

WORK SESSION AGENDA

1. Call to Order 5:30 p.m.
2. Speaker Brianna Allen – Old Town’s expansion in public art and community activities
3. Old Town Neighborhood Speaker – Bill Ostwald traffic and pedestrian safety
4. Discussion of Items on the Regular Meeting Agenda
5. 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).
6. Commission Comments
7. 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 April 16, 2014 meeting
- B. Decisions and Findings for Conditional Use Permit (CUP) 2014-05 Request to allow building into the front setback at 320 W Pioneer Ave.

6. Presentations

7. Reports

- A. Staff Report PL 14-37, City Planner's Report

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 14-38, Vacation of utility and pedestrian easements at 4311 Freight Dock Road
- B. Staff Report PL 14-39, CUP 14-06 Request for a new Harbormaster building with overslope development and located within the required setback area at 4311 Freight Dock Road

9. Plat Consideration

- A. Staff Report PL 14-40, Barnett Subdivision, Quiet Creek Addition 2014 Preliminary Plat

10. Pending Business

- A. Staff Report PL 14-42, Draft Ordinance 14-XX amending Homer City Code 21.03.040 Definitions to include "Hospital" and "Helipad," and redefining where heliports and helipads are permitted

11. New Business

- A. Staff Report PL 14-41, Draft Ordinance 14-xx amending Homer City Code 21.60.060 Table 3 Permitted Sign Characteristics by Zoning District to permit changeable copy and internally illuminated signs in the Gateway Business District

12. Informational Materials

- A. City Manager's Report from the April 14 and April 28, 2014 City Council Meetings
- B. KPB Notice of Decision RE: Bayview Gardens Subdivision 2014 Addition Preliminary Plat

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 May 21, 2014. A work session will be held at 5:30 pm.

Session 14-08, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on April 16, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: DEPUTY CITY PLANNER ENGEBRETSEN
DEPUTY CITY CLERK JACOBSEN

Approval of Agenda

Chair Venuti called for a motion to approve the agenda.

HIGHLAND/ SLONE 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).

Merlin Cordes, city resident, commented on behalf of Faith Lutheran Church and read the letter that was included in the packets informational materials. The current sign for Faith Lutheran Church is in need of replacement and they would like to put up a new sign that includes a changeable copy area to advertise their community events. In accordance with HCC 21.95.010, they are asking that a Planning Commissioner initiate an amendment to HCC 21.60.060 table 3 to allow changeable copy signs and internally illuminated signs in the Gateway Business District.

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 March 19, 2014 meeting

Chair 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 14-31, City Planner's Report

Deputy City Planner Engebretsen commented about the Economic Development Commission and Planning Commission being tentatively scheduled for the Homer Chamber Business after Hours on May 15th. She asked if Commissioners would be available to assist with the event or if it needs to be rescheduled. The group talked about Business After Hours Event.

There was brief discussion relating to the sign regulations for the Gateway Business District (GBD) and they agreed to continue discussion under informational items.

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 14-33, Conditional Use Permit 2014-05 Request to allow building into the front of the setback at 320 W. Pioneer Avenue

Deputy City Planner Engebretsen noted two laydown items received from Frank Griswold and one from City Attorney Klinkner. She reviewed the staff report.

Terry Yager, applicant, and John Smith, property owner, commented that they are trying to have a better presence and a nicer façade for the Windjammer Suites. They plan to follow a similar architectural design as other businesses in the area. He noted that the CUP would also correct an encroachment into the setback that was discovered during the survey of the property.

Commissioner Erickson stated that she has a conflict of interest. She has a business relationship with Mr. Yager that would exceed the limits, but she does not have a business relationship with Windjammer Suites.

HIGHLAND/BOS MOVED THAT COMMISSIONER ERICKSON HAS A CONFLICT OF INTEREST.

There was brief discussion clarifying the business relationship with Mr. Yager and that she does not do business with the Windjammer Suites owned by Mr. Smith. In response to questions Commissioner Erickson said she doesn't believe that the interaction with Mr. Yager would negatively affect her decision, but it does exceed the dollar amount, relating to Mr. Yager, but not the Windjammer Suites.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 16, 2014

VOTE: YES: BOS

NO: STEAD, HIGHLAND, VENUTI, STROOZAS, SLONE

Motion failed.

Chair Venuti stated that he has a business relationship with Mr. Yager as well and is also a friend, but doesn't feel that it will affect his decision related to the Windjammer Suites.

HIGHLAND/SLONE MOVED THAT CHAIR VENUTI HAS A CONFLICT OF INTEREST.

He stated that he is not over the financial amount in code, and clarified that he does not have any financial interest relating to the Windjammer Suites.

VOTE: NO: HIGHLAND, ERICKSON, STEAD, STROOZAS, SLONE, BOS

Motion failed.

Chair Venuti opened the public hearing.

No one came forward to testify and the hearing was closed.

There was discussion with the applicant and staff to clarify the location of the construction and regarding the resolution of the encroachment into the setback through the CUP process.

BOS/SLONE MOVED TO ADOPT STAFF REPORT PL 14-33 AND APPROVE CUP 14-05 AT 320 W. PIONEER AVE TO ALLOW THE BUILDING TO EXTEND 10 FEET INTO THE 20 FOOT SETBACK ALONG PIONEER AVE, WITH FINDINGS 1-10 AND CONDITIONS 1 AND 2.

Comment was made that Public Works has looked at this and it doesn't appear it will impact utilities and services.

The Commission took a recess at 6:59 p.m. to read the information provided by Frank Griswold and by City Attorney Klinkner. The meeting resumed at 7:03 p.m.

Commissioner Slone noted the information from Mr. Griswold is rather technical in nature and they haven't had time to dig into it to any great extent, however it has been addressed by the City Attorney, and under the circumstances he is inclined to go along with the attorney's statement that there is no conflict between state statutes and city ordinances.

VOTE: YES: ERICKSON, STEAD, SLONE, STROOZAS, BOS, HIGHLAND, VENUTI

Motion carried.

- B. Staff Report PL 14-34, Request for exemption from the Bridge Creek Watershed Protection District, Lot 4 Tulin East Highlands Subdivision, 1270 Don's Drive

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 16, 2014

Commissioner Stroozas stated that he lives within 300 feet of the property in this action. He was excused from participating in accordance with HCC 1.18.030(b)(3) which states "No City official or the City Manager shall participate in any official action in which the person resides or owns land within a 300-foot periphery of any property that is the subject of any action."

Commissioner Stroozas left the table.

Deputy City Planner Engebretsen passed out a copy of an aerial photo of the property and reviewed the staff report.

David Treat, property owner and applicant, commented that all the information is included in the packet and he is available to answer questions.

Chair Venuti opened the public hearing.

Bernie Gareau, property owner on Don's Drive, provided a copy of a letter he mailed but did not arrive in time for the packet. He had questions about why the exemption is being requested, and also why a survey of surface water is sufficient for Commission review, but subsurface water isn't considered. If the surface water is all that is considered, he asked why these properties are included in the watershed.

The Commission took a recess at 7:12 p.m. to read Mr. Gareau's letter. The meeting reconvened at 5:15 p.m.

Deputy City Planner Engebretsen explained that when the Bridge Creek Watershed Protection District (BCWPD) boundaries were established they took Crossman Ridge and Skyline Drive as identifiable boundaries. They allowed a mechanism that if a property geographically doesn't flow into the watershed, it could be excluded. In this case the property owner has provided evidence as outlined in city code to be exempted.

In response to Commission questions, Deputy City Planner Engebretsen explained that the city code only refers to surface water and not to subsurface water. She also explained that if the property is exempted it will be subject to the regulation of the rural residential zoning district.

HIGHLAND/SLONE MOVED TO ADOPT STAFF REPORT PL 14-34 AND EXEMPT THE PROPERTY LOCATED AT 1270 DON'S DRIVE FROM THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT WITH FINDINGS 1 AND 2.

There was brief discussion in relation to comments by Mr. Carter at the worksession.

VOTE: NON OBJECTION: SLONE, STEAD, VENUTI, HIGHLAND, BOS, ERICKSON

Motion carried.

Commissioner Stroozas returned to the table.

Plat Consideration

A. Staff Report PL 14-32, Harrington Heights 2014 Replat Preliminary Plat

Deputy City Planner Engebretsen reviewed the staff report.

Marsha Korpi, applicant, commented that as it is now, the land on the east side of the creek the land is not readily accessible, an on her side of the creek it is as though it is already part of her yard. She would like to be able to garden it.

There were no public comments regarding the preliminary plat.

Question was raised about the 30 foot drainage easement. Ms. Korpi said it didn't pose a problem for her, but couldn't speak for Mr. Bergman, the other applicant.

There was brief discussion regarding the 30 foot setback.

BOS/HIGHLAND TO ADOPT STAFF REPORT PL 14-32 AND APPROVE HARRINGTON HEIGHTS 2014 REPLAT PRELIMINARY PLAT WITH STAFF COMMENTS AND RECOMMENDATIONS.

There was no further discussion.

VOTE: YES: VENUTI, SLONE, BOS, ERICKSON, STEAD, HIGHLAND, STROOZAS

Motion carried.

Pending Business

A. Staff Report PL 14-36, Itinerant Merchants (IM) and Mobile Food Service (MFS)

Deputy City Planner Engebretsen reviewed the staff report.

There was discussion regarding previous comments and suggestions relating to itinerant merchant and mobile food service.

The Commission agreed that there isn't a big push for change in regulation right now and felt it would be appropriate to postpone this until City Planner Abboud returned and is ready to bring it back to them.

SLONE/ BOS MOVED TO POSTPONE THIS UNTIL IT IS BROUGHT BACK BY THE CITY PLANNER.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

New Business

- A. Staff Report PL 14-35, Discussion on moving a lot line in the Bridge Creek Watershed Protection District

Commissioner Stroozas left the table based on his earlier declaration in relation to being a property owner within 300 feet of the subject property.

Deputy City Planner Engebretsen noted that there is no formal action on this tonight; this is a conceptual check on whether the Commission agrees with moving property lines to match the watershed boundaries as we know them. The issue addressed here is how to address a lot with a portion that flows toward the watershed and a portion that flows away. The concept of shifting a lot line to follow the watershed boundary is an option to consider, or allow the portion of a lot that flows away considered as not part of the watershed. Either option will likely include a code amendment, but staff would like to have a conceptual conversation with the Commission as to what they think would be preferred.

David Treat explained he owns two lots in the watershed protection district that are relatively equal in size. The property line between the two lots is very close to the structures that were built on the lot that is out of the watershed. The survey showed a section of the land behind the lot that was just exempted that drains away from the watershed. He is interested in a future action to shift the lot line to encompass the portion that drains away from the watershed into this lot that was just exempted. It gives him a little more room between the structure and the property line, and allows for a clear line between what is and is not in the watershed.

The Commission discussed the situation and agreed that it would be appropriate to consider a code amendment to address circumstances where a portion of a lot flows toward and a portion that flows away from the watershed.

Deputy City Planner Engebretsen said staff will bring back some proposals for consideration.

