Commissioner Venuti advocated for the commission to study Appendix D and come back for continued discussion at the June 7, 2017 regular meeting.

City Planner Abboud reviewed the implementation strategies under Objective B and concluded that they have done most of these items. Chair Stead agreed that many of these have been tackled. City Planner Abboud stated that a statement such as, "continue to review developmental standards and lessons learned" can be included.

A brief discussion on setbacks for streams and wetlands; establishing rules and laws regarding property; dealing with the economics that is Homer, and working on infill the existing neighborhoods, removing the density that is in rural residential and establishing a minimum like 1 acre lots. City Planner Abboud approached the map and pointed out various areas to use for containment. He noted that they crossed a line by allowing accessory buildings.

Commissioner Highland wanted to keep line 339-352 she advocated keeping them since they are not strong enough in her opinion.

Chair Stead restated that Objective B verbiage “to continue to evaluate the science to continue to refine, define and improve the implementation strategies” to explain he stated that this will allow them to scientifically prove that changes are for best.

City Planner Abboud used Park City Utah as an example where the municipality bought the land and designated trails and recreational aspects to development.

Commissioner Venuti suggested changing verbiage in line 356, “Homer is encouraged to continue practices that bring about Objective B.”

The Commissioners briefly discussed including language in the plan on green infrastructure, in Objective C requiring developers to include details about environmental reviewing Appendix D would help the commission to discuss this with substantive meaning.

Chair Stead stated he has some issues with requiring developers to include details about environmental features, what exactly is an environmental feature. Additional comments on what is an environmental feature, is more definition required was questioned. He appreciates what the City Planner Abboud stated on impacts from one developer does not impact a future developer.

Commissioner Highland advocated that because of examples of land use issues in the past and present they can project how it will affect land use in the future.

Chair Stead again noted the time and that they will not be finishing this tonight or get past Goal 2, City Planner Abboud agreed and requested the commission to try to think of the policies and referenced New York City and how it was planned. He stated that there is a good example of being conscience of the wetlands, etc. Homer is pretty good with the Critical Habitat.

Commissioner Venuti reminded those present that they wait for the full commission and that it would have more value to have everyone at the table.

Chair Stead stated that they would have Goal 2, Objective C, D, E and read Appendix D and keep going then hopefully finish the last meeting in June.

City Planner Abboud stated that condensed thought is needed and wanted to have in the end a palatable policy that is acceptable to the Homer community. He confirmed that the Appendix D (map) will be included in the packet.

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. City Manager’s Report, May 8, 2017 City Council Meeting
- B. KPB Notice of decision for a Utility Easement vacation on the interior lot line between lots 16 & 19 of Barnett’s South Slope Subdivision DEC 17 T6S R13W S.M.
- C. KPB Notice of Decision for Wintergreen Subdivision Raymond Addition Preliminary Plat

COMMENTS OF THE AUDIENCE

COMMENTS OF STAFF

City Planner Abboud had no comments.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-58

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: June 7, 2017
SUBJECT: Comprehensive Plan Update Chapter 4 Land Use

Introduction

We are trying to finish our initial discussions to come up with a draft of chapter 4 that will be ready for public comments. I do not believe we should be changing much direction, but should cross-off the items that we have accomplished and put into perspective the items we have addressed and for one reason or another have chosen not to act. Additionally, some items may really be unfeasible due to the expected budget constraints that are expected for the next 5 years or more.

Analysis

Julie and I have made comments on several comments on the text of the Land Use Chapter. We have accomplished a lot of items from the Implementation Strategies. When reviewing the strategies, we need to consider our targets and how the plan provides guidance toward making items priorities. I am hoping that we have a full commission to make recommendation for the public draft.

I find myself in a quandary because we still find reference to our community character without defining what it means. Is it sort of like, I can't describe it, but know it when I see it? Cousin's dead boat yard is an example. It certainly represents some sort of character where half the people are appalled and the other half think it is cool. Considering its use as a graphic in national publications, it is certainly part of our character regardless of how you feel about it.

Goal 1. Objective A.

I want to consider elimination of this as it seems to restate the obvious (promoting policies consistent with the plan? Well yeah, that is why we make the plan). I also believe that we have completed the strategies.

Goal 1. Objective B.

I am considering reformatting the components of the Land Use Recommendations Map. The only things to get sorted out are the Downtown Mixed Use and CBD descriptions. I will likely

eliminate the list found on lines 154 – 192 and update appendix B and perhaps move the map to the appendix.

Goal 1. Objective D.

I want to consider this for elimination. We are definitely chasing the infrastructure around instead of planning the infrastructure for the desired development as the objective suggests. I find two policy statements that we may want to support; the encouragement of infill and the provision of water and sewer to residents of the City prior to serving nonresidents.

Goal 1. Objective E.

I propose consideration of our support for LEED projects. I question our support for LEED, especially adopting standards or providing technical assistance.

Goal 2. Objective B.

We are having a conversation in the office of the expectations of continuing to address the implementation strategies for which we recently addressed in code. Is this worthy of being a priority of the Comprehensive Plan at this time? If so, what are the expectations? Here is where we can review Appendix D. I would suggest the we do not alter Appendix D. Perhaps we could state a general strategy that states something like we will monitor how the regulations are working, leaving Appendix D as an example of strategies to consider.

Goal 3. Objective B.

Not seeing Implementation Strategy 6 as realistic and suggest removal.

Goal 3. Objective C.

Recommend removing this as a practical matter as we do not have the resources to take over platting.

Goals 4 and 5.

Here I need a reality check. I have concerns about stating policy regarding affordable housing. Unless we become a financial contributor to this goal, what can the city actually do? We do not develop or even have the type of developmental demand to create policies that might somehow influence or supplement the market forces. We have developed minimal multifamily units in recent years and we continually find that developments are being built a structure at a time and developers are unable to fund large subdivisions that take decades to fill. We can make rules that allow for consideration of greater densities, but we need someone to take advantage of the opportunities. Here we are at the mercy of the markets and our influence is minimal in consideration of what is being built.

Land Use Map Edits June 7th 2017 meeting

1. Consider urban zoning by West Hill Road, rather than Transition/ R-2. Boundary would run along topographic features/infrastructure.
2. Eliminate EE RO MU along East End near Paul Banks. Retain existing RO. Existing rural to become R-2.
3. Consolidate GC1- eliminate residential overlay along Lakeshore Drive. While it's a nice idea, it's a very small area to create yet another overlay zone. Recommend amending GC1 zoning in general to make it more conducive to the type of development desired.
4. CBD – Create GC1 in the area between Heath and Lake Streets
5. Beluga Conservation lands – Revise map to follow approxiamte areas of the Airport Critical Habitat Area, KHLT and Moose Inc type properties.
6. Show Airport CHA on map
7. Create a conservation area on KHLT lands on Skyline Drive

Discussion:

1. Get rid of scenic gateway overlay? Is this district serving its purpose? Is there a better way?

Staff Recommendation

Please provide any comments on chapter and the implementation tables

Attachment

Chapter 4 Land Use 6.1.17

Appendix D

A. Staff Report PL 17-56, Mariner Village Subdivision Fraley Replat Preliminary Plat

City Planner Abboud reviewed the staff report.

BOS/BRADLEY - MOVED TO ADOPT STAFF REPORT PL 17-56, MARINER VILLAGE SUBDIVISION FRALEY REPLAT PRELIMINARY PLAT.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

B. Staff Report 17-57, Foothills Subdivision Sunset View Estates Addition No. 3 Preliminary Plat

City Planner Abboud reviewed the staff report. He explained that the preliminary plat includes establishing just a few lots, out of the greater area of the subdivision, and creating road corridor easements for future road connections.

Commissioner Highland asked City Planner Abboud where the access for lot A-1 is located. City Planner Abboud said the access is onto Soundview Avenue. Chair Stead asked City Planner Abboud to clarify the reason for establishing a road easement instead of dedicating Right-of-Way. City Planner Abboud explained the conflict between City and Kenai Peninsula Borough code as outlined in the "analysis" portion of the staff report.

BOS/ABRAHAMSON - MOVED TO ADOPT STAFF REPORT 17-57, FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3 PRELIMINARY PLAT WITH STAFF RECOMMENDATIONS 1-5.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

PENDING BUSINESS

A. Staff Report PL 17-58, Comprehensive Plan Update, Chapter 4 Land Use

Chair Stead read the title into the record and opened discussion. City Planner Abboud advised that the discussions of the work session should be summarized and that any changes to the Comprehensive Plan should be discussed for the record.

City Planner Abboud stated the Commission determined Goal 1 Objective A can be eliminated because implementation strategies 1-3 have been largely accomplished through zoning code since this plan was written and the other aspects of the objective, such as guiding growth to protect community character and the quality of the environment, are found elsewhere in the comprehensive plan.

VENUTI/BOS - MOVED TO REMOVE "OBJECTIVE A" FROM GOAL 1, CHAPTER 4 OF THE COMPREHENSIVE PLAN.

Commissioner Venuti commented that discussion of this objective was lengthy during the work session.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

City Planner Abboud stated that the commission decided the Land Use Recommendations Map, found on page 4-7, should be moved to the appendix section of the plan.

City Planner Abboud stated that the commission determined Goal 1 Objective D can be eliminated because it attempts to plan for infrastructure where it is not practical and is therefore not a very useful objective. Infrastructure development should be focused on infill, responding to market demands, and guided by the Water/Sewer Master Plan, which identifies feasible areas for expansion of those systems.

HIGHLAND/BOS - MOVED TO REMOVE "OBJECTIVE D" FROM GOAL 1, CHAPTER 4 OF THE COMPREHENSIVE PLAN.

There was no discussion

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

City Planner Abboud stated that the commission decided Implementation Strategies 5 & 6 of Goal 1 Objective E are no longer relevant and can be eliminated.

Commissioner Highland commented that the following phrase from Goal 1 Objective A should be included at the end of the first paragraph of Goal 2: "Growth will need to be guided to meet Homer's concerns about protecting community character and the quality of the environment."

Several Commissioners and City Planner Abboud discussed the wording of the title of Goal 2 Objective B. The pros and cons of various phrases to replace the term "environmental functions" was discussed and it was decided to replace the word "Establish" with "Continue to review and refine."

Commissioner Abrahamson commented on Implementation Strategy 1 of Objective D, Goal 2. She wishes to amend it as follows: "...Build on examples set by Kachemak Heritage Land Trust, Natural Resources Conservation Service and Homer Soil and Water Conservation District."

City Planner Abboud stated the Commission had discussed eliminating Implementation Strategy 6 of Objective B, Goal 3 because it will be very difficult to carry out. Although it may benefit the City for projects outside City limits to comply with Homer's community design standards, the cost to seek compliance will be too high.

VENUTI/BOS - MOVED TO REMOVE IMPLEMENTATION STRATEGY 6 FROM OBJECTIVE B, GOAL 3, CHAPTER 4 OF THE COMPREHENSIVE PLAN.

Commissioner Abrahamson commented that DOT has recently announced a new community engagement strategy. Commissioner Bos agreed that it is a "tall order" to expect projects outside of city limits to comply with City design standards. City Planner Abboud suggested the City can continue to participate in outside-agency or regional programs such as the Scenic Byways Program.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

City Planner Abboud stated that the Commission discussed eliminating "Objective C: Work with the KPB to determine the costs and benefits of shifting some or all platting authority to the City of Homer" from Goal 3, Chapter 4 of the Comprehensive Plan. The main reason for eliminating this objective is the City does not have the capacity for such a large increase in its budget.

BOS/BRADLEY - MOVED TO REMOVE "OBJECTIVE C" FROM GOAL 3, CHAPTER 4 OF THE COMPREHENSIVE PLAN.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud stated that the Commission agreed to eliminate Implementation Strategies 2 and 3 of Objective A, Goal 4 because they were accomplished with the update of the City parking code and the adoption of the Town Center Zoning District.

City Planner Abboud commented that Implementation 5 of Objective A, Goal 4 is out of date. The Commission held discussion and decided to amend it to read, "...Develop an attractive, business friendly commercial streetscape for Pioneer Avenue and ensure the Town Square/City Hall project is designed to benefit Pioneer Avenue and Old Town businesses."

City Planner Abboud stated that the Commission discussed the elimination of "Objective C: Encourage complementary commercial activity between the CBD and Homer Spit that benefits both in the appropriate locations and builds upon their geographic strengths" from Goal 4, Chapter 4 of the Comprehensive Plan. This objective is addressed by the Spit Plan. Additionally, implementation strategies 1,2 and 4 have been accomplished through the establishment of the Marine Industrial/Marine Commercial districts and the Spit Plan adoption, while implementation strategy 3 is addressed in Transportation Chapter 5.

ABRAHAMSON/HIGHLAND - MOVED TO REMOVE "OBJECTIVE C" FROM GOAL 4, CHAPTER 4 OF THE COMPREHENSIVE PLAN.

Commissioner Venuti asked the group why there isn't more paid parking on the Spit. A general conversation about parking on the spit ensued.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud stated that "Objective D: Introduce new commercial districts to better encourage and accommodate commercial land uses in appropriate locations, and allow new types of commercial activities to take place" of Goal 4 was discussed during the work session. He stated that the Commission talked about eliminating this objective because the implementation strategies are addressed in other sections of code and a neighborhood commercial district on West Hill Road was previously proposed and failed.

BOS/ABRAHAMSON - MOVED TO REMOVE "OBJECTIVE D" FROM GOAL 4, CHAPTER 4 OF THE COMPREHENSIVE PLAN.

There was no discussion

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Several of the Commissioners discussed Objective A, under Goal 5.

HIGHLAND/BOS - MOVED TO REMOVE "OBJECTIVE A" OF GOAL 5, CHAPTER 4 OF THE COMPREHENSIVE PLAN

ROLE CALL VOTE: 6 NO, 0 YES.

Motion failed.

City Planner Abboud introduced the June 7, 2017 Draft Future Land Use Map. He stated this map depicts a staff suggestion to rezone a portion of the Central Business District to General Commercial 1 in the vicinity of Lake Street and Heath Street.

Chair Stead asked City Planner Abboud if there was a big need for more commercial land. City Planner Abboud responded by saying there have been multiple inquiries for places to do outdoor sales, outdoor storage, and auto oriented activities, but the General Commercial 1 land is very limited and the lots that are available are too small.

Vice Chair Bos asked City Planner Abboud if he has spoken with any specific businesses who support the rezone. City Planner Abboud stated that he has not because it is not appropriate for him to do so without the support of the Commission. Further, he is bringing this up to the Commission now to get feedback and to find out if it is a concept that the Commission supports him in pursuing.

VENUTI/HIGHLAND - MOVED TO DIRECT THE CITY PLANNER TO INVESTIGATE REZONING A PORTION OF THE CENTRAL BUSINESS DISTRICT TO GENERAL COMMERCIAL 1 DISTRICT AS DISPLAYED IN THE JUNE 7, 2017 DRAFT FUTURE LAND USE MAP.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT

Motion carried.

City Planner Abboud reviewed the implementation strategies that have been accomplished since 2010 as depicted in the amended Land Use Implementation Table (page 97 & 98 of the packet).

The Commission discussed the Green Infrastructure Map found in Appendix D, page D3. The Commission wishes to seek an updated version of this map through Homer Soil and Water Conservation District.

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. City Manager's Report, May 30, 2017 City Council Meeting
- B. KPB Notice of decisions: Vacation of a 30 foot wide portion of Greatland Street

COMMENTS OF THE AUDIENCE

COMMENTS OF STAFF

City Planner Abboud and Planning Technician Brown had no comments.

COMMENTS OF THE COMMISSION

Commissioner Venuti commented that it was nice to do some planning, so often the Commission is reactive.

Commissioner Bos commented that the US Coast Guard is searching for a new location for a large cutter and that this gives the Homer Port and Harbor good reason for a harbor expansion.

Commissioner Abrahamson said she recently attended a FEMA resiliency training.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-59

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: June 21, 2017
SUBJECT: Comprehensive Plan Update Chapter 4 Land Use

Introduction

As I was incorporating the recommendation of the Planning Commission, I found more items to address in Chapter 4. In particular, I am cleaning up the implementation strategies and implementation table. Along the way, I have made other refinements listed below.

Analysis

You will notice bold and underlined sentences under the implementation strategies. This is an effort to follow how chapter 8 was formatted. The goal is to provide general implementation strategies while moving the former strategies to the implementation table as they are mostly more specific. It will also provide an improved format in which to evaluate just what has and has not been accomplished.

Please review and provide any suggestions for language of suggested implementation strategies (bold and underlined) and any of the items on the implementation table (lists under the bold and underlined language). The rest is mostly cleanup, described below.

Yellow highlight is my reminder to update references to other parts of the plan as they are subject to change.

Goal 2, Objective C has been moved and incorporated into Goal 2, Objective A.

Line 151, change to consideration of form-based codes. Want to leave open other possibilities and take time to consider all the implication of form-based code.

Eliminated lines 161-162. All standards except on-site septic are addressed in Goal 2 Objective B. Added reference to septic as item 6, line 284.

Eliminated lines 188-189 for formatting purposes.

Lines 240-243 & 251-256 are the language moved from objective 3

Eliminated language, lines 243-244 for formatting purposes.

Eliminated language on lines 264-265 for formatting purposes and added language (lines 265-266) introducing the concept of revision to match implementation items.

Moved 291-305 to Objective 1. Objective C is now an implementation strategy.

Eliminated lines 305-306 because of dated example. An example is better prepared as part of a permitting material.

Lines 323-324, added reference to purchase of Bridge Creek properties.

Lines 329-330, added language to provide a better format. Consider language for possible clarification.

Lines 349-351, added reference to code enforcement.

Eliminated wording 418-419, as the discussion of BID's and TIF with EDC did not turn into recommendation.

Eliminated line 425, see discussion below – dated and simplistic material.

Added reference to improvements on Pioneer Avenue.

Eliminated wording on lines 442-443, formatting issues.

I recommend moving Goal 5 to the appendix. This is a good guide to how we might approach annexation. As annexation is not 'on-the-table' and will not be in the foreseeable future, there is no need at this time to make actionable implementation table.

Appendices

1. Requested action: Cut Appendices A, C and E

Appendix A – Background population projection information. Staff finds this out of date and not worth retaining. Recommend deletion from the plan.

Appendix C – Homer Spit section of the previous 1999 comprehensive plan. The City has since adopted a separate Homer Spit Compressive Plan. Staff Recommends deleting Appendix C from the Plan.

Appendix E Downtown Design Principles. While the information is still good, its not particular useful in the context of this document. There are numerous professional publications on these topics should we want current research on downtown design principles.

2. Requested action: Approve the combination and editing of Appendix B and D as presented

Staff recommends combining Appendix B and D – Land Use Designation Categories, and Background Land Use information. All the maps, and information about the maps, will be in one place. Staff has created a simple table to describe the various zoning districts.

3. Requested action: Move Chapter 4 Goal 5 to the Appendix.

Staff recommends moving Chapter 4 Goal 5 to the Appendix. This is the goal about how an annexation process should be handled. These are good guidelines and worthy of keeping in the plan, but the goal and implementation items are not ‘action items’ so to speak, or a near term land use priority. Place keeping them in the appendix would allow for a more concise, useful land use chapter. Should the city pursue an annexation, the guidelines would be readily accessible to decision makers and the public to follow.

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 4 Land Use 6.13.17

Chapter 4 Implementation Table 6.13.17

Appendices

PUBLIC HEARINGS

- A. Staff Report PL 17-58, CUP 17-03 for the installation of a driveway involving more than 6,000 square feet of grading within the Bridge Creek Watershed Protection District at 61447 Florence Martin Ct.

City Planner Abboud reviewed the staff report.

Kenton Bloom, city resident, professional surveyor, and representative of the applicant, stated the proposed driveway is located over an old homestead road which was originally built following the lay-of-the-land best suited for travel. He stated the CUP is to improve the road to provide access to a cabin on the eastern lot and is part of a court mandated dispute resolution.

Chair Stead opened the public hearing. There were no comments and the public hearing was closed.

Chair stead asked the applicant what the purpose of the water bars on the road would be, referring to condition 2 of the staff report. The applicant responded by referring to installation of straw wattles. City Planner Abboud offered clarification that, although he is not familiar with best management practices for types and installation methods of water bars, they are essentially a feature on the road which diverts water sheet flow to prevent erosion.

Commissioner Abrahamson asked the City Planner what the method is for the City to make sure the road is built according to plan. City Planner Abboud responded by saying there is no specific permitting process for this, but that he would have the City Engineer look at the site with him during construction.

Commissioner Bradley commented that she appreciates the thoroughness of the application.

VENUTI/BOS MOVED TO APPROVE STAFF REPORT 17-58, CUP 17-03 TO INSTALL A DRIVEWAY AT 61447 FLORENCE MARTIN COURT WITH STAFF FINDINGS 1-10 AND CONDITIONS 1 AND 2.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion passed.

PLAT CONSIDERATION

PENDING BUSINESS

- A. Staff Report PL 17-59, Comprehensive Plan Update, Chapter 4, Land Use.

City Planner Abboud reviewed the staff report.

Abrahamson commented that she would like to have added to Goal 2, Objective D, the identification of specific private property owners who own large amounts of land near city borders as well as specific federal and state agencies that own lands near the borders.

Abrahamson suggested updating the photo found on page 4 -11.

City Planner Abboud discussed the changes to the Land Use Implementation Table as stated in the staff report.

Highland and Abrahamson stated they want to reference environmental plans in the implementation table such as future flood maps, recent coastal erosion mapping, and the Woodard creek plan. They would like the comp plan to recognize other community plans as resources.

City Planner Abboud stated his next step for the comprehensive plan update is to add suggestions from today and clean up the formatting of the changes to the plan so that it will be ready to be brought to the public.

Commissioner Abrahamson stated she wishes to have added to the appendices section, the erosion control study and something relevant from the Woodard creek plan.

NEW BUSINESS

A. Memorandum – City of Homer 2018-2023 Capital Improvement Plan (CIP)

City Planner Abboud reviewed the memorandum. Commissioner Venuti sparked discussion about the ice plant project.

Venuti/Bos Moved to recommend to City Council the Large Vessel haul out repair facility/barge mooring facility and the ice plant upgrade as the two projects to be legislative priorities.

Commissioner Abrahamson asked what is the proposed City contribution for these two projects? The commission was unable to come up with an answer.

Vice Chair Bos asked what is the payback for the haul out facility and the ice plant? Where does the money that is being made go? Without this type of information, it is difficult for the planning commission to make a good decision. The Commission was unable to come up with this information. City Planner Abboud stated that the Port and Harbor director would be the one to have this type of information.

Commissioner Abrahamson commented that the Storm Water Plan would contribute to our community by improving the infrastructure to prevent additional long-term costs to the City. Although there would be no revenue gain from this project, it would still greatly contribute to the community.

Commissioner Bradley stated that the Storm Water Master Plan has been the Commission's recommendation for at least 3 years and it is still a priority.

ROLE CALL VOTE: 5 YES, 1 NO, WITH COMMISSIONER BRADLEY VOTING NO.

Motion passed.

INFORMATIONAL MATERIALS

- A. City Manager's Report, June 12, 2017 City Council Meeting
- B. KPB Notice of Decisions:
 - Eagle View Subdivision 2017 Replat Preliminary Plat
 - Lloyd Race 2017 Revised Preliminary Plat
 - Homer Enterprises, Inc. Subdivision Resetarits Replat Time Extension Request
 - Barnett's South Slope Subdivision Fell Addition Preliminary Plat

COMMENTS OF THE AUDIENCE

COMMENTS OF STAFF

City Planner Abboud had no comments.

Planning Technician Brown had no comments.

COMMENTS OF THE COMMISSION

Commissioner Highland asked when the Commission meets next. City Planner Abboud answered, July 19.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-63

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: July 19, 2017
SUBJECT: Comprehensive Plan Update Chapter 4 Land Use & Chapter 8 Economic Vitality

Introduction

This provides the commission the opportunity to review what we plan to use as the public review draft of the chapters above.

Analysis

The changes you find are most all formatting and those requested at the last meeting for Chapter 4 and the last meeting when Chapter 8 was discussed in the spring.

Chapter 4 has been formatted except for the numbered lists found in the document. The numbered items correspond to the implementation table and are left in the document for comparison with the implementation table. The final version of the implementation items are in the table and the numbered items found in the document are the original from the plan. Some minor edits have been made in addition to recommendations from the commission. If all is well, I will remove the numbered items in the chapter and the remaining will be the public review draft.

Chapter 8 has incorporated the revisions that the Planning Commission made and the format has been updated.

I do not expect to go line for line and solicit feedback at this meeting. I am hoping that I got things correct and am looking for input of items that may not be correct and/or scribe errors. The document is generally formatted except for some spacing issues and such. We will spend more time on this when we have a final draft, as some of the spacing issues become a moving target as revisions are made.

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 4 Land Use 7.11.17

Chapter 4 Implementation Table 7.12.17

Chapter 8 Economic Vitality 7.12.17

Chapter 8 Implementation Table 7.12.17

Code regulations regarding building density. She also commented on the erosion of the bluff and the loss of the land which would not allow for the proposed buildings to outlive a 30 year mortgage.

There was no further testimony by the public in attendance.

Chair Stead requested a motion to postpone the Public Hearing to the next meeting.

VENUTI/ABRAHAMSEN - MOVED TO POSTPONE THE PUBLIC HEARING FOR STAFF REPORT PL 17-61, CONDITIONAL USE PERMIT 17-04 FOR FOUR DWELLINGS ON A LOT AT 3101 KACHEMAK DRIVE TO THE REGULAR MEETING OF AUGUST 2, 2017

There was no discussion.

VOTE. YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

A. Staff Report PL 17-62, Mariner Village 2017 Preliminary Plat

Chair Stead requested to hear Staff Report PL 17-62, Mariner Village 2017 Preliminary Plat

Deputy City Planner Engebretsen reviewed the staff report stating while the Army Corps of Engineers report was not included in the packet materials the corps has determined that the property is less wet than represented by the City maps.

Commissioner Venuti declared a conflict of interest stating that the applicant is a valued client and good friend.

Due to the stated conflict the commission was left without a quorum to address the conflict or the Preliminary Plat.

This item is postponed to the next regular meeting.

PENDING BUSINESS

A. Staff Report 17-63, Comprehensive Plan Update – Public Review Draft of Chapters 4 and 8

Chair Stead requested to hear Staff Report PL 17-63 and Deputy City Planner Engebretsen provided a summary review of the report included in the packet for the record.

The commission reviewed the formatting changes regarding details will be shown in the Implementation Tables. Staff requested any comments, questions or concerns from the commission and the following were provided:

- Page 181, page 4-1, Chapter 4, a formatting issue which will be corrected on the final version.
- Page 182, page 4-2, Chapter 4, line 29, use of the phrase “vicinity to water” preference for clear and concise language, suggestion made to change to “access to Kachemak Bay and other water resources”
 - o Line 60, remove wording “recently established”
- Page 185, page 4-5, line 151, remove wording “recently established”
- Page 186, page 4-6, line 217-219, recommendation to put in bold face type, ongoing more than 10 years, staff stated that this is represented in the implementation table on page 196, item 2-B-2, recommendation to change timeframe to Near Term for higher priority
- Page 188, page 4-8, line 264-265, in response to question on many good environmental standards, Deputy City Planner Engebretsen assured the commission that in comparison to other Alaska cities the city of Homer has numerous regulations such as Steep Slope, creek setbacks, storm water requirements, zoning permit requirements such as corps permits, Fire Marshal permits, etc.
 - o Periodic review – specific timeframe recommended 5 yrs, 10 yrs, etc. this is shown in the implementation table on page 197, 2-B-5, reasonable review recommendations are shown
- Page 188, page 4-8, line 268-283, should continue to review, and is this done?
 - o Has there been any identification of any? Yes, Box store standards and similar that could be reviewed, Slope requirements do not work all the time as desired.
 - o Recommendation from Staff to implement a Commission Annual Calendar similar to format used by the Parks, Art Recreation and Culture Commission which designates monthly/annual review of commission tasks such as review of various plans and included in each packet under Informational Materials.
- Page 190, page 4-10, line 343, is there a Streetscape Design Manual.
 - o Staff believes this may be referencing the Design Criteria Manual and will double check that issue and correct citation.
- Page 191, page 4-11, line 387, Create an overlay zone for “Old Town” this will be kept for now
- Page 192-194, page 4-12 to 4-14, lines 430-533, Staff stated that Goal 5 in its entirety was moved to the Appendix at the June 21st meeting
 - o Line 525, accuracy of the 40% hooked up to piped water
- Page 195, Table 1-B-4, update to remove “recently”
- Page 198, Table 3-B-2, correct yellow text of the last line, reference the Appendix for Goal 5

Chapter 8

Deputy City Planner Engebretsen requested input from the commission and the following was provided:

- Suggested inserting where applicable “responsible” when referencing development
- Page 202, page 8-2, line 42, period is missing at the end of sentence
- Page 203, page 8-3, line 94, suggested adding “a major focus if port and marine based economic development
 - o Staff pointed out that those points are reference on Line 132 and 155 and one of the goals is to reduce the recidivism and being too specific
- Page 204, line 126, remove the word, “unspoiled”
 - o Line 131 discussion on including specific wording would limit direction
- Page 205, page 8-5, line 178, Goal 4, recommend changing to read, “*Support regional renewable and responsible non-renewable energy exploration and production*”
 - o Staff recommended making this change by motion.
 - o Discussion ensued on the need then to define the word responsible, condemning actions of the state, municipalities, community members, etc.
 - Staff pointed out that page 211, 4-2, Implementation to remediate brownfield locations
 - Additional discussion on this goal was refined as support services to the industry not land use and believes that this reflects the commission’s previous discussion appropriately
- Page 206, page 8-6, Goal 5, recommendation to add professional development, conferences, business travel and athletic events
 - o Line 199, recommended referring to Homer’s Farmer’s Market
 - Staff explain the duty of lines 199-206
 - Request to include the importance of the non-profits to the city’s economic vitality
 - o Line 212, suggested adding, land and water trails
- Page 209, 2-A-3, misspelling, should reflect “through”
- Page 210, 2-C-3, misspelling, should reflect “support” and “collaborative”
- Page 211, 5-B-2, Clarification requested on “wayfinding”
- Page 212, 5-C-9, Insert Professional and Educational Conferences and Sporting Tournaments

NEW BUSINESS

- A. Staff Report 17-64, Comprehensive Plan Update, Chapter 3 – Community Values

Chair Stead requested to hear Staff Report 17-64 Comprehensive Plan Update, Chapter 3 - Community Values



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-78

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: August 16, 2017
SUBJECT: Comprehensive Plan Update Chapter 6 Public Services and Facilities

Introduction

We are starting the review on the sections dealing with the Police and Fire Departments. Please refer to your current Comprehensive Plan for comparison.

Analysis

I have had the respective Chiefs review their part of the Plan. Some statistics have been updated and accomplishments have been removed, such as the addition of the Skyline Station. Not much has changed from the original except for formatting. As with the other chapters, I have moved the concepts of the implementation strategies to the implementation table and made more general strategy statements to take their place.

I do not expect too much conversation on these sections. This is generally operational and does not propose to expand or decrease these services. The Chiefs propose to maintain staffing levels that have previously been supported and both want to better plan for equipment replacement.

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 6 Public Services and Facilities 8.9.17 Draft

City Planner Abboud will bring the Commission's recommendations to the Port and Harbor Advisory Commission for review and comment.

B. Staff Report 17-78, comprehensive Plan Update – Chapter 6 Public Services and Facilities

City Planner Abboud commented that they were almost down to the final stretch. He stated that this represents the formatting changes, includes staffing levels desired, equipment priorities, increasing volunteers, providing ample public safety. These are the first two objectives and there are still several more to work on.

Commissioner Highland inquired if it was true on the number reflected in the statement on page 122 under Objective A, Current Status, fifth line, approximately 30 individuals support the department's staff.

City Planner Abboud responded that the Chief's reviewed this and provided the information.

Commissioner Highland then questioned, on page 123, Under Near-term Priorities, line 9, in 20XX?

City Planner Abboud responded that he will need to research what year that should reflect. He also noted that the Police Department is now fully staffed for officers.

Commissioner Bentz requested clarification on the agreement with Kachemak City and KESA, then noted the budgets referenced should reflect 2017 not 2016. She inquired when the expected publication of the revised document would be in 2018.

City Planner Abboud was unable to pinpoint a date for publication but was hoping to get it through the public outreach, public hearings and the Borough before the close of 2018. He additionally provided clarification on the percentage of crime shown on page 124 for Commissioner Bentz.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager's Report for August 14, 2017 City Council Meeting

COMMENTS OF THE AUDIENCE

Sarah Vance, city resident and candidate for City Council, stated she came to learn what this commission does and now has a greater sense of respect for each of member who sits in that position. The responsibility that they take, the decisions that are presented she is very impressed. It gives her assurance that the decisions coming forth to City Council are weighed



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-81

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: October 4, 2017
SUBJECT: Comprehensive Plan Update Chapter 6 Public Services and Facilities

Introduction

We have reviewed on the sections dealing with the Police and Fire Departments. This continues the review of the chapter and implementation table.

Analysis

I have had the appropriate staff and commission, in the case of the Parks & Recreation, review their respective sections. The Chapter for Park and Recreation has been moved and presented as a goal in this chapter. Statistics have been updated and accomplishments have been removed. Some statistics are in red type, which indicates my need to confirm the numbers. As with the other chapters, I have (or plan to) moved the implementation strategies to the implementation table and made more general strategy statements to take their place. Anything that is listed in numerical order has been duplicated on the implementation table. The lists remain in the chapter for your convenience to review and will be removed after the commissions review.

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 6 Public Services and Facilities working
Public Services and Facilities Implementation Table

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

REPORTS

A. Staff Report PL 17-73 City Planner's Report

City Planner Abboud reviewed his report and commented on the request from City Council to review the Baycrest area for a natural hazards overlay district, the issue of allowing marijuana on the Homer Spit related to zoning and requested volunteers to attend upcoming Council meetings.

Commissioners volunteered for the following:

Commissioner Bos – October 9th

Commissioner Highland – November 27th

Commissioner Banks – December 11th

PUBLIC HEARINGS

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 17-81, Comprehensive Plan Update, Chapter 6 Public Services and Facilities

City Planner Abboud noted the discrepancies in the formatting issues and stated that they would be fixed in the draft document. He was looking for comments and input from the commission on grammatical, spelling and content.

The Commissioners provided the City Planner with the following recommendations:

- Line 72 "at" should be "as"
- Line 117 – 119 - Questioned current status – City Planner will check with Chief Robl
- Line 130-133 – Update on current status of the Project, more general statement recommended since committee has been disbanded. City Planner will review.
- Line 190 – Last word in sentence – capitalization error
- Line 251 – Providing incentives on water saving methods for the community
- Line 373 - Recycling efforts with regard to solid waste at the parks and requested an assessment of the needs similar to trash can lids
- Line 396 – i.e., provide an example

A brief discussion ensued on property owners should be responsible for cleaning their ditches to aid in Stormwater runoff; discussions with the City Engineer regarding Stormwater planning; having those types of documents aide in applications for grants clarifying the needs.

Commissioner Highland advocated for the commission working on creating a best practices manual for the homeowner in 2018.

The commission continued recommendations for the draft chapter as follows:

- Line 497-498 – Amend language to reflect a more neutral perspective such as in Lines 475-480
- Line 499-500 – Recommend removing altogether
- Line 508-509 – Include information reflected in line 478
- Line 510-515 – Amend language to reflect that during down economic period’s usage increases in all areas of the Library.
- Line 533-534 – Amend line to focus on operations not expansion
- Line 564-565 – Unless this is substantiated then the language should be revised
- Line 573 – Should reflect #1 & #2 plastic instead of “plastic milk jugs”
- Line 577-578 – Commissioners inquired how accurate the information was before including

Vice Chair Bos called for a recess at 8:30 p.m. The meeting was called back to order at 8:34 p.m.

- Line 620 – 621 - Wording needs to be refined, suggestion offered, “Homer has seen an increase in types of medical services expanding the opportunity for care and recovery. Increasing the range of medical services and number of healthcare professionals.
- Line 622 – Remove specification on opioid and insert substance abuse and amend to read “in discussions about substance abuse and the increase in opioid abuse specifically”

A brief discussion ensued on using specifics, such as opioid, instead of substance abuse and it was pointed out that heroin, meth and cocaine were once abused on the level that opioids are now abused.

- Line 635 – Amend to include “and prevention.”
- Line 637 – Add the word “Peninsula”
- Line 646-649 – Include reference to Assisted Living and Long Term Care
- Line 683-684 – clarification required with the statement
- Line 685-686 – Clarification should be made that University Alaska, Kachemak Bay Campus and the Kachemak Bay National Estuarine Research Reserve (Line 699) this is now part of University Alaska system.
- Line 717 – Verification on the actual number of non-profits in Homer

- Page 90 – Table 2-D-4 – add the word “Peninsula”
- Page 91 – Table 2-E-4 - Include ADA requirement
 - Table 2-G- Education is repeated.



City Planner Abboud stated that he will work on the amendments to the Table, being more specific to responsibilities.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager's Report for August/September City Council Meetings

COMMENTS OF THE AUDIENCE

COMMENTS OF STAFF

City Planner Abboud responded to Commissioner Venuti on the possible program that could be applied for the situation at the bottom of West Hill. He explained that he is hesitant to introduce liability to the city. The application is very onerous with a 100 page application. He is still looking into and the State is aware of the potential. City Planner Abboud noted that the cause is called a scarp and explained for the Commission exactly what that meant and the situation it creates. The situation is continuing to grow and they are running into the question of resources.

Deputy City Clerk Krause had no comments.

COMMENTS OF THE COMMISSION

Commissioner Highland welcomed Commissioner Bernard and stated that it was nice to finally meet Commissioner Banks.

Commissioner Bentz welcomed the new commissioners. She is excited and looks forward to working on a natural hazards overlay district for the Baycrest area. The Kachemak Bay Research Reserve is hosting a public talk on Coastal Erosion at Islands and Ocean Visitor Center on October 26th

Commissioner Bernard thanked the commission.

Commissioner Banks thanked Commissioner Bernard for joining them.

Commissioner Venuti stated it was an interesting meeting, welcomed Commissioner Bernard and noted that she got off easy as his first meeting went on until midnight. He commented on the FEMA program and there may be some programs that they could get into. Commissioner Venuti inquired if City Planner Abboud found out more information on if there was a program that could help with the erosion at the bottom of West Hill.

Vice Chair Bos appreciated everyone's patience and felt that the commission was very responsive in getting through this chapter. He stated that they continue to talk about state and city funds



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-84

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: October 17, 2017
SUBJECT: Comprehensive Plan Update Chapter 6 Public Services and Facilities

Introduction

The chapter has been amended according to the direction that the Planning Commission provided at the October 4th meeting.

Analysis

Most of the changes were minimal. I did leave the more substantial changes in bold and underlined for your review. At this meeting, I intend to review the changes using my notes from the October 4th meeting. Please give me another set of eyes on the chapter so that it may be ready to become part of the public review draft.

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 6 Public Services and Facilities working
Public Services and Facilities Implementation Table

is designed for the highest grade such as civil defense and critical infrastructure. It is based on the 2-22 standard.

- This standard increases load tolerances by 15% more than the standard tower, and has higher equipment loading capability for strength.
- When do you plan to build the tower? Construction is expected to start in November with completion in December 2017
- What concrete strength is used? Won't it be too cold? Concrete used is typically 5000 psi since the curing time is shorter than the 3000-4000 psi. The curing process was further explained and time frames.
- Where are existing towers and why not use existing towers? City Planner Abboud responded that there are many in various locations around the city and what is available is inadequate.
- How is the spacing and location on the tower between carriers determined? Clarification was provided on the vertical separation required between carriers and municipal antennae due to constraints of the municipal equipment.
- Is this the optimum spot for tower placement? Placing a tower on the spit will provide 360° coverage to include the harbor, and portions up into the city, up to the hills.
- Can you tell us what companies have expressed interest in this tower? Both AT&T and Verizon, along with GCI, have expressed interest in the site. They have applications from AT&T and Verizon.

There were no further questions and Chair Stead called for a motion.

BOS/VENUTI MOVED TO APPROVE CUP 17-07 FOR A 146 FOOT TALL COMMUNICATIONS TOWER AT 4300 FREIGHT DOCK ROAD WITH FINDINGS 1-11 AND CONDITIONS 1-3.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Stead called for a brief recess at 7:20 p.m. The meeting was called back to order at 7:25 p.m.

Plat Consideration

Pending Business

A. Staff Report 17-84, Comprehensive Plan Update, Chapter 6 Public Services and Facilities

City Planner Abboud reviewed the edits completed. He explained that within the Fire and Emergency Services on line 79-80 referred to Fire Code Enforcement, not planning related code enforcement.

The commission offered the following additional edits:

- Line 63-64 – “apparatus” should be plural, “apparatuses”
- Line 118 – remove “Due to low staffing”
- Line 124-126 – the commission questioned the receipt of a grant for this recently
- Line 131 – Public Safety Building Review Committee was formed in 2014
- Line 168-169 – City Planner Abboud is still trying to verify the percentages represented
- City Planner Abboud assured the commission that the formatting of the document will be done for the final draft
- Line 212, 215 and 256 – Concern expressed on what happens and if an incident occurs also the accuracy of the information represented in the section.
- Line 224 – Is this percentage accurate?
- Line 257 – Maintenance of 30 year old sewer treatment plant should be under Long Term Needs
- Line 281 remove “Implementation Strategies” since information is documenting the projects
- Line 283 – Remove the word “are” between “top five” and “found”
- Line 358 - should be “identify” not “identifying”
- Line 363 – has adopted a beach policy
- Line 438-439 – remove the loan payment from the budget figure use updated 2018 budget figure
- Line 452 – Amend to read “When economies tighten library use increases...” A discussion ensued on the necessity and purpose of the paragraph
- Line 452-456 – Move to Current Status section
- Line 460-463 – Feel good statement, not strategy – suggested content, “If projected demand continues to increase we will have to review our technology offerings, satellite, space considerations and staffing options.” Additional suggestion made was, “The City should (or will) evaluate options for provision of services into the future.” This would make it consistent with other sections of the document.
- Line 466-477 – Solicit input, could be removed but is good information
- Line 472 – Change community schools to community recreation
- Line 475 – Clarification on “transfer from other funds” was provided
- Line 483 – need to amend to read, “owned by the borough”
- Line 489 – remove the “w” at the end of “plastic”
- Line 531 – remove “type of” before “medical services”
- Line 558 – amend “provide” to “support” The City cannot provide but it can support high quality education
- Line 564 – “attendant loss” is a correct statement
- Line 565 – Suggested amendment, University of Alaska provides post-secondary education, continuing education, professional development and vocational training to Homer residents through the Kachemak Bay Campus and Kachemak Bay National Estuary Research Reserve.
- Line 567 – Clarification was requested to try to reflect a truer number of community service non-profits in Homer, there could be as many as 167 but there is no way to verify

that number is correct and reflects all active non-profits. The number of 50 is very conservative. Suggestions were made on who may have a list. Such as Foraker, The Homer Foundation, Guidestar, irs.gov –perform a search of non-profits in Homer, Alaska.

There was a brief discussion on referencing the issues with peak flow and record flow may be referenced in the implementation strategies; changing out the older sections of pipe referenced in Lines 229-230 and requested checking on the percentage shown on line 224 since the math doesn't quite add up.

New Business

Informational Materials

- A. City Manager's Report for October 9, 2017 City Council Meeting
- B. KPB Notice of Decision for Hodnik Subdivision Revised Preliminary Plat

Comments of the Audience

Comments of the Staff

Comments of the Commission

Commissioners Banks, Venuti had no comments.

Commissioner Bos announced his absence from the November and December meetings.

Commissioner Bernard had no comments.

Commissioner Bentz announced she will miss the December meeting and the meeting on November 15th if one is scheduled. She announced next Thursday, October 26, 2017 at 7:00 p.m. a meeting on coastal erosion and policy issues at the Islands and Ocean Visitor Center.

Commissioner Venuti noted the Pratt Museum will host the event, *Putting on the Ritz*, Saturday, October 21, 2017 and that is always a fun evening.

