City of Homer
www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603
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STAFF REPORT PL 25-019

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
MEETING: April 16, 2025
SUBJECT: Application amending Zoning Map via Ordinance

Requested Action: Conduct a public hearing and recommend approval of the zoning map amendment to the Homer City Council

GENERAL INFORMATION
The subject properties, 4410 East Hill Road and 1374 East End Road are zoned Rural Residential. The applicant requests a change in zoning from Rural Residential to Residential Office by extending the boundary of the Residential Office district eastward.

Applicant:	William L. Slone 1374 East End Road Homer, AK 99603
Location:	4410 E Hill Rd and 1374 E End Road
Legal Description:	T 6S R 13W SEC 16 SEWARD MERIDIAN HM 2005096 WATSON RIDGE LOT 1 T 6S R 13W SEC 16 SEWARD MERIDIAN HM 2005096 WATSON RIDGE LOT 2
Parcel ID:	17903078 and 17903079
Size of Existing Lot:	0.68 acres and 0.73 acres
Zoning Designation:	Rural Residential District
Existing Land Use:	Vacant and Residential
Surrounding Land Use:	North: Vacant South: Institutional East: Residential West: Commercial and Vacant
Comprehensive Plan:	Economic Vitality Goals 1, 2, & 3
Wetland Status:	Yes, KWF Wetlands Assessment of Wetland/Upland Complex on 4410 E Hill Rd.
Flood Plain Status:	None
Utilities:	Public utilities service the site.
Public Notice:	Notice was sent to 25 property owners of 20 parcels as shown on the KPB tax assessor rolls.

GENERAL INFORMATION

This application proposes a zoning map amendment to move the Residential Office Boundary (RO) east to encompass the subject lots. The applicant states that they are petitioning for a change in the Homer Zoning Map to incorporate his two adjacent Rural Residential lots into the contiguous (west side of E. Hill Rd.) Residential Office zone. This proposal conforms with the Comprehensive Plan's overarching theme to "Keep Homer a lively, vital community that effectively responds to change and growth while retaining what is best about Homer's character." The primary effect of the zone change would be to allow a home-based business, professional office building, or studio for local artists as an authorized use, and medical clinic through a CUP.

HCC 21.95.060 Review by Planning Commission

a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is submitted to the City Council.

b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department's comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.

c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.

d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written recommendations regarding the amendment proposal along with the Planning Department's report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

<u>21.95.050 Planning Department review of zoning map amendment</u>.

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.

Applicant: See attached application.

Analysis: There are multiple goals and objectives from the Economic Vitality Chapter of the 2018 Comprehensive Plan that support this rezoning:

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

The East End Road corridor is a significant state maintained east-west route for Homer. Specifically, the Residential Office district is centered on East End road and provides a transition from the urban core to the rural edge of Homer, this type of development helps meet the needs and interests of Homer residents.

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

Objective A: Increase year-round employment that will enable local people to work, live, and raise their families in Homer. While almost all city actions will ultimately affect the course of economic change and job growth, city actions to promote year-round jobs include those listed below:
Implementation Strategies:

- *Consider zoning regulations that support new business opportunities while minimizing negative impacts.*

This rezoning considers zoning regulations that support new business opportunities at the key junction of East End Road an East Hill Road while minimizing negative impacts to neighboring properties.

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

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

This rezoning application supports new economic opportunities for local businesses to change and grow. There is a strong demand for residential and office development in Homer.

> *Staff Finding:* The proposed zoning change is consistent with the Comprehensive Plan and will support economic vitality.

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.**

Applicant: See attached application.

Analysis: The Residential Office district in Homer is centered on East End Road, a major east-west connector for Homer. This district is intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, and acts as a transition zone between commercial and residential neighborhoods in Homer, specifically the downtown core and the rural residential on the outer edges of the City. The RO district along East End Road abruptly ends at East Hill Road, it would be more appropriate for this district to extend across the intersection of East Hill and East End Roads and should have been extended with the creation of the RO district in this corridor. By encompassing the entire intersection in RO, there is an efficiency in services and land use, essentially creating a node of RO uses and more appropriately transitioning from CBD, RO, to RR from the urban core to the rural edge of the City.

> *Staff Finding:* The amendment would apply a zoning district that is better suited to the area because Residential Office is more appropriate for a prominent intersection than Rural Residential.

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.

Applicant: See attached application.