Informational Materials

- A. City Manager's Report from the March 24, 2014 City Council Meeting
B. Letter from Faith Lutheran Church Planning Board RE: changeable copy signs in the Gateway Business District.
C. KPB Platt Committee Notice of Meeting in Homer Monday, April 14, 2014 at Land's End Resort
D. KPB Plat Committee Notice of Decisions
- Barnett's South Slope Sub. Quiet Creek Park Revised Preliminary Plat
 - Mattox Subdivision 2014 Preliminary Plat

The Commission continued discussion regarding the sign code in the GBD, and options for amending the code, which includes collecting signatures and request from a Planning Commissioner to institute

a change. Commissioner Erickson requested an ordinance change relating to changeable copy and internally illuminated signs in the district.

Commissioner Highland commented about a comment from the Boroughs review of the Quiet Creek Subdivision that Homer is supposed to have a storm water management plan to address those concerns about runoff transfer. She asked if that is what they have been discussing recently. Deputy City Planner Engebretsen suggested that it might not have been very clear in the testimony what the city has and when it applies. She believes there was some discussion about storm water requirements like in the CBD, which is different than city wide storm drainage, and also different from subdivision storm water regulations.

Comments of the Audience

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

Joe Carter commented regarding the discussion replatting a lot line in the BCWPD, he thinks replatting between two common properties is a separate issue from any issue relating to the drainage. He believes if the lodging were provided, some folks from the NRCS would come out free of charge to go out with real time GPS and walk the 2100 acres of the BCWPD and map it on the ground. He talked about the current process of the LYDAR mapping and its inaccuracy. He will provide information he talked about in the worksession to staff for review.

Buck Jones, President of the Faith Lutheran Church Planning Board, commented that the GBD is very small and is one lot deep along the Sterling Highway, and changeable copy signs are only restricted in that area. He referenced other changeable copy signs in Homer, and said what they are asking is for the GBD to follow the rest of the sign code around town. He wouldn't want to see it limited to just churches or non-profits, due to the chance of starting a conflict.

Gary Syth, Pastor of Faith Lutheran Church, gave a brief example of their need for the changeable copy sign. This weekend the service times are changing for the Easter Service, but they don't have a way for the general public to know the times are changed. Sandwich boards are not allowed in the GBD either.

Comments of Staff

Deputy City Clerk Jacobsen reminded the Commission that the appropriate time for commissioners to declare their conflicts of interest is after the Chair announces the agenda item, and before the applicant begins their presentation.

Comments of the Commission

Commissioner Highland said she received a call from a member of the public expressing concern that the Dolphin Villa does not have running water, and also about the buses that are parked over by Two Sisters. Deputy City Planner Engebretsen said that in the future it is best to refer people with those type questions to the Planning Department.

HOMER ADVISORY PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 16, 2014

Commissioner Slone welcomed Shelly back to the Commission and advised that he will likely miss the next meeting.

Commissioner Erickson said she is glad to be back.

Commissioner Bos thought it was a good meeting with respectful conversation all the way around. He thanked staff for doing another marvelous job.

Commissioner Stead and Stroozas had no comment.

Chari Venuti commented about driving in to Soldotna and seeing all the signs, he would hate to see Homer get like that. There is a reason we have no changeable copy signs in various areas. It is a great idea the church should have a good sign out there, but he doesn't think it should be a changeable copy sign. He thinks they could do the same thing with portable signs they add to what they have. He said it was an interesting meeting and thanked everyone for their participation.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:36 p.m. The next regular meeting is scheduled for May 7, 2014 at 6:30 p.m. in the City Hall Cowles Council Chambers.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____



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HOMER ADVISORY PLANNING COMMISSION

Meeting of April 16, 2014

Conditionally Approved

RE: Conditional Use Permit (CUP) 14-05

Address: 320 W. Pioneer Avenue

Legal Description: T 6S R 13W SEC 19 Seward Meridian HM THAT PORTION OF THE SE1/4 NE1/4 BEGINNING 328 FT NORTH OF THE SOUTHWEST CORNER OF SAID QUARTER OF QUARTER SECTION TH SOUTH 180 FT TH EAST 123 FT TO THE WEST BOUNDARY OF THE HWY TH NORTHERLY ALONG THE BOUNDARY OF SAID HWY TO A POINT 328 FT NORTH OF THE SOUT H BOUNDARY OF SAID QUARTER OF QUARTER SECTION TH WEST 218 FT TO THE POB EXCLUDING PIONEER AVE

DECISION

Introduction

Terry and Jonnie Yager and John and Norma Smith (the “Applicants”) applied to the Homer Advisory Planning Commission (the “Commission”) for a conditional use permit under Homer City Code HCC 21.18.040(b)(4) in the Central Business District: “If approved by a conditional use permit, the setback from a dedicated right-of-way, except from the Sterling Highway or Lake Street, may be reduced.”

The applicant proposes to build a covered deck which will extend 10 feet into the 20 foot building setback along Pioneer Avenue.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on April 16, 2014. Notice of the public hearing was published in the local newspaper and sent to 21 property owners of 20 parcels.

At the April 16, 2014 meeting of the Commission, the Commission voted to approve the request with seven Commissioners present. Commissioner Venuti and Commissioner Erickson stated that they may have a conflict of interest due to business and personal relations with the applicant. The Commission discussed both potential conflicts and determined that neither Commissioner had a conflict of interest that would affect their decision per HCC 1.18 Conflicts of Interest. Seven Commissioners voted in favor of the Conditional Use Permit.

Evidence Presented

The applicant, Terry Yager spoke about his goal of constructing a new façade on the east side (facing Pioneer Avenue) of the existing Windjammer Suites Hotel. Deputy City Planner Engebretsen reviewed the staff report and noted three laydowns. Two laydown items were received from Frank Griswold, one of which questioned the need for a variance. A third laydown from City Attorney Klinkner provided discussion that the request should not be treated as a variance.

There was no public testimony.

Findings of Fact

After careful review of the record and consideration of testimony presented at the hearing, the Commission determined that Condition Use Permit 14-05 to build a covered deck which will extend 10 feet into the 20 foot building setback along Pioneer Avenue satisfies the review criteria set out in HCC 21.71.030 and is hereby approved.

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 1: Hotels, motels, and multi-family dwellings are all permitted uses in the CBD, per HCC 21.18.020. HCC 21.08.040(b)(4) allows for a reduced setback along Pioneer Avenue with an approved Conditional Use Permit.

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

Finding 2: The covered porch provides protection from the weather and enhances a pedestrian-friendly atmosphere along Pioneer Avenue.

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 3: The value of adjoining property will not be negatively affected because this proposal improves the exterior façade of an existing building.

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

Finding 4: The covered porch is compatible with the other buildings along Pioneer Avenue. Within 250 feet there are three buildings that have reduced setbacks to Pioneer Avenue and offer decks similar to the proposed deck. Aurora Gems (365 W. Pioneer Ave.), Homer Council on the Arts (355 W. Pioneer Ave.) and All Hopped Up Espresso(280 W. Pioneer Ave.).

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

Finding 5: The covered deck will not increase the need for public services. The existing structure is connected to public water and sewer and Pioneer Avenue is a State maintained road.

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 6: The scale, bulk, coverage and density of the proposed covered porch will be in harmony with other facades along Pioneer Avenue. The covered deck will not have an undue harmful effect on Pioneer Avenue 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 7: The covered deck will not be unduly detrimental to the health, safety or welfare of the surround area or 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 8: With an approved CUP, this proposal will comply with the applicable regulations and conditions specified in HCC Title 21.

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

Finding 9: The commercial streetscape of Pioneer Ave will be enhanced by the construction of the covered porch and by the provision of direct pedestrian access from the sidewalk to the business. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

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

Condition 1: All lighting shall meet the outdoor light standards per HCC 21.59.030 Lighting Standards, to reduce glare and light trespass by using downward directional lighting.

Finding 10: The covered deck will meet the applicable provisions of the Community Design Manual.

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. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.**
- 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.**

Condition 2: Landscaping shall include flower box plantings along the edge of the deck facing Pioneer Ave.

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2014-05 is hereby approved, with findings 1-10 and conditions 1-2.

Condition 1: All lighting shall meet the outdoor light standards per HCC 21.59.030 Lighting Standards, to reduce glare and light trespass by using downward directional lighting.

Condition 2: Landscaping shall include flower box plantings along the edge of the deck facing Pioneer Ave.

_____	_____
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

Terry and Jonnie Yager 412 E Pioneer Ave. Homer, AK 99603	John & Norma Smith 320 W. Pioneer Ave. Homer, AK 99603	Thomas Klinkner Birch, Horton, Bittner & Cherot 1127 West 7th Ave Anchorage, AK 99501
Frank Griswold 519 Klondike Avenue Homer, AK 99603	Walt Wrede, City Manager 491 E Pioneer Avenue Homer, AK 99603	



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STAFF REPORT PL 14-37

TO: Homer Advisory Planning Commission
FROM: Planning Staff
MEETING: May 7, 2014
SUBJECT: City Planner's Report

City Council - Council has introduced ordinance 14-18 that will affect communication towers. The attorney is working on the revisions Council made at the last meeting. This ordinance will be on the May 21st HAPC agenda for initial discussion.

The Board of Adjustment met twice in April, concerning appeals of two conditional use permits. (The tower on Easy Street, and the duplex on Heath Street). Please be aware its still possible these may be remanded back to the Planning Commission. Decisions on these appeals should be issued by early to mid-June.

Council adopted Resolution 14-049, supporting a traffic light with turn lanes at the intersection of Main Street and the Sterling Highway.

Staff activities: Dotti is out of the office until after Memorial Day. Rick should be back for the May 21st meeting. He may be back for the Chamber mixer on the 15th.

Homer Chamber of Commerce "Business after Hours" with the EDC and the HAPC is scheduled for Thursday, May 15th. The event runs from 5-7 pm, and will be held in Council Chambers.



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Staff Report PL 14-38

TO: Homer Advisory Planning Commission
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 7, 2014
SUBJECT: Vacation of a utility and pedestrian easement

Requested action: Conduct a public hearing on the vacation of a utility and pedestrian easement.

Staff note: The Kenai Peninsula Borough code recently underwent a major amendment. This amendment changed the process for easement vacations. Comments from the local city advisory planning commission are now required. Homer City code doesn't address how the HAPC will review utility easement vacations, or what the notice requirements are. Therefore, after consulting Kenai Peninsula Borough platting staff and the Homer City Clerk, staff chose to follow our standard procedures for pedestrian easement vacations for public notice and advertising. City code needs to be updated in the near future to reflect the new borough process.

Introduction

The City of Homer is applying for the vacation of a utility and pedestrian easement. The vacation is needed to accommodate the new harbormaster office construction project. Public Works has worked closely with the utility companies in relation to this project and the proposed easement vacation. Copies of letters of non-objection to the vacation are attached.

Analysis

KPB Code 20.70.190, Utility provisions.