Commissioner Highland had no comments.

Chair Stead enjoyed his time coming back and being with everyone on the commission tonight.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-89

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: November 1, 2017
SUBJECT: Comprehensive Plan Update Chapter 6 Public Services and Facilities

Introduction

The chapter has been amended according to the direction that the Planning Commission provided at the October 18th meeting. I am hoping I have captured the recommendations of the commission and would not expect a review as extensive as the last two.

Analysis

Most of the changes were minimal.

A review of the updates

Line 64 – apparatus and apparatuses are both plural, kept apparatus

Line 118 – removed “Due to low staffing”

Red type in water/waste water section need to be confirmed, if I can’t I will remove references.

Added implementation item 1-C-5. “replace/rehabilitate failing pipes” and adjusted numbering appropriately.

Line 250 – added “long term priorities”

Line 252 – added “continue maintenance”

Lines 275 – 287 removed “implementation items” and reformatted

Line 277 - added “projects”

Lines 346 – 355 reordered for clarity

Line 358 – changed “has an adopted...” to “has adopted...”

Lines 383 – 384 added sentence about the relation of storm water and peak flows

Line 429 - 439 removed “fiscal constraints...” reference and moved paragraph from short-term priorities

Line 454 – replaced the word “If” to “Should”

Line 471 – replaced “schools” with “recreation”

Line 472 – add Information technology to the list

Line 546 – replaced “Provide” with “Support”

Line 577 – added “over 100” when confirmed with IRS list of non-profits

Staff Recommendation

Please provide comments and recommendations

Attachment

Chapter 6 Public Services and Facilities working
Public Services and Facilities Implementation Table
Nonprofits spreadsheet (IRS)

Chair Stead asked for additional comments or questions hearing none he called for a vote on the main motion as amended.

VOTE: (Main motion). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Pending Business

A. Staff Report 17-89, Comprehensive Plan Update, Chapter 6 Public Services and Facilities

Due to time restrictions the commission agreed by consensus to postpone this item to the next meeting.

New Business

Informational Materials

A. City Manager's Report for October 30, 2017 City Council Meeting

Comments of the Audience

Katherine George stated that lot one is a total swamp and filled with water most of the year and recommended no one purchase that lot, she appreciated the commissioner's efforts tonight in dealing with this plat.

Comments of the Staff

There were no comments from staff.

Comments of the Commission

Commissioner Banks was apologetic that it took so long but it was an interesting meeting tonight, a learning experience and that they can do a little better when preparing these types of revisions both as individuals and a group. He believes they came to the right decision and feels okay about that.

Commissioner Venuti had nothing further to add.

Commissioner Bernard appreciated the discussion and input from staff and the work that goes with that and the help as she spends more time on the commission learning things along the way. Thanks.



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Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 17-93

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: December 6, 2017
SUBJECT: Comprehensive Plan Update Chapter 6 Public Services and Facilities

Introduction

The chapter has been amended according to the direction that the Planning Commission provided at the October 18th meeting. I am hoping I have captured the recommendations of the commission and would not expect a review as extensive as the last two. I have revised the staff report from the last meeting to reflect the submission of information from the Public Works Director on Objective C, Water and Sewer.

Analysis

Most of the changes were minimal.

A review of the updates

Line 64 – apparatus and apparatuses are both plural, kept apparatus

Line 118 – removed “Due to low staffing”

Red type in water/waste water section need to be confirmed, if I can’t I will remove references.

Added implementation item 1-C-5. “replace/rehabilitate failing pipes” and adjusted numbering appropriately.

The bold and underlined in Objective C were additions from the Public Works Director

Line 280 – added “long term priorities”

Line 282 – added “continue maintenance”

Lines 205 – 317 removed “implementation items” and reformatted

Line 307 - added “projects”

Lines 376 – 385 reordered for clarity

Line 388 – changed “has an adopted...” to “has adopted...”

Lines 413 – 414 added sentence about the relation of storm water and peak flows

Line 459 - 469 removed “fiscal constraints...” reference and moved paragraph from short-term priorities

Line 484 – replaced the word “If” to “Should”

Line 501 – replaced “schools” with “recreation”

Line 502 – add Information technology to the list

Line 576 – replaced “Provide” with “Support”

Line 607 – added “over 100” when confirmed with IRS list of non-profits

Staff Recommendation

Please provide comments and recommendations

Attachments

Chapter 6 Public Services and Facilities 11.30.17
Public Services and Facilities Implementation Table
Nonprofits spreadsheet (IRS)

VENUTI/HIGHLAND MOVED TO ADOPT STAFF REPORT 17-92 TO ALLOW ONE EMPLOYEE OR BUSINESS OWNER OCCUPIED RECREATIONAL VEHICLE PER LOT IN THE MARINE COMMERCIAL AND INDUSTRIAL DISTRICTS UNDER HOMER CITY CODE 21.54

BANKS/HIGHLAND MOVED TO APPEND THE MOTION TO FORWARD THE DRAFT ORDINANCE AS AMENDED TO CITY COUNCIL.

There was brief discussion on public comments submitted and enforcement once this is implemented.

VOTE (Amendment). NON-OBJECTION. UNANIMOUS CONSENT.

Motion is carried.

Chair Stead inquired is there was any additional discussion on the motion as amended.

There was no further discussion.

VOTE. (Main motion.) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 17-93, Comprehensive Plan Update, Chapter 6 Public Services and Facilities

Chair Stead read the title into the record and invited City Planner Abboud to review his report.

Commissioner Banks requested a brief recess. Chair Stead called for a five minute recess at 7:48 p.m. The meeting was called back to order at 7:53 p.m.

City Planner Abboud reviewed the additions submitted to Chapter 6 by Public Works Director Meyer. He provided clarification at the request of commissioners on the following:

- pages 141 and 142, Section I-F-4 and I-F-7
- The existing sewer system is adequate to handle additional needs of the city as shown by the information provided by Public Works Director Meyer.

City Planner Abboud noted that this document will be combined and a draft comprehensive plan should be available for input from the public after the first of the year. He anticipated conducting possibly an Open House event, putting notices in the paper and having electronic options for public input.

Commissioner Highland inquired about the subdivision agreement and connecting to services.

City Planner Abboud provided clarification and that if left vacant they do not have to hook up but if improved they do.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Highland commented that she likes to see the contour lines on the preliminary plat to show steepness.

City Planner Abboud explained when those were used and that they are not shown on the final, public works reviews these. But it would be noted on the plat.

Commissioner Highland also inquired about operating drones in city limits and noted that aircraft is supposed to be over 1000 feet above the city.

City Planner Abboud responded that she needed to check with the FAA regarding the regulations but he knew that you were required to have a license to operate a drone within a certain distance of airports.

Commissioner Bentz inquired about the status of the Draft Comprehensive Plan.

City Planner Abboud responded that they will see the draft at the January 17, 2018 regular meeting. There are still some formatting issues he is working out and some sections are being finalized by the Planning department and Borough getting some reciprocal outreach. They will be scheduling an Open House and as many opportunities for public input on the city's comprehensive plan.

Commissioner Bentz provided information on the release of the Borough Comprehensive Plan and expressed dismay at not getting input on the Planning Commission level. She recommended to the Borough that they attend the Council meeting so that it is advertised on the radio for the community. Commissioner Bentz she wanted this commission aware of the roll out plan for the Comp Plan.

City Planner Abboud informed the commission on some items from the last time the plan was reviewed.



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Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: January 17, 2018
SUBJECT: City Planner's Report PL 18-05

City Council - 1.8.18

The worksession had the PARCAC and the Council discuss the future of the HERC building

Ordinance 18-04, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.03.040 to Define "Employee-Occupied Recreational Vehicles"; Title 21.54 to add 21.54.325, Permitting Employee-Occupied Recreational Vehicles in the Marine Commercial and Marine Industrial Zoning Districts; and Amending 21.54.200 and 21.54.210 to Reflect the Newly Permitted Use in these Districts. Smith.

Recommended dates: Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

Comprehensive Plan

We have been working diligently to create the Public Draft version. This is a considerable undertaking. We are creating a uniform document and double checking for consistency in format and still cleaning up some references to items that have been removed or moved to a different location in the document. With something this large, I seem to continually find things that could be improved upon from the latest version. I believe that we will have a suitable draft during the week of the meeting. Then the fun begins as we solicit comments.

I will send out links to the document once we have it posted and also provide paper copies. I imagine it would be beneficial for all the commissioners to have one for reference and mark-up.

Planning Commission report schedule for City Council meetings

January 22: Tom

February 11: Mandy

February 26: ???

March 12:

March 27:



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Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: February 7, 2018
SUBJECT: City Planner's Report PL 18-07

City Council - 1.22.18

Council adopted Ordinance 18-04, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Chapter 21.03.040 to Define "Employee-Occupied Recreational Vehicles"; Title 21.54 to add 21.54.325, Permitting Employee-Occupied Recreational Vehicles in the Marine Commercial and Marine Industrial Zoning Districts; and Amending 21.54.200 and 21.54.210 to Reflect the Newly Permitted Use in these Districts. Smith. Recommended dates: Introduction January 8, 2018, Public Hearing and Second Reading January 22, 2018.

2.12.18

Introduction of Retail Marijuana Facilities in the Marine Commercial District

Comprehensive Plan

I plan to have the public review draft to commissioners at the meeting. We are making a schedule of activities for the public to ask questions about the plan and comment over the next few months before a public hearing with the commission.

Natural Hazards

I have been working with the state hazard mitigation team for assistance addressing landslide hazards. I have been referred to the Division of Geological & Geophysical Surveys (DGGS) for technical assistance in identifying hazard areas. They have been working to develop a grant application through FEMA for funding within the Cooperating Technical Partners Program (CTP).

I found out on a Friday that an executive summary with a project description would be due the next Friday. Luckily, this was an 'extra' week when there were 5 Wednesdays and I was not under a packet deadline. So, an executive summary has been submitted and has requested updated Lidar for the entire city and an analysis of the landslide hazards in the Baycrest area along with the area above the hospital (including the drainage for Woodard Creek). I held back

Amended: Lines 22 concrete asphalt; Line 23 sidewalk on the east and west side; Line 32 add striping will include sharrow delineation where appropriate at the end.

Mayor Pro Tem Aderhold said she will sponsor the ordinance proposed by the Cannabis Advisory Commission to allow retail marijuana on the spit.

Comprehensive Plan

Included as an attachment is our public notice of the Public Review Draft call for comments and our schedule for the open house.

Planning Commission report schedule for City Council meetings

February 26: Don

March 12: Mandy

March 27: Franco

Att.

Draft Plan Flyer

February 2018 Public Review Draft

HOMER COMPREHENSIVE PLAN

2018 UPDATE

GET
INVOLVED
WITH
YOUR
CITY'S
FUTURE

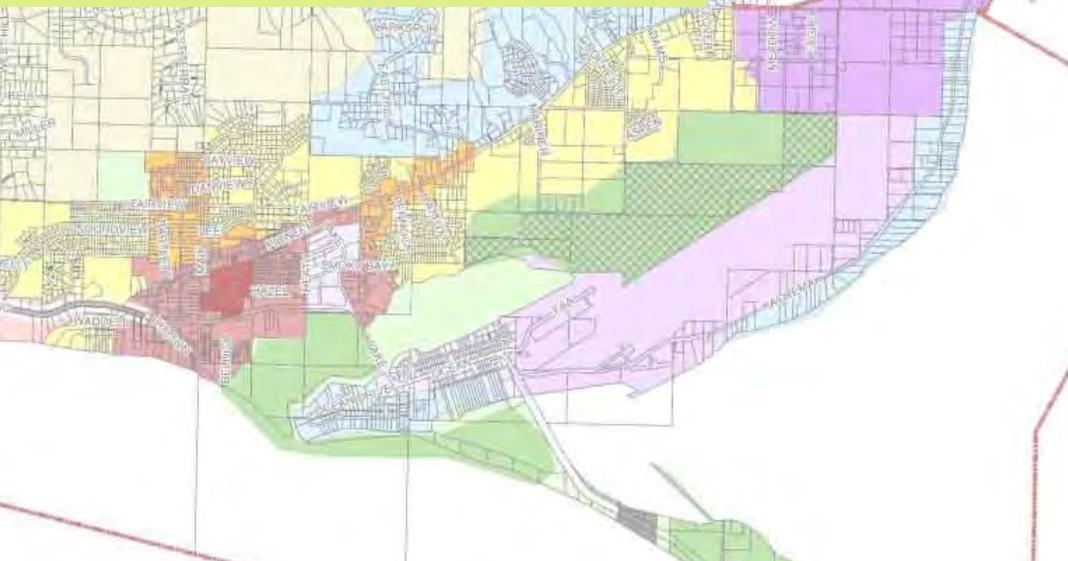


DRAFT PLAN
AVAILABLE

ONLINE

www.cityofhomer-ak.gov/planning

AT THE LIBRARY
& CITY HALL



PUBLIC COMMENTS WELCOME
THROUGH MARCH 31, 2018

GO ONLINE

www.cityofhomer-ak.gov/planning

ATTEND

THE

OPEN HOUSE

EMAIL

planning@cityofhomer-ak.us

March 1
4:30 pm - 6:30 pm
at City Hall



Questions?

Contact the Planning Office - (907) 235-3106 - 491 E Pioneer Ave.

PUBLISHER'S AFFIDAVIT

UNITED STATES OF AMERICA, }
STATE OF ALASKA } ss:

Denise Reece _____ being first duly
sworn, on oath deposes and says:

That I am and was at all times here in this
affidavit mentions, Supervisor of Legals of the
Morris Publishing Group/Peninsula Clarion, a
newspaper of general circulation and pub-
lished at Kenai, Alaska, that the
PN - Homer Comprehensive Plan

The City of Homer is asking the public for feedback on the draft 10-year update of the Homer Comprehensive Plan. The draft plan is now available at the Homer Library, City Hall, and online at www.cityofhomer-ak.gov/planning. You can join Planning Department Staff for an open house on the evening of March 1 at City Hall. This informal gathering will provide the opportunity to discuss the plan update, ask questions and leave comments. Please visit our website for more information!

a printed copy of which is hereto annexed was
published in said paper one each and
every ___ day for ___ one ___ successive and
consecutive ___ day ___ in the issues on the
following dates:

February 15, 2018

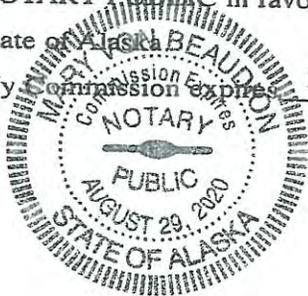
X Denise Reece

SUBSCRIBED AND SWORN to me before
this 16th day of February, 2018

CRIBON

NOTARY PUBLIC in favor for the

State of Alaska
My Commission Expires 29-Aug-20



Mailed 2/16/18



Attention Lake Street and Heath Street Property owners

A Future Zoning Change is Proposed in Your Area

You are receiving this letter because you own property in or near an area under consideration for a future zoning change. We would like to know what you think! The area under consideration is roughly between Heath Street and Lake Street, south of Pioneer Avenue to the Sterling Highway (see map). The area is currently zoned as Central Business District (CBD).

A need for additional space in Homer for general commercial activities has been identified. Currently, land zoned General Commercial 1 (GC1) is in short supply and most lots are small. The intent of the GC1 District is to provide for auto-oriented businesses that support a diverse array of commercial, retail, and civic uses.

The proposal seeks to designate the area for a future land use classification of CG1 on the Comprehensive Plan Land Use Recommendation Map. The Land Use Recommendation Map provides guidance to possible changes in the types of structures and activities that might be expected in the future. This represents the first step in a process that could lead to the new land use classification.

We invite you to contact the Planning Department to discuss the proposal and address your questions and concerns. Please contact us or submit comments by March 31. You are also invited to join the Planning Department for an open house on March 1, from 4:30-6:30, at City Hall to discuss the Homer Comprehensive Plan 2018 Update. The first public hearing on the plan update is scheduled for the Homer Advisory Planning Commission meeting on April 18. This will be an opportunity for you to speak publicly about the proposal. In the meantime, we look forward to discussing this proposal with you.

Sincerely,

Rick Abboud, AICP, City Planner

Our office is located at 491 E Pioneer Avenue, downstairs at City Hall. We can be reached at (907) 235-3106 or at planning@cityofhomer-ak.gov

**Proposed Change to
Comprehensive Plan
Land Use Recommendations Map**



Proposed change:
This area could be zoned
General Commercial 1 in the future.
Currently the area is zoned
Central Business District.

Disclaimer:
It is expressly understood the City of
Homer, its council, board,
departments, employees and agents are
not responsible for any errors or omissions
contained herein, or deductions, interpretations
or conclusions drawn therefrom.



City of Homer
Planning and Zoning Department
February 13, 2018

GET
INVOLVED
WITH
YOUR
CITY'S
FUTURE



HOMER COMPREHENSIVE PLAN

2018 UPDATE

DRAFT PLAN
AVAILABLE

ONLINE

www.cityofhomer-ak.gov/planning

AT THE LIBRARY
& CITY HALL



PUBLIC COMMENTS WELCOME
THROUGH MARCH 31, 2018

GO ONLINE

www.cityofhomer-ak.gov/planning

ATTEND

THE
OPEN HOUSE

EMAIL

planning@cityofhomer-ak.us

March 1
4:30 pm - 6:30 pm
at City Hall



Questions?

Contact the Planning Office - (907) 235-3106 - 491 E Pioneer Ave.

Front Page of City Webpage
and Sent to Newspapers/Radio

City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118



News Release

City of Homer Comprehensive Plan 2018 Update

For immediate release, 2/20/2018.

The City of Homer is performing an update to the 2008 Comprehensive Plan and we are seeking public comment through March 31st. Copies of the public review draft are available online on the City web site, at the library, and City Hall. The public is invited to join the Planning Department for an open house on March 1, from 4:30-6:30pm, at City Hall to discuss the Homer Comprehensive Plan 2018 Update. Comments may be submitted by email at Planning@ci.homer.ak.us or can be mailed to or dropped off at the Planning Office at City Hall, 491 E Pioneer Avenue.

The Comprehensive Plan establishes broad goals and strategies for land use, transportation, public services and facilities, and economic development. We are at the mid-point of the 2008 plan and are recognizing what has been completed and affirming what is still left to accomplish. You may also talk to a planner about the plan by contacting the Planning Office at 907-235-3106. We look forward to your input, which will be forwarded to the Homer Advisory Planning Commission for consideration.

Contact:

Rick Abboud, AICP, City Planner

rabboud@ci.homer.ak.us

(907) 435-3120



GET INVOLVED WITH YOUR CITY'S FUTURE



Insert in Homer News on 2/21/18 2,000 copies

HOMER COMPREHENSIVE PLAN

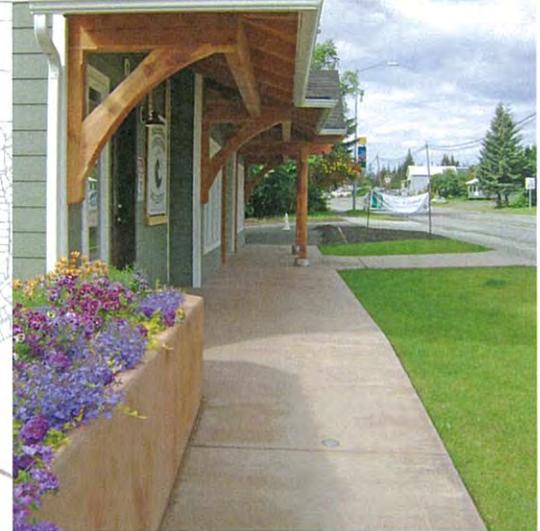
2018 UPDATE

DRAFT PLAN AVAILABLE

ONLINE

www.cityofhomer-ak.gov/planning

AT THE LIBRARY & CITY HALL



PUBLIC COMMENTS WELCOME THROUGH MARCH 31, 2018

GO ONLINE

www.cityofhomer-ak.gov/planning

ATTEND

THE OPEN HOUSE

EMAIL

planning@cityofhomer-ak.us

March 1
4:30 pm - 6:30 pm
at City Hall



Questions?

Contact the Planning Office - (907) 235-3106 - 491 E Pioneer Ave.

EMPLOYMENT

HOMER
TRIBUNE

Alaska Media LLC and The Homer Tribune is looking for a motivated and qualified Advertising Sales Representative. A background in sales and marketing is an asset to this position, but an entrepreneurial spirit and great work ethic is even more important. If you're someone who likes to set goals and works to reach them with cold calling experience and solid presentation skills and enjoys working with customers to help them achieve maximum results for their businesses.. Please send your resume to twalker@reportalaska.com

ADS@REPORTALASKA.COM

MARINE

Alaska Boats & Permits, Inc.

www.alaskaboat.com
235-4966



PUBLIC NOTICE

The City of Homer is asking the public for feedback on the draft 10-year update of the Homer Comprehensive Plan. The draft plan is now available at the Homer Library, City Hall, and online at:

www.cityofhomer-ak.gov/planning

You can join Planning Department Staff for an open house on the evening of March 1 at City Hall. This informal gathering will provide the opportunity to discuss the plan update, ask questions and leave comments.

Please visit our website for more information!

EMPLOYMENT

South Peninsula Hospital



Excellent Compensation and Benefits!

- Certified Nurse Aide - FT nights
- Clinical Dietician - FT days
- Director of Acute Care (RN) - FT days
- Human Resources Recruiter - FT
- Human Resources Senior Generalist - FT
- Mental Health Counselor - FT days
- HMC Nurse Supervisor/Care Coord - FT
- Patient Care Tech - Casual Variable
- Pediatric Physical Therapist - FT days
- Physical Therapist - FT days
- RN or LPN / LTC - Casual Variable
- RN or LPN / LTC—FT Days
- Resident Activity Trainee -PT Variable
- RN ICU - FT nights
- RN OB/L&D - PT variable
- Speech & Language Pathologist - FT days
- Ultrasound Technologist - PT variable
- Unit Clerk-LTC -PT Days

PRE-EMPLOYMENT SCREENING REQUIRED
Visit our website: www.sphosp.org Questions? Call (907) 235-0800
AN EEO EMPLOYER



Community newspapers the original social networking site

THEME: ST. PATRICK'S DAY

CROSSWORD

1	2	3	4	5	6	7	8	9	10	11	12	
13						14			15			
16						17			18			
19				20			21		22			
	23					24						
25	26	27	28		29		30		31	32	33	34
35		36		37			38		39			
40				41			42		43			
44			45		46				47			
48			49		50				51		52	
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	57	58	59			60				61	62	63
64					65	66			67			
68					69				70			
71					72				73			

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1-888-416-7103

HOMER
TRIBUNE

Local Worship Services

<p>CHRISTIAN SCIENCE SOCIETY 3774 Barlett Street • Services Sunday 10 a.m. All are welcome www.christianscience.com</p> <p>CHURCH OF THE NAZARENE 3980 Hunter Street (off Baycrest Hill - Past the Salvation Army) 235-8747 • Worship at 10 a.m.</p> <p>St. Augustine's Episcopal Church 619 Sterling Highway 235-1225 www.SaintAugustinesHomer.org/ • Sunday Worship 11 a.m. • Holy Eucharist with Rev. Judith Lethin, 1st Sunday every month • Soup Sunday, 3rd Sunday every month</p>	<p>FAITH LUTHERAN CHURCH Corner of Sterling Highway and Soundview Avenue (Across from West Homer Elementary) Pastor: Gary Syth 235-7600 (Office) • Sunday worship 9:30 a.m. • Sunday school & Bible study 11:15 a.m. Seldovia Worship: first & third Sunday 1:30 p.m.</p> <p>HOMER UNITED METHODIST CHURCH Open Hearts, Open Minds, Open Doors 770 East End Road 235-8528 • Sunday Worship 11 a.m.</p>	<p>SEVENTH-DAY ADVENTIST 210 E. Pioneer Avenue 235-4240 Pastor Nick Clark (303) 956-6059 • Saturday Bible Study 3 p.m. • Saturday Worship 4 p.m.</p>
--	--	---

- ACROSS**
- Salmon deposit
 - Old age, archaic
 - Bagpiper's garb
 - Hawaiian veranda
 - Big Island flower necklace
 - Helper
 - V.C. Andrews' "Flowers in the "
 - Uno ___ or one more
 - 4 x 4 race
 - "Water of life"
 - "Shamrock
 - ___ Aviv
 - Rumpelstiltskin's weaver
 - Wildest beast
 - Mega Bloks competitor
 - "Outdoor St. Patrick's Day event
 - Starting point on way to riches
 - Clump
 - Dionysus' pipe-playing companion
 - "Ireland, once
 - Ox connector, pl.
 - Quartet minus one
 - Put out on a curb
 - "William Butler Yeats, e.g.
 - Cardinal vices
 - Bee's favorite drink
 - Russian mountain chain
 - Go gray
 - Period of illness
 - Workout unit
 - "These never lived in Ireland
 - Hibernia
 - Musician's exercise
 - Flying saucer acronym
 - Cleveland's controversial chief
 - Villain
 - Decompose
 - Do penitence
 - Parting words
 - Pro vote
 - "Walk the Dog" toy, pl.

- DOWN**
- Deli side
 - Beaten by walkers
 - Nay sayer
 - Middle measurement
 - Jefferson coin
 - Lined with elm trees
 - "Back To The Future" actress
 - ABBA's genre
 - Capital of Ukraine
 - Like some rumors
 - Shakespeare's tragic monarch
 - "Don't give up!"
 - Olfactory property, pl.
 - Funereal lament
 - Chop off
 - ___ tower
 - "The wearing of the ___"
 - Evian, backwards
 - Finn-___ language
 - Lump of stuff
 - Refuse visitors
 - Skyline lobbies
 - Faulkner's "As I Lay ___"
 - Irregular or jagged
 - Religious offshoot
 - "Stout, e.g.
 - Liverpool star
 - Cursor-moving button
 - Wade's opponent
 - Wiggle room
 - Shylock's line of work
 - Socrates' famous pupil
 - Dog command
 - Classic art subject
 - Puts two and two together
 - Itty-bitty bit
 - Call to a mate
 - Unacceptable
 - "Nobody ___ It Better"
 - Flow alternative
 - "British to the IRA

ANSWERS. NO PEEKING!

S	O	A	L	A	V	E	A	S	E	A	B	E
N	O	T	A	V	I	O	R	A	D	D	B	A
O	H	W	A	H	U	F	O	A	D	E	T	E
N	D	I	R	E	L	R	E	S	A	N	K	S
E	A	G	E	L	R	A	L	R	A	R	E	N
N	I	S	I	T	E	P	O	R	T	A	C	T
I	O	S	T	R	I	E	S	A	L	R	E	E
R	A	T	A	S	A	T	A	B	S	O	L	G
R	A	V	A	D	E	P	A	R	A	D	E	N
R	E	V	E	R	O	O	L	L	E	T	E	H
A	V	A	R	E	R	S	A	M	A	C	I	T
R	A	I	D	E	R	A	I	L	E	A	N	T
K	I	L	L	E	D	E	L	E	N	A	V	A

Open House Sign-in Sheet

Homer Comprehensive Plan 2018 Update – Public Review Draft
Open House March 1, 2018

<u>PRINT YOUR NAME</u>	<u>ADDRESS</u>	<u>CITY RESIDENT</u>	<u>NON RESIDENT</u>
1. Patrick Mede	4940 Diamond Creek Pl Homer, AK 99603	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Maria Mede	4940 Diamond Creek Pl Homer, AK 99603	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. None	152 W. DANKENHIE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Kari Marks	202 W Pioneer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. SM		<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Charlie Bronlund	410 Crosswood	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Francie Roberts	495 Mt View	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Rob Lund	4178 HOHE ST. HOMER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Phil Briggs	4067 MULLIN ST HOMER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10.		<input type="checkbox"/>	<input type="checkbox"/>
11.		<input type="checkbox"/>	<input type="checkbox"/>
12.		<input type="checkbox"/>	<input type="checkbox"/>
13.		<input type="checkbox"/>	<input type="checkbox"/>
14.		<input type="checkbox"/>	<input type="checkbox"/>
15.		<input type="checkbox"/>	<input type="checkbox"/>



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Tell Us What You Think!

Homer Comprehensive Plan 2018 Update

March 1, 2018 Open House

Name: KARIN MARKS

Are you a City resident? (Y/N) Y

Please provide your comments below:

Chapter 7 page 2-5 put personal events in the
2nd sentence

page 3-1 point 3 add word "and" before
home-based

You can find the draft plan online and submit comments there too!

Just visit www.cityofhomer-ak.gov/planning

Comment Period is Open Until March 31, 2018



Tell us what you think!

Homer Comprehensive Plan 2018 Update

March 1, 2018 Open House

Name: _____

Are you a City resident? (Y/N) _____

Please provide your comments below:

- documents
 - Larc.
 - whole thing, signage

"nice look"
 -define

consultant

Previous work/ ideas vs start new

Brand

V Colored

eclectic

overall look not uniform

chunky map

Pioneer length colored

Scope

Bid process/ scoring

You can find the draft plan online and submit comments there too!

Just visit www.cityofhomer-ak.gov/planning

Comment Period is Open Until March 31, 2018

Posted at March 1 open house



City of Homer

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(p) 907-235-3106

(f) 907-235-3118

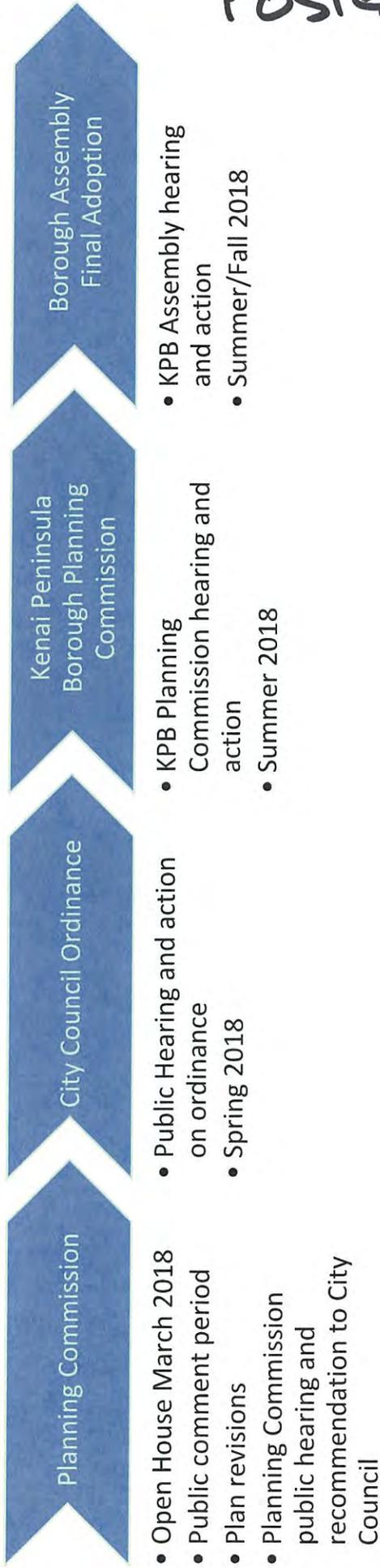
The Homer Advisory Planning Commission
will hold a Public Hearing on

April 18, 2018

This will be your first opportunity to comment publicly on the
draft Homer Comprehensive Plan 2018 Update

Posted at March 1 open house

Comprehensive Plan Process



Posted at March 1 Open House

Proposed Change to Comprehensive Plan Land Use Recommendations Map

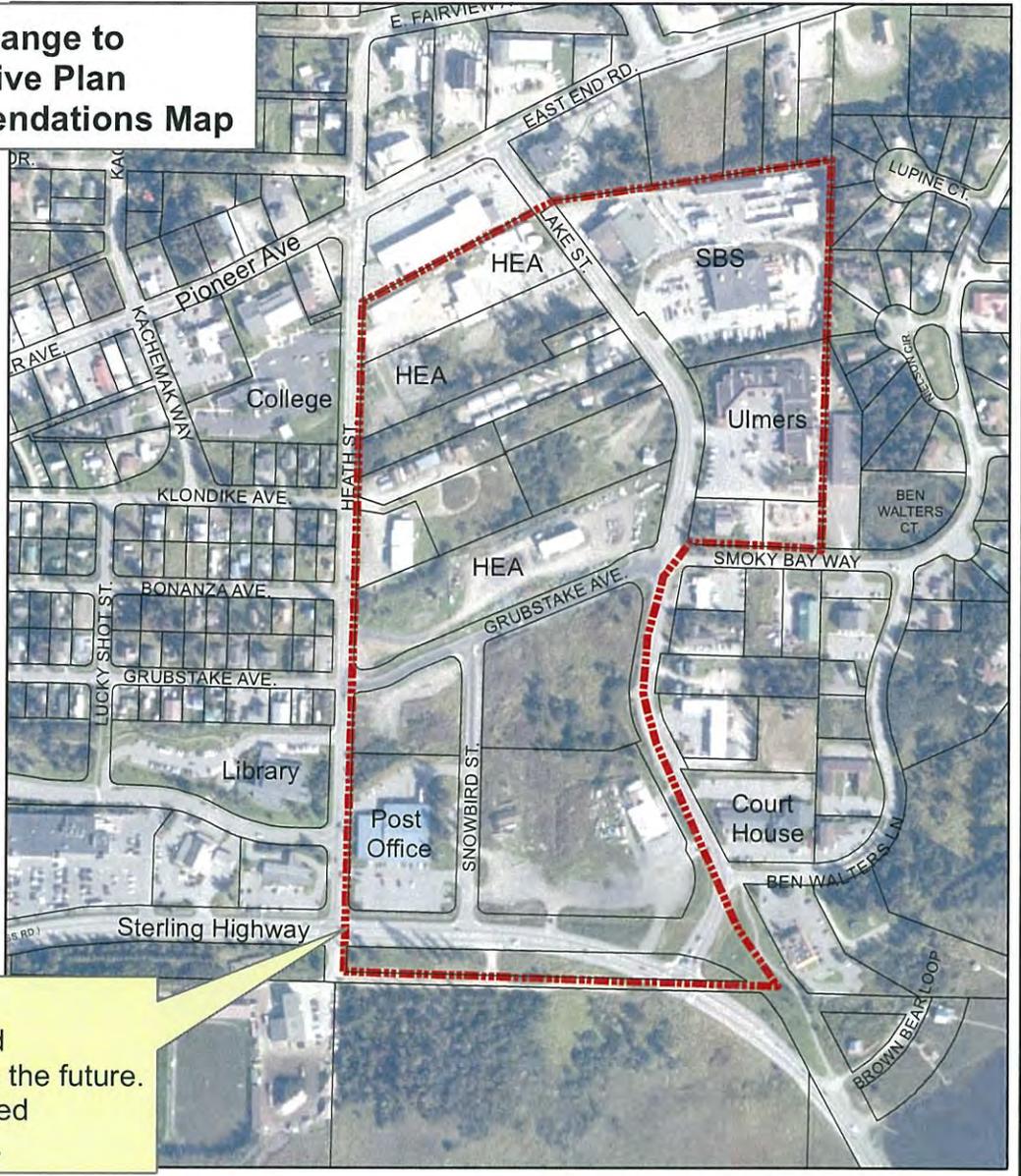


City of Homer
Planning and Zoning Department
February 23, 2018

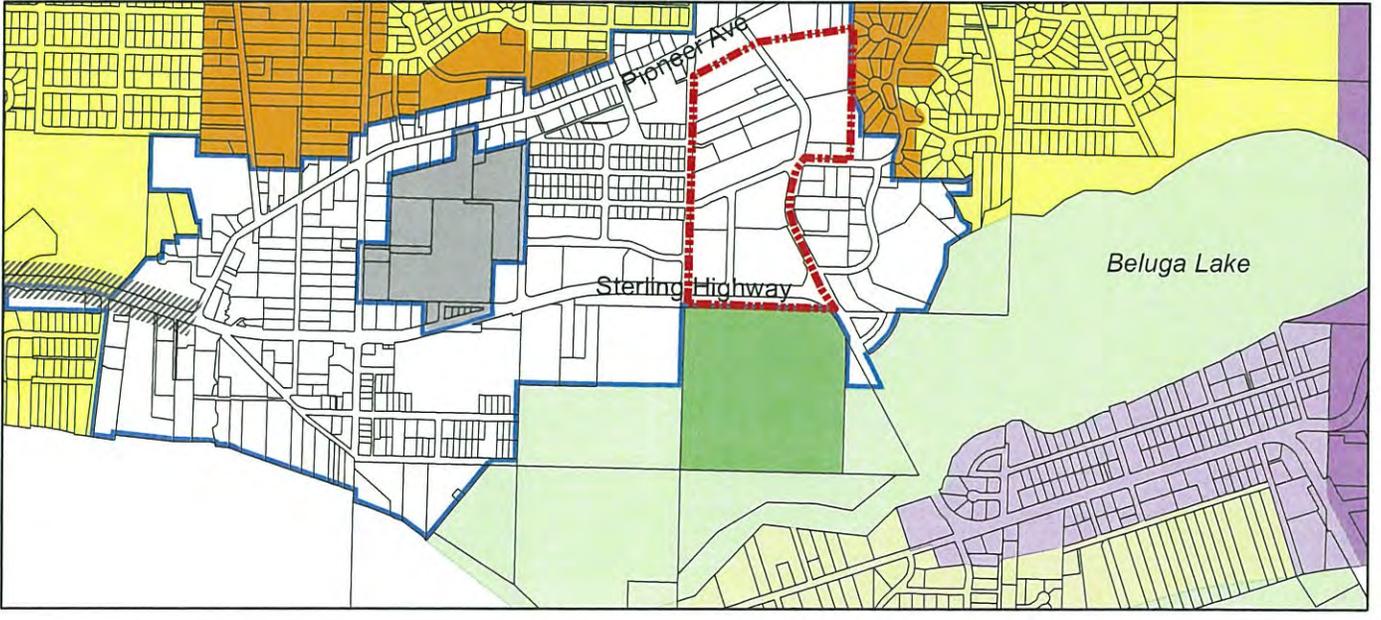


Legend

- Proposed General Commercial 1
- Current Zoning**
- Central Business District
- Town Center
- General Commercial 1
- General Commercial 2
- Open Space Rec
- Conservation
- Rural Residential
- Urban Residential
- Residential Office
- Scenic Gateway Corridor Overlay



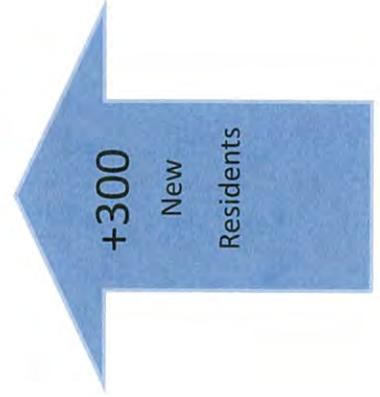
Proposed change:
This area could be zoned
General Commercial 1 in the future.
Currently the area is zoned
Central Business District.



Posted at March 1 Open House

How is Homer Changing? 2010-2017

Since 2010.....



Presentation overview/messaging

(tell them what you are going to say, say it, then tell them what you told them)

1. Summary of why review the plan – what has been accomplished, and changes in community – budget.
2. Summary of changes we have seen in x years since last plan:
 - Slow growing population, didn't grow as fast as thought (recession)
 - More seniors moving in
 - State budget and city budget crunches (changes in sales tax & oil revenue, recession)
 -
3. Next 5- 10 year outlook (need a time frame)– Where are we going? summary of population, aging, land use
4. Other changes:
 - Budget results: Reduced expectations of new or expanded services
5. New ideas – what do you think?
 - GC1 by Lake Street
 - Other?

EDC BRE study



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 7, 2018
SUBJECT: City Planner's Report PL 18-13

City Council - 2.26.18

Ordinance 18-08 – Adding Marijuana retail facilities in the Marine Commercial District. Sponsored by Aderhold/Cannabis Advisory Commission, it was introduced on February 26 and the second reading is scheduled for March 12.

Ordinance 18-09, An Ordinance of the City Council of Homer, Alaska, Disbanding the Cannabis Advisory Commission and Repealing Homer City Code Chapter 2.78 Outlining the Duties of the Cannabis Advisory Commission. Aderhold. Recommended dates: Introduction February 26, 2018, Public Hearing and Second Reading March 12, 2018.

Resolution 18-025, A Resolution of the City Council of Homer, Alaska, Reinstating the Transportation Advisory Committee as a Standing Committee. Venuti.

FAILED with discussion.

Comprehensive Plan

We have been busy preparing for the March 1 open house and plan to gather comments for the commission's review.

Staffing

Travis will be out for the next three weeks.

Planning Commission report schedule for City Council meetings

March 12: Mandy

March 27: Franco

April 9:

April 23:

Att.

Frank Griswold email response

A. Staff Report 18-13, City Planner's report

City Planner Abboud reviewed his staff report and noted that two Ordinances were introduced at the City Council Meeting on February 26th. One regarding Marijuana Retail Facilities in the Marine Commercial District and one to disband the Cannabis Advisory Commission. Both of these Ordinances have a Public Hearing and Second Reading at the March 12th, 2018 City Council Meeting. He also mentioned that a Resolution to re-instate the Transportation Advisory Commission failed.

City Planner Abboud stated that 10 people attended the Comprehensive Plan Open House and that the public seemed very responsive.

City Planner Abboud explained that they will be short staffed for the next three weeks due to Travis Brown being on vacation.

City Council Meeting attendance is as follows:

March 12: Mandy Bernard

March 27th: Franco Venuti

April 9th: Tom Bos

Chair Stead called a recess at 6:36pm to review the laydowns provided for the Public Hearing. The meeting was called back to order at 6:45pm.

Commissioner Highland inquired about Mr. Griswold's comments in the staff report on page 12 and 13 about GC1. She asked if the Commission needed to respond to Mr. Griswold or if the Planning Department has responded.

City Planner Abboud stated that he responded to Mr. Griswold, he just provided the comments in the packet for informational purposes.

PUBLIC HEARINGS

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

A. Staff Report 18-14, Conditional Use Permit 2018-02 for a reduced front building setback at 302 E Pioneer Ave.

City Planner Abboud summarized his report and recommended an additional finding #11. That the proposed activity will enhance the aesthetic environment of the community, providing gracious human scale entry ways and public ways, orienting the entry way toward the street.



City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 21, 2018
SUBJECT: City Planner's Report PL 18-15

City Council - 3.12.18

Ordinance 18-12, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.54.325, Standards for Recreational Vehicles in the Marine Commercial District and Marine Industrial District. Erickson. Recommended dates: Introduction March 12, 2018, Public Hearing and Second Reading March 27, 2018.

Ordinance 18-08, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.28.020, Permitted Uses and Structures; Adding Marijuana Retail Facilities in the Marine Commercial District. Aderhold/Cannabis Advisory Commission. Introduction February 26, 2018, Public Hearing and Second Reading March 12, 2018. Memorandum 18-021 from City Planner as backup

There were seven who testified. Four in favor and three opposed.

FAILED with discussion.

Ordinance 18-09, An Ordinance of the City Council of Homer, Alaska, Disbanding the Cannabis Advisory Commission and Repealing Homer City Code Chapter 2.78 Outlining the Duties of the Cannabis Advisory Commission. Aderhold. Introduction February 26, 2018, Public Hearing and Second Reading March 12, 2018.

There was one who testified.

ADOPTED with discussion.

Comprehensive Plan

We are still collecting comments until the end of March.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-16

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 21, 2018
SUBJECT: Comp Plan Comments

Introduction

Our comment period is still open. I decided to share comments and questions submitted so far, for future consideration. This also allows for someone to come to the meeting and provide testimony on the comprehensive plan. We have advertised that we would be taking comments until the end of March.

Included in the attachments is a list of uses allowed in all districts for comparison purposes. The table was made in 2014. An issue that I have found is that there are mild semantic variations of several uses that create duplicates within the table. Several uses have some special considerations that vary between the districts.

In general, you will find that GC1 has some outright permitted uses that are conditional in the CBD and that retail is much more open without some of the restrictions or prohibitions found in the CBD, such as outdoor storage of material. Also the provision for dwellings in GC1 is more restrictive than in the CBD.

Analysis

Attached you will find two comments from our web submission form and a list of question from Mr. Griswold. I wish for you to review the submissions and make any requests for any additional information you may want to see.

