

WORK SESSION AGENDA

1. Call to Order 5:30 p.m.
2. Storm Water and Green Infrastructure Discussion with City Engineer, Carey Meyer. **pg. 29**
3. Discussion of Items on the Regular Meeting Agenda
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.

A. Approval of Minutes of March 5, 2014 meeting **pg. 5**

B. Decisions and Findings for CUP 2014-04 for a Fire station at 188 Skyline Drive. **pg. 11**

6. Presentations

7. Reports

A. Staff Report PL 14-27, City Planner's Report **pg. 17**

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 14-28, Ordinance 14-09(A) An ordinance of the City Council of Homer, Alaska, amending Homer City Code 21.12.020, "Permitted Uses and Structures", to expand the permitted uses in the Rural Residential District to include the addition of a detached dwelling unit as an accessory to a single family dwelling on a lot serviced by city water and sewer services **and on a lot that is over one acre not serviced by city water and sewer services.** **pg. 21**

9. Plat Consideration

10. Pending Business

A. Staff Report PL 14-29, Storm Water and Green Infrastructure March 19, 2014 **pg. 29**

11. New Business

A. Staff Report PL 14-30, Vacancies and Absences **pg. 39**

12. Informational Materials

- A. DOT&PF Open House Notice for Sterling Highway & Main Street Intersection Improvements **pg. 41**
- B. KPB Plat Committee Notice of Decision Re: Tietjen Sub. Compass Addition Replat Preliminary Plat **pg. 43**
- C. KPB Planning Commission Notice of Decision Re: Tulin Terrace Sub. East Terrace Add. Time Extension Request **pg. 49**
- D. City Manager's Report from the March 10, 2014 City Council Meeting **pg. 51**
- E. Letter from Virginia Tornes Re: Mattox Subdivision 2014 Preliminary Plat **pg. 57**
- F. Email from City Attorney, Thomas Klinkner Re: Open Meetings and Advisory Commissions **pg. 59**

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 April 2, 2014. A work session will be held at 5:30 pm.

Session 14-05, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on March 5, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, HIGHLAND, SLONE, STEAD, VENUTI

ABSENT: SONNEBORN, STROOZAS

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER
FIRE CHIEF PAINTER

Approval of Agenda

Chair Venuti called for a motion to approve the agenda.

SLONE/HIGHLAND SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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).

None

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.

- A. Approval of Minutes of February 19, 2104 meeting
- B. Decision and Findings for CUP 2014-03 Proposal of 4 rental cabins at 4725 Kachemak Drive.
More than one building containing a permitted principal use of a lot HCC 21.14.030(n)

Chari Venuti called for a motion to approve the consent agenda.

HIGHLAND/SLONE SO MOVED

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

A. Staff Report PL 14-17, City Planner's Report

City Planner Abboud reviewed his staff report.

Commissioner Slone asked whether the realtors had been asked to attend a worksession and talk to the Commission. City Planner Abboud said he has asked, but they didn't express much interest in participating right now. Mr. Slone also raised concern about Commissioner Sonneborn's number of consecutive absences and he hopes the issue of excused absences can be put on the next agenda along with some other bylaw changes that need to be dealt with.

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 14-21, Public Hearing for an Unlisted Use Per HCC 21.04.020 for a Fire Station Within the Rural Residential District

City Planner Abboud reviewed the staff report.

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

BOS/HIGHLAND MOVED TO ADOPT STAFF REPORT PL 14-21 FOR AN UNLISTED USE PER HCC 21.04.020 FOR A FIRE STATION WITHIN THE RURAL RESIDENTIAL DISTRICT WITH STAFF RECOMMENDATIONS AND FINDINGS.

Commissioner Bos commented that this has been on the city's wish list for a long time and it is good to move ahead with it.

Commissioner Stead noted there is a similar fire station being proposed on Diamond Ridge. City Planner Abboud said it is a quite a way from the city and he doesn't know when it's going to be done. Mr. Stead also questioned the square footage in rural residential. Mr. Abboud said the site is over 8 acres and this won't exceed the allowable square footage.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
MARCH 3, 2014

Commissioner Highland questioned the cost to the city. City Planner Abboud explained that the funding is in place through a legislative grant that was reallocated to this project and the Harbormaster's building project.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report PL 14-22, Condition Use Permit 2014-14 for a Fire Station at 188 Skyline Drive

City Planner Abboud reviewed the staff report.

Public Works Director Meyer and Fire Chief Painter had nothing additional to present and were available for questions.

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

Commissioner Stead asked if there are any concerns with the parcel being part city land and part borough land. City Planner Abboud explained that there are no restrictions by the Borough relating to the property, and it would have to be reviewed by the Commission based on the Bridge Creek Water Shed district requirements.

In response to questions, Public Works Director Meyer explained that the foundation is from the former water treatment plant building that collapsed a few years back. The foundation is still intact and will be reinforced with a 4 to 8 inch slab on top to better accommodate the heavy vehicles. The former water plant was built for a heavy load as the building housed water tanks and other equipment. The building will be steel framed and will be serviced with natural gas by the end of summer. The roof will be designed for snow loads up to 100 pounds per square foot, and the project does not create any more impervious area.

Fire Chief Painter explained that the station will not be manned. The original plan includes a small office for completing paperwork and a restroom and is designed as a storage facility for the reserve engine, and hazmat trailer. They would move a pumper truck up there when they acquire a ladder truck, and a brush truck as that is the greater wild land danger area. It will be a three or four bay building, depending on what the budget allows for. In relation to improving response time Fire Chief Painter explained that it will be more efficient in responding to fires in the area. Fire trucks are slow to begin with, and their speed driving the heavier trucks up East or West Hill can reduce to as low as 20 miles per hour. The tanker that will be housed up there weighs 57,000 pounds. It is expected that dispatching a team from town in utility vehicles will result in a more effective response time for the area. He added that it will improve insurance rates for people within a 5 mile radius.

BOS/HIGHLAND MOVED TO ADOPT STAFF REPORT PL 14-22, CUP 14-04 FOR A FIRE STATION AT 188 SKYLINE DRIVE WITH STAFF RECOMMENDATIONS AND FINDINGS.

There was no further discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Plat Consideration

None

Pending Business

- A. Staff Report 14-24, Ordinance 14-09(A), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12.020, "Permitted Uses and Structures", to Expand the Permitted Uses in the Rural Residential District to Include the Addition of a Detached Dwelling Unit as an Accessory to a Single Family Dwelling on a Lot Serviced by City Water and Sewer Services. City Manager/Planning. Introduction February 10, 2014, Public Hearing and Second Reading February 24, 2014

City Planner Abboud reviewed the staff report.

The Commission discussed the proposed amendment to include lots over one acre not serviced by water and sewer. They reviewed the process the city uses for approving plans for homes with septic systems. City Planner Abboud explained that city reviews the plan approved by DEC and that it is being installed by a certified installer.

The general consensus of the group was that it should remain allowable as a conditional use. They expressed concern about ensuring adequacy of the system in place being able to accommodate the additional housing. It was also suggested that there be a separate system in place for the additional dwelling. Another issue raised is that generally people living in the rural district don't want a lot of density in their neighborhoods, and leaving it as a CUP gives people an opportunity to be noticed and give feedback about the development.

The Commission will hold a public hearing at their next meeting and make their recommendations after they hear public input.

- B. Staff Report PL 14-23, Heliports March 2014

Chair Venuti noted that they addressed this during the worksession.

Question was raised whether the hospital heliport will be squared away before they take on the rest of this. City Planner Abboud said there are different ways this can be addressed and he will work with the attorney on the best way to resolve it.

Commissioner Highland expressed her opposition to helipad in the rural office district, with exception of the hospital, and in the bridge creek watershed area. She would be supportive of it in GC2 and marine industrial with a special temporary permit that could be acquired from the Planning Department, but not as a use through a CUP.

Regarding the Bridge Creek Watershed area, City Planner Abboud said he would be reluctant to disallow it as there are areas that are difficult to get to and he doesn't think it would impede on the

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
MARCH 3, 2014

water quality that much. The purpose of the area is exclusively to protect the water, aside from that, it's outside the city.

They reviewed the area designated as GC2 and discussed heliport and helipad uses.

SLONE MOVED TO COMBINE THE TWO TERMS AND CALL THEM HELICOPTER OPERATIONS IN CONJUNCTION WITH CUP'S.

Motion failed for lack of a second.

City Planner Abboud said they can continue to work on this topic at future meetings.

C. Staff Report PL 14-25, Itinerant Merchant (IM) and Mobile Food Service Vendors (MFS)

City Planner Abboud reviewed the staff report that included feedback from their February 5th meeting. This is an update and staff will continue to explore solutions with Public Works and the Police Department, and then report back to the Commission.

The Commission didn't have additional input. At their last meeting they had talked about having a hearing in the spring to get feedback from interested parties.

New Business

None

Informational Materials

- A. KPB Plat Committee Notice of Postponement Re: Barnett's South Slope Subdivision Quiet Creek Park Preliminary Plat
- B. KPB Planning Commission Notice of Subdivision/Replat Re: Barnett's South Slope Sub Quiet Creek Park
- C. Email from KPB Platting Staff to Homer Planning Staff with revised Quiet Creek Preliminary Plat
- D. City Manager's Report from the February 24, 2014 City Council Meeting

Comments of the Audience

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

None

Comments of Staff

There were no staff comments.

Comments of the Commission

Commissioner Highland wanted to make sure that the storm water and green infrastructure will be put on the agenda.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
MARCH 3, 2014

Commissioner Bos said he would still like to hear from Public Works Director Meyer about storm water at a worksession.