Analysis:

Public Services and Transportation
City water and sewer are available at East Hill and East End Road and access to the subject properties would be via East Hill Road and East End Road, an Alaska Department of Transportation maintained road. Full police and fire services are available. Public services and facilities are adequate to serve the property.

Environmental Conditions: Wetlands Analysis

The KWF wetlands assessment identifies Wetland/Upland Complex on 4410 E Hill Rd.
on the northwestern portion of the property. Any future development, via zoning permit, would require a determination by the US Army Corps of Engineers.

Land Use Patterns

The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

This property is located where Residential Office and Rural Residential districts meet. To the west is a health clinic, to the south is a school, to the east is residential, and to the north is a vacant lot. The residential office district fits well with the existing surrounding land uses and zoning districts.

> *Staff Finding:* The rezoning of 4410 East Hill Road and 1374 East End Road to Residential Office is in the best interest of the public as it supports the transition between the downtown core and the rural edges of the City and has the infrastructure necessary to support this use and development.

STAFF COMMENTS/RECOMMENDATIONS:

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

ATTACHMENTS

1. Application
2. Petition
3. Map of Rezone
4. Public Notice
5. Aerial Map
6. Zoning Districts Map

Lot 1

RECEIVED
MAR 14 2025
CITY OF HOMER
PLANNING/ZONING

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Rezoning Application

For Staff Use Only

Fee Amount:	***Received by:***	***Planning Commission Public Hearing Date:***
Date application accepted as complete:		***HAPC approval or denial date:***

APPLICANT INFORMATION

Name: WILLIAM L. SLONE Phone Number: 907 399-7170

Address: 1374 East End Rd.

Property Owner (if different than applicant)

Name: — Phone Number:

Address:

PROPERTY INFORMATION (if more than one lot, list on separate page)

Street Address: 4410 E. Hill Rd Lot size: .68 Tax parcel number: 17903078

Legal Description: T6S R13W SEC16 SEWARD MERIDIAN HM 2005096 WATSON RIDGE, LOT 1

Circle one: Is City water available? YES/NO City Sewer? YES/NO Electrical Service? YES/NO

What is the existing use of the property? Vacant

What is the proposed use of the property? Residential Office

What structures or land uses exist on the neighboring properties? (Examples: residential, commercial, vacant) List the zoning of these adjacent lots.

	Structures/land use	Zoning
North:	Vacant	RR
South:	Elementary School	UR
East:	~~Medical Office~~ Applicant's Residence	RR
West:	Medical Office	RO

Lot 2

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Rezoning Application

For Staff Use Only

Fee Amount: ***Received by:***	***Planning Commission Public Hearing Date:***
Date application accepted as complete:	***HAPC approval or denial date:***

APPLICANT INFORMATION

Name: WILLIAM L. SLONE Phone Number: 907 399-7170

(2) Address: 1374 E. END Rd POB 2741 HOMER

Property Owner (if different than applicant)

Name: — Phone Number:

Address:

PROPERTY INFORMATION (if more than one lot, list on separate page)

Street Address: 1374 E. END Rd Lot size: .73 Tax parcel number: 17903079

Legal Description: T6S R 13W SEC16 SEWARD MERIDIAN HM 2005096 WATSON RIDGE, LOT 2

Circle one: Is City water available? YES/NO City Sewer? YES/NO Electrical Service? YES/NO

What is the existing use of the property? VACANT

What is the proposed use of the property? RESIDENTIAL/OFFICE

What structures or land uses exist on the neighboring properties? (Examples: residential, commercial, vacant) List the zoning of these adjacent lots.

	Structures/land use	Zoning
North:	VACANT	RR
South:	ELEMENTARY SCHOOL	UR
East:	Trailer Residence 'QUICK-DRAW' WATER DISPENSER	RR
West:	MEDICAL OFFICE UPPER LOT - VACANT	RO RO

1. What is the public need and why is this rezone justified?

2. Describe the benefits and detriments of this proposed rezoning to:

(a) the community.

(b) the neighboring landowners.

(c) you, the property owner.

3. Can the proposed land use be developed in a manner that is compatible with development in adjacent zoning districts? If so, how? What effect will this change have on the surrounding properties?

4. Can the existing public facilities, services, and utilities accommodate the proposed use without any detrimental affect on adjacent zoning districts? If so, how?

5. Would rezoning to a district allowing the proposed use permit other uses, which would not be compatible with adjacent land use?