Mr. Allen's comments to some degree have been previously visited and his concerns are something to keep in mind when developing work lists.

Mr. Radeke brings up the concept of the hospital district. This also is not a new idea. The area around the hospital has become a cluster for medical services, having changed in the ten years that I have been in town. I do believe that this subject deserves further conversation and research.

Mr. Griswold presents a list of questions. He is most concerned about the proposal to consider a future GC1 District in an area currently designated as CBD. Here are my points.

- Larger lots (compared to what is available in the Ocean Drive GC1 area) next to major streets with a full accompaniment of utilities would be the best place to expand GC1 type uses. The only other option for businesses that are not allowed in the CBD is to locate in the East End Mixed Use District, GC2, or out of town, not the ideal locations in relation to population and traffic patterns. There are several 'GC1 like' businesses in the area. Is it better to push them out than to cluster? We wish to find a logical location to support the growth of Homer without encouraging sprawl development.
- We will complete/continue an analysis/investigation of the GC1 and CBD districts to include current land use and a detailed evaluation of the zoning regulations. So far, the first task was to get input from the community that this concept is supported in theory and to gauge what the support or opposition is most concerned about. Right now, feedback indicates that most citizens are ambivalent and one in particular is opposed.
- Regarding that the CBD is ridiculously large to encourage walkability. This is based on the fact that most people are not inclined to walk for miles at a time. We already have sidewalks throughout the proposed area and that does not make it particularly walkable in the sense that it is not inviting to walk in the area. The stores are at distance from the street, the traffic is fairly intense, and you have to walk through parking lots to get to the stores. This can lead to a larger discussion of the entire CBD and why it was designated as 'Downtown Mixed Use' in the current comprehensive plan which lists creating high quality public spaces and friendly, pedestrian-orientated streetscapes as priorities.
- The proposal is a suggestion at this stage and input will be evaluated as we move forward before recommending a final draft. The draft of the current plan took 18 months to 'iron out'. I am hoping that we don't need that much time, but also recognize changes will most likely be warranted before we make a recommendation to the council.
- The City of Homer is working toward making a recommendation to the Borough to adopt our amended plan.

Staff Recommendation

Please consider the materials presented and request any additional information you may want to see at a future meeting.

Att.

Allen comment
Radeke comment
Griswold Email
Uses table

Rick Abboud

From: Julie Engebretsen
Sent: Monday, March 12, 2018 3:49 PM
To: Rick Abboud
Subject: FW: Form submission from: Homer Comprehensive Plan 2018 Update

-----Original Message-----

From: City of Homer Alaska Official Website [mailto:info@cityofhomer-ak.gov]
Sent: Monday, March 12, 2018 11:41 AM
To: Department Planning <Planning@ci.homer.ak.us>
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Monday, March 12, 2018 - 11:41am Submitted by anonymous user: 65.74.106.216 Submitted values are:

Submit Your Comments Here:

A few suggestions for inclusion in the new comprehensive plan:

1. Include regulations for storm run-off control in new constructions. It was recently stated in a Planning and Zoning Commission meeting by a contractor that the city has no regulations regarding storm run-off, which everyone knows is a huge issue in the Homer area.
2. Include regulations which REQUIRE all new road construction, including residential housing areas, to have sidewalks and bike lanes incorporated into the design. The developers should pay for this.
3. Make a traffic light at the intersection of the highway and Main Street a priority.
4. Make putting in a sidewalk on Main Street (the whole length) a priority.

First Name: Paul

Last Name: Allan

Your Email (optional): pallan99@gmail.com Your Phone (optional):

The results of this submission may be viewed at:

<https://linkprotect.cudasvc.com/url?a=https://www.cityofhomer-ak.gov/node/30781/submission/16101&c=E,1,gs2zSQ2DuAnDKLh63BvFlyLyISA4mAzWGkdI6cqCjvarHaz72wqSZod3fOsOT1Bex2DNGkfZGk5CXn00SFAO4pidcBKRWXF8wlz4cD4nVg,,&typo=1>

Rick Abboud

From: Julie Engebretsen
Sent: Monday, March 12, 2018 3:49 PM
To: Rick Abboud
Subject: FW: Form submission from: Homer Comprehensive Plan 2018 Update

-----Original Message-----

From: City of Homer Alaska Official Website [mailto:info@cityofhomer-ak.gov]
Sent: Thursday, March 08, 2018 10:16 AM
To: Department Planning <Planning@ci.homer.ak.us>
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Thursday, March 8, 2018 - 10:15am Submitted by anonymous user: 216.67.102.194 Submitted values are:

Submit Your Comments Here:

City of Homer Planning Office,

I would like to suggest a zoning area "hospital district" to help assist with some of the challenges that South Peninsula Hospital faces for future growth.

Respectfully submitted,

Glenn Radeke

Facilities Director

South Peninsula Hospital

First Name: Glenn

Last Name: Radeke

Your Email (optional): ger@sphosp.org

Your Phone (optional): 907-235-0351

The results of this submission may be viewed at:

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Rick Abboud

From: Rick Abboud
Sent: Friday, March 16, 2018 12:31 PM
To: 'Frank Griswold'
Cc: Katie Koester; Julie Engebretsen; Melissa Jacobsen; Department Planning
Subject: RE: 2018 Comprehensive Plan Update/GC1 Spot Zone

Mr. Griswold,

I will forward your concerns to the Planning Commission and City Council. I plan to continue the discussion of the proposal and will provide an opportunity to comment on the record with the Planning Commission at the next meeting. My response may be found in staff report 18-16 prepared for next week's meeting.

Sincerely,

RICK ABBOUD, AICP

City Planner
491 E Pioneer Ave
Homer, AK 99603
(o) 907-235-3106
(f) 907-235-3118

From: Frank Griswold [mailto:fsgriz@alaska.net]
Sent: Thursday, March 8, 2018 3:41 PM
To: Rick Abboud <RAbboud@ci.homer.ak.us>
Cc: Katie Koester <kkoester@ci.homer.ak.us>; Julie Engebretsen <JEngebretsen@ci.homer.ak.us>; Melissa Jacobsen <MJacobsen@ci.homer.ak.us>; Department Planning <Planning@ci.homer.ak.us>
Subject: 2018 Comprehensive Plan Update/GC1 Spot Zone

Mr. Abboud,

1. What commercial properties are currently desired in Homer, which properties suitable for (GC1) commercial uses are currently available within the area proposed for rezone, why do you believe they will be priced cheaply enough for someone to make money on a year-round basis, does this constitute fiscal zoning *per se*, and/or is it a legitimate justification for the proposed rezoning?
2. What activities does the GC1 District support that are unique and not offered in other districts?
3. How would the proposed rezone increase the "walkability" of the "ridiculous large" CBD? Is it your contention that reducing the area zoned CBD will make it easier for someone to walk every pedestrian pathway therein in one shot? Is it your contention that a GC1 spot zone adjacent to the CBD will somehow enhance walkability within the remaining CBD? ?????
4. Have you conducted any statistical analysis regarding the availability of land and demand/need for activities in the Central Business District and/or cost/value of CBD property vs. GC1 property?
5. Is your greatest question regarding the proposed rezone still about demand?

6. Where in the Council minutes or elsewhere can I find the Council's action/authorization that resulted in your June 3, 2015 Staff Report PL 15-48?
7. On June 7, 2017, the Homer Advisory Planning Commissioners, by unanimous consent, directed the City Planner to "investigate rezoning a portion of the Central Business District to General Commercial 1 District as displayed in the June 7, 2017 Draft Future Land Use Map." Did this investigation ever take place and if so, where can I read its results?
8. Why didn't this investigation take place *before* the proposed rezoning was incorporated into the June 7, 2017 Draft Future Land Use Map?
9. The recent mailer to Lake Street and Heath Street property owners states "a need for additional space in Homer for general commercial activities has been identified." What is the factual basis for this statement?
10. The proposed rezone includes the parcel designated SBS. SBS was grandfathered for lumber yard use on its original parcel but later acquired an adjacent parcel for which it then acquired a CUP, presumably related to the construction of its present retail store. At some point these two parcels were re-platted into one "new" parcel. Since the original parcel no longer exists, did the nonconforming use status associated with that parcel expire?
11. Is it legal for SBS to now store culverts and building materials on the portion of its property that was not previously grandfathered?
12. Under CBD zoning regulations, would it be legal for HEA to create a "solar garden" consisting primarily of solar panels (presumably public utility use) on the vacant lot it acquired from Al Waddell as a result of litigation initiated by him?
13. Have you discussed "solar garden" use or expansion of public utility use with anyone associated with HEA or otherwise?
14. Is the proposed rezone designed to legalize illegal activities that are currently occurring within the area proposed for rezone?
15. Like you, the City of Homer has no planning authority and has never requested planning authority from the KPB. So why is the City updating its own Comprehensive Plan when this is solely the duty of the Kenai Peninsula Borough per AS 29.40.010(a)?
16. KPB 21.01.025 provides that cities in the Borough requesting extensive comprehensive plan amendments may recommend to the Borough a change to the city comprehensive plan. Has the City of Homer requested extensive comprehensive plan amendments to its existing comprehensive plan and/or formally recommended to the Borough a change to its Homer Comprehensive Plan?
17. Is it your contention that the City's preparation and submittal to the KPB of a complete 2018 Comprehensive Plan Update merely constitutes a request to the KPB for extensive comprehensive plan amendments and/or a recommendation of a change to the Homer Comprehensive Plan?
18. AS 29.40.010(b) provides that the Borough may delegate any of its powers and duties to a city. In May of 1990, the Borough enacted Ordinance 90-31 delegating authority to the City of Kenai to enact land use amendments to the comprehensive plan. In light of its longstanding but unauthorized practice of crafting/updating its own comprehensive plan, why hasn't the City of Homer requested that the Borough delegate planning (but not platting) powers to the City of Homer?

Please cc the Planning Commission, Mayor, and Council with your responses. Thank you.

Frank Griswold

Uses	RR	UR	RO	CB D	TC D	GB D	GC 1	GC 2	EE MU	MC	MI	OS R	CO	SG CO	BC WP	SB HO
Accessory uses to the uses permitted in the GC2 district that are clearly subordinate to the main use of the lot or building, such as wharves, docks, restaurant or cafeteria facilities for employees; or caretaker or dormitory residence if situated on a portion of the principal lot; provided, that separate permits shall not be issued for the construction of any type of accessory building prior to that of the main building;								✓								
Agricultural activities, including general farming, truck farming, livestock farming, nurseries, and greenhouses; provided, that: 1. Other than normal household pets, no poultry or livestock may be housed and no fenced runs may be located within 100 feet of any residence other than the dwelling on the same lot; 2. No retail or wholesale business sales office is maintained on the premises;	✓															
Agricultural activities, including general farming, truck farming, nurseries, tree farms and greenhouses;									✓							
Air charter operations and floatplane tie-up facilities;							✓									
Airports and air charter operations;								✓								
Apartment units located in buildings primarily devoted to business or commercial uses;				✓												
Appliance sales and service;							✓									
As an accessory use incidental to residential use, storage of personal commercial fishing gear in a safe orderly manner and separated by at least five feet from any property line;		✓														
As an accessory use incidental to residential use, the private outdoor storage of noncommercial equipment, including noncommercial trucks, boats, and not more than one recreational vehicle in a safe and orderly manner and separated by at least five feet from any property line, provided no stored equipment, boat or vehicle exceeds 36 feet in length;	✓	✓														
As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts. [Ord. 09-34(A) § 20, 2009; Ord. 08-29, 2008].															✓	
As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts. [Ord. 11-23(A) § 1, 2011; Ord. 09-34(A) § 4, 2009; Ord. 08-29, 2008].	✓															
As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts;		✓	✓	✓												
As an accessory use, one small wind energy system per lot. [Ord. 09-34(A) § 16, 2009; Ord. 08-29, 2008].							✓									
As an accessory use, one small wind energy system per lot. [Ord. 09-34(A) § 17, 2009; Ord. 08-29, 2008].								✓								
As an accessory use, one small wind energy system per lot. [Ord. 13-11(A) § 2, 2013; Ord. 09-34(A) § 18, 2009; Ord. 08-29, 2008].										✓						
As an accessory use, one small wind energy system per lot. [Ord. 13-11(A) § 6, 2013; Ord. 09-34(A) § 19, 2009; Ord. 08-29, 2008].											✓					
As an accessory use, one small wind energy system per lot;									✓							
Auto and trailer sales or rental areas;							✓									
Auto fueling stations and drive-in car washes;							✓									
Auto repair and auto and trailer sales or rental areas, but only on Main Street from Pioneer Avenue to the Sterling Highway, excluding lots with frontage on Pioneer Avenue or the Sterling Highway, subject to the following additional requirements: Vehicles awaiting repair or service, inoperable vehicles, vehicles for parts, and vehicles awaiting customer pickup shall be parked indoors or inside a fenced enclosure so as to be concealed from view, on all sides. The fence shall be a minimum height of eight feet and constructed to prohibit visibility of anything inside of the enclosure. The portion of any vehicle exceeding eight feet in height may be visible outside of the fence. Vehicle parts (usable or unusable), vehicle service supplies, and any other debris created in the repair or servicing of vehicles shall also be stored indoors or inside the fenced enclosure out of view of the public;							✓									
Auto repair;								✓								
Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair, excluding storage of vehicles or equipment that is inoperable or in need of repair;								✓								
Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair;									✓							
Banks, savings and loans, credit unions and other financial institutions;							✓									
Boat and marine equipment sales, rentals, manufacturing, storage yard, service and repair;									✓							

Uses	RR	UR	RO	CB D	TC D	GB D	GC 1	GC 2	EE MU	MC	MI	OS R	CO	SG CO	BC WP	SB HO
Boat and marine equipment sales, rentals, service and repair;							✓									
Boat launching or moorage facilities, marinas, boat charter services;											✓					
Boat launching or moorage facilities, marinas;										✓						
Building supply and equipment sales and rentals;							✓		✓							
Business offices for water-dependent and water-related activities such as fish brokers, off-shore oil and gas service companies, and stevedores;										✓						
Campgrounds;										✓						
Caretaker, business owner or employee housing as an accessory use to a primary use, and limited to no more than 50 percent of the floor area of a building and for use by an occupant for more than 30 consecutive days;										✓	✓					
Cold storage facilities;								✓	✓	✓						
Cold storage;											✓					
Construction, assembly and storage of boats and boat equipment;								✓								
Customary accessory uses that are clearly subordinate to the main use of the lot or building such as piers or wharves; provided, that separate permits shall not be issued for the construction of an accessory structure prior to that of the mainstructure;										✓						
Customary accessory uses to any of the permitted uses listed in the CBD district; provided, that a separate permit shall not be issued for the construction of any detached accessory building prior to that of the main building;				✓												
Customary accessory uses to any of the permitted uses listed in the GBD district; provided, that separate permit shall not be issued for the construction of any type of accessory building prior to that of the main building. [Ord. 11-23(A) § 6, 2011; Ord. 08-29, 2008].						✓										
Customary accessory uses to any of the permitted uses listed in the GC1 district; provided, that no separate permit shall be issued for the construction of any type of accessory building prior to that of the main building;							✓									
Customary accessory uses to any of the permitted uses listed in the UR district; provided, that no separate permit shall be issued for the construction of any detached accessory building prior to that of the main building;		✓														
Customary accessory uses to any of the uses permitted in the EEMU district that are clearly subordinate to the main use of the lot or building, including without limitation wharves, docks, storage facilities, restaurant or cafeteria facilities for employees; or caretaker or employee dormitory residence if situated on a portion of the same lot as the principal use; provided, that no permit shall be issued for the construction of any type of accessory building prior to the establishment of the principal use;									✓							
Day care facilities;																✓
Day care home and facilities provided, however, that continuing day care must be provided;			✓	✓												
Day care home and facilities provided, however, that day care must be provided;					✓											
Day care home;																✓
Day care homes provided, however, that no more than six children may be enrolled;	✓	✓														
Day care homes, provided, that a second day care permit may be issued for the facility, if required by the local jurisdiction, as determined by the local jurisdiction;							✓									
Dormitory;				✓			✓	✓								
Drive-in car washes;									✓							
Dry cleaning, laundry, and self-service laundries;							✓		✓							
Dry docks;											✓					
Duplex dwelling, excluding mobile home;		✓														
Duplex dwelling;	✓															✓
Dwelling units and nonresidential uses (if otherwise allowed by this chapter) in the same building;						✓										
Dwelling units and nonresidential uses in the same building, if each use is otherwise allowed by this chapter;					✓											
Dwelling units located in buildings primarily devoted to business uses;							✓									
Entertainment establishments;				✓	✓	✓										
Farmers' market;				✓	✓	✓										
Financial institutions;				✓	✓	✓										
Fish and wildlife habitat protection and enhancement.														✓		
Floatplane tie-up facilities and air charter services;				✓												
Garden supplies and greenhouses;							✓		✓							
General business offices and professional offices;						✓	✓									

Uses	RR	UR	RO	CB D	TC D	GB D	GC 1	GC 2	EE MU	MC	MI	OS R	CO	SG CO	BC WP	SB HO
Heavy equipment and truck sales, rentals, service and repair;							✓									
Heliports;								✓								
Home occupations on a lot whose principal permitted use is residential, provided they conform to the requirements of HCC 21.51.010;									✓							
Home occupations, provided they conform to the requirements of HCC 21.51.010;	✓	✓		✓												
Home occupations, provided they conform to the standards in HCC 21.51.010;					✓	✓										
Home occupations, provided they conform to the requirements of HCC 21.51.010;				✓												
Hotels and motels;				✓	✓	✓	✓	✓								
Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;				✓			✓	✓	✓	✓	✓					
Lodging as an accessory use, limited to no more than 50 percent of the floor area of a building;											✓					
Lumberyards;							✓									
Manufacture and assembly of pottery and ceramics, musical instruments, toys, novelties, small molded products, electronic instruments and equipment and electrical devices;								✓								
Manufacturing of electronic equipment, electrical devices, pottery, ceramics, musical instruments, toys, novelties, small molded products and furniture;							✓									
Manufacturing, fabrication and assembly;									✓							
Manufacturing, processing and packing of sea products;											✓					
Manufacturing, processing, cooking, and packing of seafood products;											✓					
Marine equipment sales, rentals, service, repair and storage;											✓	✓				
Marine recreation activities such as fishing and boating;													✓			
Marine-life and wildlife sanctuary or preserve. [Ord. 11-32 § 2, 2011; Ord. 08-29, 2008].														✓		
Marine-life and wildlife sanctuary or preserve;													✓			
Marine-life raising or production for recreational purposes, but not for commercial fishing purposes;													✓			
Ministorage;				✓												✓
Mobile commercial structures;								✓	✓							
Mobile food services on City-owned land only;					✓											
Mobile food services;				✓			✓	✓	✓	✓	✓					
Mobile homes, provided they conform to the requirements set forth in HCC 21.54.100;				✓												
Mobile homes, subject to the requirements of HCC 21.54.100;	✓															
Mobile homes, subject to the requirements set forth in HCC 21.54.100;				✓												✓
More than one building containing a permitted principal use on a lot;									✓		✓					
More than one building containing a principal permitted use on a lot. [Ord. 11-23(A) § 5, 2011; Ord. 08-29, 2008].					✓											
Mortuaries and crematoriums;									✓							
Mortuaries;				✓			✓									
Multiple-family dwelling, only if the structure conforms to HCC 21.14.040(a)(2) and excluding mobile home;		✓														
Multiple-family dwelling, only if the structure conforms to HCC 21.14.040(a)(2);	✓															
Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and excluding mobile homes;				✓												
Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2);																✓
Museums and libraries;				✓	✓	✓										
Museums, libraries and similar institutions;				✓												
Nursing facilities, convalescent homes, homes for the aged, assisted living homes;				✓												
Offices for tourism-related charter and tour businesses, such as fishing, flightseeing, day excursions and boat charters and tours;											✓					
Offices;					✓											
One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-family dwelling on a lot. [Ord. 11-44(S) § 1, 2011; Ord. 11-23(A) § 2, 2011; Ord. 09-34(A) § 6, 2009; Ord. 08-29, 2008].		✓														
One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-family dwelling on a lot. [Ord. 11-44(S) § 2, 2011; Ord. 11-23(A) § 3, 2011; Ord. 09-34(A) § 8, 2009; Ord. 08-29, 2008].			✓													
One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-family dwelling on a lot. [Ord. 11-44(S) § 3, 2011; Ord. 11-23(A) § 4, 2011; Ord. 09-34(A) § 10, 2009; Ord. 08-29, 2008].				✓												

Uses	RR	UR	RO	CB D	TC D	GB D	GC 1	GC 2	EE MU	MC	MI	OS R	CO	SG CO	BC WP	SB HO
Open air businesses;							✓		✓							
Open space, but not including outdoor recreational facilities described in HCC 21.12.030;	✓															
Open space, not including outdoor recreational facilities;		✓														
Open space, such as park, playground and related recreation activities;												✓				
Open space;						✓										
Other customary accessory uses incidental to any of the permitted uses listed in the RR district; provided, that no separate permit shall be issued for the construction of any detached accessory building prior to that of the main building;	✓															
Other customary accessory uses incidental to any of the principal permitted uses listed in the BCWP district, such as limited personal use gardening as described in HCC 21.40.090(c);															✓	
Other customary accessory uses to any of the permitted uses listed in the Residential Office District; provided, that no separate permit shall be issued for the construction of any detached accessory building prior to that of the main building;			✓													
Parking lots and parking garages, in accordance with Chapter 21.55 HCC;				✓	✓		✓	✓	✓							
Parks and open space;				✓	✓		✓		✓							
Parks;				✓	✓					✓	✓					
Personal service establishments;				✓	✓	✓										
Personal services;									✓							
Plumbing, heating and appliance service shops, only if such use, including the storage of materials, is wholly within an enclosed building;				✓	✓											
Plumbing, heating and appliance service shops;									✓							
Port and harbor facilities;											✓					
Private exterior storage of the occupant's personal noncommercial equipment, including noncommercial trucks, boats, campers and not more than one recreational vehicle in a safe and orderly manner and separated by at least five feet from any property line as an accessory use incidental to a permitted or conditionally permitted principal use;			✓													
Private floatplane tie-down as an accessory use incidental to residential use;	✓															
Private floatplane tie-up facility as an accessory use incidental to residential use;		✓														
Private stables;	✓								✓							
Private storage in yards, in a safe and orderly manner, of equipment, including trucks, boats, recreational vehicles and automobiles; provided, that all are in good mechanical and operable condition, and if subject to licensing, currently able to meet licensing requirements; and further provided, that the stored items do not create impervious cover in excess of the limits in HCC21.40.070;															✓	
Private, public, and commercial schools;					✓											
Production, processing, assembly and packaging of fish, shellfish and seafood products;								✓	✓							
Professional offices and general business offices;			✓	✓												
Public and private schools;						✓										
Public parks and playgrounds;	✓	✓	✓												✓	
Public schools and private schools;		✓													✓	
Public, private and commercial schools;				✓												
Publishing, printing and bookbinding facilities;				✓	✓			✓								
Publishing, printing and bookbinding;				✓	✓		✓									
Recreation vehicle sales, rental, service and repair;							✓									
Recreational vehicle parks only if located south of the Sterling Highway (Homer Bypass) from Lake Street west to the boundary of the Central Business District abutting Webber Subdivision, and from Heath Street to the west side of Lakeside Village Subdivision, provided they shall conform to the standards in HCC 21.54.200 and following sections;				✓												
Recreational vehicle parks, provided they shall conform to the standards in Article II of Chapter 21.54 HCC. [Ord. 08-29, 2008].												✓				
Recreational vehicle parks, provided they shall conform to the standards in Article II of Chapter 21.54 HCC;							✓									
Recreational vehicle parks, provided they shall conform to the standards in Chapter 21.54 HCC;								✓		✓	✓					
Recreational vehicles, subject to the requirements of HCC 21.54.320;	✓															
Recreational vehicles, subject to the standards in HCC 21.54.320(a), (b) and (c);									✓							
Recreational vehicles, subject to the standards set out in HCC 21.54.320;		✓	✓													
Religious, cultural and fraternal assemblies;					✓											

Uses	RR	UR	RO	CB D	TC D	GB D	GC 1	GC 2	EE MU	MC	MI	OS R	CO	SG CO	BC WP	SB HO
Religious, cultural and fraternal assembly;			✓													
Religious, cultural, and fraternal assembly;				✓		✓			✓						✓	
Research and development laboratories;								✓	✓							
Restaurant as an accessory use;												✓				
Restaurants and clubs;						✓										
Restaurants, clubs and drinking establishments that provide food or drink for consumption on the premises;				✓												
Restaurants, clubs and drinking establishments which provide food or drink for consumption on the premises;					✓											
Restaurants, including drive-in restaurants, clubs and drinking establishments;							✓		✓							
Restaurants;										✓						
Retail and wholesale sales of building supplies and materials, only if such use, including storage of materials, is wholly contained within one or more enclosed buildings;				✓												
Retail business where the principal activity is the sale of merchandise and incidental services in an enclosed building;				✓	✓											
Retail business;						✓										
Retail businesses;							✓		✓							
Retail sale of building supplies and materials, only if such use, including storage of materials, is wholly contained within an enclosed building;					✓											
Retail stores limited to the sale of seafood products, sporting goods, curios, and arts and crafts;										✓						
Rooming house and bed and breakfast;							✓									
Rooming house, bed and breakfast and hostel;	✓	✓	✓	✓	✓	✓										
Rooming houses or bed and breakfast establishments;																✓
Single-family and duplex dwelling, excluding mobile homes;				✓												
Single-family and duplex dwellings, only as an accessory use incidental to a permitted principal use; provided, that no permit shall be issued for the construction of an accessory dwelling prior to the establishment of the principal use;									✓							
Single-family dwelling, excluding mobile home;			✓													
Single-family dwelling;	✓															✓
Single-family, duplex, and multiple-family dwellings, but not including mobile homes or townhouses;					✓											
Single-family, duplex, and multiple-family dwellings, including townhouses, but not including mobile homes;				✓		✓										
Storage and distribution services and facilities, including truck terminals, warehouses and storage buildings and yards, contractors' establishments, lumberyards and sales, or similar uses;								✓	✓							
Storage of heavy equipment, vehicles or boats;									✓							
Storage of personal commercial fishing gear in a safe and orderly manner and separated by at least five feet from any property line as an accessory use incidental to residential use;	✓															
Storage of personal commercial fishing gear in a safe and orderly manner;																✓
Storage of the occupant's personal commercial fishing gear in a safe and orderly manner and separated by at least five feet from any property line as an accessory use incidental to a permitted or conditionally permitted principal use;				✓												
Studios;				✓	✓	✓			✓							
Taxi operation limited to a dispatch office and fleet parking of no more than five vehicles; maintenance of taxis must be conducted within an enclosed structure, and requires prior approval by the City Planner of a site, access and parking plan;				✓												
Taxi operation;							✓	✓	✓							
Temporary (seasonal) roadside stands for the sale of produce grown on the premises;	✓															✓
The outdoor harboring or keeping of dogs, small animals and fowl as an accessory to a residential use in a manner consistent with the requirements of all other provisions of the Homer City Code and as long as such animals are pets of the residents of the dwelling and their numbers are such as not to unreasonably annoy or disturb occupants of neighboring property;																✓
The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a manner consistent with the requirements of the Homer City Code and as long as such animals are kept as pets and their numbers are such as not to unreasonably annoy or disturb occupants of neighboring property.				✓												

Uses	RR	UR	RO	CB D	TC D	GB D	GC 1	GC 2	EE MU	MC	MI	OS R	CO	SG CO	BC WP	SB HO
The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use to a residential use in a manner consistent with the requirements of all other provisions of the Homer City Code and as long as such animals are pets of the residents of the dwelling and their numbers are such as not to unreasonably annoy or disturb occupants of neighboring property. [Ord. 12-10 § 1, 2012].									✓							
The repair, replacement, reconstruction or expansion of a single-family or duplex dwelling, including a mobile home, that existed lawfully before its inclusion in the GC1, GC2 or EEMU zoning districts, notwithstanding any provision of Chapter 21.61 HCC to the contrary; provided, that a mobile home may not be used to replace or expand such a dwelling;									✓							
Townhouses subject to the standards of HCC 21.53.010(c), (f), (h), (i), and (o) only;					✓											
Trade, skilled or industrial schools;							✓		✓							
Trade, skills or industrial schools;								✓								
Transient or itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district, and only on City-owned land;					✓											
Underground bulk petroleum storage;								✓								
Up to four recreational vehicles on a lot as a temporary dwelling not to exceed 90 days' occupancy per vehicle in any calendar year;															✓	
Warehouse and marshaling yards for storing goods awaiting transfer to marine vessels or off-loaded from a marine vessel and awaiting immediate pickup by land-based transportation;											✓					
Warehousing, commercial storage and mini-storage;							✓		✓							
Welding and mechanical repair;							✓		✓							
Wharves and docks, marine loading facilities, ferry terminals, marine railways;											✓					
Wholesale businesses, including storage and distribution services incidental to the products to be sold;							✓		✓							

Conditional Uses	RR	UR	RO	CB	TC	GB	GC	GC	EE	MC	MI	OS	CO	SG	BC	SB	
				D	D	D	1	2	MU	R	CO	D		WP	HO		
Agricultural activity and stables, if they conform to HCC 21.40.090, but not including farming of swine;																	✓
Any structures used for uses permitted outright in the district;												✓					
Assisted living home;	✓																
Auto fueling stations;				✓													
Boat sales, rentals, service, repair and storage, and boat manufacturing;											✓						
Bulk petroleum product storage above ground;								✓									
Bulk petroleum product storage;									✓								
Bulk petroleum storage;											✓						
Campgrounds;							✓										
Cemeteries;	✓																
Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;	✓																
Construction camps;								✓									
Crematoriums;							✓										
Customary accessory uses to any of the permitted uses listed in the TCD district; provided, that a separate permit shall not be issued for the construction of any type of accessory building prior to that of the main building;					✓												
Day care facilities; provided, however, that outdoor play areas must be fenced;	✓																
Drinking establishments;										✓							
Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;				✓													
Educational and interpretive displays and signs.													✓				
Extractive enterprises related to other uses permitted in the district;											✓						
Extractive enterprises, including crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;									✓								
Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;								✓									
Fishing gear and boat storage;												✓					
Greenhouses and garden supplies;				✓													
Group care home;	✓																
Group care homes and assisted living homes;				✓													
Group care homes;			✓														
Heliports;				✓													
Hospitals and medical clinics;			✓														
Hospitals;		✓															
Hotels and motels;										✓							
Impound yards;								✓									
Indoor recreational facilities and outdoor recreational facilities;				✓													
Indoor recreational facilities;	✓																
Junk yard;								✓									
Kennels;	✓																
Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;				✓													
Lodging;										✓							
Mobile home parks;				✓													
More than one building containing a permitted principal use on a lot.						✓											
More than one building containing a permitted principal use on a lot. [Ord. 10-05, 2010; Ord. 08-29, 2008].																	✓
More than one building containing a permitted principal use on a lot;				✓													
Mortuaries;			✓														
Multiple-family dwelling;							✓										
One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot. [Ord. 09-34(A) § 5, 2009; Ord. 08-29, 2008].	✓																
One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot. [Ord. 09-34(A) § 7, 2009; Ord. 08-29, 2008].		✓															
One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;				✓													
One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.						✓											
One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system on any capacity of the lot. [Ord. 09-34(A) § 13, 2009; Ord. 08-29, 2008].					✓												

Conditional Uses	RR	UR	RO	CB	TC	GB	GC	GC	EE	MC	MI	OS	R	CO	SG	BC	SB
				D	D	D	1	2	CO						D	D	D
Other conservation uses that will enhance the Conservation District, approved by the Planning Commission, provided, however, a finding of no adverse impact to the integrity of the fish and wildlife resources and habitat must be found. [Ord. 11-32 § 3, 2011; Ord. 08-29, 2008].														✓			
Other open space and recreationuses;													✓				
Other uses approved pursuant to HCC 21.04.020. [Ord. 09-34(A) § 11, 2009; Ord. 08-29, 2008].				✓													
Other uses approved pursuant to HCC 21.04.020. [Ord. 09-34(A) § 15, 2009; Ord. 08-29, 2008].						✓											
Other uses approved pursuant to HCC 21.04.020. [Ord. 10-06 § 1, 2010; Ord. 09-34(A) § 9, 2009; Ord. 08-29, 2008].			✓														
Other uses approved pursuant to HCC 21.04.020. [Ord. 12-10 § 1, 2012].									✓								
Other uses approved pursuant to HCC 21.04.020;					✓												
Other uses similar to usespermitted and conditionally permitted in the BCWP district, as approved by written decision of the Planning Commission upon application of the property owner and after a public hearing;																✓	
Outdoor recreational facilities. [Ord. 08-29, 2008].							✓										
Outdoor recreational facilities;	✓																
Overslope development. [Ord. 09-44(S) § 3, 2009].																	✓
Parking areas;													✓				
Parking lots incidental to a permitted or conditionally permitteduse.														✓			
Pedestrian trails, including boardwalks and viewing platforms.														✓			
Pipeline and railroads;				✓													
Pipelines and railroads;	✓																
Planned unit development, excluding all industrial uses;		✓															
Planned unit development, limited to residential uses only;	✓																
Planned unit development, limited to water-dependent or water-relateduses and excluding all dwellings;												✓					
Planned unit developments, excluding all industrial uses;				✓													
Planned unit developments, excluding residential uses;								✓									
Planned unit developments, limited only to uses otherwise permitted in this district;					✓												
Planned unit developments, limited to water-dependent andwater-related uses, with no dwellingunits except as permitted by HCC21.28.020(o);											✓						
Planned unit developments;							✓										
Plumbing, heating and appliance repair shops, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings;					✓												
Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such uses shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;		✓															
Public or private schools;			✓														
Public utility facilities andstructures that cannot be reasonably located in another district.														✓			
Public utility facilities andstructures;				✓													
Public utility facility or structure;							✓										
Public school and private school;	✓																
Religious, cultural and fraternal assembly;	✓																
Retail sales of hardware, appliances and furniture, buildingsupplies and materials, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosedbuildings;					✓												
Self-service laundries;					✓												
Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;				✓													
Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;							✓										
Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or officeresidential zoning district;								✓									
Storage of heavy equipment or boats over 36 feet in length as anaccessory use incidental to a permitted or conditionally permittedprincipal use;	✓																

Conditional Uses	RR	UR	RO	CB	TC	GB	GC	GC	EE	MC	MI	OS	CO	SG	BC	SB
				D	D	D	1	2	MU	MC	MI	R	CO	D	WP	HO
Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;	✓															
The location of a building within a setback area required by HCC 21.28.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards: 1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and 2. Have a design that is compatible with that of the structures on the adjoining property. [Ord. 13-11(A) § 3, 2013; Ord. 08-29, 2008].											✓					
The location of a building within a setback area required by HCC 21.30.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards: 1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and 2. Have a design that is compatible with that of the structures on the adjoining property. [Ord. 13-11(A) § 7, 2013; Ord. 08-29, 2008].											✓					
Timber harvesting operations, timber growing, and forest crops, provided they conform to HCC 21.40.100;																✓
Townhouse developments;		✓														
Townhouses;			✓													
Uses, activities, structures, exceptions, or other things described as requiring a conditional use permit in HCC 21.40.080(a), 21.40.110(b) or any other provision of this chapter;																✓

Julie Engebretsen

From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Friday, March 16, 2018 12:30 PM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Friday, March 16, 2018 - 12:29pm Submitted by anonymous user: 146.71.68.21 Submitted values are:

Submit Your Comments Here:

Your comments will be submitted to the Planning Office

Thanks for the opportunity to comment!

1. Beluga Lake is identified in Section 5 as a seaplane base. It is identified in Appendix A-3 as within a Land Use Area identified as Open Space Recreation. From my observations, the lake has a number of uses throughout the year; summer seaplane base, winter vehicle ice racing, winter cross country skiing, winter kite boarding, winter ice skating, occasional wheel and ski plane operations, etc. I have not seen boats on the lake in the summer, but I do not know if such use is restricted or not. I have been told that neither the State, Borough, nor City have jurisdiction or exercise control over the lake. From the Land Use Plan it would appear the lake falls under the jurisdiction of the City. I would recommend clarifying who has jurisdiction over the lake. If there are any current limitations or restrictions on activities on the lake, I would document that. I would clearly indicate what uses are encouraged for the lake and what uses are discouraged or restricted. Perhaps a management plan, management strategy, management entity and/or advisory group should be established for the lake. I personally strongly advocate for allowing a broad range of activities/uses, intervening only if conflicts develop, acknowledging the established use of the lake as a seaplane base and maintaining a priority for summer floatplane operations.
2. Section 5 discusses the value placed on accommodating and enabling pedestrian and non-motorized traffic, especially in the Town Center, along Main St and Pioneer Ave. I strongly support this. I have also observed increasing pedestrian and non-motorized traffic along East Hill Rd and Skyline Av. Commercial tourism operators are now conducting bike treks or expeditions along Skyline and down East Hill during the summer. Neither Skyline nor East Hill have any accommodations for pedestrian or non-motorized traffic. There are no shoulders, sidewalks, parallel trails or pullouts. I would recommend this need be captured in the Plan and Skyline and East Hill be included in Goal strategies. West Hill may experience a similar condition, but I am less familiar with day to day West Hill conditions.
3. The Land Use Map, Appendix A-3 includes a category titled Future Increasing Residential. The classification is new for 2018. The areas so designated were previously categorized as Rural Residential. I cannot locate definitions within the Plan for the listed categories. I would recommend clear definitions be included. What is the Plan's objective with respect to Future Increasing Residential and how is it different than Rural Residential?
4. Section 6 discusses the need for a City Plans Examiner and a Fire Inspector to facilitate plan reviews, fire code review, construction permitting and inspections. Perhaps this is a function the City could more cost effectively contract out, on an as needed basis, to local professional engineering service providers. Perhaps a consolidated contract including Kachemak City, Seldovia, Anchor Pt, etc might yield further economies of scale.
5. Section 6 notes that Animal Control falls under the responsibility of the police department. I do not have any expertise in either, but just curious if perhaps Animal Control could be more cost effectively outsourced or otherwise administered under a different department?
6. Section 6 discusses the current City waste water treatment plant. Please clarify if the plant meets all current and anticipated environmental regulatory requirements or if future upgrades should be planned for.
7. The airport is noted as an important asset for the community. It is a major local employer. It is a key component of the multi-modal transportation network for the City, the Region and adjacent local communities. It provides critical infrastructure that supports virtually every other key economic enterprise in the community, and it is a prominent gateway for visitors. The airport is a key asset that supports the economic goals highlighted in Section 7.
 - a. Even though the airport is noted as an important asset, I think the Plan understates the value of the airport to the community. I would recommend the value of the airport be more clearly articulated.

b. Furthermore, I believe there is a great opportunity to enhance the link between the airport and the community and further increase the value. Airport property could be integrated into the Homer trails system, similar to the arrangement at Lake Hood in Anchorage. Alaska has a unique relationship with aviation, yet the general public is more and more isolated from aviation activities. Homer has a unique opportunity to be different. Public access and observation areas should facilitate and encourage responsible interaction between the public and the airport. Recreational trails and pathways accommodating pedestrian and non-motorized traffic could interweave between Open Rec, Business and Airport areas. A pedestrian and non-motorized link to the spit, town center, Beluga Lake and from one side of the airport to the other would further enhance the viability of the airport as a positive gateway for visitors arriving both commercially and on private aircraft.

8. Similarly, while the Plan notes the use of Beluga Lake as a seaplane base, the Plan is basically silent on the value of this aviation asset to the community. The lake is home to a number of commercial floatplane operators, guides, outfitters, lodges and helicopter operations. It is a hub for visitor activities and a valuable economic and recreational asset for the community. I would recommend the value of the the seaplane base be more clearly articulated.

a. I think it would be important to recognize this traditional important use of the lake and surrounding land and to encourage its long term role as such.

b. Furthermore I believe Beluga Lake and the aviation related activities there could be nicely woven into the link between the airport and the community suggested above.

First Name: Steve

Last Name: Theno

Your Email (optional): Stevetheno@pdceng.com Your Phone (optional): 907-360-1868

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https://www.cityofhomer-ak.gov/node/30781/submission/16331&c=E,1,DiG_VP8GUbwfrxeRyD2DKDdM7xMJEU7MtLyDxZ_-7WIH45k0hR_IYdRyMotzpZFAc4-mYKUT03bAeX0c0PgbODFyRbycudC5_6GgkHi0BAICswlYrQ,&typo=1

Understanding Spot Zoning - PlannersWeb

by Daniel Shapiro, Esq.

Editor's note: We're pleased to continue offering articles providing an overview of some of the key zoning and land use law issues planners and planning commissioners face. As with all such articles, we encourage you to consult with your municipal attorney as laws and legal practice vary from state to state.

Occasionally, planning boards or commissions are faced with a petitioner's request to re-zone property only to be challenged with an objector's claim that doing so would constitute illegal spot zoning. The plan commission often has a quandary; approve the development and risk making an improper, if not illegal decision, or deny the development which would have financially improved the community. To better assist with this difficult decision, it is beneficial for the commission to understand exactly what "spot zoning" is.

What Constitutes Spot Zoning

The "classic" definition of spot zoning is **"the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners."** ¹

Spot zoning is, in fact, often thought of as the very antithesis of plan zoning. ² When considering spot zoning, courts will generally determine whether the zoning relates to the compatibility of the zoning of surrounding uses. Other factors may include; the characteristics of the land, the size of the parcel, and the degree of the "public benefit." **Perhaps the most important criteria in determining spot zoning is the extent to which the disputed zoning is consistent with the municipality's comprehensive plan.**

Counties and municipalities both adopt comprehensive plans for the purposes of stating their long term planning objectives, and addressing the needs of the community in one comprehensive document that can be referred to in making many zoning decisions over time.

Comprehensive plans also typically map out the types (and locations) of future land use patterns which the municipality (or county) would like see -- again, these provide guidance for changes in the zoning ordinance and zoning district maps.

The key point: rezonings should be consistent with the policies and land use designations set out in the comprehensive plan.

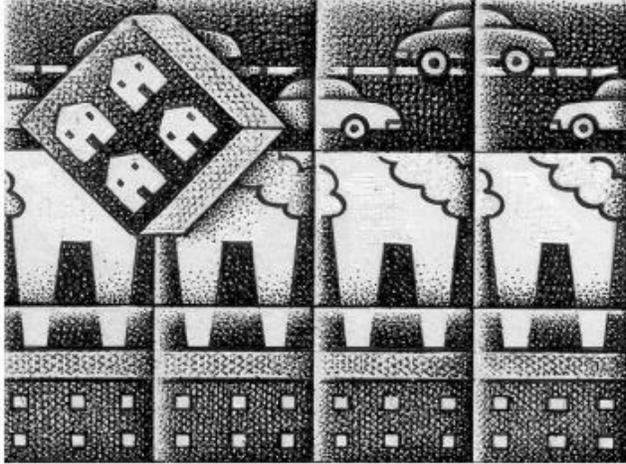


illustration by Paul Hoffman for PlannersWeb

Importantly, each claim of spot zoning must be considered based upon its own factual scenario. Indeed, some courts engage in a cost/benefit analysis to determine whether the challenged zoning is spot zoning.

For instance, in *Griswold v. Homer*,³ the Alaska Supreme Court found spot zoning to exist by considering a cost benefit analysis, as well as the size of the parcel in question and the rezoning in relationship to the comprehensive plan. Critically, it found that the spot zoning was absent because, among other things, the underlying ordinance resulted in genuine benefits to the City of Homer as a whole, and not just to the particular land owner.

Although courts often find spot zoning where the challenged zone is surrounded by other incompatible zones, spot zoning is less likely to occur when the rezoning has “slopped over” by the extension of the perimeter of an existing zone to include the rezoned area.



illustration by Paul Hoffman for PlannersWeb

Additionally, improper spot zoning is less likely when the disputed area is characterized by mixed uses or transitional areas. In other words, spot zoning is more frequently found in residential than in commercial neighborhoods.

