

December 5, 2012  
5:30 P.M.

Cowles Council Chambers  
491 East Pioneer Avenue  
Homer, Alaska

## WORK SESSION Advisory Planning Commission AGENDA

1. Call To Order, 5:30 P.M.
2. Discussion of Items on the Regular Meeting Agenda
  - A. Staff Report PL 12-67, Marine Commercial/ Marine Industrial Zoning
  - B. January 2, 2013 meeting
3. Discussion of Items on the Regular Meeting Agenda
4. Education/Inspiration, uTube presentation

APA President Mitchell Silver presents “America Needs You to Fall in Love with Planning Again” a 28 minute video from LA 2012 National Conference.

<http://www.youtube.com/watch?v=6wY8yiWK-xM>
4. Public Comments

The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
5. Commission Comments
6. Adjournment



## REGULAR MEETING AGENDA

1. **Call to Order**
2. **Approval of Agenda**
3. **Public Comment:** The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
4. **Reconsideration**
5. **Adoption of Consent Agenda:** All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.
  1. Approval of Minutes of November 7, 2012 meeting
6. **Presentations**
7. **Reports**
  - A. Staff Report PL 12-70, City Planner's Report P. 5
8. **Public Hearings**

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

  - A. Staff Report PL 12-68, 3300 Sterling Highway, Transfer Site, Request for exception to lighting standards P. 7
9. **Plat Consideration:**
  - A. Staff Report PL 12-60, Bay View Subdivision No. 3 2012 Addition Preliminary Plat P. 25
  - B. Staff Report PL 12-64, Paradise Heights Subdivision 2012 Preliminary Plat P. 31
  - C. Staff Report PL 12-65, Thompson Subdivision 2012 Preliminary Plat P. 39
  - D. Staff Report PL 12-66, Glacier View Subdivision No. 24 Preliminary Plat P. 47
  - E. Staff Report PL 12-69, Bunnell's Sub. No. 19 Tract A 2012 Replat P. 55
  - F. Staff Report PL 12-71, Homer Enterprises Inc, Subdivision 2013 Replat Preliminary Plat P. 63
10. **Pending Business**
  - A. Staff Report PL 12-67, Marine Commercial and Marine Industrial Zoning P. 71
11. **New Business**
12. **Informational Materials**
  - A. City Manager's Report from November 26<sup>th</sup> 2012, City Council Meeting P. 81
  - B. Appointment of Larry Slone to the Homer Advisory Planning Commission P. 85
13. **Comments of The Audience**

Members of the audience may address the Commission on any subject. (3 minute time limit)
14. **Comments of Staff**
15. **Comments of The Commission**
16. **Adjournment**

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission. Next regular meeting is scheduled for January 2, 2013. A work session will be held at 5:30 pm.



Session 12-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Erickson at 6:30 p.m. on November 7, 2012 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS ERICKSON, HIGHLAND, SONNEBORN, VENUTI

ABSENT: BOS, STEAD

STAFF: CITY PLANNER ABBOUD  
DEPUTY CITY CLERK JACOBSEN

### **APPROVAL OF AGENDA**

The agenda was amended to postpone Plat Consideration item A to the next meeting due to a potential conflict of interest and lack of quorum as a result. The amended agenda was approved by consensus of the Commission.

### **PUBLIC COMMENT**

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

### **RECONSIDERATION**

### **ADOPTION OF CONSENT AGENDA**

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

1. Approval of the October 3, 2012 minutes

The consent agenda was approved by consensus of the Commission.

### **PRESENTATIONS**

### **REPORTS**

- A. Staff Report PL 12-58, City Planner's Report

City Planner Abboud reviewed the staff report.

### **PUBLIC HEARINGS**

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

### **PLAT CONSIDERATION**

- A. Staff Report PL 12-60, Bay View Subdivision No. 3 2012 Addition Preliminary Plat

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
NOVEMBER 7, 2012

Postponed under agenda approval.

B. Staff Report PL 12-61 Baycrest Subdivision 2012 Preliminary Plat

City Planner Abboud reviewed the staff report.

There was no applicant presentation and no public comments.

VENUTI/SONNEBORN MOVED TO ADOPT STAFF REPORT PL 12-61 BAYCREST SUBDIVISION 2012 PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS 1 AND 2.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**PENDING BUSINESS**

**NEW BUSINESS**

A. Staff Report PL 12-59 Marine Industrial Zoning

Chair Erickson explained that the Commission discussed Marine Industrial Zoning during the worksession and provided information to staff to bring back at another worksession.

B. Staff Report PL 12-62 HAPC 2013 Meeting Schedule

The Commission discussed the meeting schedule and considered the possibility of eliminating the January 2, 2013 regular meeting.

HIGHLAND/VENUTI MOVED TO ADOPT THE 2013 MEETING SCHEDULE AS OUTLINED IN THE DRAFT RESOLUTION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

**INFORMATIONAL MATERIALS**

- A. City Manager's Report
- B. Thank you letter for removing dilapidated buildings on East End Road 10/5/12
- C. Thank you letter for installing erosion and sediment control measures on Hillside Place
- D. Staff Report PL 12-63 Lighting Standards

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
NOVEMBER 7, 2012

There was brief discussion regarding the lighting standards information. The Commission agreed they would like to take this up at a worksession after the first of the year.

**COMMENTS OF THE AUDIENCE**

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

**COMMENTS OF STAFF**

City Planner Abboud had no comments.

Deputy City Clerk Jacobsen advised that any Commissioner can call for a point of order if they feel something is going wrong in the meeting. She explained that interrupting the Chair to make minor corrections while she is talking is inappropriate as it disrupts the meeting and is disrespectful to the Chair.

**COMMENTS OF THE COMMISSION**

There were no Commission comments.

**ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 7:00 p.m. The next regular meeting is scheduled for December 5, 2012 at 6:30 p.m. in the City Hall Cowles Council Chambers.

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MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: \_\_\_\_\_







City of Homer  
Planning & Zoning  
491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-8121  
Fax (907) 235-3118  
E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
Web Site [www.ci.homer.ak.us](http://www.ci.homer.ak.us)

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## STAFF REPORT PL 12-70

**TO:** Homer Advisory Planning Commission  
**FROM:** Rick Abboud, City Planner  
**MEETING:** December 5, 2012  
**SUBJECT:** Planning Director's Report

### City Council 11.26.12

**Memorandum 12-171**, from Mayor, Re: Appointment of Larry Slone to the Planning Commission.  
Welcome Larry!

**Ordinance 12-49**, An Ordinance of the City Council of Homer, Alaska Appropriating \$20,000 from the Homer Accelerated Roads and Trails Fund (HART) for the Purpose of Conducting Survey Work and Engineering / Cost Estimating to Determine the Cost of Constructing the Initial One Half Mile of the Proposed Kachemak Drive Non-Motorized Pathway in Accordance with Resolution 12-079(S). Mayor/City Council. Introduction October 22, 2012, Public Hearing and Second Reading November 26, 2012.

Memorandums 12-163, 12-164, and 12-165 from Kachemak Drive Path Committee as backup.

There was one who testified.

ADOPTED with discussion.

**Memorandum 12-174**, from City Clerk, Re: Vacation of the 20-Foot Pedestrian Easement Within Tract A-1 Dedicated by Alfred Anderson Subdivision Pratt Museum Replat (Plat HM 2008-75); and Vacate the 10-Foot Utility Easement Along the West Boundary of Lot 14-A and 15-A Granted by Bunnell's Subdivision No. 17 (Plat HM 86-44) and the 10-Foot Utility Easement Along the West Boundary of Lot 15-A-1 Granted by Bunnell's Subdivision 1996 Pratt Museum Addition (Plat HM 97-13); Within Section 19, Township 6 South, Range 13 West, Seward Meridian, Alaska; the City of Homer and Within the Kenai Peninsula Borough; KPB File 2012-160; Location: City of Homer.

APPROVED without discussion.

**Resolution 12-081**, A Resolution of the City Council of Homer, Alaska, Accepting and Approving the Improvement Plan Submitted by the City Manager for the Proposed Natural Gas Distribution System Special Assessment District. City Manager.

ADOPTED with discussion.

Dec 10<sup>th</sup> is the last scheduled City Council Meeting. Much of the discussion will be budget related. There are two proposals that would boost revenue to fund some things that have not been done in the past due to budget constraints. This is a good thing to study and comment on concerning the future direction of the city.

**Activities**

Natural Gas: We continue to field requests for information regarding the possible effects of the proposed gaseline plan

Plats: You may have noticed the abundances of Preliminary Plats for review. This is a result of people attempting to vacate lot lines in order to avoid additional assessments.

Dotti is updated our Zoning Permit application. The new application will include information about slopes, fill, drainage, buffers, lighting and revegetation.

Dotti is also scheduled to be off most of January, luckily we will have our new clerk, Travis Brown on the job starting December 17<sup>th</sup>.

**First Meeting in January**

Scheduled is a Planning Commission Meeting on January 2. I am definitely willing to conduct a meeting on this date, but we have to decide if it would be best to do so.

**Commissioner Training**

I am going to be working to schedule some training with Holly at the beginning of 2013. This may be in person or teleconference.

Shelly, Franco, Don, Dotti and I all attended the Alaska APA conference in Anchorage. I thought it was a very good conference. If not at this meeting, then at the next we could hear of what some people thought the highlights were for them.

With encouragement from the City Manager, I am attending the Alaska Basic Economic Development Course in Anchorage December 3-9. It is the introductory course for the Certified Economic Developer Program sponsored by the International Economic Development Council offered though the University of Alaska Anchorage.



# City of Homer

Planning & Zoning  
491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-8121  
Fax (907) 235-3118  
E-mail Planning@ci.homer.ak.us  
Web Site www.ci.homer.ak.us

## STAFF REPORT PL 12-68

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Dotti Harness-Foster, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Staff Report PL 12-68 Lighting at the Kenai Peninsula Borough (KPB) Transfer Facility

**SYNOPSIS:** The KPB is constructing a new Transfer facility at 3900 Sterling Highway. The KPB is requesting an exception to the light pole height under Homer’s Lighting Standards. If approved KPB would install light poles at 39 ft above grade. *Code allows the maximum height of 28 ft.* Exceptions to the Lighting Standards maybe determined by the Commission, after a public hearing. Staff recommends approval with one condition.

**Applicants:** Kenai Peninsula Borough  
**Location:** 3300 Sterling Hwy  
**Parcel ID:** 17367004  
**Lot Size:** 9.08 acres  
**Existing Land Use:** Homer’s landfill and baling facility  
**Surrounding Land Use:** North: Landfill  
South: Gas station, convenience store and lodging  
East: Vacant/residential  
West: Maintenance/storage yard  
**Comprehensive Plan:** Public Service & Facilities (Chapter 6) Goal #1: “Provide and improve city-operated facilities and service to meet the current needs of the community, anticipate growth, conserve energy, and keep pace with future demands.”  
**Public Notice:** Notice was sent to 6 property owners of 8 parcels as shown on the KPB tax assessor rolls.

This parcel is zoned GC1. The north lot line of the property is on the boundary between the KPB and City of Homer. The transfer building and access loop is in Homer’s City limits, and the commercial truck access is outside the City limits. In 2011 the KPB received a Conditional Use Permit (CUP) 11-11 to construction a Transfer Facility building and site improvements.

The Decisions and Findings for CUP 11-11 states that “All lighting will be down lit per HCC 21.59.030” and “This proposal shall comply with applicable local, state and federal regulations.”

HCC 21.59.030 sets Lighting Standards to reduce light trespass by using “cut-off luminaires” and restricting the pole height to 28 ft. The KPB is requesting and exception to allow the pole height to increase by 11 ft to a total height of 39 ft. Exceptions may be granted by the Commission if it is determined that there is compelling safety interests that cannot be adequately addressed by any other

method. This is the first time we have had such a request so staff referenced the Illuminating Engineering Society (IES) information to provide some background.

HCC 21.59.020 Lighting Standards are applicable in all the business, commercial and marine districts. **“The intent of lighting standards is to reduce glare and light trespass and to improve the night time visual environment.”**

“Glare” is defined as “an intense and blinding light that reduces visibility” and often causes us to shield our eyes. “Light trespass” refers to “light falling where it is not wanted or needed.” Several factors come into play to reduce glare and light trespass: fixture type, mounting height, fixture spacing, and how the lit area is used. Homer’s lighting standards deal with the fixture type and mounting height.

**HCC 21.59.030(a) Outside luminaires installed at a height of 15 feet or greater above grade in all new developments or replaced in existing developments shall be cut-off luminaires.”**

Cut-off luminaire: The term, “cut-off” refers to a shield that reduces the uplit angle to 80° to 90°. There are three ranges of “cut-off” luminaires, “full cut-off” (sometimes referred to fully shielded), “cut-off” and “semicutoff.”

Allowable range of the lamp lumens being emitted up and in the glare zone.

Luminaire classification	Range of allowable lamp lumens emitted upward	Range of allowable lamp lumens emitted between 80° and 90°
Full cutoff	0	0 - 11%
Cutoff	0 - 16%	0 - 11%
Semicutoff	0 - 31%	0 - 22%

**Applicant:** “To meet cutoff classification less than 2.5% of the light output can be above the 90° plane. The light fixtures selected have 0 light output above 90° and less than 2.5% above the 80° plane.”

**Finding 1:** The KPB is installing full cut-off luminaires that meet City standards, HCC 21.59.030(a).

**HCC 21.59.030(d)** “The height of any driveway or parking lot luminaire shall be a maximum of 28 feet above grade. All building mounted luminaires shall have a maximum height of 15 feet above grade.”

**Exception request:** The KPB is requesting an exception, that if approved would allow the:

1. Pole mounted fixtures to be a maximum of 39 ft above grade.  
*Code allows the maximum height of 28 feet.*

2. Building mounted fixtures to be a maximum height of 15 ft above grade.

*According to HCC 21.59.030(a) "outside luminaires installed at a height of 15 feet or greater above grade in all new developments or replaced in existing developments shall be cut-off luminaires." The KPB is installing full cut-off luminaires.*

**Finding 2:** Building mounted luminaires maybe installed above 15 ft if they are cut-off luminaires.

**HCC 21.59.030(f)(3)** "Where a determination has been made by the Commission, after a public hearing process, that there is a compelling safety interest that cannot be adequately addressed by any other method."

#### **Analysis:**

Light Zones: The Site Lighting Plan is divided into six Light Zones. Most of Zone 1, the commercial truck entrance, is outside the city limits. Zone 2 is the commercial truck loop; Zone 3 is the public entrance and Zone 4 on the northeast portion of the property. Lighting in Zone 5 and 6 is attached to the building and complies with the City's standards with full cutoff luminaires. This reduces the exception request to the height of the poles in a portion of Zone 1, Zone 2, 3 and Zone 4.

Each Light Zone will have separated controls to turn off/on and to dim different parts of the property. The letter dated November 2, 2012 from RSA indicates that it is the borough's 'intent' to dim to 10% - 30% or turn off the lights entirely in areas without security concerns. Based on the Site Lighting Plan, Zones 5-6 is the area with the highest needs for security. Staff confirmed with the KPB that dimming to 50% or turning off the lights entirely in areas without security concerns is reasonable. This includes Zone 1 2, 3 and 4. (See Condition #1).

As the November 8, 2012 letter from Nelson Engineering points out, the required lighting levels can be addressed by increasing the number of fixtures. The November 21, 2012 letter from Nelson Engineering addresses the hazard of additional poles in maneuvering areas especially the staging areas (shown as Zone 5 and 6 of the Site Lighting Plan). Both lighting scenarios appear to meet the intent of Homer's Lighting Standards "To reduce glare and light trespass and to improve the night time visual environment."

Uniformity Ratio: A uniformity ratio is a measure of how much variance there is in the lighting level. The purpose of the uniformity ratio is to prevent excessive bright spots and excessive dark areas. The ratio is noted in a range of the maximum-to-minimum light at grade. There is also an average to minimum uniformity, which is the ratio the IES requires to be 6 to 1 for the KPB facility. In part, uniformity is dependent on spacing and fixture height.

Foot-candles: Lighting intensity is expressed in 'foot-candles' as in the brightest average over the area being lit. The foot-candle levels vary and are dependent, in part on, the fixture height and spacing. Increasing the fixture height reduces the number of fixtures needed.

Comparing pole heights: Staff talked with Jack Maryott, the Solid Waster Director with the KPB. Based on the Anchor Point Transfer site plans, the light pole height is in the 35 - 39 ft range. Spacing and number of fixtures vary.

**Applicant:** Based on the letters and emails from RSA and Nelson Engineering:  
The proposed design has pole mounted fixtures at 39 ft above grade.  
The glare and light trespass meets the City's Lighting Standards, HCC 21.59.030.  
Lowering fixture heights will require more fixtures to meet the safety requirements.  
Lighting levels are based on the Illuminating Engineering Society (IES) recommendations.  
The lighting control system has six zones enabling after-hour lighting to be dimmed or turned off.

The applicant addresses safety in their request: "to provide adequate levels of lighting for traffic areas where commercial vehicles operate on steep slopes during icy winter conditions where commercial truck traffic will intermingle with private vehicle in the dumping area around the building." The applicant addresses the amount of light needed for safety: "The IES requires a minimum average of 0.4 foot-candles and a 6 to 1 uniformity ratio. Initial calculations using 30 poles required many more poles to meet the uniformity ratios, and increasing the minimum average foot-candles level from approximately 0.5 (with 39' and 43' poles) to 0.9 foot-candle."

The letter dated November 21, 2012 from Nelson Engineering addresses safety:  
"If 28 ft tall poles are used, there will be more poles required in the maneuvering areas where the general public and commercial trucks have to pull in, turn and then back up in to Transfer Building tipping floor. Similarly, if 28 ft poles are used instead of 39 ft pole, there will be more poles required in the trailer staging area. The long distance trailers are approximately 50 ft in length and it is difficult to see objects around the trailer boxes, even with proper use of mirrors while backing up. Placing more poles in the staging area, especially poles located in the side staging area will cause a very significant increase in the risk of a trailer hitting a pole."

**Finding 3:** Staging and maneuvering areas maybe hazardous areas.

**Finding 4.** Increasing the pole height requires fewer poles to achieve the safety standards.

**Finding 5.** Each pole may represent a potential traffic hazard.

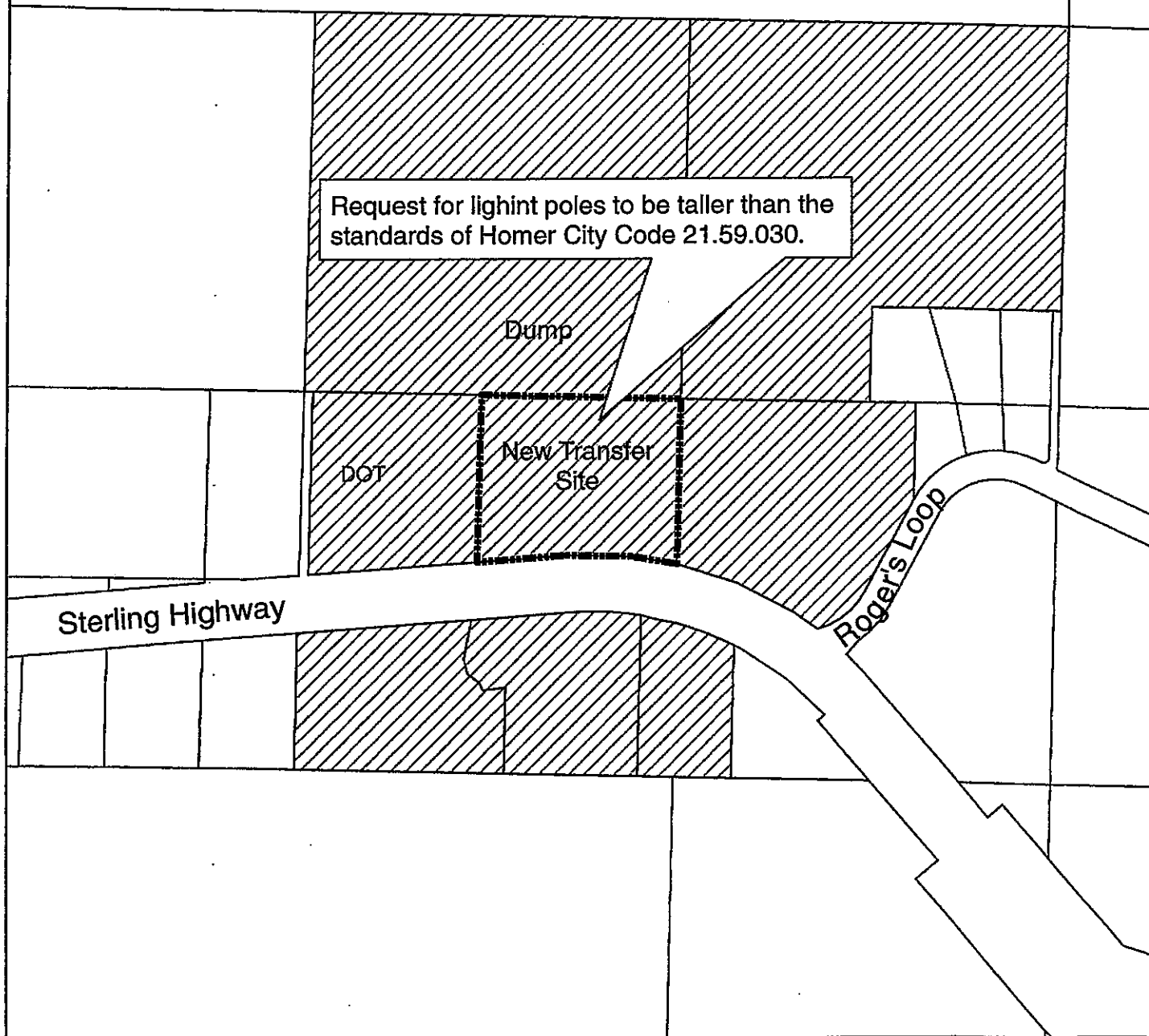
**STAFF RECOMMENDATIONS:** Staff recommends approval with one condition.