6. How does this proposal relate to the Comprehensive Plan and purposes of the zoning regulations?

7. How would the proposed change affect the public health safety and welfare of the surrounding area?

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Notes for W.L. Slone zoning-change petition
4410 E. Hill Rd, 1374 E. End Rd.
Mar 14, 2025

In accordance with Homer City Code 21.95.020, e.1.b. *Initiating zoning map amendment*, "contiguous lot", applicant is hereby petitioning for a change in the Homer Zoning Map to incorporate his two adjacent Rural Residential lots into the contiguous (west side of E. Hill Rd.) Residential Office zone.

This proposal conforms with the Comprehensive Plan's overarching theme to "Keep Homer a lively, vital community that effectively responds to change and growth while retaining what is best about Homer's character." The primary effect of the zone change would be to allow a home-based business, professional office building, or studio for local artists as an authorized use, and medical clinic through a CUP.

Applicant's lots specifically lend themselves to this zone change: They are located at a major state-maintained road intersection (corner of East End and East Hill Roads) allowing for easy vehicular access with no maintenance cost to the City. Both lots qualify as "infill" for utilities (water/sewer, electric, and N/G), which are immediately adjacent to the south side of the two lots, as well a state-maintained sidewalk for easy pedestrian or bicycle access. Furthermore, applicant's lots are surrounded on three sides by either business or school structures, authorized by different zones: An RO medical office to the west; a UR elementary school to the south; and a CUP approved bulk water dispensing facility to the east, as well as a long-established plumbing-supply outlet. Uphill to the north is a large 7 acre vacant lot suitable for upscale residences.

Because applicant's two lots are subject to adjacent vehicular noise during the day, they are not prime candidates for family residences. However, they would be a very good location for a small business office, studios, or even a medical office thereby adding economic vitality to the city in compliance with chapter 7 of the 2018 Comp Plan. Such structures are typically well-designed, well-built and consequently more welcomed into the local community environment than, say, a trailer park as allowed by RR zoning, but not RO. Furthermore, any RO structure will have no more negative effect on the lot's vegetative environment than a multi-family house. Currently, both lots have a light screen of trees around the entire perimeter. Applicant anticipates that they will remain for the long term.

In Spring 2023, after a physical inspection, the COE removed the wetlands designation depicted on earlier maps for a portion of applicant's west lot.

The 2018 Comprehensive Plan states in the Executive Summary that "The Comprehensive Plan identifies a broad, long-term vision for Homer's future . . ." and "The plan translates community values into broad goals and identifies specific objective and strategies to further those goals." Thus, primarily for administrative conveinence, the Plan employed a broad brush in painting the boundaries of the current zoning map. Title 21 of City Code is the "ground-level" tool for practical implementation of the Comp Plan's broad goals, fine-tuning, optimizing, and modifying Homer's land use based on specific characteristics and conditions. Furthermore, even the existing zoning boundaries occasionally are modified by successive Comp Plans. In fact, the 2018 Comp Plan – on page A10 - anticipates future conversion of applicant's current RR Zone to RT, Residential Transition, allowing modest-dimensioned offices/businesses.

Recent public testimony on the Kachemak Drive lot fish-processing proposal reflected the possibility of a land use "cancer" spreading from one zoning change lot to all others subsequently adjoining it, and eventually infecting the entire original zone. While that scenario is theoretically

possible by code, it remains very unlikely with applicant's lots. As previously noted they are already essentially surrounded by alternative-based uses, with the large vacant north lot almost certainly destined for upscale residential use. Furthermore, that vacant lot also abutts the west RO and could be - again, theoretically - a potentially alternative route for zone change that entirely bypasses applicant's two lots. And to freeze all land-use changes out of resistance to future development, regardless of merit, Code, and the Comp Plan, would stifle Homer's economic growth and welfare.

Applicant's response to the three code criteria – listed below - for map amendmend approval per HCC 21.95.050 are encompassed within his answers to the City's Rezoning Application.

HCC 21.95.050

a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.

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

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.

Homer Rezone Application
W.L. Slone

1. **What is the public need and why is this rezone justified?**
   Optimises land use, provides utility infill, and public benefit from potential medical clinic/facility.
2. **Describe benefits and detriments of this proposed rezoning to:**
   (a) Community: Increase professional employment; increase sales, revenue, and employment for building trades.
   Land use: Encourage infill, increase supply and diversity of housing.
   Encourage high-quality buildings, support a variety of dwelling options as well as development of a variety of well-defined commercial/business'.
   Transportation: State-maintained roads fronting applicant's lots support community land use. Adjacent sidewalk helps provide alternative to automobile.
   Public Services: Encourages the development of community services through office/public related business.
   Economic Vitality: Encourage the retention and creation of more year-round and higher wage employment.
   (b) Neighboring Landowners: Enhance property values
   (c) Property Owner: Optimize land use

