



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Clerk

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## Memorandum 22-116 (PL 22-04)

TO: MAYOR CASTNER, AND HOMER CITY COUNCIL

FROM: RICK ABBOUD, AICP, CITY PLANNER

DATE: APRIL 27, 2022

SUBJECT: REZONE OF PROPERTIES NEAR LOWER WEST HILL ROAD FROM THE RURAL RESIDENTIAL DISTRICT (RR) TO URBAN RESIDENTIAL (UR)

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The Homer Planning Commission has reviewed the 2018 Homer Comprehensive Plan (HCP) Land Use Recommendations Map in regards to the proposed extension of the Urban Residential District to areas adjacent to lower West Hill Road. The Commission has found that enacting the recommendation would further the goals and objectives of the HCP Land Use Chapter by providing an opportunity to increase the supply and diversity of housing (HCP, Goal 1), update the zoning map in support of the desired pattern of growth (HCP, Goal 1, Objective B), and promote housing choice by supporting a variety of dwelling options (HCP, Goal1, Objective C).

The proposed change from RR to UR supports the Goal and Objectives listed above by creating greater allowances for middle housing (duplexes and multi-family housing) than is currently available in the existing RR district, which limits dwellings to 1 unit per 10,000 square feet of lot area when using city water and sewer services. A complete analysis of the proposed change is found in the backup material from the Planning Commission meetings.

The Homer Planning Commission has taken testimony at their work session and regular meeting on April 6, 2022, after noticing all those in the proposed area for consideration. The Commission then held a public hearing after sending notice all property owners within the area for consideration and others within 300 feet at their regular meeting on April 20, 2022.

After listening to testimony and considering the recommendations of the Homer Comprehensive Plan, the Homer Planning Commission recommends that the area identified in the HCP for UR zoning, located east of West Hill Road, be rezoned from RR to UR.

### Attachments

Draft Ordinance

Staff reports and minutes from PC meetings of April 4 & 20, 2022



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## Planning

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### Staff Report PL 22-25

TO: HOMER PLANNING COMMISSION  
FROM: RICK ABOUD, AICP, CITY PLANNER  
DATE: APRIL 6, 2022  
SUBJECT: WESTHILL REZONE

#### Introduction

We have noticed the residents of the West Hill area of our intent to rezone the area to Urban Residential (UR) from their current Rural Residential (RR) designation. This is the first advertised opportunity to comment to the Commission.

#### Analysis

After our direct mailing was sent out, we have had less than a handful of phone calls to the office, as of the writing of this staff report. I believe that most do not see much of a change. We did have one that was concern of their commercial fishing boat and animals would not be allowed after the zoning change as it is in the RR district. We did inform them that we would be glad to document their current activities and make an allowance for a non-conforming use that is allowed to continue under the parameters found in code.

Most had little concerns when the possible impacts were discussed. Such as, the ability to build a duplex or multi-family housing on undeveloped lots. We directed people to review the information on the web for a more detailed analysis found on top of the planning page <https://www.cityofhomer-ak.gov/planning/proposed-zoning-map-amendment>.

#### Staff Recommendation

Listen to comments and concerns.

#### Attachments

Neighborhood mail out  
FAQ's  
Zoning Differences  
Comp Plan Chapter 4, Goal 1

Session 22-05, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on April 6, 2022 at the Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

**PRESENT:** COMMISSIONERS SMITH, CONLEY, VENUTI, BARNWELL, HIGHLAND, CHIAPPONE

**ABSENT:** COMMISSIONERS BENTZ (EXCUSED)

**STAFF:** CITY PLANNER ABBOD  
DEPUTY CITY CLERK KRAUSE

**CONSULTANT:** KEN CASTNER, MAYOR

The Commission held a worksession prior to the regular meeting at 5:30 p.m. On the agenda was a discussion on the Staff Report 22-25, Rural Residential to Urban Residential Zoning District, West Homer Area.

**APPROVAL OF THE AGENDA**

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA**

Jon Faulkner, 35 year city resident, commented in opposition to West Homer Area Rezone citing that in his opinion the changes were not coming from the people, but from the City, and he believed that the voices of the residents who live in the area should have a stronger voice than those that live outside the affected area. He expressed his belief that zoning at its core is a protective layer for the community and residents. He acknowledged that there was change and a demand for services and housing in Homer. He continued that zoning is designed to protect investments in the quality of life that existed when people bought their property; to be consistent and to be protective of private property rights so that the whims of time don't actually impact communities in this way. He further stated that he believed that the standard should shift from the residents to object, to the city should prove that the people directly affected are actually in favor of this action and he believed that there is a legal standard and wanted the record to reflect that the city should transparently understand that legal standard and try to observe it. He believed that there was more at stake than a view or density. He further stated that property owners Reynolds and Beth Holliman are his neighbors to the west and are out of the country but can emphatically attest and certain that they are opposed to this petition.

Arn Johnson, city resident of 55 years, commented that he has been a property owner for about 29 years on Hillside Place and stated that he was opposed to the rezoning for the following reasons; one until



they have a firm drainage program he would like to say that making smaller lots is not a good thing as there is already problems with drainage in the area; secondly he believed that making smaller lots will reduce the larger property owners property values down and agreed with Mr. Faulkner that he has not heard any of the property owners up there even visit that this was good thing until the City brought the issue forward.

**RECONSIDERATION**

**CONSENT AGENDA**

- A. Planning Commission Regular Meeting Minutes of March 16, 2022

HIGHLAND/CONLEY MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**PRESENTATIONS / VISITORS**

**REPORTS**

- A. Staff Report 22-23, City Planner's Report

City Planner Abboud provided a summary of Staff Report 22-23 and highlighted the following:

- Changes in Administration configuration and impact to Planning Department
- Council failed to introduce the ordinance amending City Code regarding the use of shipping containers as dwellings
- The appeal, Griswold vs City of Homer regarding the bicycle shop was used as an example on how to do something right during the 2022 APA Conference.
- Planning related tasks were discussed at the Council Visioning event - fast forward of the Comprehensive Plan, Title 21 rewrite, non-motorized transportation, sidewalks, affordable housing and density projects
- APA Conference Part 2 availability for Commissioner training opportunity

City Planner Abboud requested volunteers to provide the Commission Report to Council at the April 11<sup>th</sup> meeting or the April 25<sup>th</sup> meeting and there were none. Chair Smith will submit a written report to the Clerk.

City Planner Abboud facilitated a brief discussion on the impacts to the Planning Department on the changes to staffing.

~~CONDITION 1: LIGHTING WILL BE DOWNLIT PER HCC 21.59.030 AND THE CDM  
CONDITION 2: DUMPSTER SHALL BE SCREENED ON THREE SIDES.~~

Clarification was requested on whether there should be two dumpsters.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith commented his appreciation for the applicant attending the meeting.

### **PLAT CONSIDERATION**

### **PENDING BUSINESS**

#### A. Staff Report 22-25, Rural Residential to Urban Residential District, West Homer Area

Chair Smith introduced the item by reading of the title.

City Planner Abboud reported that they reviewed and discussed this topic at the worksession. He noted the comments received from the public on the proposed amendments.

Chair Smith opened the floor for comments or questions from the Commission.

Commissioner Highland questions the action as described in the Comprehensive Plan regarding the rezone. She then questioned the public comments regarding legal aspects.

City Planner Abboud responded that they are fully within their legal rights to amend the zoning districts. He further stated that they can moved some of the boundaries of the proposed district.

Commissioner Barnwell expressed concerns on how to address the concerns about rezoning expressed by the property owners. He also asked about drainage plans and if that should be addressed first before the re-zone.

City Planner Abboud responded providing examples and that drainage is a city wide issue. The city is working on that at this time. A drainage plan would need a management plan and then creation of policy. He commented on subdividing and that is when they would have the hard ask for the drainage easements.

Commissioner Venuti commented on storm water but focus has been on the eastside of West Hill road and asked if anything has been done on the west side of the road.

City Planner responded that they have an engineer working on that at this time.

Mayor Castner responded on the action that has been going on regarding stormwater and drainages and is being looked at in three sections, noting the areas to the east, central and west. He commented that he has been working hard during his tenure as Mayor to address this issue and if the Commission does not approve the rezone then they will be in the position of having more conditional use permits to increase the density similar to what was conducted tonight.

City Planner Abboud added to the Mayor's statement that that they saw it within the photo he shared earlier where people are desiring to get per unit per 10,000 square feet which is completely within their rights.

Commissioner Chiappone commented that the concerns expressed by the public and commissioners were changing from a rural lifestyle to a lesser rural lifestyle, stormwater, lack of sidewalks and pedestrian issues, bringing additional traffic into the area from the rezone as the cons and the pros is that it will increase density by adding the ability for additional housing opportunities and asked how these actions would benefit the city.

City Planner Abboud responded that the city will be providing easier opportunities for property owners and developers that want to provide housing and that the city is following the infrastructure which is very spread out and expensive. he further noted that by amending the zoning district the city is following or completing the goals as outlined in the Comprehensive Plan and by providing opportunities for infill on the water and sewer infrastructure will provide some relief to current customers on the costs and allow the city to grow efficiently and where the city can and should plan that growth.

City Planner Abboud stated that the Planning Department will be sending out another notice to those property owners in the area of the proposed change and within 300 feet, a public hearing will be scheduled for the next meeting. He further advised the Commission that this item would be a legislative topic and therefore the Commissioners are encouraged to speak to people regarding this topic. The Commissioners can listen to residents' concerns and then the Commission can make their recommendation to Council on the proposed action.

City Planner Abboud responded to Chair Smith that the boundaries of the proposed zoning district can be modified if the Commission determines that would be in the best interests of the City. He provided some input on impacts if the boundaries were modified as recommended by the public during the worksession.

## **NEW BUSINESS**

### **A. Staff Report 22-26, Tiny Homes**

Chair Smith introduced the item by reading of the title.



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### Staff Report PL 22-28

TO: HOMER PLANNING COMMISSION  
FROM: RICK ABOUD, AICP, CITY PLANNER  
DATE: APRIL 20, 2022  
SUBJECT: REZONE OF PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO URBAN RESIDENTIAL (UR) ZONING DISTRICT

### Introduction

The City Planner has initiated a zoning map amendment per HCC 21.95.020(d). After notifying the residents in the proposed area along the lower portion of the West Hill Road area and providing an opportunity for their comments at the Commission's last work session and regular meeting, we have scheduled a public hearing to gain testimony on the proposed rezoning. This is the second notice to residents within the area proposed to be rezoned. Along with all residing in the proposed area, notice was extended to those within 300 feet of the proposed action for this hearing.

### Analysis

Comprehensive Plan: I have detailed how the proposal is forwarding the recommendations found in the 2018 Homer Comprehensive Plan in the attached memorandum of the staff review (Pl 22-04) required for a zoning map amendment. The proposal forwards Goal 1 of Chapter 4, Land Use and the associated objectives. The proposed area for rezone of RR to UR is part of the Land Recommendations Map found on page A-10 of the plan. The past, current, proposed extension of city water and sewer services corresponds with the recommendations and guidelines for a transition from a less dense rural zoning designation to a more dense urban designation found in the descriptions of the districts in Appendix A of the Comprehensive Plan and in the purpose statements of the districts found in Homer City Code.

Zoning Transitions: The newly proposed UR zone continues the existing UR district to the west. The proposed district transitions from the light commercial Gateway Business District to the south where the Scenic Gateway Corridor Overlay District is found within 150 feet of the center line of the Sterling Highway, generally leaving the Gateway Business District buffering the proposed UR District. The proposed UR District then transitions to the RR District to the north and west. The proposed district fits neatly within the expectations of the Comprehensive Plan to transition from more dense centrally located zones to less dense zones further from the center of town.

**Water and Sewer:** City water and sewer has been and is planned to serve the area of the proposal. Any lot in the RR district is allowed to construct one dwelling per 10,000 square feet when served by piped city water and sewer services. This amount to a 4-fold decrease in the spatial requirement of RR district, when not served by city water and sewer services, where it is required to provide 40,000 square feet per dwelling. Once water and sewer service is provided in RR, the lots are arguably not rural in nature and now fit the density expectations of an urban designation.

**Transportation:** The newly developed and proposed subdivisions in the area have and will create a more connected network of roads and access that did not exist previously. The soon to be developed Eric Lane-Fairview Avenue connection along with the recently developed Shelly Avenue provides collector services that can distribute traffic to other collectors and arterial roads that lead to points of interest.