There were no other Commission comments.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:00 p.m. The next regular meeting is scheduled for March 19, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



HOMER ADVISORY PLANNING COMMISSION

Meeting of March 5, 2014

Conditionally Approved

RE: Conditional Use Permit (CUP) 14-04

Address: 188 Skyline Drive

Legal Description: Hillstrand's Homestead, Lot 2

DECISION

Introduction

The City of Homer Public Works Department (the "Applicant") applied to the Homer Advisory Planning Commission (the "Commission") for a conditional use permit under Homer City Code HCC 21.12.030(n) and 21.40.060(g) for "More than one building containing a permitted principal use on a lot," 21.40.060(e) "Other uses similar to permitted and conditionally permitted in the Bridge Creek Watershed Protection District," and 21.40.080 Erosion and sediment control plan. The property is in the Rural Residential District and the Bridge Creek Watershed Protection District. The applicant proposes to build a fire station.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on March 5, 2014. Notice of the public hearing was published in the local newspaper and sent to 11 property owners of 8 parcels.

At the March 5, 2014 meeting of the Commission, the Commission voted to approve the request with five Commissioners present, and five Commissioners voted in favor of the conditional use permit.

Evidence Presented

Public Works Director Meyer and Fire Chief Painter responded questions about the fire station construction, and emergency response operations. There was no public testimony.

Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determines that Condition Use Permit 14-04 for a fire station at 188 Skyline Drive is hereby approved.

1. 21.40.080 Erosion and Sediment Control Plan

Condition 1: Site activity must comply with the soil and erosion control plan approved by the Public Works Director.

2. Other similar uses to uses permitted and conditionally permitted in the BCWPD, 21.40.060(e):

Finding 1: A fire station is similar to a private storage yard of equipment such as trucks and automobiles that are in good mechanical and operable order.

Finding 2: The Fire Station will not create impervious cover in excess of the limits in HCC 21.40.70 because it utilizes existing impervious surface area. No new impervious surface will be created by the construction and operation of the fire station.

3, 4. More than one building containing a permitted principle use, 21.12.030(n) and 21.40.060(g)

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030 and 21.71.040.

- a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

Finding 3: HCC 21.12.030(n) and 21.40.060(g) allow for more than one building containing a permitted principle use on a lot.

- b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.

Finding 4: The fire station will provide improved fire protection service that will support residential land uses and the purpose of the Rural Residential district.

Finding 5: The fire station will not degrade water quality or increase the cost for water treatment. The proposed use and structure are compatible with the purpose of the Bridge Creek Watershed Protection District.

- c. The value of the adjoining property will not be negatively affected greater than that anticipated from other permitted or conditionally permitted uses in this district.

Finding 6: The value of adjoining property will not be negatively affected greater than multi-family dwellings, mobile homes or conditionally permitted uses such as kennels, heliports and recreational facilities.

- d. The proposal is compatible with existing uses of surrounding land.

Finding 7: The proposed development is compatible with the existing municipal water treatment plant and tank facilities. Area properties will not be greatly impacted by infilling municipal service buildings on this parcel.

- e. Public services and facilities are or will be, prior to occupancy, adequate to serve the proposed use and structure.

Finding 8: Public services and facilities are adequate for the proposed use and structure. City water is available and access is via a paved, state maintained road.

Finding 9: The fire station will enhance the public services in the area by providing faster emergency response.

- f. Considering harmony in scale, bulk, coverage and density, generation of traffic, the nature and intensity of the proposed use, and other relevant effects, the proposal will not cause undue harmful effect upon desirable neighborhood character.

Finding 10: The scale, bulk, coverage and density of the development will be in harmony with the existing water treatment plant. The fire station will not cause an undue harmful effect of the desirable neighborhood character.

- g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

Finding 11: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the City as a whole. Emergency services will be improved for the surrounding area and the city as a whole.

- h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.

Finding 12: The proposal shall comply with all applicable regulations and conditions and acquire a zoning permit prior to any construction activity.

- i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

Finding 13: This proposal supports the goals and objectives of the Comprehensive Plan. The fire station and provision of emergency services supports increased housing and infill development. The station also reuses an existing foundation and impervious area, thereby reducing the global impact of a new building.

- j. The proposal will comply with all applicable provisions of the Community Design Manual

Finding 14: The Outdoor Lighting section of the Community Design Manual applies to this project.

Condition 2: Fire station lighting shall meet the outdoor lighting standards per HCC 21.59.030 Lighting standards, to reduce glare and light trespass by using downward directional lighting.

In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

1. Special yards and spaces.
2. Fences, walls and screening.
3. Surfacing of vehicular ways and parking areas.
4. Street and road dedications and improvements (or bonds).
5. Control of points of vehicular ingress and egress.
6. Special restrictions on signs.
7. Landscaping.
8. Maintenance of the grounds, buildings, or structures.
9. Control of noise, vibration, odors, lighting or other similar nuisances.
10. Limitation of time for certain activities.
11. A time period within which the proposed use shall be developed and commence operation.
12. A limit on total duration of use or on the term of the permit, or both.
13. More stringent dimensional requirements, such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code.
14. Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

Finding 15: No additional conditions deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria.

Conclusion

Based on the foregoing findings of fact and law, Conditional Use Permit 2014-04 is hereby approved, with findings 1-15 and conditions 1-2.

_____	_____
Date	Chair, Franco Venuti

_____	_____
Date	City Planner, Rick Abboud

NOTICE OF APPEAL RIGHTS
Pursuant to Homer City Code, Chapter 21.93.060, any person with standing that is affected by this decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date of distribution indicated below. Any decision not appealed within that time shall be final. A notice of appeal shall be in writing, shall contain all the information required by Homer City Code, Section 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-7645.

CERTIFICATION OF DISTRIBUTION
I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2014. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

_____	_____
Date	Travis Brown, Planning Clerk

Public Works Department 3575 Heath St. Homer, AK 99603	Thomas Klinkner Birch, Horton, Bittner & Cherot 1127 West 7th Ave Anchorage, AK 99501
Walt Wrede, City Manager 491 E Pioneer Avenue Homer, AK 99603	



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

STAFF REPORT PL 14-27

TO: Homer Advisory Planning Commission
FROM: Planning Staff
MEETING: March 19, 2014
SUBJECT: City Planner's Report

City Council

After much discussion of several Planning related items on the meeting of February 24, the City Council did not have planning related items on the March 10 agenda. One Item on the consent agenda was the related to the Fire Station that received a CUP from the Commission last meeting:

Ordinance 14-12, An Ordinance of the City Council of Homer, Alaska, Amending the 2014 Operating Budget by Appropriating \$15,000 From the Fire Depreciation Reserve and \$83,000 From the General Fund – Fund Balance for the Homer Fire Station #2 Skyline Drive Project. City Manager/Public Works Director. Recommended dates: Introduction March 10, 2014, Public Hearing and Second Reading March 24, 2014.

Quiet Creek Subdivision: Borough Plat Committee 3.10.14:

Barnett's South Slope Sub Quiet Creek Park

KPB File 2014-016 [Seabright/Neal]

Location: City of Homer

POSTPONED FROM FEBRUARY 10, 2014 MEETING

Motion passed by unanimous consent to grant approval of the revised preliminary plat subject to staff recommendations and findings.

Amendment motion passed by unanimous consent to grant exception to KPB 20.20.030, extending right of way to Lot 8 AA Mattox Subdivision 1958 Addition.

Amendment motion passed by unanimous consent to grant exception to KPB 20.20.120, Radius of Curve 11.

Amendment motion passed by unanimous consent to have the final plat brought back to the Plat Committee for final review.

Alaska Planning Conference: Dotti is on the committee to help organize the Commissioner training workshops and Mobile tours. The conference will be Sunday – Tuesday, Nov. 16-18th at the Hotel Captain Cook. If you have any suggestions for session topics or tours talk to Dotti 435-3118.

Recreational Needs Assessment: Julie is busy compiling a RFP for the needs assessment.

Chamber of Commerce Sign workshop: Dotti has started her spring round of sign workshops, hosted by the Chamber of Commerce. The first workshop is scheduled tentatively for March 18th.

Board of Realtors Luncheon: Planning staff has been invited to speak to the Kachemak Board of Realtors about the Bridge Creek Watershed Protection District at their luncheon on March 19. How it was created, how some of the rules came about.

New Partners for Smart Growth Conference: A trip report for the conference is attached

Homer Chamber of Commerce “Business after Hours” with the EDC and the HAPC is tentatively scheduled for Thursday, May 15th. The Planning and Economic Development Commissions are hosting the event, with a few staff.

City of Homer Citizen’s Academy: The Academy consists of 6 classes every Thursday from February 20 through March 27, culminating in a certification ceremony at City Council on April 14. The goal of the Citizens Academy is to increase and develop citizen's knowledge of how the City operates. Citizens will learn the complexities involved with running a municipality to help them imagine the potential of Homer and encourage them to assume leadership roles in the community. Rick will present for the Planning Office followed by Finance Director, John Li, and Community Recreation Program Coordinator Mike Illg starting at 5:30 on Thursday, March 27 in Council Chambers.

Attachments:

Smart Growth Conference Trip Report

New Partners for Smart Growth Conference February 2014

The New Partners for Smart Growth Conference was held in Denver, CO this year. It was a three day conference which had pre and post conference activities. The theme of the conference was “building safe, healthy, equitable and prosperous communities.” A major sponsor of the conference is the EPA. The participants included community planners, local politicians, representatives of NGO’s, for-profit consultants, contractors and representatives of federal government. Over 1200 people attended.