All existing and future utility requirements shall be considered when evaluating a vacation request. Rights of way which are utilized by a public utility or which logically would be required by a public utility shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right of way exists, the commission may approve the vacation and require that a public utility easement be granted in place of the right of way.

The City is proposing to dedicate new utility easements to meet the needs of the utility companies. Equal access will be provided by the new easements.

The City is not proposing to dedicate a new pedestrian easement. Instead, the City will construct a boardwalk along the edge of the harbormaster building, to connect to the harbor trail that is under construction. Superior public access will be created by the construction of the boardwalk.

Staff Recommendation: Recommend approval of the vacation of the utility and pedestrian easement.

Attachments

1. Petition
2. Public Notice



Petition to Vacate Utility Easement

No Public Hearing Required

Submit completed form to the Kenai Peninsula Borough Planning Department, 144 North Binkley St., Soldotna, AK 99669

Upon receipt of complete application with all required attachments the vacation will be scheduled for Planning Commission action. The petitioner must secure and submit written comments from utility companies. If the easement is within city limits; secure and submit city's written comments. **The completed petition, with all required attachments, accompanied by a \$75.00 non-refundable fee, must be submitted to the Planning Department a minimum of thirty (30) days prior to the meeting at which the Planning Commission will take action.**

☐ Fees - \$75.00 non-refundable fee attached.

To accomplish an approved vacation; a Planning Commission Resolution must be filed with the State Recorder to enter the vacation into the public records unless the vacation is accomplished by plat. Petitioner must pay filing fees (usually \$22-\$27).

☐ Utility easement requested to be vacated was granted by plat of Subdivision, filed as Plat No. HM1993-12 in Homer Recording District.

☐ Utility easement proposed to be vacated was granted by (specify type of document) _____ as recorded in Book _____ Page _____ of the _____ Recording District. (Copy of recorded document must be submitted with petition)

☐ Comments from _____ Electric Association attached.

☐ Comments from _____ Gas Company attached.

☐ Comments from _____ Telephone Company attached.

☐ Comment from _____ Cable Company attached.

☐ Comments from the KPB Roads Department attached.

☐ Comments from City of _____ attached.

☐ Three copies of plat or map showing area proposed to be vacated. If easement was granted by document; one copy of recorded document must be submitted.

☐ If an existing structure is encroaching into easement; As-Built showing encroachment must be attached.

Is easement being used by utility company?

☒ Yes

☐ No

If yes, which utility HEA, ACS

The petitioner must provide reasonable justification for the vacation. Reason for vacating:

Please see attachment.

The petition must be signed (written signature) by owners of the land subject to the easement proposed to be vacated. Each must include mail address and legal description of his / her property.

Submitted by: Signature [Signature] As ☒ Petitioner ☐ Representative

Name Jo Johnson (Acting City Manager)

Address 491 E Pioneer Ave

Homer Ak, 99603

Phone 435-3106

Petitioners:

Signature _____

Name _____

Address _____

Owner of _____

Signature _____

Name _____

Address _____

Owner of _____

Signature _____

Name _____

Address _____

Owner of _____

Signature _____

Name _____

Address _____

Owner of _____



Kenai Peninsula Borough Planning Department
 144 North Binkley
 Soldotna, Alaska 99669-7599
 Toll free within the Borough 1-800-478-4441, extension 2200
 (907) 714-2200

Petition to Vacate Public Right-of-Way/Easement/Platted Public Area
Public Hearing Required

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

Pending \$500 non-refundable fee to help defray costs of advertising public hearing.

Pending City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.

- ☒ Name of public right-of-way proposed to be vacated is dedicated by the plat of Homer Spit No. 5 Subdivision, filed as Plat No. HM 1993-12 in Homer Recording District.
- ☒ Are there associated utility easements to be vacated? ☒ Yes ☐ No
- ☐ Are easements in use by any utility company? If so, which company HEA, ACS
- ☐ Easement for public road or right-of-way as set out in (specify type of document) Plat HM 1993-12 as recorded in Book _____ Page _____ of the Homer Recording District. (Copy of recorded document must be submitted with petition.)
- ☒ Submit three copies of plat or map showing area proposed to be vacated. Must not exceed 11x17 inches in size. In the case of public right-of-way, the submittal must include a sketch showing which parcels the vacated area will be attached to. Proposed alternative dedication is to be shown and labeled on the sketch.
- Has right-of-way been fully or partially constructed? ☒ Yes ☐ No
- Is right-of-way used by vehicles / pedestrians / other? ☒ Yes ☐ No
- Is alternative right-of-way being provided? ☒ Yes ☐ No

The petitioner must provide reasonable justification for the vacation. Reason for vacating:

Various City of Homer staff members and commissions have selected the building site for the new Harbor Master building to be built over the pedestrian and utility easement which will provide enhanced viewing of Homer's Small Boat Harbor. Utilities will be routed around the back of the building with the pedestrian traffic to be routed around the front of the building as depicted with the attached graphic. Attached are letters of non objection from the four area utility companies

The petition must be signed (written signature) by owners of the majority of land fronting the right-of-way, easement, or platted public area proposed to be vacated. Each petitioner must include address and legal description of his/her property.

Submitted By:

Name: Walt Wrede
 Address 491 E Pioneer Ave
Homer Ak 99603

Signature as:

☒ Petitioner ☐ Representative

Phone 235-8121

Petitioners:

Signature [Signature]
 Name Walt Wrede
 Address 491 E Pioneer Ave
Homer Ak 99603

Signature _____
 Name _____
 Address _____

Owner of City Manager has signature authority
for property transactions for the City of
Homer

Owner of _____

Signature _____
 Name _____
 Address _____

Signature _____
 Name _____
 Address _____

Owner of _____

Owner of _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

April 6th 2014

Re; Utility Easement Vacation

Dear Byron,

The City of Homer is in the process of designing a new harbormaster building located at Freight Dock Rd. To facilitate the design we will need to vacate the existing 15' utility and pedestrian easement as depicted on the attached graphic. To mediate the utility vacation we propose an alternative utility easement also depicted on the attached graphic.

The utility easement vacation process will require approval from the City of Homer Planning Commission as well as the Kenai Peninsula Borough Planning Commission. If you are in agreement please sign the attached document and return by e-mail dnelsen@ci.homer.ak.us.

Should you have any questions please feel free to contact me as soon as possible.

Sincerely,

City of Homer
Dan Nelsen
Public Works, Project Manager
907.435.3141
907.435.7211 cell
dnelsen@ci.homer.ak.us

Byron Jackson
ACS Engineering Department
151 Warehouse Drive
Soldotna, Alaska 99669
byron.jackson@acsalaska.com
T: [907] 714-8791
C: [907] 394-879

ACS Has no objection to this utility easement vacation.

Byron Jackson

Date;

4/10/2014



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

April 6th 2014

Re; Utility Easement Vacation

Dear Cody,

The City of Homer is in the process of designing a new harbormaster building located at Freight Dock Rd. To facilitate the design we will need to vacate the existing 15' utility and pedestrian easement as depicted on the attached graphic. To mediate the utility vacation we propose an alternative utility easement also depicted on the attached graphic.

The utility easement vacation process will require approval from the City of Homer Planning Commission as well as the Kenai Peninsula Borough Planning Commission. If you are in agreement please sign the attached document and return by e-mail dnelsen@ci.homer.ak.us.

Should you have any questions please feel free to contact me as soon as possible.

Sincerely,

City of Homer

Dan Nelsen

Public Works, Project Manager

907.435.3141

907.435.7211 cell

dnelsen@ci.homer.ak.us

Cody Neuendorf

Homer Electric Association

280 Airport Way

Kenai, Alaska 99611

cneuendorf@homerelectric.com

HEA has no objection to this utility easement vacation.

Date; 4/10/2014

Cody Neuendorf

HEA

Reviewed / No Comments

Date 4/10/2014



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street

Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

April 6th 2014

Re; Utility Easement Vacation

Dear Bradley,

The City of Homer is in the process of designing a new harbormaster building located at Freight Dock Rd. To facilitate the design we will need to vacate the existing 15' utility and pedestrian easement as depicted on the attached graphic. To mediate the utility vacation we propose an alternative utility easement also depicted on the attached graphic.

The utility easement vacation process will require approval from the City of Homer Planning Commission as well as the Kenai Peninsula Borough Planning Commission. If you are in agreement please sign the attached document and return by e-mail dnelsen@ci.homer.ak.us.

Should you have any questions please feel free to contact me as soon as possible.

Sincerely,

City of Homer

Dan Nelsen

Public Works, Project Manager

907.435.3141

907.435.7211 cell

dnelsen@ci.homer.ak.us

Bradley Beck

GCI

bbeck@gci.com

GCI has no objection to this utility easement vacation.

Date; _____

4/10/14

Bradley Beck



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street

Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

April 6th 2014

Re; Utility Easement Vacation

Dear Jennifer,

The City of Homer is in the process of designing a new harbormaster building located at Freight Dock Rd. To facilitate the design we will need to vacate the existing 15' utility and pedestrian easement as depicted on the attached graphic. To mediate the utility vacation we propose an alternative utility easement also depicted on the attached graphic.

The utility easement vacation process will require approval from the City of Homer Planning Commission as well as the Kenai Peninsula Borough Planning Commission. If you are in agreement please sign the attached document and return by e-mail dnelsen@ci.homer.ak.us.

Should you have any questions please feel free to contact me as soon as possible.