When holding that spot zoning is invalid, some courts will couch their ruling in in terms of substantive due process -- in other words, that the rezoning was not “reasonably related” to a legitimate state interest. Other courts will frame a ruling upon equal protection principles. ⁴

Regardless, when courts declare such rezoning invalid they must base their declaration on: (1) the lack of connection of the rezoning to a legitimate power or purpose; (2) the lack of the rezoning’s conformity to the comprehensive plan; or (3) the rezoning’s representing an unreasonable inequality in the treatment of similarly situated lands. See, e.g., *Hanna v. City of Chicago* ⁵ (spot zoning occurs when a relatively small parcel or area is rezoned to a classification out of harmony with the comprehensive plan).

Rebutting Spot Zoning

Spot zoning, however, may be rebutted when the challenged zoning is found to be consistent with a municipality’s recent zoning trends in the area, not just with the present surrounding uses. ⁶ To illustrate the importance that each factual scenario must be closely addressed, rather than merely labeled, it should be noted that one Illinois court found that the rezoning of small parcels inconsistent with the zoning of surrounding areas is not necessarily unlawful. ⁷ The size of a parcel is just one factor to be considered in determining spot zoning.

A claim of spot zoning may also lack merit, for instance, when the zoning or planning regulations consider the boundaries of the property in dispute to contain a line of demarcation between zoning districts which would appropriately separate one zoning district from another. ⁸

Most importantly though, if the zoning is enacted in accordance with a comprehensive plan, it is typically not “spot zoning.” ⁹

What's a Planning Commission to Do?

When considering zoning map amendments, the planning commission or board must not only determine whether the petitioner has satisfactorily responded to the traditional standards in support of his or her application, but it should also closely scrutinize whether a potential exists for spot zoning. In doing so, the commission should look at the comprehensive plan and the surrounding uses to the property at issue.

While the commission is not qualified to make legal determinations of spot zoning, it is nonetheless the gatekeeper of identifying that such an issue may exist. It is therefore appropriate for the commission to defer its decision and consult with its municipal attorney *before* voting to approve the rezoning and referring it to the governing body for adoption.

Summing Up:

Spot zoning must be addressed upon the facts and circumstances of each case. As such, when faced with allegations of spot zoning, the courts will closely look at factors such as the size of the parcel; the anticipated public benefit; the consistency with the community’s comprehensive plan; and the consistency with surrounding zoning, and uses, to make a determination of the validity of the rezoning.



Dan Shapiro is a partner with the law firm of Robbins, Salomon and Patt, Ltd in Chicago, Illinois. He practices in the areas of land use, zoning, governmental relations, municipal law, and civil litigation.

Dan represents a wide variety of private developers as well as governmental entities and advises his clients closely on issues of concern. As part of his practice, he has successfully presented legislative and administrative matters before plan commissions, zoning boards, and other village, city, and county bodies.

Dan also is an adjunct professor teaching land use at Kent Law School in Chicago, and is the Chairman of the Village of Deerfield (Illinois) Plan Commission.

Julie Engebretsen

From: Frank Griswold <fsgriz@alaska.net>
Sent: Monday, March 19, 2018 10:55 PM
To: Department Planning
Cc: Julie Engebretsen; Rick Abboud; Katie Koester
Subject: Spot Zoning CBD to GC1

Dear Commissioners,

According to the Alaska Supreme Court, spot zoning is the legal term of art for a zoning decision which affects a small parcel of land and which is found to be an arbitrary exercise of legislative power. The constitutional guarantee of substantive due process assures only that a legislative body's decision is not arbitrary but instead based upon some rational policy. The "classic" definition of spot zoning is "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners. Spot zoning is the very antithesis of planned zoning.

The main inquiry is whether the zoning action bears a substantial relationship to the general welfare of the general community. *Save a Neighborhood Env't v. City of Seattle*, 101 Wash. 2d 280, 286, 676 P.2d 1006 (Wash. 1984). Professor Richard L. Settle wrote as follows in Washington Land Use and Environmental Law and Practice: "The vice of "spot zoning" is not the differential regulation of adjacent land but the lack of public interest justification for such discrimination. Where differential zoning merely accommodates some private interests and bears no rational relationship to promoting legitimate public interest, it is 'arbitrary and capricious' and hence 'spot zoning.'"

The Alaska Supreme Court found that rezoning Main Street for car sales and repair was beneficial to the community because it would encourage filling in vacant places in the CBD, increase the tax base and employment in the CBD, increase convenience and accessibility for local and regional customers for vehicle repairs or purchases, and promote orderly growth and development in the CBD. It further stated "if assisting Guy Rosi Sr. was the primary purpose of [Ordinance 92-18] we would invalidate it even if it was not the product of discriminatory animus." Because fiscal zoning *per se* is irrelevant to the statutory purposes of zoning, the goal of increasing the tax base and employment opportunities is usually legitimate only if the ordinance is otherwise reasonable and in accordance with the comprehensive plan. In the 20 (+) years since Main Street was rezoned to allow car lots and vehicle repair facilities, not a single car lot or vehicle service facility has been established along Main Street. Ergo, no vacant lot has been infilled with these uses, the tax base and employment has not been increased, there has been no increase in convenience or accessibility for local or regional customers for vehicle repairs or purchases, and orderly growth and development in the CBD was not promoted. Promoting orderly growth and development was the reason vehicle sales and service were prohibited along Main Street in the first place. It is now crystal clear that assisting Guy Rosi Sr. was the sole purpose for rezoning Main Street. No rezoning at all would have been even more effective in limiting the negative impact and the owners of CBD property that was not similarly rezoned were arbitrarily discriminated against. See footnotes 7 and 8 of February 1997 APA Alaska Chapter Newsletter Article "More Planning and Zoning Law from the Alaska Supreme Court" by former Homer City Attorney Lee Sharp (provided separately along with other informational materials).

Like Ordinance 92-18, the current proposal to rezone the eastern portion of the CBD to GC1 constitutes spot zoning. There is no public interest need or justification for this proposed rezone. The late Polish philosopher Leszek Kolakowski, in what he called the Law of the Infinite Cornucopia, stated that there is never a shortage of arguments to support any doctrine one wants to believe in for whatever reasons. Thomas Paine stated, "A

long habit of not thinking a thing wrong gives it a superficial appearance of being right." The Commission and Council should acknowledge that spot zoning is wrong and let the CBD be.

Frank Griswold

APA Alaska Chapter Newsletter Article

MORE PLANNING AND ZONING LAW FROM THE ALASKA SUPREME COURT

By Lee Sharp

February 1997

During the last year, the Alaska Supreme Court (hereafter, Court) has handed down several important announcements in the field of planning and zoning. In the Lazy Mountain Land Club¹ case the Court made it clear that before a municipality may implement zoning regulations, it must have in place a comprehensive plan. In Price v. Dahl², the Court clarified its Lazy Mountain Land Club ruling by noting that zoning regulations adopted before the comprehensive plan was adopted could be enforced so long as they comply with a comprehensive plan adopted after the zoning regulations, but before the regulations are enforced. More recently, the Court handed down its decision in Thane Neighborhood v. City and Borough of Juneau,³ holding that under the Juneau zoning ordinance, when a permit for an entire mining operation had to be obtained, the planning commission could not give what amounted to final approval to a first phase or portion of a permit when the code required evaluation of all impacts of the operation before a permit could be granted. In the most recent case, Griswold v. City of Homer,⁴ the Court addressed the questions of spot zoning and conflict of interest. This article will discuss the spot zoning portion of the Griswold case. A later article will discuss the Alaska Supreme Court's rather negative (but justified) view of phased permitting as expressed in the Thane Neighborhood case.

The Facts

The Homer zoning code prohibited auto dealerships in its Central Business District (CBD). The proposal to permit auto dealerships anywhere in the CBD was not universally accepted. After much time, massaging and compromising, a proposal approved by the planning commission to allow motor vehicle sales and services on 13 lots in Homer's CBD was passed by the Homer City Council. Mr. Griswold claimed that the ordinance constituted spot zoning and was therefore invalid.

The Homer CBD encompassed over 400 acres consisting of approximately 500 lots. The area to be rezoned was a portion of Main Street containing 7+ acres in 13 lots. Several years prior to the rezoning, the owner of a lot abutting the area that later became the subject of the rezoning had applied for a conditional use permit for automobile sales and services but was denied by the planning commission which found that automobile sales were not consistent with the purpose of the CBD, were not in harmony with the comprehensive plan and would negatively impact the character of the neighborhood. This owner then applied for and received a contract rezone⁵ of the lot to General Commercial 1 which allowed auto sales. Four years later, this

person's father, who owned Lot 13, adjacent to his son's contract-zoned lot, requested that the zoning code be amended to allow vehicle sales and related services within the CBD. When this request was not granted, he then asked that Lot 13 be rezoned for that purpose. After considering the request, the commission determined to allow automobile-related services on a portion of Main Street and noted its desire to rezone this person's property to allow vehicle sales. The staff had recommended the change be extended to the entire CBD or to nowhere, and the city attorney had stated that the proposed ordinance would be difficult to enforce and defend. The council adopted the ordinance allowing vehicle sales and services on a portion of Main Street in the CBD.

The Court's Analytical Framework

The Court began its analysis by noting that the ordinance was a legislative act of the city council (not a zoning board decision), and was therefore to be given great deference by the Court with respect to the correctness of the legislative judgment. It warned, however, that it would invalidate zoning decisions that are the result of prejudice, arbitrary decision-making or improper motives, or where the legislative decision has no reasonable relationship to a legitimate government purpose. It is, the Court said, a difference between zoning that is based on objective factual evidence on the one hand and zoning without a rational basis on the other.

After examining some of the judicial descriptions of "spot zoning," the Court set out three factors to be considered in a spot zoning analysis. These are:

1. the consistency of the amendment with the comprehensive plan,
2. the benefits and detriments of the amendment to the owners, adjacent landowners, and community, and
3. the size of the area that is rezoned.⁶

Consistency With The Comprehensive Plan

The city was able to point to policy statements in the comprehensive plan with which the rezoning was consistent, and these were apparently sufficient in the view of the trial court to outweigh the alleged inconsistencies, including the prior commission finding that such use was inconsistent with the CBD. Unless there is clear error in the trial court's findings of fact, the Alaska Supreme Court does not disturb a trial court's findings at trial. The Court set out the different facts that were shown at trial that demonstrated either consistency or inconsistency with the comprehensive plan. The Court appeared to indicate that, on balance, the facts would have supported a denial as well as the approval of the zone change. However, because the trial court's finding of consistency was not clear error, the Court approved the trial court's finding that the facts supported consistency with the comprehensive plan.

Effects On Community, Individual and Others

The Court then examined the effects of the small-parcel zoning on the parcel owner and on the community. After noting the negative and the positive impacts on the community, the Court held that in light of the deference it must give to the decisions of the legislative policy maker (the City Council), and to the findings of the trial court, it could not hold that the ordinance was arbitrarily or capriciously adopted.

While examining the question of the benefit to the property owner, the Court issued a clear warning that while a small-parcel rezoning to accommodate the needs of a long standing businessman in the community was understandable, it would not justify a rezoning and, if the primary purpose of the ordinance is to assist a particular property owner, such a rezoning would constitute arbitrary discrimination and would be invalidated. The problem of arbitrary discrimination can be addressed by the city showing community benefits. Here, the city showed that by limiting the rezoning to a small area, it minimized the negative impact of auto-related uses on other areas.⁷

The Size Problem

While examining the effect of the size of the rezoned area on the spot zone analysis, the Court stated that the size of the area should not be considered more significant than other factors to be considered. A parcel is not necessarily so small as to require an automatic ruling of spot zoning, and a parcel cannot be too large under certain circumstances to preclude a finding of spot zoning. The Court was also sensitive to the fact that simply adding more parcels to a rezoning would not necessarily avoid a finding of spot zoning, particularly where it appeared that the additional parcels were added as a subterfuge to obscure the purpose of benefiting a particular landowner. The Court held that in this case the size of the area being rezoned (7+ acres, 13 lots), when compared to the size of the entire CBD (400 acres, 500 lots), was not in itself sufficient to convince the Court that the city's decision was based upon prejudice, arbitrary decision-making or improper motives. The Court also noted that it was not necessary to compare the rezoned area to the entire area of a CBD as the comprehensive plan recognized the possibility of subzones, and the City clearly considered significant portions of the CBD to be inappropriate for automobile sales and services. When these areas (which the Court did not quantify) were deleted from the CBD, the rezoned area on Main Street became a more significant part of a remaining CBD.⁸

Comments

The Court appears to have been troubled by the apparently substantial showing of certain inconsistencies with the comprehensive plan, negative impacts upon the plan and the community, and the stated intent of the planning commission to benefit a single property owner. It also cast doubt on how willing it would be to accept increasing the tax base and local employment as legitimate bases for a rezoning. This case does not draw any bright lines upon which we may rely in analyzing potential spot zoning problems; however, it does provide us with the elements at which the Court will look when reviewing rezoning challenges based on spot-zoning. In my view, the Court upheld the rezoning not so much because it was clear that spot zoning was not involved, but because the evidence that supported the argument for spot zoning did not so

excessively outweigh the city's evidence that the Court felt compelled to interfere with the discretion of the city council and the findings of the trial court. I recommend that you obtain a copy of the opinion, that you read and digest it and consider whether this decision might be an appropriate topic for a work session with your commission, staff, and department director.

J:\GLS\SEMINARS\MORE.DOC

¹Lazy Mountain Land Club v. Matanuska-Susitna Borough, 904 P.2d 373 (AK 1995).

²912 P.2d 541 (Alaska, 1996).

³Alaska Supreme Court, Opn. No. 4395, Sept. 6, 1996.

⁴Alaska Supreme Court, Opn.No. 4419, Oct. 25, 1996.

⁵Prior to its revision in 1985, Title 29 of the Alaska Statutes had specific authorization for the questionable practice of contract zoning. This language was removed from the statutes in the 1985 revision on the basis that since zoning was a legislative matter which could not be contracted away, the statute invited municipalities to engage in a zoning process that had been rejected by courts in other states. The validity of the contract zoning in this case was not challenged, nor has contract zoning been challenged in Alaska in a case that has gone to the Alaska Supreme Court. One other contract zoning case has been before the Supreme Court, but the question was the notice to which the property owner was entitled before the city could implement a change in the zone. City of Homer v. Campbell, 719 P.2d 683 (Alaska 1986).

⁶Griswold, *supra* at 11.

⁷This rationale is questionable as it leads to the conclusion that the smaller the parcel, the more the city has limited the negative impact; therefore, the smaller, the better! No rezoning at all would have been even more effective in limiting the negative impact.

⁸There is a certain logical inconsistency with this approach. If one compares the area of a rezoned property to the other area within the district that is also appropriate for the same rezoning, isn't there arbitrary discrimination against the owners of those parcels that are appropriate for rezoning, but which are not rezoned? On the other hand, if only the area that is rezoned is determined to be appropriate for the rezoning, then the size analysis drops out of the equation altogether.

Letters to the editor

Posted: Thu, 03/08/2018 • 8:58am

CBD change would be spot zoning

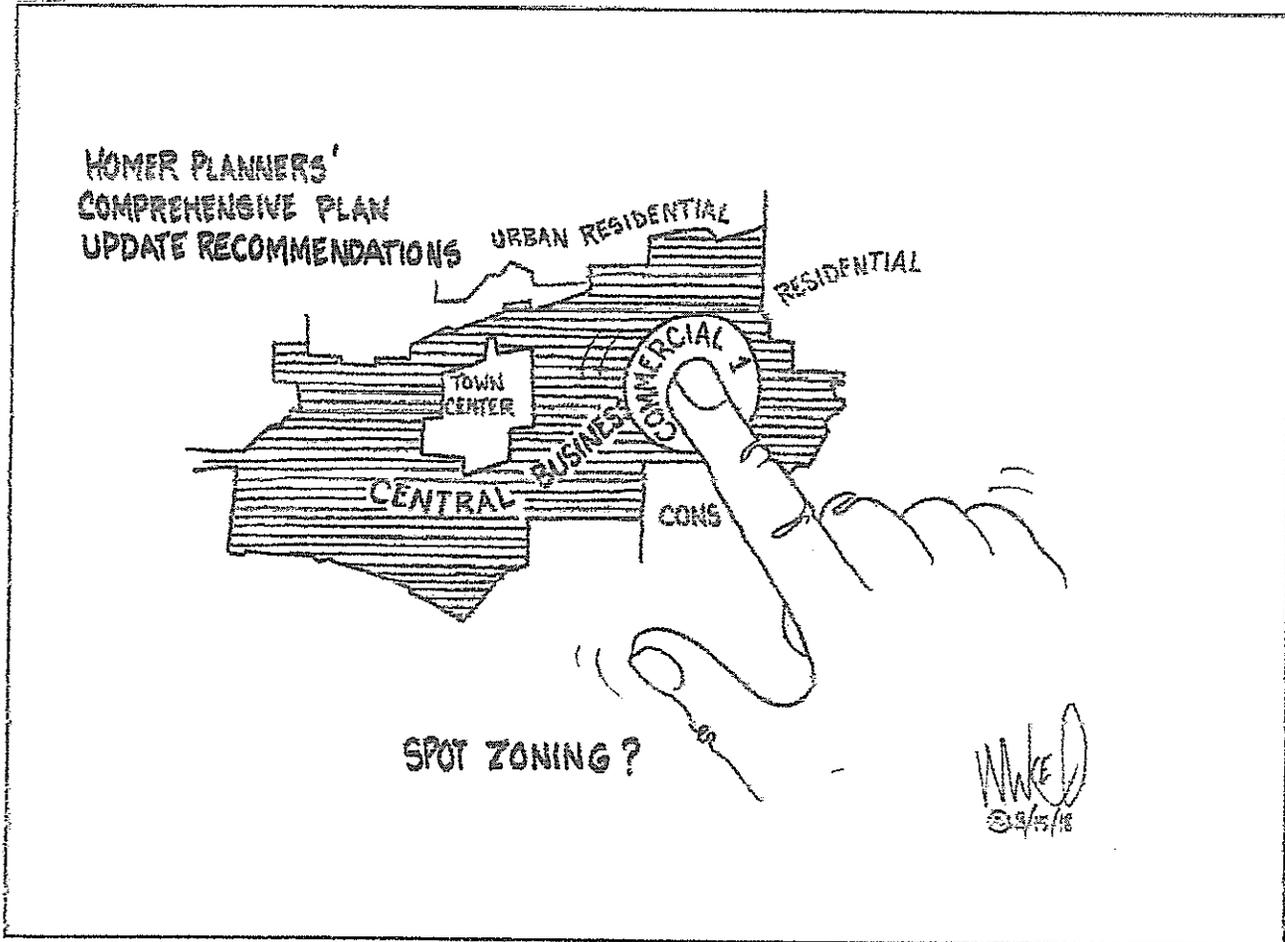
Objective B of the Draft 2018 Comprehensive Plan Update includes the following Implementation Strategy: "Support infill of existing commercial districts prior to expansion of a district." Despite the facts that the GC1 district is far from "infilled" and, according to City Planner Rick Abboud, "no one in particular requested the change," the Draft Land Use Recommendations Map promotes rezoning the area between Heath Street and Lake Street (and slightly beyond) from CBD to GC1. This rezone would allow the following commercial uses in the heart of Homer: car lots, vehicle repair shops, lumber yards/building supply stores, heavy equipment sales/rental/repair, RV parks/sales/service, warehousing, commercial storage, dry cleaning/laundry, unlimited taxi operations, industrial trade, car washes, junk yards (non-automotive), extractive enterprises, kennels, boat storage and open air businesses including outdoor pet crematoriums, and outdoor sales of firearms, fireworks, livestock, and drugs. Outdoor recreational activities, indoor crematoriums (human and pet), and public utilities would be allowable via conditional use permit. Most of these uses conflict with (proposed) Goal 2: "Maintain the quality of Homer's natural environment and scenic beauty." Furthermore, the proposed rezone plops a small island of incompatible commercial uses among two residential districts and the remaining CBD, which includes a mix of retail businesses, civic uses, educational institutions, and residences. This constitutes classic spot zoning and spot zoning is illegal in Alaska. Mr. Abboud emailed me: "Be assured that I have studied spot zoning and apply my knowledge to all zoning proposals." I am not assured on either count.

Frank Griswold

OPINION

THURSDAY, MARCH 15, 2018

HOMER NEWS



Beverly Guyton

From: Tans, Gordon-ANC [GTans@perkinscoie.com]
 Sent: Tuesday, February 25, 2003 3:24 PM
 To: Zak Tucker (E-mail)
 Cc: Walt Wrede (E-mail)
 Subject: contract rezoning application

Zak,

my recent review of the contract rezoning question caused me to look at the contract rezoning application. I think the application misses almost all of the important questions. It should be revised to require the applicant to give answers to the kinds of questions that I discussed in my recent letter. In particular, it should ask questions like these:

"How is this rezoning consistent with the purposes of the Homer comprehensive plan? In answering, provide references to specific provisions of the comprehensive plan."

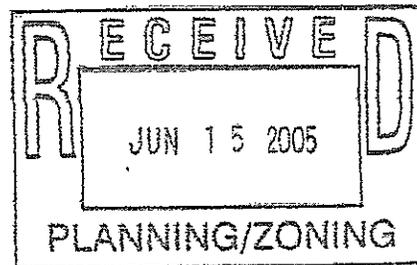
"Describe the public purposes served by this rezoning."

"Describe the benefits and detriments of this proposed rezoning to (a) the community, (b) the neighboring landowners, and (c) the property owner (you.)"

Basically, my idea is this. The legal burden is on the landowner requesting the change to prove that all of the elements for rezoning, as described in Griswold v. Homer (the 1996 decision), are satisfied. He or she should tell the commission how the proposal meets the applicable tests.

The 1996 Griswold opinion should be required reading by all commission members before they decide to grant or deny the Hodnik or any other rezoning application of any size.

Gordon Tans
gtans@perkinscoie.com
Anchorage, Alaska



PERKINS COIE LLP

1029 WEST THIRD AVENUE, SUITE 300 • ANCHORAGE, ALASKA 99501-1970
TELEPHONE: 907 279-8561 • FACSIMILE: 907 276-3168

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GORDON J. TANS
TANS@PERKINS-COIE.COM

April 3, 1998

Mayor Jack Cushing
City Council
City of Homer
P. O. Box 3339
Homer, AK 99603

Re: Zoning -- Legitimate Objectives of Zoning

Dear Mayor Cushing and Members of the Council:

Council Member Parks recently asked two questions in the context of considering an amendment to the zoning code to allow car washes as conditional uses in the CBD:

1. Are any of the following objectives legitimate reasons to amend a zoning ordinance?
 - a). Increase business competition;
 - b). Build the tax base;
 - c). Increase sales tax revenues;
 - d). Create jobs.

2. Does a non-conforming ("grandfathered") use set a precedent, or serve as a valid reason to amend the code to allow similar establishments as conditional uses throughout the zone?

DISCUSSION

I. LEGITIMATE OBJECTIVES OF ZONING

In questioning the legitimate objectives of zoning legislation, a distinction must be drawn between the objective or purpose accomplished by the ordinance and the

(13126-05007AA030030.003)

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motives of the individual City Council members. The motives of the individuals are essentially irrelevant, and the courts will not question them on their individual intent. Instead, the court seeks to discover the intended effect of the ordinance by examining the language of the ordinance and its probable effect. If there is ambiguity in the language, they may examine extrinsic facts, including legislative history. "But they seek the objective purpose of the ordinance, not the motives of the legislators who adopted it." 1 Anderson's American Law of Zoning § 7.01 at 733 (4th ed. 1996).

Anderson's American Law of Zoning devotes an entire chapter of 97 pages to a discussion of the legitimate objectives of zoning. In comparison, this summary will be exceedingly brief. In the most general terms, a zoning ordinance will be upheld if it has a tendency reasonably to serve the public health, safety, or general welfare. *Id.*, § 7.03 at 735; see *Seward Chapel, Inc., v. City of Seward*, 655 P.2d 1293 (Alaska 1982).

The Homer zoning code states proper objectives in its statement of purpose, H.C.C. § 21.28.020, which provides:

This chapter and chapters 21.30 through 21.70 are adopted in order to enhance the public health, safety and welfare by providing local authority to:

- A. Designate, regulate and restrict the location and use of buildings, structures and land for residence, commerce, trade, industry or other purposes;
- B. Regulate the height, number of stories, and size of buildings and other structures hereinafter erected or alterations to existing buildings;
- C. Regulate and determine the size of yards and other open spaces;
- D. Regulate and limit the density of population;
- E. Conserve and stabilize the value of property;
- F. Provide adequate open spaces for light and air; and to prevent and fight fires;
- G. Prevent undue concentration of population;
- H. Lessen congestion on streets and highways;
- I. Promote health, safety and general welfare.

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These are typical zoning purposes, all of which are discussed in Chapter 7 of Anderson's American Law of Zoning.

The health objective includes such purposes as providing adequate light and air, relieving overcrowding of land or undue concentration of population, and providing adequate recreation areas. The safety objective includes such things as lessening congestion in the streets, traffic control, restriction of commercial uses, and avoidance of flood hazards, to name a few. Providing for the general welfare of the community is another legitimate objective, which includes the preservation of pleasing aesthetic values¹ and the avoidance of common law nuisance uses.

One section of the Standard State Zoning Enabling Act (a model act) states one objective of zoning is "conserving the value of buildings and encouraging the most appropriate use of land throughout the community." 1 Anderson's American Law of Zoning, § 7.12 at 753. This is generally accepted as a legitimate objective. In other words, zoning may prohibit uses that will have a tendency to destroy or diminish existing property values.

The use of zoning ordinances to achieve economic objectives, such as the four objectives cited in your question, presents a complex question. Courts generally disapprove of the use of zoning to regulate or restrict business competition. *Id.*, § 7.28 at 805. See *Earth Movers of Fairbanks, Inc., v. Fairbanks North Star Borough*, 865 P.2d 741, 744 (Alaska 1993) ("The prevention of competition is not a proper element of zoning.") However, almost all zoning regulation has some impact on competition, so it is difficult to isolate those regulations that are intended solely or primarily for the purpose of regulating business competition. Because of this, courts will approve zoning ordinances that serve some established purpose of zoning, and will not find them invalid simply because they have the additional effect of limiting competition. 1 Anderson's American Law of Zoning § 7.28 at 807. Anderson's cites several examples where the denial of permits for new businesses was held to be improper where the denial was based in large part on the existence of an ample number of like businesses in the vicinity. *Id.* at 809.

¹ *Barber v. Municipality of Anchorage*, 776 P.2d 1035, 1037 (Alaska 1989) cert. denied 493 U.S. 922. ("It is established that the government's interest in aesthetics is substantial and should be accorded respect.")

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While the preservation of the value of property is generally accepted as a legitimate objective of zoning, there seems to be a tendency for courts to disapprove zoning ordinances whose sole or principal purpose is producing property or sales tax revenue. *Id.*, § 7.30 at 819-820. However, it may also be said that a zoning ordinance calculated to encourage sound community development seems bound to enrich the tax rolls; such a secondary effect on tax revenues does not render the measure invalid. *Id.* I think the distinction here is that a zoning ordinance that has as its apparent purpose the production of revenue at the expense of the community's general welfare will be invalid, while an ordinance that has as its purpose the advancement of the community's general welfare will be valid, even though it has a secondary effect of increasing the tax base or generating additional sales tax revenues.

Zoning for the purpose of creating jobs should be looked at in the same way. For example, zoning an area of the city for industrial uses in the hope that industry will locate in the city, create jobs, and add to the economic well-being and general welfare of the city, is a legitimate objective of zoning. However, changing existing zoning to put an industrial plant in the middle of a residential area may have a harmful effect on the general welfare of the community, even though it might generate the same number of jobs and economic activity in the city. Thus, the critical question is whether the zoning change promotes the general health, welfare and safety of the community, not whether it creates jobs, although the creation of jobs may be a beneficial effect that does help promote the general welfare of the community.

The decision of *Griswold v. City of Homer*, 925 P.2d 1015, 1023 n.9 (Alaska 1996) discussed the legitimacy of economic purposes for zoning. Concerning the validity of the Homer Comprehensive Plan's objectives of filling in vacancies in the CBD and increasing the tax base and employment, the court said:

Not all of the goals articulated by the City can be considered legitimate *per se*. For example, any zoning change which casts restrictions on property use could be said to further the goal of "filling in vacant places." Similarly, increasing the tax base and the employment of a community is not automatically a legitimate zoning goal. See *Concerned Citizens for McHenry, Inc. v. City of McHenry*, 76 Ill.App.3d 798, 32 Ill.Dec. 563, 568, 395 N.E.2d 944, 950 (1979) (an increase in the tax base of the community as the primary justification for a rezone is "totally violative of all

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the basic principles of zoning"); *Oakwood at Madison, Inc. v. Township of Madison*, 117 N.J. Super. 11, 283 A.2d 353, 357 (1971) (finding that "fiscal zoning *per se* is irrelevant to the statutory purposes of zoning [although] 'alleviating tax burden is a permissible zoning purpose if done reasonably and in furtherance of a comprehensive plan) (citing *Gruber v. Mayor and Tp. Committee of Raritan Tp.*, 39 N.J. 1, 186 A.2d 489, 493 (1962))"; *Chrobuck v. Snohomish County*, 78 Wash.2d 858, 480 P.2d 489, 497 (1971) (allowing industrial development on only one site would be arbitrary spot zoning despite the potential tax revenue the oil refinery would produce). Thus, the goal of increasing the tax base and employment opportunities is usually legitimate only if the ordinance is otherwise reasonable and in accordance with the comprehensive plan.

Some courts have allowed inconsistent small or single parcel rezoning in order to raise tax revenues or stimulate needed industry if the public receives higher tax revenue or employment industries. *Ziegler, supra*, § 28.04, at 28-20. Generally, the facility being built must be indisputably needed, and the city must have secured assurance as to the existence and amount of increased employment and tax revenue. For example, in *Information Please Inc. v. County Comm'rs of Morgan County*, 42 Colo.App. 392, 600 P.2d 86 (1979), the county rezoned agricultural area to industrial to accommodate an electric utility after determining the plant would add \$46,000,000 to the tax base of the county, and provide approximately 250 jobs after it was completed. *Id.* 600 P.2d at 88. In *Watson v. Town Council of Bernalillo*, 111 N.M. 374, 805 P.2d 641, 647 (App. 1991), the county made findings that the rezone would employ eighty-seven people from the community and would produce tax revenues constituting twenty-five percent of the city's budget. In *Chrismon v. Guildford County*, 322 N.C. 611, 370 S.E.2d 579, 590 (1988), the court approved the rezoning of two continuous tracts from agricultural to conditional use industrial district to facilitate expansion of an already-operating grain elevator. The court stated that the "[e]vidence clearly shows that [the owner's]

Alan Parks
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operation is beneficial to area farmers." *Id.* It also noted that spot zoning will be allowed even where the adjacent property owners object and the owner receives a greater benefit than others if there is a community-wide need for the rezone. *Id.*

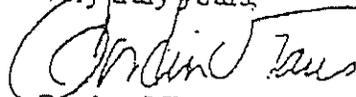
Thus, economic purposes, if the primary objective of zoning, are viewed with considerable suspicion. However, if the zoning otherwise advances the community's health, safety, or general welfare, economic benefits from the zoning are usually welcome.

II. NON-CONFORMING USE AS PRECEDENT OR REASON TO ALLOW OTHER SIMILAR ESTABLISHMENTS

Generally, the existence of a non-conforming "grandfathered" use in a zoning district is not a legal precedent that would allow other similar establishments to open in the zone. To the contrary, the ordinance serves as the legal precedent saying that such establishments are not to be allowed in the zoning district. Therefore, the controlling legal precedent is the ordinance that prohibits the use.

However, that is not to say that changing conditions, ~~changing~~ public policies, or other legitimate reasons might exist to change the code to allow a use that was once prohibited. In other words, in addressing the question of whether the law should be changed to allow the use within the zone, one may look to the presence of an existing car wash and the effect it has on the zone in considering whether car washes should or should not be generally allowed within the district.

Very truly yours,


Gordon J Tans

GJT:go



1029 West Third Avenue, Suite 300
Anchorage, AK 99501-1981
PHONE: 907.279.8561
FAX: 907.276.3108
www.perkinscoie.com

February 25, 2003

VIA FACSIMILE AND
U.S. MAIL

Homer Advisory Planning
Commission
City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Re: Contract Rezoning and Spot Zoning

Dear Members of the Commission:

You have asked for my advice about whether contract rezoning under HCC 21.63 is unlawful spot zoning.

Short Answer

Whether the contract rezoning is "spot zoning" depends on whether the rezoning in question bears a reasonable relationship to legitimate public purposes. This requires a case-by-case analysis of how the proposed rezoning satisfies the comprehensive plan, and the benefits and detriments of the rezoning on the property owner, neighbors, and the community at large.

"Contract rezoning" is sometimes found to be illegal or unconstitutional. The Alaska Supreme Court has never decided this issue, and courts from other states are divided. If the city does not contract away any legislative authority, "contract rezoning" is probably not illegal *per se*. If the contract rezoning has a reasonable relationship to legitimate public purposes and the conditions imposed on the property are causally related to the rezoning, then the rezoning would probably withstand "as applied" scrutiny as well.

Spot Zoning

It is important to understand first that contract rezoning is a form of rezoning that involves, most likely, small parcels. Rezoning of a small parcel is a legislative act.

[13126-0500/AA030520.018]

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Perkins Coie LLP (Perkins Coie LLC in Illinois)

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Cabana v. Kenai Peninsula Borough, 21 P.3d 833 (Alaska 2001). It must be accomplished by ordinance and satisfy the standards that generally apply to zoning legislation, subject to any specific requirements or exemptions made applicable by HCC Chapter 21.63.

"Spot zoning" has been defined as "the legal term of art for a zoning decision, which affects a small parcel of land and which, is found to be an arbitrary exercise of legislative power." *Griswold v. City of Homer*, 925 P.2d 1015, 1020 n. 6 (Alaska 1996). By this definition, spot zoning always involves a small parcel and is illegal. However, not all small parcel zoning is illegal spot zoning. The ultimate question is whether the legislation is the result of "prejudice, arbitrary decision-making, or improper motives." *Id.* at 1019. If the rezoning has a reasonable relationship to a legitimate public purpose, it is not arbitrary and, therefore, is not be unlawful spot zoning.

One of the factors that must be determined before a contract rezone application can be approved is that the rezoning "does not constitute spot zoning." HCC 21.63.020(b)(1). In other words, the Planning Commission must make an express (and reasonable) determination that the rezoning is for a legitimate public purpose and not arbitrary. Because this ordinance must subsequently be approved by the City Council, the Council must also accept that determination if it approves the rezoning.

In determining whether a rezoning constitutes "spot zoning," our court has said it will consider "(1) the consistency of the amendment with the comprehensive plan; (2) the benefits and detriments of the amendment to the owners, adjacent landowners, and community; and (3) the size of the area rezoned." *Griswold*, at 1020. No one of these factors is controlling, but the court will probe in each one of these areas looking for the expression of legitimate public purpose justifications reasonably related to the rezoning. In the end, the court is looking to see if the rezoning is motivated by community benefits rather than primarily to benefit a particular property owner.

It must be concluded that this parcel, less than one acre in size, will be deemed to be a small parcel. That does not mandate the conclusion that this is spot zoning, however. "A parcel cannot be too large per se to preclude a finding of spot zoning, nor can it be so small that it mandates a finding of spot zoning." *Griswold* at 1024. However, it is reasonable to suspect that court may require a smaller parcel rezone to be supported by a greater or clearer expression of legitimate public purpose than a large parcel.

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Any proper rezoning, regardless of size, should include a thoughtful examination of how the rezoning is consistent with the comprehensive plan and how it benefits the owners, adjacent landowners, and the community. Legitimate *public purposes* must underlie the approval of any zoning legislation. Therefore, if the Planning Commission and the City Council conclude that a rezoning is not arbitrary, but rather bears a reasonable relationship to legitimate public purposes, and those conclusions are supported in the legislative record, the rezoning will likely be found to not be spot zoning.

In reviewing a particular rezoning application, the Planning Commission should review and discuss every one of the factors that the *Griswold* court said were relevant.

Contract Rezoning

Sometimes contract rezoning (regardless of the size of the parcel) is found to be unlawful. Our Supreme Court once made this observation in a case involving the City of Homer's revocation of a rezoning contract:

No argument has been made [by the parties in the case] that contract zoning is itself unconstitutional and therefore for the purposes of this case we assume that it is not. We note, however, that there are authorities which hold that contract zoning is unconstitutional. See 1 P. Rohan, *Zoning and Land Use Controls* § 5.01[3] (1986).

City of Homer v. Campbell, 719 P.2d 683, 685 n. 3 (Alaska 1986). Note carefully that the court did not say contract rezoning was unconstitutional. It said some authorities hold that it is, but the reverse is also true — some courts hold that it is not. Our court made no decision because the issue had not been raised. No subsequent Alaska case has raised this issue, either.

The court in the *Campbell* case cited 1 P. Rohan, *Zoning and Land Use Controls* § 5.01[3] (1986). In the 1993 update of the same treatise, chapter 5.01, entitled "Contract and Conditional Zoning," occupies 169 pages of text. The subject is not simple, and any attempt to summarize the law must, of necessity, gloss over many fine nuances. Nevertheless, the following "brief" discussion may be of some help to you.

Bearing in mind that he is not discussing Alaska statutes or court decisions, Rohan distinguishes contract zoning from conditional zoning in this way:

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[T]he negotiation of zoning conditions has been at times almost indistinguishable from the process of negotiating a contract. After all, an exchange of promises may ultimately lie at the heart of the process. Such an exchange may be a power of the state, but it is usually not authorized by a state's enabling zoning legislation and thus not clearly within a locality's authority. This state of affairs led initially to many decisions striking down zoning with conditions, and, although this trend has been reversed in recent years, conditional zoning remains subject to similar challenges today.

Thus, initially, when localities attempted to impose conditions on a developer seeking to rezone property, the courts labeled such conditions "contract zoning" and almost uniformly struck down the governmental action. Over time, the term "contract zoning" achieved a secondary meaning not unlike the term "spot zoning." In this view, "contract zoning" was a form of judicial shorthand used to justify a decision to strike down the zoning change without careful or thoughtful analysis.

It should not be surprising, then, that advocates of zoning with conditions developed a narrower definition of "contract zoning" and coined a new phrase — "conditional zoning" — so as not to fall into the class of decisions that labeled conditions invalid per se as a class of "contract zoning." The narrow definition attempts to limit "contract zoning" to those cases where there is "... the undertaking of reciprocal obligations with respect to zoning amendment of a property user and the zoning authority. ...

... Under this approach, in a true case of contract zoning, the government agrees to rezone (and possibly agrees not to change its mind), and the developer agrees to conditions that would otherwise not be applicable to his land. On the other hand conditional zoning is analogous to a unilateral contract; the local government does not promise to rezone but either voluntarily, or through negotiation with the developer, agrees to conditions that are otherwise not required in the proposed zone. The conditions can be made a part of the zoning ordinance text or be evidenced

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by the recording of enforceable covenants binding the developer and his assignees to the negotiated conditions.

Rohan, § 5.01[2] at 5-10 through 5-13 (1993). In discussing the legality of contract and conditional zoning, Rohan continues:

As noted in the previous section, the principal difference between contract and conditional zoning is that with the latter the local government does not commit itself to any legally enforceable reciprocal promises. This distinction has a superficial attractiveness because it allows one to argue that in contract zoning the local governmental body has bargained away its police powers, while with conditional zoning no such express bargaining has taken place. The problem with this neat unilateral versus bilateral contract dichotomy is that the judicial opinions do not always follow the script. In fact, the distinction is often overlooked entirely by the courts; this may help to explain why the courts are split over the legality of conditional zoning.

Indeed, the early trend was to ignore these distinctions and to declare contract and conditional zoning invalid *per se*. The modern trend, with a few exceptions, is to ... find that conditional zoning is not *per se* invalid. However, conditional zoning may still be found invalid as applied in specific circumstances.

Id. § 5.01[3] at 5-15 through 5-19. Rohan then cites the growing use of development agreements as evidence of growing judicial and legislative support for conditional zoning, including both unilateral and bilateral agreements. He then continues:

The legality of conditions imposed on a rezoning or zoning petition should be decided on the merits of the issues involved and not by the use of the labels "contract" or "conditional" zoning. Whatever label the court attaches to the imposition of conditions that accompany a zoning or rezoning decision, the real issue is whether or not the mere act of conditional zoning is *per se* invalid and, if not, whether under the particular circumstances the inclusion of the conditions makes an otherwise valid exercise

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of the police power invalid. The principal arguments used to support the conclusion that contract or conditional zoning is "per se" invalid are that it is an illegal bargaining away of the legislative authority or that it is *ultra vires*.¹ The principal "as applied" arguments in particular cases are that the action constitutes spot zoning by singling out one parcel for nonuniform and noncomprehensive treatment, or that the conditions are not reasonably or causally related to the requested zoning or rezoning petition.

Id. at 5-21 through 5-23 (emphasis added).

Does Alaska law support the principal arguments that contract or conditional zoning are invalid *per se*? If a rezoning contract bargains away future legislative authority, it is unenforceable under Alaska law. See *Mt. Juneau Enterprises, Inc. v. City and Borough of Juneau*, 923 P.2d 768 (Alaska 1996) (a contract binding a municipality to a future legislative act is unenforceable and void as against public policy). However, a "contract" that does not bargain away legislative authority, i.e., leaves the municipality free to enact future legislation in the public interest, would not suffer from this defect.

Rohan's other principal argument for *per se* invalidity is that conditional zoning is *ultra vires*, i.e., beyond the lawful authority of the municipality. In my opinion, Alaska law does not support this argument. The land use regulation authority of municipalities is very broad. Local governments are authorized to

adopt or amend provisions governing the use and occupancy of land that may include, but are not limited to,

...

(2) land use permit requirements designed to encourage or discourage specified uses and construction of specified

¹ The *ultra vires* argument is based on the lack of authority for the local governmental unit to engage in contract or conditional zoning.

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structures, or to minimize unfavorable effects of uses and the construction of structures

AS 29.40.040(a): Further, zoning codes in Alaska are not strictly construed in favor of the property owner, *Lazy Mountain Land Club v. Matanuska-Susitna Borough*, 904 P.2d 373, 384 n. 64 (Alaska 1995). To the contrary, a liberal construction is given to all powers of a municipality under Title 29, AS 29.35.400. A municipality, unless otherwise limited by law, has and may exercise all powers and functions necessarily or fairly implied in or incident to the purpose of all powers and functions conferred in Title 29, AS 29.35.410. This broad grant of power could easily encompass conditional zoning, so it is unlikely that it would be found to be *ultra vires* under Alaska law.

Rohan's "as applied" arguments can be addressed, and eliminated, by a thoughtful rezoning decision and the imposition of reasonably related zoning conditions. As discussed earlier in this letter, the "contract rezoning" will not be spot zoning if it has a reasonable relationship to a legitimate public purpose. The conditions imposed by the "contract" must be both reasonably related to legitimate public purposes and causally related to the rezoning petition. If they are not, then they are at risk of being found arbitrary and, therefore, unlawful.

There may be a great temptation to think of a "contract rezone" as a two-party contract, but succumbing to that temptation could lead easily to exclusion of public purposes and community benefit from consideration. If that happened, the result would be at greater risk of being viewed as arbitrary and motivated by an improper motive to benefit a particular property owner. Therefore, no contract rezoning should be attempted without focusing first on the public purposes to be served and community benefit to be achieved by the rezoning.

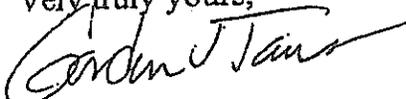
Conclusion

I think the matter boils down in essence to this: If the parcel in question can be lawfully rezoned to CBD because there is a reasonable relationship of the rezoning to legitimate public purposes and it determined that it is not "spot zoning," then it is most likely also lawful to impose conditions (restrictions) on that rezoned property by "contract rezoning" accepted by the property owner. Such restrictions should govern not only the current owner, but all future owners. This conclusion assumes that in the

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"contract" the city does not bargain away its legislative power to make future enactments, including rezonings of the property in question.²

Very truly yours,


Gordon J Tans

GJT:gjt

cc: Walt Wrede (via facsimile)
Zak Tucker (via facsimile)

² Of course, subsequent rezonings may result in application of the code provisions concerning non-conforming uses that predate the change in zoning. This possibility should not create any problems vis-à-vis the validity of the rezoning in the first place.