I was able to find sessions of interest to me and the city. I started out on some mobile sessions. The first displayed several structures that were repurposed into collaborative work spaces. An old school, a horse barn and a former bank building were converted into workspaces. The most interesting were the horse barn and the bank building which were turned into themed office space for a state-of-the-art global center for international aid nonprofits and a lively hub for more than 60 start-up entrepreneurs respectively. Just walking through you could see exciting things were happening. Collaboration was happening as a result of proximity and reinforced with a staff facilitator.

Next was an example of redevelopment facilitated by the housing authority. Tools for the project included a Cultural Audit, a Health Impact Assessment, a Pedestrian Environmental Quality Index, and design charrettes. I was particularly interested in the public process that included everything from flyers, community events, door-to-door interviews and gaining input from neighborhood representatives. New construction was designed to not introduce any additional storm water runoff from previous levels.

The rest of the conference was spent inside in session (which was particularly rough as it was 60 and sunny outside). Below is a highlight of particularly useful sessions I attended:

Big Ideas, Small Towns – This promoted youth attraction as opposed to youth retention. We explored how we act with youth engagement addressing things we may do to, for, and with youth. Entrepreneurism is also a focus of successful small towns. Cities successful in this category have taken time to celebrate successes. Some helpful web sites include; ruralbychoice.com and PublicSquareCommunities.com.

Climate Change Adaptation – A city council representative presented on the “Sustainable Santa Monica” plan. A key provision in the plan was 15 measures from which to gauge success. The city of Denver also presented promoting Denver Energy Challenge, Certifiably Green Denver and the City Energy Project.

Green Infrastructure, Not Just About Water – Presenters gave an overview of their regional sewer district and their management of a combined sewer system. Information was given on the national storm water calculator and green infrastructure technical assistance programs. Another presenter gave information on complete streets in a small community, Glendive, MT.

Combating Zombie Subdivisions – Wow, what an opportune session. While Homer did not have the issue on the scale of those presented, as one example was a “dead” 4000 lot subdivision, it did have wide examples of most of the issues that were part of the presentation. I was happy to find that my concepts

about solutions on how to deal with the various issues we face with Homer subdivision is right on track. I brought home a few copies of the publication that was focused on; Arrested Developments, Policy Focus Report, by the Lincoln Institute of Land Policy. It should prove to be a valuable tool as we consider various items related to our subdivision policy.

Marijuana Dispensaries – Not part of the conference, but a hot topic nationwide and locally. With the upcoming Alaskan referendum and its potential for success, I wanted to see (from a zoning perspective!) how this was working. I limited my travel to nearby places that could be reached by foot. I have no idea how many I might have missed, but easily found four. They really did not stand out much from any other businesses. No product display or other rendition of marijuana is allowed to be observable from outside the premises. They are to close no later than 7pm each night. There were both medical and recreational dispensaries. Apparently, the difference is the price and tax rate, otherwise presentation was similar. Smoking in public is illegal, although I did notice it a few times. I am not sure that there is any distance requirements from one another, as I found two dispensaries located in the same mini-mall located right next to eateries and other small commercial businesses (perhaps one was medical and the other recreational although with the names of 'Green man' and 'Purple Haze', I'm guessing that they were both recreational). They are to be at least 100 feet away from a school. Cities may create additional requirements. At the time I walked by, I noticed nothing that would not be expected from any other establishment found nearby. Somehow, I think this will be a subject of a future Planning Commission meeting.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 14-28

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 19, 2014
SUBJECT: More than one – amended by City Council

Review: The Planning Commission discussed the proposed amendment at the last meeting. As directed in HCC, the Commission needs to hold a public hearing on proposed amendments to Title 21 prior to making a recommendation to the City Council. This is that opportunity. We would like to have your reasoning for your recommendation on the record so it can easily be understood in a memo to the council, as I will likely not be available to present to the council.

Staff Recommendation: Hold a public hearing and discuss items to clearly document the reasoning for the Planning Commission's recommendation on the record.

Attachments:

1. SR 14-24
2. Ordinance 14-09(A)



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 14-24

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 5, 2014
SUBJECT: Accessory Dwelling in Rural Residential

Background

After recommendation of the PC, the City Council affirmed the proposal of allowing, *“One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single family dwelling on a lot serviced by City water and sewer services in compliance with Title 14 of this code.”*

In addition, a motion was made to amend to ***“allow an accessory detached family dwelling on any rural residential lot over one acre without access to city water and sewer.”***

This amendment was then forwarded to the PC for review. We plan to have a public hearing next meeting.

Discussion

If the Commission wishes to affirm recommendation for the concept, we need to adjust the language to be consistent with other provisions of the title.

Concept: *One detached dwelling unit, excluding mobile homes, as an accessory building to a principle single family dwelling* (in the rural residential district regardless of water and sewer status).

Items for discussion:

- Dimensional requirements already handle the amount of land necessary. No reference to amount of land is necessary unless some other requirement might be considered by the commission.
- Similarly, access to city water and sewer really does not provide any other direction than is already provided by code.
- If other considerations are not unique in relation to access to city services, the concept could be combined into one code amendment that omits reference to services.
- Is there any benefit to handle such a request as a CUP?
 - o Notice of neighbors?
 - o Special conditions or considerations for review?

Staff Recommendations:

1. Discuss proposal and make any necessary amendments prior to forwarding to a public hearing.

CITY OF HOMER
HOMER, ALASKA

City Manager/Planning

ORDINANCE 14-09(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE 21.12.020, "PERMITTED USES AND
STRUCTURES", TO EXPAND THE PERMITTED USES IN THE RURAL
RESIDENTIAL DISTRICT TO INCLUDE THE ADDITION OF A
DETACHED DWELLING UNIT AS AN ACCESSORY TO A SINGLE
FAMILY DWELLING ON A LOT SERVICED BY CITY WATER AND
SEWER SERVICES **AND ON A LOT THAT IS OVER ONE ACRE NOT
SERVICED BY CITY WATER AND SEWER SERVICES.**

WHEREAS, The City of Homer, Alaska, permits the addition of a detached dwelling unit
as an accessory to a single family dwelling in other districts, including but not limited to the
urban residential district; and

WHEREAS, It is in the City's best interest to permit the addition of detached dwelling
units as an accessory to a single family dwelling in the rural residential district so long as the
property at issue is serviced by the City of Homer water and sewer system.

THE CITY OF HOMER HEREBY ORDAINS:

Section 1. Homer City Code 21.12.020 is amended to read as follows:

The following uses are permitted outright in the Rural Residential District:

- a. Single-family dwelling;
- b. Duplex dwelling;
- c. Multiple-family dwelling, only if the structure conforms to HCC 21.14.040(a)(2);
- d. Public parks and playgrounds;
- e. Rooming house, bed and breakfast and hostel;
- f. Home occupations, provided they conform to the requirements of HCC 21.51.010;
- g. Agricultural activities, including general farming, truck farming, livestock farming,
nurseries, and greenhouses; provided, that:
 1. Other than normal household pets, no poultry or livestock may be housed
and no fenced runs may be located within 100 feet of any residence other than
the dwelling on the same lot;
 2. No retail or wholesale business sales office is maintained on the premises;
- h. Private stables;

[Bold and underlined added.] Deleted language stricken through.

- i. Private floatplane tie-down as an accessory use incidental to residential use;
- j. Storage of personal commercial fishing gear in a safe and orderly manner and separated by at least five feet from any property line as an accessory use incidental to residential use;
- k. As an accessory use incidental to residential use, the private outdoor storage of noncommercial equipment, including noncommercial trucks, boats, and not more than one recreational vehicle in a safe and orderly manner and separated by at least five feet from any property line, provided no stored equipment, boat or vehicle exceeds 36 feet in length;
- l. Other customary accessory uses incidental to any of the permitted uses listed in the RR district; provided, that no separate permit shall be issued for the construction of any detached accessory building prior to that of the main building;
- m. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
- n. Mobile homes, subject to the requirements of HCC 21.54.100;
- o. Day care homes; provided, however, that outdoor play areas must be fenced;
- p. Recreational vehicles, subject to the requirements of HCC 21.54.320;
- q. Open space, but not including outdoor recreational facilities described in HCC 21.12.030;
- r. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts;
- s. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single family dwelling on a lot serviced by City water and sewer services in compliance with Title 14 of this code.**
- t. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single family dwelling on a lot that is over one acre and not serviced by City water and sewer services.**

Section 2. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____, 2014.

CITY OF HOMER

MARY E. WYTHE, MAYOR

[Bold and underlined added. Deleted language stricken through.]

81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113

ATTEST:

JO JOHNSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form.

Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____

Fiscal Note: N/A

[Bold and underlined added. Deleted language stricken through.]



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 14-29

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: March 19, 2014
SUBJECT: Storm Water and Green Infrastructure

Recap: Staff Report 14-18, and the minutes from February 19th are attached. Commissioner Stead volunteered to review City code and bring back suggestions to the Commission.

Recent activity: Staff has invited Public Works Director Meyer to speak about storm water infrastructure at a work session. As of the writing of this report, no date has been confirmed.

Staff has also been involved in a project with the Soil and Water Conservation District on wetlands. I have been using the opportunity to learn more about some of our local hydrology issues. So far, my impression is that while wetlands are important, it's the underlying soils (and slope) that drive our landscape functions like storm water retention, drainage, etc. Maybe the distinction between 'wetland' and just plain muddy Homer soils isn't so important. The fact there is ACOE jurisdictional wetlands may be a smaller issue than the fact that the Homer bench generally has poor soils. The Commission might consider having a soil scientist from the Soil and Water Conservation District as a speaker at a future work session.