**Changes in regulation:** The attached document, Zoning Differences: Rural Residential (RR) and Urban Residential (UR) reviews the changes in allowance for structures, uses, and dimensional standards between the two districts. Anyone who is currently maintaining an allowed use or structure in RR that is not allowed in UR has the opportunity to document the activity and maintain the use or structure in perpetuity, as allowed in Homer City Code 21.61.

### **Staff Recommendation**

Hold a public hearing and make recommendation to the City Council for adoption of the proposed Zoning Map amendment.

### **Attachments**

Draft Ordinance w/ Exhibits A & B  
Planning Memo 22-04  
HCP Chapter 4 Goal 1 and Objectives  
Land Use Recommendations Map  
HCP Appendix A p. A-4&5  
Zoning Map  
Water and Sewer service maps  
Foothills plat  
Road Maintenance Map section  
Aerial map  
Zoning Differences  
Public Notice 4.7.22 Mail out  
Comments KR, TR, B&RH



**CITY OF HOMER  
HOMER, ALASKA**

Planning Commission

**ORDINANCE 22-xx**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
AMENDING THE HOMER CITY ZONING MAP TO REZONE A  
PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO  
URBAN RESIDENTIAL (UR) ZONING DISTRICT.

WHEREAS, The 2018 Homer Comprehensive Plan Goal 1, Objective B states that the zoning map be updated to support the desired pattern of growth; and

WHEREAS, The 2018 Homer Comprehensive Plan, Land Use Recommendations Map designates the proposed area for consideration of Urban Residential zoning; and

WHEREAS, The residents in and near the proposed action were noticed of the opportunity to provide comment at the Commission's worksession and regular meetings on April 6, 2022 and subsequently held a public hearing on April 20, 2022 as required by HCC 21.95.060(C); and

WHEREAS, The Homer Planning Commission considered the effect of the change on the district and surrounding properties; and

WHEREAS, The Homer Planning Commission determined there is a public need and justification for the rezone; and

WHEREAS, The Homer Planning Commission determined the rezone would not have a negative effect on the public health, safety and welfare; and

WHEREAS, The Homer Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan; and

WHEREAS, The zoning district boundaries shall be as shown on the official Homer zoning map per HCC 21.10.020(c).

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map is amended to transfer the parcels listed on the attached Exhibit A from UR zoning district to the RR zoning district as shown on the attached Exhibit B.



Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17508108	0.700	T 6S R 14W SEC 24 SEWARD MERIDIAN HM LT 7 OF ORIGINAL DEROSE PPTY AS DELINEATED ON PLAT 54-2019 OF BOUNDARY SURVEY OF SECS 13&14 T6S R14W
17508109	5.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0000000 DAVID L BEAR 1954 BOUNDARY SURVEY TRACT 1
17508117	2.970	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 5
17508130	1.090	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0780056 HILLSIDE ACRES RESUB LOT 10 LOT 10-A
17508131	1.150	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0780056 HILLSIDE ACRES RESUB LOT 10 LOT 10-B
17508133	1.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0800009 HILLSIDE ACRES SUB UNIT 3 TRACT 11A
17508142	1.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 TRACT 2-A
17508144	1.210	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 LOT 13-A
17508146	2.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830103 HILLSIDE ACRES TRACT 6-A
17508151	2.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2001058 DEROSE SUB TRACT B TRACT B
17508119	2.310	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 3
17508134	1.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0800009 HILLSIDE ACRES SUB UNIT 3 TRACT 11B
17508147	1.780	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830103 HILLSIDE ACRES SUB NO 5 TRACT 6-B
17508154	0.960	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002084 HILLSIDE ACRES SUB REPLAT TRACT 4A & 4B TRACT 4-A-1
17508160	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008051 DEROSE SUB MARTIN ADDN TRACT A-1
17508161	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008051 DEROSE SUB MARTIN ADDN TRACT A-2
17508110	4.650	T 6S R 14W SEC 24 SEWARD MERIDIAN HM - RS FROM 1/16 CORNER OF SECS 13&24 S 629.1 FT; TH E 610 FT; TH S48 DEG 10'E 900 FT TO NW CORNER & POB; TH S48 DEG 10'E 720 FT TO NE CORNER; TH S25 DEG 50'W 312 FT TO N SIDE OF ROW & SE CORNER; TH N48 DEG 10'W 7
17508122	1.720	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 8
17508126	2.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 12
17508132	1.180	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0780056 HILLSIDE ACRE RESUB LOT 10 LOT 10-C
17508145	1.260	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 LOT 13-B
17508156	0.720	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004040 HILLSIDE ACRES DOROTHY'S ADDN TRACT 9A
17508157	0.600	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004040 HILLSIDE ACRES DOROTHY'S ADDN TRACT 9B
17508163	4.460	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019012 HILLSIDE ACRES SUBD 2018 REPLAT TRACT 7-A
17508164	0.690	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019012 HILLSIDE ACRES SUBD 2018 REPLAT TRACT 7-B
17508155	1.550	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002084 HILLSIDE ACRES SUB REPLAT TRACT 4A & 4B TRACT 4-B-1
17508103	1.000	T 6S R 14W SEC 24 SEWARD MERIDIAN HM LT 1 OF ORIGINAL DEROSE PPTY AS DELINEATED ON PLAT 54-2019 OF BOUNDARY SURVEY OF SECS 13&14 T6S R14W
17508128	1.850	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 14

Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17508129	11.500	T 6S R 14W SEC 24 SEWARD MERIDIAN HM BEGIN @INTERSECTION OF N-S LAND LINE BETWEEN WALLI & WADDEL HMSTDS & HWY; TH N 491.7 FT TO POB; TH N 1100 FT; TH W 455.4 FT; TH S 1100 FT; TH E TO POB
17508143	1.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 LOT 2-B
17508158	1.680	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004040 HILLSIDE ACRES DOROTHY'S ADDN TRACT 9C
17508159	3.260	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004088 HILLSIDE ACRES SUB 2004 ADDN TRACT 1D
17510205	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 7
17510206	0.470	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 8
17510210	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 12
17510203	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 5
17510208	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 10
17510214	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 15
17510204	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 6
17510207	0.430	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 9
17510219	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 1
17510221	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 1
17510222	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 1
17510224	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 4
17510227	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 4
17510235	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 7 BLOCK 2
17510237	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 9 BLOCK 2
17510240	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 3
17510246	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 8 BLOCK 3
17510249	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 11 BLOCK 3

Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510209	0.430	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 11
17510223	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 4
17510228	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 4
17510231	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 2
17510232	0.360	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 2
17510233	0.400	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 2
17510234	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 2
17510238	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 10 BLOCK 2
17510245	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 7 BLOCK 3
17510215	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 16
17510220	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 1
17510229	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 2
17510241	0.490	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 3
17510242	0.400	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 3
17510244	0.450	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 3
17510247	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 9 BLOCK 3
17510248	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 10 BLOCK 3
17510211	14.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860101 FOOTHILLS SUB UNIT 1 LOT 1

Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510212	0.420	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 13
17510213	0.300	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 14
17510225	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 4
17510226	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 4
17510230	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 2
17510236	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 8 BLOCK 2
17510239	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 3
17510243	0.390	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 3
17510252	2.430	T 06S R 13W SEC 19 SEWARD MERIDIAN HM 2019010 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 3 TRACT A1
17510253	25.560	T 06S R 13W SEC 19 SEWARD MERIDIAN HM 2019010 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 3 TRACT B
17524026	0.000	
17524031	0.000	
17524034	0.000	
17524103	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 77
17524107	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 73
17524109	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 71
17524110	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 70
17524112	0.340	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 67
17524024	0.000	
17524025	0.000	
17524028	0.000	
17524032	0.000	
17524033	0.000	
17524105	0.540	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 75
17524114	0.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 69
17524115	0.690	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 51
17524116	0.640	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 52

Exhibit A

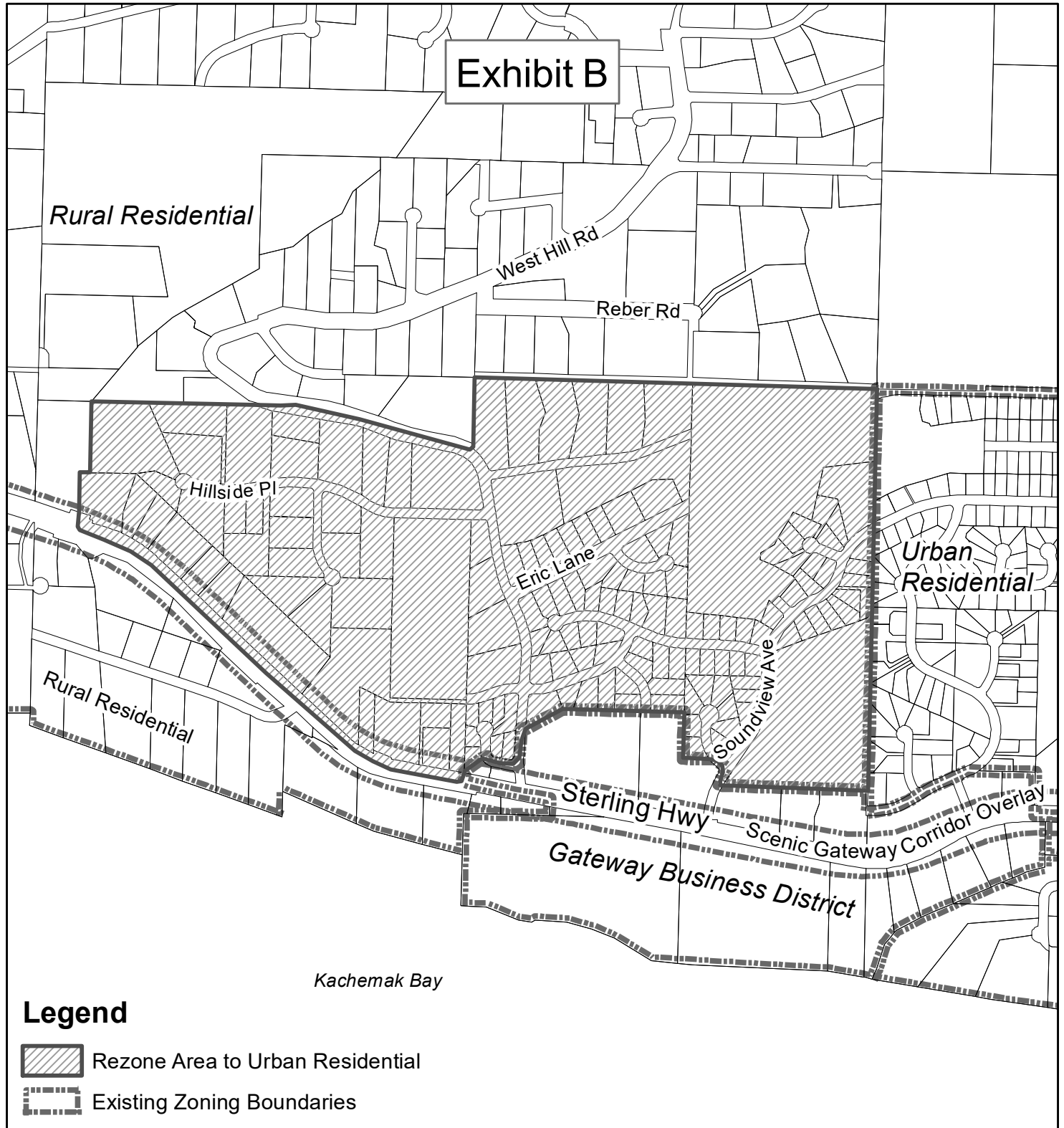
PARCEL ID	ACREAGE	LEGAL DESCRIPTION
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17524029	0.000	
17524030	0.000	
17524104	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 76
17524106	0.540	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 74
17524118	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 54
17524121	0.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 42
17524129	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 57
17524134	0.640	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 43
17524174	2.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 2
17524175	2.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 1
17524113	0.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 68
17524117	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATES LOT 53
17524124	0.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 39
17524126	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 60
17524131	0.410	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 64
17524133	0.510	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 62
17524137	0.440	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 46
17524141	0.530	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 47
17524180	1.720	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB TRACT D
17524108	0.370	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 72
17524111	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 66
17524119	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 55
17524120	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 56
17524122	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 41
17524123	0.420	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 40
17524125	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 61
17524127	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 59
17524138	0.560	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 50
17524139	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 49
17524130	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 65
17524132	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 63