Sincerely,

City of Homer

Dan Nelsen

Public Works, Project Manager

907.435.3141

907.435.7211 cell

dnelsen@ci.homer.ak.us

Jennifer Diederich

Right-of-Way Agent

ENSTAR

P.O. Box 190288

Anchorage, Alaska 99519-0288

jennifer.diederich@enstarnaturalgas.com

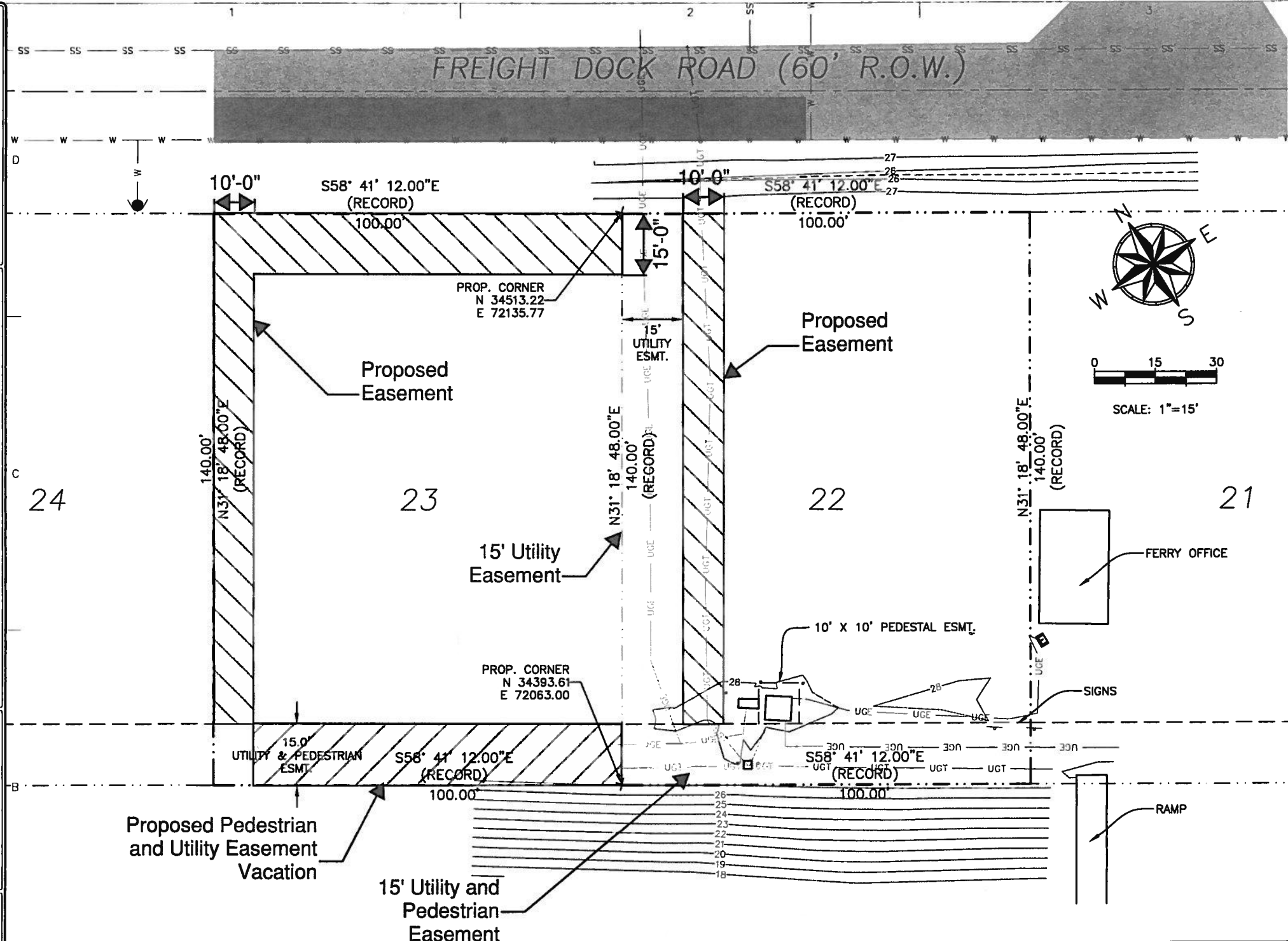
334-7753

Enstar has no objection to this utility easement vacation.

Date; 4/14/2014

Jennifer Diederich

AutoCAD FILE: harbormaster.dwg (1/25/14) SCALE: AS SHOWN PLOTTED FULL SCALE



LEGEND

ASPHALT PAVEMENT

BUILDING LINE

EASEMENT

EDGE OF GRAVEL ROAD

EDGE OF PAVEMENT

UTILITY - OVERHEAD ELECTRIC

UTILITY - UNDERGROUND ELECTRIC

UTILITY - UNDERGROUND TELEPHONE

UTILITY - SEWER LINE

UTILITY - WATER LINE

PROPERTY LINE

SURVEY NOTES

1. VERTICAL DATUM IS NORTH AMERICAN VERTICAL DATUM OF 1988 BASED ON NGS PID TT0175; A BRASS DISK LABELED "C-103" WITH PUBLISHED ELEVATION OF 22.12 (NGVD88). TO CONVERT TO THE 1983-2001 TIDAL EPOCH MEAN LOWER LOW WATER DATUM=0 ADD 4.83 FEET TO THE VALUES SHOWN.
2. HORIZONTAL DATUM IS 1976 HOMER CITY COORDINATE SYSTEM BASED ON VALUES PUBLISHED ON PLATS 89-34 AND 93-12 IN THE HOMER RECORDING DISTRICT.

CONTROL POINT TABLE				
POINT	NORTHING	EASTING	ELEV.	DESCRIPTION
4331	34603.8470	72777.2000	26.26	1" DIA. HOLE IN ROCK
4332	33632.1780	73632.7570	24.75	BRASS STEM IN ROCK
4341	34126.	72557.	28.42	TOP_N_BOLT_LIGHT PDLE
4343	34253.2050	72562.7220	26.97	RED PLASTIC CAP BY 36865, 1991
4347	34341.662	72148.371	27.23	FND. 2" AL-CAP BY 7610-S, 2009
4348	34528.7510	72145.1870	27.58	SET MAG-NAIL
4350	34135.8750	72818.8230	27.05	MAG-NAIL
4351	34292.2570	73047.0950	26.69	SET 5/8 REBAR
4560	34088.6	72783.6	27.93	FH BOTTOM BONNET BOLT (WEST)

A

V1.0

SITE SURVEY

GRAPHIC SCALE: 1" = 15' (22X34), 1" = 30' (11X17)

STATE OF ALASKA

Surveyor

49th

Gregory D. Nelson

NO. 7610-S

3-25-2014

HOMER HARBOR MASTER'S OFFICE

PROJECT:

CITY OF HOMER

491 E. PIONEER AVENUE

HOMER, ALASKA 99603

CLIENT:

ABILITY SURVEYING

152 Debel Ave

Homer, AK 99603

DESIGN BY:

DRAWN:

CHECKED:

JOB NO:

DATE: 3-25-2014

REVISIONS:

CATEGORY:

SHEET:

V 1.0

SHEET CONTENTS:

SITE SURVEY

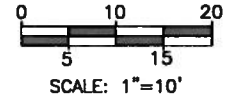
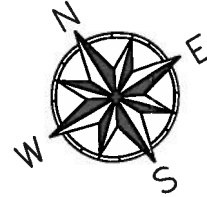
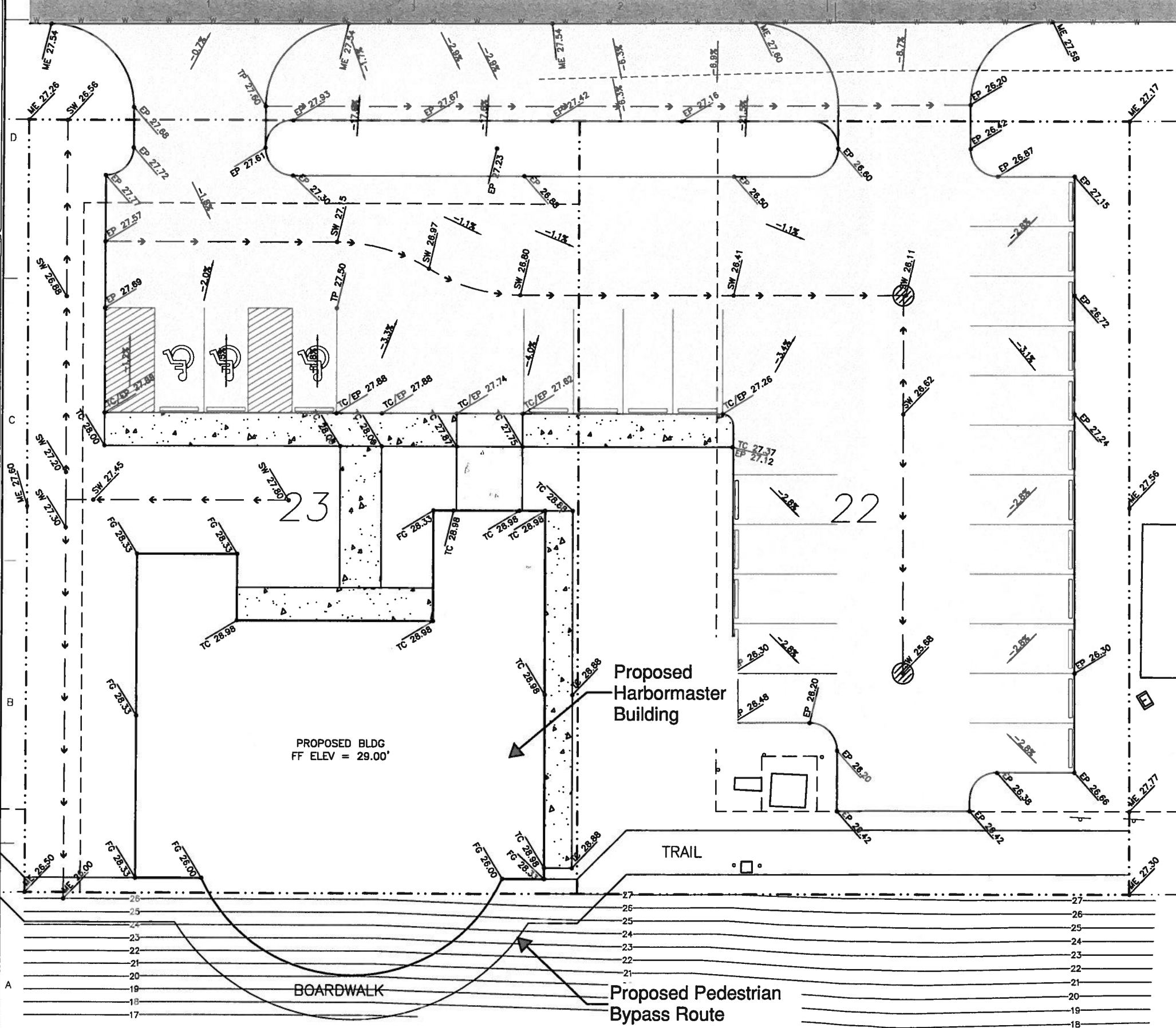
1 OF 1

NOT FOR CONSTRUCTION

PLOTTED FULL SCALE

SCALE: AS SHOWN

AutoCAD FILE: harbormaster.dwg



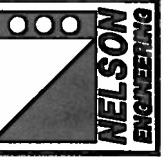
GRADING LEGEND

- CBI - CATCH BASIN INLET
- EG - EXISTING GROUND
- EP - EDGE OF PAVEMENT
- FG - FINISH GRADE
- ME - MATCH EXISTING
- POND - DETENTION POND
- SW - SWALE
- TC - TOP OF CONCRETE
- TP - TOP OF PAVEMENT
- TW - TOP OF WALL
- XXX - SPOT ELEVATION
- XXX - DRAINAGE ARROW

A GRADING PLAN
C20 GRAPHIC SCALE: 1" = 10' (22X34), 1" = 20' (11X17)

85% PROGRESS
SET

3-28-2014



HOMER HARBOR MASTER'S OFFICE

CITY OF HOMER
491 E. PIONEER AVENUE
HOMER, ALASKA 99603

**KLAUDER & COMPANY
ARCHITECTS, INC.**

606 Petersen Way
Kenai, Alaska 99611
Tel (907) 283-1919 : Fax (907) 283-0450
klauder@alaska.net

DESIGN BY:

WJN

DRAWN:

MZD

CHECKED:

WJN

JOB NO:

1358

DATE:

3-28-2014

REVISIONS:

CATEGORY:

SHEET:

C 2.0

SHEET CONTENTS:
GRADING PLAN

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, May 7, 2014 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska on the following matter:

The City of Homer requests to vacate a utility easement and a pedestrian easement at 4311 Freight Dock Road, lot 23 Homer Spit Subdivision No. 5 T 6S R 13W SEC 36 S.M. Note: In addition, the City proposes a new Harbormaster building on this lot which will include an elevated boardwalk for pedestrian traffic.