Staff also researched more of the 2008 Comprehensive Plan. The Green Infrastructure discussion is mostly in chapter 4, Land Use, but Chapter 6, Public Services and Facilities specifically addresses storm water. This section of the plan is attached. The first two strategies in particular caught my eye:

1. Develop storm water design criteria for large parcel development. (staff note: like subdivisions)
2. Adopt area wide storm water management standards.

Staff Recommendation

Commission continue discussing storm water. Separate points of discussion could be items one and two above.

Attachments

Pages 6-9, 10 Comprehensive Plan
Minutes excerpt from 2/19/14 meeting
SR 14-18, Storm Water and Green Infrastructure

4. Address general harbor maintenance and erosion control.
5. Complete the Homer Spit Trail and harbor pathways. The Spit Trail currently stops at the lagoon and if extended along the harbor rim will be a great asset to help link Spit activities together.
6. Improve and provide additional restrooms along the Spit trail. All of these items are outlined in the CIP top 15 list.

Long-term Needs

Many of the Port and Harbor's long-term needs would be best addressed in a Spit Master Plan, as described in the Land Use Chapter, Goal 4, Objective C.

Implementation Strategies

Parking is one the major issues for the Spit. There is not enough parking for all current uses; in the longer term parking for the Spit and Port/Harbor will have to be addressed. Efforts have been made to pave lots and require payment. Additionally, the idea of a Spit shuttle has been discussed; however, little progress has occurred.

1. Upgrade or replace the harbormaster office. The harbormaster office has reached the end of its intended lifespan and is in need of an upgrade.
2. Monitor the changing characteristics of the Homer Spit. The Spit is critical to Port and Harbor operations and private land owners and is susceptible to land loss. Hazard and environmental concerns relating to the Spit are challenging to address. The Spit subsided a great deal during the 1964 earthquake; in the event of another major earthquake Spit subsidence remains a great concern.

Objective E: PARKS & RECREATION – Improve and provide quality parks and recreation facilities to respond to current and anticipated demand.

Homer residents place high value on parks and recreational facilities and activities. Parks and Recreation programs enhance the quality of life for residents and benefit the local economy. City facilities that provide recreational opportunities include several parks, a trail system, playing fields, and campgrounds. The school district, community schools, and other parties offer a range of additional programs and facilities. As Homer continues to grow, both in size and as a tourist destination, demands for parks and recreation will grow. The City of Homer recognizes the value of these facilities and activities as an important asset to the community and supports their continued improvement. *See Parks, Recreation and Culture Chapter for specific recommendations.*

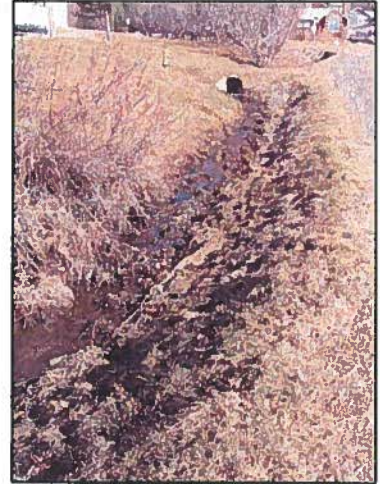
Objective F: STORM WATER CONTROL – Provide for current and future needs and explore options for expanding the quality and extent of storm water control.

Current Status

The majority of Homer's storm water is channeled and drained through an open ditch system. Only the downtown and Old Town area have storm drain lines, specifically along Pioneer Avenue and Main Street. In total, the City maintains approximately 3 miles of storm sewer and associated catch basins. There is one oil/water separator facility, at the intersection of Bartlett and Pioneer Avenue.

The State Department of Transportation maintains drainage along state roadways. Homer's stormwater outflow is located just north of Bishop's Beach. This outflow has not yet reached the threshold which would require monitoring the quality of discharge under NPDES rules.

Currently, drainage needs for large parcel development are dealt with individually, by the developer. Homer's design criteria manual for subdivisions does not address on-site storm water management. However, in the city's denser commercial districts, the zoning code does have provisions requiring developers to prepare storm water management plans. In some recent subdivision developments, property has been dedicated for retention ponds and related facilities due to wetland permit requirements from the Army Corp of Engineers.



Near-term Priorities

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

Implementation Strategies

1. Develop stormwater design criteria for large parcel development.
2. Adopt area wide stormwater management standards.
3. Encourage the utilization of green infrastructure mapping as a means to identify and retain natural drainage channels and important wetlands, which serve drainage functions.
4. Enhance stream channels with the creation of ponds, wetlands, and different habitats that allow for trail systems, water bird habitat, overflow surface water and stormwater collection.
5. Encourage on-site stormwater infiltration management.

Long-term Needs

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

Chair Venuti addressed information he reviewed online relating to FAA recommendations for heliports.

The group talked about the definitions and differences between heliport, helistop, and helipad as outlined in the staff report. No specific recommendation was made regarding incorporating one or all of the definitions but it was suggested that there be 2 categories:

- Heliport, such as at the airport for takeoff and landing, servicing, fueling, and storage.
- Helicopter landing site, which would be a place for landing and takeoff.

It was also suggested that the threshold before it becomes a land use issue could be 4 flights, 2 departures and 2 landings in a time frame from 8:00 a.m. to 8:00 p.m. because of the noise.

Some opinions were that the only place for a helicopter landing site, other than the hospital, should be on the spit. An opposing view was that it could negatively impact the recreational uses on the spit, several operators who want to have landing sites on the spit would raise issues, and that helicopters should only be allowed to take off and land at the airport.

For discussion purposes the Commission reviewed the use of a helipad, where a helicopter can take off and land, but not be serviced, in the city's zoning districts. They agreed it is not appropriate in any of the residential districts, with the exception of the hospital, which is located in residential office.

Some members were supportive of the idea of allowing a helipad in the central business, marine industrial, and east end mixed use districts by CUP only. It was suggested that they may want to consider allowing some servicing options in marine industrial since there is already other types of fuel related servicing taking place out there.

B. Training by Deputy City Clerk Jacobsen

Deputy City Clerk Jacobsen reviewed some meeting rules with the Commission, including why meeting rules are in place, main motions, parameters for discussion, and amending motions. She also touched on the disciplinary process that is outlined in HCC 1.18. for instances where a Commissioner feels a violation has occurred and doesn't feel comfortable addressing it with the person or with staff.

The group discussed other aspects of the meeting process and ways to work with the public to help them understand the processes that are in place for the commission.

C. Staff Report PL 14-19, Land Allocation Plan

The Planning Commission had made no recommendation to Council on the Land Allocation Plan.

D. Staff Report PL 14-18 Storm Water/ Green Infrastructure

Deputy City Planner Engebretsen reviewed her staff report. She would like Public Works Director Meyer to talk to the Commission about storm water and the Design Criteria Manual. She thinks addressing the manual in small and incremental, goal oriented ways, would be more successful.

Discussion points included:

- Planning for a bigger rain event.
- Pros and cons of upsizing culverts.
- Addressing residential impacts by limits for impervious surface that could vary by district, rather than by footprint size.
- Revising code criteria for subdividing.
- Consider whether to codify the storm water plan and make minor adjustment to storm water handling.
- It's important to educate the public and acknowledge that each of us plays a part in dealing with water.

Commissioner Stead brought up some changes he felt need to be addressed in code and volunteered to continue his review and bring back some suggestions where changes to minor areas in code could make a significant impact.

Deputy City Planner Engebretsen said she would schedule time with the Public Works Director. She recapped tonight's ideas like vegetating more quickly after development, designing for a bigger storm water event, as well as a few other things that would be positive incremental changes.

Informational Materials

- A. KPB Planning Commission Notice of Decisions:
 - Tietjen Subdivision 2013 Addition Preliminary Plat
 - Paradise Heights Subdivision 2013 Replat Preliminary Plat
- B. City Manager's Report from the February 10, 2014 City Council Meeting

Comments of the Audience

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

Comments of Staff

Deputy City Planner Engebretsen and Planning Technician Harness-Foster said it was a good meeting.

Comments of the Commission

Commissioner Stead said to be careful what you ask for.

Commissioner Bos said it was a good meeting tonight.

Commissioner Slone had no comment.

Commissioner Highland said she is excited about their conversations and is anxious to get started.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 14-18

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: February 19, 2014
SUBJECT: Storm Water and Green Infrastructure

Background

This staff report is intended to provide background information on the very broad topics of storm water, and green infrastructure. Commission Stead also spoke with staff about some specific items in code; this is a good starting point.

The Planning Department has some books on the topic of green infrastructure, and also on subdivision design if you'd like to do more research.

Definitions/concepts

"Green Infrastructure" is the concept of planning land development around existing natural features. For example, rather than move a creek, the development plan would plan around the creek to disturb it as little as possible. The creek provides the 'green' part of the storm water infrastructure, rather than a storm drain or ditch. The same for wetlands; the less fill in the wetland, the better that wetland will function for things like storm water retention and habitat. It can also mean higher densities and more development in those places with good soils that are suitable for development.

"Gray Infrastructure" – roads, storm drains, i.e. manmade, typically engineered systems such as roads, storm water systems, etc.

"Conservation subdivision design" – follows the ideas of green infrastructure; plan the development for the view sheds, natural features and around rather than through wetlands. This may mean that lot sizes are reduced and homes are clustered close together, resulting in tracts of open space, rather than every home on a larger lot.

"Design Criteria Manual" – this is an adopted document, supplemental to HCC Title 11, Streets, Sidewalks and Driveway Construction. It goes into greater detail about road design, soils and storm drain design than the code. (This is an older document that could use some updating.)