**Condition 1.** Light Zones 1-4 to be dimmed by at least 50%, or turned off, after hours.

#### ATTACHMENTS

1. Vicinity map
2. Site Plan dated July 27, 2011
3. Site Lighting Plan
4. Light Zones beam reach
5. Photos November 2012
6. Email dated November 27, 2012 from Tim Hall, Electrical Engineer
7. Letter dated November 21, 2012 from Bill Nelson
8. Email dated November 15, 2012 from Bill Nelson
9. Letter dated November 8, 2012 from Nelson Engineering
10. Letter dated November 2, 2012 from RSA Engineering

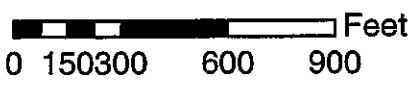
# Vicinity Map



*City of Homer*  
*Planning and Zoning Department*  
11/19/12

## Request to amend lighting standards at 3300 Sterling Highway

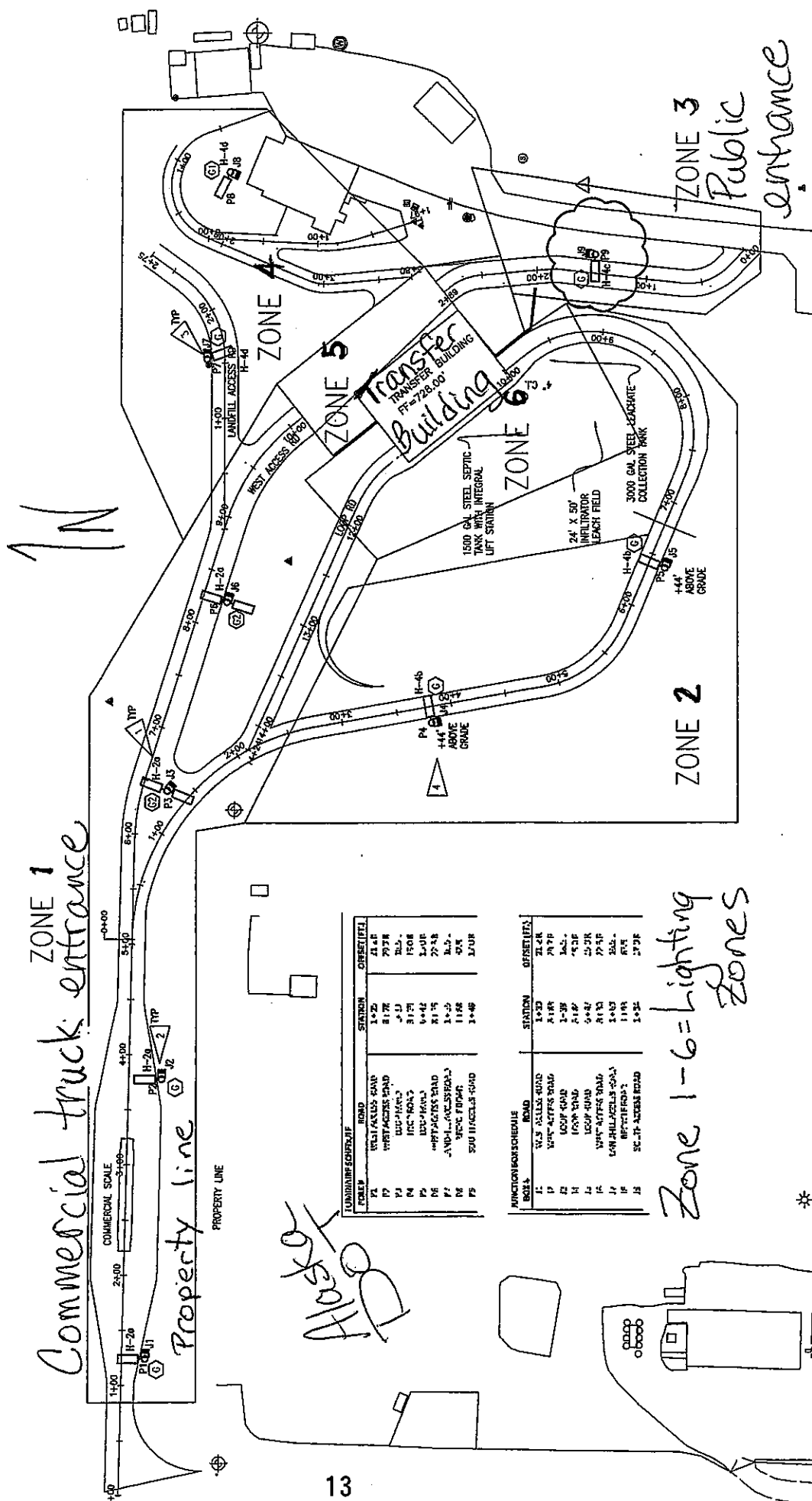
Marked lots are w/in 300 feet and property owners notified.



*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, interpretation or conclusions drawn therefrom.*







FUNCTION SCHEDULE	ROAD	STATION	OFFSET (FT)
1	W.S. ALLIANCE ROAD	1+20	21.4'
2	W.S. ACCESS ROAD	1+20	20.7'
3	ICC ROAD	1+20	15.0'
4	ICC ROAD	1+20	15.0'
5	ICC ROAD	1+20	15.0'
6	ICC ROAD	1+20	15.0'
7	ICC ROAD	1+20	15.0'
8	ICC ROAD	1+20	15.0'
9	ICC ROAD	1+20	15.0'
10	ICC ROAD	1+20	15.0'
11	ICC ROAD	1+20	15.0'
12	ICC ROAD	1+20	15.0'
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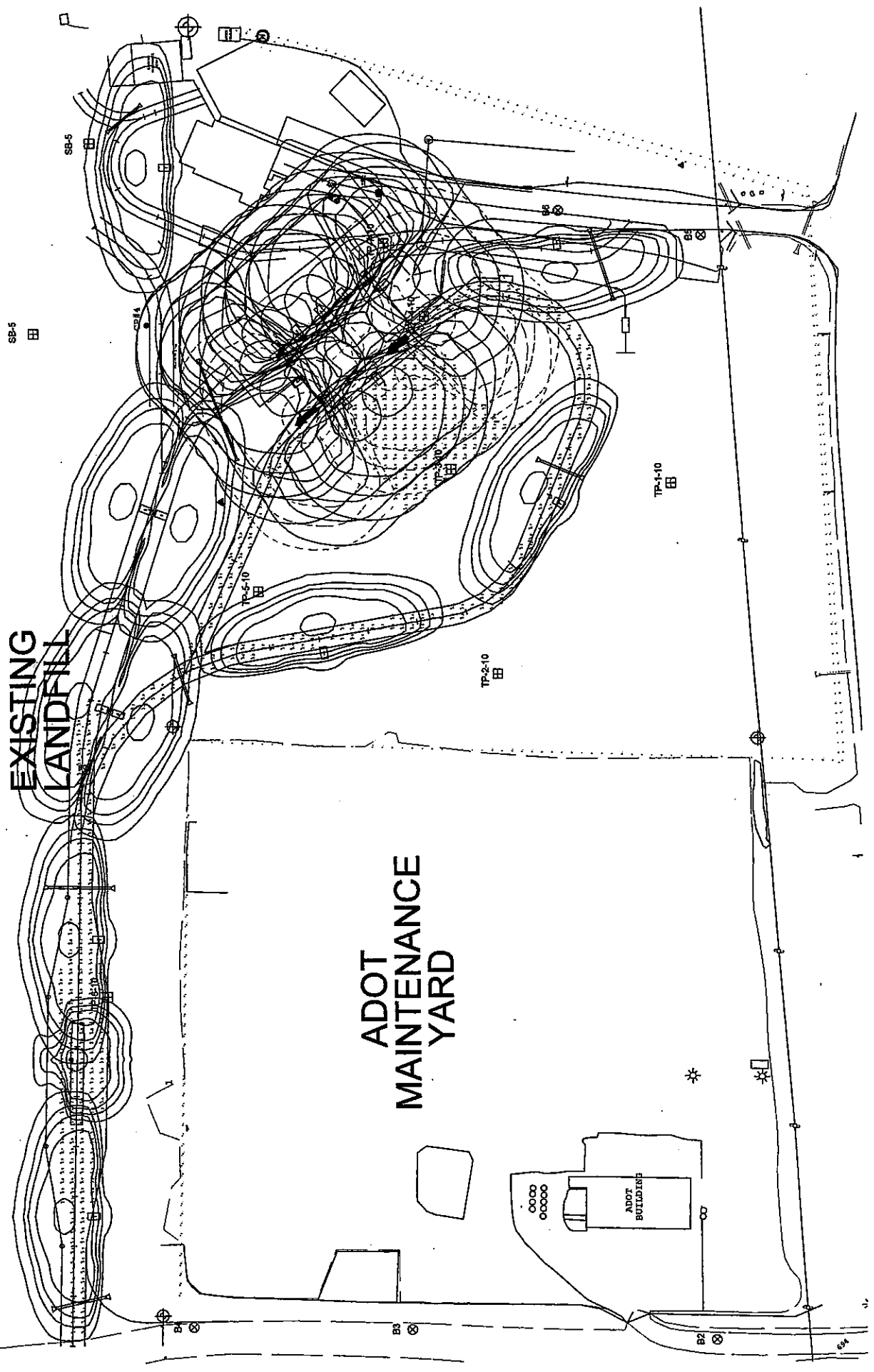
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48	ICC ROAD	1+20	15.0'
49	ICC ROAD	1+20	15.0'
50	ICC ROAD	1+20	15.0'

Calculation Summary						
Label	Calc-type	Units	Avg	Min	Max	Wpt/Min
Parking	ILLUMINANCE	FC	0.30	0.0	0.3	3.40
LINE 1	ILLUMINANCE	FC	0.30	0.0	0.0	N.A.
LINE 2	ILLUMINANCE	FC	0.30	0.0	0.0	N.A.
LINE 3	ILLUMINANCE	FC	0.30	0.0	0.0	N.A.
LINE 4	ILLUMINANCE	FC	0.30	0.0	0.0	N.A.
Loop 1	ILLUMINANCE	FC	0.47	0.1	0.1	4.70
Loop 2	ILLUMINANCE	FC	0.72	0.4	0.2	3.60
Loop	ILLUMINANCE	FC	0.54	0.1	0.1	5.40

**EXISTING  
LANDFILL**

**ADOT  
MAINTENANCE  
YARD**

ADOT BUILDING



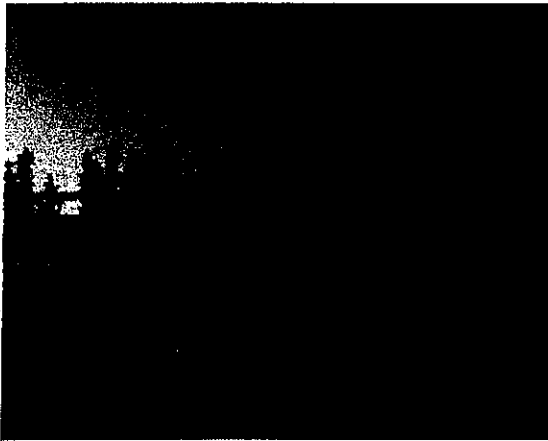
Homer Transfer Facility November, 2012



1. HTF-From highway looking Northeast.



2. HTF-From highway looking Northeast.



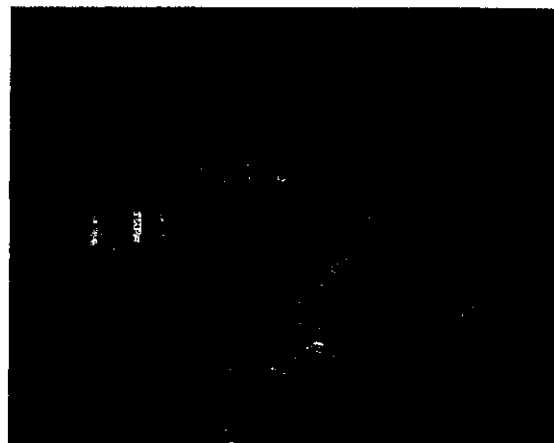
3. HTF-From highway looking Northeast.



4. HTF-Looking West at staging.



5. HTF-From entrance looking Northwest.



6. HTF-From entrance looking North.

## Dotti Harness

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**From:** Julie Engebretsen  
**Sent:** Monday, November 19, 2012 4:29 PM  
**To:** Dotti Harness  
**Subject:** FW: Fw: Homer Transfer Facility Site Lighting  
**Attachments:** SITE LIGHTING ZONES.pdf; Site Light.pdf

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**From:** Bill Nelson [<mailto:bnelson@alaska.net>]  
**Sent:** Thursday, November 15, 2012 9:47 AM  
**To:** Rick Abboud; Julie Engebretsen  
**Cc:** Scott DePalatis; Tim Steiner Steiners North Star; Marlene Turner - KPboro; Tom Bartlett Kenai Pen Boro  
**Subject:** Fw: Fw: Homer Transfer Facility Site Lighting

Rick, Julie

Here is the site lighting information that you requested for the Homer Transfer Facility.

Bill

Nelson Engineering PC  
155 Bidarka Street  
Kenai, Alaska 99611

[bnelson@alaska.net](mailto:bnelson@alaska.net)

Ph: 907 283-3583  
Fax: 907 283-4514  
----- Original Message -----

---

**From:** ~~Tim Hall~~  
**To:** Bill Nelson  
**Cc:** Scott DePalatis  
**Sent:** Wednesday, November 14, 2012 7:20 PM  
**Subject:** Re: Fw: Homer Transfer Facility Site Lighting

Bill attached are 2 pdf files.

- 1st is called Site Light.pdf and is a print of the light calculation program that we use. The summary is as follows:
  - Parking is for the truck parking inside the tunnel loop.
  - line 1, 2, 3, and 4 measure the vertical foot candles at the border of the site and are as follows: south border with the DOT site, west border with DOT site, south border at roadway, east border of site.
  - Loop 2 is the truck loop from the tunnel exit to the intersection with loop.
  - Road 1 is the road from the commercial access to the building apron.
  - Loop is from the intersection with road 1 to the tunnel exit.
- 2nd is the Site Light Zones.pdf. These are the control zones for the site lighting. These are set up so that each zone can be dimmed to 10% of the light output shown on the calculations, and can be turned on and off individually. It was our understanding that zones 1, 2, 3 and 4 would be on full from dusk until closing and opening until dawn. These will either be dimmed to 10% or shut off completely after closing. Zones 5 and 6 would be on full at similar times from dusk closing and opening until dawn and dimmed to 30% after hours for security lighting. There is a smaller low watt (70W) fixture on a 20' pole at the commercial scale that will be on continuously for security.

Hope this helps  
Tim

## Dotti Harness

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**From:** Tim Hall [thall@rsa-ak.com]  
**Sent:** Tuesday, November 27, 2012 12:15 PM  
**To:** Bill Nelson; Dotti Harness  
**Cc:** Scott DePalatis  
**Subject:** Re: Homer Transfer Site Lighting

Dottie, sorry for the delay in sending this.

The following are the safety considerations that we needed to design around for the site lighting at the Transfer Station. These concerns are mostly based on nighttime use of the facility, and as stated previously the lighting control system provided is capable of dimming or extinguishing exterior lights based on 6 separate zones, so lighting levels can be reduced considerably to levels adequate for security only during non operating hours of the facility.

1. The major area of concern is the staging area at the transfer station. The concern here is that there may be several vehicles using the facility, with people outside the vehicles readying before and cleaning up after off-loading trash. The Illuminating Engineers Society (IES) provides standards for lighting of public facilities. Table 22.2 in the IES Lighting Handbook 10th Edition provides recommendations for Common Lighting Applications. Based on this standard buildings that allow vehicular access are classified by activity and ambient light levels. The transfer station would be classified as medium to high activity (based on both vehicular and pedestrian activity), and moderately high ambient levels (due to interior building lighting). The IES recommends an average illuminance level of 2 to 4 foot-candles, with a 2 to 1 average to minimum uniformity. Our current design using building mounted lights at 30' provides an average of 4 foot-candles with a 1.5 to 1 uniformity ratio. To provide the minimum lighting levels utilizing 15' mounting height for buildings, we would need to add three luminaires mounted on 28 foot poles around the apron of the staging area, which would provide very similar results to our current design.
2. Recommendations for the access roads leading to the site are found in IES/ANSI (American National Standard Institute) RP-8-00 Recommended Practices for Roadway Lighting. Table 2 of this standard provides recommendations for illuminance of roadways. These are based on the type of road and the pedestrian conflict. Per RP-8-00 recommendations our determination for the site is that the roads would be classified as Local, and the pedestrian conflict would be low. This would require a 0.4 average foot-candle level with a 6 to 1 average to minimum uniformity ratio. Again with our current design the light levels are from 0.4 to 0.8 foot-candles average with a uniformity of less than 6 to 1. To provide minimum uniformity levels we will need to increase the pole count from 9 to 18 and by doing this the average illumination levels will increase from 1.0 to 1.5 foot-candles.

Per Bill Nelson's comments the added pole increases the potential of traffic accidents, especially with the steep grades of the site. In addition, it is our understanding that the intent of the ordinance is to reduce light pollution. We feel that the current design does in fact reduce the light pollution over what would need to be provided to meet the ordinance height requirement for the following reasons:

1. The light fixtures provided exceed the cut-off designation that from the ordinance, and there will be no measurable uplight from the fixtures.
2. Our calculations show that there will be no measurable light trespass off our site.
3. Our calculations show there will be no measurable glare at the property line of our site.
4. Due to the use of taller poles the overall light levels required to meet uniformity ratios will be reduced. Any light pollution will be reflected from the ground (especially during snow covered periods). With the reduced light from the current design the reflected light will be reduced.

We are sorry that we were not aware of the lighting ordinance prior to the design being completed. Although had we known I believe that we would still have requested this variance, since we feel that the current design is preferable than what would need to be provided to meet the ordinance height restrictions. Please call if you have any questions or comments.