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

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown at the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

Vicinity Map on Reverse

Vicinity Map

OUTER DOCK RD.

Location of proposed
utility and pedestrian easement vacation.
Site of new harbormaster office.

FREIGHT DOCK RD.

X

SVT

CG

Homer Harbor



City of Homer
Planning and Zoning Department

April 18, 2014

Request to vacate a utility easement
and a pedestrian easement.

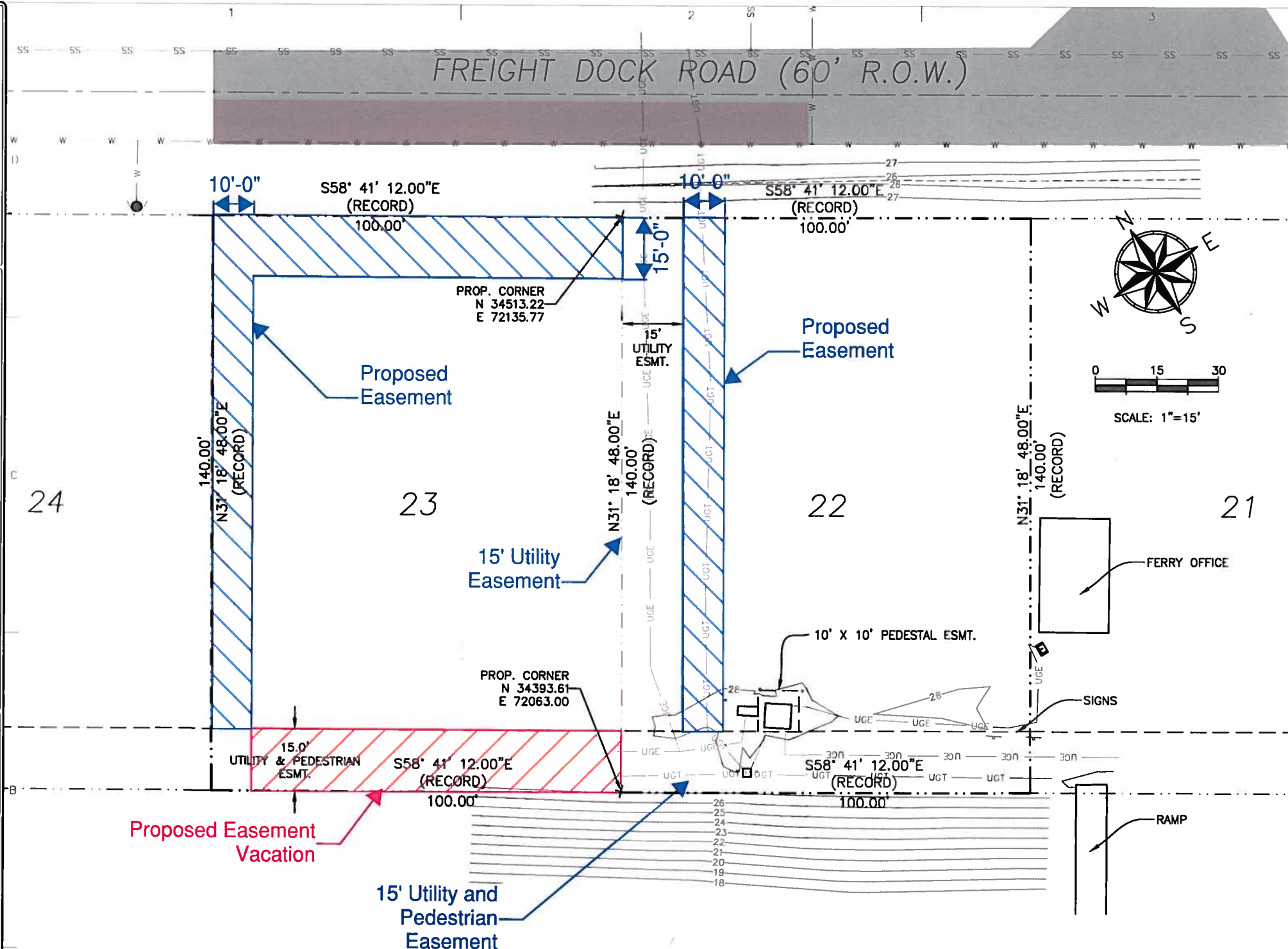
Marked lots are within 500 feet
and property owners notified.

0 205 410 Feet



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

AutoCAD FILE: h:\homer\mstr\mstr.dwg SCALE: AS SHOWN PLOTTED FULL SCALE



LEGEND

- ASPHALT PAVEMENT
- BUILDING LINE
- EASEMENT
- EDGE OF GRAVEL ROAD
- EDGE OF PAVEMENT
- UTILITY - OVERHEAD ELECTRIC
- UTILITY - UNDERGROUND ELECTRIC
- UTILITY - UNDERGROUND TELEPHONE
- UTILITY - SEWER LINE
- UTILITY - WATER LINE
- PROPERTY LINE

SURVEY NOTES

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4348	34528.7510	72145.1870	27.58	SET MAG-NAIL
4350	34135.8750	72818.8230	27.05	MAG-NAIL
4351	34292.2570	73047.0950	26.69	SET 5/8 REBAR
4560	34088.6	72783.6	27.93	FH BOTTOM BONNET BOLT (WEST)

A SITE SURVEY
GRAPHIC SCALE: 1" = 15' (22X34), 1" = 30' (11X17)

HOMER HARBOR MASTER'S OFFICE

PROJECT: CITY OF HOMER
491 E. PIONEER AVENUE
HOMER, ALASKA 99603

CLIENT:

ABILITY SURVEYING

152 Delah Ave
Homer, AK 99603

DESIGN BY:

DRAWN: CHECKED:

JOB NO:

DATE: 3-25-2014

REVISIONS:

CATEGORY: SHEET:

V 1.0

SHEET CONTENTS:
SITE SURVEY

1 OF 1



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 14-39

TO: Homer Advisory Planning Commission
FROM: Julie Engebretsen, Deputy City Planner
DATE: May 7, 2014
SUBJECT: CUP 14-06

Synopsis The applicant proposes to extend the new harbormaster office and harbor trail out over the edge of the harbor. This is a quasi-judicial action.

Applicants: Walt Wrede, City Manager
Dan Nelson, Public Works Project Manager
City of Homer
491 E Pioneer Ave, Homer AK 99603

Location: 4311 Freight Dock Road, Lots 22 and 23, Homer Spit Sub No 5, and
Lot G-8 Homer Spit Sub No Two Amended

Parcel ID: 18103 241, 242, 216

Size of Existing Lot: 0.32, 0.32, and 5.22 acres

Zoning Designation: Marine Industrial, Marine Commercial, and Small Boat Harbor
Overlay

Existing Land Use: Vacant

Surrounding Land Use: North: Parking lot, staging area (Marine Industrial)

South: Homer Harbor

East: Seldovia Ferry office and ramp, chip pad across the street

West: Parking lot and harbor overlook area

Wetland Status: No designated wetlands.

Flood Plain Status: The Harbor is designated as an AE 20 zone. The building elevation is about 27 feet, and the boardwalk just below that. Any pilings that extend down into the flood zone are required to meet floodplain standards.

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 4 property owners of 45 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: This CUP application is for the construction of a new harbormaster office. The building will be approximately 4800 square feet, with the potential in the future to add a second story. The building straddles the Marine Industrial and Marine Commercial Districts, and extends into the Small Boat Harbor Overlay District. The building design calls for the front of the building to extend 15 feet over the property line toward the small boat harbor, with an additional 10 foot pedestrian boardwalk cantilevered over the edge of the harbor. Overall, the building and boardwalk will extend 25 feet over the lot line of lot 22, into lot G-8. The placement of the building within the side setback area (over the property lines), and into the Small Boat Harbor Overlay District, are the items that trigger a conditional use permit.

The placement of the building was chosen because it allows harbor staff to have better visibility of harbor activities. A second story could be added to the building in the future, if the boat harbor is expanded and increased harbor visibility is warranted. The new harbor trail will be constructed along the outside of the building adjacent the harbor.

Parking/Landscaping/Storm water drainage:

- The site provides 23 parking spaces, including three handicap spaces. (This exceeds city code requirements for the Homer Spit.)
- Landscaping will include native beach grass, boulders and driftwood. The landscaping meets and exceeds the requirements of 21.50.040.
- Storm water will be channeled on site to drain into drain rock pits. In addition, the parking lot runoff will be handled by a catch basin with a sand- oil separator.

Small Boat Harbor Overlay Zone Analysis

The overlay zone is intended to regulate the construction of new boardwalks, and has standards addressing such construction. While the new harbormaster office and trail do extend into the district, it's not the type of overslope development envisioned when the code was written. This is also the first project to be reviewed under the zone. The project does not meet the letter of every item listed in code. In general, staff thinks the building and boardwalk meet the intent of the zoning district, which will be discussed in depth below.

Some definitions per HCC 21.03:

“Overslope development” means an overslope platform and the structures located on the overslope platform.

“Overslope platform” means an elevated horizontal structure designed to support buildings that are located above the slope between an upland lot and the water of the Homer small boat harbor.

Purpose of the district:

21.46.010 Purpose and intent.

The purpose of the Small Boat Harbor Overlay District is to establish additional development regulations specifically designed for the unique nature and needs of water- and tourism-oriented uses on platforms over the small boat harbor. These regulations will delineate special performance and design standards, encourage mixed use developments which contribute to the stabilization of water-dependent and water-related uses, encourage the link between the marine business and general business sectors of the community, and encourage safe and enjoyable access along the harbor's edge.

21.46.050 Overslope platform standards

An overslope platform shall comply with the following standards:

- a. An overslope platform shall be 40 feet deep, and shall be not less than 40 feet nor more than 240 feet wide.

Staff comment: The code is intended to apply to large platforms, where additional buildings will be placed on it, like the other boardwalks on the other side of the Spit. This project does not include this type of platform and does not meet these standards. However, the project does meet the intent of the district by creating safe and enjoyable access along the harbor edge, by allowing for the construction of the harbormaster's office that will contribute to the safety of harbor users, and by allowing for greater visibility from the office.

- b. There shall be a minimum 20-foot setback separating an overslope platform from a dedicated right-of-way. Except as provided in the preceding sentence, there are no setback requirements for overslope platforms, and an overslope platform may be constructed to the lot line.

Staff comment: N/A. No portion of the structure is within 20 feet of a dedicated right of way.

- c. An overslope platform that is used for the docking of boats shall be designed to bear the loads associated with that use, and include suitable rail access, gates, stairs and fenders.

Staff comment: N/A. The platform is not designed or intended for docking boats.