City of Homer Planning & Zoning

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-3106
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

January 11, 2007

Jerry Worthman
Alyeska Tire
Soldotna Store
36095 Kenai Spur Highway
Soldotna, Alaska 99669

Dear Mr. Worthman,

The purpose of this letter is to confirm our Nov. 2, 2006 telephone conversation regarding your Conditional Use Permit (CUP) 05-04 for the expansion of Alyeska Tire at 1301 Ocean Drive. We also discussed the removal of waste tires and abandoned vehicles on the property.

It is my understanding that you intend to proceed with the addition once the electrical line issue is resolved with Homer Electric Association. Looking ahead, your Conditional Use Permit (CUP) has several conditions that need to be met prior to issuance of a Zoning Permit.

1. One of the conditions on the CUP is to submit a detailed landscaping plan to the Planning and Zoning office by April 20, 2007. The Storm Water Plan that Bill Nelson prepared illustrates water retention swales surrounding the parking area. This site plan will be helpful in creating a landscape plan. Attached is a list of professionals in Homer with landscapers highlighted.
2. The Storm Water Plan also indicates an existing vegetated area in the Southeast corner of the property. The Storm Water Plan states that this area to be reserved for water retention and a vegetative buffer. Currently this area, in part, is being used for equipment storage and parking of an abandoned vehicle. Homer City Code (HCC) 21.49.020 does not allow the storage of abandoned vehicles in the GC1 zoning district. We discussed this issue on Nov. 2, 2006 and I was assured that the abandoned vehicles would be removed from the property to eliminate the violation. **Please consider this letter notification to remove ALL abandoned vehicles from the property by Feb. 15, 2007.**
3. Condition #8 on your CUP requires that "waste tire storage must be screened by a fence." We discussed this issue on Nov. 2, 2006 and I was assured that your Homer staff would remove the excess waste tires. **Please consider this letter notification to remove the excess waste tires by Feb. 15, 2007 or provide screening from public view.**

4. Keep in mind that use of mobile storage trailers is limited to one year when used in conjunction with a construction project per HCC 21.49.020 (cc). It appears there are several mobile storage trailers on site that may or may not be related to construction.

I thank you in advance for your attention to these requirements and **violations**.

Respectfully submitted,

Dotti Harness
Planning Technician and Code Enforcement
235-8121 x2239

Attached: Professional list

Cc: Beth McKibben, City Planner
Homer Advisory Planning Commission
Walt Wrede, City Manager
Alyeska Tire, Homer Store



Photo taken Dec. 26, 2006. Excess waste tire storage and mobile storage trailers at 1301 Ocean Drive, Alyeska Tire.

CITY OF HOMER
HOMER, ALASKA

Planning

ORDINANCE 03-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, AMENDING THE HOMER CITY ZONING MAP TO REZONE PORTIONS OF URBAN RESIDENTIAL DISTRICT (UR) TO CENTRAL BUSINESS DISTRICT (CBD).

WHEREAS, the Homer Advisory Planning Commission reviewed a request from the Kenai Peninsula Borough and the City of Homer to rezone properties from Urban Residential District to Central Business District, and

WHEREAS, the Homer Advisory Planning Commission held a public hearing on the matter on June 4, 2003, as required by Homer City Code, Section 21.70.020, and

WHEREAS, the Homer Advisory Planning Commission determined that the rezone did not constitute spot zoning as the properties are split by the current zoning and

WHEREAS, the Homer Advisory Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map will be amended as per attached Exhibit A, to rezone the indicated areas from the Urban Residential District (UR) to Central Business District (CBD).

Section 2. The City Clerk is authorized to sign the map and adhere to the requirements set forth in the Homer City Code, Section 21.36.020. (c).

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this
____ day of _____, 2003.

CITY OF HOMER

Jack Cushing, Mayor

ATTEST

Mary L. Calhoun, CMC, City Clerk

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Alaska Statutes

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation

Section 10. Planning, Platting, and Land Use Regulation.

previous: [Chapter 40. Planning, Platting, and Land Use Regulation](#)

next: [Section 20. Planning Commission.](#)

AS 29.40.010. Planning, Platting, and Land Use Regulation.

- (a) A first or second class borough shall provide for planning, platting, and land use regulation on an areawide basis.
- (b) If a city in a borough consents by ordinance, the assembly may by ordinance delegate any of its powers and duties under this chapter to the city. The assembly may by ordinance, without first obtaining the consent of the city, revoke any power or duty delegated under this section.

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Last modified 9/3/2005

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Alaska Statutes.

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation Section 20. Planning Commission.

previous: [Section 10. Planning, Platting, and Land Use Regulation.](#)
next: [Section 30. Comprehensive Plan.](#)

AS 29.40.020. Planning Commission.

(a) Each first and second class borough shall establish a planning commission consisting of five residents unless a greater number is required by ordinance. Commission membership shall be apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough. A member shall be appointed by the borough mayor for a term of three years subject to confirmation by the assembly, except that a member from a home rule or first class city shall be selected from a list of recommendations submitted by the council. Members first appointed shall draw lots for one, two, and three year terms. Appointments to fill vacancies are for the unexpired term. The compensation and expenses of the planning commission and its staff are paid as directed by the assembly.

(b) In addition to the duties prescribed by ordinance, the planning commission shall

- (1) prepare and submit to the assembly a proposed comprehensive plan in accordance with [AS 29.40.030](#) for the systematic and organized development of the borough;
- (2) review, recommend, and administer measures necessary to implement the comprehensive plan, including measures provided under [AS 29.40.040](#).

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Alaska Statutes.

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation

Section 30. Comprehensive Plan.

previous: [Section 20. Planning Commission.](#)

next: [Section 40. Land Use Regulation.](#)

AS 29.40.030. Comprehensive Plan.

(a) The comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the first or second class borough, and may include, but is not limited to, the following:

- (1) statements of policies, goals, and standards;
- (2) a land use plan;
- (3) a community facilities plan;
- (4) a transportation plan; and
- (5) recommendations for implementation of the comprehensive plan.

(b) With the recommendations of the planning commission, the assembly shall adopt by ordinance a comprehensive plan. The assembly shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary.

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Alaska Statutes.

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation Section 40. Land Use Regulation.

previous: [Section 30. Comprehensive Plan.](#)

next: [Section 50. Appeals From Administrative Decisions.](#)

AS 29.40.040. Land Use Regulation.

(a) In accordance with a comprehensive plan adopted under [AS 29.40.030](#) and in order to implement the plan, the assembly by ordinance shall adopt or amend provisions governing the use and occupancy of land that may include, but are not limited to,

- (1) zoning regulations restricting the use of land and improvements by geographic districts;
- (2) land use permit requirements designed to encourage or discourage specified uses and construction of specified structures, or to minimize unfavorable effects of uses and the construction of structures;
- (3) measures to further the goals and objectives of the comprehensive plan.

(b) A variance from a land use regulation adopted under this section may not be granted if

- (1) special conditions that require the variance are caused by the person seeking the variance;
- (2) the variance will permit a land use in a district in which that use is prohibited; or
- (3) the variance is sought solely to relieve pecuniary hardship or inconvenience.

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HIGHLAND/VENUTI MOVED TO AMEND THE MOTION TO REPLACE THE DECISIONS AND FINDINGS FOR CUP 2018-02 WITH PAGES 3-7 OF THE LAYDOWN PACKET.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

REPORTS

A. Staff Report 18-15, City Planner's report

City Planner Abboud reviewed his report and noted that an Ordinance was introduced limiting the RV parking to six months and he believed that this would be referred to the commission.

City Planner Abboud reviewed the following:

- Disbanding the Cannabis Advisory Commission
- Provided backup in response to commissioner query on precedence on reduced setbacks
- Provided information on some questions posed on the comprehensive plan regarding "spot zoning" and delineating districts
- Requested volunteers for the April 23rd Council meeting

There was a brief discussion on the standards or requirements for the recreational vehicles on the spit.

PUBLIC HEARINGS

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

A. Staff Report 18-16, Draft Comprehensive Plan comments and analysis

City Planner Abboud reviewed the issues brought forward by the public received so far. He requested questions or concerns from the commission so they can be addressed before the Public Hearing. He noted that a land use table guide has been included however he did not have it updated to include the marijuana.

Some of the items discussed were as follows:

- Colors

- 
- Permitted uses
 - Differences between districts
 - Walkability
 - o Distance and organic development of the city
 - o Turn lanes
 - o Truck Routes
 - Beluga Lake
 - o Authority is under the state
 - o Designated as a float plane lake
 - Helicopters are allowed in this area
 - Increased use is not necessarily addressed by the city
 - Issues regarding zoning changes or designations
 - o Designating the residential sections in the outlying areas
 - Definitions
 - o Identifying zones and what is expected within the district
 - Suggested change in GC1 district
 - o Car lots
 - o Minimal to no response from affected property owners
 - o Personal invitations to the recent open house on the plan
 - Labeling the proposed map and putting in landmarks

Commissioner Highland inquired if City Planner Abboud was able to respond to the points and questions presented by Mr. Griswold.

City Planner Abboud responded that some of those questions posed were not relative to the Comprehensive Plan or have been addressed in the past extensively. He added that they are not rezoning the area at this time but there is nothing limiting anyone from requesting that change. It just opens the opportunity for someone.

Additional discussion on the following was entertained:

- Changing zoning only if it is expansion of existing zone and publically vetted
- Buffers and possible regulations
- Noting the changes in the areas around the hospital
- Adding to GC-1 in the future and options available to allow for growth
- Development plans trigger requirements on the property
- Additional regulations can be developed to require more environment sensitivity in the Stormwater or green infrastructure
- Parking and a medical district
- Railroad and removing that use from RR1

Vice Chair Bentz requested a summary of what a medical district looked like in the past or could look like in regards to the comment received at the next meeting.

↑
City Planner Abboud responded that at this point they could put those values in the appendix and briefly commented on parking issues in the area of the hospital.

INFORMATIONAL MATERIALS

A. City Manager's Reports for the March 12, 2018 City Council Meeting

City Planner Abboud responded to the item of the drainage issue on Baycrest at the request of Commissioner Highland and stated that the commission will have

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Highland and Vice Chair Bentz had no comments.

Commissioner Bos requested the Planning Department to look into the property on the Spit where there was a campground but the land has been eroded away and garbage rolling up and down the beach. He suggested that the city buy the property to alleviate the situation.

Commissioner Venuti queried the status of the Aspen Suite project and wanted to know if the relationship between the city and Mr. Griswold could be in any way improved.

City Planner Abboud responded that the Aspen Suite closed the deal on the property recently and will be starting soon with the project; it is projected to be completed by 2019. Then he responded on the inability to figure out how to rectify the situation since Mr. Griswold refuses to come in and sit down and discuss his issues and concerns.

City Planner Abboud provided a brief accounting of his attempts to respond to Mr. Griswold's concerns and requests and the ensuing outcomes of those attempts.

ADJOURN

There being no further business to come before the Commission, Vice Chair Bentz adjourned the meeting at 7:49 p.m. The next regular meeting is scheduled for Wednesday, April 4, 2018 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

RENEE KRAUSE, CMC, DEPUTY CITY CLERK I

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-19

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 18, 2018
SUBJECT: Draft Comprehensive Plan Public Hearing/Comments

Introduction

We will be reviewing written comments and hearing any additional testimony.

Analysis

Attached are the public comments receive so far. We may want to spend some time discussing these in the worksession and make motions in the regular meeting. We will also provide a chance for comments at the beginning of the meeting and will have the opportunity to address more later in the agenda.

I suggest that you also make notes about the concerns and/or recommendations you may propose in response to the comments. We can then review them as a group at this and subsequent meetings.

I have provided a better table to compare the differing use provisions between GC1 and CBD. The checklist provided at the last meeting was very difficult to use and we found it also had some omissions.

Timeline

We will have some time to review the comments and questions at this meeting, but I believe that it is safe to say that we will spend more time with them. Perhaps we could have the goal of spending some time suggesting changes this meeting and could have a work session devoted to processing the information and make a final draft in May with a final draft hearing in June. Of course, we can always spend a bit more time if we find it necessary.

Staff Recommendation: Hold a public hearing and make recommendation to City Council or Planning Department.

Attachments

Public Comments
CBD vs. GC1 table



City of Homer

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Homer Comprehensive Plan 2018 Update

February 2018 Public Review Draft

Public Comments Received as of April 9, 2018

- p. 1** Comments from Al & Jan Waddell dated March 24, 2018
- p. 5** Comments from Carol Swartz dated March 24, 2018
- p. 7** Comments from Charles Barnwell dated March 21, 2018
- p. 21** Comments from Glenn Radeke dated March 8, 2018
- p. 23** Comments from the Kachemak Bay Watershed Collaborative (KBWC) submitted by Hal Sheppard dated March 31, 2018
- p. 31** Comments from the South Peninsula Hospital Senior Leadership Team dated March 29, 2018
- p. 33** Comments from Paul Allan dated March 12, 2018
- p. 35** Comments from Rika Mouw dated March 27, 2018
- p. 37** Comments from Steve Theno dated March 16, 2018
- p. 39** Comments from Frank Griswold dated March 19, 2018

**Al & Jan Waddell
3695 Lake Street
Homer, Alaska 99603
cell: 602-621-1384**

RECEIVED

MAR 23 2018

**CITY OF HOMER
PLANNING/ZONING**

March 24, 2018

**City of Homer
491 East Pioneer Avenue
Homer Alaska 99603**

Attention: Rick Abboud, AICP, City Planner

Re: Future Proposed Zoning Change

Dear Mr. Abboud:

This will acknowledge receipt of your letter which was addressed to the property owners in the proposed zoning changes under consideration, which by the way, had no date.

According to the attached proposed changes to the comprehensive plan the only property owners which would be affected is my property (3695 Lake Street), the Lakeside Mall (Scott Ulmer's True Value Hardware), & Spenard Builders. Their properties are ALREADY fully developed. Ours is not. HEA is a co-op and exempt from paying taxes, along with the US Post Office and the proposed site for the new Homer Police Department (which the City of Homer owns). We also note that

you have NOT included the real property on the corner of Pioneer Avenue and Lake Street and extends all the way to Heath Street. This strip center is left within the Central Business District and just as important as our commercial property is at the corner of Lake Street & the Sterling Highway (Homer Bypass). We also note that all the business across from our property off Lake Street (Ben Walters and Smoky Bay Way) were NOT included in your proposed zoning changes. They are to be left within the Central Business District. They are just as important to the CBD as our business.

So to be clear, you are proposing to spot zone our property from the Central Business District zoning down to General Commercial 1. As I have stated for many years, we have owned this property and paid property taxes on this property with zoning Central Business District since the early 1950's. So to now downgrade this real property at this time is HIGHLY unacceptable to us.

Unfortunately, I am in treatment for Cancer here in Arizona and will not be able to attend your first public hearing on April 18, 2018. We realize you have already had your "Open House" on March 1st, 2018. We were just notified of that Open House when we received your letter proposing the new zoning changes. We do not approve of this change.

If the City of Homer feels there is a need for additional space in Homer for General Commercial activities, then we suggest you look elsewhere to fill your needs.

There is a great deal of property which is NOW in the CBD which is strictly "residential" . The CBD extends way beyond

Pioneer Avenue which is mostly ALL residential, as well as west of Heath Street which is just adjacent to our property.

As you are quite aware, our property is up for sale and to downgrade it to a General Commercial 1 (GC1) will deminish the value of our property and make it even MORE difficult to sell.

My wife will be able to attend the 2nd public hearing whenever that will be scheduled as she will be returning to Homer at the end of April, 2018, but will not be able to attend the first Public Hearing on April 18 2018.

If you pursue this zoning change without our permission or consent, we will begin legal proceedings against the City of Homer, it's council members (Tom Stroozas, Shelly Erickson, Donna Aderhold, Mayor Bryan Zak, Rachael Lord, Heath Smith, and Caroline Venuti individually) for the entire reimbursement of our property taxes paid from the purchasing of our property in the 1950's to the current date as we paid those property taxes being in the Central Business District which were considerably more than if the zoning was originally zoned General Commercial 1. We have already alerted our legal council of your proposed zoning changes so that IF this is to take effect, our litigation will begin which will name each individual involved as well as the City of Homer. It is our belief that "spot Zoning" is illegal. Please check your codes.

We understand that currently there is "no General Commercial 1" zoning in place. This is a newly proposed zoning change which I guess you are going to include in your New Comprehensive Plan.

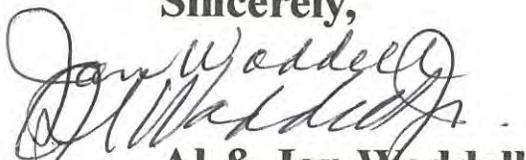
We may be contacted via email: homerghm@alaska.net or our cell: 602-621-1384 until Jan returns at the end of April which will be AFTER your first public hearing.

I would like to actually see a copy of the City of Homer Map showing ALL of the Tax Exempt Entities located within the city, i.e. churches, native owned land, co-ops, city of Homer properties. Basically, all the properties that are exempt from paying taxes. Would you either email me or send me a copy of this map?

We will have a representative of us attend that meeting so we may know what is discussed. We assume this letter will be read “into the record” at that time, but if not, our representative will do so to make sure this letter is part of the record.

Please acknowledge receipt of this letter.

Sincerely,


Al & Jan Waddell

**cc: Tom Stroozas
Shelly Erickson
Donna Aderhold
Mayor Bryan Zak
Rachael Lord
Heath Smith
Caroline Venuti**

From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Saturday, March 24, 2018 2:53 PM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Saturday, March 24, 2018 - 2:52pm Submitted by anonymous user: 172.16.64.18
Submitted values are:

Submit Your Comments Here:

Page 3-1: add to 8th bullet: Interest in "post-secondary and job training,"

Page 4-1 and 4-8: Goal 4:range of commercial, "educational, cultural" purposes.

Page 4-13: Add 4-A-7: "Support arts, cultural and recreational development that enhance the business and educational districts

Page 5-7 Goal 3: 2nd par.:in this plan will benefit, children, "students", elderly....

Page 5-9 Objective C:.....routes for children "and students"

Page 6-8 Objective E: Identify resources needed to operate recreational, "cultural and education" facilities Page 6-9: move from long-term the current project to Near-term esp. since it seems it is a current one now being discussed already.

Page 6-13 Change title of Objective B to Arts, Culture and "Education"

Page 6-14: Add to obj. G: support hi-quality "post-secondary and job training" education. edits to next paragraph:

Current Status: The City of Homer partners with the Borough to use school facilities for the Community Recreation programs in which school buildings are used to provide recreational, educational, social, and cultural activities to the entire community after school hours and in the summer. School enrollment for Homer and the entire borough has been declining in recent years, with attendant loss of programs. The University of Alaska Anchorage (UAA) "through its Kachemak Bay Campus of KPC provides postsecondary education, continuing education, community education, professional development, and vocational training to Homer residents." The University also provides K-12 and public education programs, workshops and trainings through the (its) Kachemak Bay National Estuarine Research Reserve. There is a community consensus that UAA expansion would lead to widespread economic and cultural benefits for the area. "Education and training is a primary vehicle for Homer's economic development and sustainability." Development of student housing will allow the Kenai Peninsula College (KPC) to attract students to Homer, thereby promoting Homer as a "college town." The Economic Vitality Chapter identifies specific actions to support Homer's postsecondary educational system. Homer offers additional educational opportunities to both residents and visitors through various business and nonprofit agencies and has become a popular destination for seminars and learning programs. For instance, many marine related educational programs are offered through the Alaska Islands and Ocean Visitor Center, which is the headquarters for the Alaska Maritime National Wildlife Refuge and the Kachemak Bay Campus's "Semester-by-the-Bay program. The Center for Alaskan Coastal Studies also offers a broad menu of educational programs attracting participants from across the state.

Page 6-17: I- E-12 Establish Community Recreation and "Convention" Center (categorize it where it is on page 6-9)

Page 6-19: 2-D-5 move to near term since it's a current activity Page 7-5 Obj D. Add impl. Strategy: Support Education and training in health-related occupations Page 7-5 Goal 5: add concept of supporting a community cultural/convention center, since it's elsewhere in doc.

Add "support opportunities to develop housing options for visiting students"

Page 7-6 Obj. B: Support....to improve...."cultural, arts and education" attractions,.....

Page 7-9 Move 3-C-2 to "near term" as it's currently happening.

First Name: Carol

Last Name: Swartz

Your Email (optional):

Your Phone (optional): 235-1656

The results of this submission may be viewed at:

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To: City of Homer Planning Department

From: Charles Barnwell, 410 Crestwood Circle, Homer, AK. 99603

barnwellce@gmail.com; 907-602-1213

Subject: Comments on City of Homer Comprehensive Plan Update 2018

Date: March 21, 2018

Summary:

My comments are shown below accompanied by maps (see Appendices) I've made to help explain ideas and comments. The comments are organized into sections following the outline of the Plan. In summary, I believe the City of Homer's focus going forward should be on enhancing Homer's quality of life, and amenities that attract people to moving to and living in this community. Key goals should be on developing a "smart" community where land use policies enhance and build on the environmental qualities Homer has, and infilling and other approaches to make smart use of land in the city area. My comments are focused on establishing "greenbelt corridors" that could provide watershed protection in the city as well as add value for real estate, and trails and opportunities for wildlife habitat preservation and connectivity. Greenbelts have been shown to be effective in Anchorage and cities in the Lower 48 in this regard. Now is the time to establish these corridors; before Homer's growth makes it more difficult to establish continuous corridors. For example, Anchorage was able to establish greenbelts before the boom of development in the 1980s-1990s. Another goal which my comments focus on is developing an energy plan that builds on success of key renewables in Alaska communities as well as Lower 48. Kodiak is a great example of use of a blend of hydroelectric and wind sources. Solar use is growing in Homer. Hydroelectric is being planned for by the Homer Electric Association (HEA). The City should also continue to support recycling programs and develop a community composting program. The goal is a more sustainable community. Finally, Homer's economic vitality will grow if the City Comprehensive Plan emphasizes the city's natural resources and geography and as a progressive community that will attract not only retirement age folks, but younger working folks looking for a smart community that puts a premium on quality of life and its special location.

Land use

The City of Homer should use a green infrastructure ("G.I.") approach, as was done in the 2008 Homer plan, including analysis of various constraints, to guide development and determine appropriate land uses. This approach considers many factors, including steep slopes, unstable soils, and wetlands which may make development either inappropriate or unfeasible. **Appendix 1** shows an overview map of the City of Homer and potential greenbelts. These greenbelts are a 1,000 foot wide zone along the major creeks and approximate the stream watersheds.

Aside from a G.I. approach, the City could use a simple greenbelt or stream corridor approach to protect and conserve areas that have high environmental value as well as steep slopes and coincident soil

stability issues in some places. See **Appendix 2 map** in which key stream corridors are overlaid with Green Infrastructure zones (from the Comp Plan). The corridors shown use a 500-foot buffer, which allows for protection of the steep slopes and vegetation found in the canyons along the bluff, as well as taking into account more of the watershed area.

The instability of Homer soils and slopes should be considered also with regard to earthquake hazard. Perhaps an earthquake/slope hazard map should be developed, similar to Anchorage. This would identify zones of possible liquefaction or land sliding. **Appendix 4** shows a slope map for the central part of the city. Red areas shown on the map are slopes greater than 50 degrees, and should be off limits to development due to steep slopes and unstable foundation conditions, and potential land sliding during an earthquake or high rain event.

See p.4-4 of Comp Plan Update

Homer's downtown area could be a very attractive area for higher density residential development. It has the water/sewer/gas infrastructure, and proximity to town amenities. The City should encourage infill in this area on a zoned basis. Infilling will help achieve environmental goals such as minimizing greenhouse gas emissions.

Establishing "green" or stream corridors as shown on Appendices 1 and 2 could enable connectivity of trails between upper Homer areas and downtown/lower Homer, as well as provide wildlife and habitat connectivity, and would enable downtown residents to get better connectivity with "upper" elevation Homer.

Protection of environment functions

Watersheds

Watersheds within the City of Homer are critical for protecting water resources, wildlife habitat, and scenic corridors. The Comp Plan should include a component for protection of key watersheds in the City. Appendix 1 shows proposed key stream corridors or greenbelts in the City of Homer area. Greenbelts in other cities have proved to be very valuable in not only providing environmental protection, but trail systems as well. A good example is Anchorage where greenbelts do double duty for protection of major streams, but also often provide trails and trail connectivity in Anchorage. This has evolved over the past 40-50 years, and has contributed to Anchorage's reputation as a trail-friendly city supporting winter and summer activities.

The corridors shown on Appendix 1 don't show the entire watershed for each stream but offer a starting point for analysis using a greenbelt approach.

Appendix 2 shows a closer view of the central Homer city area with proposed greenbelts overlaid on the City's Green Infrastructure mapping (from the Comp Plan). Shown on Appendix 2 map is shown a proposed greenbelt which coincides with much of the Woodard Creek watershed. The Woodard Creek Watershed Plan is a thorough study involving many agencies and groups, and should be included or referenced in the Comprehensive Plan, and used to help guide land use in this area. In addition, I recommend the City develop a similar watershed plan for the Diamond Creek watershed, or at least the upper part of Diamond Creek that falls in city limits (see Appendix 3). This area contains wetlands and

wildlife habitat (sandhill crane nesting and other), and water resources, that should be conserved for the benefit of Homer community.

Appendix 3 shows a proposed greenbelt for the upper Diamond Creek watershed that is buffered to 300-feet on each side of the creek (total width = 600 feet), whereas the other maps show larger zones of 500-foot width on each side of the creek to accommodate the canyon watersheds. Greenbelts of these widths would provide protection for watershed basins, as well as a valuable wetlands and wildlife habitat zone. Additionally, the proposed upper Diamond Creek greenbelt area connects with the City water reservoir protection area.

See p.4-7 of Comp Plan Update

Impervious surfaces: given Homer's issues with soils and drainage leading to erosion and landslides, there should be an analysis of slope and impervious surfaces and areas susceptible to drainage; and then develop a plan to protect key areas (see Appendix 4). Key areas in Homer that are susceptible to erosion and land sliding are those with steep slopes. Appendix 4 shows steep slope areas in Homer with steep slopes over 50 degrees shown in red color. Clearly, given poor soils and steep slopes these particular areas should be off-limits to development, and water/sewer infrastructure carefully sited in these areas if at all.

Critical habitat zones that are relevant to Homer. These tend to coincide with the canyons that are highlighted (in red) in Appendix 4.

The City should have a wetlands management plan which includes a definitive and authoritative wetlands map that could be used in guiding development. The Anchorage wetlands plan (2012) is a plan that has evolved over 30 years and could offer a good model for wetlands management, even though for a much larger city. Anchorage's goals below which have been finessed over years of development could serve as a good model:

- Goal A. To identify and provide protection for wetlands that support important ecological and hydrological functions.
- Goal B. To ensure that development in wetlands minimizes water quality degradation and maintains wetland hydrologic functions.
- Goal C. To provide a balance between protection of higher value sites and the development of lower value areas.
- Goal D. To provide for timely and predictable authorization of development projects in low-value wetlands and to maintain use of the General Permits.
- At its conception, the 1982 AWMP was adopted to address consistency with and supplement the following related wetland goals from the Anchorage Coastal Management Plan (1979)
- Goal E. To protect the basic natural functions served by coastal marshes, freshwater marshes and wetlands.
- Goal F. To prevent public liabilities associated with development in these areas.

Transportation

The City should emphasize bike transportation and walkability, especially in the core downtown area, but also throughout the city limits. Currently, there are no established trails linking upper and lower Homer. As mentioned above, trails in the stream corridors/greenbelts could link these areas. The downtown is a unique walkable area, and this should be supported and enhanced in future years. The Streamhills Subdivision offers a good model of a trail designed to be part of the development.

Homer needs more sidewalks in downtown, for example Main Street, which surprisingly, does not have sidewalks! Homer should be promoted as a walking friendly town. There is not much snow in winter in downtown Homer, all the more reason for sidewalks.

I strongly support Goal 1: (p.5-1), and Objectives A , B, and C.

Public services and facilities

The City should strongly support and fund key facilities, these being the hospital, Library, public safety. Community center(s) should be supported and developed, e.g. SPARC, other. This will add to Homer's downtown area as a destination for residents and visitors., and add to the quality of life. Port facilities should be supported; and an affordable expansion considered.

Establishment of a small Emergency Operations Center should be considered given Homer's earthquake hazards, and proximity to other natural hazards; as well as distance from major population centers such as Anchorage.

Given Homer's critical dependence on the water reservoir, the quality of water in this reservoir and the watershed should be protected. This area should be off limits to development, or at least development limited. Policies for minimizing polluting discharge sources in the watershed should be established. Homer has a good reputation for clean City water. This should not be jeopardized.

Waterline and sewer infrastructure: Concerns with stability during earthquakes along the lines that run down the bluffs. This should be analyzed, and protective measures put in place if not done already.

Sewer treatment should be supported and keep up with a growing population.

Storm water control (p.6-10). A Green infrastructure approach would help manage drainage and control storm water.

See Comp Plan Update, p.6-12.

Solid waste. Homer should Promote the use of community composting program as done in other cities. For example, Anchorage now has one.

Parks and Recreation

Parks and recreational facilities are key in adding to Homer's appeal as a destination. See tie in to p.7-6, Objective A: the need to invest in community attractions.

Trails and other recreational opportunities. Skiing: Historically, skiing has been around Homer since at least the 1940s, and it is a strong sport in Homer to this day. Although not in the city limits, the Lookout Mtn Nordic center has evolved into an excellent Nordic center, and should be expanded to attract out of towners, even Anchorage skiers. Lookout Mtn and Ohlson Mtn are unique sites as the elevation is high enough to keep snow; and the scenic vistas are beautiful. Formerly, the lower Baycrest area in the city limits was a popular skiing area, but snow shortages are making this likely not as usable in winter. Development of Lookout Mountain and Ohlson Mountain ski facilities will add greatly to to Homer’s recreational opportunities, and destination appeal.

Other ski areas such as the Sunset Loop on Diamond Ridge are great additions to the City’s recreation and should be supported.

A **citywide trail network** would greatly make the City more attractive as a destination. Downtown Homer has some established trails, but there are few if any established trails or trail networks linking the lowland area with the upper part of the City. Again, the example of Anchorage is a good one, where city residents worked with the city to establish trail networks. Currently, trails leading from town to the upper parts of Homer are lacking or are not secured. The Comprehensive Plan should identify potential trail routes and potential options to secure them.

The City should promote, encourage, and help develop **Community Recreation Centers:** for example as it is doing with the SPARC. Other projects that have evolved in Homer which are exciting additions are the wooden boat society’s pavilion and water trail landing; or the Cook Inlet Keeper sponsored boat house on the Spit.

Economic vitality

Given the state’s current fiscal challenges and Homer’s location, it makes sense to promote and enhance the qualities of Homer that make it attractive for investment and visitation. Tourism related activities are key, and include sport fishing, sightseeing, exploring Kachemak Bay by boat, hiking, etc. Given the demographic trends, it makes sense to build and promote Homer as a destination for not just tourism, but for a year-round residency who feeds the economy.

A major factor in attracting residents, and enhancing Homer’s economic vitality, is **quality of life.** This is rightly emphasized in the Plan. This will help build a reputation for Homer as a “hot” residential destination. What makes a quality of life community? In my view, and why we moved from Anchorage to Homer, are these reasons:

- Natural environment
- Recreational opportunities
- Available facilities such as hospital, library, public safety (fire, other).
- Balanced pace of life.

In addition to core facilities, Homer residents need access to open space, parks, trails, and recreation. Avoid the failure to provide enough access to key parks and recreation areas. Hornaday Park and trails are a great facility. In my opinion, Anchorage has failed with this in lack of access to Chugach State Park. Homer should not repeat this mistake. There should be an effort to expand trails and types trails, for example the Kachemak Bay water trail, and various trails should be supported by the City in the Plan.

The City should encourage creation of more year round and higher wage employment, and develop a diversified economy. Identify and promote industries that show capacity for growth, and encourage industries that fit Homer. Telecommuting could (is) work well in Homer; and the infrastructure to support this should be encouraged.

See Comp Plan P.7-7, goal 6.

The City should encourage and promote affordable housing. Need for residential developments to support millennial, and GenX groups.

The City should encourage and support event destination activities. Perhaps the city needs to consider a: need convention center of some kind, perhaps Lands End could be utilized or modified as a site for this?

Lastly, I think the City should follow a “smart community” approach where the focus is on where and how should a community grow. For example, where should the city build sidewalks and trails to lower the risk of accidents and encourage walking? What areas should be preserved or conserved as green infrastructure? How far do residents have to walk or drive to reach a public park? How can the City best plan and maintain its public facilities infrastructure? Where are the future transportation corridors and how do we start planning now?

Energy plan

Homer should establish smart policies for use of renewable resources leveraging solar, wind, biomass, hydroelectric. Homer could be a model of energy conservation and sustainability by supporting renewable energy development. Kodiak is a great example having achieved a 100 percent renewable energy base. Although geographically different, Homer could follow Kodiak’s example. Key energy resources that could seem to work well in Homer include:

- Solar
 - Promotion of photovoltaic use in residential and businesses
 - Solar farm in downtown area near HEA-see HEA proposal.
- Wind: promotion of key wind farms on ridge locations (see Kodiak example). Residential wind energy is problematic—it is expensive and difficult to set up well functioning systems. Wind farms are working well in the Lower 48 in small communities.
- Tidal: although a new technology, given Homer’s proximity to Cook Inlet, these resources should be considered. Although tidal energy methods are not prime time yet, they may be not too long in the future.
- Biomass: waste wood and other waste material should be considered for power generation.
- Hydroelectric:
 - First, there should be strong support for the HEA Grant Lake project proposal, and other potential sites.
 - Homer community should get a better share of Bradley Lake power.

Green Infrastructure (G.I) Mapping

The City's use of G.I. is a progressive planning effort that should be updated as a living plan, and continue to be part of the Comprehensive Plan. New GIS and other data should be used where available. G.I. could provide a way to define lands viable for future development while considering the need to protect drainage, open space, environmental functions, and location of drainage and storm management features.

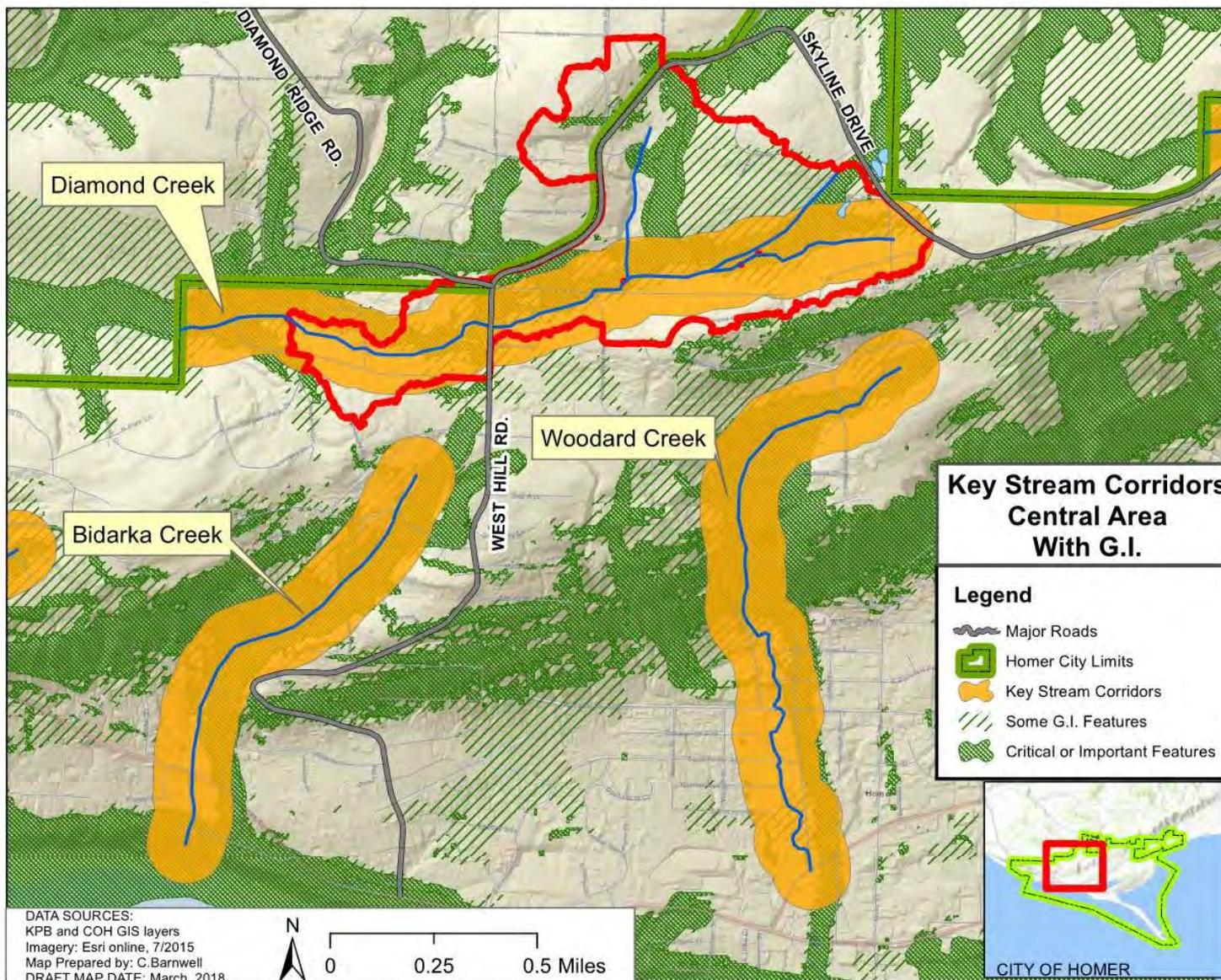
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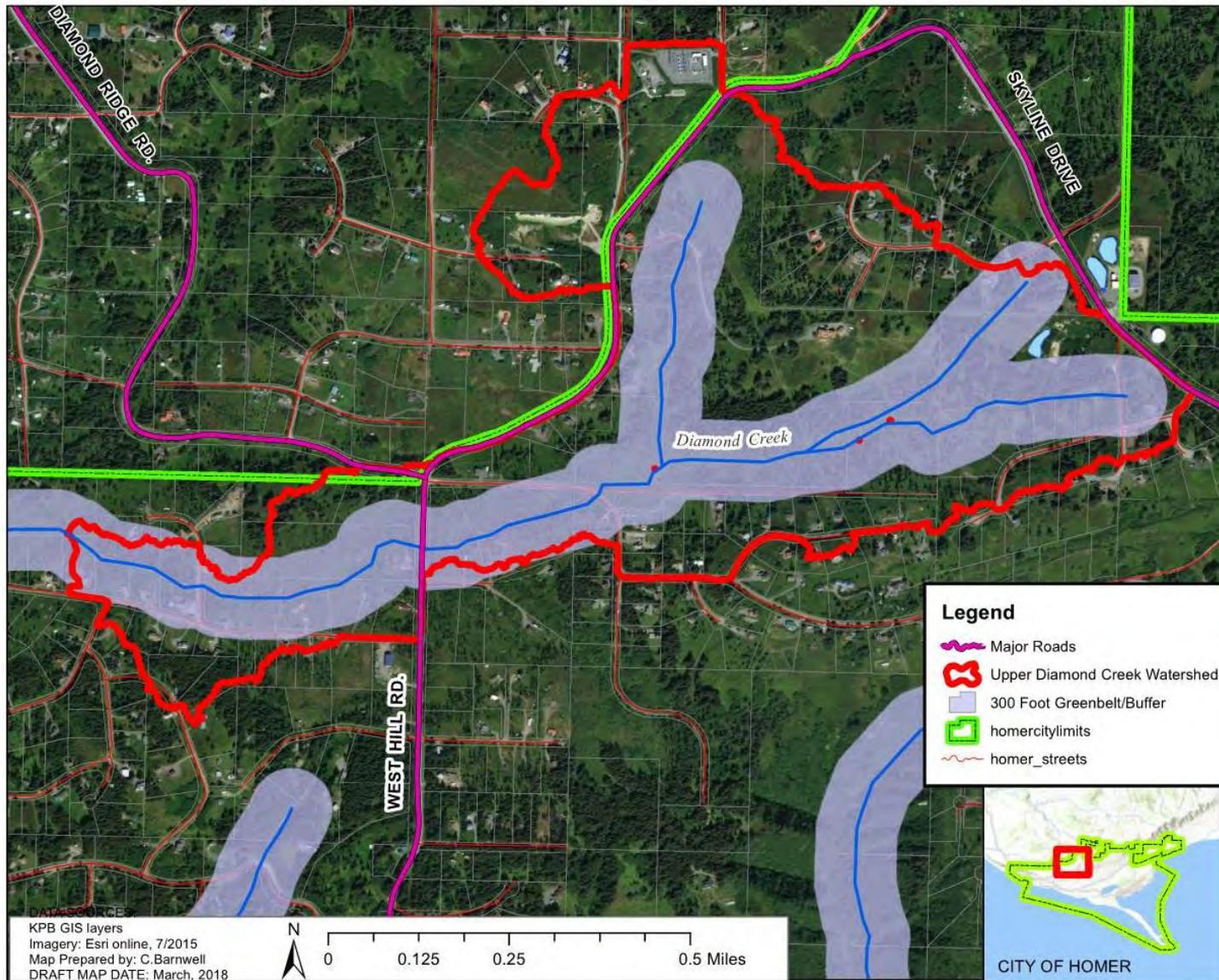
APPENDIX 1. OVERVIEW MAP SHOWING POTENTIAL GREENBELTS



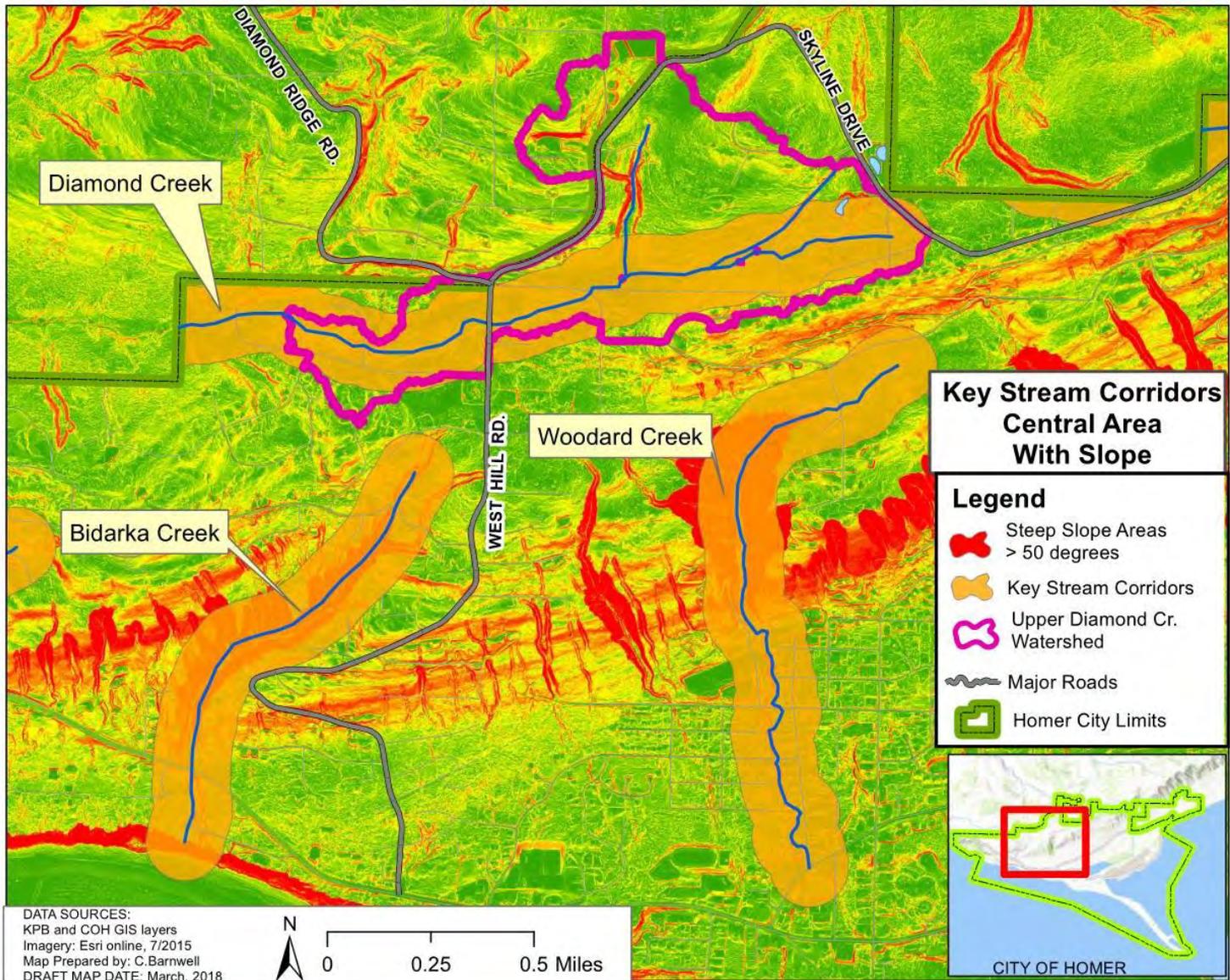
APPENDIX 2. GREEN INFRASTRUCTURE ZONES & GREENBELTS: CENTRAL AREA



APPENDIX 3. UPPER DIAMOND CREEK WATERSHED AREA WITH PROPOSED GREENBELT



APPENDIX 4. SLOPE MAP OF CENTRAL CITY AREA SHOWING (IN RED) AREAS NEEDING PROTECTION



From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Thursday, March 08, 2018 10:16 AM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Thursday, March 8, 2018 - 10:15am Submitted by anonymous user: 216.67.102.194
Submitted values are:

Submit Your Comments Here:

City of Homer Planning Office,

I would like to suggest a zoning area "hospital district" to help assist with some of the challenges that South Peninsula Hospital faces for future growth.