Thanks,  
Timothy Hall  
Vice President  
RSA Engineering Inc.  
ph: (907)276-0521  
fax: (907)276-1751

email: [thall@rsa-ak.com](mailto:thall@rsa-ak.com)>>> "Bill Nelson" <[bnelson@alaska.net](mailto:bnelson@alaska.net)> 11/21/2012 3:52 PM >>>  
Tim,

I will be out of town Friday 11/23 so could you please email your info regarding safety considerations for site lighting to Dottie Harness at City of Homer? She wanted to get our response this week so she could include in her staff report to the Planning commission.

CC me too.

Thanks,

Bill

Nelson Engineering PC  
155 Bidarka Street  
Kenai, Alaska 99611

[bnelson@alaska.net](mailto:bnelson@alaska.net)

Ph: 907 283-3583  
Fax: 907 283-4514



CONSULTING ENGINEERS  
155 BIDARKA STREET  
(907) 283-3583

STRUCTURAL CIVIL ENVIRONMENTAL  
KENAI, ALASKA 99611  
FAX (907) 283-4514

November 21, 2012

**Rick Abboud**

City of Homer – City Planner  
3575 Heath Street  
Homer, Alaska 99603  
[rabboud@ci.homer.ak.us](mailto:rabboud@ci.homer.ak.us)

**RE: Homer Transfer Facility Site Lighting.**

**Dear Mr. Abboud,**

The lighting area/site lighting at the Homer Landfill was designed to provide adequate levels of lighting to ensure safety for public use of the facility. The landfill is open year-round. Normal hours are 8:00 AM TO 5:45 PM Monday through Saturday, Noon to 4:00pm on Sunday. As a result of the operation schedule, the facility operates a significant amount of time during darkness hours during the winter season.

Two primary activities occur on the site: Drop off of solid waste by commercial and private vehicles and hauling off semi trailers of solid waste that is destined to the Central Peninsula Landfill.

Area lighting of driveways, staging and maneuvering areas is essential to the safety of all users of the facility. The variety of vehicle sizes and types, individual driver capabilities, functional requirements of the facility, steep terrain and icy winter conditions all are factors that add to the risk of a potential traffic accident at the facility. There is potential for vehicles to collide, for vehicles to hit pedestrians or for vehicles to roll off steep shoulders.

The Transfer Facility has been designed to minimize the potential for traffic related accidents occurring onsite. The Transfer Facility property is constrained by wetlands to the southwest and rising terrain to the northeast. The building was built into the hillside to avoid constructing it in the wetlands and to facilitate solid waste drop-off and loading of the long distance haul trailers.

Private and commercial carriers deliver solid waste to the upper level of the transfer building and offload onto a tipping floor. The solid waste is pushed into a hopper and loaded into a high capacity semi trailer which is then hauled to CPL near Soldotna. To facilitate vehicle unloading and reloading onto the semitrailer, the Transfer Building is a two level building. The tipping floor is on the upper level and the trailers enter the lower level under the hopper and are filled from the top side. This is an efficient loading operation that minimizes material handling.

The two level configuration also allows separation of the long distance haul trailer traffic from the private vehicles which minimizes the cross traffic between the two vehicle types. This was accommodated by creating a West access to the Transfer Facility site from the ADOT Maintenance building road, to supplement the existing south access off of the Sterling Highway. The West Access is restricted to commercial vehicles and the long distance trailers. The South Access is restricted to members of the general public dropping off solid waste. ~~The south access is at~~

There is an 18 foot elevation distance between the two floor levels and in order to access the upper and lower levels with vehicles and conform to site constraints noted previously, there are retaining walls and steep slopes along both the south and west access drives. Site lighting has been included along the drives in order to provide safer driving conditions.

The West Access wyes off at one location to allow long distance trailer traffic to access the Loop Road and lower level of the site. Commercial trucks continue on up the grade past the Loop Road to the upper level tipping floor. The West Access is at an uphill 7% grade and the Loop Road is at a downhill 5% grade. The wye intersection is designed to allow the trucks to negotiate the grade difference. Site lighting is provided in these areas to provide safer driving conditions.

The Transfer Facility includes a trailer staging area where long distance trailers can be stored and cued for moving into the loading hopper at the lower level of the building. Several trailers will be stored in the staging area and it will be necessary at some times to back up and turn the trailers to accommodate ongoing operations. Lighting is provided in this area to provide safer parking and maneuvering conditions.

Our electrical consultant designed the site lighting systems to conform to Illuminating Engineering Society recommendations for roadway lighting. The IES requires both a minimum average foot-candle level and a Uniformity Ratio limit. The minimum average foot-candle level is a measure of the relative brightness of the lighting, averaged over the area being lit. The brightness of the lighting varies within the area being lit by a certain light fixture. Typically the light intensity is highest directly under the fixture and the intensity diminishes on surfaces that are further away from the fixture. The uniformity ratio is a measure of how much variance in the lighting level occurs within the area lit by a certain fixture. The purpose of requiring a limit to the Uniformity ratio is to prevent excessive bright spots and excessive dark areas within the lit area.

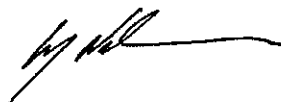
The current design uses fixtures mounted on 39' tall poles to achieve minimum specified average lighting levels and to meet the uniformity ratio standard. Our Electrical Engineering consultant has analyzed other area lighting options, including lowering the pole height to 28' maximum. The analysis shows that lowering the pole height will adversely affect the lighting uniformity ratio. In order to achieve the recommended uniformity ratio with fixtures mounted on 28' poles, it would be necessary to significantly increase the number of poles. Since each pole represents a potential traffic hazard, the lighting system was designed to use 39' fixture mounting height.

If 28' tall poles are used, there will be more poles required in the maneuvering areas where the general public and commercial trucks have to pull in, turn and then back up in to the Transfer Building tipping floor. Similarly, if 28' poles are used instead of 39' poles, there will be more poles required in the trailer staging area. The long distance trailers are approximately 50' in length and it is difficult to see objects around the trailer boxes, even with proper use of backing mirrors. Placing more poles in the staging area, especially poles located in side the staging area will cause a very significant increase in the risk of a trailer hitting a pole.

It is our opinion that there is a compelling safety interest to provide 39' poles which will allow more uniform area lighting with less poles that could be hit by Transfer Facility users.

Thank you for your consideration of this request.

Sincerely,



Bill Nelson





CONSULTING ENGINEERS  
155 BIDARKA STREET  
(907) 283-3583

STRUCTURAL CIVIL ENVIRONMENTAL  
KENAI, ALASKA 99611  
FAX (907) 283-4514

November 8, 2012

**Rick Abboud**

City of Homer – City Planner  
3575 Heath Street  
Homer, Alaska 99603  
[rabboud@ci.homer.ak.us](mailto:rabboud@ci.homer.ak.us)

**RE: Homer Transfer Facility Site Lighting.**

**Dear Mr. Abboud,**

Dottie Harness contacted Steiner's Northway Construction regarding the proposed site lighting for the Homer Transfer Facility. The Kenai Peninsula Borough is the owner of the Transfer Facility and my firm is responsible for the design of the project. The Borough asked me to contact the City of Homer regarding the site lighting.

The height of the proposed site lighting exceeds the 28' limit stated in 21.59.030. I would like to request that the City of Homer grant an exception to the mounting height limit, to allow the luminaires to be set at 39' above grade. The project electrical engineer, Tim Hall, EE of RSA Engineering, Inc. prepared the attached letter dated November 2, 2012 to justify the increased mounting height. Some of the poles were scheduled to be mounted 43' above grade but the height can be reduced to 39' without jeopardizing the quality of the site lighting

Justification for a waiver is based on several considerations which are paraphrased here but are spelled out more precisely in Mr. Hall's letter:

- The luminaire design and placement meets the intent of the lighting ordinance to reduce glare and light trespass
- Safety and energy efficiency considerations to provide adequate levels of lighting for traffic areas where commercial vehicles operate on steep slopes during icy winter conditions and where commercial truck traffic will intermingle with private vehicles in the dumping area around the building.
- If luminaires mounting height is limited to 28' the resulting increase in the number of fixtures required to maintain minimum average foot-candle level may worsen the nighttime visual environment.

The Contractor's construction schedule to install the poles is on hold until we know if the 39' mounting height is acceptable. Please let me know if an administrative variance can be granted.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Nelson', written over a horizontal line.

Bill Nelson



Engineering, Inc.

November 2, 2012

Nelson Engineering PC  
155 Bidarka St.  
Kenai, Alaska 99611

ATTENTION: Bill Nelson

Dear Bill:

REFERENCE: Homer Transfer Station DCVR 49

Per your request we have are responding to an issue as part of DCVR 49 concerning the drive and area lighting at the Homer Transfer Station. It is our understanding that the Contractor received a letter concerning the enforcement of City of Homer Title 21 requirements for lighting standards. During the design we were made aware of some of the requirements of Title 21, but not the standard in its entirety. Please see the following for our understanding of how the current design is affected by Chapter 21.59.020.

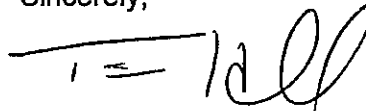
- 21.59.030. a requires, "Outside luminaires installed at a height of 15 feet or greater above grade in all new developments or replaced in existing developments shall be cut-off luminaires." To meet cutoff classification less than 2.5% of the light output can be above the 90 degree plane. The light fixtures selected have 0 light output above 90 degrees and less than 2.5% above the 80 degree plane. Therefore, they exceed the higher requirements of full cutoff. **The design meets this requirement.**
- 21.59.030 b requires, "Up-lighting shall be installed so that it allows its direct illumination to fall only on the targeted building or sign." There is no up-lighting on this project. **The design meets this requirement.**
- 21.59.030 c requires, "No outside lighting shall be installed so as to cause light trespass or glare." Our lighting calculations at the property line show 0.0 foot-candles for horizontal at ground level and vertical at 5' above grade. **The design meets this requirement.**
- 21.59.030 d requires, "The height of any driveway or parking lot luminaire shall be a maximum of 28 feet above grade. All building mounted luminaires shall have a maximum height of 15 feet above grade." The current design has pole mounted fixtures at 39' and 43' above grade. In addition, the building mounted fixtures are at 30' and 48' (above the tunnel level). **The design does not meet this requirement.**
- 21.59.030 d prohibits the use of search and laser lights. There are no laser or searchlights on this project. **The design meets this requirement.**

We recommend a requesting a variance to 21.59.030 d based on the following:

1. 21.59.020 states that the intent of the lighting ordinance is to reduce glare and light trespass and to improve the nighttime visual environment. Our lighting calculations show that the glare and light trespass from the property are not an issue with the proposed mounting heights. In addition, it is our belief that lowering the mounting height of the fixture will in fact worsen the nighttime visual environment, by requiring more light to meet the minimum safety requirements for commercial activity on the site.
2. Since there will be commercial and private users of the facility, the lighting of the drives is based upon Illuminating Engineering Society (IES) recommendations for roadway lighting. The IES requires a minimum average of 0.4 foot-candles and a 6 to 1 uniformity ratio. Initial calculations using 30 poles required many more poles to meet the uniformity ratios, and increased the minimum average foot-candle level from approximately 0.5 (with 39' and 43' poles) to 0.9 foot-candle. Therefore, the overall light on the roadways, the cost of the project and the energy usage all increase with the lower mounting heights.
3. The IES has more restrictive requirements in the transfer staging areas. These areas are required to have an average of 5 foot-candles due to pedestrian and vehicle activities in a congested area. In addition, 24 foot high overhead doors reduce the areas less than 15' in which light fixtures can be mounted.
4. A lighting control system has been provided to control exterior lights. The design has six zones that are individually controlled and include: commercial traffic areas, tunnel loop traffic area, truck parking area, private access area, landfill personnel areas, and transfer staging areas. It is the intention that the highest lighting levels only be utilized during nighttime operation when areas are open to the public. During after hour periods the lights will be turned security levels which will be 10 to 30% of the normal operating levels, or off entirely in areas without security concerns.

Please call with any comment or questions.

Sincerely,



Timothy Hall, P.E.  
Vice President

teh/hhm  
12-0832/L1043.00





# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
 Fax (907) 235-3118  
 E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
 Web Site [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## STAFF REPORT PL 12-60

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Dotti Harness-Foster, Planning Technician  
**MEETING:** November 7, 2012  
**SUBJECT:** Bay View Subdivision #3 2012 Addition Preliminary Plat

**Requested Action:** Preliminary Plat approval to divide one larger lot into two smaller lots.

### GENERAL INFORMATION

Applicants:	Johnson Surveying PO Box 27 Clam Gulch, AK 99568	Bruce Petska 657 Hidden Way Homer, AK 99603
Location:	Corner of Lakeshore Drive and Douglas Street	
Parcel ID:	17917227	
Size of Existing Lot(s):	0.59 acres, or 25,482.6 square feet	
Size of Proposed Lots(s):	11,715 and 13,785 sq ft (quarter acre lots)	
Zoning Designation:	General Commercial One	
Existing Land Use:	Warehouse with accessory apartment on Lot 1-A2. Lot 1-A1 vacant	
Surrounding Land Use:	North: Lodge South: Preschool East: Lodging and RV park West: Commercial/Retail	
Comprehensive Plan:	Chapter 4 Land Use, Goal 4 Objective B: "Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes."	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone X, Outside the 500 year flood.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	
Public Notice:	Notice was sent to 43 property owners of 60 parcels as shown on the KPB tax assessor rolls.	

### **Analysis**

This subdivision is within the General Commercial One (GC1) district. This plat divides a 0.59 acre lot into two quarter acre lots. The two lots meet the minimum lot size requirement and have access to public water and sewer.

### **Building setback**

The GC1 district requires a five foot building setback from the side and rear lot lines. This plat creates an encroachment of a lean-to shed into the building setback area. This is a zoning violation and must be resolved before final plat. There are several options to resolve the encroachment:

- 1) Move the lot line to the west to provide a minimum five foot setback.
- 2) Remove the lean-to storage building.
- 3) Obtain Fire Marshal approval to reduce the setback. This usually involves "fire walls" with addition sheetrock to reduce the potential fire transmission to an abutting parcel.

### **Utility easement**

The plat needs to dedicate a 15 foot utility easement parallel to Lakeshore Drive and Douglas Street per HCC 22.10.051 "Easements and rights-of-way. a. The subdivider shall dedicate in each lot of a new subdivision a fifteen (15) foot wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way."

### **Corner radius**

The plat needs to dedicate a minimum 20 foot radius return at the NE corner of property Lot 1-A2.

**Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
  - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

*Staff Response: The plat meets these requirements.*

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: Location of city water and sewer lines are not shown.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements. The lot is fairly level.*

**PUBLIC WORKS COMMENTS:**

1. Create a note dedicating the standard 15' utility easement parallel to the rights-of-way.
2. Dedicate the minimum 20 foot radius return at the NE corner of proposed Lot 1-A2
3. The owner has been advised that the water and sewer taps/stubouts need to be installed to Lot 1-A1 prior to recording of the plat or an Installation Agreement needs to be in place prior to recording.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any comments.

**STAFF COMMENTS/RECOMMENDATIONS:**

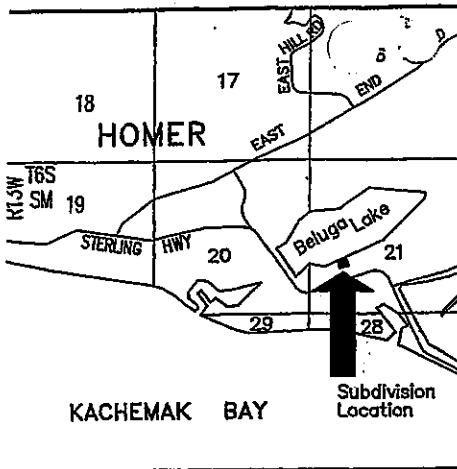
Planning Commission recommend approval of the preliminary plat with the following comments:

1. The storage lean-to encroachment to be resolved before final plat.
2. Dedicate a 15 foot utility easement parallel to Lakeshore Drive and Douglas Street.
3. Dedicate a minimum 20 foot radius return at the NE corner of property Lot 1-A2.
4. Show the location of the water and sewer lines.

**ATTACHMENTS**

1. Preliminary Plat
2. Vicinity Map





# Bay View Subd. #3 2012 Adan. Preliminary Plat

A subdivision of Lot A-1 Bayview Subd. #3 (HRD 79-106). Located in the SW 1/4, S 21, T6S R13W, SM, City of Homer, Alaska Homer Recording District Kenai Peninsula Borough File #

Prepared for

Bruce Petska  
657 Hidden Way  
Homer, AK 99603

Prepared by

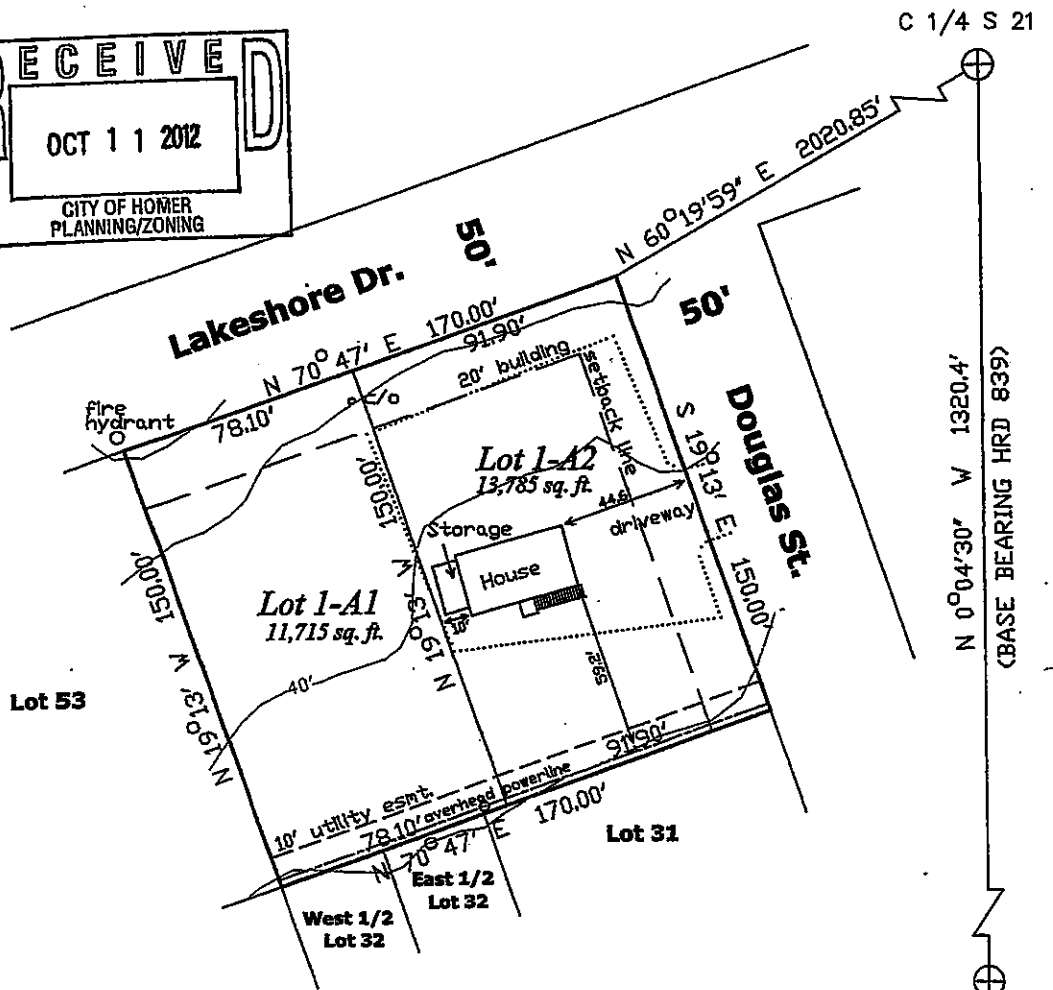
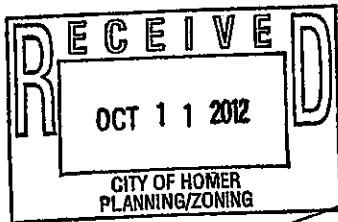
Johnson Surveying  
Box 27  
Clam Gulch, AK 99568