Exhibit A



PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17524135	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 44
17524136	0.370	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 45
17524140	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 48
17524170	2.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 6
17524171	2.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 5
17524172	2.090	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 4
17524173	2.410	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 3
17524177	0.730	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 36
17524184	0.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 3
17524187	0.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 6
17524196	1.740	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019029 LILLIAN WALLI ESTATE ROW VACATION PLAT LOT 38-A
17525003	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 4A
17524189	0.280	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 8
17524190	0.250	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 9
17524192	0.280	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 11
17524195	1.210	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019029 LILLIAN WALLI ESTATE ROW VACATION PLAT LOT 37-A
17525004	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 3A
17525012	1.010	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2012027 BIDARKI CREEK NO 4 TRACT 1
17524188	0.260	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 7
17524191	0.230	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 10
17525001	1.030	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730081 BIDARKI CREEK SUB LOT 6
17525013	2.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2012027 BIDARKI CREEK NO 4 TRACT 2
17524185	0.230	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 4
17524186	0.250	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 5
17525002	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 5A
17525005	0.930	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 2A



# Exhibit B



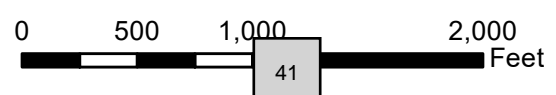
## Legend

-  Rezone Area to Urban Residential
-  Existing Zoning Boundaries



City of Homer  
Planning and Zoning Department  
April 11, 2022

## Exhibit B Rural Residential to Urban Residential Rezoning



*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

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### MEMORANDUM PL 22-04

TO: Homer Planning Commission  
FROM: Rick Abboud, City Planner  
DATE: April 20, 2022  
SUBJECT: Planning Staff review of text and zoning map amendments West Hill Area Rezone RR to UR

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#### Planning Staff review per 21.95.050

21.95.050 Planning Department review of zoning map amendment. The Planning Department shall evaluate each amendment to the official zoning map that is initiated in accordance with HCC 21.95.020 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.

*Analysis:* The general area of the area to be rezoned is represented on the 2018 Homer Comprehensive Plan Land Use Recommendations Map. The proposed amendment complies with Goal 1 of the Comprehensive Plan's Land Use Chapter, to guide Homer's growth with a focus on increasing the supply and diversity of housing. The proposal forwards objectives of Goal 1 including: creating higher densities surrounding the center of town; supporting the desired pattern of growth by updating the zoning map; promoting housing choice by supporting a variety of dwelling options; and promoting density and discouraging sprawl. These objectives are forwarded, as the UR district will allow for less restricted development of housing options such as duplexes or apartments when compared with the RR district.

***Finding 1:*** The zoning map change is consistent with the 2018 Homer Comprehensive Plan.

b. Applies a zoning district or districts that are better suited to the area that is the subject of the amendment than the district or districts that the amendment would replace, because either conditions have changed since the adoption of the current district or districts, or the current district or districts were not appropriate to the area initially.

*Analysis:* As water and sewer services are expanded in the RR District expectations of density increases. Appendix A of the 2018 Homer Comprehensive Plan specifies that the RR district is to provide area primarily for lower density development and is generally not served by water and sewer services. Whereas, the UR District is described as areas served by water and sewer services. When water and sewer services were extended in the mid 2000's to this part of the RR district and continued in recently proposed and developed subdivisions, the minimum lot size changed from 40,000 to 10,000 square feet per dwelling. This zoning change allows for more residential development as described in the purpose of the UR district in the Homer City Code (HCC). The proposed change in zoning better supports the density that comes with the addition of water and sewer services that are found in the area proposed to be zoned Urban Residential.

***Finding 2:*** The conditions of the district have changed since the adoption of the Rural Residential designation and the Urban Residential District is better suited to the area.

c. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

*Analysis:* The proposed rezone is served with city water and sewer utilities that are able to support the density allowances in the Urban Residential District. West Hill road provides a collector level of road service that divides the area of proposed rezone, leading to the Sterling Highway. A planned and soon to be constructed link (this season) between Eric Lane and Fairview Avenue will provide an additional source to travel for autos and pedestrians to points of interest toward the commercial areas of town. Additionally, with the recent development of Shelly Avenue, another route has been established to gain access to the Sterling Highway or it can be taken east to several more points of access and interest. These routes are capable to handle traffic expected from the proposed district without incurring unacceptable levels of service.

***Finding 3:*** The rezoning of this area is in the best interests of the public as it supports the Urban Residential District's moderate level of density that is well served by City services.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning staff has reviewed the ordinance per HCC 21.95.050 and recommends the Planning Commission conduct a public hearing, and recommend approval to the City Council.

## CHAPTER 4 LAND USE

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*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.*

### 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

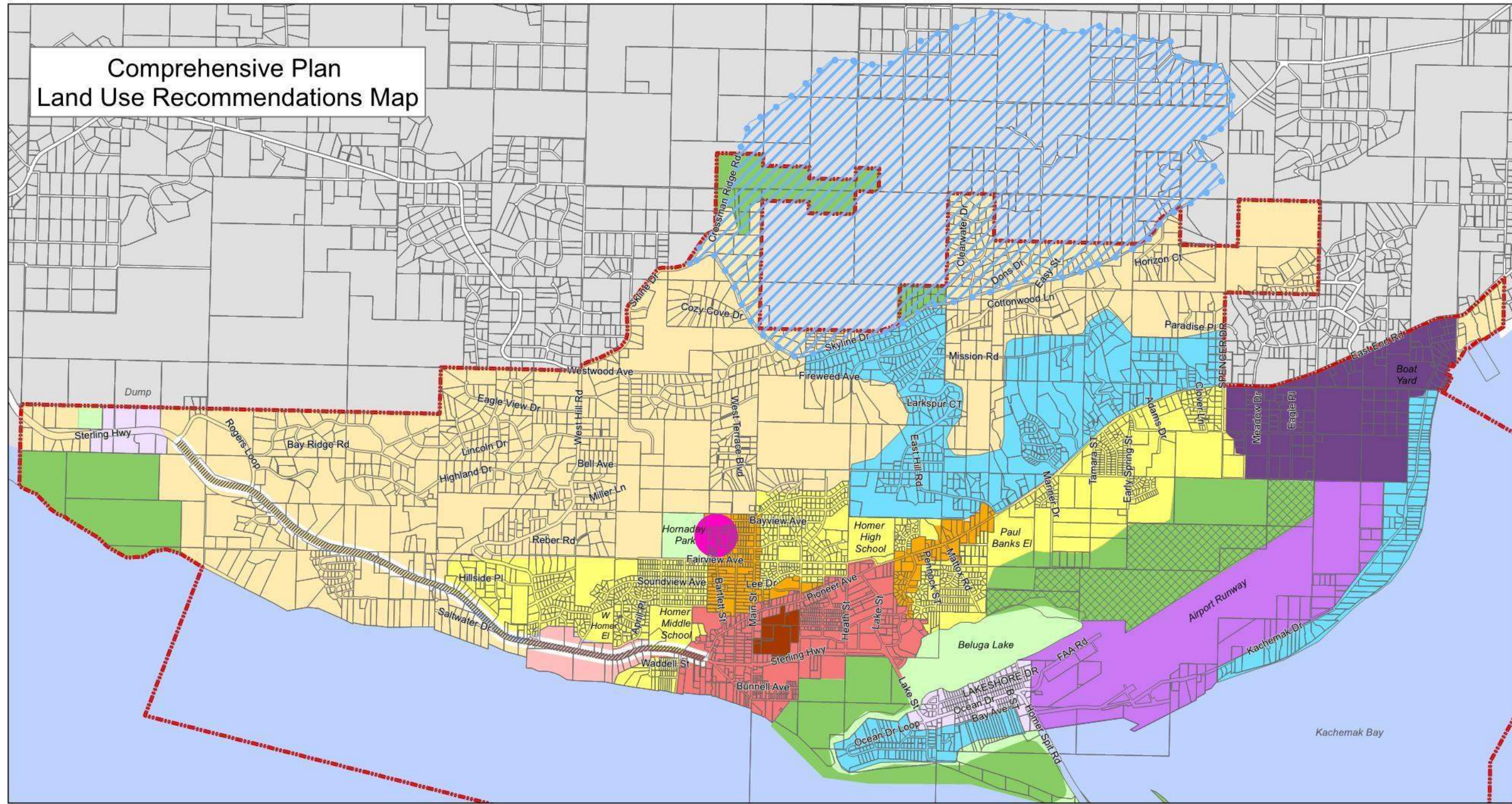
**Objective D:** Consider the regional and global impacts of development in Homer.

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

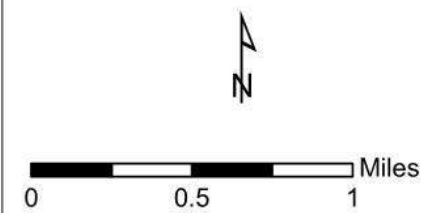
- Review opportunities that support energy efficiency for structures
- Consider land use policies that promote density and discourage sprawl

# Comprehensive Plan Land Use Recommendations Map



## Legend

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



City of Homer

- 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).

# City of Homer Zoning Map

0 0.25 0.5 1 Miles

November 2, 2020

Abbreviations  
 MC = Marine Commercial  
 MI = Marine Industrial  
 OSR = Open Space Recreation  
 CONS = Conservation