Respectfully submitted,

Glenn Radeke

Facilities Director

South Peninsula Hospital

First Name: Glenn

Last Name: Radeke

Your Email (optional): ger@sphosp.org

Your Phone (optional): 907-235-0351

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https://www.cityofhomer-ak.gov/node/30781/submission/15991&c=E,1,YJxAfMKZXR7b_k4kICkT-6eObEESCAvI99G96eDdPQnNM3CNwhPqnWGGs92nY1vxFgMBRWFAZ_2I3xTCUomX_iNn16y0Iglpdk2N76b3yZARtPw,&typo=1

From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Saturday, March 31, 2018 3:08 PM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Saturday, March 31, 2018 - 3:08pm Submitted by anonymous user: 172.16.64.18
Submitted values are:

Submit Your Comments Here:

The Kachemak Bay Watershed Collaborative (KBWC) is a group of stakeholders focusing on applying data and information related to climate change, land uses and other environmental impacts, to inform policy makers and agency planners regarding management of Kachemak Bay on a watershed basis. Based on the KBWC's mission, therefore, in commenting on the draft of the City of Homer Comprehensive Plan (CHCP or Plan), we kept our focus aimed on water infrastructure needs. In general, the current Plan is limited in strategies for addressing the increasing number and level of intensity of flooding events and the threat these events can present to human health and welfare and water infrastructure particularly nature based solutions (NBS) to the water challenges the City will face in the 21st century.

The Nation's water supplies and services are at risk. Climate change, growing income disparities, and the threats posed by our aging water infrastructure call into question the continued availability of safe water supplies and reliable, affordable water service. In order to avoid the problems of the lower 48, Alaskans must come together and create a new era of water management that secures economic, environmental, and community wellbeing. To this end, across the state stake holders are collaborating and innovating to advance sustainable water management solutions. Through the Comprehensive Plan Review Draft Review, (CPRD), the City of Homer (City) has an opportunity to spread and scale up these efforts to benefit communities and watersheds within the City.

As part of the Comp Plan Revisions (CPR), therefore, the City should consider incorporating Integrated Water Resource Planning (IWRP) into the process including planting trees to replenish forests, reconnecting rivers to floodplains, and restoring wetlands, is a sustainable and cost-effective way to help rebalance the water cycle, mitigate the effects of climate change and improve human health and livelihoods.

To this end, KBWC recommends that the Plan:

- I. Advance regional collaboration on water management
 - a) Embrace watershed-scale planning

Communities and utilities within a watershed can collaborate to develop inclusive, watershed-based plans, leverage resources, and create durable solutions that provide multiple benefits for the City. While watershed planning is often driven by local water utilities or a regional planning entity, it should include active engagement from diverse stakeholders within a watershed. Many local water utilities are not fully in control of activity in their watersheds, and many share jurisdiction for public works with other city agencies. Local elected officials can set a tone of cooperation and provide positive reinforcement for regional cooperation.

- b) Develop regional partnerships to address common needs

Water systems within a region often share similar geographic, demographic, and socioeconomic characteristics. Beyond watershed planning, utilities within such regions can collaborate in areas like workforce development, disaster preparedness and response planning, and drought response. Local officials can collaborate with their counterparts in neighboring jurisdictions to identify incentives for approaches to solving local water related challenges. Public-utility partnerships (PUPs) are an emerging model, in which two or more public water utilities or nongovernmental organizations join forces and leverage their shared capacities in not-for-profit agreements. Under these arrangements, multiple public utilities can pool resources, buying power, and technical expertise for economies of scale and potentially lower costs.

c) Adopt governance structures that enable effective, efficient utility management

Local governance of water management can impose barriers to regional solutions and operating efficiency. Utility organizations that are embedded into municipal governments must comply with processes for purchasing and human resources management that can be cumbersome and fail to meet the particular needs of water management. In addition, many local governments transfer rate payer supported utility funds to general revenue funds to take care of other municipal needs. By restructuring utility governance, communities can help ensure that utilities are focused on their missions, have the freedom to make responsible regional decisions, and can operate with greater efficiency.

d) Consider regionalization and consolidation of services

Regionalization can improve cost efficiency by consolidating duplicate utility organizations or consolidating common services like purchasing. In other areas, regionalization may help ensure sustainable service in the face of aging assets, dwindling resources, or increasing technical and regulatory requirements. Regionalization is sometimes undertaken to improve representation, providing a voice at the table for more of the jurisdictions served, as opposed to having region-wide water services controlled by one jurisdiction alone.

e) Solutions: Regional & State Level

The City should use state authority to drive regional cooperation and consolidation. State governments have a role to play in encouraging, incentivizing, and sometimes requiring regional cooperation. States can set the framework and menu of options for structural and nonstructural regionalization options, ranging from informal agreements to area-wide special districts or authorities. States can also identify and remove internal barriers and artificial conflicts across watersheds and regions of the state, as well as with neighboring regions that share a watershed, through approaches such as memorandums of understanding, watershed councils and basin commissions.

f) Use state funding programs to encourage regional cooperation and consolidation

State agencies with primary grantmaking authority or lending authority can incentivize projects that foster regional cooperation and consolidation—for example, by incorporating regional collaboration into their criteria for awarding subsidized loans and grants. States can also incorporate incentives for watershed-level planning into grant and loan programs. States should have the ability to direct funding

toward regional solutions, like purchasing capacity from a neighboring utility, rather than constrained to infrastructure development projects.

II. Accelerate private-utility partnerships to improve water quality

When it comes to taking action to conserve water and improve water quality, one action deserves particular focus: building partnerships between water providers and the agricultural sector. Too often in our commodity based water systems, we do not fully consider the impacts of private and land management on our water sources. Yet the management of land presents one of the greatest opportunities for protecting water quality, preserving ecosystems, and safeguarding drinking water supplies.

a) Incentivize collaborative water quality solutions

At the local level, communities can form partnerships with farm or cattlemen alliances, private land owners, local and state government agencies, and NGOs to find collaborative solutions for water quantity and quality improvement. These partnerships can be used to identify the best ways to incentivize land management solutions for regional water quality challenges. In many cases, it can cost a community far less to provide financial support for agricultural and land management best practices than to pay for more upgrades to wastewater systems for point source treatment.

b) Adopt adaptive management approaches for water quality improvement

At the City level, policy direction can play a critical role in incentivizing collaboration for water quality improvement. Adaptive management approaches can encourage cooperation among those who contribute nutrients to a watershed—cities, utilities, farms, and landowners—to find solutions that make the best use of limited resources. Under an adaptive approach, the City can allow for a flexible approach to deploying solutions, then learns from experience and adapts compliance strategies accordingly. Some states and regions are adopting area-wide nutrient management strategies to drive collaborative solutions for stronger results.

c) Establish credit trading programs or dedicated funds for watershed Restoration

Water quality credit trading can be an effective way to incentivize best practices for farm or private land. In some areas, nonpoint source credit trading programs have been established in anticipation of tougher nutrient removal standards imposed by state environmental agencies. Nutrient standards can trigger costly upgrades to wastewater treatment systems, and trading can be a cost-effective alternative for improving water quality. Credit trading programs hold the potential to bring regional stakeholders together into a single program that supports investments on farmland and forestland to benefit clean water and water conservation.

III. Sustain Adequate Funding for Water Infrastructure

a) Green Infrastructure Grants

There are multiple grants that the City could pursue to manage water resources using a holistic management approach. Under its Hazard Mitigation Management Assistance Program, for example, the Federal Emergency Management Agency (FEMA) provides water infrastructure grant as long as a

component of the proposed project benefits fish and wildlife habitat. Similarly, the U.S. Environmental Protection Agency (EPA) and the FEMA co-sponsor projects in which communities enhance their resiliency by integrating green infrastructure elements of their stormwater and watershed plans into their hazard mitigation plans to achieve co-benefits such as improving water quality and preserving resources. (See, <https://www.epa.gov/green-infrastructure/green-infrastructure-webcast-series#archived>).

The potential strategies for integration of green infrastructure into hazard mitigation planning into the Homer Resiliency Planning follow-up strategy include:

- 1) By weaving natural processes into the built environment, green infrastructure provides not only stormwater management, but also flood mitigation, air quality management, etc. including:
 - Decentralized practices and stormwater management approaches;
 - Natural systems & engineered systems that mimic natural systems;
 - Address rainwater closer to where it falls and
 - Provides multiple economic and community benefits;
- 2) Working with new EPA programs addressing Flooding / Flood Plain Work and increased collaboration between EPA Office of Sustainable Communities and Non-point Sources and EPA interest in plan integration (319 watershed plans, etc.);
- 3) Integrating FEMA changes to Special Flood Hazard Area (SHM) Plan Guidance focusing on environmental benefits;
- 4) Preparing for update to Homer's Hazard Mitigation Plan in 2021;
- 5) Partnering with the Kenai Peninsula Barrow; HEA and other utilities, FEMA, EPA Region 10, etc
- 6) Strategies including:
 - Form a planning team of partners & stakeholders;
 - Understand the needs of Homer;
 - Develop an understanding of GI;
 - Develop a report for how to put GI in local hazard mitigation plans;
 - Develop a GIS-based model;
 - Getting Federal and Local Partners involved in the discussion is the first step toward success;
 - Combining resources strategically;
 - Stakeholder appreciated the opportunity to get multiple perspectives in the same meeting; and creating long-term partnerships.
- 7) Fundraising: Under it's Hazard Mitigation Management Assistance Program, for example, the Federal Emergency Management Agency (FEMA) provides water infrastructure grant as long as a component of the proposed project benefits fish and wildlife habitat. Similarly, the U.S. Environmental Protection Agency (EPA) and the FEMA co-sponsor projects in which communities enhance their resiliency by integrating green infrastructure elements of their stormwater and watershed plans into their hazard mitigation plans to achieve co-benefits such as improving water quality and preserving resources. (See, <https://www.epa.gov/green-infrastructure/green-infrastructure-webcast-series#archived>).

To this end, FEMA will soon be issuing it's FY 2018 Request for Proposals regarding the PDM Program, which is designed to assist States, U.S. Territories, Federally-recognized tribes, and local communities in implementing a sustained pre-disaster natural hazard mitigation program. The goal is to reduce overall risk to the population and structures from future hazard events, while also reducing reliance on Federal funding in future disasters. This program awards planning and project grants and provides opportunities for raising public awareness about reducing future losses before disaster strikes. Mitigation planning is a key process used to break the cycle of disaster damage, reconstruction, and repeated damage. PDM

grants are funded annually by Congressional appropriations and are awarded on a nationally competitive basis.

FEMA requires state, territorial, tribal, and local governments to develop and adopt hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance, including funding for PDM mitigation projects. Refer to the current HMA Guidance for detailed information on the PDM Program.

Project subapplications submitted for consideration for PDM funding must be consistent with the goals and objectives identified in the current, FEMA-approved State or Tribal (Standard or Enhanced) hazard mitigation plan along with the local or tribal hazard mitigation plan for the jurisdiction in which the activity is located.

PDM funds mitigation planning to help States, U.S. Territories, Federally-recognized tribes and local governments engage in a planning process that meets the requirements outlined in 44 CFR Part 201 Mitigation Planning. For more information on FEMA's mitigation planning program, laws, regulation, policies, resources, and training, visit FEMA's Hazard Mitigation Planning Resources web page.

b) Free up funds through operational efficiencies and technology innovation

The plan amendment should include methods for utilities to increase available capital in order to make their operations more efficient, freeing up more rate revenues to invest in infrastructure development and renewal. Asset management programs can optimize the service lives of assets, and organizational development can help streamline organizations and business processes. A “least-cost planning” perspective encourages strategies focused on how to meet water needs at lower costs—for example, instead of building additional storage, a community can enter into a cooperative agreement with a neighboring water system, use conservation rate structures, or fix leaky transmission lines. Encouraging water conservation and water efficiency can keep utility costs down over time (though rate structures must be balanced to promote revenue resiliency as water use declines). Utilities can also improve the efficiency of capital project delivery through measures such as increased transparency in contracting, improved budget and schedule controls, a sharper focus on life cycle costs, and contract incentives that tie a portion of compensation to performance metrics (like safety, schedule, and cost). Emerging technologies for data collection, data management, and operations optimization also hold the potential for efficiency gains, with up-front investments that are often offset by longer term savings. Through resource recovery and energy generation technologies, communities can also monetize the value of their wastewater, further offsetting annual utility costs.

c) Prioritize funding for state loan and grant (SRF) programs

The CPRD should prioritize funding of water -related loan and grant programs to help communities meet spending needs. To make limited dollars go further, the City can combine multiple loan funds into comprehensive programs to increase their collective impact and reach. To this end some ideas are to set appropriations for water and wastewater SRF programs, to decide what types of projects are eligible for funding, and to establish prioritization criteria. The CPRD should give these programs priority for funding and build in more flexibility to accommodate green infrastructure solutions as a component of stormwater management that qualifies for SRF funding. This can help reduce burdens on communities that are looking to green infrastructure as a way to offset “gray” infrastructure spending needs.

IV. Integrated Water Resource Management

a) IWRM Plan

Watersheds have always been essential to protection of fish and wildlife habitat and water infrastructure. They are a source of biodiversity and fresh water. They reduce risks of natural disasters like landslides and flooding. They act as a carbon sink, removing carbon dioxide from the atmosphere and storing it, thus mitigating climate change. They make an essential contribution to food security by helping to maintain the environmental conditions needed for fishery production. They stabilize the soil, prevent erosion, enhance the land's capacity to store water, and moderate air and soil temperatures. As sources of raw material, biomass, renewable energy, and nontimber products, watersheds support rural communities. Many rural and indigenous people depend on forests for their livelihoods. Watersheds also enhance well-being by providing recreation and amenity values.

As means of protecting watersheds and water infrastructure that cities and towns rely upon from the impacts of climate change, the City could create an Integrated Water Resource Management Plan (IWRMP). Creation of an IWRMP is "a process that promotes the coordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems." Global Water Partnership Technical Advisory Committee (2000).

The City should collaborate with other federal, state, tribal, local, research, conservation and other stake holders to apply IWRMP criteria including consideration of these factors: 1) Manage water sustainably; 2) Balance economics, social equity, environment; coordination and integration; participation from all water sectors; 3) Holistic management of connected resources; 4) Process oriented adaptive management; 5) Enabling environment of policies and resources; and 6) Institutional roles and capacity. As an example of how to protect fish and wildlife resources from the impacts of climate change is to take measures to mitigate warming stream and related temperatures. For example, growing willows and other trees close to the banks of streams and rivers; providing shade over the water and creating in-stream habitats made of logs under which fish can cool off when things heat up. (See the Nooksak Tribe of Washington State Salmon Habitat research projects <https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.yesmagazine.org%2fpeople-power%2fthreat-of-salmon-extinction-turns-small-tribe-intoclimate-researchers-&c=E,1,eqCfVSZo4JFv8uavnMADlkcnbzXcfi8ylzPsPWbESekde81HZn5qaP8fqF2mBkpvh-mi5JQNIh3XLEBsEsaBk-VH5D5rZ9InDPxzTyvO3Fjb0p9-MEAWGbe3A,,&typo=120160906>).

b) IWRM Tools

An example of a tool that the City could use in an IWRM strategy is the EPA's Watershed Optimization Management Support Tool (WMOST) which is a publicly available tool that can be used by state and local managers to screen a wide-range of options for cost-effective management of water resources. It supports a broader integrated watershed management (IWM) approach by allowing the user to simultaneously consider stormwater, drinking water, wastewater and land conservation management practices. Users can select from three versions of WMOST based on their specific management needs. (<http://www.epa.gov/exposure-assessment-models/wmost>). The first version focuses on management of base and peak flows, the second adds a flooding module to assess costs associated with peak flows,

and the third includes a water quality module. WMOST aids in evaluating the environmental and economic costs, benefits, trade-offs and co-benefits of various management options, and can facilitate the evaluation of low impact development and green infrastructure management options that are suitable for projects using State Revolving Funds.

Currently, this tool is being used primarily by state agencies and counties in the lower 48 for cost-effective stormwater management practices for meeting the management goals of a typical community in their state and consortiums of communities, regional development commissions, and non-governmental and watershed organizations to determine the most cost-effective options to meet water quality goals (such as TMDLs), water quantity targets (maintaining base flows and water supplies), reducing flooding and impacts of Combined Sewer Overflows, and supporting land conservation goals under both current and future growth and climate scenarios.

CONCLUSION

The challenges the City faces today require it to adopt a regional solutions for greater efficiency, improved water quality, sustained regulatory compliance, and better service. There are a wide variety of collaborative approaches that can work and many policy levers to help expand their adoption. Partnering with neighbor communities to meet common needs makes sense, and we expect regional collaboration to take greater hold as more communities demonstrate their power to improve water management for all. In addition, the application of conservation financing including cost bonds, public finance, payments and permitting fees driven by water users themselves, and other market-like funding mechanisms would assist with financing to protect water infrastructure. Finally, an Integrated Water Resource Management strategy would reduce flood risk and storm damage and help protect drinking water resulting in additional long term cost savings.

Please contact me at (907)491-1355; hal@waterpolicyconsulting.com if you have any questions regarding these comments. Thank you.

Sincerely,

s/Hal Shepherd

Hal, Shepherd, Coordinator

Kachemak Bay Watershed Collaborative

our comments will be submitted to the Planning Office First Name: Hal Last Name: Shepherd Your Email (optional): hal@waterpolicyconsulting.com Your Phone (optional): (907)491-1355

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.cityofhomer-ak.gov%2fnode%2f30781%2fsubmission%2f17031&c=E,1,v1ioJjNrXNBRqPFj7Fxp0VXFyzAC7ZO4eAMo2W_Btb2bW2P5rICcAwwBc2oIIDJ9vfxmsui7b9zp1_884UsFmd-NlaliwWwbHrLRvllQ56CMXWvrqpOw&typo=1

March 29, 2018

Rick Abboud, City Planning Director
City of Homer
Pioneer Avenue
Homer, AK 99603

Dear Mr. Abboud,

Thank you for the opportunity to contribute to the City of Homer Comprehensive Plan Update. Upon review, here are our recommendations:

- Include a hospital or medical district or zone that makes for easy, expedited development of hospital, health and related services.
 - Attempting to create a medical campus that is patient friendly, has desired services and easy for patients and employees to maneuver through is challenging within a business/residential zoning.
 - Hospital districts are common throughout cities nationwide.
- Consider additional emphasis on hazard mitigation, specifically in regards to hillside development.
- Further define the services that “support senior services”. This might include additional items such as public transportation, assisted living, long term care, home health services, durable medical goods, cleared sidewalks, pedestrian cross walks and walkways and more.
 - Consider researching what other communities offer to best serve an aging community.
- As the leading employer in the city, South Peninsula Hospital provides more than 450 local jobs. The City should continue to foster a positive relationship with the hospital, encouraging and supporting our sustainability.
- Facilitate and or encourage the development of available childcare services in the city as part of retention and recruitment for employers.
- Include disaster preparedness as a necessary element for a viable, sustainable community. Encourage continued local and regional partnerships as a strategy for disaster planning and response.

We at South Peninsula Hospital value our long-standing relationship with The City of Homer, and your continued participation in the sub-lease and operating agreement with the borough is a key factor in our sustainability.

Thank you again for the opportunity to comment.

Sincerely,

Members of the Senior Leadership Team

South Peninsula Hospital

From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Monday, March 12, 2018 11:41 AM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Monday, March 12, 2018 - 11:41am Submitted by anonymous user: 65.74.106.216
Submitted values are:

Submit Your Comments Here:

A few suggestions for inclusion in the new comprehensive plan:

1. Include regulations for storm run-off control in new constructions. It was recently stated in a Planning and Zoning Commission meeting by a contractor that the city has no regulations regarding storm run-off, which everyone knows is a huge issue in the Homer area.
2. Include regulations which REQUIRE all new road construction, including residential housing areas, to have sidewalks and bike lanes incorporated into the design. The developers should pay for this.
3. Make a traffic light at the intersection of the highway and Main Street a priority.
4. Make putting in a sidewalk on Main Street (the whole length) a priority.

First Name: Paul

Last Name: Allan

Your Email (optional): pallan99@gmail.com Your Phone (optional):

The results of this submission may be viewed at:

<https://linkprotect.cudasvc.com/url?a=https://www.cityofhomer-ak.gov/node/30781/submission/16101&c=E,1,gs2zSQ2DuAnDKLh63BvFlyLyISA4mAzWGkdI6cqCjvarHaz72wqSZod3fOsOT1Bex2DNGkfZGk5CXn00SFAO4pidcBKRWXF8wIz4cD4nVg,,&typo=1>

From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Tuesday, March 27, 2018 12:33 PM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Tuesday, March 27, 2018 - 12:33pm Submitted by anonymous user: 172.16.64.18
Submitted values are:

Submit Your Comments Here: Thank you for the opportunity to comment on the draft 2018 Comprehensive Plan. I think the text and supporting maps are quite good. One glaring proposal that is concerning is the proposal to zone an island of area currently within the CBD as GC-1. This proposal is contrary to a downtown we all envision for Homer. This particular area is across the street from the college, which ultimately would be best suited for a pedestrian friendly link to the post office, public safety building, commercial businesses on Lake Street and the residential neighborhood on Klondike, Bonanza and Grubstake. To diminish the urban residential neighborhood with the encouragement of more industry seems to be counter to what we envision for our downtown area. It would diminish the future of the potential of a charming pedestrian character for a downtown. We are in need of more downtown housing where people can walk and access downtown areas and where visitors can enjoy walking access to the offerings of our downtown. While there is the HEA storage area in that area currently, the hope would be to eventually make better use of our CBD. Changing the zoning in that area to accommodate more of the HEA type of use is not what is best for Homer in the long run. I would discourage a change of zoning in that area and urge you to reconsider that proposal. It would be better to leave it as is and allow for higher density housing there. We need to be visionary and forward thinking. We have worked hard to beautify Homer and make it more pedestrian friendly. Please let us not further 'industrialize' our downtown area.

First Name: Rika

Last Name: Mouw

Your Email (optional): rikamouw@gmail.com Your Phone (optional): 9072357455

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https://www.cityofhomer-ak.gov/node/30781/submission/16741&c=E,1,aXilBDup_aAHvNvxOEYGZBwS_BQS_Sy7NBGc6XUP2siRo8DtNw2UxbWCNxLSAORUADd31DZWlzuCa_Kwrlo4s4d-9HxgBxBBBCseIVZ3Km8LnUI,&typo=1

From: City of Homer Alaska Official Website <info@cityofhomer-ak.gov>
Sent: Friday, March 16, 2018 12:30 PM
To: Department Planning
Subject: Form submission from: Homer Comprehensive Plan 2018 Update

Submitted on Friday, March 16, 2018 - 12:29pm Submitted by anonymous user: 146.71.68.21 Submitted values are:

Submit Your Comments Here:
Your comments will be submitted to the Planning Office

Thanks for the opportunity to comment!

1. Beluga Lake is identified in Section 5 as a seaplane base. It is identified in Appendix A-3 as within a Land Use Area identified as Open Space Recreation. From my observations, the lake has a number of uses throughout the year; summer seaplane base, winter vehicle ice racing, winter cross country skiing, winter kite boarding, winter ice skating, occasional wheel and ski plane operations, etc. I have not seen boats on the lake in the summer, but I do not know if such use is restricted or not. I have been told that neither the State, Borough, nor City have jurisdiction or exercise control over the lake. From the Land Use Plan it would appear the lake falls under the jurisdiction of the City. I would recommend clarifying who has jurisdiction over the lake. If there are any current limitations or restrictions on activities on the lake, I would document that. I would clearly indicate what uses are encouraged for the lake and what uses are discouraged or restricted. Perhaps a management plan, management strategy, management entity and/or advisory group should be established for the lake. I personally strongly advocate for allowing a broad range of activities/uses, intervening only if conflicts develop, acknowledging the established use of the lake as a seaplane base and maintaining a priority for summer floatplane operations.
2. Section 5 discusses the value placed on accommodating and enabling pedestrian and non-motorized traffic, especially in the Town Center, along Main St and Pioneer Ave. I strongly support this. I have also observed increasing pedestrian and non-motorized traffic along East Hill Rd and Skyline Av. Commercial tourism operators are now conducting bike treks or expeditions along Skyline and down East Hill during the summer. Neither Skyline nor East Hill have any accommodations for pedestrian or non-motorized traffic. There are no shoulders, sidewalks, parallel trails or pullouts. I would recommend this need be captured in the Plan and Skyline and East Hill be included in Goal strategies. West Hill may experience a similar condition, but I am less familiar with day to day West Hill conditions.
3. The Land Use Map, Appendix A-3 includes a category titled Future Increasing Residential. The classification is new for 2018. The areas so designated were previously categorized as Rural Residential. I cannot locate definitions within the Plan for the listed categories. I would recommend clear definitions be included. What is the Plan's objective with respect to Future Increasing Residential and how is it different than Rural Residential?
4. Section 6 discusses the need for a City Plans Examiner and a Fire Inspector to facilitate plan reviews, fire code review, construction permitting and inspections. Perhaps this is a function the City could more cost effectively contract out, on an as needed basis, to local professional engineering service providers. Perhaps a consolidated contract including Kachemak City, Seldovia, Anchor Pt, etc might yield further economies of scale.
5. Section 6 notes that Animal Control falls under the responsibility of the police department. I do not have any expertise in either, but just curious if perhaps Animal Control could be more cost effectively outsourced or otherwise administered under a different department?

6. Section 6 discusses the current City waste water treatment plant. Please clarify if the plant meets all current and anticipated environmental regulatory requirements or if future upgrades should be planned for.

7. The airport is noted as an important asset for the community. It is a major local employer. It is a key component of the multi-modal transportation network for the City, the Region and adjacent local communities. It provides critical infrastructure that supports virtually every other key economic enterprise in the community, and it is a prominent gateway for visitors. The airport is a key asset that supports the economic goals highlighted in Section 7.

a. Even though the airport is noted as an important asset, I think the Plan understates the value of the airport to the community. I would recommend the value of the airport be more clearly articulated.

b. Furthermore, I believe there is a great opportunity to enhance the link between the airport and the community and further increase the value. Airport property could be integrated into the Homer trails system, similar to the arrangement at Lake Hood in Anchorage. Alaska has a unique relationship with aviation, yet the general public is more and more isolated from aviation activities. Homer has a unique opportunity to be different. Public access and observation areas should facilitate and encourage responsible interaction between the public and the airport. Recreational trails and pathways accommodating pedestrian and non-motorized traffic could interweave between Open Rec, Business and Airport areas. A pedestrian and non-motorized link to the spit, town center, Beluga Lake and from one side of the airport to the other would further enhance the viability of the airport as a positive gateway for visitors arriving both commercially and on private aircraft.

8. Similarly, while the Plan notes the use of Beluga Lake as a seaplane base, the Plan is basically silent on the value of this aviation asset to the community. The lake is home to a number of commercial floatplane operators, guides, outfitters, lodges and helicopter operations. It is a hub for visitor activities and a valuable economic and recreational asset for the community. I would recommend the value of the the seaplane base be more clearly articulated.

a. I think it would be important to recognize this traditional important use of the lake and surrounding land and to encourage its long term role as such.

b. Furthermore I believe Beluga Lake and the aviation related activities there could be nicely woven into the link between the airport and the community suggested above.

First Name: Steve

Last Name: Theno

Your Email (optional): Stevetheno@pdceng.com Your Phone (optional): 907-360-1868

The results of this submission may be viewed at:

https://linkprotect.cudasvc.com/url?a=https://www.cityofhomer-ak.gov/node/30781/submission/16331&c=E,1,DiG_VP8GUbwfrxeRyD2DKDdM7xMJEU7MtLyDxZ_-7WIH45k0hR_IYdRyMotzpZFAc4-mYKUT03bAeX0c0PgbODFyRbycudC5_6GgkHi0BAICswlYrQ,&typo=1

Julie Engebretsen

From: Frank Griswold <fsgriz@alaska.net>
Sent: Monday, March 19, 2018 10:55 PM
To: Department Planning
Cc: Julie Engebretsen; Rick Abboud; Katie Koester
Subject: Spot Zoning CBD to GC1

Dear Commissioners,

According to the Alaska Supreme Court, spot zoning is the legal term of art for a zoning decision which affects a small parcel of land and which is found to be an arbitrary exercise of legislative power. The constitutional guarantee of substantive due process assures only that a legislative body's decision is not arbitrary but instead based upon some rational policy. The "classic" definition of spot zoning is "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners. Spot zoning is the very antithesis of planned zoning.

The main inquiry is whether the zoning action bears a substantial relationship to the general welfare of the general community. *Save a Neighborhood Env't v. City of Seattle*, 101 Wash. 2d 280, 286, 676 P.2d 1006 (Wash. 1984). Professor Richard L. Settle wrote as follows in Washington Land Use and Environmental Law and Practice: "The vice of "spot zoning" is not the differential regulation of adjacent land but the lack of public interest justification for such discrimination. Where differential zoning merely accommodates some private interests and bears no rational relationship to promoting legitimate public interest, it is 'arbitrary and capricious' and hence 'spot zoning.'"

The Alaska Supreme Court found that rezoning Main Street for car sales and repair was beneficial to the community because it would encourage filling in vacant places in the CBD, increase the tax base and employment in the CBD, increase convenience and accessibility for local and regional customers for vehicle repairs or purchases, and promote orderly growth and development in the CBD. It further stated "if assisting Guy Rosi Sr. was the primary purpose of [Ordinance 92-18] we would invalidate it even if it was not the product of discriminatory animus." Because fiscal zoning *per se* is irrelevant to the statutory purposes of zoning, the goal of increasing the tax base and employment opportunities is usually legitimate only if the ordinance is otherwise reasonable and in accordance with the comprehensive plan. In the 20 (+) years since Main Street was rezoned to allow car lots and vehicle repair facilities, not a single car lot or vehicle service facility has been established along Main Street. Ergo, no vacant lot has been infilled with these uses, the tax base and employment has not been increased, there has been no increase in convenience or accessibility for local or regional customers for vehicle repairs or purchases, and orderly growth and development in the CBD was not promoted. Promoting orderly growth and development was the reason vehicle sales and service were prohibited along Main Street in the first place. It is now crystal clear that assisting Guy Rosi Sr. was the sole purpose for rezoning Main Street. No rezoning at all would have been even more effective in limiting the negative impact and the owners of CBD property that was not similarly rezoned were arbitrarily discriminated against. See footnotes 7 and 8 of February 1997 APA Alaska Chapter Newsletter Article "More Planning and Zoning Law from the Alaska Supreme Court" by former Homer City Attorney Lee Sharp (provided separately along with other informational materials).

Like Ordinance 92-18, the current proposal to rezone the eastern portion of the CBD to GC1 constitutes spot zoning. There is no public interest need or justification for this proposed rezone. The late Polish philosopher Leszek Kolakowski, in what he called the Law of the Infinite Cornucopia, stated that there is never a shortage of arguments to support any doctrine one wants to believe in for whatever reasons. Thomas Paine stated, "A

long habit of not thinking a thing wrong gives it a superficial appearance of being right." The Commission and Council should acknowledge that spot zoning is wrong and let the CBD be.

Frank Griswold

APA Alaska Chapter Newsletter Article

MORE PLANNING AND ZONING LAW FROM THE ALASKA SUPREME COURT

By Lee Sharp

February 1997

During the last year, the Alaska Supreme Court (hereafter, Court) has handed down several important announcements in the field of planning and zoning. In the Lazy Mountain Land Club¹ case the Court made it clear that before a municipality may implement zoning regulations, it must have in place a comprehensive plan. In Price v. Dahl², the Court clarified its Lazy Mountain Land Club ruling by noting that zoning regulations adopted before the comprehensive plan was adopted could be enforced so long as they comply with a comprehensive plan adopted after the zoning regulations, but before the regulations are enforced. More recently, the Court handed down its decision in Thane Neighborhood v. City and Borough of Juneau,³ holding that under the Juneau zoning ordinance, when a permit for an entire mining operation had to be obtained, the planning commission could not give what amounted to final approval to a first phase or portion of a permit when the code required evaluation of all impacts of the operation before a permit could be granted. In the most recent case, Griswold v. City of Homer,⁴ the Court addressed the questions of spot zoning and conflict of interest. This article will discuss the spot zoning portion of the Griswold case. A later article will discuss the Alaska Supreme Court's rather negative (but justified) view of phased permitting as expressed in the Thane Neighborhood case.

The Facts

The Homer zoning code prohibited auto dealerships in its Central Business District (CBD). The proposal to permit auto dealerships anywhere in the CBD was not universally accepted. After much time, massaging and compromising, a proposal approved by the planning commission to allow motor vehicle sales and services on 13 lots in Homer's CBD was passed by the Homer City Council. Mr. Griswold claimed that the ordinance constituted spot zoning and was therefore invalid.

The Homer CBD encompassed over 400 acres consisting of approximately 500 lots. The area to be rezoned was a portion of Main Street containing 7+ acres in 13 lots. Several years prior to the rezoning, the owner of a lot abutting the area that later became the subject of the rezoning had applied for a conditional use permit for automobile sales and services but was denied by the planning commission which found that automobile sales were not consistent with the purpose of the CBD, were not in harmony with the comprehensive plan and would negatively impact the character of the neighborhood. This owner then applied for and received a contract rezone⁵ of the lot to General Commercial 1 which allowed auto sales. Four years later, this

person's father, who owned Lot 13, adjacent to his son's contract-zoned lot, requested that the zoning code be amended to allow vehicle sales and related services within the CBD. When this request was not granted, he then asked that Lot 13 be rezoned for that purpose. After considering the request, the commission determined to allow automobile-related services on a portion of Main Street and noted its desire to rezone this person's property to allow vehicle sales. The staff had recommended the change be extended to the entire CBD or to nowhere, and the city attorney had stated that the proposed ordinance would be difficult to enforce and defend. The council adopted the ordinance allowing vehicle sales and services on a portion of Main Street in the CBD.

The Court's Analytical Framework

The Court began its analysis by noting that the ordinance was a legislative act of the city council (not a zoning board decision), and was therefore to be given great deference by the Court with respect to the correctness of the legislative judgment. It warned, however, that it would invalidate zoning decisions that are the result of prejudice, arbitrary decision-making or improper motives, or where the legislative decision has no reasonable relationship to a legitimate government purpose. It is, the Court said, a difference between zoning that is based on objective factual evidence on the one hand and zoning without a rational basis on the other.

After examining some of the judicial descriptions of "spot zoning," the Court set out three factors to be considered in a spot zoning analysis. These are:

1. the consistency of the amendment with the comprehensive plan,
2. the benefits and detriments of the amendment to the owners, adjacent landowners, and community, and
3. the size of the area that is rezoned.⁶

Consistency With The Comprehensive Plan

The city was able to point to policy statements in the comprehensive plan with which the rezoning was consistent, and these were apparently sufficient in the view of the trial court to outweigh the alleged inconsistencies, including the prior commission finding that such use was inconsistent with the CBD. Unless there is clear error in the trial court's findings of fact, the Alaska Supreme Court does not disturb a trial court's findings at trial. The Court set out the different facts that were shown at trial that demonstrated either consistency or inconsistency with the comprehensive plan. The Court appeared to indicate that, on balance, the facts would have supported a denial as well as the approval of the zone change. However, because the trial court's finding of consistency was not clear error, the Court approved the trial court's finding that the facts supported consistency with the comprehensive plan.

Effects On Community, Individual and Others

The Court then examined the effects of the small-parcel zoning on the parcel owner and on the community. After noting the negative and the positive impacts on the community, the Court held that in light of the deference it must give to the decisions of the legislative policy maker (the City Council), and to the findings of the trial court, it could not hold that the ordinance was arbitrarily or capriciously adopted.

While examining the question of the benefit to the property owner, the Court issued a clear warning that while a small-parcel rezoning to accommodate the needs of a long standing businessman in the community was understandable, it would not justify a rezoning and, if the primary purpose of the ordinance is to assist a particular property owner, such a rezoning would constitute arbitrary discrimination and would be invalidated. The problem of arbitrary discrimination can be addressed by the city showing community benefits. Here, the city showed that by limiting the rezoning to a small area, it minimized the negative impact of auto-related uses on other areas.⁷

The Size Problem

While examining the effect of the size of the rezoned area on the spot zone analysis, the Court stated that the size of the area should not be considered more significant than other factors to be considered. A parcel is not necessarily so small as to require an automatic ruling of spot zoning, and a parcel cannot be too large under certain circumstances to preclude a finding of spot zoning. The Court was also sensitive to the fact that simply adding more parcels to a rezoning would not necessarily avoid a finding of spot zoning, particularly where it appeared that the additional parcels were added as a subterfuge to obscure the purpose of benefiting a particular landowner. The Court held that in this case the size of the area being rezoned (7+ acres, 13 lots), when compared to the size of the entire CBD (400 acres, 500 lots), was not in itself sufficient to convince the Court that the city's decision was based upon prejudice, arbitrary decision-making or improper motives. The Court also noted that it was not necessary to compare the rezoned area to the entire area of a CBD as the comprehensive plan recognized the possibility of subzones, and the City clearly considered significant portions of the CBD to be inappropriate for automobile sales and services. When these areas (which the Court did not quantify) were deleted from the CBD, the rezoned area on Main Street became a more significant part of a remaining CBD.⁸

Comments

The Court appears to have been troubled by the apparently substantial showing of certain inconsistencies with the comprehensive plan, negative impacts upon the plan and the community, and the stated intent of the planning commission to benefit a single property owner. It also cast doubt on how willing it would be to accept increasing the tax base and local employment as legitimate bases for a rezoning. This case does not draw any bright lines upon which we may rely in analyzing potential spot zoning problems; however, it does provide us with the elements at which the Court will look when reviewing rezoning challenges based on spot-zoning. In my view, the Court upheld the rezoning not so much because it was clear that spot zoning was not involved, but because the evidence that supported the argument for spot zoning did not so

excessively outweigh the city's evidence that the Court felt compelled to interfere with the discretion of the city council and the findings of the trial court. I recommend that you obtain a copy of the opinion, that you read and digest it and consider whether this decision might be an appropriate topic for a work session with your commission, staff, and department director.

J:\GLS\SEMINARS\MORE.DOC

¹Lazy Mountain Land Club v. Matanuska-Susitna Borough, 904 P.2d 373 (AK 1995).

²912 P.2d 541 (Alaska, 1996).

³Alaska Supreme Court, Opn. No. 4395, Sept. 6, 1996.

⁴Alaska Supreme Court, Opn.No. 4419, Oct. 25, 1996.

⁵Prior to its revision in 1985, Title 29 of the Alaska Statutes had specific authorization for the questionable practice of contract zoning. This language was removed from the statutes in the 1985 revision on the basis that since zoning was a legislative matter which could not be contracted away, the statute invited municipalities to engage in a zoning process that had been rejected by courts in other states. The validity of the contract zoning in this case was not challenged, nor has contract zoning been challenged in Alaska in a case that has gone to the Alaska Supreme Court. One other contract zoning case has been before the Supreme Court, but the question was the notice to which the property owner was entitled before the city could implement a change in the zone. City of Homer v. Campbell, 719 P.2d 683 (Alaska 1986).

⁶Griswold, *supra* at 11.

⁷This rationale is questionable as it leads to the conclusion that the smaller the parcel, the more the city has limited the negative impact; therefore, the smaller, the better! No rezoning at all would have been even more effective in limiting the negative impact.

⁸There is a certain logical inconsistency with this approach. If one compares the area of a rezoned property to the other area within the district that is also appropriate for the same rezoning, isn't there arbitrary discrimination against the owners of those parcels that are appropriate for rezoning, but which are not rezoned? On the other hand, if only the area that is rezoned is determined to be appropriate for the rezoning, then the size analysis drops out of the equation altogether.