VICINITY 1" = 1 mile MAP

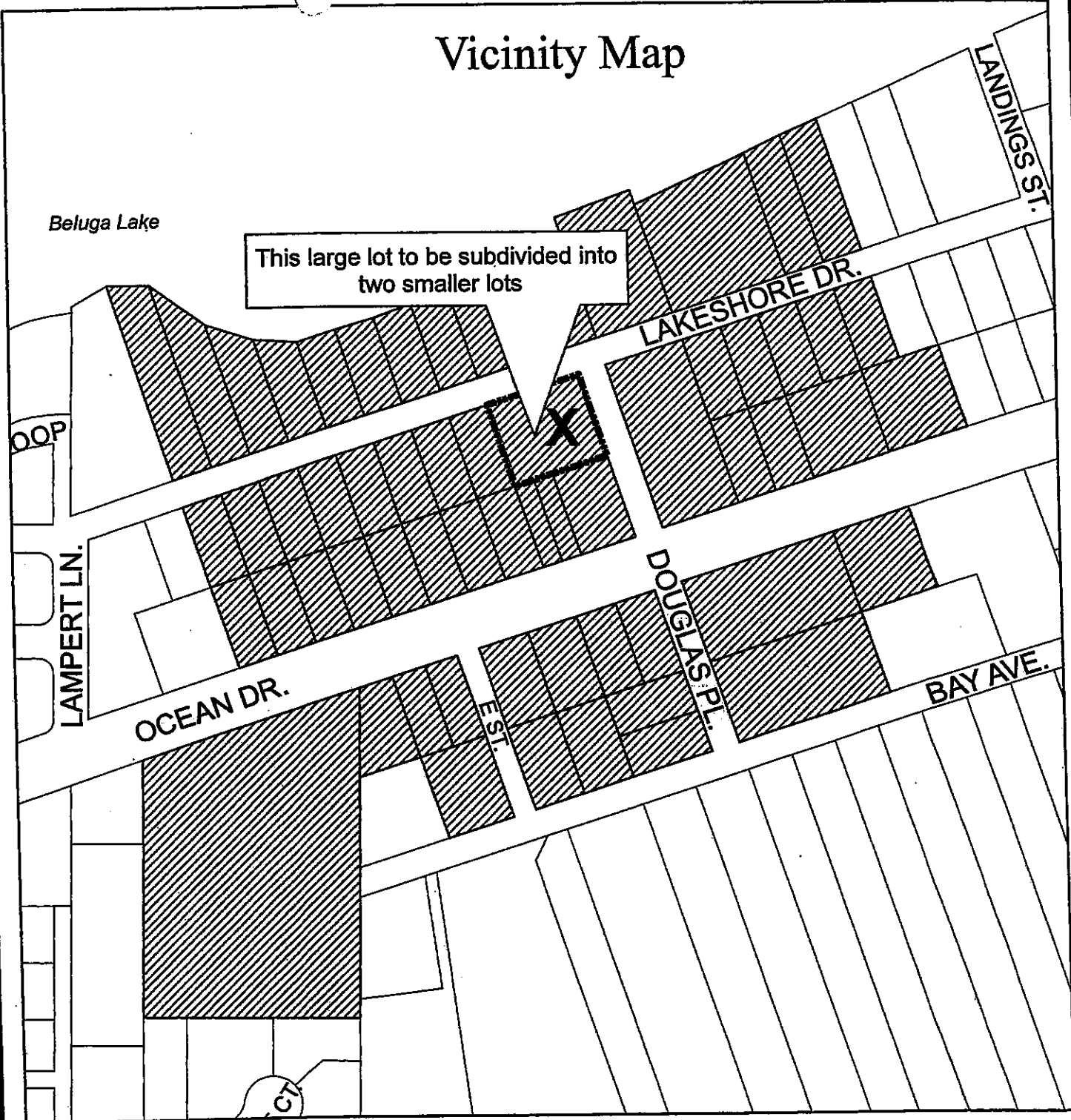
SCALE 1" = 50' AREA = .585 acres 9 October, 2012

### NOTES

1. The building setback of 20' from all street ROWs is being carried forward from the parent plat.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. Contour interval 4'. No grade exceeding 20%. No Swamp located on the property.
4. Lots in this subdivision are designed to be served by city water and sewer.



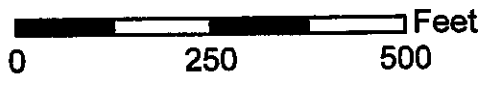
# Vicinity Map



City of Homer  
 Planning and Zoning Department  
 October 17, 2012

## Bayview Subdivision No. 3 Preliminary Plat

Marked lots are w/in 500 feet  
 and property owners notified.



*Disclaimer:*  
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



**City of Homer**  
**Planning & Zoning**  
 491 East Pioneer Avenue  
 Homer, Alaska 99603-7645

*Telephone* (907) 235-3106  
*Fax* (907) 235-3118  
*E-mail* Planning@ci.homer.ak.us  
*Web Site* www.cityofhomer-ak.gov

**STAFF REPORT PL 12-64**

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Paradise Heights Subdivision No. 3 2012 Addition Preliminary Plat

**Requested Action:** Preliminary Plat approval for the vacation of a common lot line, creating one larger lot from two smaller lots.

**GENERAL INFORMATION**

Applicants:	William Palmer & Shirley Fedora 2110 Horizon Ct Homer AK 99603	Gary Nelson, PLS 152 Dehel Ave Homer, AK 99603
Location:	Horizon Court, near the intersection of Skyline Drive and Scenic Place	
Parcel ID:	17909018, 19	
Size of Existing Lot(s):	1.16 and 1.39 acres	
Size of Proposed Lots(s):	2.546 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential and vacant	
Surrounding Land Use:	North: Vacant South: Vacant/Residential East: Residential West: Residential	
Comprehensive Plan:	Goal Chapter 4 Goal 3: Encourage high quality buildings and site development that complement Homer's beautiful natural setting.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available.	
Public Notice:	Notice was sent to 19 property owners of 22 parcels as shown on the KPB tax assessor rolls.	

**ANALYSIS:**

This subdivision is within the Rural Residential District. This plat vacates the common lot line between two properties, creating one larger lot. The new lot meets the dimensional requirements of the district. The property owner stated the lots are not developable separately. The well, septic system and a small cabin are close or cross the center property line.

**Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
  - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

*Staff Response: The plat meets these requirements.*

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements. There are no major drainages on the property.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat meets these requirements. No municipal water and sewer utilities are available. There is an onsite well and septic system.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements. Steep areas are shown.*

**PUBLIC WORKS COMMENTS:** The standard 15' utility easement needs to be noted.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Dedicate a 15 foot utility easement along Horizon Court as required by HCC 22.10.051 (a).

**ATTACHMENTS**

1. Preliminary Plat
2. Vicinity Map
3. Public Notice



**CERTIFICATE OF OWNERSHIP**

The following is a true and correct copy of the plat shown and described herein and that we hereby certify that the same end by our free consent, grant all measurement to the use shown.

FOR LOTS 6 & 7  
**MELVIN B. PALMER**  
 2110 HORIZON CT.  
 HOMER, AK 99603

**NOTARY'S ACKNOWLEDGEMENT**

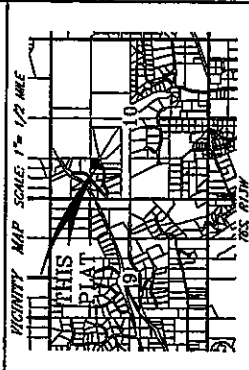
For: **MELVIN B. PALMER AND SIBILEY A. FIDORA**  
 Subscribed and sworn to before me this 26th day of \_\_\_\_\_, 2012.

Notary Public for Alaska \_\_\_\_\_ My Commission Expires \_\_\_\_\_

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_

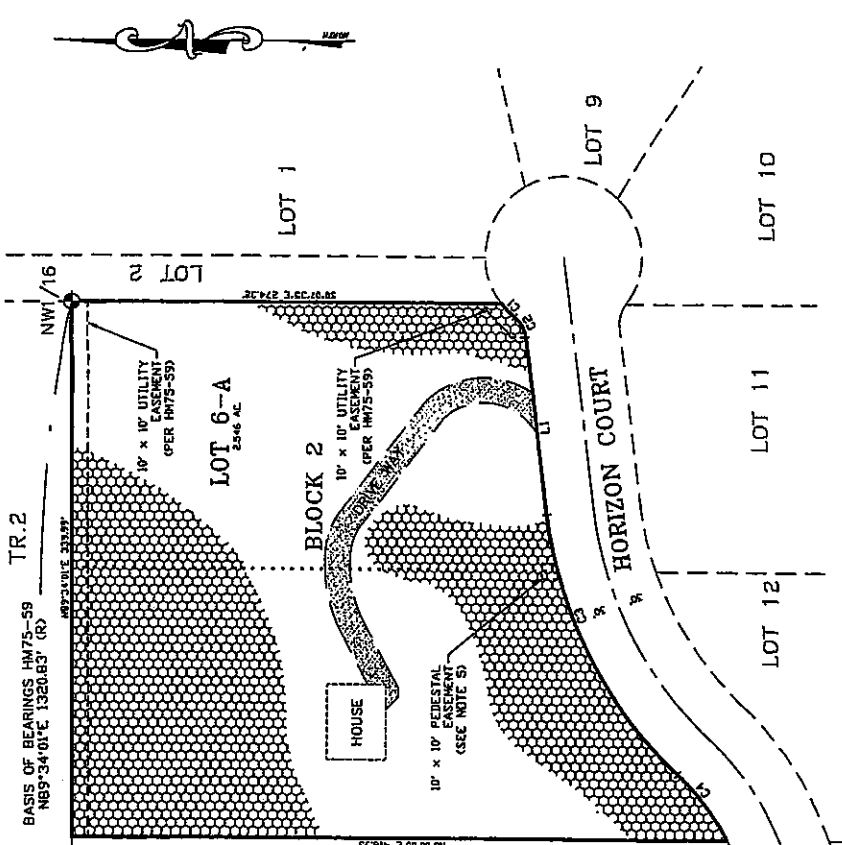
BY \_\_\_\_\_  
 Authorized Officer



DATE	10-24-12
SCALE	1" = 50'
GRID No.	AP-20
JOB No.	4680
DRAWING	4680_301T

**PARADISE HEIGHTS SUBDIVISION 2012**  
 ELIMINATION OF COMMON LOT LINES BETWEEN LOTS 6 AND 7, BLOCK 2.  
 PARADISE HEIGHTS SUBDIVISION (HW75-59)  
 PERMITS AMPLIFIED SEC. 10, RES. PLANNING SA, KENAI PENINSULA BOROUGH, STATE OF ALASKA.  
 HOMER RECORDING DISTRICT, STATE OF ALASKA.  
 CONTAINING 2.546 ACRES

**ARLEIGH SURVEYS**  
 6007 W. 14TH AVE.  
 ANCHORAGE, AK 99515  
 15P DRIVE AVE., HOMER, ALASKA 99603



N1/16  
 TR.2  
 BASIS OF BEARINGS HW75-59  
 NB9°34'01"E 1320.63' (R)  
 NB23°02'46.93"E 416.93'

Curve #	Length	Radius	Delta
C1	12.00'	50.00'	013°44'50"
C2	15.50'	20.00'	044°25'00"
C3	151.51'	270.00'	032°09'00"
C4	52.66'	155.00'	019°28'20"

Line #	Length	Direction
L1	113.42'	N62°00'00"E

**RECEIVED**  
 OCT 26 2012  
 CITY OF HOMER  
 PLANNING/ZONING

- NOTES**
1. THESE LOTS ARE SUBJECT TO HOMER CITY CODE.
  2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  3. PER HW75-59, THE PARENT PLAT, THESE BOUNDARIES WERE RECALCULATED WITH THE MOST RECENT AVAILABLE DATA WHICH ALSO CALLS FOR 2' X 2' HUBS AND TACK AT ALL LOT CORNERS UNLESS NOTED DIFFERENT.
  4. WASTEWATER DISPOSAL, WASTEWATER TREATMENT AND DISPOSAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
  5. PER HW75-59, 10' X 10' PEDESTAL EASEMENT FOR UNDERGROUND TELEPHONE AND ELECTRIC.

- LEGEND**
- ..... PROPERTY LINES TO BE VACATED
  - BRASS CAP BY 1201-S, 1974 PER HW75-59
  - CROWN LOCATION OF SLOPES
  - (SLOPE INFORMATION DERIVED FROM KENAI PENINSULA BOROUGH FURNISHED TOPOGRAPHY)
  - APPROX. DRIVE WAY LOCATION

REC DIST: \_\_\_\_\_  
 20 \_\_\_\_\_  
 Date \_\_\_\_\_  
 This \_\_\_\_\_  
 Received By \_\_\_\_\_  
 Address \_\_\_\_\_

# ABILITY SURVEYS

MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE SINCE 1976

152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

email; [gary@abilitysurveys.com](mailto:gary@abilitysurveys.com)

Oct 24, 2012

Homer Planning Dept.  
491 E. Pioneer Ave.  
Homer, AK 99603

Re: Preliminary Plat Submittal of Paradise Heights Subdivision 2012

Enclosed herewith for preliminary plat submittal please find:

- One full sized paper copy of the 18"X24" preliminary.
- 4 reduced to 11"X 17" copies of the preliminary plat.
- Check number 4098 in the amount of \$300.

*rcd ✓ 4098  
processed*

The owner would like to consolidate the three lots into one.

Water and Sewer utilities are provided by the City and are on-site.

The zoning map I reviewed shows the Zoning as Rural Residential.

Thank you for your assistance in this endeavor.

*Gary Nelson*  
Gary Nelson, PLS





# Vicinity Map

TWITTER CREEK LN.

Skyline Dr

SCENIC PL.

HORIZON CT.

These two lots to become one large lot

## Legend



Subject Lots



Lots w/in 500 feet

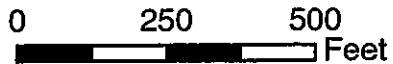


City of Homer  
Planning and Zoning Department

November 13, 2012

## Paradise Heights Subdivision 2012 Preliminary Plat

Lots within 500 feet are marked  
and property owners notified.



*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.*

## **NOTICE OF SUBDIVISION**

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivisions under consideration are described as follows:

**Bay View Subdivision No. 3 2012 Addition Preliminary Plat**

→ **Paradise Heights Subdivision 2012 Preliminary Plat**

**Thompson Subdivision 2012 Preliminary Plat**

**Glacier View No. 24 Preliminary Plat**

The location of the proposed(s) subdivision is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, December 4, 2012 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 235-8121, ext. 2237.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**

**VICINITY MAP ON REVERSE**



**City of Homer**  
**Planning & Zoning**  
 491 East Pioneer Avenue  
 Homer, Alaska 99603-7645

*Telephone* (907) 235-3106  
*Fax* (907) 235-3118  
*E-mail* [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
*Web Site* [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

**STAFF REPORT PL 12-65**

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Thompson Subdivision 2012 Preliminary Plat

**Requested Action:** Preliminary Plat approval for the vacation of a common lot line. This will create one large lot from two smaller lots.

**GENERAL INFORMATION**

Applicants:	Milton Turkington & Marsha Roughly PO Box 1217 Homer, AK 99603	Gary Nelson, PLS 152 Dehel Ave Homer, AK 99603
Location:	East End Road, south of Thompson Dr	
Parcel ID:	17902027, 28	
Size of Existing Lot(s):	0.54, 0.57 acres	
Size of Proposed Lots(s):	1.127 acres (per surveyor)	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Residential South: Vacant/Residential East: Vacant/horse park West: Vacant/Residential	
Comprehensive Plan:	Goal: Goal 1 Objective B: "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."	
Wetland Status:	The 2005 wetland mapping shows potential wetlands along the southern and western property lines.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	
Public Notice:	Notice was sent to 49 property owners of 48 parcels as shown on the KPB tax assessor rolls.	

**ANALYSIS:**

This subdivision is within the Rural Residential District. This plat vacates the common lot lines between two lots, to create one larger lot. Staff verified the lot size with the surveyor. He will correct the plat to show the lot size of 1.127 acres.

The surveyor requested an exception to the requirement to grant a 15 foot utility easement along East End Road. Please see his attached letter. A full 15 foot dedication would cause the house to encroach into the easement, which Planning would like to avoid. Public Works requests a 10 foot easement dedication, instead of the standard 15 feet.

**Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
  - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

*Staff Response: The plat meets these requirements.*

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final

width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements. There appears to be a creek/drainage on the land to the west, but not within the subject property.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat meets these requirements. Lots are served by City water and sewer.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements.*

**PUBLIC WORKS COMMENTS:** The standard 15' utility easement needs to be noted. A 10 foot utility easement is acceptable so that the house is not encroaching on the utility easement.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Dedicate a 10 foot utility easement along East End Road.
2. Add a plat note stating the property owner should contact the Army Corps of Engineers prior to developing in wetland areas.

**ATTACHMENTS**

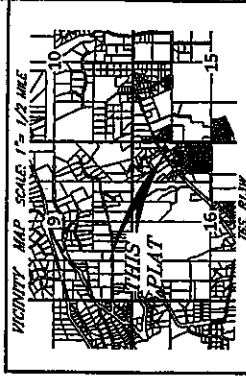
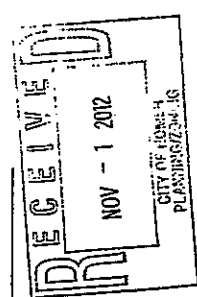
1. Preliminary Plat
2. Surveyor's letter
3. Public Notice

**CERTIFICATE OF OWNERSHIP**  
 We hereby certify that we are the owners of the real property shown and described in the foregoing plat, and we hereby certify that the plat is a true and correct plat of the same as shown.

For Lots 8 & 7  
 For Lots 10 & 9  
 For Lot 11  
 HOMER, AK 99603

**NOTARY'S ACKNOWLEDGMENT**  
 For MILTON A. TURKINGTON AND WARREN L. ROURDEL  
 Subscribed and sworn to before me this 10th day of NOVEMBER 2012  
 My Commission Expires

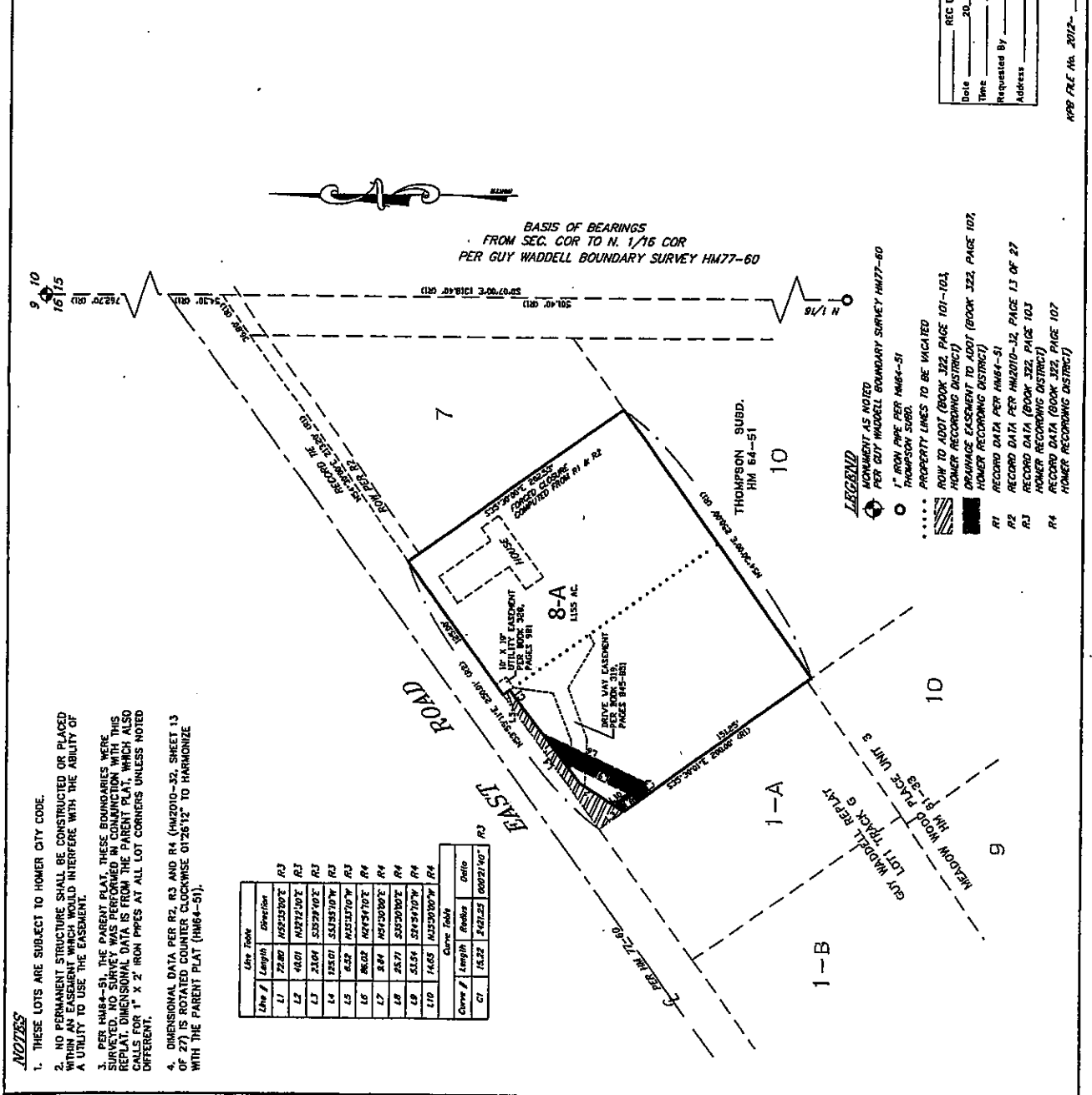
**PLAT APPROVAL**  
 This plat was approved by the Homer Peninsula Borough Planning Commission in accordance with Section 22.04.070 Homer Peninsula Borough Subdivision Regulations.