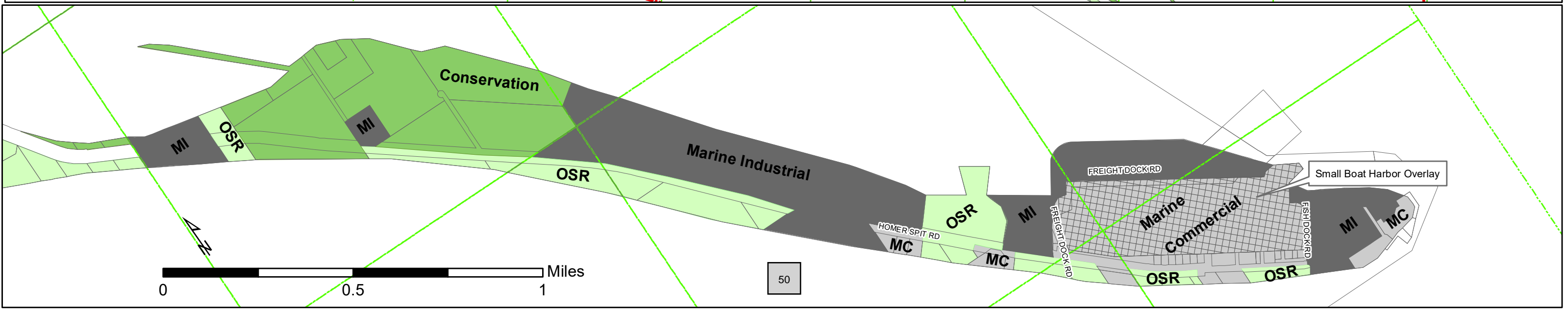
**Legend**

**2020 Zoning**

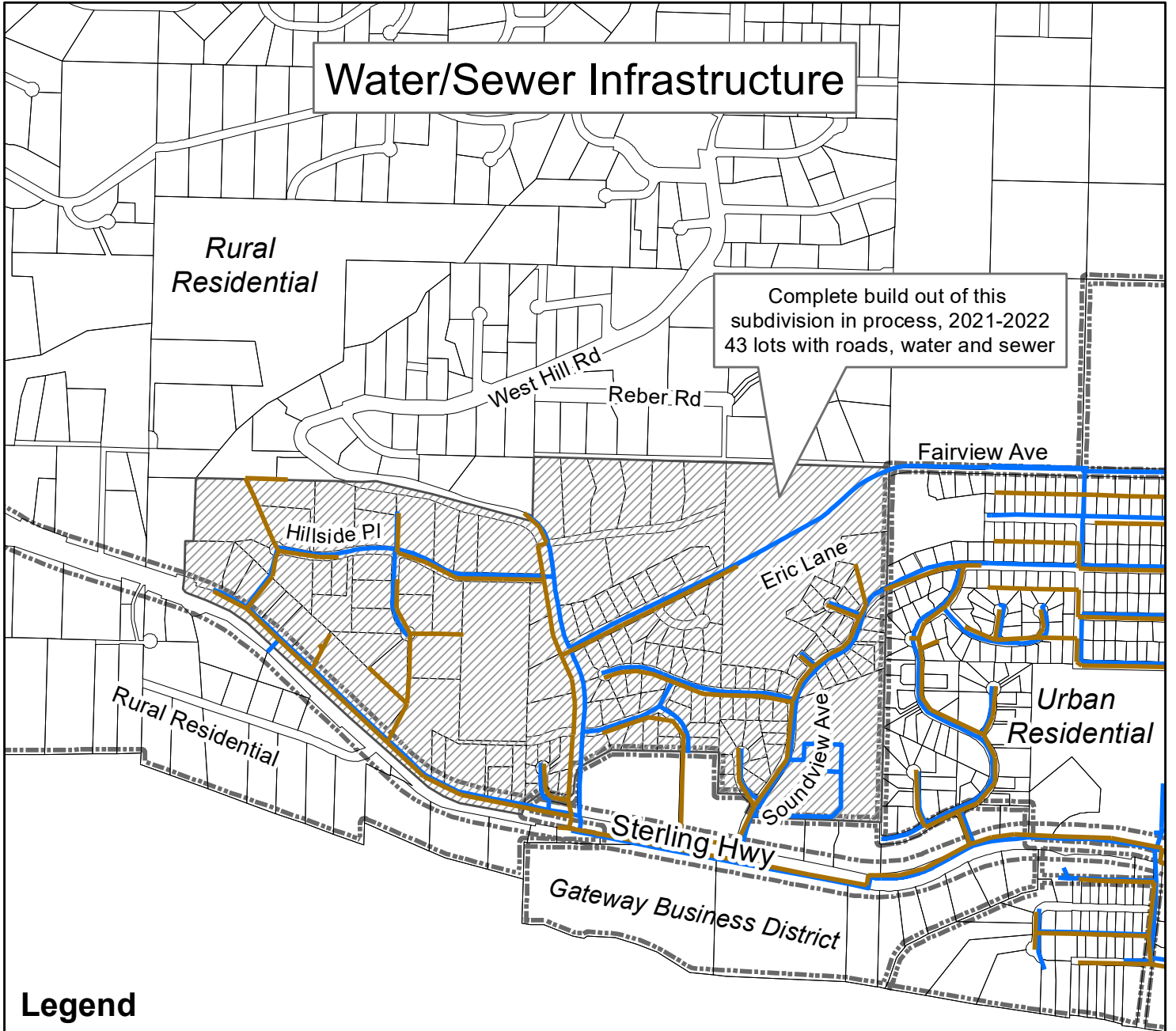
**Zone**

- Gateway Business District
- Central Business District
- Town Center
- General Commercial 1
- General Commercial 2
- East End Mixed Use
- Marine Commercial
- Marine Industrial
- Open Space Rec
- Conservation
- Rural Residential
- Urban Residential
- Residential Office
- Medical
- Scenic Gateway Corridor Overlay
- Small Boat Harbor Overlay
- Section Lines





Ordinance No	Date
83-07	2/15/83
83-30	12/13/82
84-28	10/23/84
85-10	5/28/85
86-18	6/24/86
86-23	8/26/86
86-24	8/26/86
86-25	8/26/86
92-47	9/29/92
92-50	12/15/92
98-14	7/27/98
1-27(S)	5/13/02
02-11	5/13/02
02-42(S)(A)	7/28/03
03-08	2/25/03
03-10	2/25/03
03-11(S)(A)	2/25/03
03-03(S)	3/11/03
03-04(S)	3/11/03
03-05(S)	3/11/03
03-09	3/11/03
03-20	5/13/03
03-37	7/29/03
05-07	3/15/05
05-33	6/28/05
06-20(A)	9/15/06
06-22	4/25/06
06-58	9/15/06
06-51(S)(A)	9/26/06
07-52(A-2)	2/25/08
08-06	2/12/08
08-08(A)	3/25/08
08-20	6/24/08
08-12(S)(A-2)	10/14/08
09-44(S)	10/13/09
09-19	10/26/09
12-10	2/28/12
12-11(A)	3/28/12
13-12(S)	5/14/13
16-34	6/28/16
20-02	1/28/20
20-49	8/25/20
20-59(A)	9/29/20



# Water/Sewer Infrastructure



## Legend

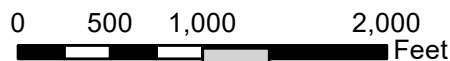
-  Rezone Area to Urban Residential
-  Existing Zoning Boundaries
-  Sewer
-  Water

Kachemak Bay



City of Homer  
 Planning and Zoning Department  
 April 11, 2022

## Water/Sewer Infrastructure



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**NOTES**

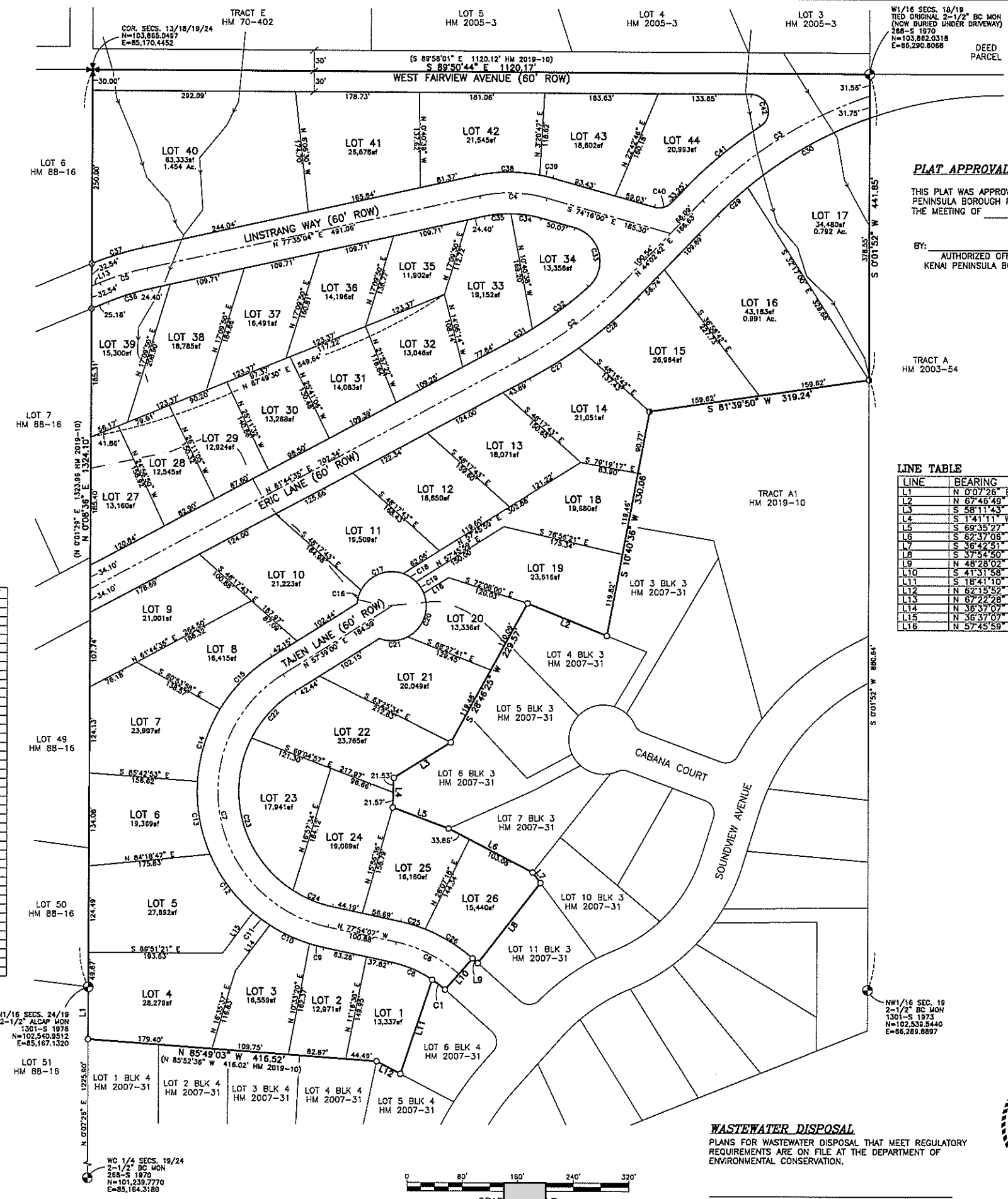
1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HI-PER V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" (PID T0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS  $-1^{\circ}17'13.4''$ . TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAIR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 10 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION IF APPLICABLE.
6. THESE LOTS ARE SERVED BY CITY OF HOMER SEWER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (753B-S 2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.
9. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).

**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	751.57	170.00	23.34	N 52°24'00" W	23.32
C2	1751.82	600.00	185.33	N 52°33'39" E	184.60
C3	2723.46	600.00	286.89	N 57°44'51" E	284.16
C4	2808.56	200.00	98.28	S 88°20'28" E	97.27
C5	1012.35	400.00	71.28	N 72°28'46" E	71.18
C6	2926.05	200.00	102.75	N 63°11'04" W	101.62
C7	13533.07	200.00	473.17	N 10°07'34" W	370.28
C8	2134.08	170.00	64.00	N 67°07'03" W	63.62
C9	514.55	230.00	21.07	N 75°18'40" W	21.05
C10	1537.45	230.00	62.74	N 64°58'20" E	62.55
C11	728.43	230.00	30.02	N 53°17'05" W	30.00
C12	2610.52	230.00	105.10	N 36°27'17" W	104.19
C13	2647.23	230.00	107.54	N 9°58'10" W	106.56
C14	2730.27	230.00	110.44	N 17°10'56" E	109.39
C15	2642.41	230.00	107.23	N 44°17'40" E	106.26
C16	2321.51	50.00	20.39	N 13°27'07" E	20.25
C17	6138.35	50.00	71.25	N 68°22'20" E	65.37
C18	2539.27	50.00	22.39	S 57°58'39" E	22.20
C19	2304.50	50.00	20.14	S 33°36'30" E	20.01
C20	8422.56	50.00	73.64	N 20°07'23" E	67.16
C21	4807.57	50.00	42.00	N 85°22'50" E	40.78
C22	3052.53	170.00	91.61	N 42°12'43" E	90.51
C23	8356.28	170.00	249.05	N 15°11'37" W	227.37
C24	2044.08	170.00	61.52	N 67°32'03" W	61.19
C25	916.31	230.00	37.23	N 73°15'52" W	37.19
C26	2009.34	230.00	80.93	N 58°32'49" W	80.51
C27	734.21	630.00	83.27	N 57°57'24" E	83.20
C28	1607.31	630.00	111.33	N 49°08'28" E	111.19
C29	554.38	570.00	58.80	N 47°00'01" E	58.77
C30	2028.06	570.00	203.63	N 60°11'02" E	202.56
C31	344.18	570.00	37.19	N 59°52'26" E	37.18
C32	1012.28	570.00	101.55	N 52°54'03" E	101.42
C33	12203.49	50.00	106.52	N 13°14'06" W	87.49
C34	1501.53	170.00	44.60	S 81°46'57" E	44.47
C35	1307.03	170.00	38.92	N 84°08'35" E	38.84
C36	1012.35	370.00	65.93	N 72°08'48" E	65.85
C37	1012.35	430.00	76.62	N 72°08'48" E	76.52
C38	2320.19	230.00	93.69	N 89°15'13" E	93.04
C39	448.37	230.00	19.31	S 76°40'19" E	19.30
C40	6141.17	25.00	26.92	N 74°53'21" E	25.64
C41	1223.42	830.00	136.29	N 50°14'33" E	136.02
C42	14817.08	25.00	63.83	N 16°42'10" W	47.85

**LEGEND**

- INDICATES 1917 2-1/2" BC GLO MONUMENT RECOVERED THIS SURVEY
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS DESCRIBED
- INDICATES 5/8" REBAR WITH 2" ALCAP (5780-S, 2007) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (7610-S 2017) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LS# OR DATE) RECOVERED THIS SURVEY
- INDICATES LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE



W1/16 SEC. 18/19 T1E2R1W BC MON (NOW BURIED UNDER DRAINAGE) 288-S 1970 N=103,862.0318 E=86,289.8088

DEED PARCEL

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_

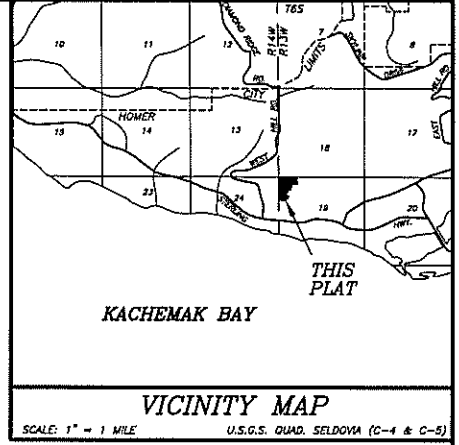
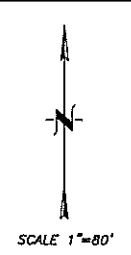
BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE: \_\_\_\_\_

TRACT A  
HM 2003-54

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 00°26' E	75.28
L2	N 67°46'49" W	123.27
L3	S 58°11'43" W	97.19
L4	S 1°41'11" W	42.80
L5	S 69°35'27" E	86.34
L6	S 62°37'08" E	136.93
L7	S 36°42'51" E	19.03
L8	S 37°54'50" W	146.67
L9	N 48°28'02" W	10.22
L10	S 41°31'58" W	60.00
L11	S 18°41'10" W	143.33
L12	N 62°15'52" W	38.88
L13	N 67°22'28" E	12.59
L14	N 36°37'07" E	82.53
L15	N 36°37'07" E	73.01
L16	N 57°45'58" E	42.63



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION, AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

TL INVESTMENTS, LLC  
TOM STAFFORD, MANAGER  
PO BOX 3403  
HOMER, ALASKA 99603

**NOTARY'S ACKNOWLEDGMENT**

FOR TOM STAFFORD  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2020.  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 10' FEET ADJACENT TO ALL STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE LOT LINES.