3. **Can the proposed land use be developed in a manner that is compatible with development in adjacent zoning districts? If so, how? What effect will this change have on the surrounding properties?**
   Yes.
   Some adjacent properties to the east are already used for business. In addition, structures on lots to the immediate south and west are zoned UR and RO, respectively.
   No negative effect effect compared to potential RR use such as trailer park or heavy equipment storage. Probably increase value of surrounding properties. Furthermore, the Comp Plan anticipates converting the property's zoning status from RR to RT.

4. **Can the existing public facilities, services, and utilities accommodate the proposed use without any detrimental affect on adjacent zoning districts? If so, how?**
   Yes.
   Water/sewer, NG, and electric are already available at immediate south boundary of the lots. Road access is via state-maintained roads.

5. **Would rezoning to a district allowing the proposed use permit other uses, which would not be compatible with adjacent land use?**
   No.

6. **How does this proposal relate to the Comprehensive Plan and purposes of the zoning regulations?**
   The following categories align with Comp Plan's overarching vision of Homer, particularily the outlined goals of increasing infill and diversity, and are compatible with city code allowing for fine-tuning of land use for optimization.

   Land use: Encourage infill, increase supply and diversity of housing (home-based occupation). Encourage high-quality buildings (office/medical building).

Transportation: State-maintained roads fronting applicant's lots support community land use at no cost or negative effect to city street infrastructure. Adjacent sidewalk helps provide alternative to automobile.

Public Services: Encourages the development of community services athrough office/public related business.

Economic Vitality: Encourage the creation and retention a of more year-round higher wage employment.

Transportation: Minimize stress and maintenance cost on city-maintained roads through use of state-maintained roads.

Health care: Positive health benefit from potential medical clinic or other health-related facility.

Economy: Encourage the retention and creation of more year-round jobs. Potential to support the wellness and healthcare industries.

Environment: Maintain same or higher level of scenic appearance than potential RR use such as trailer park or heavy equipment storage.

How would the proposed change affect the public health safety and welfare of the surrounding area?

Public Health: Medical benefit from potential medical clinic/office.

Safety: Wide, well-regulated state-maintained access roads (East End and East Hill Rds.) easily accommodate light traffic increase in lieu of traffic hazard at lots with more restricted access.

Welfare: Increased employment and city taxes to help maintain city services.

Lot 1

Petition

Proposed amendment:	**The at** 4410 E Hill Rd lot **consists of one parcel which is** .68 **acres. Currently the parcel is** R.R. **. This request is to change the zoning of the entire property,** from R.R. **to the** RO-Residential Office
HCC 21.95.020(e)(3)(a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."
Statement of Justification	As a natural part of the growth and development of the city pursuant to the 2018 Comp Plan. It optimizes land use, provides utility infill, and increases employment + tax receipts for Homer with valuable office structures, home-based business or medical clinic.

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
WILLIAM L. SLONE		T6S R 13W SEC16 SEWARD MERIDIAN HM 2005096 WATSON RIDGE LOT 1	17903078

MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT

Lot 6

Petition

Proposed amendment:	**The at** 1374 East End Rd Lot **consists of one parcel which is** .73 **acres. Currently the parcel is** RR**. This request is to change the zoning of the entire property, from** RR **to the** RO**.**
HCC 21.95.020(e)(3)(a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."
Statement of Justification	As a natural part of the growth and development of the city pursuant to the 2018 Comp Plan. It optimizes land use, provides utility infill, and also increases employment + tax receipts for Homer with valuable office structure, home based business or medical clinic

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Neil Slone	[signature]	T6S R 13W SEC 16	17903079
		SEWARD MERIDIAN HM 2005096	
		WATSON RIDGE LOT 2	

MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT

Lot 1

OTHER REQUIREMENTS

1. The applicant shall provide a map showing the area to be rezoned.
2. The applicant shall provide a petition, signed by a majority of the landowners within the proposed zoning area saying that they support the proposed change.