- d. The bottom of the lowest structural member of the lowest floor of an overslope platform (excluding pilings and columns) shall be at least one foot above the base flood elevation.

Staff comment: Documentation was provided that the lowest structural support of the boardwalk, excluding pilings, is more than one foot above base flood elevation. The Base Flood Elevation is 20 feet, and the lowest structural support has an elevation of 25 feet. See Sheet 3.2 under attachments.

e. The area of an overslope platform that at the time of its construction is within 15 feet of the edge of a ramp shall be used as a public access area, within which no sales or commercial activity may occur. Such a public access area shall not be counted to meet open space or landscaping requirements.

Staff comment: N/A. No portion of the boardwalk is within 15 feet of a ramp.

f. Direct access from an overslope platform to the ramp shall be limited to avoid user conflicts. Gates or other moveable barriers that facilitate loading and unloading may be used to control access.

Staff comment: N/A. No portion of the boardwalk provides access to a harbor ramp.

21.46.060 Architectural standards.

Overslope development shall conform to the following architectural standards:

a. All buildings on the same overslope platform shall receive a common architectural treatment. The main color of the exterior walls of all buildings on an overslope platform shall be one or more earth or seascape tones.

Staff comment: The building color palate has not been finalized, but the applicant stated something in blue tones is the preferred choice.

Condition 1: The building color palette will meet the requirements of 21.46.060 (a).

b. Not less than five percent of the area of an overslope platform area shall be outdoor public open space.

Staff comment: The platform does not include outdoor public space. The entire public area is a walkway. Because it is walkway/trail area and it curves around a building, staff does not recommend benches or other potential obstacles in the travel way. There is a harbor overlook platform with a bench and trash can within 100 feet, where people can step off the paved trail and enjoy the view. (See photos, attached).

c. Overslope development shall include pedestrian walkways that provide direct access between common areas in the overslope development and public rights-of-way.

Staff comment: A pedestrian walkway is provided.

d. Opaque walls, fences or planter boxes, or any combination of them, shall be used to screen mechanical equipment and trash containers from view in adjacent public areas.

Staff comment: The applicant does not intend to screen the existing electric boxes. No trash dumpster is planned for the site at this time.

Condition 2: If a dumpster is constructed in the future, it shall be screened on three sides.

e. The design of structures and outdoor pedestrian areas shall take into consideration environmental factors such as prevailing wind, salt spray, solar exposure, snow and heavy rains.

Staff comment: The boardwalk decking is designed for efficient snow removal by bobcat or snow blower. People will be able to enjoy the boardwalk and harbor trail year round.

f. Along the length of a building, the roofline shall not be continuous for more than 60 feet. Roofs shall be gabled.

Staff comment: The majority of the building is located outside the overlay zone. The building has a flat roof design to allow for a future second story. The curved portion of the building within the zone is about 68 feet long. The curvature of the building adds architectural interest and avoids a long unbroken façade, meeting the intent of this requirement.

g. The maximum height of a building measured from the overslope platform or the adjacent grade to the highest roof peak shall not exceed 25 feet.

Staff comment: The building height is approximately 15 feet above grade, and 17 feet above the boardwalk. The boardwalk will be lowered about 2 feet from the building grade, so that trail users will not be directly at eye level with building occupants.

h. A public access not less than eight feet wide to an area overlooking the harbor shall be provided at each end of an overslope platform and at intervals not greater than 150 feet on the overslope platform.

Staff comment: Public access wider than 8 feet is provided along the entire overslope area.

i. A continuous pedestrian corridor at least eight feet wide must extend the length of the overslope development, on either the harbor or the uplands side, or some combination thereof. The corridor must be clear of obstructions, but may be covered by an awning or roof overhang. The minimum eight-foot width of the corridor may not be counted to meet landscaping or public open space requirements.

Staff comment: Public access wider than 8 feet is provided along the entire overslope area.

21.46.070 Signs.

Signs are subject to the requirements in Chapter 21.60 HCC that apply in the underlying zoning district; provided, that the maximum combined total area for all signs under Table 2 in HCC 21.60.060(c) is calculated on a per-building basis instead of on a per-lot basis. No sign bearing a commercial message, as defined in HCC 21.60.040, may be placed in an outdoor public open space.

Staff comment: No signs will be placed within the overlay zone (other than any necessary regulatory signage related to the trail).

21.46.080 Landscaping.

a. Five percent of the area of an overslope platform must be landscaped.

b. In addition to the types of plantings listed in the definition of landscaping in HCC 21.03.040, landscaping on an overslope platform may include planter boxes and hanging basket plantings.

Staff comment: No portion of the overslope platform is landscaped. Areas adjacent to the trail will be landscaped with beach grass.

c. The Commission may permit the substitution of durable outdoor art, or amenities for public use such as bike racks, benches, trash receptacles and information kiosks, for part of the required landscaping on an overslope platform.

Staff comment: There is another harbor overlook area within 100 feet that provides a bench and trash can. The perimeter of the land portion of the site, and next to the building, will be landscaped with beach grass, boulders and driftwood. This same design is repeated at the End of the Road Park, and at the intersection of Homer Spit and Freight Dock Roads. Staff does not recommend additional amenities at this location.

21.46.090 Architectural plans.

An application for an overslope development conditional use shall include the following detailed plans and specifications showing compliance with the requirements of this chapter:

a. Floor plans at a scale of one-eighth inch equals one foot.

Staff comment: Preliminary plans at 1/8' scale have been provided.

b. Architectural elevations.

Staff comment: Provided. There will be handrail along the boardwalk, and the design will be uniform with the other harbor viewing areas. The boardwalk decking material will be pressure treated Douglas fir, and matches the new boardwalk in front of the existing harbormaster office.

c. Site elevation showing the relationship to the platform of the base flood elevation and mean high tide line, and the elevation of the land where the platform adjoins the shore.

Staff comment: Provided.

d. Exterior finish schedule.

Staff comment: The harbor master office and boardwalk will be constructed later this summer, with completion and occupancy in 2015.

e. Roof plan showing direction of drainage and where runoff will go.

Staff comment: Storm water drainage information has been provided and is attached.

f. Drawings must show design oversight by an architect registered under the laws of the State of Alaska.

Staff comment: Klauder and Company Architects, Inc, licensed by the State of Alaska, is providing oversight on this project.

Review of Building located within the setback area of the Marine Commercial and Marine Industrial Zoning Districts

21.28.030(j), 21.28.040(b), 21.30.030(j) and 21.30.040(b) state: In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and
2. Have a design that is compatible with that of the structures on the adjoining property.

Discussion of #1: The proposed building will lie within the setback area along the rear of the lot, adjacent to the Homer harbor. The value of the property along the edge of the harbor, which consists of the slope of the harbor down to tidewater, will not be impacted. The side setbacks to adjacent properties will remain and no setback reduction is requested.

The Seldovia Ferry Office to the east will not be negatively impacted by the construction of the harbormaster building's location within the rear setback. The ferry office is oriented to the south east, away from the harbormaster site. The proposed boardwalk will provide an enjoyable area for customers to explore along the harbor, without impeding ferry loading and offloading operations. The construction of the building and associated boardwalk will benefit the adjoining property.

The vacant lot to the west (parking lot and harbor overlook area) will also not be negatively impacted. The harbor trail will run along the harbor edge, creating a boundary for future development. A pedestrian easement also exists in that area.

Finding 1: The location of the building within the setback area along the rear lot line will not have a greater negative affect on the value of the adjoining property than a building located outside the setback area.

Discussion #2: There are no structures on the adjoining property toward the harbor. The structures on adjoining properties include the Seldovia Ferry to the east, and a harbor viewing platform to the west. The proposed boardwalk will have the same handrail design as the harbor viewing platform. The Seldovia Ferry office is seasonally occupied and has limited design features. No side lot line setback reduction adjoining this has been requested.

Finding 2: There are no structures on adjacent property along the rear lot line.

Finding 3: The design of the harbormaster office and boardwalk platform the design of and are compatible with the harbor viewing platform and the Seldovia Ferry Office on the adjoining properties.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.020, General conditions, and establishes the following conditions:

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

Discussion:

HCC Marine Commercial:

- **21.28.020(d),** Business offices for water-dependent and water-related activities such as fish brokers, off-shore oil and gas service companies, and stevedores;
- **21.28.020 (n)** Boat launching or moorage facilities, marinas;
- **21.28.030(j),** The location of a building within a setback area required by HCC 21.28.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and

2. Have a design that is compatible with that of the structures on the adjoining property.

- **21.28.040(b).** (duplicate code language) In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and

2. Have a design that is compatible with that of the structures on the adjoining property.

Marine Industrial:

- **21.30.020(a),** Port and Harbor Facilities
- **21.30.030 (j),** the location of a building within a setback area required by HCC 21.30.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and

2. Have a design that is compatible with that of the structures on the adjoining property.

- **21.30.040(b)** b. Setbacks. No building may be located in a required setback area without an approved conditional use permit.

1. Buildings shall be set back 20 feet from all dedicated rights-of-way. Alleys are not subject to a 20-foot setback requirement. The setback requirements from any lot line abutting an alley will be determined by the dimensional requirements of subsection (b)(2) of this section.

2. Buildings shall be set back five feet from all other lot boundary lines.

Small Boat Harbor Overlay

- **21.46.040(a):** Overslope Development.

Finding 4: HCC Title 21 authorizes each proposed use and structure in the zoning districts.

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

Discussion: HCC 21.28.010, Marine Commercial purpose, 21.30.010 Marine Industrial Purpose, and 21.46.010 SBHOD Purpose all support water dependent activities. Harbormaster activities and oversight are central to the operation of the Homer Harbor.

Finding 5: The harbormaster office and boardwalk are compatible with the purposes of the Marine Industrial, Marine Commercial and Small Boat Harbor Overlay Districts.

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.

Analysis: Other permitted and conditionally permitted uses in the MC and MI district include manufacturing, processing cooking and packing of seafood products, heliports, dry docks, and bulk petroleum storage. These uses could generate moderate traffic, significant odor, dust, and 24 hour operations/noise, that would negatively affect the value of adjoining property. For example, a heliport might create noise that would be detrimental to a hotel operation, or the odor created by seafood processing might be objectionable in a campground. The harbormaster office will not generate significant traffic; will create no odor; and conducts limited activities outside of traditional business hours.

Finding 6: The harbormaster office will not negatively affect the value of adjoining property greater than anticipated from other permitted or conditionally permitted uses in the Marine Commercial and Marine Industrial Districts.

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

Analysis: The use is compatible with the Seldovia Ferry ticket office and loading area to the east. The US Coast Guard office is approximately 500 feet to the south east. The area across the street is used for periodic staging of marine gear, scarp and other marine industrial uses. The Homer Harbor is to the south. Harbormaster operations will be compatible with the surrounding uses of harbor, ticket and ferry operations office, parking lot and marine industrial staging area.

Finding 7: The proposed harbormaster building and cantilevered boardwalk are compatible with the existing uses of surrounding land.