Letters to the editor

Posted: Thu, 03/08/2018 • 8:58am

CBD change would be spot zoning

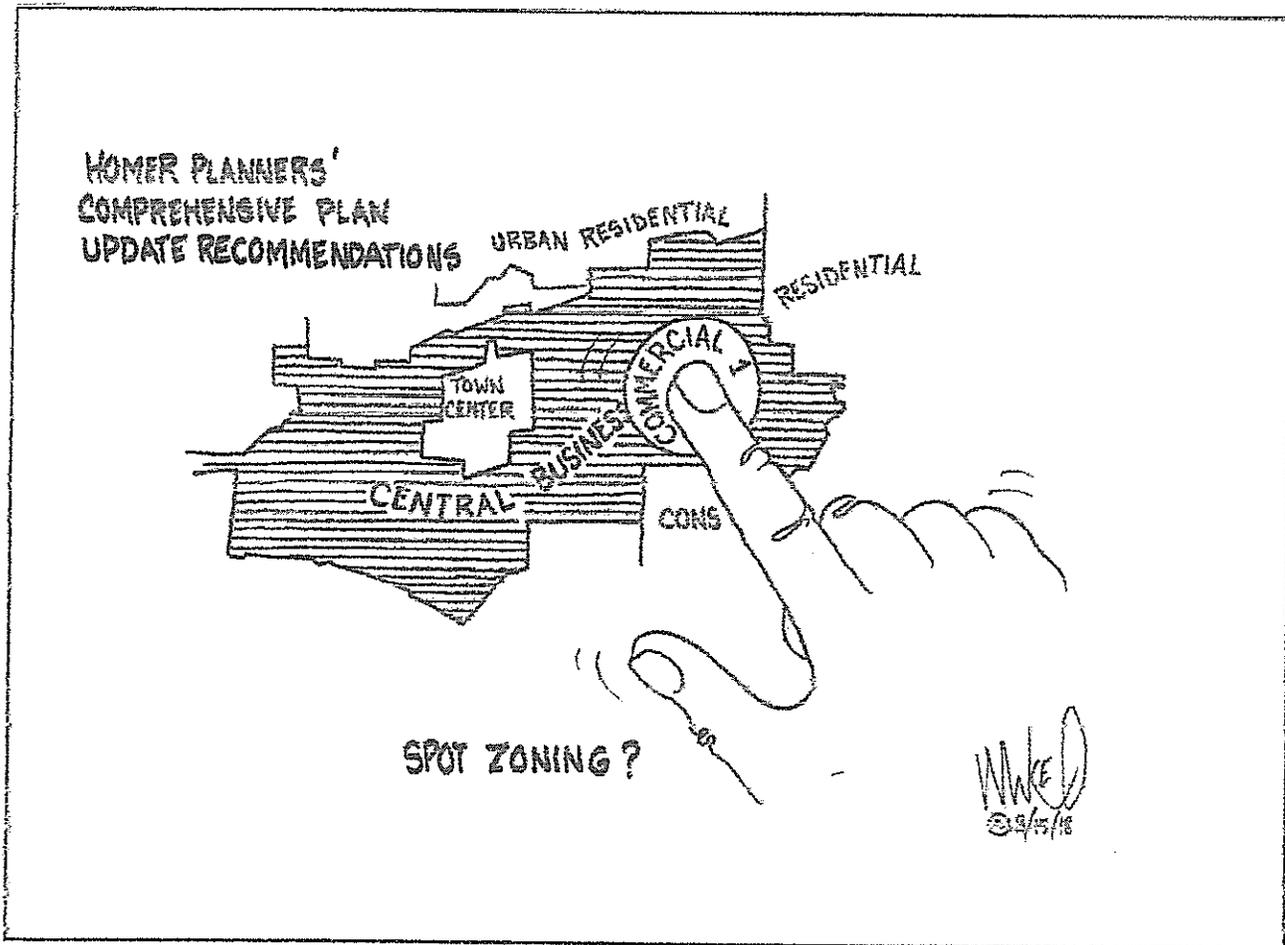
Objective B of the Draft 2018 Comprehensive Plan Update includes the following Implementation Strategy: "Support infill of existing commercial districts prior to expansion of a district." Despite the facts that the GC1 district is far from "infilled" and, according to City Planner Rick Abboud, "no one in particular requested the change," the Draft Land Use Recommendations Map promotes rezoning the area between Heath Street and Lake Street (and slightly beyond) from CBD to GC1. This rezone would allow the following commercial uses in the heart of Homer: car lots, vehicle repair shops, lumber yards/building supply stores, heavy equipment sales/rental/repair, RV parks/sales/service, warehousing, commercial storage, dry cleaning/laundry, unlimited taxi operations, industrial trade, car washes, junk yards (non-automotive), extractive enterprises, kennels, boat storage and open air businesses including outdoor pet crematoriums, and outdoor sales of firearms, fireworks, livestock, and drugs. Outdoor recreational activities, indoor crematoriums (human and pet), and public utilities would be allowable via conditional use permit. Most of these uses conflict with (proposed) Goal 2: "Maintain the quality of Homer's natural environment and scenic beauty." Furthermore, the proposed rezone plops a small island of incompatible commercial uses among two residential districts and the remaining CBD, which includes a mix of retail businesses, civic uses, educational institutions, and residences. This constitutes classic spot zoning and spot zoning is illegal in Alaska. Mr. Abboud emailed me: "Be assured that I have studied spot zoning and apply my knowledge to all zoning proposals." I am not assured on either count.

Frank Griswold

OPINION

THURSDAY, MARCH 15, 2018

HOMER NEWS



Beverly Guyton

From: Tans, Gordon-ANC [GTans@perkinscoie.com]
 Sent: Tuesday, February 25, 2003 3:24 PM
 To: Zak Tucker (E-mail)
 Cc: Walt Wrede (E-mail)
 Subject: contract rezoning application

Zak,

my recent review of the contract rezoning question caused me to look at the contract rezoning application. I think the application misses almost all of the important questions. It should be revised to require the applicant to give answers to the kinds of questions that I discussed in my recent letter. In particular, it should ask questions like these:

"How is this rezoning consistent with the purposes of the Homer comprehensive plan? In answering, provide references to specific provisions of the comprehensive plan."

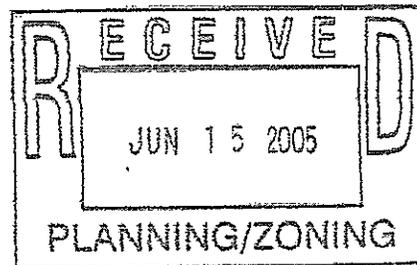
"Describe the public purposes served by this rezoning."

"Describe the benefits and detriments of this proposed rezoning to (a) the community, (b) the neighboring landowners, and (c) the property owner (you.)"

Basically, my idea is this. The legal burden is on the landowner requesting the change to prove that all of the elements for rezoning, as described in Griswold v. Homer (the 1996 decision), are satisfied. He or she should tell the commission how the proposal meets the applicable tests.

The 1996 Griswold opinion should be required reading by all commission members before they decide to grant or deny the Hodnik or any other rezoning application of any size.

Gordon Tans
gtans@perkinscoie.com
Anchorage, Alaska



Reid 08-10/04
12:44
h.

PERKINS COIE LLP

1029 WEST THIRD AVENUE, SUITE 300 • ANCHORAGE, ALASKA 99501-1970
TELEPHONE: 907 279-8561 • FACSIMILE: 907 276-3108

Con: sented
RELEASED 4/10/98

GORDON J. TANS
TANS@PERKINS-COIE.COM

April 3, 1998

Mayor Jack Cushing
City Council
City of Homer
P. O. Box 3339
Homer, AK 99603

Re: Zoning -- Legitimate Objectives of Zoning

Dear Mayor Cushing and Members of the Council:

Council Member Parks recently asked two questions in the context of considering an amendment to the zoning code to allow car washes as conditional uses in the CBD:

1. Are any of the following objectives legitimate reasons to amend a zoning ordinance?

- a). Increase business competition;
- b). Build the tax base;
- c). Increase sales tax revenues;
- d). Create jobs.

2. Does a non-conforming ("grandfathered") use set a precedent, or serve as a valid reason to amend the code to allow similar establishments as conditional uses throughout the zone?

DISCUSSION

I. LEGITIMATE OBJECTIVES OF ZONING

In questioning the legitimate objectives of zoning legislation, a distinction must be drawn between the objective or purpose accomplished by the ordinance and the

(13126-03007AA030030.003)

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motives of the individual City Council members. The motives of the individuals are essentially irrelevant, and the courts will not question them on their individual intent. Instead, the court seeks to discover the intended effect of the ordinance by examining the language of the ordinance and its probable effect. If there is ambiguity in the language, they may examine extrinsic facts, including legislative history. "But they seek the objective purpose of the ordinance, not the motives of the legislators who adopted it." 1 Anderson's American Law of Zoning § 7.01 at 733 (4th ed. 1996).

Anderson's American Law of Zoning devotes an entire chapter of 97 pages to a discussion of the legitimate objectives of zoning. In comparison, this summary will be exceedingly brief. In the most general terms, a zoning ordinance will be upheld if it has a tendency reasonably to serve the public health, safety, or general welfare. *Id.*, § 7.03 at 735; see *Seward Chapel, Inc., v. City of Seward*, 655 P.2d 1293 (Alaska 1982).

The Homer zoning code states proper objectives in its statement of purpose, H.C.C. § 21.28.020, which provides:

This chapter and chapters 21.30 through 21.70 are adopted in order to enhance the public health, safety and welfare by providing local authority to:

- A. Designate, regulate and restrict the location and use of buildings, structures and land for residence, commerce, trade, industry or other purposes;
- B. Regulate the height, number of stories, and size of buildings and other structures hereinafter erected or alterations to existing buildings;
- C. Regulate and determine the size of yards and other open spaces;
- D. Regulate and limit the density of population;
- E. Conserve and stabilize the value of property;
- F. Provide adequate open spaces for light and air; and to prevent and fight fires;
- G. Prevent undue concentration of population;
- H. Lessen congestion on streets and highways;
- I. Promote health, safety and general welfare.

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Page 3

These are typical zoning purposes, all of which are discussed in Chapter 7 of Anderson's American Law of Zoning.

The health objective includes such purposes as providing adequate light and air, relieving overcrowding of land or undue concentration of population, and providing adequate recreation areas. The safety objective includes such things as lessening congestion in the streets, traffic control, restriction of commercial uses, and avoidance of flood hazards, to name a few. Providing for the general welfare of the community is another legitimate objective, which includes the preservation of pleasing aesthetic values¹ and the avoidance of common law nuisance uses.

One section of the Standard State Zoning Enabling Act (a model act) states one objective of zoning is "conserving the value of buildings and encouraging the most appropriate use of land throughout the community." 1 Anderson's American Law of Zoning, § 7.12 at 753. This is generally accepted as a legitimate objective. In other words, zoning may prohibit uses that will have a tendency to destroy or diminish existing property values.

The use of zoning ordinances to achieve economic objectives, such as the four objectives cited in your question, presents a complex question. Courts generally disapprove of the use of zoning to regulate or restrict business competition. *Id.*, § 7.28 at 805. See *Earth Movers of Fairbanks, Inc., v. Fairbanks North Star Borough*, 865 P.2d 741, 744 (Alaska 1993) ("The prevention of competition is not a proper element of zoning.") However, almost all zoning regulation has some impact on competition, so it is difficult to isolate those regulations that are intended solely or primarily for the purpose of regulating business competition. Because of this, courts will approve zoning ordinances that serve some established purpose of zoning, and will not find them invalid simply because they have the additional effect of limiting competition. 1 Anderson's American Law of Zoning § 7.28 at 807. Anderson's cites several examples where the denial of permits for new businesses was held to be improper where the denial was based in large part on the existence of an ample number of like businesses in the vicinity. *Id.* at 809.

¹ *Barber v. Municipality of Anchorage*, 776 P.2d 1035, 1037 (Alaska 1989) cert. denied 493 U.S. 922. ("It is established that the government's interest in aesthetics is substantial and should be accorded respect.")

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Page 4

While the preservation of the value of property is generally accepted as a legitimate objective of zoning, there seems to be a tendency for courts to disapprove zoning ordinances whose sole or principal purpose is producing property or sales tax revenue. *Id.*, § 7.30 at 819-820. However, it may also be said that a zoning ordinance calculated to encourage sound community development seems bound to enrich the tax rolls; such a secondary effect on tax revenues does not render the measure invalid. *Id.* I think the distinction here is that a zoning ordinance that has as its apparent purpose the production of revenue at the expense of the community's general welfare will be invalid, while an ordinance that has as its purpose the advancement of the community's general welfare will be valid, even though it has a secondary effect of increasing the tax base or generating additional sales tax revenues.

Zoning for the purpose of creating jobs should be looked at in the same way. For example, zoning an area of the city for industrial uses in the hope that industry will locate in the city, create jobs, and add to the economic well-being and general welfare of the city, is a legitimate objective of zoning. However, changing existing zoning to put an industrial plant in the middle of a residential area may have a harmful effect on the general welfare of the community, even though it might generate the same number of jobs and economic activity in the city. Thus, the critical question is whether the zoning change promotes the general health, welfare and safety of the community, not whether it creates jobs, although the creation of jobs may be a beneficial effect that does help promote the general welfare of the community.

The decision of *Griswold v. City of Homer*, 925 P.2d 1015, 1023 n.9 (Alaska 1996) discussed the legitimacy of economic purposes for zoning. Concerning the validity of the Homer Comprehensive Plan's objectives of filling in vacancies in the CBD and increasing the tax base and employment, the court said:

Not all of the goals articulated by the City can be considered legitimate *per se*. For example, any zoning change which casts restrictions on property use could be said to further the goal of "filling in vacant places." Similarly, increasing the tax base and the employment of a community is not automatically a legitimate zoning goal. See *Concerned Citizens for McHenry, Inc. v. City of McHenry*, 76 Ill.App.3d 798, 32 Ill.Dec. 563, 568, 395 N.E.2d 944, 950 (1979) (an increase in the tax base of the community as the primary justification for a rezone is "totally violative of all

Alan Parks
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the basic principles of zoning"); *Oakwood at Madison, Inc. v. Township of Madison*, 117 N.J. Super. 11, 283 A.2d 353, 357 (1971) (finding that "fiscal zoning *per se* is irrelevant to the statutory purposes of zoning [although] 'alleviating tax burden is a permissible zoning purpose if done reasonably and in furtherance of a comprehensive plan) (citing *Gruber v. Mayor and Tp. Committee of Raritan Tp.*, 39 N.J. 1, 186 A.2d 489, 493 (1962))"; *Chrobuck v. Snohomish County*, 78 Wash.2d 858, 480 P.2d 489, 497 (1971) (allowing industrial development on only one site would be arbitrary spot zoning despite the potential tax revenue the oil refinery would produce). Thus, the goal of increasing the tax base and employment opportunities is usually legitimate only if the ordinance is otherwise reasonable and in accordance with the comprehensive plan.

Some courts have allowed inconsistent small or single parcel rezoning in order to raise tax revenues or stimulate needed industry if the public receives higher tax revenue or employment industries. *Ziegler, supra*, § 28.04, at 28-20. Generally, the facility being built must be indisputably needed, and the city must have secured assurance as to the existence and amount of increased employment and tax revenue. For example, in *Information Please Inc. v. County Comm'rs of Morgan County*, 42 Colo.App. 392, 600 P.2d 86 (1979), the county rezoned agricultural area to industrial to accommodate an electric utility after determining the plant would add \$46,000,000 to the tax base of the county, and provide approximately 250 jobs after it was completed. *Id.* 600 P.2d at 88. In *Watson v. Town Council of Bernalillo*, 111 N.M. 374, 805 P.2d 641, 647 (App. 1991), the county made findings that the rezone would employ eighty-seven people from the community and would produce tax revenues constituting twenty-five percent of the city's budget. In *Chrismon v. Guildford County*, 322 N.C. 611, 370 S.E.2d 579, 590 (1988), the court approved the rezoning of two continuous tracts from agricultural to conditional use industrial district to facilitate expansion of an already-operating grain elevator. The court stated that the "[e]vidence clearly shows that [the owner's]

Alan Parks
April 3, 1998
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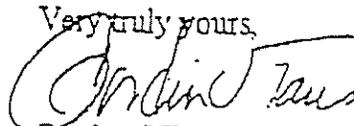
operation is beneficial to area farmers." *Id.* It also noted that spot zoning will be allowed even where the adjacent property owners object and the owner receives a greater benefit than others if there is a community-wide need for the rezone. *Id.*

Thus, economic purposes, if the primary objective of zoning, are viewed with considerable suspicion. However, if the zoning otherwise advances the community's health, safety, or general welfare, economic benefits from the zoning are usually welcome.

II. NON-CONFORMING USE AS PRECEDENT OR REASON TO ALLOW OTHER SIMILAR ESTABLISHMENTS

Generally, the existence of a non-conforming "grandfathered" use in a zoning district is not a legal precedent that would allow other similar establishments to open in the zone. To the contrary, the ordinance serves as the legal precedent saying that such establishments are not to be allowed in the zoning district. Therefore, the controlling legal precedent is the ordinance that prohibits the use.

However, that is not to say that changing conditions, ~~changing~~ public policies, or other legitimate reasons might exist to change the code to allow a use that was once prohibited. In other words, in addressing the question of whether the law should be changed to allow the use within the zone, one may look to the presence of an existing car wash and the effect it has on the zone in considering whether car washes should or should not be generally allowed within the district.

Very truly yours,

Gordon J Tans

GJT:go



1029 West Third Avenue, Suite 300
Anchorage, AK 99501-1981
PHONE: 907.279.8561
FAX: 907.276.3108
www.perkinscoie.com

February 25, 2003

VIA FACSIMILE AND
U.S. MAIL

Homer Advisory Planning
Commission
City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Re: Contract Rezoning and Spot Zoning

Dear Members of the Commission:

You have asked for my advice about whether contract rezoning under HCC 21.63 is unlawful spot zoning.

Short Answer

Whether the contract rezoning is "spot zoning" depends on whether the rezoning in question bears a reasonable relationship to legitimate public purposes. This requires a case-by-case analysis of how the proposed rezoning satisfies the comprehensive plan, and the benefits and detriments of the rezoning on the property owner, neighbors, and the community at large.

"Contract rezoning" is sometimes found to be illegal or unconstitutional. The Alaska Supreme Court has never decided this issue, and courts from other states are divided. If the city does not contract away any legislative authority, "contract rezoning" is probably not illegal *per se*. If the contract rezoning has a reasonable relationship to legitimate public purposes and the conditions imposed on the property are causally related to the rezoning, then the rezoning would probably withstand "as applied" scrutiny as well.

Spot Zoning

It is important to understand first that contract rezoning is a form of rezoning that involves, most likely, small parcels. Rezoning of a small parcel is a legislative act.

[13126-0500/AA030520.018]

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Cabana v. Kenai Peninsula Borough, 21 P.3d 833 (Alaska 2001). It must be accomplished by ordinance and satisfy the standards that generally apply to zoning legislation, subject to any specific requirements or exemptions made applicable by HCC Chapter 21.63.

"Spot zoning" has been defined as "the legal term of art for a zoning decision, which affects a small parcel of land and which, is found to be an arbitrary exercise of legislative power." *Griswold v. City of Homer*, 925 P.2d 1015, 1020 n. 6 (Alaska 1996). By this definition, spot zoning always involves a small parcel and is illegal. However, not all small parcel zoning is illegal spot zoning. The ultimate question is whether the legislation is the result of "prejudice, arbitrary decision-making, or improper motives." *Id.* at 1019. If the rezoning has a reasonable relationship to a legitimate public purpose, it is not arbitrary and, therefore, is not be unlawful spot zoning.

One of the factors that must be determined before a contract rezone application can be approved is that the rezoning "does not constitute spot zoning." HCC 21.63.020(b)(1). In other words, the Planning Commission must make an express (and reasonable) determination that the rezoning is for a legitimate public purpose and not arbitrary. Because this ordinance must subsequently be approved by the City Council, the Council must also accept that determination if it approves the rezoning.

In determining whether a rezoning constitutes "spot zoning," our court has said it will consider "(1) the consistency of the amendment with the comprehensive plan; (2) the benefits and detriments of the amendment to the owners, adjacent landowners, and community; and (3) the size of the area rezoned." *Griswold*, at 1020. No one of these factors is controlling, but the court will probe in each one of these areas looking for the expression of legitimate public purpose justifications reasonably related to the rezoning. In the end, the court is looking to see if the rezoning is motivated by community benefits rather than primarily to benefit a particular property owner.

It must be concluded that this parcel, less than one acre in size, will be deemed to be a small parcel. That does not mandate the conclusion that this is spot zoning, however. "A parcel cannot be too large per se to preclude a finding of spot zoning, nor can it be so small that it mandates a finding of spot zoning." *Griswold* at 1024. However, it is reasonable to suspect that court may require a smaller parcel rezone to be supported by a greater or clearer expression of legitimate public purpose than a large parcel.

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Any proper rezoning, regardless of size, should include a thoughtful examination of how the rezoning is consistent with the comprehensive plan and how it benefits the owners, adjacent landowners, and the community. Legitimate *public purposes* must underlie the approval of any zoning legislation. Therefore, if the Planning Commission and the City Council conclude that a rezoning is not arbitrary, but rather bears a reasonable relationship to legitimate public purposes, and those conclusions are supported in the legislative record, the rezoning will likely be found to not be spot zoning.

In reviewing a particular rezoning application, the Planning Commission should review and discuss every one of the factors that the *Griswold* court said were relevant.

Contract Rezoning

Sometimes contract rezoning (regardless of the size of the parcel) is found to be unlawful. Our Supreme Court once made this observation in a case involving the City of Homer's revocation of a rezoning contract:

No argument has been made [by the parties in the case] that contract zoning is itself unconstitutional and therefore for the purposes of this case we assume that it is not. We note, however, that there are authorities which hold that contract zoning is unconstitutional. See 1 P. Rohan, *Zoning and Land Use Controls* § 5.01[3]. (1986).

City of Homer v. Campbell, 719 P.2d 683, 685 n. 3 (Alaska 1986). Note carefully that the court did not say contract rezoning was unconstitutional. It said some authorities hold that it is, but the reverse is also true — some courts hold that it is not. Our court made no decision because the issue had not been raised. No subsequent Alaska case has raised this issue, either.

The court in the *Campbell* case cited 1 P. Rohan, *Zoning and Land Use Controls* § 5.01[3] (1986). In the 1993 update of the same treatise, chapter 5.01, entitled "Contract and Conditional Zoning," occupies 169 pages of text. The subject is not simple, and any attempt to summarize the law must, of necessity, gloss over many fine nuances. Nevertheless, the following "brief" discussion may be of some help to you.

Bearing in mind that he is not discussing Alaska statutes or court decisions, Rohan distinguishes contract zoning from conditional zoning in this way:

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[T]he negotiation of zoning conditions has been at times almost indistinguishable from the process of negotiating a contract. After all, an exchange of promises may ultimately lie at the heart of the process. Such an exchange may be a power of the state, but it is usually not authorized by a state's enabling zoning legislation and thus not clearly within a locality's authority. This state of affairs led initially to many decisions striking down zoning with conditions, and, although this trend has been reversed in recent years, conditional zoning remains subject to similar challenges today.

Thus, initially, when localities attempted to impose conditions on a developer seeking to rezone property, the courts labeled such conditions "contract zoning" and almost uniformly struck down the governmental action. Over time, the term "contract zoning" achieved a secondary meaning not unlike the term "spot zoning." In this view, "contract zoning" was a form of judicial shorthand used to justify a decision to strike down the zoning change without careful or thoughtful analysis.

It should not be surprising, then, that advocates of zoning with conditions developed a narrower definition of "contract zoning" and coined a new phrase — "conditional zoning" — so as not to fall into the class of decisions that labeled conditions invalid per se as a class of "contract zoning." The narrow definition attempts to limit "contract zoning" to those cases where there is "... the undertaking of reciprocal obligations with respect to zoning amendment of a property user and the zoning authority. ...

... Under this approach, in a true case of contract zoning, the government agrees to rezone (and possibly agrees not to change its mind), and the developer agrees to conditions that would otherwise not be applicable to his land. On the other hand conditional zoning is analogous to a unilateral contract; the local government does not promise to rezone but either voluntarily, or through negotiation with the developer, agrees to conditions that are otherwise not required in the proposed zone. The conditions can be made a part of the zoning ordinance text or be evidenced

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by the recording of enforceable covenants binding the developer and his assignees to the negotiated conditions.

Rohan, § 5.01[2] at 5-10 through 5-13 (1993). In discussing the legality of contract and conditional zoning, Rohan continues:

As noted in the previous section, the principal difference between contract and conditional zoning is that with the latter the local government does not commit itself to any legally enforceable reciprocal promises. This distinction has a superficial attractiveness because it allows one to argue that in contract zoning the local governmental body has bargained away its police powers, while with conditional zoning no such express bargaining has taken place. The problem with this neat unilateral versus bilateral contract dichotomy is that the judicial opinions do not always follow the script. In fact, the distinction is often overlooked entirely by the courts; this may help to explain why the courts are split over the legality of conditional zoning.

Indeed, the early trend was to ignore these distinctions and to declare contract and conditional zoning invalid *per se*. The modern trend, with a few exceptions, is to ... find that conditional zoning is not *per se* invalid. However, conditional zoning may still be found invalid as applied in specific circumstances.

Id. § 5.01[3] at 5-15 through 5-19. Rohan then cites the growing use of development agreements as evidence of growing judicial and legislative support for conditional zoning, including both unilateral and bilateral agreements. He then continues:

The legality of conditions imposed on a rezoning or zoning petition should be decided on the merits of the issues involved and not by the use of the labels "contract" or "conditional" zoning. Whatever label the court attaches to the imposition of conditions that accompany a zoning or rezoning decision, the real issue is whether or not the mere act of conditional zoning is *per se* invalid and, if not, whether under the particular circumstances the inclusion of the conditions makes an otherwise valid exercise

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of the police power invalid. The principal arguments used to support the conclusion that contract or conditional zoning is "per se" invalid are that it is an illegal bargaining away of the legislative authority or that it is *ultra vires*.¹ The principal "as applied" arguments in particular cases are that the action constitutes spot zoning by singling out one parcel for nonuniform and noncomprehensive treatment, or that the conditions are not reasonably or causally related to the requested zoning or rezoning petition.

Id. at 5-21 through 5-23 (emphasis added).

Does Alaska law support the principal arguments that contract or conditional zoning are invalid *per se*? If a rezoning contract bargains away future legislative authority, it is unenforceable under Alaska law. See *Mt. Juneau Enterprises, Inc. v. City and Borough of Juneau*, 923 P.2d 768 (Alaska 1996) (a contract binding a municipality to a future legislative act is unenforceable and void as against public policy). However, a "contract" that does not bargain away legislative authority, i.e., leaves the municipality free to enact future legislation in the public interest, would not suffer from this defect.

Rohan's other principal argument for *per se* invalidity is that conditional zoning is *ultra vires*, i.e., beyond the lawful authority of the municipality. In my opinion, Alaska law does not support this argument. The land use regulation authority of municipalities is very broad. Local governments are authorized to

adopt or amend provisions governing the use and occupancy of land that may include, but are not limited to,

...

(2) land use permit requirements designed to encourage or discourage specified uses and construction of specified

¹ The *ultra vires* argument is based on the lack of authority for the local governmental unit to engage in contract or conditional zoning.

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structures, or to minimize unfavorable effects of uses and the construction of structures

AS 29.40.040(a): Further, zoning codes in Alaska are not strictly construed in favor of the property owner, *Lazy Mountain Land Club v. Matanuska-Susitna Borough*, 904 P.2d 373, 384 n. 64 (Alaska 1995). To the contrary, a liberal construction is given to all powers of a municipality under Title 29, AS 29.35.400. A municipality, unless otherwise limited by law, has and may exercise all powers and functions necessarily or fairly implied in or incident to the purpose of all powers and functions conferred in Title 29, AS 29.35.410. This broad grant of power could easily encompass conditional zoning, so it is unlikely that it would be found to be *ultra vires* under Alaska law.

Rohan's "as applied" arguments can be addressed, and eliminated, by a thoughtful rezoning decision and the imposition of reasonably related zoning conditions. As discussed earlier in this letter, the "contract rezoning" will not be spot zoning if it has a reasonable relationship to a legitimate public purpose. The conditions imposed by the "contract" must be both reasonably related to legitimate public purposes and causally related to the rezoning petition. If they are not, then they are at risk of being found arbitrary and, therefore, unlawful.

There may be a great temptation to think of a "contract rezone" as a two-party contract, but succumbing to that temptation could lead easily to exclusion of public purposes and community benefit from consideration. If that happened, the result would be at greater risk of being viewed as arbitrary and motivated by an improper motive to benefit a particular property owner. Therefore, no contract rezoning should be attempted without focusing first on the public purposes to be served and community benefit to be achieved by the rezoning.

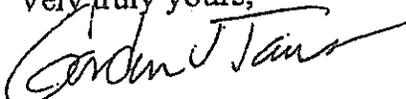
Conclusion

I think the matter boils down in essence to this: If the parcel in question can be lawfully rezoned to CBD because there is a reasonable relationship of the rezoning to legitimate public purposes and it determined that it is not "spot zoning," then it is most likely also lawful to impose conditions (restrictions) on that rezoned property by "contract rezoning" accepted by the property owner. Such restrictions should govern not only the current owner, but all future owners. This conclusion assumes that in the

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"contract" the city does not bargain away its legislative power to make future enactments, including rezonings of the property in question.²

Very truly yours,



Gordon J Tans

GJT:gjt

cc: Walt Wrede (via facsimile)
Zak Tucker (via facsimile)

² Of course, subsequent rezonings may result in application of the code provisions concerning non-conforming uses that predate the change in zoning. This possibility should not create any problems vis-à-vis the validity of the rezoning in the first place.



City of Homer Planning & Zoning

491 East Pioneer Avenue
Homer, Alaska 99603-7645

Telephone (907) 235-3106
Fax (907) 235-3118
E-mail Planning@ci.homer.ak.us
Web Site www.ci.homer.ak.us

January 11, 2007

Jerry Worthman
Alyeska Tire
Soldotna Store
36095 Kenai Spur Highway
Soldotna, Alaska 99669

Dear Mr. Worthman,

The purpose of this letter is to confirm our Nov. 2, 2006 telephone conversation regarding your Conditional Use Permit (CUP) 05-04 for the expansion of Alyeska Tire at 1301 Ocean Drive. We also discussed the removal of waste tires and abandoned vehicles on the property.

It is my understanding that you intend to proceed with the addition once the electrical line issue is resolved with Homer Electric Association. Looking ahead, your Conditional Use Permit (CUP) has several conditions that need to be met prior to issuance of a Zoning Permit.

1. One of the conditions on the CUP is to submit a detailed landscaping plan to the Planning and Zoning office by April 20, 2007. The Storm Water Plan that Bill Nelson prepared illustrates water retention swales surrounding the parking area. This site plan will be helpful in creating a landscape plan. Attached is a list of professionals in Homer with landscapers highlighted.
2. The Storm Water Plan also indicates an existing vegetated area in the Southeast corner of the property. The Storm Water Plan states that this area to be reserved for water retention and a vegetative buffer. Currently this area, in part, is being used for equipment storage and parking of an abandoned vehicle. Homer City Code (HCC) 21.49.020 does not allow the storage of abandoned vehicles in the GC1 zoning district. We discussed this issue on Nov. 2, 2006 and I was assured that the abandoned vehicles would be removed from the property to eliminate the violation. **Please consider this letter notification to remove ALL abandoned vehicles from the property by Feb. 15, 2007.**
3. Condition #8 on your CUP requires that "waste tire storage must be screened by a fence." We discussed this issue on Nov. 2, 2006 and I was assured that your Homer staff would remove the excess waste tires. **Please consider this letter notification to remove the excess waste tires by Feb. 15, 2007 or provide screening from public view.**

4. Keep in mind that use of mobile storage trailers is limited to one year when used in conjunction with a construction project per HCC 21.49.020 (cc). It appears there are several mobile storage trailers on site that may or may not be related to construction.

I thank you in advance for your attention to these requirements and **violations**.

Respectfully submitted,

Dotti Harness
Planning Technician and Code Enforcement
235-8121 x2239

Attached: Professional list

Cc: Beth McKibben, City Planner
Homer Advisory Planning Commission
Walt Wrede, City Manager
Alyeska Tire, Homer Store



Photo taken Dec. 26, 2006. Excess waste tire storage and mobile storage trailers at 1301 Ocean Drive, Alyeska Tire.

CITY OF HOMER
HOMER, ALASKA

Planning

ORDINANCE 03-37

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER,
ALASKA, AMENDING THE HOMER CITY ZONING MAP TO REZONE
PORTIONS OF URBAN RESIDENTIAL DISTRICT (UR) TO CENTRAL
BUSINESS DISTRICT (CBD).**

WHEREAS, the Homer Advisory Planning Commission reviewed a request from the Kenai Peninsula Borough and the City of Homer to rezone properties from Urban Residential District to Central Business District, and

WHEREAS, the Homer Advisory Planning Commission held a public hearing on the matter on June 4, 2003, as required by Homer City Code, Section 21.70.020, and

WHEREAS, the Homer Advisory Planning Commission determined that the rezone did not constitute spot zoning as the properties are split by the current zoning and

WHEREAS, the Homer Advisory Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map will be amended as per attached Exhibit A, to rezone the indicated areas from the Urban Residential District (UR) to Central Business District (CBD).

Section 2. The City Clerk is authorized to sign the map and adhere to the requirements set forth in the Homer City Code, Section 21.36.020. (c).

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this
____ day of _____, 2003.

CITY OF HOMER

Jack Cushing, Mayor

ATTEST

Mary L. Calhoun, CMC, City Clerk

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Alaska Statutes

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation

Section 10. Planning, Platting, and Land Use Regulation.

previous: [Chapter 40. Planning, Platting, and Land Use Regulation](#)

next: [Section 20. Planning Commission.](#)

AS 29.40.010. Planning, Platting, and Land Use Regulation.

- (a) A first or second class borough shall provide for planning, platting, and land use regulation on an areawide basis.
- (b) If a city in a borough consents by ordinance, the assembly may by ordinance delegate any of its powers and duties under this chapter to the city. The assembly may by ordinance, without first obtaining the consent of the city, revoke any power or duty delegated under this section.

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Alaska Statutes.

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation Section 20. Planning Commission.

previous: [Section 10. Planning, Platting, and Land Use Regulation.](#)
next: [Section 30. Comprehensive Plan.](#)

AS 29.40.020. Planning Commission.

(a) Each first and second class borough shall establish a planning commission consisting of five residents unless a greater number is required by ordinance. Commission membership shall be apportioned so that the number of members from home rule and first class cities reflects the proportion of borough population residing in home rule and first class cities located in the borough. A member shall be appointed by the borough mayor for a term of three years subject to confirmation by the assembly, except that a member from a home rule or first class city shall be selected from a list of recommendations submitted by the council. Members first appointed shall draw lots for one, two, and three year terms. Appointments to fill vacancies are for the unexpired term. The compensation and expenses of the planning commission and its staff are paid as directed by the assembly.

(b) In addition to the duties prescribed by ordinance, the planning commission shall

- (1) prepare and submit to the assembly a proposed comprehensive plan in accordance with [AS 29.40.030](#) for the systematic and organized development of the borough;
- (2) review, recommend, and administer measures necessary to implement the comprehensive plan, including measures provided under [AS 29.40.040](#).

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Alaska Statutes.

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation

Section 30. Comprehensive Plan.

previous: [Section 20. Planning Commission.](#)

next: [Section 40. Land Use Regulation.](#)

AS 29.40.030. Comprehensive Plan.

(a) The comprehensive plan is a compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the first or second class borough, and may include, but is not limited to, the following:

- (1) statements of policies, goals, and standards;
- (2) a land use plan;
- (3) a community facilities plan;
- (4) a transportation plan; and
- (5) recommendations for implementation of the comprehensive plan.

(b) With the recommendations of the planning commission, the assembly shall adopt by ordinance a comprehensive plan. The assembly shall, after receiving the recommendations of the planning commission, periodically undertake an overall review of the comprehensive plan and update the plan as necessary.

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Alaska Statutes.

Title 29. Municipal Government

Chapter 40. Planning, Platting, and Land Use Regulation Section 40. Land Use Regulation.

previous: [Section 30. Comprehensive Plan.](#)

next: [Section 50. Appeals From Administrative Decisions.](#)

AS 29.40.040. Land Use Regulation.

(a) In accordance with a comprehensive plan adopted under [AS 29.40.030](#) and in order to implement the plan, the assembly by ordinance shall adopt or amend provisions governing the use and occupancy of land that may include, but are not limited to,

- (1) zoning regulations restricting the use of land and improvements by geographic districts;
- (2) land use permit requirements designed to encourage or discourage specified uses and construction of specified structures, or to minimize unfavorable effects of uses and the construction of structures;
- (3) measures to further the goals and objectives of the comprehensive plan.

(b) A variance from a land use regulation adopted under this section may not be granted if

- (1) special conditions that require the variance are caused by the person seeking the variance;
- (2) the variance will permit a land use in a district in which that use is prohibited; or
- (3) the variance is sought solely to relieve pecuniary hardship or inconvenience.

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Allowed Zoning Uses Comparison by District
Central Business District (CBD) vs. General Commercial 1 District (GC1)

P = Permitted Use C = Conditionally Permitted Use

Use	CBD	GC1
Housing		
Single-family, duplex, and multiple-family dwellings, including townhouses, but not including mobile homes;	P	
Multiple-family dwelling;		C
Townhouses;		C
Apartment units located in buildings primarily devoted to business or commercial uses;	P	
Dwelling units located in buildings primarily devoted to business uses;		P
Mobile home parks;	C	C
Mobile homes, provided they conform to the requirements set forth in HCC 21.54.100;	P	
One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-family dwelling on a lot. [Ord. 11-44(S) § 3, 2011; Ord. 11-23(A) § 4, 2011; Ord. 09-34(A) § 10, 2009; Ord. 08-29, 2008].	P	
Group care homes and assisted living homes;	C	
Day care homes and facilities; provided, however, that outdoor play areas must be fenced;	P	
Day care homes; provided, that a conditional use permit was obtained for the dwelling, if required by HCC 21.24.030; all outdoor play areas must be fenced;		P
Day care facilities; provided, however, that outdoor play areas must be fenced;		C
Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;		C
Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;	C	
Rooming house, bed and breakfast and hostel;	P	
Rooming house and bed and breakfast;		P
Dormitory;	P	P
Wind Generation		
As an accessory use, one small wind energy system per lot.		P
As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts;	P	
One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;	C	

Use	CBD	GC1
Schools, Churches, Museums, Public Facilities		
Museums and libraries;	P	
Public, private and commercial schools;	P	
Trade, skilled or industrial schools;		P
Religious, cultural, and fraternal assembly;	P	
Indoor recreational facilities;		C
Indoor recreational facilities and outdoor recreational facilities;	C	
Outdoor recreational facilities. [Ord. 08-29, 2008].		C
Parks;	P	
Parks and open space;		P
Personal Services		
Personal service establishments;	P	
Dry cleaning, laundry, and self-service laundries;		P
Restaurants		
Restaurants, clubs and drinking establishments that provide food or drink for consumption on the premises;	P	
Restaurants, including drive-in restaurants, clubs and drinking establishments;		P
Entertainment establishments;	P	
Mobile food services;	P	P
Retail, Office, and Hotels		
Hotels and motels;	P	P
Retail businesses;		P
Retail business where the principal activity is the sale of merchandise and incidental services in an enclosed building;	P	
Retail and wholesale sales of building supplies and materials, only if such use, including storage of materials, is wholly contained within one or more enclosed buildings;	P	
Plumbing, heating and appliance service shops, only if such use, including the storage of materials, is wholly within an enclosed building;	P	
Financial institutions; (GC1 starts with "banks, savings and loans...")	P	P
Professional offices and general business offices;	P	
General business offices and professional offices;		P
Studios;	P	
Home occupations, provided they conform to the requirements of HCC 21.51.010;	P	
Outdoor Business		
Open air businesses;		P
Building supply and equipment sales and rentals;		P
Greenhouses and garden supplies;	C	
Garden supplies and greenhouses;		P
Farmers' market;	P	

Use	CBD	GC1
Lumberyards;		P
Campgrounds;		C
Crematoriums;		C
Light Industry		
Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;	C	
Manufacturing of electronic equipment, electrical devices, pottery, ceramics, musical instruments, toys, novelties, small molded products and furniture;		P
Publishing, printing and bookbinding;	P	P
Mortuaries;	P	P
Ministorage;	P	
Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law. [Ord. 16-04(A-2)(S-3) § 1, 2016; Ord. 11-44(S) § 3, 2011; Ord. 11-23(A) § 4, 2011; Ord. 09-34(A) § 10, 2009; Ord. 08-29, 2008].	P	P
Industrial		
Warehousing, commercial storage and mini-storage;		P
Wholesale businesses, including storage and distribution services incidental to the products to be sold;		P
Welding and mechanical repair;		P
Pipelines and railroads;	C	C
Auto Facilities		
Auto and trailer sales or rental areas;		P
Heavy equipment and truck sales, rentals, service and repair;		P
Auto fueling stations;	C	
Auto fueling stations and drive-in car washes;		P
Auto repair;		P
Auto repair and auto and trailer sales or rental areas...'Only on Main Street and subject to other restrictions'	P	
Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;	C	
Parking lots and parking garages, in accordance with Chapter 21.55 HCC;	P	P
Recreation vehicle sales, rental, service and repair;		P
Recreational vehicle parks only if located south of the Sterling Highway (Homer Bypass) from Lake Street west to the boundary of the Central Business District abutting Webber Subdivision, and from Heath Street to the west side of Lakeside Village Subdivision, provided they shall conform to the standards in HCC 21.54.200 and following sections;	P	

Use	CBD	GC1
Recreational vehicle parks, provided they shall conform to the standards in Article II of Chapter 21.54 HCC;		P
Taxi operation;		P
Taxi operation limited to a dispatch office and fleet parking of no more than five vehicles; maintenance of taxis must be conducted within an enclosed structure, and requires prior approval by the City Planner of a site, access and parking plan;	P	
Boat and marine equipment sales, rentals, service and repair;		P
Airplane Facilities		
Air charter operations and floatplane tie-up facilities;		P
Airports and air charter operations;		P
Floatplane tie-up facilities and air charter services;	P	
Other Uses		
More than one building containing a permitted principal use on a lot;	C	C
Customary accessory uses to any of the permitted uses listed in the district; provided, that a separate permit shall not be issued for the construction of any detached accessory building prior to that of the main building;	P	P
Other uses approved pursuant to HCC 21.04.020. [Ord. 09-34(A) § 11, 2009; Ord. 08-29, 2008].	C	C
Planned unit developments;		C
Planned unit developments, excluding all industrial uses;	C	
Public utility facility or structure;	C	C
Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;	P	P

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, April 18, 2018 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matters:

Ordinance 18-12(A), amending standards for recreational vehicles in the Marine Commercial District and the Marine Industrial District by requiring a zoning permit for employee occupied recreational vehicles

Homer Comprehensive Plan 2018 Update – February 2018 Public Review Draft

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud at the Planning and Zoning Office, 235-3106.

VOTE:NON OBJECTION. UNANIMOUS CONSENT

Motion carried.

HIGHLAND/BERNARD- MOVED TO AMEND LINE 38 TO READ “AND EFFECTIVE PERFORMANCE OF ITS INTENDED FUNCTION AS AN OPERABLE MOTOR VEHICLE, **REGISTERED AND INSURED.**”

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. Homer Comprehensive Plan 2018 Update- February 2018 Public Review Draft
- Public Hearing Notice
 - February 2018 Public Review Draft

City Planner Abboud stated that this is the time for public to comment on the Homer Comprehensive Plan and for the Commission to propose any changes.

Chair Stead opened the floor for public hearing.

Mark Hadley, non-resident, stated that he is here on the behalf of Homer Gold Mine Gifts as the owners are out of town. Mr. Hadley read the letter that was provided by the owners into the record. The letter was also included in the packet on page 181.

Val McLay, non-resident, stated that he has not seen the letter from Homer Gold Mine Gifts until tonight, but he had a couple of thoughts that went along with it. Mr. McLay stated that it seems like this property is being targeted and that it looks like spot zoning to him, which is illegal. The Waddell's have owned this property for a very long time and the businesses in this area have boosted the economy by paying taxes. He stated that he understands the City must grow and that there must be changes but that the City needs to take into consideration how many people will be affected by said changes.

Guy Rosi, longtime resident, gave a brief history of the Waddell's property, stating that it was the first court house in Homer and that Al Waddell's dad built the building many years ago. He believes that the Waddell's lot is the core of the city. He stated that other properties throughout Homer have been put into trusts or parks that does not bring any revenue to the city but this property does and has for many years.

Angie Newby, city resident, thanks City Planner Abboud for presenting at the Board of Realtors Meeting. She stated that she was enlightened by the Waddell's letter and it has made her rethink her opinion on this issue. She believes that this project has good intentions and that there are a number of vacant properties within the Central Business District that could change to respond to some of the market needs that can only be met in the General Commercial 1 zoned properties. She stated that she personally represents Val Casper who has several lots on Greatland Street and he would like to start a U-Haul business, but it is not currently allowed in the Central Business District of town. Her initial thoughts of this proposed rezoning is that it would benefit Mr. Casper and that it might clean up some of the old spot zoning in Homer. The Waddell's have raised a good issue and now she thinks that it may need more consideration because she hadn't thought about the economic consideration. She also mentioned that her pet peeve is that the rural residential zoned areas that have water and sewer have not been rezoned to urban residential. She hopes that the Commission will look into rezoning those areas in the future.

Deborah Brown, city resident, stated that she is here to try and understand the process since everything is new to her. She stated that from what she has heard tonight this proposal is disturbing. She does not know how these proposed zoning changes are made, but it seems like they have a long time owner of a property that will be taking a downgrade in their property for another property owner to benefit and that it's very concerning.

There being no further comment, Chair Stead closed the public hearing.

Chair Stead explained that this a public hearing for the Homer Comprehensive Plan that is under development and revision. Included in the plan is a map that has potential changes to the zoning. Some of the zoning change recommendations have been included in the Comprehensive Plan for over ten years and never been implemented and some may never be implemented. He states that the commission is just trying to find places where changes to the zoning can be made and the Comprehensive Plan is the way they make those proposals. General Commercial 1 is constrained and the City thought that this area of Central Business District would be a good area to change, maybe not, but it is up for discussion. He also thought that Mr. Waddell brought up some good points about the lake street area and the courthouse. He stated that the commission appreciates their comments and understands their concerns, but wanted to make sure that everyone understood the process of the Comprehensive Plan and that it's not a done deal.