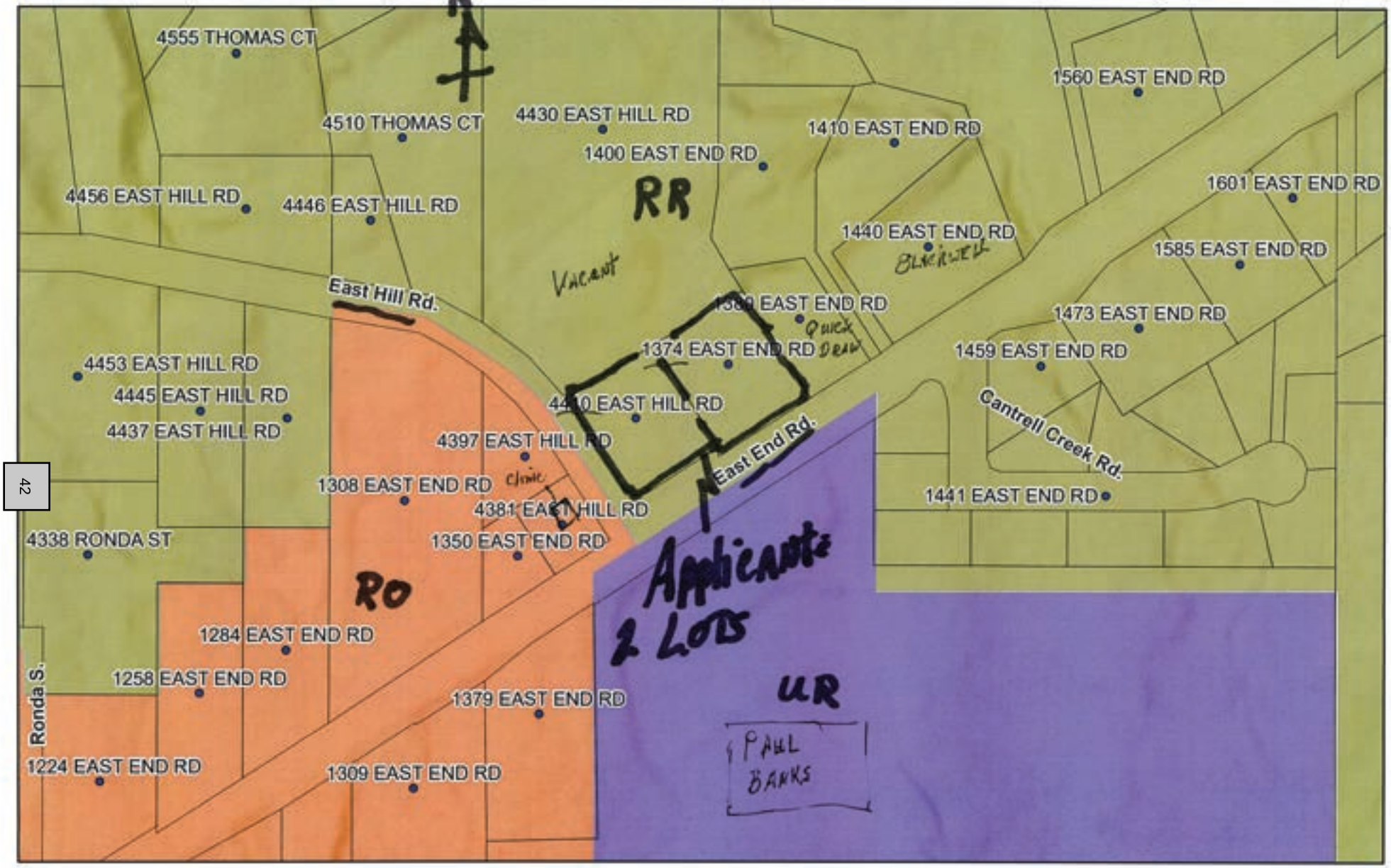
I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

Owner of record ✓ Lessee _____ Contract purchase duly authorized to act for a person who has the following legal interest, _____ and that the owner of record is knowledgeable of this application if I am not the owner. I also understand that this item will be scheduled for the Planning Commission Agenda only if all application materials are submitted.