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

Finding 8: City water and sewer are available. Paved, maintained road access is via Freight Dock Road. Public services and facilities are adequate to serve the proposed use and site.

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.

Analysis: The building is a modest single story, 4,800 square foot building. The project site mainly includes lots 22 and 23, with a combined area of 0.64 acres, or approximately 27,878 square feet. Building coverage will be about 17 percent of the site. This project will not create harmful scale, bulk, coverage, density or intensity of use on these properties.

The trail construction will increase pedestrian and bicycle traffic along the edge of the harbor, with is a positive improvement. The new office will not create traffic in a volume that would cause a harmful effect on neighborhood character.

Finding 9: The proposal will not cause an undue harmful effect upon desirable neighborhood character, considering the scale, bulk, coverage, density, traffic generation and the nature and intensity of the proposed use of the land as a harbormaster office with the reduction in rear lot line setback and boardwalk construction.

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

Applicant response: The proposed Harbormaster building will provide a state of the art communication network and harbor related emergency response times.

Discussion: the harbormaster office provides operational and emergency response for the harbor area of the Homer Spit. Increasing the capabilities through communications and adequate office functions will increase the safety and welfare of harbor uses and other citizens on surrounding lands.

Finding 10: The proposal will not be detrimental nor have a great impact to the health welfare and safety of the City as a whole. The proposal will benefit the health, welfare and safety of the users of the Homer boat harbor and surrounding lands.

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

Analysis: Chapter 6, Public Services and Facilities, Objective D: Port and Harbor: Continue to improve the infrastructure and services of the Port and Harbor to improve its position as an important regional port and harbor facility. Page 6-9 of the 2008 Comprehensive Plan supports the upgrading or replacement of the harbormaster office. Homer Spit Plan: Goal 2.3 Provide adequate and safe facilities for pedestrians and bicyclists

Finding 11: The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.

i. The proposal will comply with the applicable provisions of the Community Design Manual (CDM).

Analysis: Applicable provisions: Outdoor furnishings per page 2 of 38, provided below. This project does not include any outdoor furnishings along Freight Dock Road.

“Encouraged in Central Business District, Marine Zoning Areas, and adjacent to Ocean Drive.

Outdoor furnishings are as important to the visual quality of the City as indoor furnishings are to a room. The choice of furnishings determine how casual or formal a setting may be and reveal a great deal about the preferences of the people the setting is designed to serve. Outdoor furnishings in public and quasi-public spaces contribute to a community image. The following requirements will assure consistency in outdoor furnishing design in public rights-of-way and are recommended guidelines for private common areas:

1. Use City approved furniture designs on public rights-of-way. All furniture on rights-of-way shall be approved by the Public Works Department and the Planning Department as to its type, style, manufacturer, series, and color. Outdoor furnishing shall be of a commercial grade designed for heavy public use. “

Finding 12: No outdoor furnishings on rights of way are proposed in this project. There are no applicable provisions of the Community Design Manual.

HCC 21.71.040(b). b. 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: No specific conditions deemed necessary.

2. Fences and walls: See Condition 2.

3. Surfacing of parking areas: No specific conditions deemed necessary.

4. Street and road dedications and improvements: No specific conditions deemed necessary.

5. Control of points of vehicular ingress and egress: No specific conditions deemed necessary.

6. Special provisions on signs: No specific conditions deemed necessary.

7. Landscaping: No specific conditions deemed necessary.

8. Maintenance of the grounds, building, or structures: No specific conditions deemed necessary.

9. Control of noise, vibration, odors or other similar nuisances: No specific conditions deemed necessary.

10. Limitation of time for certain activities: No specific conditions deemed necessary.

11. A time period within which the proposed use shall be developed: No specific conditions deemed necessary.

12. A limit on total duration of use: No specific conditions deemed necessary.

Condition 3: Outdoor lighting must be down lit per HCC 21.59.030

PUBLIC WORKS COMMENTS: None. PW submitted the application and is the applicant.

FIRE DEPARTMENT COMMENTS: None.

PUBLIC COMMENTS Received prior to packet publishing: None.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP 14-06 with conditions 1-12 and conditions 1-3.

Attachments

1. Application
2. Public Notice
3. Aerial Photograph
4. Photographs of area



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

Applicant

Name: City of Homer Telephone No.: 907-435-3141

Address: 3575 Heath St. Email: dnelsen@cityofhomer-ak.gov

Property Owner (if different than the applicant):

Name: City of Homer Telephone No.: 235-8121

Address: 491 E. Pioneer Email: dnelsen@cityofhomer-ak.gov

PROPERTY INFORMATION:

Address: Not Assigned Lot Size See Below KPB Tax ID # See Below

Legal Description of Property:

18103241, 0.32 Acres, T 6S R 13W SEC 36 SEWARD MERIDIAN HM 0930012 HOMER SPIT SUB NO 5 LOT 22

18103242, 0.32 Acres T 6S R 13W SEC 36 SEWARD MERIDIAN HM 0930012 HOMER SPIT SUB NO 5 LOT 23

18103216, 5.22 Acres, T 6S & 7S R 13W SEC 35 & 36 & 1 & 2 SEWARD MERIDIAN HM 0920050 HOMER SPIT SUB NO TWO AMENDED LOT G-8

For staff use:

Date: 4/14/14 Fee submittal: Amount 0
Received by: [Signature] Date application accepted as complete 4/16/14
Planning Commission Public Hearing Date: 5/7/14

Conditional Use Permit Application Requirements:

1. A Site Plan
2. Right of Way Access Plan
3. Parking Plan
4. A map showing neighboring lots and a narrative description of the existing uses of all neighboring lots. (Planning can provide a blank map for you to fill in).
5. Completed Application Form
6. Payment of application fee (nonrefundable)
7. Any other information required by code or staff, to review your project

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	OSR	BCWPD
Level 1 Site Plan	x	x	x			x			x		x	x
Level 1 ROW Access Plan	x	x							x		x	

Level 1 Site Development Requirements	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x		
Level 2 Site Plan			x	x	x		x	x		x		
Level 2 ROW Access Plan			x	x	x		x	x		x		
Level 2 Site Development Requirements			x*	x	x	x	x	x				
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire				x	x	x	x	x				

Circle applicable permits. Planning staff will be glad to assist with these questions.

Y/N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: **The plans will be sent to the Fire Marshall for approval.**

Y/N Will your development trigger a Development Activity Plan?
Application Status: **No**

Y/N Will your development trigger a Storm water Plan?
Application Status: **No**

Y/N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: **No**

Y/N Is your development in a floodplain? If yes, a Flood Development Permit is required.

Y/N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>

Y/N Do you need a traffic impact analysis? **No**

Y/N Are there any nonconforming uses or structures on the property? **No**

Y/N Have they been formally accepted by the Homer Advisory Planning Commission? **N/A**

Y/N Do you have a state or city driveway permit? Status: **The Department of Public Works will acquire the necessary driveway permit before construction.**

Y/N Do you have active City water and sewer permits? Status: **The Department of Public Works will obtain the necessary permits before construction.**

1. Currently, how is the property used? Are there buildings on the property? How many square feet? Uses within the building(s)?

The property is vacant.

2. What is the proposed use of the property? How do you intend to develop the property? (Attach additional sheet if needed. Provide as much information as possible).

The proposed use of the property will be a Harbor Master office. The building will be single story incorporating a 4784 square feet footprint to be built on a concrete slab, wood frame and exterior wall panels. The structural design aspects will accommodate a second story to be built when/if needed based on a future assessment such as future harbor expansion. To enhance the occupant's visibility into the Small Boat Harbor the building design incorporates an encroachment

within the 5 foot setback and 15 feet beyond the south west property line encroaching into the adjacent property which is owned by the City of Homer.

With this CUP there are a number of zoning violations to be addressed as outline within the content of this document, building setbacks, over slope development Pedestrian Easement and Utility Easement vacations.

The Public Works Department has already received 4 approved Utility Easement Vacation documents from HEA, ASC, GCI and Enstar. The Pedestrian Easement and Utility Easement vacations would need Planning Commission approval before formally adopted by the Kenai Peninsula Borough.

In regards to the pedestrian easement vacation mitigation the City of Homer proposes that the pedestrian traffic would be routed around the front of the proposed Harbormaster building by a cantilever structural supporting a boardwalk extending the building 25' past the property line. Plans have been submitted outlining these encroachment.

Site development of the property will include asphalt paving, subsurface drainage outlet to the Harbor. Landscaping includes boulders, drift wood, native grass, and native wild flowers.

CONDITIONAL USE INFORMATION: (Please use additional sheet(s), if necessary)

- a. What code citation authorizes each proposed use and structure by conditional use permit?

Marine Commercial 21.28.030, j, 21.28.020 d and n

**Marine Industrial 21.30.020, a 21.30.030, j 21.30.040 B
21.46.040, b, perhaps d**

- b. Describe how the proposed uses(s) and structures(s) are compatible with the purpose of the zoning district.

21.28.010 Purpose.

The purpose of the Marine Commercial District is primarily for water-related and water-dependent uses and the business and commercial uses that serve and support them

21.30.010 Purpose.

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

The proposed Harbormaster building supports activities of Marine Commercial and Marine Industrial Districts manifests.

21.46.040 Conditional uses.

The following uses may be permitted in the Small Boat Harbor Overlay District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

a. Overslope development. [Ord. 09-44(S) § 3, 2009].

c. How will your proposed project affect adjoining property values?
It is unknown how the proposed building will affect property values, the area is exclusively owned by the City of Homer.

d. How is your proposal compatible with existing uses of the surrounding land?

The US Coast Guard building is 500 feet to the South East. The adjacent lot is the Seldova Ferry office with no distinguishing architectural characteristics. Across the street is the old chip-pad facility which is sporadically used for industrial purposes such as marine storage, scrap metal storage and other marine industrial uses.

e. Are/will public services adequate to serve the proposed uses and structures?

All public services are available, HEA, ACS, municipal water and sewer.

f. How will the development affect the harmony in scale, bulk, coverage and density upon the desirable neighborhood character, and will the generation of traffic and the capacity of surrounding streets and roads be negatively affected?

The area zoning for the proposed structure is Marine Industrial and Marine Commercial; within the immediate area is the Coast Guard building, restroom Seldova Ferry office and fish cleaning tables. The immediate area has no

distinguishing architectural structures with no distinguishing “neighborhood character”. Access to the site is from Homer Spit Road to Freight Dock Rd., traffic within the area comprises of passenger vehicles, vehicles hauling boats and some heavy equipment such as cranes, forklifts. There are no anticipated traffic impacts to this surrounding area due to the nature of the area, 10 acres of parking on adjacent properties and 23 paved parking places associated on the building site.

- g. Will your proposal be detrimental to the health, safety or welfare of the surrounding area or the city as a whole?

No, the proposed Harbormaster building will provide a state of the art communication network and harbor related emergency response times.

- h. How does your project relate to the goals of the Comprehensive Plan?
The 2006 Town Center Plan and the 2008 Comprehensive Plan are online at:
<http://www.ci.homer.ak.us/documents/planning>

Chapter 6 Public Services and Facilities of the 2008 Comprehensive Plan address’s goals “Implementation Strategies” “1. Upgrade or replace the harbormaster office. The harbormaster office has reached the end of its intended lifespan and is need of an upgrade.”