DATE: 10-31-12  
 SCALE: 1" = 50'  
 GRID No.: AR-70  
 JOB No.: 4667  
 DRAWING: 4667-BL1

**THOMPSON SUBDIVISION 2012**  
 CLARIFICATION OF COMMON LOT LINES BETWEEN LOTS 8 AND 9, THOMPSON SUBDIVISION (HM64-51) WITHIN THE NE 1/4 SEC. 16, T6S, R16E, S14M, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 1.148 ACRES

**ABILITY SURVEYS**  
 GARY WADDELL, P.E.  
 152 DENNE AVE., HOMER, ALASKA 99603



- NOTES**
1. THESE LOTS ARE SUBJECT TO HOMER CITY CODE.
  2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
  3. PER HM64-51, THE PARENT PLAT, THESE BOUNDARIES WERE SURVEYED. NO SURVEY WAS PERFORMED IN CONNECTION WITH THIS REPLAT. DIMENSIONAL DATA IS FROM THE PARENT PLAT, WHICH ALSO CALLS FOR 1" X 2" IRON PIPES AT ALL LOT CORNERS UNLESS NOTED DIFFERENT.
  4. DIMENSIONAL DATA, RES. R2, R3, AND R4 (HM2010-32, SHEET 13 OF 27) IS ROTATED COUNTER-CLOCKWISE 012612 TO HARMONIZE WITH THE PARENT PLAT (HM64-51).

Lot #	Length	Bearing	Area
L1	22.80	N232430W	R3
L2	48.01	N121230E	R3
L3	21.04	S322430E	R3
L4	12.01	S322430E	R3
L5	43.9	N321230W	R3
L6	46.02	N45470E	R4
L7	5.84	N24300E	R4
L8	28.27	S322430E	R4
L9	33.54	S322430E	R4
L10	14.63	N322430W	R4

- LEGEND**
- COMMENT AS NOTED
  - PER GUY WADDELL BOUNDARY SURVEY HM77-60
  - 1" IRON PIPE PER HM64-51
  - THOMPSON SUBD.
  - PROPERTY LINES TO BE VICHED
  - ROW TO ADD (BOOK 322, PAGE 101-103)
  - HOMER RECORDING DISTRICT
  - HOMER RECORDING DISTRICT
  - HOMER RECORDING DISTRICT
  - RECORD DATA PER HM64-51
  - RECORD DATA PER HM2010-32, PAGE 13 OF 27
  - RECORD DATA (BOOK 322, PAGE 103)
  - RECORD DATA (BOOK 322, PAGE 107)
  - HOMER RECORDING DISTRICT

REC DIST  
 Date  
 Time  
 Requested By  
 Address

APB FILE NO. 2012-

# ABILITY SURVEYS

MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE SINCE 1976

152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

email; [gary@abilitysurveys.com](mailto:gary@abilitysurveys.com)

Oct 30, 2012

Homer Planning Dept.  
491 E. Pioneer Ave.  
Homer, AK 99603

Re: Preliminary Plat Submittal of Thompson Subdivision 2012

Enclosed herewith for preliminary plat submittal please find:

- One full sized paper copy of the 18"X24" preliminary.
- 4 reduced to 11"X 17" copies of the preliminary plat.
- Check number ~~4425~~ <sup>4140 GN</sup> in the amount of \$300.

The owner would like to consolidate the two lots into one.

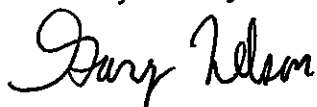
Water and Sewer utilities are provided by the City and are on-site.

The zoning map I reviewed shows the Zoning as Rural Residential.

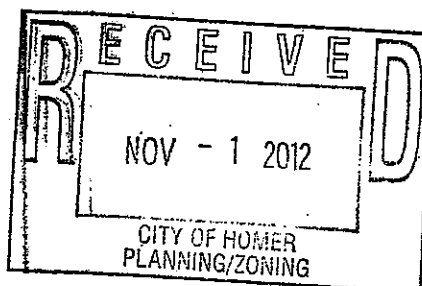
## Exceptions Requested:

To HCC 22.10.051, all lots to be served by a 15 foot utility easement.; Currently the lots have sufficient easements and utilities installed. To place a utility easement across the State DOT's drainage easement on Lot 9 could limit drainage maintenance efforts and be in conflict. Currently a house exists on Lot 8. It is only 12.5 feet from the East End Road right-of-way according to the 2001 ASBUILT SURVEY by Roger Imhoff, RLS (copy attached). So a 15' Utility Easement along East End Road on Lot 8 would create an encroachment.

Thank you for your assistance in this endeavor.



Gary Nelson, PLS





## **NOTICE OF SUBDIVISION**

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivisions under consideration are described as follows:

**Bay View Subdivision No. 3 2012 Addition Preliminary Plat**

**Paradise Heights Subdivision 2012 Preliminary Plat**

→ **Thompson Subdivision 2012 Preliminary Plat**

**Glacier View No. 24 Preliminary Plat**

The location of the proposed(s) subdivision is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, December 4, 2012 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

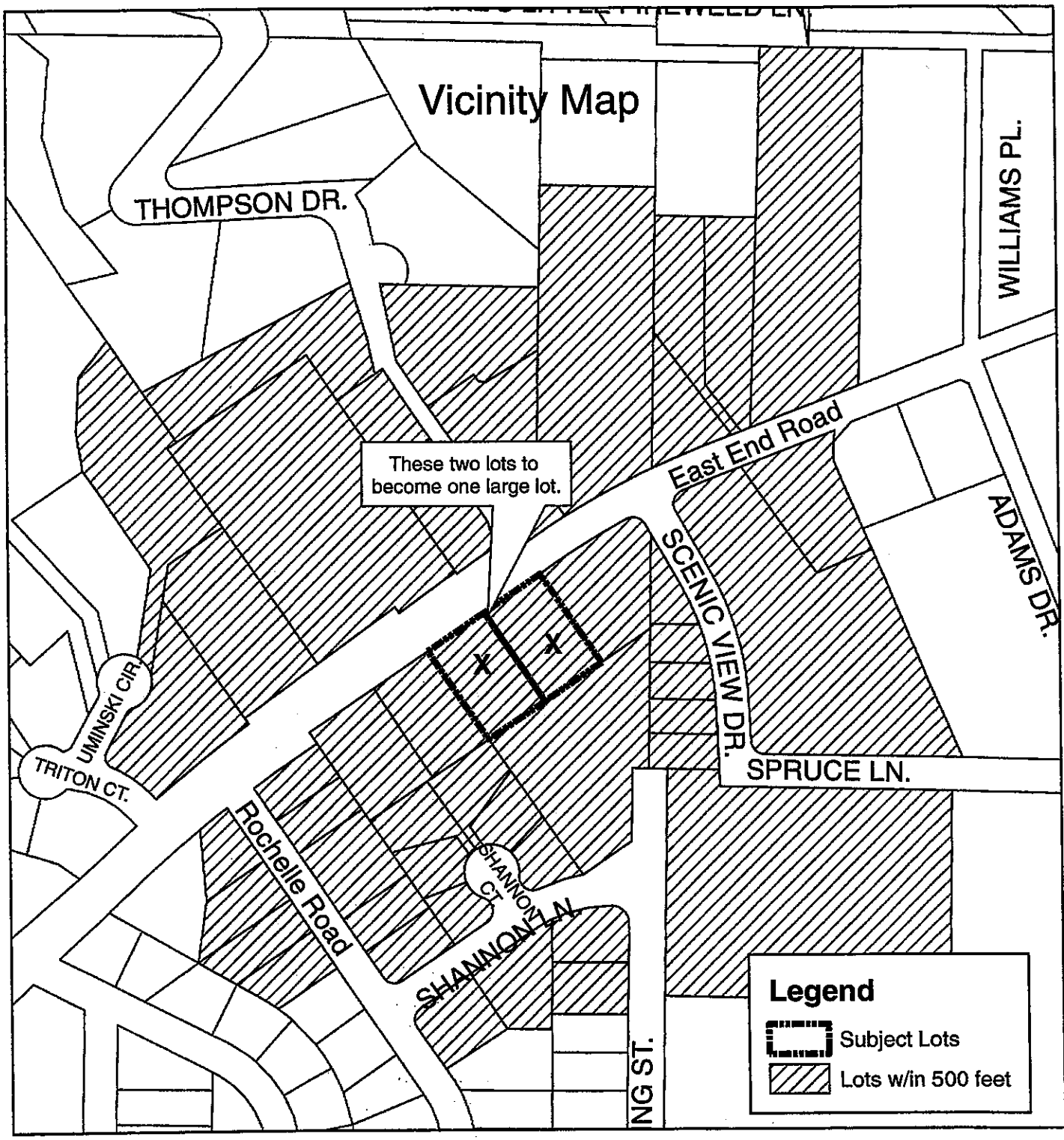
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 235-8121, ext. 2237.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**



**VICINITY MAP ON REVERSE**

# Vicinity Map



These two lots to become one large lot.

**Legend**

-  Subject Lots
-  Lots w/in 500 feet

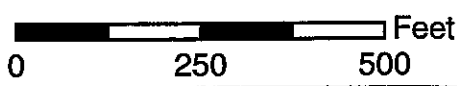


City of Homer  
Planning and Zoning Department

11/14/2012

## Thompson Sub 2012 Preliminary Plat

Marked lots are w/in 500 feet  
and property owners notified.



*Disclaimer:*  
It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
 Fax (907) 235-3118  
 E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
 Web Site [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## STAFF REPORT PL 12-66

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Glacier View Subdivision No. 24 Preliminary Plat

**Requested Action:** Preliminary Plat approval for the vacation of a common lot line. This will combine two smaller lots into one larger lot.

### GENERAL INFORMATION

Applicants:	Aderhold Community Property Trust 353 Grubstake Ave Homer, AK 99603	Gary Nelson, PLS 152 Dehel Ave Homer, AK 99603
Location:	Southeast corner of Grubstake Ave and Poopdeck St (trail)	
Parcel ID:	177107 33, 34	
Size of Existing Lot(s):	0.15 and 0.138 acres, or about 6,500 and 6,000 square feet	
Size of Proposed Lots(s):	0.288 acres, or 12,545 square feet	
Zoning Designation:	Central Business District	
Existing Land Use:	Residential/vacant	
Surrounding Land Use:	North: Residential/Vacant South: Vacant/city trail and library lands East: Residential/vacant West: Vacant	
Comprehensive Plan:	Chapter 4 Goal 1: Guide Homer's growth with a focus on increasing the supply and diversity of housing, protect community character, encourage infilling, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.	
Wetland Status:	An Army Corps of Engineers jurisdictional determination dated August 13, 2009 states there are no wetlands.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	
Public Notice:	Notice was sent to 47 property owners of 57 parcels as shown on the KPB tax assessor rolls.	

### **ANALYSIS:**

This subdivision is within the Central Business District. This plat vacates a common lot line between two lots. The western lot has an approved Conditional Use Permit for a deck to extend 10 feet into the 20 foot building setback. Therefore, staff recommends a utility easement of 10 feet, rather than 15, so the deck is not encroaching on the easement.

**Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
  - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

*Staff Response: The plat meets these requirements.*

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat meets these requirements. Lot will be served by city water and sewer.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements.*

**PUBLIC WORKS COMMENTS:** The standard 15 foot utility season should be shown along rights of way.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Dedicate a 10 foot utility easement along Poopdeck Street and 15 feet along Grubstake Ave.
2. Renumber the lot. There is already a lot 8-A to the east, and this subdivision affects lots 9 and 10.

**ATTACHMENTS**

1. Preliminary Plat
2. Public Notice



# ABILITY SURVEYS

**MEASURING MAPPING & REPORTING ON ALASKA'S INFRASTRUCTURE SINCE 1976**

152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

email; [gary@abilitysurveys.com](mailto:gary@abilitysurveys.com)

Oct 30, 2012

Homer Planning Dept.  
491 E. Pioneer Ave.  
Homer, AK 99603

Re: Preliminary Plat Submittal of GLACIER VIEW SUBDIVISION NO. 24

Enclosed herewith for preliminary plat submittal please find:

- Five full sized paper copies of the 11"X17" preliminary plat.
- Check number 4139 in the amount of \$300.

The owner would like to consolidate the two lots into one.

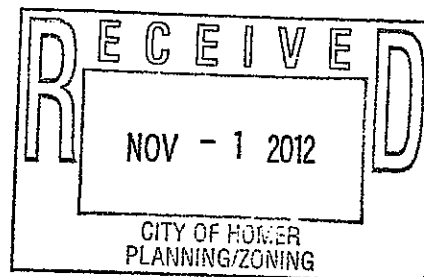
Water and Sewer utilities are provided by the City and are on-site.

The zoning map I reviewed shows the Zoning as Central Business.

Thank you for your assistance in this endeavor.



Nathan Bynum



**CERTIFICATE OF OWNERSHIP**

I hereby certify that Aderhold Community Property Trust are the owners of the real property shown and described hereon, and that it does hereby adopt this plan of subdivision, and by its free consent dedicate all public rights-of-way and grant all easements to the use shown.

Authorized Signatory for: **ADERHOLD COMMUNITY PROPERTY TRUST**  
 353 GRUBSTAKE AVE.  
 Homer, AK 99603

**NOTARY'S ACKNOWLEDGEMENT**

Subscribed and sworn to before me this \_\_\_\_\_ 2012,  
 day of \_\_\_\_\_

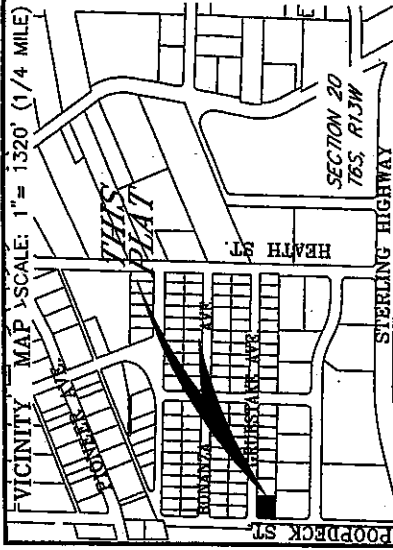
Notary Public for Alaska My Commission Expires \_\_\_\_\_

**PLAT APPROVAL**

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of \_\_\_\_\_  
 KENAI PENINSULA BOROUGH

BY \_\_\_\_\_

Authorized Official



**GLACIER VIEW  
 SUBDIVISION NO. 24**

ELIMINATION OF COMMON LOT LINES BETWEEN;

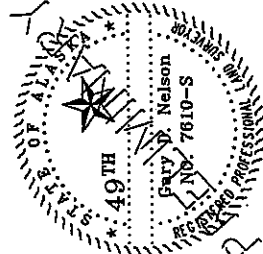
LOTS 9 & 10, BLOCK 11,

GLACIER VIEW SUBD. NO. 3 (HM75-13),

SITUATED WITHIN A PORTION OF THE NW1/4 SEC. 20, T.6S., R.13W., S.M., IN THE CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA CONTAINING 0.288 ACRES

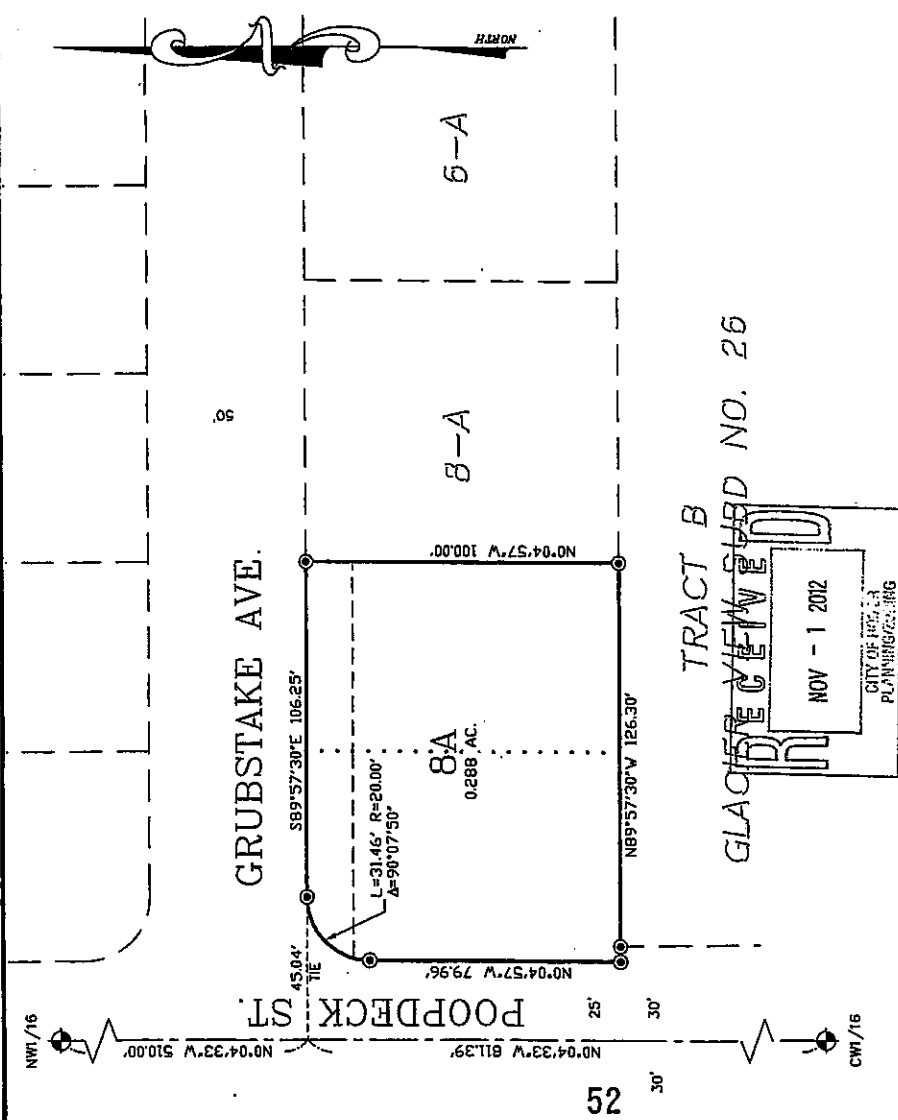
**ABILITY SURVEYS**

GARY NELSON, PLS  
 (907) 235-8940  
 152 OEHLE AVE., HOMER, ALASKA 99603



REC DIST	_____
Date	____/____/20____
Time	____:____:____
Requested By	_____
Address	_____

KPB FILE No. 2012-\_\_\_\_\_



**TRACT B  
 GLACIER VIEW SUBD. NO. 26**

**NOTES**

- NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
- WASTEWATER DISPOSAL: PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
- LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO HOMER MUNICIPAL CODE REQUIREMENTS.
- THIS REPLAT ONLY VACATES THE COMMON LOT LINE BETWEEN LOTS 9 AND 10 AS SHOWN ON GLACIER VIEW NO. 3 (HM75-13), THEREBY CREATING LOT 9A.
- NO SURVEY WAS PERFORMED FOR THIS REPLAT. SET MONUMENTS AND DIMENSIONS ARE SHOWN BASED ON THE PARENT PLAT.