Applicant Signature: _____

Property Owner Signature: _____

East End Rd. & East Hill Rd. Rezone Map



3/11/2025

Parcels_Working view

Address

Road_Maintenance

Zoning Districts

Residential Office

Rural Residential

Urban Residential

World_Hillshade

1:5,000

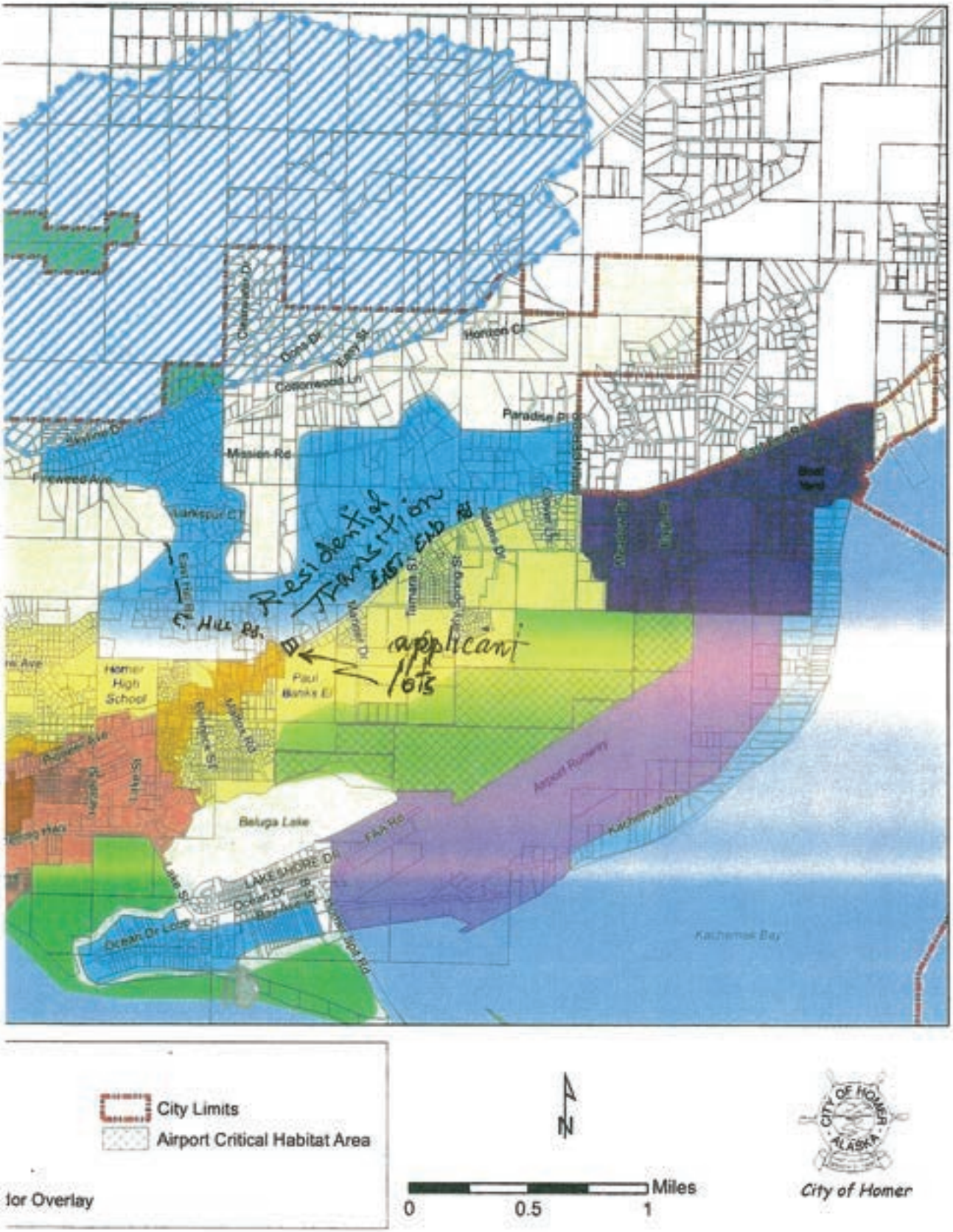
0 0.02 0.04 0.08 mi

0 0.03 0.07 0.13 km

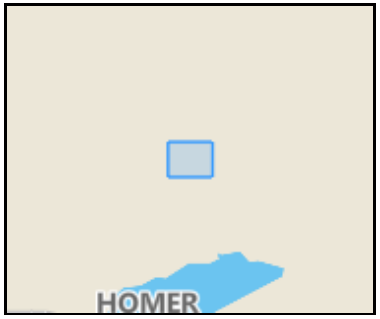
Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland.

City of Homer P & Z Department - 3.11.2025

2018 Comp Plan
Land Use Recommendations Map p. A10



viewKPB 4410 E. Hill Rd. & 1374 E. End Rd. Aerial Map



Legend

Transportation

Mileposts

Parcels and PLSS

Tax Parcels

0 250 500 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the K[illegible]sula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising fro[illegible] operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or corre[illegible] the data, or use of the data.

3/17/2025 11:37:31 AM