ERIC LANE (60' ROW), TAJEN LANE (60' ROW), LINSTRANG WAY (60' ROW), MATCHING 30' ROW WEST FAIRVIEW AVENUE.

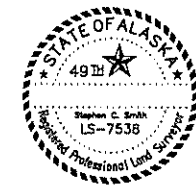
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
KATIE KOESTER, CITY MANAGER  
CITY OF HOMER, ALASKA

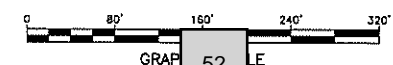
HOMER RECORDING DISTRICT KPB FILE No. 2020-???

**FOOTHILLS SUBDIVISION  
SUNSET VIEW ESTATES 2020 ADDITION**

THE SUBDIVISION OF TRACT B  
FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3  
(HM 2019-10)  
LOCATED WITHIN THE NW 1/4 SEC 19,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 25.569 ACRES  
OWNER:  
TL INVESTMENTS, LLC PO BOX 3403 HOMER, AK 99603



**WASTEWATER DISPOSAL**  
PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.



SURVEYOR \_\_\_\_\_ LICENSE # \_\_\_\_\_ DATE \_\_\_\_\_

**GOVERA, LLC**  
PO BOX 3235  
HOMER ALASKA 99603  
(907) 399-4345  
EMAIL: scsmith@gci.net

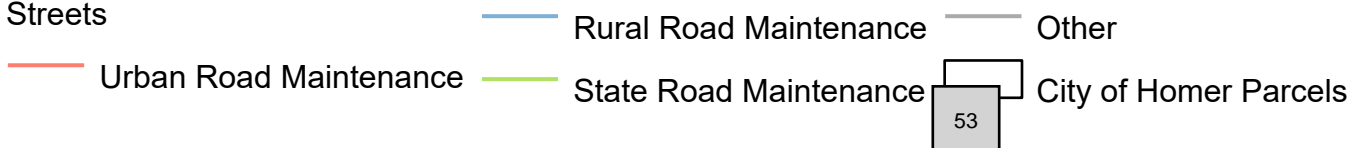
DRAWN BY: SCS DATE: APRIL 2020 SCALE: 1" = 80'  
CHK BY: SCS JOB #2020-23 SHEET 1 OF 1

# Road Maintenance Map



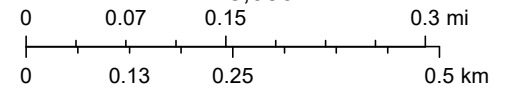
April 13, 2022

Streets



53

1:18,056



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri,

# Proposed Zoning Amendment





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

## Zoning Differences: Rural Residential (RR) and Urban Residential (UR)

### Permitted uses allowed in RR but not in UR (provision is eliminated or changed as indicated below)

g. Agricultural activities, including general farming, truck farming, livestock farming, nurseries, and greenhouses; provided, that: **(changed)**

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;

h. Private stables; **(changed)**

m. Temporary (seasonal) roadside stands for the sale of produce grown on the premises; **(eliminated)**

n. Mobile homes, subject to the requirements of HCC 21.54.100; **(eliminated)**

### Conditional Uses (needing Planning Commission approval) allowed in RR but not in UR (eliminated)

c. Cemeteries;

d. Kennels;

e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;

f. Mobile home parks;

g. Public utility facilities and structures;

### Provisions for the keeping of animals as a Permitted Use in UR (changed)

j. 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;

o. Public schools and private schools;

### Provisions for stables as a Conditional Use in UR (changed)

h. 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 use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;

### Dimensional Standards

Lots in RR are required to have a minimum of 10,000 square feet per dwelling unit.

Lots in UR are required to have a minimum of 7,500 square feet for single-family or duplex dwellings and have the option to provide multi-family (3 or more) dwellings according to floor area and open area requirements.

Multiple-family dwelling containing three or more units shall meet the following standards:

- a. The total floor area shall not be more than four-tenths the lot area;
- b. The total open area shall be at least 1.1 times the total floor area. Open area is any portion of the lot not covered or used for parking spaces and maneuvering.



# PROPOSED ZONING AMENDMENT



## AMENDING RURAL RESIDENTIAL DISTRICT (RR) TO URBAN RESIDENTIAL (UR)

Homer's population is growing and to keep pace with community needs, the City is considering a land use change to the district located between West Homer Elementary School and Bidarki Creek north of Sterling Highway.

This amendment is part of the long-term vision in the adopted 2018 Comprehensive Plan. To see how this might impact you, visit the web page below.

Proposed Zoning Map Amendment

<https://www.cityofhomer-ak.gov/planning/proposed-zoning-map-amendment>

### OPPORTUNITY TO PARTICIPATE

April 20: Public Hearing at 6:30 p.m.  
Homer Planning Commission

See reverse side for more information about the public hearing and how to participate

### CONTACT PLANNING

City of Homer Planning Office  
491 E. Pioneer Avenue  
Homer, AK 99603  
907-235-3106  
[planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us)



[cityofhomer-ak.gov/planning](https://www.cityofhomer-ak.gov/planning)



**CITY OF HOMER  
PUBLIC HEARING NOTICE  
PLANNING COMMISSION MEETING**

A public hearing on the matter below is scheduled for Wednesday, April 20, 2022 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

**AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.10.030 AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO URBAN RESIDENTIAL (UR) ZONING DISTRICT.**

In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603.

To attend the meeting virtually, visit [zoom.us](https://zoom.us) and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903  
Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for April 20, 2022 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

Written comments can be emailed to Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

If you have questions, contact Rick Abboud at the Planning and Zoning Office. Phone: (907) 235-3106, email: [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or in-person at Homer City Hall.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY**

.....  
**VICINITY MAP ON REVERSE**



Jonathan Faulkner &lt;landsendjdf@gmail.com&gt;

---

**Re-zone.**


---

Jonathan Faulkner <landsendjdf@gmail.com>  
 To: Jon Faulkner <landsendjdf@gmail.com>

Thu, Apr 7, 2022 at 8:58 AM

Jon- Please Enter this into the record regarding the proposed rezoning from Reynolds and Beth Holiman, 1486 Hillside place

It seems as though the small lot change will induce developers to buy old houses, tear them down, then replat the lots just to get their lot-price-per-house lowered. (Our lot could probably be made into 4 lots)

We are requesting that the existing lots on hillside place be left out of the zoning change. If an owner wants to do a tear down and replat to smaller lots, they should have to bring it before the board.

Many of us bought the older homes on the larger lots because of the spacious yards and abundant trees, brush, and wildlife cover. The proposed change would take away the rural feel because of clearing and grading to create home pads and drives on the smaller lots.

In order to grade this hill for the smaller lots, the trees would have to be removed and substantial amounts of soil would be disturbed. The side slopes of the West hill road embankment above us is already graded at angles only a few degrees less steep than the natural angle of repose.

We have already had 1 mud slide above our house which had to be repaired at considerable expense.

Our water pressure is low right now. It is unlikely that the city is prepared to spend extra dollars needed to upgrade the water system for this increase in density. A study of water pressure and water availability for this area should be required before the rezoning is considered.

With the above facts in mind, we respectfully request that lots down hill from West hill road along Hillside place be left in their current zoning.

Respectfully. Beth and Reynolds Holiman  
 1486 Hillside Place

Jon. Please edit if you need to and enter into the record. Thanks. Reynolds and Beth

9:00 Eastern Time Wednesday

Sent from my iPhone

*Hand Delivered? 4/8/22  
 jon.faulkner*

**From:** [Kasia](#)  
**To:** [Department Planning](#)  
**Subject:** Proposed Zoning Amendment  
**Date:** Monday, April 11, 2022 2:09:15 PM

---

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential.

I do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family.

This ill-conceived idea is what people do when they think they are going to fix a perceived "problem" but only succeed in creating several real problems. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Katarzyna Robotkay  
3866 Cabana Ct  
Homer, AK 99603

**From:** [Travis](#)  
**To:** [Department Planning](#)  
**Subject:** Proposed Zoning Amendment  
**Date:** Monday, April 11, 2022 2:04:03 PM

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential. We are happy with the status of our neighborhood.

We absolutely do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Travis Robotkay  
3866 Cabana Ct  
Homer, AK 99603



# City of Homer

[www.cityofhomer-ak.gov](http://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 Agenda Changes/Supplemental Packet

TO: PLANNING COMMISSION  
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK  
DATE: APRIL 20, 2022  
SUBJECT: SUPPLEMENTAL PACKET

---

### **PUBLIC HEARINGS**

- A. Staff Report 22-28, Rezone of a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District

Public Comment Received      pg 3 - 20


### **PENDING BUSINESS**

- A. Planning Commission Regular Meeting Minutes of March 2, 2022 Amended

Excerpt from the Planning Commission Regular Meeting Minutes of March 16, 2022      pg 21

RECEIVED

APR 15 2022

To: City of Homer Planning Commission  
Fr: Jon Faulkner, resident Hillside Acres.   
Re: Hillside Acres Proposed Zoning Amendment  
Date: 4/11/22

CITY OF HOMER  
PLANNING/ZONING

Dear Planning Commission:

As a 35-year resident of Homer and of my current residence at 4621 West Hill Rd (Lot 2A Hillside acres Sub) I am writing to register objection to the city's initiative to rezone Hillside Acres from rural Residential to Urban Residential. My grounds for objection are numerous, as follows.

- 1) Any re-zoning of land effects the manner in which land and improvements can be developed or used. It is widely held that re-zoning affects land values, and whether the impact is positive or negative can be subjective, and yet entering a factual finding into the record on this topic is critical.
  - a. A finding that land values are negatively impacted by the proposed change in zoning should be considered a form of "taking" of private property.
  - b. A finding that land values are positively impacted will likely result in increased assessed values and annual taxes due. Thus, even an increase in land value is often detrimental to the interests of long-term residents and retirees.
  - c. My testimony is that re-zoning Hillside acres will negatively impact land values; negatively impact my quality of life and my quiet enjoyment of Lot 2A Hillside Acres.
  
- 2) There is a plethora of development standards codified in municipal standards that a private sector developer contemplating subdivision of this magnitude would need to comply with—PRIOR TO receiving the grant. These would include, at a minimum: Traffic impact studies; uniform standards for road and sidewalk improvements; drainage and easements for same obtained; public water pressure standards met (presently below city minimums at 25 psi); utility and access easements designed and obtained; steep slope stabilization--the list is long. The petitioner—the City of Homer—cannot guarantee the standards of its own ordinances will be met to any uniform condition or timeframe, since subdivision is an individual election.
  - a. The basic requirement to disclose who will pay for such improvements in advance of a re-zone must be met by the petitioner.
  - b. Future subdivision of lots cannot be coordinated and timed by a single entity, as with normal subdivision by a developer. Therefore, undisclosed or undetermined development costs will be absorbed by the subdivider, erasing the benefits of subdivision.
  - c. The historic and tragic cycle of "forced to sell or subdivide just to afford what I have" seems a likely consequence.
  