Commissioner Highland stated that she has gotten a lot of feedback from individuals worried about rezoning this area. She stated that it is just a recommendation and that she personally would like to see this area stay zoned as Central Business District instead of General Commercial 1. However, she stated that the City does need to find a place to rezone to General Commercial 1 because it is in high demand. She suggested looking into Ocean Drive and East End Mixed Use in the future for rezoning as General Commercial 1.

City Planner Abboud just wanted to clarify that the city is not proposing this change on the request of any one person and that they are in fact just trying to meet the need for an issue that keeps coming up.

Commissioner Bentz asked the City Planner if the Central Business District and General Commercial 1 districts are taxed at different rates.

City Planner Abboud responded that he was unclear and that they would have to consult a professional if they decide to continue this further.

Commissioner Bernard asked the City Planner if the property owners in the Central Business District could get a conditional use permit to have certain uses or facilities in these areas.

City Planner Abboud responded that they would have to change city code in order to do that.

Commissioner Bentz stated that she would like to look at changing the rural residential to urban residential in the future.

City Planner Abboud briefly explained the zoning changing process.

Chair Stead called a recess at 7:43pm and reconvened at 7:50pm

PLAT CONSIDERATION

A. Staff Report 18-20, Mountain Park Markelz Replat Preliminary Plat

Commissioner Highland declared that she lives in this subdivision and recused herself from this matter.

Commissioner Bernard declared that she lives in this subdivision and recused herself from this matter.

City Planner Abboud reviewed the report and noted that the plat meets all requirements and that Public Works had an additional comment to “Provide a 15ft sewer easement along the northern property line, starting from the east side of the cul-de-sac, and terminating 351.70 east.”

There was no applicant present.

Chair Stead opened the floor for public testimony, with no public present he closed the public comment period.

Commissioner Venuti stated that nobody likes change. He has noticed that the Pennock Street area is getting cleaned up recently. He is pleased to see the improvements done to this area and believes that this will be a nice addition.

Commissioner Banks commented that there is not a lot the Planning Commission can do about the road maintenance to this area, but suggests Ms. Wagner talk to Public Works. This area will be urban residential and the regulations and guidelines can be found in Chapter 21.14. of Homer City Code.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report 18-19, Draft Comprehensive Plan Public Hearing/ Comments

HIGHLAND/BERNARD- MOVED TO BRING STAFF REPORT 18-19, DRAFT COMPREHENSIVE PLAN PUBLIC HEARING/COMMENTS TO THE FLOOR FOR DISCUSSION AND RECCOMENDATIONS.

There was no discussion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

The commission discussed the Draft Comprehensive Plan and made recommendations as follows:

- Add a narrative with the land use recommendations map on page A-3 and clarifying the process for future zoning changes.
- That staff review possibility of a hospital type zone and include a narrative of their findings and a possible preliminary idea.
- Investigate changing rural residential to urban residential where water and sewer is available.
- Updated pictures of the facilities throughout the Draft Comprehensive Plan
- Staff check page 6-6 for current information because it looks the same in the last Draft Comprehensive Plan.
- Review the submitted written comments from the public, specifically Charles Barnwell's goals and implement changes to the Comprehensive Plan as needed.
- Continue to gather public testimony on the change from Central Business District to General Business 1 and decide if it's feasible at a later date.

↑
The commission reviewed and briefly discussed the letters that were submitted from the public and talked about the change of Central Business District to General Commercial 1.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager's Reports for the March 27, 2018 City Council Meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Highland commented that she has had several members of the public discuss the issue of clear-cuts with her, specifically the one by Walli Estates property. She would like to get this item on a future agenda. She also would like to have a couple worksessions a year to discuss the duties that were given to the Planning Commission with the disbanding of the Transportation Commission.

Commissioner Bernard commented that she will be missing the next two meetings.

Commissioner Bentz commented that she is organizing a green infrastructure training for decision makers etc. September 11th with Noah Trainer.

Commissioner Venuti commented that this was an interesting meeting and that he believes the Planning Commission and staff have the best intentions about turning Central Business District to General Commercial 1.

Commissioner Banks commented that Earth Day is this weekend. Happy Earth Day.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:30p.m. The next regular meeting is scheduled for Wednesday, May 1, 2018 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

HAYLEY SMITH, DEPUTY CITY CLERK I



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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-25

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 2, 2018
SUBJECT: Draft Comprehensive Plan

Introduction

At the work session and regular meeting on 4/18, the Commission discussed the public comments received. At this meeting, May 2nd, staff would like to have direction on any final changes to the land use recommendations map. When the Commission has finalized any changes to the map, staff will create a new draft and the text describing the districts. Please make map amendments by motion. Staff also has some follow up on the Green Infrastructure discussion.

Requested actions:

1. Decision on inclusion of a hospital zone on the Land Use Recommendations Map
2. Decision on including (or not) GC1 within the existing CBD
3. Discussion on the Green Infrastructure section

Hospital Zone

The Commission received public comment expressing interest on the creation of a hospital zone on the future land use map. Staff reviewed the purpose statement of the current RO district, which states in part:

"....A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density."

Staff observes that near the hospital, the long term, incremental growth of medical services has not resulted in development that aligns with this purpose statement. Future land use discussions around the hospital should include the hospital, landowners, and area residents, and is beyond the scope of a comprehensive plan. Staff recommends including a general area on the land use map, with a brief paragraph about growth of the hospital and the need for neighborhood scale planning. Parking, traffic, landscaping, and building bulk and scale are all potential topics.

Staff Recommendation:

1. Discuss a hospital zone, and make a motion to include it on the Land Use Recommendations Map.
2. Add an implementation item on page 4-10 of the draft plan, 1-B-7, “Consider neighborhood planning around the hospital for the centralized expansion of medical services.” (feel free to bring your own wording to the meeting)

GC1 within the CBD

No new comments have been received. Public comments to date on this topic were not in support of creating this area of GC1 within the CBD. This topic can be further discussed if needed, but it would be helpful to know if this is something the Commission still wishes to support, or an idea that has run its course. Staff requests the Commission vote either to include the proposed new GC1 on the map, or to remove it.

Staff Recommendation:

1. Vote to include or remove the proposed GC1 district within CBD

Green Infrastructure

A work session on April 18, the Commission talked about how to make the Green Infrastructure (GI) language stronger. There was also public comment about the GI concept. In staff’s research, GI is a broad term that is usually from the 30,000 foot level – it does not lend much guidance to actually creating new regulations. Those regulations would be better phrased as Best Management Practices, Low Impact Development or other more site specific development standards. With those phrases in mind, staff reviewed the implementation table on pages 4-10 & 11 (Goal 2). These implementation items appear to cover our immediate concerns: steep slope and bluff development, and sensitive areas such as wetlands. Page 6-18, Storm water implementation items, further covers storm water action items. If there is something you would like to add as an implementation, please bring the wording to the meeting or discuss it with staff beforehand.

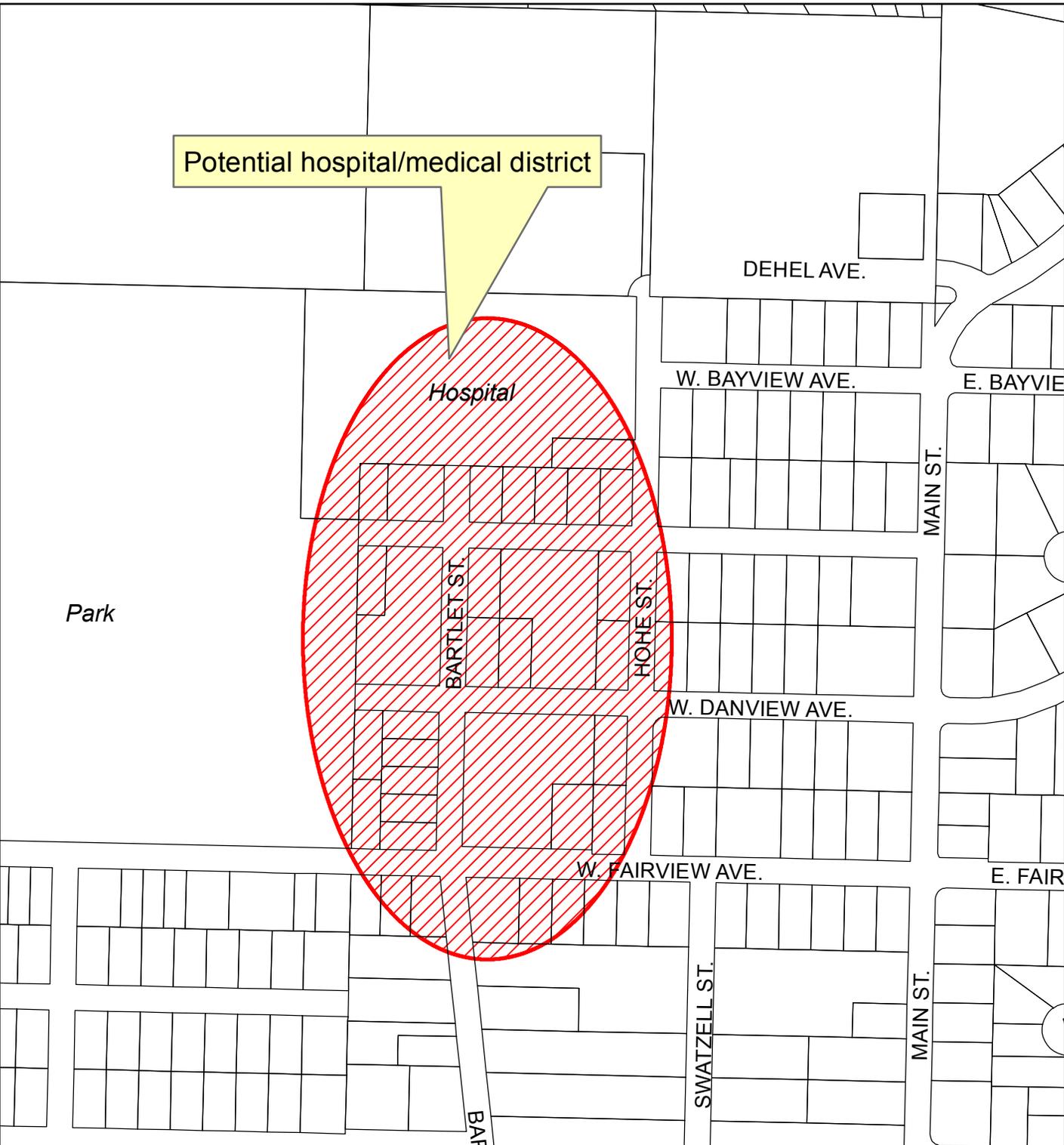
Staff Recommendation:

1. Bring wording for any additional implementation items, or discuss with staff prior to the meeting.

Attachments

1. Hospital area map

Potential hospital/medical district



Park

Hospital

BARTLETT ST.

HOHE ST.

DEHEL AVE.

W. BAYVIEW AVE.

E. BAYVIEW

MAIN ST.

W. DANVIEW AVE.

W. FAIRVIEW AVE.

E. FAIRVIEW

SWATZELL ST.

MAIN ST.

BAH



City of Homer
Planning and Zoning Department

March 27, 2018



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A. Staff Report 18-25, Draft Comprehensive Plan

City Planner Abboud reviewed the desired actions requested by Staff:

- Make a motion to include a “hospital zone” on the Land Use Recommendations Map
- Make a motion to add an implementation item on pages 4-10 of the draft plan, 1-B-7 “Consider neighborhood planning around the hospital for centralized expansion of medical services.”
- Make a motion to include or remove the proposed GC1 district within the CBD

It was discussed that the term hospital zone is just a reference and medical services or district may be more appropriate.

VENUTI/BANKS MOVED TO INCLUDE A MEDICAL ZONE IN THE LAND USE RECOMMENDATIONS MAP

Discussion included research on what it should be properly called such as medical services district or zone; that it should be defined better since it does include several homes; the Planning department is in discussion with two of the residents; this will be added to the map and brought back to commission for further discussion.

City Planner Abboud stated that the proposed district would be defined and the commission would have this brought back before them at a later date.

Further discussion on the existing businesses in the area in question and extending the area to address from Karen Hornaday Park, Dehle, Main Street, and Fairview. There is a conundrum with parking lots in the area with the progress. Once determined there will be a neighborhood meeting.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Stead inquired if any of the commissioners had alternate wording for the implementation table. There were none.

BOS/BANKS MOVED TO ADD “CONSIDER NEIGHBORHOOD PLANNING AROUND THE HOSPITAL FOR THE CENTRALIZED EXPANSION OF MEDICAL SERVICES TO THE IMPLEMENTATION ITEM ON PAGES 4-10

There was a brief discussion on clarification of the information included in the motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Stead noted that they are at the request to include or remove GC1 within the CBD.

City Planner Abboud provided some clarification on the intent to include GC1 within the CBD and elaborated on the response of the courts in this type of issue. He noted that the decision was in the Commission’s hand stating that they can revert to something similar or modified version.

Commissioner Highland noted that most comments she could recall was car lots and would the existing businesses such as Spenards or Ulmer's be allowed in the CBD.

City Planner Abboud stated not as they are now.

Commissioner Highland further commented that she would feel comfortable with a mixed use district including items that would be acceptable to the public and removing those items that would be opposed otherwise believes that it should be voted down and leave it as is.

Commissioner Bos suggested including GC1 within the CBD. The comments received in opposition of car lots, those are running cars, not junk yards; some of these properties that are listed as CBD if listed as GC1 would be conforming; comments of their properties being devalued he is in disagreement as currently all the neighboring properties are being devalued, but what is frustrating is that situation is not dealt with and he believes the city could use more GC1. If they are considering a medical district they should consider this too.

Commissioner Banks commented that the public brought forward the idea of a hospital zone whereas this was proposed by staff and almost unanimously opposed by everyone who came to testify. He was concerned about putting the recommendation on the map with the public opposition that provides little benefit at this time.

Commissioner Venuti commented that it may not be the time to implement the change and that they should consider it during the next update. He also recited the comment on a walkable concept.

Chair Stead commented that CBD is a huge district that does not reflect what commonly known as a central business district. It has an exceptionally large amount of undeveloped land whereas CG1 is a narrow strip of land that borders Ocean Drive which is connected to Lake Street and rezoning that area creates the ability for growth. He noted examples of land availability in GC1 versus CBD. He believed it was appropriate and even could be expanded. It made sense to him to convert this area to GC1. He would leave it as a consideration for the future since that is what the Comp Plan is and that maybe they will see some infill and more businesses come to town.

Commissioner Bos further commented that if no one is asking for this then he could agree with Commissioner Banks he also inquired if anyone could offer a more appropriate area to offer CG1. He believed that this was asked for and requested clarification from City Planner Abboud.

City Planner Abboud stated they did several years ago and it started with laydown yards, the staff report noted that it would be opposed and did not suggest that they unilaterally change the zoning but a petition could be started. He believed that this area was the best since it was it somewhat connected. It is walkable, sidewalks are there and it is connected. Another alternative is Greatland but it may not be the best time. It is called Central Business District and Downtown Mixed is essentially Central Business District referring to a page in the Comprehensive Plan. He noted that the commission could discuss the options and commented on a few aspects of districts such as larger parking lots.

Commissioner Bos noted that just because it goes into the comp plan doesn't mean it is going to happen.

Commissioner Highland brought up East End Mixed Use and people can go there, she commented on Main Street where they have uses that are not CBD.

Commissioner Highland noted that East End Mixed Use is large and allows GC1, she does not want to see car lots, manufacturing, auto repair, etc. in that area. She noted that they are also missing two commissioners. Any interested businesses can go there.

Chair Stead noted that they do have limitations in the East End Mixed Use District with residential areas in the south and Kachemak City taking up most of the northern portion. It is an interesting point.

Commissioner Banks pointed out additional uses such as farming and industrial and requested clarification on the uses of GC1 is allowed in East End Mixed.

City Planner Abboud responded that he would have to review that but believed Commissioner Highland was correct.

Commissioner Banks further commented on creating controversy over the lack of Public support for this inclusion.

VENUTI/HIGHLAND MOVED TO POSTPONE A DECISION ON THIS ITEM UNTIL A FULL COMMISSION PRESENT.

Discussion ensued on making this open ended and requiring the presence of a full commission.

BANKS/VENUTI MOVED TO AMEND THE MOTION DELETING THE WORDS "A FULL COMMISSION" AND INSERTING, "THE NEXT MEETING"

This will move this to the agenda and they can discuss or postpone. There was a brief discussion on postponing an item twice. That this was just an idea and there was not many areas and chances to do this. Commissioner Bos noted that he will not be at the next meeting and neither will Commissioner Bernard.

VOTE. (Amendment). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion.

Chair Stead read the amended motion into the record:

MOVED TO POSTPONE A DECISION ON THIS ITEM UNTIL THE NEXT MEETING.

VOTE. (Main) YES. HIGHLAND, VENUTI
NO. BOS, BANKS, STEAD

Motion failed.

HIGHLAND MOVED TO REMOVE GC1 DISTRICT FROM WITHIN THE CBD.

The motion died for lack of a second.

Chair Stead inquired if Commissioner Banks would like to restate the motion after Commissioner Banks declared he did not offer a second as it was not specific enough on where it was being removed from.

Chair Stead called for a brief recess at 7:40 p.m. The meeting was called back to order at 7:45 p.m.

Discussion continued on changing the area within the CBD to GC1 to allow specific uses and the possible actions of the commission in the future with zoning requirements may necessitate declaring a conflict of interest when initiating zoning, creating an overlay district which is more restrictive and not recommended by Staff but creating a new district such as GC3 or Lake Street Mixed Use District and putting in the requirements; provide the outline of what they would like to see and not see in the appendix.

City Planner Abboud responded that it could be accomplished and recalled the steps he took that led up to the problem they have been discussing tonight.

Commissioners liked the idea of a mixed use district and staff bringing back a description that would assist the Commission in making a decision on the recommendation for the land use map and bringing back reasons to support the zoning changes.

Chair Stead stated they still have a request from staff to either keep it or remove it but the Commission has asked staff to come back with a redefined map.

Chair Stead then stated that they have the last issue before them of Green Infrastructure.

City Planner Abboud stated that they have a substantial amount of recommendations and believed that they have this ground covered. He did not believe they needed to add more.

There was a brief discussion on the differences between Green Infrastructure and Green Architecture.

City Planner Abboud requested the commission to request additional information for the implementation table or the comp plan if they did not see it but he felt they had pretty much covered it.

Commissioner Banks inquired about new information that was shared by Commissioner Bentz.

City Planner Abboud stated that he was provided a link to information that he actually brought and provided to Commissioner Highland. It was a study guide that was provided at the Conference.

A brief discussion ensued on the information and that the action requested from staff was for the commission to add new items, sending links to the commission so that they have the information; needing to finish the plan and get it published; the map is not usable to make policy from; they need better data to refine.

City Planner Abboud is working on a grant to provide better mapping.

Commissioner Highland would like to postpone discussion until Commissioner Bentz is present since this is her area of expertise.

Chair Stead redirected the Commission to make recommendation on the implementation table.

A discussion evolved on the topic of green infrastructure.

Chair Stead noted the request from staff was to add additional items if desired to the meeting and that he agreed with staff that they currently had adequate items on the implementation table.

Commissioner Banks stated that they have not discussed this since he has been a member of the commission he confirmed the dates of the map on A8 with City Planner Abboud, he has reviewed the chart and did not find anything lacking and that they can request items to be on agenda at future meetings to solidify and other than that it would be nice to have more current maps to show the erosion and the resolution of the maps could be better.

Commissioner Highland acknowledged that Mr. Baird has updated the coastline map for erosion and requested confirmation from the City Planner that this was the latest map since he gave them a presentation recently.

City Planner Abboud responded that this was updated from 2008 and he is pretty sure that it is the most current but will double check he also noted that this map is not relative to green infrastructure it just shows erosion.

Commissioner Highland requested that they postpone further discussion on item number 4 until the next meeting.

Chair Stead reiterated that the commission was requested to provide additional wording for any additional implementation items and if the commission did not have that then they should move on. They need to keep moving forward.

City Planner Abboud encouraged Commissioner Highland to come into the office to speak to them if she finds additional items to add.

Commissioner Highland explained that she did not want to rush since they are getting to the end and understands that they are going to have plenty on their next meeting agenda but feels that since Commissioner Bentz has expertise in this field she did not think it was too much to ask for postponement. She did acknowledge that she did have a lot on her plate and did not fully do her homework on this subject.

Commissioner Bos stated that he felt it was very thorough and once Commissioner Highland reads through the section she will find that it covers things quite well.

There was no further discussion.

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Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-37

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: June 6, 2018
SUBJECT: Comprehensive Plan

Background

The Commission discussed several issues at the April 18th meeting. The minutes of the meeting are attached. The goal of this staff report is to finalize the written descriptions of the districts and the future land use map. Ultimately, the Commission needs to make a motion on a final map.

Follow up from the April 18th meeting

- Commission requested clarification on the future zoning change process. Draft plan page 4-4, Goal 1 Objective A addresses this, as does the newly included Appendix. (See also city code 21.95.020 for the full code on this process).
- Staff included a hospital district on the map and included a narrative in the new appendix. Essentially, much more public process needs to occur to further flesh out this idea. It is sufficient for this comprehensive plan to identify this as an area and topic that needs further future discussion.
- Changing Rural Residential zoning to Urban Residential where water and sewer are available: Map changes are accomplished via ordinance; again see 21.95.020 for city procedure. It would be helpful to have the new comprehensive plan adopted prior to making very many zoning map amendments.
- Updated pictures will be added as staff time and the growing season allows.
- Page 6-6 sewer system – this information was update in the draft plan. The sewer treatment plan has not changed so capacity statistics are also unchanged. Miles of pipe and number of customers has increased.
- No further public comments have been received.

Introduction

Staff has made changes to the plan for the Commissions review.

1. Staff recommends removing Page A-2 of the draft plan, Table 12 Existing land use classifications and Zoning Districts, and replace it with the appendix attached to this staff report. This new appendix is what is in the current plan, with some updates noted

in track changes. All the other maps and information in the draft appendix stay! Only Table 12 would be removed.

2. The Land Use Recommendations Map has been updated to include the Hospital District, and reverts to the districts named in the current plan – R-2 Residential, Downtown Mixed Use, and Central Business District.

Next Steps- Questions for the Commission to address:

1. Does the new appendix address the Commission’s request for more information about the districts? If not, please bring it up at the meeting, or better yet, email any questions/suggestions to staff ahead of the meeting.
 - **Requested action:** Reach consensus on what the text of the GC1/CBD area between Lake and Heath Streets should say.
2. Land Use map: GC1 in the CBD– Should the map revert to the CBD as discussed in the new appendix? Should the boundaries include the Sterling Highway to Poopdeck St, as they do in the current plan?
 - **Requested action:** By motion, decide what the Lake/Heath land area should be called – GC1, or CBD.
 - Provide staff direction on what the boundaries for the area should be. Staff will provide a final map at the next meeting with these amendments.

Green Infrastructure

Commissioner Bentz volunteered to provide an implementation item for Green Infrastructure. Through her employment at the Kachemak Bay Research Reserve, she is also organizing a green infrastructure workshop on September if Commissioners would like to attend.

Attachments

1. New Appendix A (only replaces Table 12)
2. June 6 2018 Land Use Recommendations Map DRAFT
3. Minutes from April 18, 2018 HAPC meeting

Commissioners expressed concern regarding the lack of contact and conversations between all parties.

Mr. Smith responded to the commission on the following:

- Acknowledged the lack of contact between parties
- Phase three was turned into Parcel J in 2008
- Prior Preliminary approval expired years ago
- Kenai Peninsula Borough approved the plat where there is no access on the western side of the 30 acre parcel
- Agreed that this was not a practical approach by presenting the laydown showing the proposed cul de sac does not lend enough land to develop for a residence
- Additional areas in his opinion were too steep
- The topography makes the development of roads to city standard unfeasible

The commission requested clarification on the proposed cul de sac, water and sewer, previous plats for private residents, existing trails within the mentioned parcels, and that it was not indicated what was designated as parks in the maps provided to the commission.

Further discussion ensued on the ability to come to some agreement or solution between the owners if a postponement was made, possible legal issues, building on slopes with a more than 20% grade would require the best engineering solutions, further clarification on access from the southern border of the parcel owned by Mr. & Mrs. Passic.

BANKS/VENUTI MOVED TO POSTPONE STAFF REPORT 18-36 STREAM HILL PARK 2018 REPLAT PRELIMINARY PLAT UNTIL THE JUNE 20, 2018.

Brief discussion ensued on allowing the parties involved time to entertain discussion and commission to receive some assistance from staff on the issue.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Vice Chair Bentz called for a recess at 7:55 p.m. and returned the gavel back to Chair Stead.

The meeting was called back to order at 8:02 p.m.

PENDING BUSINESS

A. Staff Report 18-37, Comprehensive Plan

Chair Stead read the title into the record and requested City Planner Abboud provide his report.



City Planner Abboud reviewed the amendments and adjustments that were completed by staff since the last meeting this was before the commission. He provided a brief timeline of action that will bring the document before Council, he noted the map changes.

The Commission discussed the area of Lake Street and Heath Street and the public sentiment in a recommendation to expand the area into GC1 from CBD. Additional comments and points made were:

- The minimal issues that the public did not want to allow in the area
- The misperception of the public that changing the zoning would reduce the property values, raising property taxes
- Changing the descriptor of General Business District
- Misperception and opinion should not be considered when drafting a planning document
- This time that has already been spent on the issue
- Create a district similar to the Hospital District
- Land Use Map versus Zoning Map

HIGHLAND/VENUTI - MOVED TO REIDENTIFY THE AREA BETWEEN LAKE STREET AND HEATH STREET AS LAKE STREET MIXED USE DISTRICT.

Discussion ensued on identifying what would be allowed in the district similar to how the commission identified the East End Mixed; creating this district would make the CBD into islands, distinguishing the Downtown Mixed Use is Central Business District

VOTE. NO. BANKS, BERNARD, BENTZ, BOS, STEAD, VENUTI, HIGHLAND

Motion failed.

Additional discussion ensued on including the Zoning Map in the Comprehensive Plan and why that was not appropriate ensued; also that there were three maps being referenced – the existing Land Use Map, proposed draft Land Use Map and the Zoning Map; a paragraph in the beginning of the Comp Plan could be supplied where someone may find the Zoning Map in city code; make sure the language used in the pan is the same used on the Land Use Map.

BANKS/BENTZ MOVED TO REMOVE THE HEATH STREET – LAKE STREET AREA (LILAC COLORED ON THE MAP) FROM THE LAND USE MAP AND REQUEST STAFF CREATE LANGUAGE THAT CAN BE INSERTED TO DESCRIBE THE APPROPRIATE CHANGES THERE.

Clarification was provided on the area;

BOS CHANGE THE AREA TO CBD

Deputy City Clerk Krause noted that was not germane to the motion on the floor.

Commissioner Highland requested a restatement of the motion.

Commissioner Highland then asked if the commission was to state what they wanted the area to reflect such as Downtown Mixed Use...

There was comments from City Planner Abboud and Commissioner Banks off the record that the Clerk was unable to transcribe.

Commissioner Highland asked if they needed to amend the motion.

Deputy City Clerk Krause responded that it would be preferred.

BENTZ/HIGHLAND MOVED TO AMEND THE MOTION TO ADD REVERT TITLE TO DOWNTOWN MIXED USE.

There was no discussion.

VOTE. (Amendment)NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

VOTE. (Main) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Additional comments on using an approach similar to the Hospital District to retain the discussions and recommendations of the commission on this area in question; adding text to indicate the ideas that were supported; the three maps that are in discussion with regard to the "Key"; expanding upon the direction that is not currently a CBD; adding the paragraph provided in the draft under the Intent bullet point in the CBD; referring to the index there are categories listed that could provide assistance then under Commercial there was GC1 and GC2 which has not been addressed.

Chair Stead noted that they were in the Appendix and referring to the changes that were requested asked if there were any additional changes for the City Planner.

Commissioner Bentz commented that under Green Infrastructures recommended in Table 4-10, Land Use Implementation Table, new draft Comp Plan, Goal is to Maintaining Homer Natural Environment and Scenic Beauty and recommended adding the implementation item, the responsibility of the Advisory Planning Commission, how to audit local Code and Ordinances provide specific revisions and prioritize code amendments for adoption.

BENTZ/BANKS - MOVE TO ADD IMPLEMENTATION ITEM 2-A-5, AUDIT THE CODES AND ORDINANCES TO IDENTIFY THE REVISIONS THAT SUPPORT THE IMPLEMENTATION OF GREEN INFRASTRUCTURE AND PRIORITIZE CODE AMENDMENTS FOR ADOPTION, THE TIME FRAME WOULD BE NEAR TERM AND PRIMARY DUTY WOULD BE HOMER ADVISORY PLANNING COMMISSION.

There was a brief discussion on the Planning Commission addressing this during worksessions over the next year using the existing materials that available.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Betz thanked the Commission and believes this would allow them to be more proactive instead of reactive.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager Report dated May 14, 2018

COMMENTS OF THE AUDIENCE

Mike Yourkowski, city resident, commented that last winter he testified in support of a structure on his neighbor's property to build a structure and a duplex and that he believes they were scammed as it appears they are building a 8 unit structure and would like to remove his support for the project, he noted that Commissioner Venuti was the only dissenting vote on the CUP application and he probably figured that something was up. He further stated that it was a sad deal. He wasn't sure what was going to be done but believed that something should be done. In regards to the lilac area he believed it was all GC2 and there is at least 80 acres that is moose habitat and should be delineated somehow and on the other side is residential. He would like to hear the comments of the City Planner on the issue he reported.

COMMENTS OF THE STAFF

City Planner Abboud stated that they have toured the site and that is all he would comment on the issue. They have toured the site.

Deputy City Clerk Krause reported that she would not be attending the June 20, 2018 meeting and was unsure at this time who would be staffing the meeting. This was a very interesting meeting they kept her on her toes tonight.



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491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-41

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: June 20, 2018
SUBJECT: Comprehensive Plan

Introduction

At the last meeting during Comprehensive Plan discussion, some of the meeting recording equipment did not work correctly. As a result, the minutes do not provide a lot of the discussion details on the motions passed by the Commission. At this point in the Comprehensive Plan process, the record needs to be very clear as to what changes are being made. Please make separate motions on each item listed below.

Deputy Planner Engebretsen will be at the work session to help facilitate discussion.

Side note: staff noted the difficulty in using the appendix at the last meeting. Right now, the future land use map and the zoning map are back to back in the plan and it's confusing! To make the document more user friendly, in the next draft, the future land use map and the text that goes with it will be a separate appendix. The current zoning map will be separated and provided with the current conditions information, such as the flood map, wetlands map etc.

Discussion Points

Questions for the Commission to address:

1. Does the new appendix address the Commission's request for more information about the districts? Please discuss (if needed) and pass a motion to include the material as presented in the appendix of the plan. If you would like to further amend the text, please be prepared to make a motion.
2. At the last meeting, the minutes show the Commission voted to remove the GC1 designation from the Lake Street area, and revert downtown mixed use. (The record is incomplete here due to equipment problems). This leaves the map having the Town Center and Downtown Mixed Use as the two future land use

recommendations in the core area. If the Commission wants something else, please bring a motion to the floor.

3. With these changes, staff recommends moving the plan to a final public hearing, prior to Council review.

Attachments

1. Draft appendix A (from the last meeting)
2. Progression of Future Land Use Maps, downtown Homer portion

Kenton Bloom, project surveyor, noted the packet information explaining they tried to show the open space data. He noted they preserved the lake front, kept everything on the perimeter, and tried to minimize the footprint with low impact design modeling.

Chair Stead opened the public hearing. There were no comments and the hearing was closed.

There were questions regarding Fire Marshall review, easements from Enstar that were shown on the plat, and Public Works comment on initiating community water/sewer design.

City Planner Abboud commented that the applicant will be asked to provide evidence on what is reviewed and what does not require review from the Fire Marshall. Regarding community water/sewer design, the time line depends on how complicated it is, but a design will have to be approved before the he can issue a permit.

Mr. Bloom commented that Enstar probably wanted to make sure the easement was shown in the documents. He doesn't anticipate it will impact the waste disposal.

VENUTI/BOS MOVED TO APPROVE STAFF REPORT PL 18-39 AND CUP 18-06 FOR MORE THAN ONE BUILDING CONTAINING A PERMITTED PRINCIPAL USE ON A LOT AND FOR A MULTIPLE-FAMILY DWELLING AT 1170 LAKESHORE DRIVE WITH STAFF FINDINGS 1 THROUGH 10 AND CONDITION 1.

There were comments in support of the project and in appreciation of the drawings and graphics provided.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

Pending Business

A. Staff Report 18-21, Comprehensive Plan

City Planner Abboud reviewed the staff report, and noted the discussion during the worksession.

BENTZ/BANKS MOVED TO INCLUDE APPENDIX A AS PRESENTED FOR THE PLAN WITH THE EXCEPTION TO STRIKE OUT THE CBD SECTION ON APPENDIX A, A-4 PAGE 76 OF OUR PACKET.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

BENTZ/VENUTI MOVED TO MOVE THE PLAN TO FINAL PUBLIC HEARING PRIOR TO COUNCIL REVIEW.



There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

New Business

Informational Materials

A. City Manager's Report June 11, 2018

Comments of the Audience

Comments of Staff

City Planner Abboud hopes everyone enjoys the holiday.

Comments of the Commission

Commissioner Highland confirmed the next meeting is July 18th.

Commissioner Bentz appreciated the worksession today, that format for discussion of planning issues is helpful for her. She commented regarding the Borough Planning Commission meeting of June 11th. The Plat Committee approved three preliminary plats and one final plat. They approved vacation of a right-of-way and associated utility easements in the City of Kenai. They approved and forwarded to the Borough Assembly a license application for a limited marijuana cultivation facility in Ninilchik and in Kasilof, a license application for a standard marijuana cultivation facility in Sterling, and two conditional land use permits for material extraction for gravel pits in the Kalifornsky/Kasilof area.

Commissioner Bernard also appreciated the worksession and hopes they keep up the trend. It's really valuable to have that time to discuss and ask questions.

Commissioner Bos congratulated City Clerk Jacobsen on 14 years working for the City. He's going to talk to the City Planner in the next few weeks about trying to figure a way to hold people accountable who are applying for different permits.

Commissioner Banks also appreciated the worksession and thanked staff for the preparation that went into it. He appreciated everyone showing up tonight despite the potentially controversial topics on the agenda that they may have had a disagreement with.

Commissioner Venuti had no comment.

Chair Stead said it was a good meeting. He appreciates everyone coming and making sure things got done.



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491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-43

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: July 18, 2018
SUBJECT: Comprehensive Plan Appendix

Introduction

At the work session of June 20, 2018, the Commission discussed the Land Use Recommendations Map, and the Appendix. Based on feedback at the work session, staff has changed the appendices as follows:

1. Appendix A is now titled, "Land Use Recommendations." Staff added the last paragraph on page A-2. This appendix includes the text of the proposed new land use categories, the existing categories, and the Land Use Recommendations Map. The land use categories were re-ordered so that all the new categories are together (A-3, A-4), and all the existing categories are together (A-4 through A-9).
2. Appendix B is unchanged: Annexation Process
3. Appendix C is new, entitled: "Background Land Use Information." This section includes all the other information and maps that were formerly lumped into Appendix A. This includes the current zoning map, water and sewer map, etc. See the Appendix C cover page for the documents included and their page numbers. No changes were made to any of the information contained in this section. It was simply moved from "Appendix A" into a new "Appendix C."

Analysis

No action is required. If the Commission wishes to make any final changes, now is the time. If there are no changes, staff will proceed to publishing a new public hearing document.

Staff Recommendation

No action needed. Discuss only if there are changes to be made.

Attachments

Appendix A, B & C

REPORTS

A. Staff Report 18-34, City Planner's Report

Deputy City Planner Engebretsen stated that the staff report is included and would gladly answer any questions the commission may have or get back to them with any information.

Commissioner Bentz requested an update on the status of the application for the FEMA grant.

Commissioner Banks inquired about the pending appeal and the options available to the Hearing Officer.

Deputy City Planner Engebretsen stated that the Hearing officer can uphold the decision of the Planning Commission or can remand it back to the Planning Commission. She advised commissioners not to speak to the public on the decision since it could still come back before them.

PUBLIC HEARINGS

A. Staff Report 18-40, CUP 18-07 for a reduction of the right-of-way setback at 3781 Heath Street

This item was pulled from the agenda at the request of the applicant and recommendation of Staff.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 18-43, Comprehensive Plan Appendix

Chair Stead read the title into the record.

Deputy City Planner Engebretsen reviewed the changes from the Worksession on June 20, 2018 incorporated and went through the format for the Appendices. She noted that no action was required unless the Commission would like to see additional changes.

The Commission did not have any further changes.

Commissioners Bentz and Banks commented on appreciating the clarification provided by Deputy City Planner Engebretsen and the new format of the document presented.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager Report for the June 25 Homer City Council meeting



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www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 18-52

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner AICP
DATE: September 5, 2018
SUBJECT: 2018 Homer Comprehensive Plan/Draft Ordinance

Introduction

The 2018 Homer Comprehensive Plan is a ten-year update of the 2008 plan. The 2008 plan was designed as a 20-year guide and this update is an effort to account for what has been accomplished and what is still left to do. Vision and goals have not been significantly altered, although some have been moved or condensed for clarity. After this update, the plan will be due for a much more comprehensive revision in 10 years.

Analysis

The Comprehensive Plan establishes broad goals and strategies for land use, transportation, public services and facilities, and economic development. Overriding goals of the plan include balancing needs for development and conservation, and coordinating private and public development. Plan policies help organize the complex relationships between people, land, resources, services and facilities, to meet the future needs of citizens and to protect the community's natural environment and quality-of-life.

Once adopted by the City Council and the Kenai Peninsula Borough Assembly, the Comprehensive Plan will become part of the city's regulatory framework, guiding policymakers as they make decisions about the physical, social, and economic development of the community. While plan policy only directly addresses activities within Homer City limits, the document considers and makes general recommendations regarding issues in "greater Homer."

By design, comprehensive plans are general documents, establishing broad goals and policies. Additional steps are required to implement most plan policies. Examples of actions needed to implement this plan include adoption of new or changed zoning and development ordinances, or approval of specific road, trail, or other infrastructure projects. The City is responsible for updating its ordinances to reflect the plan's broad policies.

This draft plan has been two years in the making. The process started out with requesting that City Department Directors review the 2008 document for work accomplished and work left to

do. From there some revisions were made and then the appropriate committees and commissions had their sections presented for review. After these reviews the Planning Commission studied all the changes (line-by-line) and made some of their own updates.

Because of the process, you will find the plan a bit thinner, especially after formatting work to reduce redundancy. What did not get thinner was the implementation tables found at the end of each chapter. We found that the 2008 implementation items were not comprehensive and not organized well, as they were found in a several places and some items were not listed. Many items that have received attention over the last ten years were left in the plan in order to recognize their significance and allow opportunity for further refinement. It will not be possible to devote attention to all the items in the next ten years, but they are still be documented for consideration in future plans.

Staff Recommendation

Hold a public hearing and make a recommendation for further work or recommend adoption to the City Council.

Attachments

Draft Ordinance
2018 Homer Comprehensive Plan *Final Draft*

CITY OF HOMER

HOMER, ALASKA

City Manager

ORDINANCE 18-XX

AN ORDINANCE OF THE HOMER CITY COUNCIL
ADOPTING THE 2018 HOMER COMPREHENSIVE PLAN AND
RECOMMENDING ADOPTION BY THE KENAI PENINSULA
BOROUGH.

WHEREAS, The Kenai Peninsula Borough as a Second Class Borough shall provide for planning on an areawide basis in accordance with AS 29.40; and

WHEREAS, As provided in Kenai Peninsula Borough Code 21.01.025, cities in the Borough requesting extensive comprehensive plan amendments may recommend to the Kenai Peninsula Borough Planning Commission a change to the city comprehensive plan; and

WHEREAS, The City of Homer has prepared a extensive comprehensive plan amendments in the form of the 2018 Homer Comprehensive Plan; and

WHEREAS, A comprehensive plan is a public declaration of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the City; and

WHEREAS, The 2018 Homer Comprehensive Plan will guide the development of the City of Homer; and

WHEREAS, The Homer Advisory Planning Commission and other City commissions and bodies have reviewed said plan and/or conducted public hearings; and

WHEREAS, The Homer City Council, based upon the recommendation of the Homer Advisory Planning Commission, recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2018 Homer Comprehensive Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The 2008 Homer Comprehensive Plan is hereby adopted as the City of Homer Comprehensive Plan, superseding the 2008 Comprehensive Plan.

Section 2. The previously adopted Homer Master Roads and Streets Plan (1986), Homer Non-Motorized Transportation and Trail Plan (2004), Homer Area Transportation Plan (2005) and the Homer Town Center Development Plan (2006), Homer Spit Plan (2010) remain part of the Homer Comprehensive Plan.

Section 3. Subsection (b) of Homer City Code 21.02.010, Comprehensive Plan—Adoption, is amended to read as follows:

b. The following documents, as initially approved and subsequently amended, are adopted by reference as comprising the Homer Comprehensive Plan.

1. Homer Comprehensive Plan (2018)
2. Homer Master Roads and Streets Plan (1986)
3. Homer Non-Motorized Transportation and Trail Plan (2004)
4. Homer Area Transportation Plan (2005)
5. Homer Town Center Development Plan (2006)
6. Homer Spit Plan (2010)

Section 4. The City hereby recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2018 Homer Comprehensive Plan as extensive comprehensive plan amendments under Kenai Peninsula Borough Code 21.01.025, and as an element of the Official Borough Comprehensive Plan within the City of Homer planning area of the Borough.

Section 5. Sections 1 through 3 of this ordinance shall take effect upon the adoption of the 2018 Homer Comprehensive Plan by the Kenai Peninsula Borough Assembly. The remainder of this ordinance shall take effect upon its adoption by the Homer City Council.

Section 6. Section 3 of this ordinance is of a permanent and general character and shall be included in the city code. The remainder of this ordinance is not of a permanent nature and is a non-code ordinance.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this xxth day of XX, 2018.

CITY OF HOMER

BRYAN ZAK, MAYOR

ATTEST:

MELISSA JACOBSON, CMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

Reviewed and approved as to form:

Katie Koester, City Manager

Date: _____

Holly Wells, City Attorney

Date: _____

Chair Venuti opened the Public Hearing, in the absence of public coming forward to provide testimony he closed the Public Hearing.

BENTZ/BANKS MOVE TO ADOPT STAFF REPORT 18-51, CONDITIONAL USE PERMIT (CUP) 2018-10 WITH FINDINGS 1-10

There was a brief compliment on the submittal of a thorough application.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. Staff Report 18-52, An Ordinance of the Homer City Council Adopting the Homer Comprehensive Plan 2018 and Recommending Adoption by the Kenai Peninsula Borough.

City Planner Abboud reviewed his report for the commission.

Chair Venuti opened the Public Hearing, in the absence of public coming forward to provide testimony the Public Hearing was closed.

Commissioner Bentz stated that in discussions on Land Use the Commission discussed the terminology of “Medical District” not “Hospital District”. She also noted those changes on pages A4 and Land Use Recommendation Map on A10 and in Draft Ordinance 18-XX on page 63 of the packet, Section 1, first line should read “2018” not “2008”.

City Planner Abboud stated he will address those typographical errors.

Chair Venuti requested a motion.

BOS/HIGHLAND - MOVE TO ADOPT STAFF REPORT 18-52, AN ORDINANCE OF THE HOMER CITY COUNCIL ADOPTING THE HOMER COMPREHENSIVE PLAN 2018 AND RECOMMENDING ADOPTION BY THE KENAI PENINSULA BOROUGH

Brief discussion on the work accomplished by the commission and clarification on the changes from “Hospital” to “Medical”

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