**LEGEND**

- ..... PROPERTY LINES TO BE VACATED
- 15' WIDE UTILITY EASEMENT GRANTED THIS PLAT
- MONUMENT AS NOTED
- PER GLACIER VIEW SUBD. NO. 3 HM75-13
- 1/2" X 48" IRON RODS AT ALL LOT CORNERS
- PER GLACIER VIEW SUBD. NO. 3 HM75-13

DATE 10-30-12 SCALE 1" = 40' GRID No. 4R-73 JOB No. 4664 DRAWING: 4664-3D13



## NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivisions under consideration are described as follows:

**Bay View Subdivision No. 3 2012 Addition Preliminary Plat**

**Paradise Heights Subdivision 2012 Preliminary Plat**

**Thompson Subdivision 2012 Preliminary Plat**

→ **Glacier View No. 24 Preliminary Plat**

The location of the proposed(s) subdivision is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

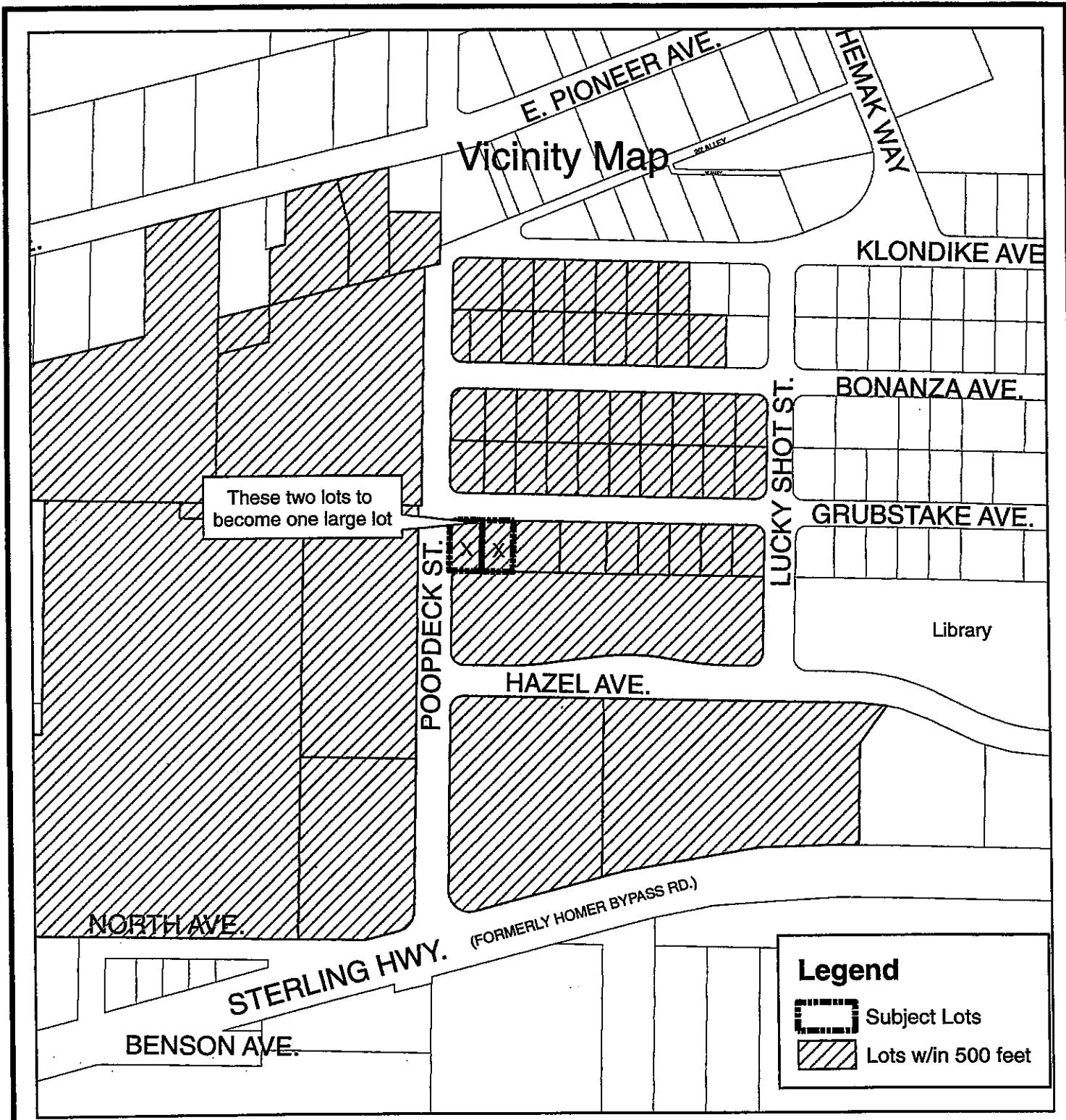
A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, December 4, 2012 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 235-8121, ext. 2237.



**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**


**VICINITY MAP ON REVERSE**



These two lots to become one large lot

**Legend**

-  Subject Lots
-  Lots w/in 500 feet




**City of Homer**  
 Planning and Zoning Department  
 November 14, 2014

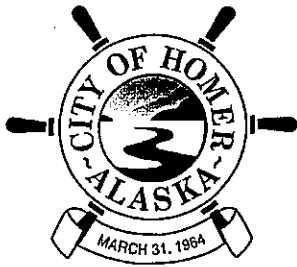
**Glacier View Subdivision No. 24  
 Preliminary Plat**

Marked lots are w/in 500 feet  
 and property owners notified.

0      250      500  
 Feet



*Disclaimer:*  
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
 Fax (907) 235-3118  
 E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
 Web Site [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## STAFF REPORT PL 12-69

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Bunnell's Subdivision No. 19 Tract A 2012 Preliminary Plat

**Requested Action:** Preliminary Plat approval for the creation of two lots from one larger lot.

### GENERAL INFORMATION

Applicants:	Christian Community Church 3838 Bartlett St Homer AK 99603	Seabright Surveying + Design 1044 East End Road, Suite A Homer AK 99603
Location:	Bartlett Street, east of Spruceview Ave	
Parcel ID:	17513340	
Size of Existing Lot(s):	4.16 acres	
Size of Proposed Lots(s):	3.604 acres, and 0.562 acres	
Zoning Designation:	Residential Office District	
Existing Land Use:	Church	
Surrounding Land Use:	North: Residential/Vacant South: Residential/Vacant East: Residential/Vacant West: Pratt Museum/Residential/Vacant	
Comprehensive Plan:	Goal 1 Objective B: "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."	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	
Public Notice:	Notice was sent to 51 property owners of 64 parcels as shown on the KPB tax assessor rolls.	

## **ANALYSIS:**

This subdivision is within the Residential Office District. This property is owned by the Christian Community Church. They would like to subdivide off the existing fellowship hall, on the southwest corner of the lot.

### Utility easement

The fellowship hall was constructed before the widening and reconstruction of Bartlett Street. It encroaches into the area that would normally be dedicated as a utility easement. *Staff recommends* the utility easement not be required across Lot 2. Should a utility need the easement in the future, most likely it will need to be planned around the existing building. Staff discourages creating an encroachment that is an encumbrance on the land for financing and future construction.

### Driveway access

The new lot line will cut through the driveway that will serve both lots. *Staff recommends* a driveway or shared access easement between the properties. Both buildings have parking and access to the rear, and patrons need legal access to those parking lots. The church owns both properties at this time, but they may not in the future. Platting should ensure proper access for both lots regardless of ownership or land use.

### Swatzell Street

The 2005 Homer Transportation Plan (part of the Comprehensive plan) and the 1986 Master Streets and Roads Plan call for the extension of Swatzell Street from Pioneer Ave to Fairview Ave. *Staff recommends* Swatzell Street be dedicated all the way to the north property line.

**Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
  - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

*Staff Response: The plat meets these requirements.*

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat meets these requirements. Lots will be served by city water and sewer.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements.*

**PUBLIC WORKS COMMENTS:** Public Works discussed the dedication of Swatzell, moving Lot 2's property line further north, and the utility easement along Bartlett with Planning and Zoning staff. Public Works had no additional comments. Planning and Public Works staff are in agreement on the staff recommendations.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Dedicate the 30 foot wide extension of Swatzell St, to the northern lot line.
2. Label Swatzell Street.
3. Correct Plat note 5 to state "trail easement" instead of "trial easement."
4. Correct Plat note 3 to state "This subdivision is subject to..." rather than "in subject to."
5. Dedicate a 15 foot utility easement on lot 1, along Bartlett and Swatzell Streets
6. Shift the northern lot line of Lot 2 north, to comply with zoning setback requirements.
7. Dedicate a shared driveway easement between Lots 1 and 2 from Bartlett Street.
- 8.

**ATTACHMENTS**

1. Preliminary Plat
2. Public Notice

**WASTEWATER DISPOSAL**

PLANS FOR WASTEWATER DISPOSAL THAT MEET THE REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

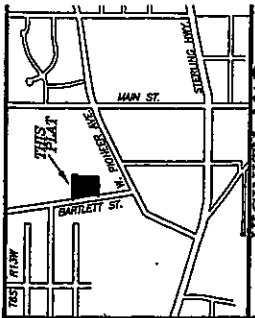
KENTON T. BLOOM, PLS 7988-S DATE

**NOTES**

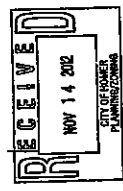
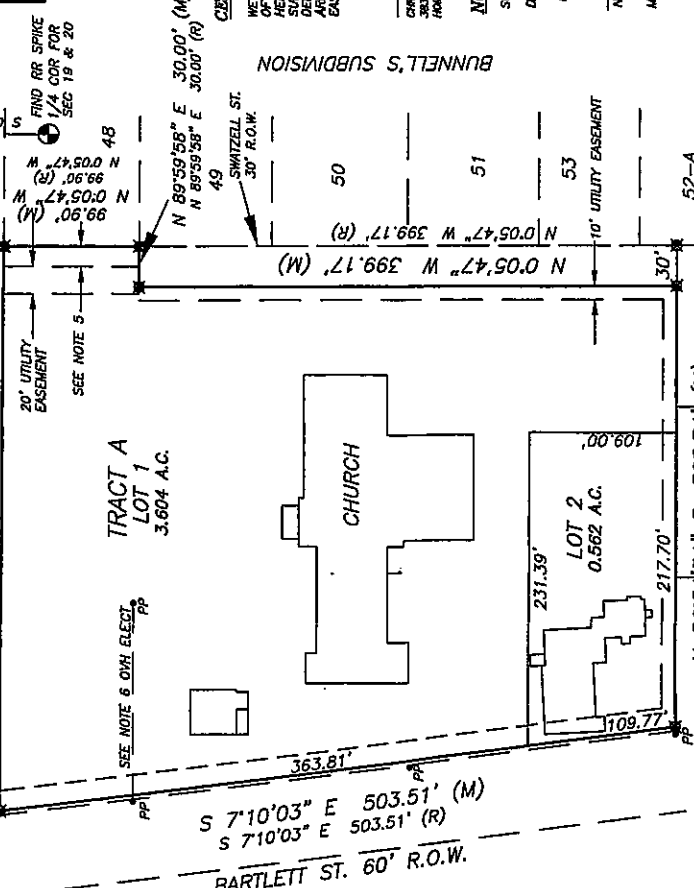
1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED WITHIN ANY EASEMENT WHICH WOULD IMPAIR THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. THIS SUBDIVISION IS SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF HOMER.
4. BASIS OF BEARING IS THE RECORD RIGHT-OF-WAY FOR BARTLETT STREET PLAT NO. 88-44 HRD. MEASURED DIMENSIONS FROM 01-05 HRD. THIS CASE SHOWN FOR THE BOUNDARY OF THIS SUBDIVISION.
5. 15 FT WIDE PEDESTRIAN TRAIL EASEMENT GRANTED TO THE CITY OF HOMER BY PLAT NO. 01-05 HRD.
6. EXISTING OVERHEAD POWERLINE IS CENTERLINE OF A 20 FT WIDE ELECTRICAL DISTRIBUTION EASEMENT.
7. THE FRONT 15' ALONG THE EXISTING RIGHT-OF-WAY OF BARTLETT ST. IS A UTILITY EASEMENT GRANTED TO THE CITY OF HOMER.
8. SET A 2" SELF IDENTIFYING ALUMINUM CAP ON 5/8" x 30" LONG STEEL REBAR AT ALL LOT CORNERS UNLESS OTHERWISE SPECIFIED.

**LEGEND**

- ① FIND 2" ALUMINUM CAP ON 5/8" DIA. REBAR 5780-S 2001
- ② FIND 2" ALUMINUM CAP ON 5/8" DIA. REBAR 5780-S 1897
- (R) RECORD FROM PLAT NO. 2001-05 HRD



**VICINITY MAP**  
SCALE 1" = 1000' U.S.G.S. QUAD. SEEDORA (2-4 & C-1)



**PLAT APPROVAL**

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

DATE



SCALE 1" = 60'

**CERTIFICATE OF OWNERSHIP**  
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAT OF SUBDIVISION, AND BY OUR FREE CONSENT DEEDICATE ALL RIGHTS OF WAY AND PUBLIC UTILITY RIGHTS TO THE CITY OF HOMER. ALL EASEMENTS TO THE USE SHOWN HEREON.

CHRISTIAN COMMUNITY CHURCH  
3838 BARTLETT ST.  
HOMER, ALASKA 99603

**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF \_\_\_\_\_, 2012.

FOR: \_\_\_\_\_  
NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES \_\_\_\_\_

HOMER RECORDING DISTRICT KPB REF. No. 2012-

**BUNNELL'S SUB. NO. 19 TRACT A 2012 REPLAT**

A REPLAT OF TRACT A SUB. NO. 19 SITUATED IN THE SE 1/4 CORNER FOR SEC. 19, T13S, R13E, S1M, LOCATED WITHIN THE KENAI PENINSULA BOROUGH THIRD JUDICIAL DISTRICT, STATE OF ALASKA

CONTAINING 4.158 ACRES MORE OR LESS  
**SEABRIGHT SURVEY + DESIGN**  
KENTON T. BLOOM, P.L.S.  
1044 EAST ROAD, SUITE A  
HOMER, ALASKA 99603  
(907) 259-4247

DRAWN BY: KK CHRD BIC KB JOB #12-10  
DATE: 11/14/12 CASE: 12-001 PLAT: 12-10

**SEABRIGHT SURVEY + DESIGN**

**Kenton Bloom, PLS**  
1044 East Road Suite A  
Homer, Alaska 99603  
(907) 235-4247 (& fax)  
seabrightz@yahoo.com

November 15, 2012

City of Homer  
Planning Dept.  
491 E. Pioneer  
Homer, Alaska 99603

**RE: Bunnell Subdivision No. 19 Replat**

To Whom It May Concern:

Seabright Survey + Design is pleased to submit the preliminary plat for the **Bunnell Subdivision No. 19 Replat**

Please find attached the PDF 11"x17" t for your review. We have already provided you with a check for \$300.00 for platting review fees and two full size copies. We look forward to working with the City of Homer on this project within city limits. Thank you for your consideration. Please call with any questions or concerns.

Cordially,

Kenton Bloom, P.L.S.  
Seabright Survey + Design



## **NOTICE OF SUBDIVISION**

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivisions under consideration are described as follows:

➔ **Bunnell's Subdivision No. 10 Tract A 2012 Replat Preliminary Plat**

**Homer Enterprises Inc, Subdivision 2013 Replat Preliminary Plat**

The location of the proposed(s) subdivision is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

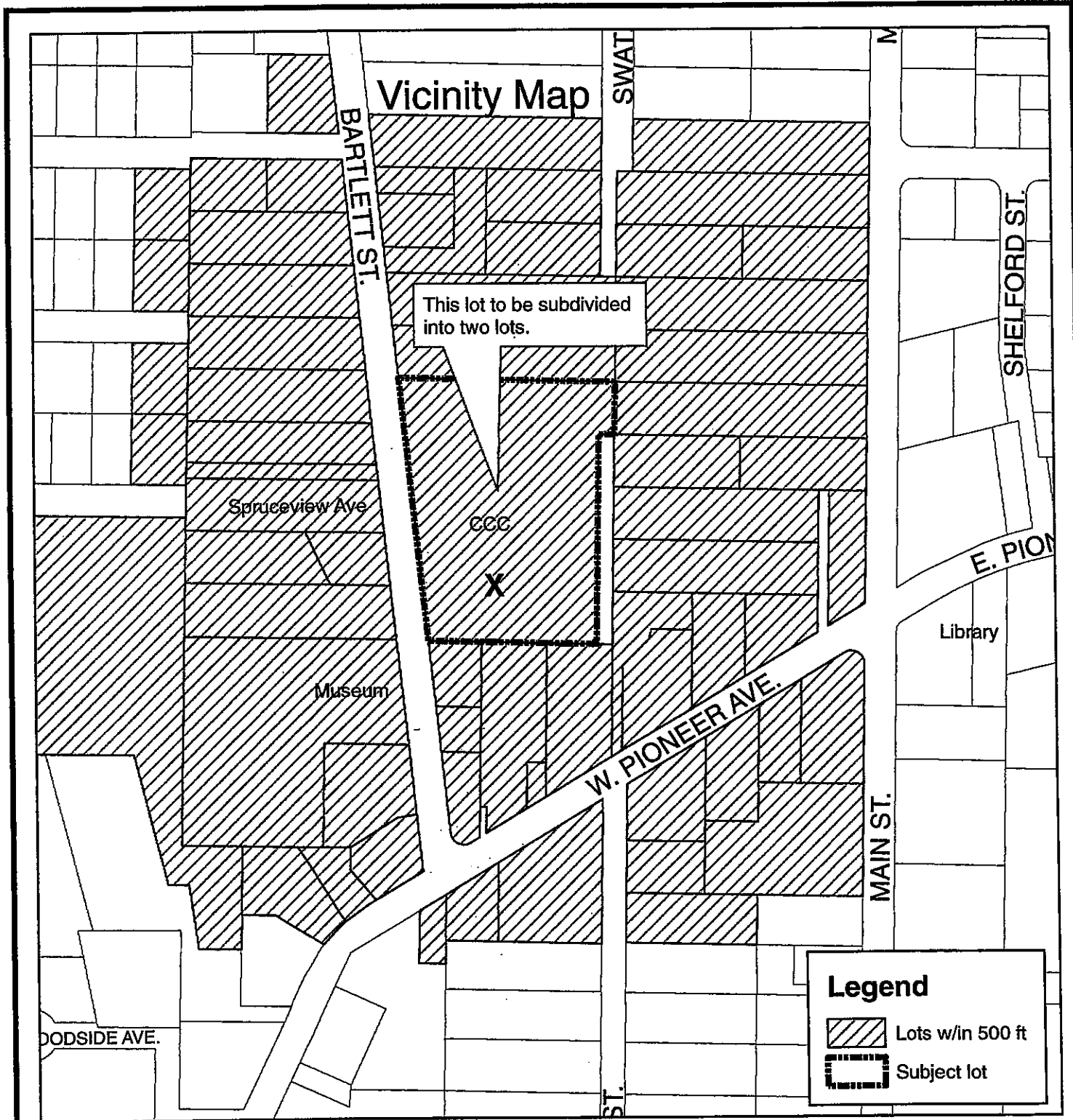
A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, December 5, 2012 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 235-8121, ext. 2237.