Addressing Storm Water

There are two thoughts on storm water. One is a big picture, overall storm water plan for the whole city, or at least the denser areas of town. It might rely on constructed storm drains and large retention ponds ie traditional engineered solutions, typically called 'gray infrastructure'. This over drainage plan is very expensive, and construction even more so. It's a good idea, but not likely to happen in the near future due to cost. The other thought in storm water is to focus on smaller scale development, house by house, and use green infrastructure methods such as rain gardens to address runoff using many small controls.

Staff comment: a combination of gray and green infrastructure might work for Homer's current situation. At a minimum, Homer could consider some incremental changes to existing gray infrastructure regulations.

Solutions

Homer could amend the Design Criteria Manual, to require new subdivisions to retain runoff from the road. This does not address the development of the individual lots or impervious surfaces from new homes, this would just address the impacts of the road itself. We could also amend the DCM to address road reconstruction projects. There may be ways for some roads to be retrofitted to accomplish minimal storm water retention. As Road Improvement Districts are formed, and the state reconstructs roads in the city, some retention standards could be applied. This will not solve all the problems community wide, but it's a start. You could consider this an 'engineered' solution.

Example of 'engineered' storm water retention calculations. (Road construction standards also talk about culvert sizes to accommodate flow)

Currently in about half the zoning districts, a large building project requires a storm water plan. The same idea could be applied to road construction. Storm water plans under Homer City code in part require the retention of a calculated volume of water for a specific timeframe. There are standard engineering calculations for how impervious a certain ground cover is – a paved parking lot is 100% impervious, but a gravel one may be 70%. An engineer begins the calculations for the storm water detention area by figuring out how much water will fall over the lot area, how much will infiltrate the soil based on the imperviousness of the developed lot, to arrive at a volume of water that falls on the lot but will run off. They then design a detention pond to store that volume of water. They also figure out how long it will take for the water to soak into the ground...the point is to slow the water infiltration down, not create a stagnant pond.

How do they know how much rain will fall? NOAA publishes "Rainfall Frequency Maps" that show the estimated rainfall for the 2 year, 10 year, and 100 year 'rain events.' The maps for our area date from 1963, but they do provide a uniform basis for engineering calculations.

How much water is planned for? Since we are talking engineering, there are specific standards! In Homer, the design parameter is the 10 year storm event lasting three hours, which is calculated as half an inch of rain an hour, for three hours.

Example: John Doe plans to pave a parking lot, creating 5,000 square feet of impervious surface, and he needs a storm water plan.

Rain volume x time x area = volume of required retention area

0.5 inches of rain x 3 hours x 5,000 square feet = 7500 cubic inches of rain. (about 4.3 cubic feet of water)

So he would need a pond a little over 4 feet long, 1 foot deep, to store this volume of water.

Green Infrastructure Solutions

Using constructed storm drains, and to some extent storm water ponds, are engineered, constructed solutions to run off problems. Another approach is to use the concept of green infrastructure. Avoid developing in sensitive areas so fewer problems are caused in the first place, and cluster development in more suitable areas. Constructed rain gardens can also be used very much like a storm water detention pond. These rain gardens might be used on every lot, rather than building one large (expensive) storm water pond.

Avoiding impacts, ie, don't reroute a stream, or use clustered development, are sound ideas. You could think of these as planning tools; when designing the subdivision on paper, avoid wet areas, streams, etc. This is a good first step. But, development causes impacts. A new road and a new home, no matter how carefully planned, will create some impervious surface and will increase runoff. The question then becomes, how much impact is OK? At what point should the land owner be required to do something about the runoff? In the Bridge Creek Watershed Protection District, the code says 4.2% impervious surface is the limit. However with a mitigation plan, which typically includes a rain garden type pond for rain gutters, up to 6.4% may be permissible. Code also requires a storm water plan in many districts when the impervious surface exceeds 60% of the lot area.

Questions and things to think about:

1. How much impact can a single family home in town create, before they should do something about the run off?
2. Is this a function of building coverage or percent impervious coverage, or an area? Or gallons of runoff per hour?
3. Engineered solutions are 'easy': they are quantified, tested standards. Rain gardens do not have the same track record, although there are some great things about them.

4. Big picture: what is the cost effectiveness? Does the rain garden do enough to justify the cost or regulation? (does the storm water pond?)

Commissioner Stead's Comments

1. HCC 21.50.020 (c) 2 and 3, site development standards, Landscaping. When a project is under construction, when should best management practices be installed to control things like soil erosion? Is 16 months too long before revegetation is required?

2. Upon completion of earthwork, all exposed slopes and all cleared, filled, and disturbed soils shall be protected against subsequent erosion by methods such as, but not limited to, landscaping, planting, and maintenance of vegetative cover.

3. All exposed, cleared, filled and disturbed soils shall be revegetated within 16 months following the initiation of earthwork. Natural revegetation is acceptable if the site naturally revegetates within that 16-month period. If natural revegetation is not successful within that 16-month period, the property owner and developer shall revegetate by other means no later than the end of that 16-month period.

2. Define surface runoff. What does that mean? How far below the surface; 18 inches?

Staff Recommendations:

1. Discuss the staff report and Commissioner Stead's comments.
2. Invite Carey Meyer to a future work session to discuss the design criteria manual in regard to storm water.
3. Continue general conversation and education process to a future meeting.



STAFF REPORT PL 14-30

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
MEETING: March 19, 2014
SUBJECT: Commissioner Absences and Vacancies

Introduction: This item is part of the agenda due to consensus of the Planning Commission to address ongoing absences. Policy and action may be suggested.

Discussion: In review of Commissioner Sonneborn's absences I found that she provided the Planning Office notice. Basically, she called in prior to the first meeting of the month to announce her absence for the month. This was done for the first three months of the year. Assuming that she is not present at this meeting, it will total 6 consecutive meetings. While HCC declares conditions if a Councilmember has two consecutive "unexcused" absences, the HAPC Bylaws contain the following:

A Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. The Commission shall declare a vacancy when the person appointed:

1. Fails to qualify;
2. Fails to take office within thirty days after his/her appointment;
3. Resigns and the resignation is accepted;
4. Is physically or mentally unable to perform the duties of his/her office;
5. Misses three consecutive or six regular meetings in a calendar year; or
6. Is convicted of a felony or of an offense involving a violation of his/her oath of office.

These absences are in violation of provisions in number 5 above. Accordingly, a vacancy should be announced.

The Commission did seem to consider whether the 3 consecutive absences needed additional considerations. No one suggested that 6 absences in a calendar year was inappropriate, regardless these are the current bylaws. You may discuss whether a change is in order for future consideration.

Staff recommendations:

Make a motion to declare a vacancy.

From: Anne Brooks <anne@brooks-alaska.ccsend.com> on behalf of Anne Brooks <comments.brooksalaska@gmail.com>
Sent: Wednesday, March 05, 2014 11:51 AM
To: Department Planning
Subject: Sterling Highway & Main Street Intersection Improvements - Open House, March 18



Sterling Highway & Main Street Intersection Improvements

The Alaska Department of Transportation and Public Facilities (DOT&PF) is planning to upgrade the intersection of Sterling Highway and Main Street in order to improve safety. The project is currently in the initial design phase with primary consideration being given to either a signalized intersection or a roundabout.

You are invited to an open house to learn about how DOT&PF is moving forward with the selection process, project design, and environmental considerations. You are invited to share your thoughts prior to our moving forward.

Open House

Tuesday, March 18, 2014
Stop by any time between 4 P.M. and 7 P.M.
City of Homer Assembly Chambers
491 E. Pioneer Ave., Homer, AK

Project website: http://dot.alaska.gov/projects-status/wrapper.cfm?project_id=64325

For additional information contact:

Anne Brooks, P.E., Public Involvement Coordinator
Brooks & Associates
Tel: 907-272-1877
Email: comments.brooksalaska@gmail.com

Carla Smith, P.E., DOT&PF Project Manager
DOT&PF
Tel: 907-269-0544
Email: carla.smith@alaska.gov

Steve Kari, P.E., Design Project Manager
USKH
Tel: 907-343-5277
Email: skari@uskh.com

The DOT&PF operates Federal Programs without regard to race, color, national origin, sex, age, or disability. Full Title VI Nondiscrimination Policy: dot.alaska.gov/tvi_statement.shtml. To file a complaint go to: dot.alaska.gov/cvlrts/titlevi.shtml

Like us on Facebook 

Follow us on  twitter

[Forward email](#)



This email was sent to planning@ci.homer.ak.us by comments.brooksalaska@gmail.com |
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).
Brooks and Associates | 1704 Rogers Park Ct | Anchorage | AK | 99508



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

February 25, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF FEBRUARY 24, 2014

RE: Tietjen Subdivision Compass Addition Replat Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of February 24, 2014 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.12; 20.14 and 20.20.

Please contact the Planning Department if you need additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent February 25, 2014 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603

Advisory Planning Commission/Community Council:

Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603

Survey Firm: Edge Survey and Design, LLC
12501 Old Seward #D
Anchorage, AK 99515

Subdivider/Petitioner: Compass Rose Properties, LLC
59065 Meadow Lane
Homer, AK 99603-9419

KPB File Number: 2014-021

43

RECEIVED

FEB 27 2014

**CITY OF HOMER
PLANNING/ZONING**

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

2. Tietjen Subdivision Compass Addition
KPB File 2014-021; Edge/Compass Rose Properties

Staff Report given by Patti Hartley

Plat Committee Meeting: 2/24/2014

Location: City of Homer
Proposed Use: Store fishing gear and heavy equipment
Water/Sewer: On-site
Zoning: East End Mixed Use
Assessing Use: Accessory Building
Parent Parcel Number(s): 179-280-10

Supporting Information:

The proposed plat subdivides a 4-acre lot into three lots containing approximately 1.2 or 1.6 acres. A soils report is required, and an engineer will sign the plat. The subdivision fronts Meadow Drive. Lot F-1C also fronts Spruce Drive.