- 3) During a typical re-zone application, the municipal entity attaches conditions on the developer which are intended to offset negative impacts and financial liabilities resulting from the re-zone. These impacts are typically absorbed by a private developer as the entity who stands to gain

from the re-zone. Here this dynamic is reversed. The city of Homer is the petitioner who stands to gain, and yet has placed no development conditions on itself, and contemplates shifting costs to subdividers or homeowners.

- a. For a private developer, recourse for failure to perform permit conditions carries punitive measures. Here, is there recourse for impacted residents if the City fails to perform?
  - b. In this instance, findings must be generated which not only protect those directly impacted, but which also protect the public at large against hidden or undisclosed liabilities that typically would be absorbed by a private entity.
  - c. Since municipal entities are shielded from civil liability in most matters, recourse for failure to perform is largely absent.
- 4) Factual findings which support the need for the re-zone need to be documented, as do any findings which undermine or refute that need.
- a. With respect to the attached Proposed Zoning Amendment, the impetus is not coming from private interests or those directly impacted, but rather from a government subdivision acting on behalf of the public at large.
  - b. "Homer's population is growing" may be true, but in itself does not support a finding that a rezone in the Hillside Acres Subdivision (Petition area) is necessary or desirable at this time. Quite the contrary, it appears the current zoning and rural composition of the area is what is driving most housing demand and growth in population.
  - c. Other than vague reference to universal needs such as "affordable housing", my testimony is that there is no evidence on the record to justify re-zoning Hillside Acres.
  - d. My testimony is further that the existing character of Hillside Acres is precisely why I choose to live here.
- 5) The geographic area of the Proposed Re-zone area strangely mirrors the 2002 LID district. This makes practical sense, however, the public record confirms (Resolution 06-105 and public notices for same) that the LID was formed absent any hint or understanding that the LID would be used to justify or promote re-subdivision or re-zoning by the City.
- a. There is no evidence in the public record to support the view that the Hillside acres LID has in any way been a financial burden shouldered by Homer taxpayers at large.
- 6) Whenever the interests of the many (public at large) are invoked to justify an action imposed on the few (directly impacted residents) precautions must be taken to guard against infringement of private property rights. In this context, the petitioner (the city) is equally obliged to represent the interests of private property owners as they are those of the public-- which presents a conflict of interest.
- a. At a minimum, in virtually every forum, a perceived or potential conflict of interest requires the entity to disclose it. My testimony is that in this instance there is a strong likelihood of a conflict, that the standards applying to government should be higher—not lower—than for volunteer members of boards and commissions—and that the governing body of Homer should rule on how to conduct itself in this matter.
  - b. A conflict of interest in most forums is determined by financial loss or gain.

- i. It is generally held that municipal initiatives are implemented for gain of some public purpose or nature. But it is also true that costs for these initiatives be fairly apportioned and voted upon. Here, my testimony is that the City of Homer has a substantial financial interest in the outcome of this petition, and that the “vote” to assess and apportion costs consists of only 4-5 people, (Planning Commissioners).
    - c. At a minimum, there is a legal standard in these matters that the Municipal entity is obliged to observe.
      - i. What is the legal standard that exists for Municipal entities to originate a re-zone petition from which they stand to gain? This standard must be openly disclosed and in the public record.
      - ii. I am requesting the Planning Commission solicit from legal counsel the likely legal standard that would prevail in a Municipal-initiated rezone request such as this, with some reference to case law. This is not “advocacy based” legal advice, and hence appropriate to gain transparency and foresight.
- 7) Findings of fact are present in any ruling on a proposed zoning amendment. When such a proposal originates from a municipal entity, those findings must be published for residents to see and challenge in advance---just as they would be when a private entity is contemplating re-zone. In fact, just as my comments are required to be submitted timely for all parties to consider.
- a. Presently, I am not aware of any directly impacted homeowners on record in support of this Proposed Zoning Amendment. Nor am I aware of any findings by the Planning Department justifying the action--other than the finding that this Amendment is consistent with the 2018 City of Homer Comprehensive Plan.
- 8) The character of land fronting on Sterling Highway is markedly different than interior lots insulated from the traffic, noise, and visual disturbance associated with a major arterial. The Proposed Zoning Amendment makes no attempt to distinguish between affected properties based on their amenities: their topography, views, access, proximity to neighbors and to permanent features like schools.
- a. There is no finding on the record as to why West Hill Elementary School is included in the proposed area to be re-zoned. Similarly, the 5-acre Myhill tract south of Hillside Place has a permanent deed restriction against it, prohibiting subdivision. There is no purpose to including these. These two tracts alone appear to comprise over 15% of the proposed area for re-zone.
  - b. Presumably, some lots within the proposed area are too small to subdivide. Does any finding exist as to how many lots within the Proposed Zoning Amendment fit this description, thereby contributing to the amount of gross acreage ineligible for subdivision or added density?
- 9) The 2018 City of Homer Comprehensive Plan is not binding on the impacted homeowners in the matter of a re-zone. At best, it is a recommendation to future Commissions. Secondly a “Comp Plan” does not reflect the views—let alone the consensus—of those directly impacted.



Therefore, the City should be careful not to present the Comp Plan as evidence of broad consensus, or having any binding affect on a re-zone petition.

- a. How effective is the 2018 Comprehensive Plan as a communication tool? My wife and I live here year-round, are civically engaged, and yet we had no idea the Comp Plan contained this objective. My testimony is that, based on my communication with six neighbors, none knew.

10) Notice to the community via publication of a Comprehensive Plan does not equate to consent by those directly impacted. Notice itself, or implied “non-objection” from their silence, is not the standard this community should adopt in these matters, in spite of the fact it is widely used as an expedient.

11) An LID was formed in 2001/02 to introduce water and wastewater to Hillside Acres. There was never justification presented by anyone—certainly not the City--that the LID was formed with the intent or purpose to promote smaller lots. On the contrary, serving larger lots is more expensive, and residents were TOLD THIS—and charged accordingly.

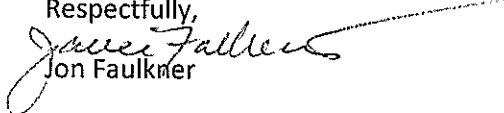
- a. As to “cost recovery”, residents paid 50% of the costs. Everyone paid the same assessment. The benefits upon re-zone, however, vary among landowners.

12) Zoning is not initiated solely for the benefit of government and its financial and social objectives. It is implemented for many others reasons: to protect the investment of private citizens; to protect private property rights; to promote stability and predictability in real estate values; to protect investments by homeowners and neighboring residents, lenders, investors and other private sector interests. And yes, to protect quality of life and a sense of community touted by urban planners.

- a. A re-zone petition should not be granted without specific findings as to these conflicting objectives.

13) Substantial new home starts are occurring in the area abutting and east of West Hill—roughly 10 in the last 12 months. It is my testimony that sales of these lots and homes could be adversely affected by a full, proactive disclosure of the impacts of this re-zone initiative on these new homeowners. It is further my testimony that the law requires disclosure to all potential homebuyers of any pending or proposed action—including a re-zone petition--affecting real estate.

Thank you for your service to the community of Homer.

Respectfully,  
  
Jon Faulkner

RECEIVED

APR 15 2022

To: City of Homer Planning Commission  
From: Sara Faulkner  
Re: Hillside Acres Proposed Zoning Amendment  
Date: April 14, 2022

CITY OF HOMER  
PLANNING/ZONING

I am writing to oppose the proposed zoning change at my residence, 4021 West Hill Road (Lot 2A Hillside Acres Subdivision) from rural residential to urban residential. I have lived at this address for over 32 years and during that time have enjoyed the rural residential neighborhood, and had planned to continue to live in this rural neighborhood of larger lot sizes, embracing the memories, wildlife, and everyday peace of the rural area during the rest of my lifetime.

On our lot we have gardens; a yard on which our kids and neighborhood friends played, sledded, and BBQ'd; streams; a pond for wildlife and skating; and several beehives. As I write this letter I have four moose basking in my front lawn, and several birds playing in the pond. In the summer our neighborhood becomes a bird amphitheater, with the songs echoing across our lot all day long. A miniature owl even lived next door.

At the time that the City of Homer proposed extending water and sewer service into our neighborhood, our neighbors in general were opposed to the added service. However, few residents attended the hearings or voiced their opinions, and thus a smaller few determined that the City would extend water and sewer service into our area. My recollection is that the hearings and vote were during the summer when residents were busy enjoying Alaska's outdoors, and were not attentive to the deadlines. Needless to say, we were never informed that this was the first step to transition our neighborhood from rural residential to urban residential, as was explained to me a couple weeks ago by the City Planner. The notice I received in the mail last month was the first notice I have had regarding this plan to change our zoning. The City has never reached out to us over the years to explain their plan or ask for our input until now. Hopefully it is not too late to put the brakes on this intervention into our peaceful rural lifestyle.

My understanding is that the other property owners adjacent to our property along West Hill also object to the rezoning of our lots (Holimans, Dixons, Johnsons). If the Planning Commission decides to pursue the rezoning, I suggest the City draw a line along West Hill to separate the urban vs rural neighborhoods rather than extending the urban to our area along the west side of West Hill. At a minimum, the lots above Hillside Place should remain rural.

I agree that housing is limited in Homer, and that as a community we have to address this issue. Instead of extending urban creep, the Planning Commission should address our housing shortage by looking at how they are currently managing short term rentals (STRs) in our existing residential neighborhoods. I argue that the explosion of STRs is directly related to Homer's lack of affordable housing, and better registration, regulation, and management of STRs, such as those offered

through 3<sup>rd</sup> party sites like AirBnB or VRBO, can help relieve this pressure. The majority of these STRs are non-owner occupied businesses operating in residential areas, compromising and eroding neighborhoods. Where is it codified in code where an STR exceeds the limits of a residential definition? At what point does an STR become commercial? The Planning Commission would be more effective at providing affordable housing by writing and regulating zoning codes to limit short term rentals vs long term rentals, which would provide the much needed affordable housing for the members of our community. In addition, the City of Homer needs to work directly with the 3<sup>rd</sup> party STR sites to collect its fair share of sales tax from the STRs.

In summary, I am opposed to the rezoning of my property from rural residential to urban residential. I suggest that the City of Homer use West Hill as the western boundary of the urban residential, and leave those properties on the west side of West Hill as rural residential. I encourage the City of Homer to better regulate STRs to help alleviate our housing shortage as well as to accurately collect its fair share of sales tax.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Faulkner". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sara Faulkner



## HOMER REAL ESTATE

April 19, 2022

City of Homer

Attention: Rick Abboud

Via Email

RE: Rezone proposal for converting fully served Rural Residential Districts to Urban Residential

Dear Rick,

I am writing in my capacity as the Legislative Chair for the Kachemak Board of Realtors.

At our recent quarterly meeting, I presented the information you provided regarding the Planning department proposal to rezone Rural Residential districts which now have full City utilities to Urban Residential.

There was unanimous support for this action. It is very timely given the current growth spurt we are experiencing. The rezone would also open up the possibility for more affordable housing, with smaller lots in the UR district and more importantly, it will encourage the development of more rental units which are in extreme short supply.

This is an example of economic development coupled with realistic planning.

We hope that once this rezone is successful, that the Planning Commission moves on to look at Oscar Munson and Johnson Subdivisions across Beluga Lake, an east to Mariner, Meadow wood, and Cooper subdivisions among others.

Keep up the great work!

Sincerely,

*Angie Newby*

**From:** [Travis Brown](#)  
**To:** [Renee Krause](#)  
**Cc:** [Rick Abboud](#)  
**Subject:** FW: Rezoning from Rural Residential to Urban Residential  
**Date:** Wednesday, April 20, 2022 10:07:41 AM

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Mark Sass just emailed this to me.

**From:** Mark Sass <markasass@gmail.com>  
**Sent:** Wednesday, April 20, 2022 10:07 AM  
**To:** Travis Brown <tbrown@ci.homer.ak.us>  
**Cc:** Gmail <markasass@gmail.com>  
**Subject:** Fwd: Rezoning from Rural Residential to Urban Residential

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

Thanks Travis for info to get this in properly. Had submitted on website but didn't get to you.

Sent from my iPhone

Begin forwarded message:

**Subject: Rezoning from Rural Residential to Urban Residential**

City of Homer  
Proposed Rezoning Amendment.  
Sass Investments II LLC Mark A Sass  
Property Owner  
1641 Hillside Place  
Homer, Alaska  
Hillside Acres Subdivision.