**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**

## **VICINITY MAP ON REVERSE**



**Legend**

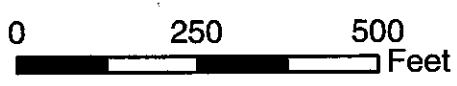

- Lots w/in 500 ft
- Subject lot



*City of Homer*  
**Planning and Zoning Department**  
 November 14, 2014

**Glacier View Subdivision No. 24  
 Preliminary Plat**

Marked lots are w/in 500 feet  
 and property owners notified.

*Disclaimer:*  
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.



# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
 Fax (907) 235-3118  
 E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
 Web Site [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## STAFF REPORT PL 12-71

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Staff Report PL 12-71, Homer Enterprises Inc, Subdivision 2013 Replat Preliminary

**Requested Action:** Preliminary Plat approval for the vacation of lot lines, to create one large lot from three smaller lots.

## GENERAL INFORMATION

Applicants:	Sharon Diane Selby PO Box 78 Anchor Point, AK 99556	Johnson Surveying PO Box 27 Clam Gulch, AK 99568
Location:	Fairview Ave, across from Karen Hornaday Park entrance	
Parcel ID:	175112 08, 09, 10	
Size of Existing Lot(s):	about 6,500 square feet each	
Size of Proposed Lots(s):	20,268 sq ft, just under ½ acre	
Zoning Designation:	Urban Residential District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Park South: Residential/Vacant East: Creek/Residential/Vacant West: Residential	
Comprehensive Plan:	Chapter 4 Goal 3: Encourage high quality buildings and site development that complement Homer's beautiful natural setting.	
Wetland Status:	The 2005 wetland mapping shows possible wetlands along Woodard Creek. The creek itself is not located on the subject property according to the preliminary plat.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 45 property owners of 62 parcels as shown on the KPB tax assessor rolls.	

## ANALYSIS:

This subdivision is within the Urban Residential District. This plat vacates common lot lines between three properties to create one large parcel. These lots were created in 1959, long before the current subdivision requirements were adopted. The existing lots are about 6,500 square feet each, and only 50 feet wide. The current standards require a minimum lot size requirement of 7,500 square feet, and a width of 60 feet. The existing easternmost lot is also very steep and likely would be very difficult to develop. The new lot would be just less than half an acre and would meet the dimensional requirements of the zoning district.

**Preliminary Approval, per KPB code 20.12.0060 Form and Contents Required.** The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

1. Within the title block:
  - a. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a map or plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
  - b. Legal description, location, date, and total area in acres of the proposed subdivision;
  - c. Name and address of owner and registered land surveyor;
  - d. Scale.

*Staff Response: The plat meets these requirements.*

2. North point;

*Staff Response: The plat meets these requirements.*

3. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines, political subdivision or municipal corporation boundaries abutting the subdivision.

*Staff Response: The plat meets these requirements.*

4. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams.

*Staff Response: The plat meets these requirements.*

5. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision together with the purposes, conditions or limitation of such reservations.

*Staff Response: Private parcels are shown. No public use areas other than Rights of Way are noted.*

6. The names and widths of public streets and alleys and easements including drainage easements existing and proposed, within the subdivision. [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

*Staff Response: The plat meets these requirements.*

7. The names of adjacent subdivisions or an indication that the adjacent land is not subdivided.

*Staff Response: The plat meets these requirements.*

8. Approximate location of areas subject to inundation, flooding or storm water overflow. Indicate if a recognized flood plain is present. Identify and locate the major drainage systems.

*Staff Response: The plat meets these requirements.*

9. Approximate locations of areas subject to tidal inundation including the mean high water line.

*Staff Response: The plat meets these requirements (not applicable to this area).*

10. Block and lot numbering per Section 20.16.110 of the borough subdivision code.

*Staff Response: The plat meets these requirements.*

11. The general location of existing water and sewer utilities, and the intent and methods of the subdivision to utilize and access such utilities.

*Staff Response: The plat does not meet these requirements; the general location of city utilities is not shown or stated. The new lot will be served by city water and wastewater. City water runs along Fairview Ave, and city sewer runs along the south lot line.*

12. Provide a contour map of the subdivision and road profiles if road grades exceed 6% on arterial and 10% on other streets.

*Staff Response: The plat meets these requirements. No Rights of Way are to be dedicated by this action.*

13. Identify and locate on the plat all areas in excess of 20% grade.

*Staff Response: The plat meets these requirements.*

**PUBLIC WORKS COMMENTS:**

1. Based on the Borough info, it appears the adjacent lot to the west is Lot 6A as opposed to Lot 7A as depicted.
2. The 15' utility parallel to the Fairview Avenue ROW needs to be dedicated and depicted.

**FIRE DEPARTMENT COMMENTS:** Fire Chief Painter did not have any concerns.

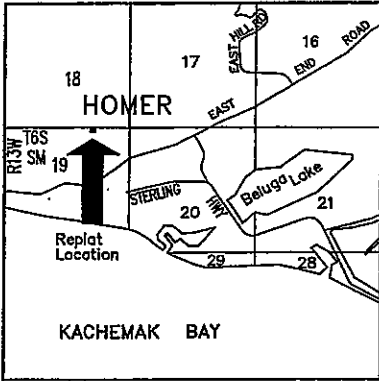
**STAFF COMMENTS/RECOMMENDATIONS:**

Planning Commission recommend approval of the preliminary plat with the following comments:

1. Dedicate a 15 foot utility easement along Fairview Avenue as required by HCC 22.10.051 (a).
2. Correct the label for the lot to the west to Lot 6A.
3. Change the first plat note to state that development is subject to the City of Homer Zoning Code.

**ATTACHMENTS**

1. Preliminary Plat
2. Public Notice



VICINITY 1" = 1 mile MAP

# Homer Enterprises Inc. Subd. 2013 Replat Preliminary Plat

A replat of Lots 8, 9, & 10, Block 1 Homer Enterprises Inc. Subd., HRD 594561. Located in the NW 1/4 NE 1/4 S 19, T6S, R13W, SM, Alaska. City of Homer, Kenai Peninsula Borough

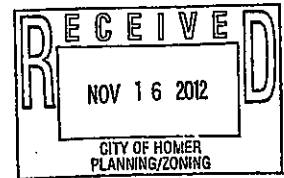
Prepared for

Sharon Diane Selby  
PO Box 78  
Anchor Point, AK 99556

Prepared by

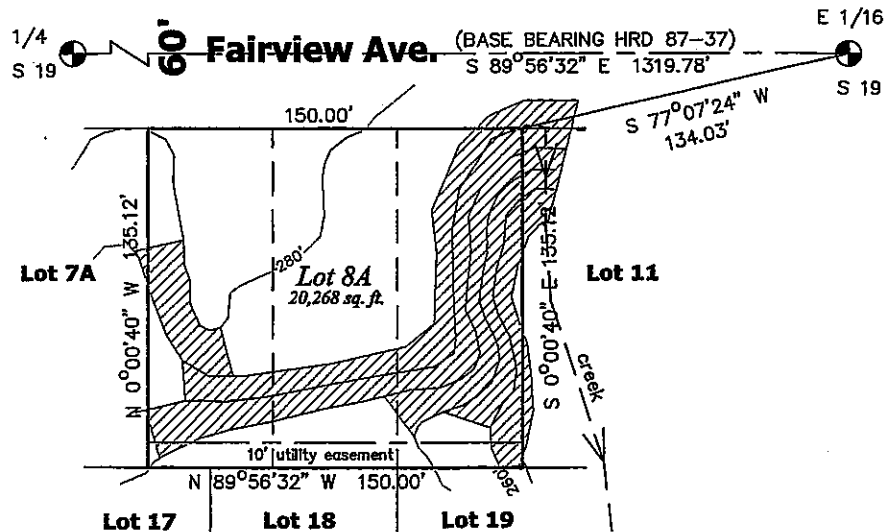
Johnson Surveying  
Box 27  
Clam Gulch, Ak 99568

SCALE 1" = 50' 20,268 sq.ft. 14 November, 2012



### NOTES

1. These lots have not been developed.
2. No permanent structure shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
3. Contour interval 4'. Hatched areas (▨) indicate a grade of greater than 20%.



## NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivisions under consideration are described as follows:

**Bunnell's Subdivision No. 10 Tract A 2012 Replat Preliminary Plat**

→ **Homer Enterprises Inc, Subdivision 2013 Replat Preliminary Plat**

The location of the proposed(s) subdivision is provided on the attached map(s). A preliminary plat showing the proposed subdivision may be viewed at the Planning Department. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the KPB Subdivision Ordinance. A copy of the Ordinance is available from the Planning Department. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, December 5, 2012 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska.

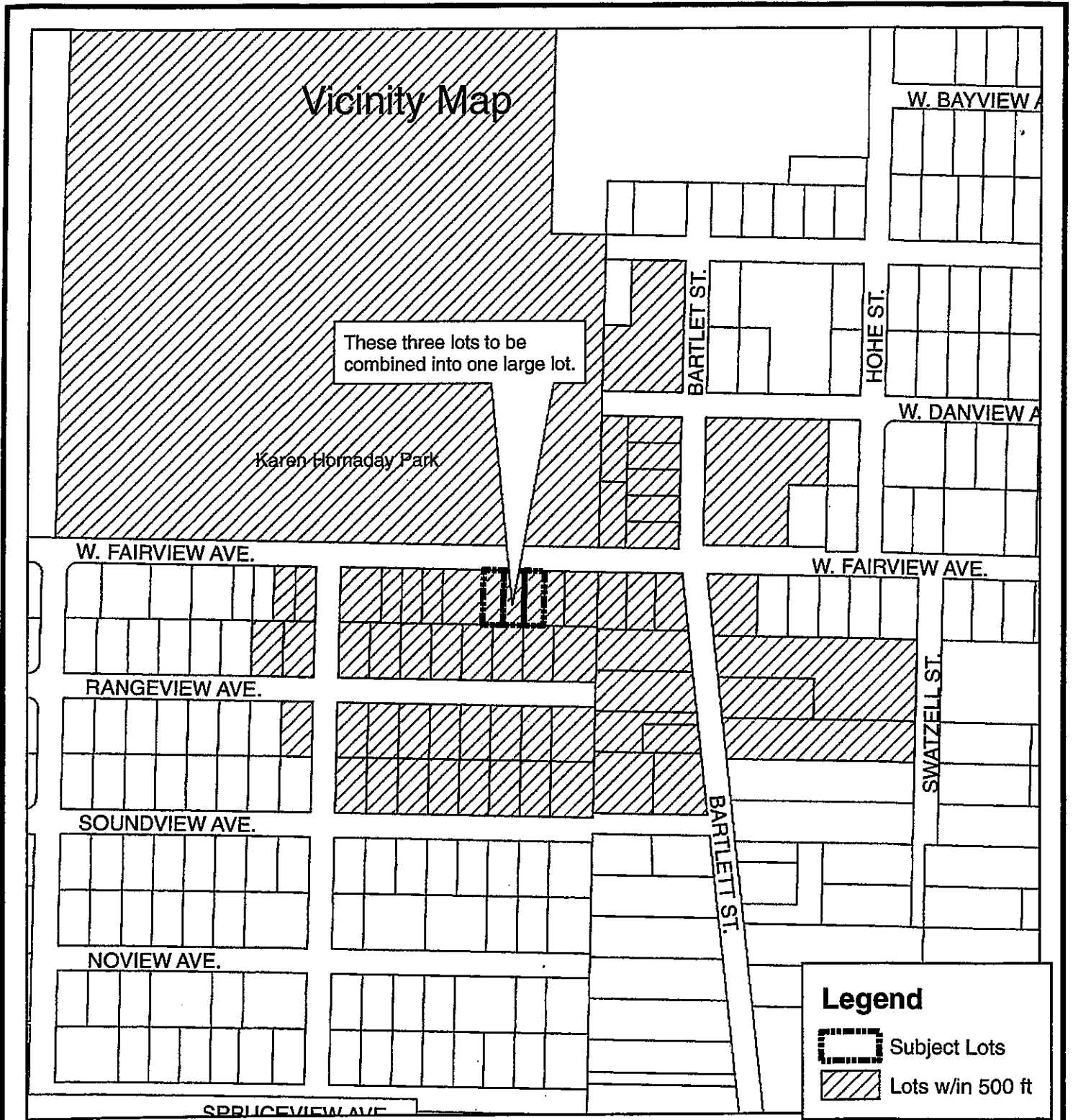
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting. Written comments can be faxed to 907-235-3118.

For additional information, please contact Julie Engebretsen in the City of Homer Planning and Zoning Office at 235-8121, ext. 2237.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPOSED SUBDIVISION.**

**VICINITY MAP ON REVERSE**



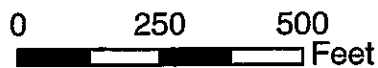


*City of Homer*  
 Planning and Zoning Department

11/16/24

**Homer Enterprises Inc Subdivision  
 2013 Replat  
 Preliminary Plat**

Marked lots are w/in 500 feet  
 and property owners notified.



*Disclaimer:*  
 It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.





# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
Fax (907) 235-3118  
E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
Web Site [www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

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## STAFF REPORT PL 12-67

**TO:** Homer Advisory Planning Commission  
**THROUGH:** Rick Abboud, City Planner  
**FROM:** Julie Engebretsen, Planning Technician  
**MEETING:** December 5, 2012  
**SUBJECT:** Marine Industrial and Marine Commercial Zoning

### Requested Action:

Continue discussion on Marine Industrial and Marine Commercial districts at the work session. During the regular meeting, forward the draft ordinances to the Port and Harbor Commission for discussion at their December 19th meeting.

### Introduction:

One topic the Commission has not specifically discussed is performance standards. Generally speaking, these are the landscaping requirements, and triggers for storm water plans. The current standards in both marine districts are the same as all the other business districts in Homer. The problem with this is the Spit, a gravel glacial moraine, is nothing like Ocean Drive or East End Road commercial areas. The concerns are different, and the landscaping options are different. Staff has some ideas for Marine Commercial, and would like to have a discussion at the work session on these ideas.

### MC Landscaping options

The Spit is a high human use area, and a forbidding, windy environment to traditional landscaping such as lawns or hanging baskets. Current landscaping requirements state there shall be 3 feet of landscaping along all lot lines (and quite a bit more for larger parking lots). Several conditional use permits have been approved that substituted planters or other features for the landscaping requirements. The Spit Comprehensive plan states "Encourage all developments to provide amenities such as bike racks, benches, picnic tables, trashcans, and landscape features such as planters and are." (p. 34) *Staff recommends* putting these alternative landscape options in code. If the Commission likes this concept, perhaps a developer could install some of those items in place of having three feet of landscaping along lot lines.

### Marine Industrial storm water thoughts

Staff is researching ideas on appropriate snow and storm water management. The difficulty is that public streets cover a much larger percentage of the land on the Spit, than one might find in the East End Mixed Use. Lot by lot storm water design becomes difficult on cramped lots. This creates a lot of expense for very small water quality gains (if any). The City might be more successful in addressing environmental concerns by better management of the large public parking areas. This may not be an issue for the zoning code (but very much open to discussion!)

**Ordinance changes since the last versions**

- Parks as a permitted use in both districts,
- Boat storage added in Marine Commercial as a permitted use.

**Next steps**

Early 2013: Consider comments from the Port and harbor Commission and talk about zoning map changes. Hold a public hearing on the zoning district and map changes (Feb/March). Done!

**Staff Recommendation**

Planning Commission continue discussion on Marine Industrial and Marine Commercial districts at the work session. During the regular meeting, forward the draft ordinances to the Port and Harbor Commission for discussion at their December 19th meeting.

**Attachments**

1. Marine Industrial Draft Ordinance 11/29/12 version
2. Marine Commercial Draft Ordinance 11/29/12 version

# Chapter 21.30 MI Marine Industrial District

11.29.2012

## Sections:

- 21.30.010 Purpose.
- 21.30.020 Permitted uses and structures.
- 21.30.030 Conditional uses and structures.
- 21.30.040 Dimensional requirements.
- 21.30.050 Site and access plan.
- 21.30.060 Traffic requirements.
- 21.30.070 Site development requirements.
- 21.30.080 Nuisance standards.
- 21.30.090 Lighting standards.

21.30.010 Purpose. The purpose of the Marine Industrial District is primarily to provide adequate space for those water-dependent industrial uses that require direct marine access for their operation, such as fishing, fish processing, marine transportation, off-shore oil development and tourism; giving priority to those water-dependent uses over other industrial, commercial and recreational uses. (Ord. 08-29, 2008).

21.30.020 Permitted uses and structures. The following uses are permitted outright in the Marine Industrial District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

- a. Port and harbor facilities;
- b. Manufacturing, processing and packing of sea products;
- c. Cold-storage;
- d. Dry docks;
- e. Wharves and docks, marine loading facilities, ferry terminals, marine railways;
- f. Marine equipment sales, rentals, service, repair and storage.
- g. Boat launching or moorage facilities, marinas, boat charter services;
- h. Warehouse and marshaling yards for storing goods awaiting transfer to marine vessels or off-loaded from a marine vessel and awaiting immediate pickup by land-based transportation;
- ~~i. Other similar uses, if approved after a public hearing by the Commission, including but not limited to those uses authorized in the Marine Commercial District under HCC §§ 21.28.020 and 21.28.030, provided the Commission finds the use meets the following standards and requirements:~~
  - ~~1. The proposed use is compatible with the purpose of Marine Industrial District or provides a necessary service to water dependent industry;~~
  - ~~2. The proposed use is compatible with land use development plans for the Homer Spit and the~~

39 comprehensive plan,  
40 ~~3. Public facilities and services are adequate to serve the proposed use, and~~  
41 ~~4. The Port and Harbor Commission, after a public hearing, has made a written recommendation~~  
42 ~~to the Commission concerning the proposed use, including specifically whether conditions (1)~~  
43 ~~through (3) of this subsection are or may, with appropriate conditions, be met by the proposed~~  
44 ~~use;~~

45 j. Mobile food services;  
46 k. Itinerant merchants, provided all activities shall be limited to uses permitted outright under  
47 this zoning district;

48 l. Recreational vehicle parks, provided they shall conform to the standards in HCC § 21.54.

49 **o. Caretaker, business owner or employee as an accessory use to a primary use. The**  
50 **accommodations must be 50% or less of the building area, and intended use by the**  
51 **occupant for more than 30 consecutive days.**

52 **p. More than one building containing a permitted principal use on a lot.**

53 **q. Restaurant as an accessory use.**

54 **r. Parks**

55 21.30.030 Conditional uses and structures. The following uses may be permitted in the Marine  
56 Industrial District when authorized by conditional use permit issued in accordance with HCC  
57 Chapter 21.71:

58 a. Planned unit development, limited to water-dependent or water-related uses and excluding all  
59 dwellings;

60 b. Boat sales, rentals, service, repair and storage, and boat manufacturing;

61 ~~e. Restaurants and drinking establishments;~~

62 d. Extractive enterprises related to other uses permitted in the district;

63 e. Campgrounds;

64 f. Bulk petroleum storage;

65 ~~g. Caretaker's residence as an accessory to a permitted or conditionally permitted use; permit~~  
66 ~~outright~~

67 ~~h. Heliports;~~

68 i. Pipelines and railroads;

69 ~~j. More than one building containing a permitted principal use on a lot.~~

70 k. Permitted uses that exceed 100 vehicles during peak hour or more than 500 vehicles per day  
71 based on the proposed land use and density, calculated utilizing the Trip Generation Manual,  
72 Institute of Traffic Engineers, most current edition;

73 l. Indoor recreational facilities;

74 m. Outdoor recreational facilities.

75

76 21.30.040 Dimensional requirements. a. Lot Size. The minimum lot size is 6,000 square feet.