Homer Advisory Planning Commission approved the plat on December 4, 2013 subject to:

1. Dedicate a 20-foot radius on the SE corner of Lot F-1C.
Borough staff comments: **Staff recommends** compliance with the Homer Advisory Planning Commission's recommendations (HCC 11.04.090).
2. A 15-foot utility easement to be dedicated along all rights-of-way.
Borough staff comments: **Staff recommends** the 15-foot utility easement be granted along all rights-of-way (HCC 22.10.051).

Improvements have not been shown. Structures within this zoning district are subject to side yard setbacks. **Staff recommends** the surveyor confirm that no encroachments will be created by this plat.

The Certificate to Plat was provided in accordance with Planning Commission Resolution 2000-25. The Certificate to Plat indicates no beneficial interests affect this property. Additional notification will not be required at this time.

A physical address may be affected by the replat. Homer Planning and Zoning Department can answer questions about the effect of the replat on addresses.

STAFF RECOMMENDATION: Grant approval of the preliminary plat subject to any above recommendations, and the following conditions and findings:

REVISE OR ADD TO THE PRELIMINARY PLAT IN ACCORDANCE WITH THE PROVISIONS CONTAINED IN KPB 20.12 (FORM AND CONTENTS), KPB 20.14 (WASTEWATER DISPOSAL), AND KPB 20.20 (DESIGN REQUIREMENTS) AS FOLLOWS:

1. **20.12.060. - Form and contents required. The preliminary plat shall be drawn to scale of sufficient size to be clearly legible and shall show the following:**

Platting staff comments: The plat complies with the following portions of 20.12.060: B, C, E, G, and J.

Platting staff comments: The following portions of 20.12.060 are not applicable to the subject plat: I and L.

Platting staff comments: Additional information is provided for the following portions of 20.12.060 or additional information, revision or corrections are required

- A. Within the Title Block
1. Name 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,
 2. Legal description, location date, and total area in acres of the proposed subdivision,
 3. Name and address of owner, and registered land surveyor;
- Platting Staff Comments: **Staff recommends:***
- *Remove the lot numbers from the plat's title.*
 - *Include Kenai Peninsula Borough in the title block.*
- D. 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;
- Platting Staff Comments: **Staff recommends** the spelling of Skyline Drive be corrected.*
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;
- Platting Staff Comments: The parent plat shows a dotted line along the southern and eastern boundary of Tract F-1; however, the dotted line is not labeled. Typically, dotted lines represent easements. Homer Advisory Planning Commission recommended a 15-foot utility easement along all rights-of-way. This will likely encompass the dotted line represented on the parent plat.*
- H. Approximate locations of areas subject to inundation, flooding or storm water overflow; when adjacent to lakes or non-tidal streams the line of ordinary high water, wetlands. If applicable, cite the appropriate study which identifies a flood plain;
- Platting Staff Comments: Per the Homer City staff report, a small portion of the southwest corner of the subdivision is affected by a discharge slope. KPB GIS mapping concurs. **Staff recommends** a note be placed on the final plat indicating any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetland determination, if applicable.*
- K. Within the limits of first class cities, the approximate location of known existing municipal sewers, water mains, and other utilities within the subdivision and immediately abutting thereto;
- Platting Staff Comments: Per the Homer City staff report, no city utilities abut the proposed plat.*
- M. Approximate locations of slopes over 20 percent in grade. (Ord. No. 78-37, § 2(part), 1979)
- Platting Staff Comments: Per KPB GIS 4-foot contours, the plat is not affected by slopes greater than 20 percent. The Homer City staff report notes the ground has a gentle slope to the south.*

20.12.070. - Statement required when—Contents. Information which is not shown on the plat shall be presented in written or mapped form and shall include:

Platting staff comments: The submittal complies with 20.12.070 (A-D).

2. KPB 20.14 -- Wastewater Disposal

*Platting Staff Comments: **Staff recommends** compliance with 20.14.*

3. KPB 20.20 Design Requirements -- 20.20.010. - Standards applicable.

Platting staff comments: The plat complies with the following portions of 20.20: 20.20.035, 20.20.060, 20.20.110, 20.20.140, 20.20.160, 20.20.180, 20.20.190, 20.20.200, and 20.20.210.

Platting staff comments: The following portions of 20.20 are not applicable to the subject plat: 20.20.020, 20.20.030, 20.20.050, 20.20.080, 20.20.090, 20.20.100, 20.20.130, 20.20.240, and 20.28.

Platting staff comments: Additional information is provided for the following portions of 20.20 or additional information, revision or corrections are required

20.20.040. - Easements—Requirements.

Platting Staff Comments: **Staff recommends** compliance with the recommendations submitted by the utility providers.

20.20.070. - Alleys.

Platting Staff Comments: Homer Advisory Planning Commission did not request alleys.

20.20.120. - Streets—Curve requirements.

Platting Staff Comments: Dededicating the 20-foot radius per the Homer Advisory Planning Commission's recommendation will bring the plat into compliance with HCC 11.04.090.

20.20.150. - Streets—Name requirements.

Platting Staff Comments: If the additional right-of-way dedication is approved, it will assume the existing street name.

20.20.170. - Pedestrian ways required when.

Platting Staff Comments: Homer Advisory Planning Commission did not request pedestrian ways.

20.20.220. - Lots—Double frontage prohibited when.

Platting Staff Comments: Lot F-1C has double frontage and is less than 250 feet deep. Lot F-1C is a corner lot. Corner lots by their nature have double frontage. Homer Advisory Planning Commission recommended a 20-foot curve return radius dedication at the intersection of Meadow Drive and Spruce Lane. **Staff recommends** the Committee concur that the double frontage is acceptable based on other physical conditions.

20.20.230. - Building setbacks.

Platting Staff Comments: The plat is within the City of Homer. **Staff recommends** the building setback note be removed from the face of the plat. The building setbacks are governed by the zoning district.

20.20.235. - Building setbacks—Within cities.

Platting Staff Comments: Removal of the 20-foot building setback note will bring the plat into compliance with 20.20.235.

20.20.250. - Different standards in cities.

Platting Staff Comments: Homer Advisory Planning Commission did not request application of different standards.

20.20.260. - Flood plain requirements.

Platting Staff Comments: River Center review was not available when the staff report was prepared.

The City of Homer administers the floodplain program per HCC 21.41 Flood Prone Areas. Per the Homer City staff report, the subdivision is not affected by a mapped flood hazard zone.

Per KPB GIS mapping, the subdivision is not affected by the Anadromous Stream Habitat Protection District.

Per KPB GIS mapping, no anadromous streams flow through the subdivision.

4. Additional requirements for administrative approval of the final plat (KPB 20.16) -- 20.16.010. - Preparation requirements generally.

Platting staff comments: The plat complies with the following portions of 20.16: 20.16.080, 20.16.100, and 20.16.110.

Platting staff comments: The following portions of 20.16 are not applicable to the subject plat: 20.16.035, 20.16.040, 20.16.045, 20.16.046, and 20.16.070.

Platting staff comments: Additional information is provided for the following portions of 20.16 or additional information, revision or corrections are required

20.16.020. - Filing—Form and number of copies required.

*Platting Staff Comments: **Staff recommends** two full size copies of the plat be provided for final review. Electronic submission is not acceptable.*

20.16.030. - Certificate of borough finance department required.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.030.*

20.16.050. - Plat specifications.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.050.*

20.16.060. - Improvements—Installation agreement required.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.060.*

20.16.090. - Accuracy of measurements.

*Platting Staff Comments: The GIS Division will confirm closure meets 20.16.090 when the final plat is submitted. **Staff recommends** compliance with 20.16.090.*

20.16.120. - Utility easements.

*Platting Staff Comments: **Staff recommends** compliance with the recommendations submitted by the utility providers.*

20.16.130. - Easements.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.130.*

20.16.140. - Other data required by law.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.140.*

20.16.145. - Plat notes.

*Platting Staff Comments: Additional plat notes may be required based on easements/covenants in the final Certificate to Plat. **Staff recommends** the NEW LOT LINE labels be removed from the final plat.*

Staff recommends the plat's file name and location along the eastern border of the submittal be removed prior to final plat.

Staff recommends not be changed to no in the first sentence of Plat Note 1.

*The platting action subdivides Tract F-1 only. **Staff recommends** the following be removed from Plat Note 1: ,or on any adjacent lots.*

20.16.155. - Certificates, statements and signatures required.

*Platting Staff Comments: **Staff recommends** compliance with 20.16.155.*

*Per the State of Alaska corporation database, Compass Rose Properties, LLC has two owners. **Staff recommends** both owners sign the plat. **Staff recommends** the Certificate of Ownership and Dedication be modified to reflect multiple owners, e.g., I to we, am to are, owner to owners.*

Staff recommends the tax statement be removed from the face of the plat. Per 20.16.030, all taxes will be paid in full prior to recording the plat. The Tax Certificate issued by the Finance Department will be recorded with the plat (AS 40.15.020).

20.16.160. - Survey and monumentation.

Platting Staff Comments: Staff recommends full compliance with 20.16.160.

20.16.170. - Approval—Authority—Certificate issued when.

Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat, staff recommends compliance with 20.16.170.