Dear Planning Commission,  
I have several thoughts regarding the proposed rezoning of the land west of West Hill Rd.  
We purchased our property for stake in this beautiful part of Alaska to enjoy in retirement the rural open feeling with a view of Kachemak Bay. For our future and family. This area west of West Hill accomplished this.  
In my opinion the majority of residents are long term having purchased and created their property to enjoy the rural larger open land lifestyle and do not want the increased density like land east of West Hill Rd.

Points to consider.

With the rolling open development that has existed created by residents then the allowance of subdivision in the past without proper frontages , flag lots and general access the use of this land was the intent of being open. This adds to the challenge that was not intent of future density of this area.

With the steep topography of the side hill and drainage this land is not conducive to more density.

Another fact with the Myhill Tract and West Hill Elementary School a large Percentage of property did not fit the proposed rezoning.

A large part of the frontage on Sterling Hwy also included in this land west of West Hill Rd already has been developed and added density already.

Another further challenge to this area is the huge special assessment of sewer and water against residents that further makes it very hard to make financially possible to subdivide at this time. Not sure how that will ever get resolved or how when paid off?

In my opinion with limited knowledge I believe there is enough land and development east of West Hill Rd to manage the supply and demand in reasonable future. In my opinion the blanket or majority decisions of city planning do not necessarily represent the best welfare of the long term residents living here that created this area. Future growing and Progress planning will always adjust the journey. Rezoning on this unique area at this time needs to be considered for current residents.

Please take that into consideration in your planning decision process and proposed rezoning for property owners west of East Hill Rd in Hillside Acres Subdivision.

Thanks for opportunity to share my thoughts.  
Mark A Sass  
612-919-0735  
[Markasass@gmail.com](mailto:Markasass@gmail.com)

Sent from my iPhone

## Travis Brown

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**From:** Travis <travis.robotkay@protonmail.com>  
**Sent:** Monday, April 11, 2022 2:04 PM  
**To:** Department Planning  
**Subject:** Proposed Zoning Amendment

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential. We are happy with the status of our neighborhood.

We absolutely do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Travis Robotkay  
3866 Cabana Ct  
Homer, AK 99603

## Travis Brown

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**From:** Travis Brown  
**Sent:** Tuesday, April 19, 2022 3:23 PM  
**To:** Travis Brown  
**Subject:** Re: Rezone of West Homer Area

4/18/22

Sue Finney, resident at 1588 Hillside Pl., called the office and asked that her opposition to the rezone be relayed to the Planning Commission. She stated the following reasons for opposition:

- The current minimum lot size of 10,000 square feet provides adequate opportunity for subdividing. Allowing lots to be as small as 7,500 square feet will create too much density in this neighborhood.
- Hillside Acres is composed of dead-end roads with only one point of access. Allowing further density without providing a secondary means of access for emergency vehicles is a great concern.

Travis Brown  
Planning Technician  
City of Homer  
(907)235-3106



## Travis Brown

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**From:** susan jeffres <fljeffres@msn.com>  
**Sent:** Tuesday, April 19, 2022 5:40 PM  
**To:** Department Planning  
**Subject:** Rezoning of Hillside Place

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

We want to state our strong opposition to the rezoning plan changing our zoning designation to urban residential. When we purchased our property on Hillside Place in 2020, we were excited to be able to have some privacy, and not be packed in closely to our neighbors. Under the proposed zoning plan, owner/developers could take a piece of property and put numerous families on this property due to the ability to build multi-family homes on lots. The change in density would change our neighborhood.

We came from Colorado where postage stamp sized lots with starter mansions or multi-plexes on them is the norm. This is not the feeling we want in Homer. We like that we have the right to use our property for growing and raising our own food and the ability to put our largest investment to work for us. We could run a business out of our home should we so desire. We want to pass this on to our children and grandchildren.

We feel that the available lots on the east side of West Hill Road give the city/developers the ability to provide housing to Homer's growing population while leaving our neighborhood the way it was built and the way that the home owners here, that I have talked to, like it. This zoning proposal would impact the quality of life and the rural atmosphere that we so enjoy at our home in Homer.

Mike & Susan Jeffres  
1698 Hillside Place  
Homer, AK

## Travis Brown

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**From:** Kasia <kasia4@protonmail.com>  
**Sent:** Monday, April 11, 2022 2:09 PM  
**To:** Department Planning  
**Subject:** Proposed Zoning Amendment

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential.

I do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family.

This ill-conceived idea is what people do when they think they are going to fix a perceived "problem" but only succeed in creating several real problems. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Katarzyna Robotkay  
3866 Cabana Ct  
Homer, AK 99603

April 18, 2022

Homer Planning and Zoning

Re: Hillside Acres Rezoning Proposal

I am writing to express my opposition to the proposed rezoning of Hillside Acres Subdivision or “West Homer Area” as outlined in the proposed zoning amendment from Rural Residential to Urban Residential.

I purchased Tract 7 - Hillside Acres Subdivision in 1992 as a 5.14 acre parcel, one of the largest in the subdivision. My purchase was well planned because I wanted to live a “rural lifestyle” in the city limits, on a cul-de-sac, with a stream and the ability to have animals (dogs, horses, chickens) as well as a large garden and a small business. This property embraced all of these requirements; initially the entry to the property was a little wooden bridge and in the winter I had to “bounce” the snow covered alder branches along the road so that I could drive through them.

As the landscape changed, many trees were lost due to the spruce bark beetle infestation. The development of the water/sewer LID improvement district in 2002 divided the neighborhood; although I had a brand new DEC approved septic system; I approved the water/sewer project to support community and healthy standards, but was forced to “crush” my brand new septic system to comply with the new sewer system. All of these community development programs cost a lot of money, but seemed to be responsible community development. Had I known that the ultimate goal of the city was to bring a more dense population to the subdivision, I would not have supported the water/sewer improvement plan.

I also purchased another property in this subdivision, Tract 9A in 2004 and had to pay, once again, \$26,849.00 for the water/sewer assessments.

Natural Gas was brought to our subdivision in 2006, which I also paid for three times.

In 2006, the City of Homer created the “Gateway Business District” which was zoned for business - this included Story Real Estate and was also a somewhat controversial zoning proposition, and another dense portion of our subdivision was created.

This history brings us up to the present rezoning proposal, which has numerous flaws:

- The properties in the Hillside Acres Subdivision on the west side of West Hill road were not designed or sold to create a dense population

- The lots are mostly owned by long term property owners who purchased the properties years ago, and wanted a “rural lifestyle
- The properties in Hillside Acres subdivision can be subdivided even if the zoning remains “Rural Residential” so the zoning change is not necessary (This is evidenced by my need to subdivide in 2019, thus creating Tract 7A and 7B). In order to complete this division, I had to put in another driveway, and pay for another water/sewer and gas assessment - totaling well over \$38,000.00.
- If new property owners move into the subdivision, they would benefit from the water/sewer/ natural gas development and potentially not shoulder any burden on the cost- this seems inequitable.
- The majority of the lots in Hillside Acres Subdivision on the west side of West Hill Road are irregular in shape, there are flag lots, and due to this are not readily available to subdividing.

In conclusion, I am very opposed to the change in zoning of the Hillside Acres Subdivision, particularly to the west of West Hill Road. The majority of the property owners are long term owners, who purchased and developed their respective properties with a certain lifestyle in mind. It is not fair for the city to “change the rules” so to speak, and force these long term residents to potentially live in a vastly changed neighborhood that they did not want. It is already difficult to witness the unprecedented growth to the east side of West Hill Road, as we drive home every day.

Please reconsider this proposed rezoning plan. Thank you.

Sincerely,

*Linda S. Rourke*

Linda Schauer Rourke

[lsrourke@xyz.net](mailto:lsrourke@xyz.net)

(907) 299-0415

**To the Homer City Planning Commission; Regarding the Proposed Zoning Amendment**

We do not support the the Proposed Zoning change.

The Planning Department references the 2018 Comprehensive Plan as the driving force to the rezoning of this area. This document also proposes development of an integrated system of green spaces that benefit the community by protecting corridors for trails, and storm water management. Which has not been addressed in any of the plans or discussion. The most important subject seems to be the ability to build on a 7,500 square foot lot.

The smaller lot size reduces the quality of life for residents. With not enough area to park two cars, guest parking, and other vehicles, such as boat, trailer and four wheeler causing street parking and impacting winter maintenance . Higher housing density results in higher noise levels, which impacts the quality of life in the neighborhoods. A result of smaller lots and no parks, or sidewalks leads to children playing in the street. Additionally the new smaller sized lots could affect the value of older larger sized lots and homes negatively. Smaller lots will effect the areas ecology changing what is best about Homer's character forever.

The 2018 Comprehensive Plan also addresses Transportation, and Public Services and Facilities. The plan states Homer needs to consider the transportation along side all other aspects of community growth. Changes to parking, highway congestion, maintenance, and bicycle and pedestrian safety has not been addressed in any subdivisions or currant discusses. In the Proposed Rezoning Area Soundview Ave and Eric Lane are the only streets with sidewalks. The rest of the areas residential streets have no sidewalks. The areas residents have no green spaces or parks and none appear to be in the zoning plan.

The zoning change does not plan for any costs related to the addition of parks, sidewalks, paving and drainage of the previously zoned RR area. Hillside Place has small very rusty drain culverts that ice up and glaciare the road in the winter. The existing water service at present has a very low pressure, 20-25 psi at my resident. Adding more housing will put a strain on existing utility infrastructure without upgrades.

The Zoning change seems to be led by Planning Department to the benefit of only a few. The areas present residents knew nothing about zoning changes until the Planning Office letter advising of a zoning changes. The City should upgrade the area with parks, green spaces, drainage, sidewalks, paving, and improved utility services before considering the action of allowing 7,500 square foot lots.

Thank You for considering our views.

James Dickson & Shawn Dickson,  
1422 Hillside Place, Homer Alaska 99603

   
April 20, 2022

4/14/2022

City of Homer Planning Office  
491 E Pioneer Avenue  
Homer, AK 99603

To be read at the 4/20/2022 Meeting:

At the last Zoning Commission meeting, we were informed that our concerns about low water pressure in our area and a drainage plan is being looked into. There should be no rezoning until these issues have been addressed and a plan put forth and in place. Also the City's plan is to have more bike paths and open areas for public use have not been addressed in this area that's proposed to be rezoned.

Also at the last meeting it was addressed by Mr. John Faulkner that it should not be for the property owners to defend against the government and their interest with the land developers, but the landowners should be asking if and when they want their area rezoned. It's for government to work for the best interest of the people.

By making smaller homes around us lowers the property values of the established homes.

For these reasons we stand firmly against rezoning from rural to urban in our area.

Arn & Kathy Johnson  
1390 Hillside Place  
Homer, Alaska 99603

907-399-1214

*Arn E Johnson*  
*Kathy L Johnson*

## **PUBLIC HEARINGS**

- A. Staff Report 22-28, Rezone of a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District

Chair Smith introduced the item by reading of the title.

City Planner Abboud provided a summary of Staff Report 22-28 for the Commission. He reported on the following:

- The previous Comprehensive Plan development had a total of 24 meetings;
  - This document guides the decisions and work of Commission.
  - Helps property owners know what they have when they buy it.
  - This document also guides the future of Homer but does not mean it cannot be changed.
  - The recommendations are based on the values and wishes.
  - Changes that are not in the plan will not be supported, however if there are things that the Commission would like done then changes to the plan should be established first before acting on the change.
- The new UR zone is proposed to continue to the west and is bordered on the south by Gateway Business District and buffers out into the Rural Residential District.
- Water and Sewer has been in planning for the area.
- Clarification on square footage requirements for water and sewer.
- Connections from new roads to existing roads.
- Current or existing uses will be allowed to continued, i.e. mobile home on site can be used until moved from site and cannot be replaced by another.
- Opposition has been submitted by a majority of the affected property owners on Hillside Place.
- There is one letter in support of the action.

Chair Smith opened the public hearing.

Jeanne Walker, Kachemak City, expressed her appreciation for the Planning Commissioners for working on this topic in response to the increased pressure for development in the area. She noted the development has increased and will increase the traffic and expressed her concerns on the impacts to pedestrians and their safety and recommended that the City instill requirements for a six foot shoulder or separated footpath.

Kevin Walker, Kachemak City, expressed that he supports more housing in Homer, but he expressed concerns on the lack of walkability or non-motorized access between subdivision and trail systems, stating that people should have a choice. He then provided the benefits offered by providing non-motorized access and requiring those connections from developers. Mr. Walker then expressed his concerns on the issues regarding stormwater drainage.