- 77 b. Setbacks.
- 78 1. *All buildings shall be set back 20 feet from all dedicated rights-of-way.* Alleys are not subject  
79 to a 20 foot setback requirement. The setback requirements from any lot line abutting an alley  
80 will be determined by the dimensional requirements of subparagraph (2) below.
- 81 2. Buildings shall be set back five feet from all other lot boundary lot lines unless adequate  
82 firewalls are provided and adequate access to the rear of the building is otherwise provided (e.g.,  
83 alleyways) as defined by the State Fire Code and enforced by the State Fire Marshal.
- 84 c. Building Height.
- 85 1. The maximum building height shall be thirty-five feet.
- 86 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor  
87 shall any lot contain building area in excess of ~~30~~ 70 percent of the lot area without an approved  
88 conditional use permit.
- 89 e. Building Area and Dimensions - Retail and Wholesale.
- 90 1. The total square feet floor area of retail and wholesale business uses within a single building  
91 shall not exceed 25,000 square feet.
- 92 2. In no event may a conditional use permit or variance be granted that would allow a building to  
93 exceed the limits of subparagraph (d)(1) and no nonconforming use or structure may be  
94 expanded in any manner that would increase its nonconformance with the limits of subparagraph  
95 (d)(1). (Ord. 08-29, 2008; Ord. 08-27(S)§1, part, 2008).
- 96
- 97 21.30.050 Site and access plan. a. A zoning permit for a building or structure within the Marine  
98 Industrial District shall not be issued by the City without a level two site plan approved under  
99 HCC Chapter 21.73.
- 100 b. No zoning permit may be granted without a level two right-of-way access plan approved under  
101 HCC Chapter 21.73. (Ord. 08-29, 2008).
- 102
- 103 21.30.060 Traffic Requirements. A conditional use permit is required for every use that is  
104 estimated or expected to generate traffic in excess of the criteria contained in HCC § 21.18.060.  
105 (Ord. 08-29, 2008).
- 106
- 107 21.30.070 Site Development Requirements. a. All site development shall conform to the level  
108 two site development standards contained in HCC § 21.50.030.
- 109 b. Point source discharges to a waterway shall be in conformance with the Alaska Department of  
110 Environmental Conservation regulations. (Ord. 08-29, 2008).
- 111
- 112 21.30.080 Nuisance Standards. The nuisance standards of HCC § 21.59.010 apply to all  
113 development, uses, and structures in this zoning district. (Ord. 08-29, 2008).
- 114
- 115 21.30.090. Lighting Standards. The level one lighting standards of HCC § 21.59.030 apply to all  
116 development, uses, and structures in this zoning district. (Ord. 08-29, 2008).





1 **November 29, 2012 Draft**

2 **Chapter 21.28 MC Marine Commercial District**

3 Sections:

- 4
- 5 21.28.010 Purpose.
- 6 21.28.020 Permitted uses and structures.
- 7 21.28.030 Conditional uses and structures.
- 8 21.28.040 Dimensional requirements.
- 9 21.28.050 Site and access plan.
- 10 21.28.060 Traffic requirements.
- 11 21.28.070 Site development requirements.
- 12 21.28.080 Nuisance standards.
- 13 21.28.090 Lighting standards.

14

15 21.28.010 Purpose. The purpose of the Marine Commercial District is primarily for water-related  
 16 and water-dependent uses and the business and commercial uses that serve and support them,  
 17 including but not limited to fishing, marine transportation, off-shore energy development,  
 18 recreation and tourism. It is recognized that unique natural features of Homer’s marine  
 19 environment contribute significantly to the economic and social environments, therefore  
 20 performance standards are required to minimize the impact of development on the natural  
 21 features on which they depend. (Ord. 08-29, 2008).

22

23 21.28.020 Permitted uses and structures. The following uses are permitted outright in the Marine  
 24 Commercial District, except when such use requires a conditional use permit by reason of size,  
 25 traffic volumes, or other reasons set forth in this chapter:

- 26 ~~a. Boat charter offices;~~ Tourism related charter offices such as fishing, flightseeing, day  
 27 excursions and boat charters
- 28 b. Marine equipment sales, rentals, service, repair and storage and parts sales and services;
- 29 c. Retail stores ~~limited to the sale of seafood products, sporting goods, curios, and arts and crafts;~~
- 30 d. Business offices for water-dependent and water related activities such as fish brokers, off-  
 31 shore oil and gas service companies, and stevedores;
- 32 e. Customary accessory uses that are clearly subordinate to the main use of the lot or building  
 33 such as piers or wharves, provided that separate permits shall not be issued for the construction  
 34 of an accessory structure prior to that of the main structure;
- 35 f. Mobile food services;
- 36 g. Itinerant merchants, provided all activities shall be limited to uses permitted outright under  
 37 this zoning district;
- 38 h. Recreational vehicle parks, provided they shall conform to the standards in HCC § 21.54.
- 39 i. As an accessory use, one small wind energy system per lot.(Ord. 09-34(A) §18 (part), 2009;  
 40 Ord. 08-29, 2008).

41 j. Restaurants

42 k. Cold-storage facilities

43 I. Campgrounds

44 m. Manufacturing, processing, cooking, and packing of seafood products

45 o. Caretaker, business owner or employee as an accessory use to a primary use. The  
46 accommodations must be 50% or less of the building area, and intended use by the occupant for  
47 more than 30 consecutive days.

48 p. Lodging as an accessory use, occupying no more than 50% of the floor area of the building.

49 q. Parks

50  
51 21.28.030 Conditional uses and structures. The following uses may be permitted in the Marine  
52 Commercial District when authorized by conditional use permit issued in accordance with HCC  
53 Chapter 21.71:

54 a. Restaurants and drinking establishments; ( reminder: restaurants allowed outright, drinking  
55 establishments are conditional)

56 ~~b. Cold storage facilities;(Allow outright)~~

57 eb. Public utility facilities and structures;

58 ~~d. Dredge and fill when required for construction or maintenance of a structure devoted to one or~~  
59 ~~more uses that are permitted or conditionally permitted in this district;~~

60 ~~ec. Wholesale outlets for marine products;~~

61 ~~fd. Pipelines and railroads;~~

62 ~~ge. Heliports;~~

63 ~~hf. Hotels and motels;~~

64 g. Lodging

65 i. More than one building containing a permitted principal use on a lot.

66 j. Planned unit developments, limited to water-dependent and water-related uses; No dwelling  
67 units other than caretakers

68 k. Indoor recreational facilities;

69 l. Outdoor recreational facilities;

70 m. Campgrounds;(Allow outright)

71 n. Manufacturing, processing, cooking, and packing of seafood products.(Allow outright)

72 ~~o. Other similar uses, if approved after a public hearing by the Planning Commission, including~~  
73 ~~but not limited to those uses authorized in the Marine Industrial district under HCC §§ 21.30.020~~  
74 ~~and 21.30.030, provided the commission finds the use meets the following standards and~~  
75 ~~requirements:~~

76 ~~1. The proposed use is compatible with the purpose of the Marine Commercial District,~~

77 ~~2. The proposed use is compatible with the land use development plan for the Homer Spit and~~  
78 ~~the Comprehensive Plan;~~

79 ~~3. Public facilities and services are adequate to serve the proposed use, and,~~

80 ~~4. If City owned land, the Port and Harbor Commission, after a public hearing, has made a~~  
81 ~~written recommendation to the Planning Commission concerning the proposed use, including~~  
82 ~~specifically whether conditions (1) through (3) of this subsection are or may, with appropriate~~  
83 ~~conditions, be met by the proposed use. (Ord. 08-29, 2008).~~

84 |

85

86 21.28.040 Dimensional Requirements. The following dimensional requirements shall apply to all  
87 structures and uses in the marine commercial district:

88 a. The minimum lot size is 20,000 square feet, except for lots lawfully platted before December  
89 12, 2006. The minimum lot width is 150 feet, except for lots lawfully platted before December  
90 12, 2006.

91 b. Buildings shall be setback 20 feet from all dedicated rights-of-way and five feet from all other  
92 lot boundary lines. Alleys are not subject to a 20 foot setback requirement.

93 c. The maximum building height is 35 feet.

94 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor  
95 shall any lot contain building area in excess of 30 percent of the lot area without an approved  
96 conditional use permit.

97 Building Area and Dimensions - Retail and Wholesale.

98 1. The floor area of retail and wholesale business uses within a single building shall not exceed  
99 25,000 square feet.

100 2. In no event may a conditional use permit, Planned Unit Development, or variance be granted  
101 that would allow a building to exceed the limits of subparagraph (e)(1) and no nonconforming  
102 use or structure may be expanded in any manner that would increase its nonconformance with  
103 the limits of subparagraph (e)(1). (Ord. 08-29, 2008).

104 21.28.050 Site and Access Plan. a. A zoning permit for any use or structure within the Marine  
105 Commercial District shall not be issued by the City without a level one site plan approved by the  
106 City under HCC Chapter 21.73.

107 b. A zoning permit for any use or structure shall not be issued without a level one right-of-way  
108 access plan approved by the City under HCC Chapter 21.73. (Ord. 08-29, 2008).

109

110 21.28.060 Traffic Requirements. A conditional use permit is required for all uses that are  
111 estimated or expected to generate traffic in excess of the criteria contained in HCC § 21.18.060.  
112 (Ord. 08-29, 2008).

113

114 21.28.070 Site Development Requirements. All development shall conform to the Site  
115 Development Requirements contained in HCC § 21.50.030 and the following:

116 a. Development shall not impair or unnecessarily impede use by the public of adjacent publicly-  
117 owned tidelands.

118 b. The location of buildings and roads shall be planned to minimize alteration to the natural  
119 terrain.

120 c. Grading and filling shall not alter the storm berm except as necessary to correct unsafe  
121 conditions.

122 d. Point source discharges to a waterway shall be in conformance with the Alaska Department of  
123 Environmental Conservation regulations. (Ord. 08-29, 2008).

124

125 21.28.080 Nuisance Standards. All development and structures shall conform to the Nuisance  
126 Standards contained in HCC § 21.24.080. (Ord. 08-29, 2008).

127 21.28.090 Lighting Standards. All uses and development shall conform to the Lighting Standards  
128 contained in HCC § 21.59.030. (Ord. 08-29, 2008).

129

**MANAGERS REPORT**  
**November 26, 2012**

**TO:** MAYOR HORNADAY / HOMER CITY COUNCIL

**FROM:** WALT WREDE

UPDATES / FOLLOW-UP

1. MOA with Borough / Garbage Collection: The Port and Harbor contracts for garbage collection on the Spit and it pays for up to twenty, five yard dumpsters at 11 different locations during the year. This costs the Enterprise Fund about \$50,000 per year. It is estimated that about 10 percent of all garbage that winds up in dumpsters there is either garbage from people residing on the South Side of the Bay or local residents who find it more convenient to dump their garbage on the Spit than drive up to the dump on Baycrest Hill. The dumpsters at Ramp 4 and the Fishing Lagoon are hotspots for local residents and the dumpsters at Ramp 6 are a favorite for those residing across the Bay. Harbor users pay for garbage collection through their slip fees and Borough taxes. It is unfair to ask them to cover the cost associated with dumping by others. The Spit is in effect functioning like a transfer facility for the Borough. The Borough has recognized this in effect by placing a recycle dumpster there and by reimbursing the Enterprise Fund \$ 875 per year for one dumpster that is tipped five times. Clearly not enough. All Borough residents pay for garbage collection through their taxes. Since the Spit is functioning like a transfer station, it seems reasonable that the City should receive more than \$875 per year from the Borough. We are hoping for some discussion on the topic and for permission to negotiate a new arrangement with the Borough.
2. H.S. Football Field Upgrade: As you know, the School District is hoping to obtain funding this legislative session for new artificial turf at the High School Football field. Attached is a proposed project description and budget. I had several conversations with Dr. Gee this past week about the project. The District would like to obtain some level of support from the City. The range of possibilities include a resolution, placement on the City CIP List, and appropriating local matching funds. The District is currently working on getting the project on the Borough and School Board CIP Lists. Dr. Gee may request to speak with the Council as a visitor at an upcoming meeting.
3. Proposed Capital Budget Amendment: Attached is a proposed budget amendment submitted by the Public Works Department. This proposed expenditure was submitted too late to make the draft budget, however, it has emerged as a priority for PW. The money would come from the sewer reserves. This project has to do with upgrading the telemetry which automatically feeds staff data about the system and sends alarms if there are problems. At this point it would be up to Council to amend the budget to add this appropriation if it sees fit. We hope that you will.
4. Homer Hockey Tournament: The City received a big thank you letter this week from Homer Hockey Association for its recent contribution to the purchase of

zamboni batteries. The Association pointed out that City support helps it provide a great recreational opportunity for local residents. The rink also provides a big boost to the local economy. This weekend the Association hosted the End of the Road Shoot Out Tournament which includes teams from many Alaska communities. Please see the attached tournament schedule. I thanked the Association but informed them that I could not accept the season pass. I attended part of the tournament and the Mariners played terrific.

5. Dredged Spoils: At the time this report was written, the dredging project at the fishing lagoon was just about complete. The materials that came from the lagoon are of high quality. We plan to RFP this material separately from the other dredged materials and use the proceeds to replenish the Fishing Lagoon Maintenance Fund.
6. Jail Position: Chief Robl has 4 temporary, part time staff that he uses to cover shifts at the jail. This has worked out well in the past because it gives him some flexibility in terms of scheduling and because he has been able to hire mostly retired, experienced personnel. The problem for us is that the number of hours we are able to use part time employees is limited by PERS rules. Due to a variety of circumstances, these folks have been working many hours and we need to cut them back or face penalties. The solution to this problem is to eliminate several of these part time positions and hire one full time position. Finance has run the numbers and it appears that we could make this move without budgeting any additional funds. Please see the attached budget request. However, doing this would be adding another authorized, full-time, position with full benefits. This would require action in the form of a motion to amend the budget. No additional funds would be required but we do need a full time position authorized. We hope you will do so. Mark, Regina, and Andrea will all be available to answer questions you may have.
7. Fender Failure and Dolphin Damage: This agenda contains resolutions awarding contracts to repair a dolphin at the Pioneer Dock and to remove damaged fenders at the Deep Water Dock. The damage at the Pioneer Dock was caused by the ferry and the State of Alaska will pay the cost of the repairs. The damaged fenders on the Deep Water Dock were scheduled to be removed anyway next Spring as part of the Cruise Ship grant project, so the grant will pay for this work. The fenders need to be removed now because they are a safety hazard.
8. Employee Wellness Program: The Employee Committee reports that approximately 80% of all employees have now signed up for the wellness program. Folks are really getting into it. The Committee is working to inform employees about the self insurance health care plan and steps they can take to save the plan money. It is hoped that a well informed and healthy work force will use the plan less and reduce costs in the process.
9. Natural Gas Update: The three scheduled community meetings have taken place and I believe that for the most part, they went pretty well. The certified mailing containing the improvement plan and the objection forms went out on November 1<sup>st</sup>. That was a monumental effort and I believe the Post Office is still upset with us for all the congestion this caused there! It looked like Christmas came early. I am currently working with Enstar on a draft construction contract that we can

make available for public review. Between now and January we will make ourselves available to any organization that would like a presentation on the HSAD.

10. Deferred Assessments for Seniors: One of the questions we have received most often about the proposed natural gas HSAD is whether deferred assessments will be available. Our answer is unsatisfactory to most people. The answer is maybe. The code as currently written would allow for deferred assessments. However, the Council would have to approve them on a case by case basis. The Council would also have to identify a funding source to pay for the deferred assessments. This issue warrants discussion and I think it would be beneficial to definitely answer it soon, before the late January end of the objection period. Tom Klinkner advises that if the Council does not wish to provide deferred assessments in this case, it could make that clear by either making a motion as part of the budget approval process or adopting an ordinance amending the code, or both. The staff is working to see if it can get a reasonable estimate on how many seniors might be eligible for the deferment so we have a better sense of how much money we are talking about.
11. Main St. / Sterling Highway: Last month I visited DOT/PF in Anchorage and I was informed that their application for funding for the Sterling Highway/Main Street intersection under the Highway Safety Intersection Program (HSIP) was funded. DOT/PF is approved for \$2.8 Million to do either a roundabout or a traffic signal. Design and some permitting and ROW work will begin next year. A four way stop and blinking light, similar to the one currently at Pioneer and Lake is also funded. So, the City will need to make a final decision about how it wants to use the \$2 Million that it has. The sooner the better so that it can be integrated into the larger project.
12. Deep Water Dock MOU: After years of lobbying and negotiation, I am happy to say that we now have a draft MOU for the dock expansion feasibility work. We are reviewing it now and hope to be ready for Council action in the near future. Recall that the City has \$2 Million in a federal appropriation and \$1 Million in a state appropriation to do feasibility studies and some design and permitting work. The studies would look at lengthening the dock face and strengthening the trestle.
13. MAP 21: While I was at DOT/PF, I received a briefing on the recently passed federal transportation bill, known as Map 21. Information is attached. It appears that cities in Alaska will have to again pay more attention to the STIP process in order to get projects funded. Earmarks cannot be counted on as they have been in the past.

## ATTACHMENTS

1. H.S. Football Field Improvement Plan
2. Proposed Capital Budget Amendment / SCADA Equipment Upgrade
3. Letter from Homer Hockey
4. Proposed Jail Position







# *Office of the Mayor*

*Mary E. Wythe*

Homer City Hall  
491 E. Pioneer Avenue  
Homer, Alaska 99603-7624

Phone 907-235-8121 x2229  
Fax 907-235-3143

November 27, 2012

Larry Slone  
PO Box 2761  
Homer, AK 99603

Dear Mr. Slone,

Congratulations! Council confirmed/approved your appointment to the Advisory Planning Commission during their Regular Meeting of November 26, 2012, via Memorandum 12-171.

Included is the 2012 Public Official Conflict of Interest Disclosure Statement. Please complete this document and return to the Clerk's office. This form will be retained in the Clerk's office. It is a public document and may be requested by any member of the public. In the event the Public Official Conflict of Interest Disclosure Statement is requested by a member of the public, you will be notified of the requestor's name.

Also included is the Code of Ethics as outlined in Homer City Code 1.18. This provides important guidelines in your role as a commissioner as to conduct and conflicts of interest.

Thank you for your willingness to serve the City of Homer on the Advisory Planning Commission.

Your term will expire July 1, 2014.

Cordially,

Beth Wythe, Mayor

Enc: Memorandum 12-171  
Certificate of Appointment  
HCC 1.18 Conflicts of Interest, Partiality & Code of Ethics  
2012 Public Official Conflict of Interest Disclosure Statement

Cc: Homer Advisory Planning Commission

# City of Homer

Homer, Alaska

Mayor's Certificate of Appointment

Greetings

Be It Known That

*Larry Slone*

Has been appointed to

serve as

**“Commissioner”**

on the

**“Advisory Planning Commission”**

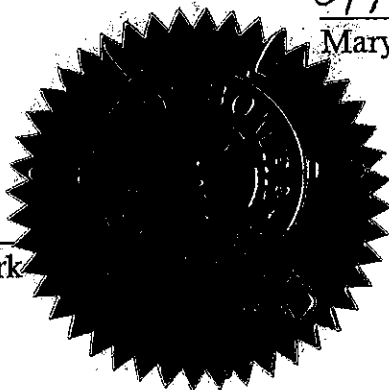
*This appointment is made because of your dedication to the cause of good government, your contributions to your community and your willingness to serve your fellow man.*

*In Witness whereof I hereunto set my hand  
this 27<sup>th</sup> day of November, 2012.*

*Mary E. Wythe*  
Mary E. Wythe, Mayor

Attest:

*J. Johnson*  
Jo Johnson, CMC, City Clerk





# *Office of the Mayor*

*Mary E. Wythe*

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## **MEMORANDUM 12-171**

TO: HOMER CITY COUNCIL

FROM: MARY E. WYTHE, MAYOR

DATE: NOVEMBER 19, 2012

SUBJECT: APPOINTMENT OF LARRY SLONE TO THE PLANNING COMMISSION.

Larry Slone is appointed to the Planning Commission to fill the seat vacated by James Dolma. His appointment will expire July 1, 2014.

### RECOMMENDATION:

Confirm the appointment of Larry Slone to the Planning Commission.

Fiscal Note: N/A