20.16.180. - Administrative approval.

Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat and the final plat conforms to the conditions, staff will issue an administrative approval with notice to the Planning Commission as set forth in 20.16.180.

20.16.190. - Disapproval. When a plat has been disapproved by the planning commission, it may be refiled once more with corrections for approval within 28 days of notification of first disapproval. If disapproved again, said plat shall be void. A new fee will be required for subdivision of the property in the voided plat.

Platting Staff Comments: If the Plat Committee disapproves the proposed plat, staff recommends findings be cited and adopted in support of the denial.

NOTE: REVIEW OF A DECISION OF THE PLAT COMMITTEE MAY BE HEARD BY THE PLANNING COMMISSION ACTING AS PLATTING BOARD BY FILING WRITTEN NOTICE THEREOF WITH THE BOROUGH PLANNING DIRECTOR ON A FORM PROVIDED BY THE BOROUGH PLANNING DEPARTMENT. THE REQUEST FOR REVIEW SHALL BE FILED WITHIN 10 DAYS AFTER NOTIFICATION OF THE DECISION OF THE PLAT COMMITTEE BY PERSONAL SERVICE OR SERVICE BY MAIL.

A REQUEST FOR REVIEW MAY BE FILED BY ANY PERSON OR AGENCY THAT PARTICIPATED AT THE PLAT COMMITTEE HEARING EITHER BY WRITTEN OR ORAL PRESENTATION. THE REQUEST MUST HAVE AN ORIGINAL SIGNATURE; FILING ELECTRONICALLY OR BY FACSIMILE IS PROHIBITED. THE REQUEST FOR REVIEW MUST BRIEFLY STATE THE REASON FOR THE REVIEW REQUEST AND APPLICABLE PROVISIONS OF BOROUGH CODE OR OTHER LAW UPON WHICH THE REQUEST FOR REVIEW IS BASED.

NOTICE OF THE REVIEW HEARING WILL BE ISSUED BY STAFF TO THE ORIGINAL RECIPIENTS OF THE PLAT COMMITTEE PUBLIC HEARING NOTICE. CASES REVIEWED SHALL BE HEARD DE NOVO BY THE PLANNING COMMISSION ACTING AS THE PLATTING BOARD (KPB 2.40.080).

END OF STAFF REPORT

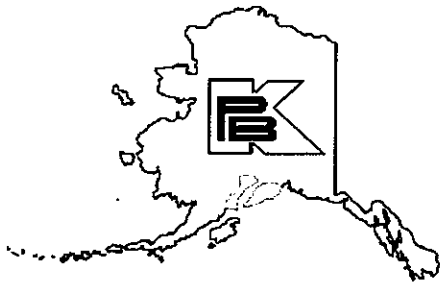
Chairman Ruffner opened the meeting for public comment. Seeing and hearing no one wishing to speak, Chairman Ruffner closed the public comment period and opened discussion among the Commission.

MOTION: Commissioner Gross moved, seconded by Commissioner Lockwood to approve the preliminary plat subject to staff recommendations, conditions and findings

VOTE: The motion passed by unanimous consent

CARLUCCIO ABSENT	GROSS YES	HOLSTEN YES	LOCKWOOD YES	RUFFNER YES	4 YES 1 ABSENT
---------------------	--------------	----------------	-----------------	----------------	-------------------

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

**MIKE NAVARRE
BOROUGH MAYOR**

February 25, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLANNING COMMISSION

MEETING OF FEBRUARY 24, 2014

RE: Tulin Terrace Subdivision East Terrace Addition Time Extension Request

During their regularly scheduled meeting of February 24, 2014, the Kenai Peninsula Borough Planning Commission granted approval of the subject time extension for two years, through February 24, 2016. Draft, unapproved minutes of the pertinent portion of the meeting are attached.

If you have any questions, please contact the Kenai Peninsula Borough Planning Department.

This notice and unapproved minutes were sent February 25, 2014 to:

City of: City of Homer
491 East Pioneer Avenue
Homer, AK 99603-7645

Advisory Planning Commission/Community Council:
Homer Advisory Planning Commission
491 East Pioneer Avenue
Homer, AK 99603-7645

Survey Firm:	Anderson Development Consultants 2836 S. Ranchview Rd #206 Brookline, MO 65619	Johnson Surveying Box 27 Clam Gulch, AK 99568
---------------------	--	---

Subdivider/Petitioner: Helen Tulin
1422 K St.
Anchorage, AK 99501-4955

Interested Parties: Mike Anderson
USKH Architects Engineers Surveyors & Planners
2515 A Street
Anchorage, AK 99503

KPB File Number: 2005-123

RECEIVED

FEB 27 2014

**CITY OF HOMER
PLANNING/ZONING 49**

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- b. Tulin Terrace Subdivision East Terrace Addition
 KPB File 2005-123 [Anderson/Johnson/Tulin]
 Location: City of Homer

STAFF REPORT

PC Meeting: 2/24/2014

This subdivision was approved on July 18, 2005, valid through July 18, 2006..

Time extensions have kept it active since then, most currently valid through March 12, 2014.

The owner, Louise Tulin, requested another two-year time extension of the preliminary approval on January 28, 2014 with the death of her husband she needs more time.

KPB PC Resolution 89-27 allows granting of a two-year time extension when the request is received before expiration of approval and with the concurrence of the city. All time extension requests within city limits are sent to the appropriate city. One-year extensions require only notice to the city.

If the city chooses to not concur with a two-year approval, staff will bring the request back with a recommendation for a one-year approval.

There have been no changes in the area that would affect this plat.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for 2 years, through February 24, 2016, subject to the following:

1. Plat must comply with any subsequent changes to Kenai Peninsula Borough Code.
2. Copy of plat with a current HEA utility review being submitted with the final plat.
3. Concurrence of the City of Homer for the two-year approval.

An appeal of a decision of the Planning Commission may be filed to the Board of Adjustment in accordance with the requirements of the Kenai Peninsula Borough Code of Ordinances, Chapter 21.20.250. An appeal must be filed with the borough clerk within 15 days of date of notice of the decision; using the proper forms; and, be accompanied by the \$300 filing and records preparation fee.

END OF STAFF REPORT

*** Approved by Adoption of the Consent Agenda**

AGENDA ITEM C. CONSENT AGENDA

1. Time Extension Request

- c. Tulin Birch Lake Subdivision
 KPB File 2007-224 [Johnson/Tulin]
 Location: East of Rector Street in North Kenai

STAFF REPORT

PC Meeting: 2/24/2014

This subdivision was approved on August 27, 2007, valid through August 27, 2008.



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

MANAGER'S REPORT

March 10, 2014

TO: MAYOR WYTHER / HOMER CITY COUNCIL

FROM: WALT WREDE

UPDATES / FOLLOW-UP

NOTE: Some of these items appeared in the last report. I have updated them and brought them back in case the Council wanted to discuss.

1. Parks and Recreation Needs Assessment: The Committee working on the Needs Assessment is making excellent progress. Committee member Matt Steffy is a visitor on this agenda and will provide a progress report. The Parks and Recreation Commission is holding a special meeting on March 6 to hear a presentation as well. RFP is scheduled to go out the end of March. Attached is the Committee Mission Statement and RFP Goals, which I am sure Matt will go over.
2. Citizens Academy: The Citizens Academy will have completed the third session by the time you read this report. The Port and Harbor put on an excellent session which received outstanding reviews by the participants.
3. Critical Habitat Legislation: The legislation that would remove the Homer Port and Harbor from the critical habitat area has now been passed by both the House and the Senate. It is on the way to the Governor for his signature. Thanks to Speaker Chenault, Senator Micciche, and Representative Seaton for their effort and strong support. Also, thanks to Katie for all of her background work and coordination and to Linda Anderson for all of her important work in Juneau on this legislation.
4. Traffic Calming: As you know, there is great interest in some neighborhoods about traffic calming. As I reported earlier, the Planning Commission has taken a real interest in this topic and has agreed to take it on as a project. The Commission has begun its work. For those folks in the community who want to get involved, now is the time to get in on the ground level. Contact Planning staff if you want more information about the Commission work schedule on this topic.
5. Kachemak Bay Research Reserve Funding Threatened: A sub-committee of the House Finance Committee has removed \$175,000 for KBRR that was included in the ADF&G Budget. This was not expected to occur this year. If this funding is not restored, it could threaten the federal matching funds and in a worst case scenario, close the Islands and Ocean Visitor Center. KBRR and that building are significant economic engines in Homer and many full time jobs are at stake. This issue has very rapidly become one of the City's

top priorities in Juneau. Katie and Linda Anderson have spent significant time and resources on it during the past week. We would be happy to provide more information or discuss this in more detail at the meeting.

6. Intergovernmental Agreement with Kachemak City. The resolution approving this agreement is on this agenda. It was postponed until the Council had a chance to have a workshop on the topic; which it did at the last meeting. We originally postponed it to this date thinking it should logically follow the workshop at the next regular meeting. Although there was a lot of good discussion at the workshop, no real direction was given or course of action agreed to. I decided to keep this resolution on the agenda because it will provide Council with a vehicle to discuss how it wants to proceed, whether that be another workshop or something else. I do think it is important to get an agreement in place. Perhaps it is possible to separate this agreement from the larger discussion about the overall long term relationship between the two cities. It seems like one is a vital short term need and the other is a broad, far reaching discussion that will take some time.
7. Land Allocation Plan: The 4 PM meeting is a workshop on the Land Allocation Plan. We decided to do something a little different this year to address persistent complaints about the process in past years. Julie will tell you all about in. In short, we narrowed the number of commissions and committees that were consulted on this to the ones which have the most obvious stake or responsibility regarding how municipal land is classified and used. We also eliminated the joint workshop aspect of this meeting. The idea was to streamline the process and make it more efficient while still getting good input from advisory bodies.
8. Ron Drathman: As you know by now, former City Manager Ron Drathman passed away last week. A memorial service was held on March 5th at the Elks Club. The City was saddened to receive this news and sends its heartfelt condolences to the family and to Ron's many friends and colleagues. He will be missed.