Dakota Larson, city resident, explained that he is on the edge of the proposed zoning action and expressed concerns that the rezone would affect the future uses for his property and he did not want limits proposed to future uses since he is situated so close to the bypass.

Scott Adams, city resident, stated that he has watched the City make changes to zoning to their liking dependent on what project comes up and now there are three or four subdivisions being built in the new area. He proceeded to express concerns related to changes to the zoning district and how that

would affect the allowed uses of the property and the original owners existing uses, all because there is a housing shortage, noting that this action is not sitting well with property owners. He further commented that the houses being built on smaller lots mean that kids will not have a safe place to play and homeowners cannot enjoy their property.

Linda Roark, city resident, cited that the statement made by the City Planner rang true to her “you know what you got when you buy it” and that was her issue. She proceeded to provide the timeline for her purchase of the property in the 1990’s and the subsequent costs with installation of water and sewer, natural gas and when she subdivided a lot then purchased additional land. Ms. Roark proceeded to read her written comment into the record. She stated that the properties in the Hillside area are owned by long term residents or owners who purchased their properties because they wanted a rural lifestyle but had the advantages of living within city limits. She expressed her dislike of the proposed zoning change and the unfairness to them for the city to change the rules and force the residents to live in potentially vastly changed neighborhood. Ms. Roark continued stating it was already difficult to witness the unprecedented growth to the east side of West Hill when she conducts her daily drive home.

Larry Cabana, city resident, commented that he lives on the edge of the boundary on the east side and has 2.5 acres. He stated that his brothers and he developed Sunset View Estates, which is a 40 acre tract. He expressed his concern on the increased traffic when he connected roads to West Hill Road. He provided information on installation of sidewalks and the added costs to develop the subdivision. He cannot imagine the additional traffic that will occur when the developer puts in the additional 40-50 homes in the new subdivision. Getting out from the school now is crazy. Mr. Cabana commented on the costs of the lots will not be conducive to low income housing. The paperwork he saw on the difference between Rural Residential compared to Urban Residential means that everything he does on his property is against the law. He expressed frustration on buying his property so he did not have to worry about things like this and he could enjoy himself. He expressed his concerns on the impact that additional density will bring before working on the infrastructure required and would appreciate the City looking at that before doing anything.

Sarah Faulkner, city resident, stated that she is a 32 plus year resident and their requirements when looking at land to purchase was whether it had electricity and running water and they were shown three houses that met their criteria, adding that there was a housing shortage back then. She commented that she had conversations with her neighbors and none of them supported this rezone either. Ms. Faulkner noted that she provided written comments and wanted to express that she believed the issue was with short term rentals and believed that the Planning Commission should address that problem; they have been negligent at looking at that as it is having a direct impact on the housing opportunities for people and that before the City jams this rezone down their throats and further suggest using West Hill Road as the western boundary for the proposed rezone. Ms. Faulkner also express that they purchased their property in 1990 and hooked up to water and sewer but was never advised of the plan to make their area urban residential, never heard that. The mailer was their first notice but it got their attention.

Jon Faulkner, city resident, stated that the commission has heard his comments at the worksession and he provided a letter and hoped that they received it. He expressed that he was absolutely opposed to the rezone but even more opposed to the process and believed it to be fundamentally flawed. In his letter he provided 16 points in opposition and hopes the Commission reads it. He expressed that he never heard of a municipality ever initiating a rezone, that it established a bad precedent and the



primary reason is the conflict of interest that it puts the city in. He continued citing that this action does not represent the city residents and formally requests the Planning Commission to consider the conflicts inherent in the process and expressed his opinion that he believed it to be upside down when the government comes in and initiates the rezone at the expense of the residents.

Jennifer Cabana, city resident, stated that she was informed that West Hill would never touch Shelley Avenue and within a year that changed. She reported on the increased traffic that presents a safety hazard to her children. Ms. Cabana then provided information that she has applied for a grant that offers her the ability to be self-sustainable by growing her own food and maintain a small flock. Urban residential does not allow her to have a flock as large as she currently maintains and while she could be grandfathered in she opposes the rezone as proposed as it does not allow her the choice to do as she wishes with her property.

Karin Holser, city resident, stated that she is outside this rezone, but if they can do it for this big of section then why won't it come down to her neighborhood too, so she agreed with the previous comments that the process is flawed as this is the first she has heard about it. She opposed the 40 lots in the subdivision below her as she thought they should be bigger lots. Property owners bought their lots because they were rural and bigger lots, not to have smaller lots, and that was the whole beauty of it; you were in city limits and had all the great amenities yet you could feel a semblance of rural. Ms. Holser continued by stating she has lived in the Pribilof Islands for 25 years so it's not really rural to her. But she reiterated that she felt the process was flawed and it was wrong to have the sudden change as it was not something they agreed on stressing she did not agree on the forty lots either but there was nothing she could do.

Mark Sass, property owner on Hillside, which he bought for retirement. Mr. Sass provided the reason he purchased the property for the rural area and view-shed within the city limits. He stated that reviewing all the thoughts, speaking with neighbors and everything west of West Hill Road really never intended this to be the density that the city is proposing and like Mr. Faulkner stated as a majority rule we cannot have what we want we can't have because someone else has decided. There are flag lots, large parcels that cannot be rezoned, steepness of the hillside, financial challenges with assessments for water and sewer, the majority of property west was never meant to happen. Density will happen and there is no stopping it but do it smart. East of West Hill Road will present challenges with traffic increased and pedestrian safety. Mr. Sass then recounted a brief experience in the contracting business.

Helen Armstrong, city resident, does not live in the rezone area but expressed her concerns on the lack of development for pedestrian safety especially for the children going to school.

Chair Smith closed the public hearing after verifying with the Clerk that there was no additional members of the audience present wishing to provide testimony. He opened the floor to questions from the Commission.

Commissioner Highland noted that the City Planner may want to offer rebuttal.

City Planner Abboud provided previous steps on developing the Comprehensive Plan and that the plan sets the stage for the future and the City wants the residents to provide input and recommendations. The City has not ulterior motives other than to follow the recommendations of the plan that considers all city residents. The Planning Commission listens to all comments and makes the appropriate decisions. He acknowledged the unacceptable traffic patterns and having to deal with those issues as

well as pedestrian safety but the city is growing up. As for the short-term rentals, the city is aware of that issue and will be dealing with it in the near future.

City Planner Abboud answered and responded to questions and comments from commissioners on the following:

- Processes for initiating rezoning other than what is directed by the Comprehensive Plan.
- Public hearings are part of the rezoning process.
- Rezones are based on needs such as housing, changing conditions to the existing areas, alternate transportation routes in the area.
- This will now go to the City Council and the Commission will include an informed recommendation.
- This rezone appears hurried with a lack of addressing the pedestrian safety and drainage issues before implementation of the rezone.

Deputy City Clerk Krause called for a point of order as the City Planner and Commissioner Barnwell were entering into a one on one conversation.

Chair Smith requested any additional questions from the Commission.

Commissioner Highland requested clarification from the Clerk on whether to continue with questions and when they make a motion and they enter into the discussion as she had a few comments but no real questions and she also had an amendment to the ordinance.

Chair Smith requested a motion and second.

HIGHLAND/BENTZ MOVE TO ADOPT STAFF REPORT 22-28 AND RECOMMEND CITY COUNCIL APPROVE THE PROPOSED AMENDMENTS TO THE ZONING MAP.

Commissioner Highland noted a required correction to the draft ordinance, line 39, on page 33 of the packet.

Chair Smith requested a motion and second.

HIGHLAND BENTZ MOVED TO AMEND THE DRAFT ORDINANCE LINE 39, PAGE 33 OF THE PACKET, THE STATED VERBIAGE SHOULD BE "FROM RR ZONING DISTRICT TO THE UR ZONING DISTRICT"

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested additional discussion on the motion on the floor.

City Planner Abboud facilitated discussion and comments with the Commission on the following:

- Planning for the future while the future was now and the city is behind on addressing things.
- Balancing longtime residents' expectations and meeting the needs of new residents.
- Rezoning is a tool that the Commission has to use to address issues and needs.
- No one likes change.
- Focusing the rezone to the East of West Hill Road.
- Postponing the action to a future meeting.

- Environmentally it is better to have infill rather than sprawl.
- Impacts to traffic and pedestrian safety with increased density.

Chair Smith requested that Commissioner Highland wait to amend the motion until everyone has an opportunity to comment. Commissioner Highland deferred to the Clerk on process.

Commissioner Bentz indicated she had questions for the Planner. City Planner Abboud responded to the following:

- Steepness of the parcels to the west of the area directly opposite of Eric Lane regarding requirements to conform to the proposed district with regard to water and sewer, etc.
- Dimensional Standards would present a challenge but services would be dictated by DEC.
- The water and sewer boundaries as shown on page 51 of the packet.

HIGHLAND/VENUTI MOVED TO AMEND THE MOTION THAT CITY COUNCIL APPROVE A REZONE OF RURAL RESIDENTIAL TO URBAN RESIDENTIAL ON THE EAST SIDE OF WEST HILL OF THE BOUNDARIES THAT ARE SHOWN ON EXHIBIT B.

There was further discussion on compromise for the proposed rezone, concerns on the timing were expressed and hesitation that the amendment or main motion could not be supported.

Public Works Director Keiser approached the podium and requested the opportunity to provide information. Chair Smith requested clarification from the Clerk.

BARNWELL/HIGHLAND MOVED TO ALLOW PUBLIC WORKS DIRECTOR TO SPEAK TO THE COMMISSION.

There was no discussion.

VOTE. NON-OBJECTION UNANIMOUS CONSENT.

Motion carried.

Public Works Director Keiser provided information on the following:

- Use of funding to address concerns on pedestrian safety.
- The increase in development east of West Hill Road providing opportunities.
- More density will increase the buy in on non-motorized transportation.
- Water flow is not an issue as the area is served by a 12 inch line.
- The potential to provide multi-family housing.

Chair Smith requested additional comments and questions.

Commissioner Bentz commented on her review of the plans and services, the proposed Eric Lane development, and that she would support the amendment.

Chair Smith requested the Clerk to restate the motion. Deputy City Clerk was unable to fully restate the amendment proposed by Commissioner Highland. Commissioner Highland restated her amendment.

Commissioner Bentz noted that the proposed amendment got the Commission halfway there and is fulfilling what the Commission is tasked to do.

Commissioner Conley stated that the development that is being done is rural residential.

Deputy City Clerk Krause restated the motion as follows:

APPROVE A REZONE OF RURAL RESIDENTIAL TO URBAN RESIDENTIAL ON THE EAST SIDE OF WEST HILL OF THE BOUNDARIES THAT ARE SHOWN ON EXHIBIT B.

VOTE (amendment). YES. VENUTI, SMITH, HIGHLAND, CONLEY, BENTZ

VOTE (amendment). NO. BARNWELL.

Motion carried.

Chair Smith requested additional discussion on the motion as amended.

City Planner Abboud responded to questions regarding the historical information on the creation of the city's first urban residential zoning

Chair Smith requested the Clerk to perform a roll call vote.

There was confusion on the appropriate motion on the floor and several Commissioners offered explanations of the amendment applying to the main motion for clarification. Deputy City Clerk disseminated for the Commission how the amendment applied to the main motion.

Chair Smith called for the vote on the main motion as amended.

VOTE (main motion as amended). YES. SMITH, HIGHLAND, BENTZ, VENUTI.

VOTE (main motion as amended). NO. BARNWELL, CONLEY.

Motion carried.

Commissioner Highland requested a recess. Chair Smith called for a recess at 8:14 p.m. He called the meeting back to order at 8:25 p.m.

## **PLAT CONSIDERATION**

### **PENDING BUSINESS**

#### A. Planning Commission Regular Meeting Minutes of March 2, 2022 Amended

Chair Smith introduced the item by reading of the title and provided a brief explanation of the issue before the Commission regarding the minutes from the March 2, 2022 regular meeting. He then requested a motion and second.

HIGHLAND CONLEY MOVED TO APPROVE THE MARCH 2, 2022 REGULAR MEETING MINUTES AS PRESENTED.

There was a brief discussion on the action taken by the Clerk to include each commissioners' statements made during the overall discussion. Commissioner Barnwell, as noted on page 64 of the packet, did state that he did not support building codes or a building department at this time.

VOTE. NON-OBJECTION UNANIMOUS CONSENT.

Motion carried.

#### B. Staff Report 22-29, Tiny Homes

Chair Smith introduced the item by reading of the title.