ATTACHMENTS

1. March Employee Anniversaries
2. Letter to Legislature RE; HB 152 (PERS)
3. Financial Report
4. Letter from Speaker Chenault and Senate President Huggins RE: North to the Future publication.
5. Letter to FEMA RE: Community Rating System
6. PARC Mission Statement and Goals
7. Memorandum 14-041 Citizens Academy Update / Katie

Included in March
19 HAPC Packet





City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov
(p) 907-235-8121 x2222
(f) 907-235-3148

March 3, 2014

Marlene Jacobs, CFM
CRS Specialist, ISO Community Hazard Mitigation
Federal Emergency Management Agency
Region X
4811 Se Meldrum Ave
Portland, OR 97267
503-342-6138
mjacobs@iso.com

Dear Ms. Jacobs,

The City of Homer is interested in participating in the Community Rating System (CRS) so that our residents will qualify for discounted flood insurance premiums.

Our CRS Coordinator is Dotti Harness-Foster, Certified Floodplain Manager who can be reached at 907-435-3118, dharness@ci.homer.ak.us.

We will cooperate with FEMA, the Insurance Services Office, Ins. (ISO), and the CRS verification process to ensure that our credited activities are fully earned and warranted.

Please ask ISO to visit us to review our program in depth and verify the creditable activities. We understand that approval from the FEMA Regional Office is needed for the ISO/CRS Specialist to visit the community.

Sincerely,

Walt Wrede, City Manager
City of Homer
907-435-3102

Park Art Recreation and Culture Needs Assessment

PARC Mission Statement

To determine the resources and prioritize the needs for our community concerning parks, arts, recreation and culture facilities and programs. (10-15 year outlook)

DRAFT Project Overview

Needs Assessment Goals:

1. Identify existing and potential resources
 - a. Program resources: who offers what, when and how often?
 - b. Identify locations and facilities used
 - c. How are existing programs and facilities funded?
 - d. List City responsibilities – parks, maintenance, campgrounds, budget, income,
 - e. Identify volunteer efforts
2. Survey what programs and facilities are desired by the community
3. Conduct a Gap Analysis between haves and wants.
 - a. Include future demographic trends
 - b. Identify barriers to access, (money, time, space/facilities, lack of information)
 - c. Consultant to provide an analysis on trends, observations and patterns of results
4. Measure community values for art, recreation and quality of life
 - a. What level of importance do citizens place on the availability of these services?
 - b. Are Art and Recreation an essential service?
 - c. Is it important that they be available to all income levels?
5. Funding Mechanisms
 - a. How could new programs and structures be funded?

Draft release:

The City of Homer is working diligently on the “Parks, Arts, Recreation and Culture Needs Assessment” (PARC) funded by the City Council and community donations. A group of citizens is meeting weekly with the City to move this project forward. PARC has a mission statement, and has identified five project goals. The City of Homer Park and Recreation Advisory Commission will be reviewing these goals during their meeting on March 20th, 2014, 5:30 pm in the City Council Chambers. Your organization is welcome to comment to the Commission, or contact Julie Engebretsen in the Planning Department at 435-3119 between now and the 20th. As the project progresses, your organization will be contacted to participate in this needs assessment. We look forward to working with you!

PARC Mission Statement

To determine the resources and prioritize the needs for our community concerning parks, arts, recreation and culture facilities and programs. (10-15 year outlook)

This Needs Assessment has the goal of answer these questions:

1. What are the existing and potential PARC resources in our community?
2. What programs and facilities does the Community want?
3. How big is the gap between what we have, and what we want? What are future trends?
4. Quality of life: How important are PARC activities to Homer’s quality of life?
5. Funding: How can new programs and facilities be paid for?

4 March, 2014

Homer Advisory Planning Commission
491 E Pioneer Avenue
Homer AK 99603

Re: Proposed Mattox Subd. 2014 Preliminary Plat

Dear All:

First of all, I want to thank you for your contribution in helping make Homer a better place to live.

I am contacting you today about the above proposed subdivision, and its potential impact on neighboring properties, of which mine is one.

To give you some perspective, my home is situated on lot 6A-1, Virginia Lynn Subdivision, which is downhill and downstream from KPHI properties on Mattox Street, which include four multiplex buildings, housing approximately 25 families on lots 18, 19 and 20, AA Mattox subdivision. My property's northerly lot line abuts KPHI's southern border of lot 20.

My property has experienced flooding and erosion from KPHI's development in this area since 2005, when KPHI elevated by seven feet the stream that courses south through both of our properties, and cleared over a hundred mature birch and spruce from their stream buffer, floodplain and riparian zone on the easterly portion of lots 18, 19 and 20. Only after numerous complaints from neighbors and myself, along with threat of legal action, did KPHI reorient their section of the stream 20 feet westward, or away from my home. It is unclear how effective this measure will be in reducing future flooding and runoff.

Also, in the course of KPHI's 2012 multiplex construction, fill from the excavation was compacted onto their clearcut floodplain on the easterly portion of lot 20 between the stream and Mattox Street. Since there is no longer aerated soil or tree roots to absorb runoff, flooding potential is exacerbated.

Construction of another multiplex with attendant parking will create additional impermeable surface and with it increased potential for future flooding and runoff, which is why it is imperative that as part of this review process KPHI be required, and compliance verified, to remove the abovementioned compacted clay and replant the stream buffer and floodplains on lots 18, 19 and 20 with 100 mature alder, spruce and birch.

Thank you,

Virginia Tornes
virginiaflora@yahoo.com
POB 2497
Homer AK 99603

RECEIVED

3/7/2014

CITY OF HOMER
PLANNING/ZONING

From: Thomas Klinkner [<mailto:tklinkner@BHB.com>]
Sent: Tuesday, March 11, 2014 2:32 PM
To: Jo Johnson
Cc: Walt Wrede; Holly Wells
Subject: Open Meetings and Advisory Commissions

Jo,

At last night's Council meeting a Parks and Recreation Advisory Board member asked how the Open Meetings Act applied to City boards and commissions whose functions are solely advisory. The board member who spoke to me asked whether he was correct in believing that as few as two members of that Commission could constitute a meeting subject to the Open Meetings Act. The answer to that question is that he correctly stated the law before a 2009 amendment to the Open Meetings Act, but since that amendment more than three members or a majority of the members, whichever is less, also must be present to constitute a meeting of an advisory body under the Open Meetings Act. The purpose of this message is to provide the answer to this question in a form that can be shared with members of all such boards and commissions.

AS 44.62.310(h)(2) contains two alternative definitions of the term "meeting" for the purpose of the requirement that all meetings of a governmental body of a public entity must be open to the public:

- (2) "meeting" means a gathering of members of a governmental body when
 - (A) more than three members or a majority of the members, whichever is less, are present, ***a matter upon which the governmental body is empowered to act is considered by the members collectively***, and the governmental body has the authority to establish policies or make decisions for a public entity; ***or***
 - (B) more than three members or a majority of the members, whichever is less, are present, ***the gathering is prearranged for the purpose of considering a matter upon which the governmental body is empowered to act***, and the governmental body has only authority to advise or make recommendations for a public entity but has no authority to establish policies or make decisions for the public entity;

Separate definitions of "meeting" apply to (i) a body that has the authority to establish policies or make decisions (such as the Council or the Planning Commission), and (ii) a body that has only authority to advise or make recommendations (such as the Parks and Recreation Advisory Commission). In each case the number of members who must be present to constitute a meeting (more than three or a majority, whichever is less) is the same. The "more than three members or a majority of the members" language only was added to the definition of a meeting of an advisory body in 2009. Before that amendment, a gathering of as few as two members of an advisory body could constitute a meeting subject to the Open Meetings Act.

Since the 2009 amendment, the only distinction between the two definitions of "meeting" is in the formality of the gathering that is required. The necessary number of members constitutes a meeting of a body that has the authority to establish policies or make decisions whenever the members consider collectively a matter upon which the body is empowered to act, regardless of the formality with which the gathering is convened. In contrast, the necessary number of members constitutes a meeting of a body that has only authority to advise or make recommendations when ***the gathering is prearranged for the purpose of considering a matter upon which the body is empowered to act***. Thus, a gathering of members of an advisory body is not a meeting unless the gathering is prearranged. A spontaneous

encounter among members of the body, regardless of what the members may consider, is not a meeting subject to the Open Meetings Act.

Let me know if you have any questions.

Thomas F. Klinkner | Birch Horton Bittner & Cherot

1127 W 7th Avenue | Anchorage, AK 99501

Tel: (907) 276-1550 | Fax: (907) 276-3680

Email: tklinkner@bhb.com | Website: www.birchhorton.com

* * * * *

CELEBRATING 41 YEARS OF EXCELLENCE

Birch Horton Bittner & Cherot · 1127 West Seventh Avenue · Anchorage AK 99501

Tel. 907.276.1550 Fax 907.276.3680

<http://www.birchhorton.com>

This transmittal may be a confidential attorney-client communication or may otherwise be privileged or confidential. If you are not the intended recipient, you have received this transmittal in error. Any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify us immediately by reply or by telephone (907) 276-1550 and immediately delete this message and all attachments.