- i. The Planning Commission may require you to make some special improvements. Are you planning on doing any of the following, or do you have suggestions on special improvements you would be willing to make? **(circle each answer)**

1. Y/N Special yards and spaces.
2. Y/N Fences, walls and screening.
3. Y/N Surfacing of parking areas.
4. Y/N Street and road dedications and improvements (or bonds).
5. Y/N Control of points of vehicular ingress & egress.
6. Y/N Special provisions on signs.
7. Y/N Landscaping.
8. Y/N Maintenance of the grounds, buildings, or structures.
9. Y/N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
10. Y/N Time for certain activities.
11. Y/N A time period within which the proposed use shall be developed.
12. Y/N A limit on total duration of use.
13. Y/N Special dimensional requirements such as lot area, setbacks, building height.
14. Y/N Other conditions deemed necessary to protect the interest of the community.

PARKING

1. How many parking spaces are required for your development?

There will be paved parking on the building site lot and the adjacent lot, 3 handicapped and 20 spaces.


If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). _____

2. How many spaces are shown on your parking plan. **23**
3. Are you requesting any reductions? **No**

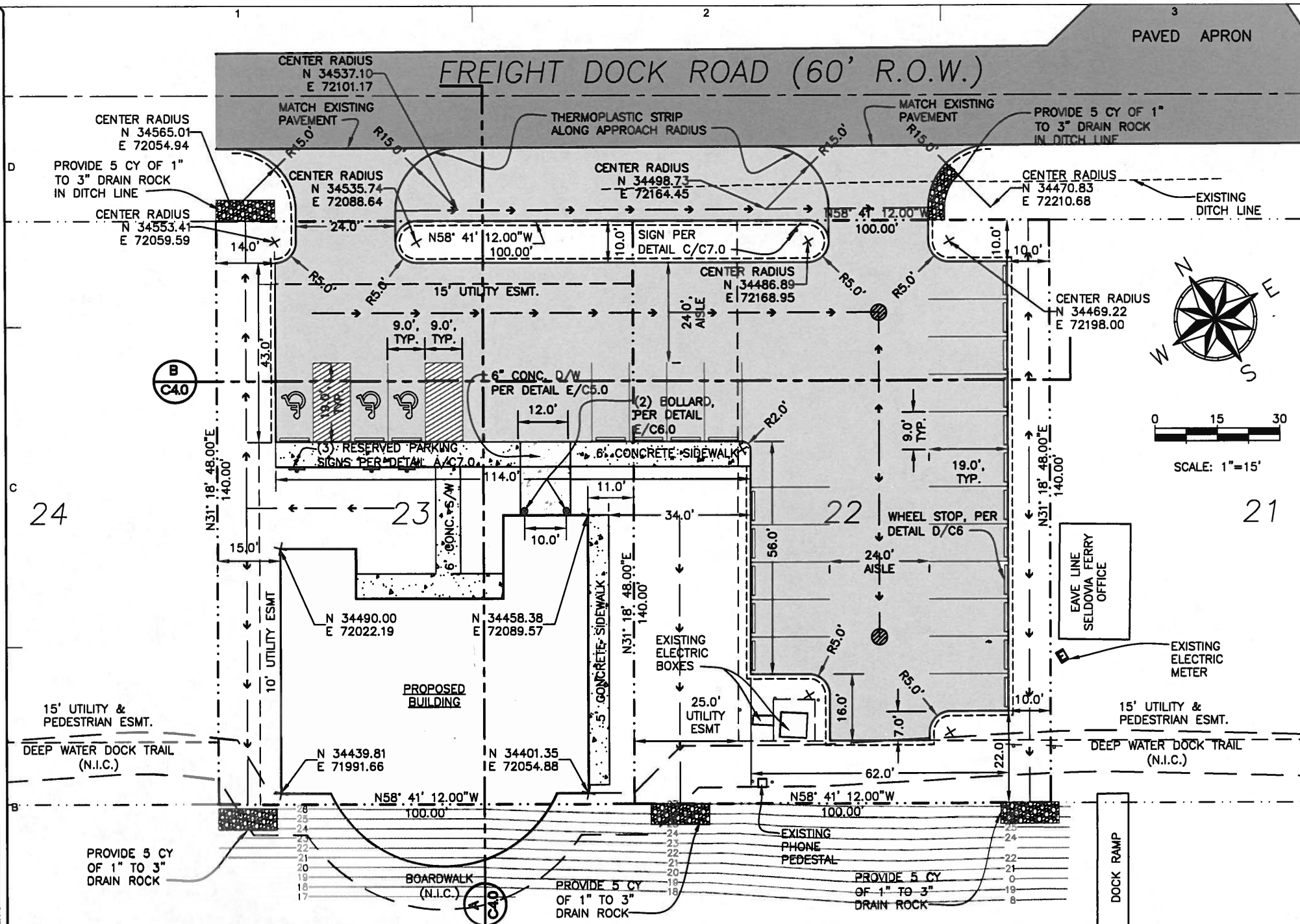
Include a site plan, drawn to a scale of not less than 1" = 20' which shows allow existing and proposed structures, clearing, fill, vegetation and drainage.

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

CIRCLE ONE: **Owner of record** Lessee Contract purchaser

Applicant signature:  Date: 4/17/14

Property Owner's signature:  Date: 4/22/14



GENERAL NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL SITE FEATURES. IF THE CONTRACTOR ENCOUNTERED CONDITIONS OTHER THAN THOSE SHOWN ON THE PLANS, HE SHALL IMMEDIATELY CONTACT THE ENGINEER FOR DIRECTIONS.
2. ALL CONSTRUCTION METHODS AND MATERIALS USED FOR THIS PROJECT SHALL CONFORM CITY OF HOMER STANDARD CONSTRUCTION SPECIFICATIONS, 2011 EDITION.
3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. ACTUAL DEPTH, NUMBER AND LOCATION UNKNOWN. BURIED UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION, IDENTIFYING, AND WORKING AROUND ALL UTILITIES WITHIN THE PROJECT LIMITS AT NO ADDITIONAL COST TO THE OWNER. CALL FOR LOCATES PRIOR TO EXCAVATION.

CIVIL SITE PLAN

GRAPHIC SCALE: 1" = 15' (22X34), 1" = 30' (11X17)

LEGEND

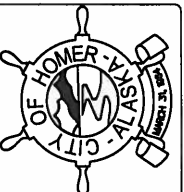
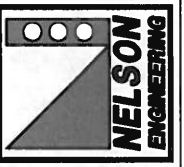
EXISTING (E) PROPOSED (P)

	ASPHALT PAVEMENT
	CONCRETE SIDEWALK
	DRAIN ROCK
	GRAVEL ROAD
	BUILDING/STRUCTURE LINE
	CONCRETE LINE
	DITCH CENTERLINE
	DRAINAGE SWALE
	EASEMENT
	EDGE OF PAVEMENT
	PROPERTY LINE
	UTILITY - OVERHEAD ELECTRIC
	UTILITY - UNDERGROUND ELECTRIC
	UTILITY - UNDERGROUND TELEPHONE
	UTILITY - SEWER LINE
	UTILITY - WATER LINE
	UTILITY - STORM DRAIN
	CATCH BASIN/MANHOLE
	WATER SERVICE VALVE
	FOUND MONUMENT
	ELECTRIC METER

SECTION

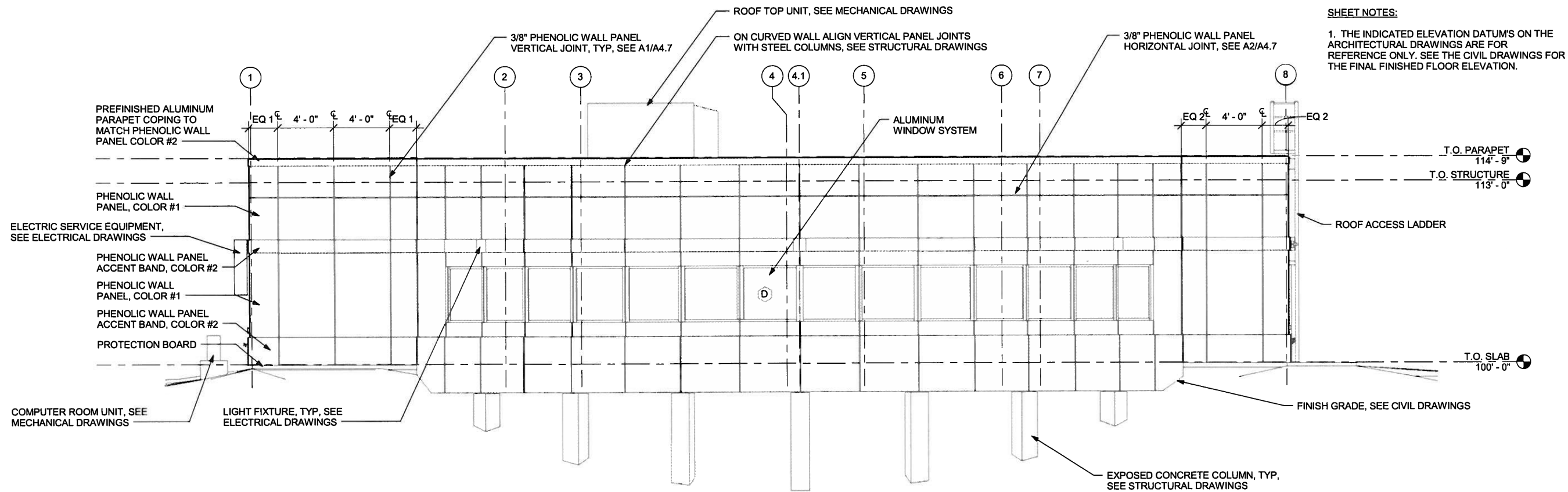
COMMON ABBREVIATIONS

A.C.	ASPHALT CONCRETE	INT	INTERSECTION
ACAD	AUTOCAD	INV	INVERT
ADA	AMERICANS WITH DISABILITIES	L	LENGTH
APPROX	APPROXIMATE	LF	LINEAR FEET
ASS'Y	ASSEMBLY	LT	LEFT
AVG	AVERAGE	MAX	MAXIMUM
BLDG	BUILDING CORNER	ME	MATCH EXISTING
BOP	BOTTOM OF PIPE	MFR	MANUFACTURER
CB	CATCH BASIN	MKR	MARKER POST
CIP	CAST IRON PIPE	MIN	MINIMUM
CL	CENTER LINE, CLASS	MOA	MUNICIPALITY OF
CMP	CORRUGATED METAL PIPE		ANCHORAGE
CONC	CONCRETE	MON	MONUMENT
CONST	CONSTRUCT	N	NORTH
COR	CORNER	NFS	NON FROST SUSCEPTIBLE
CP	CONTROL POINT	NTS	NOT TO SCALE
CPEP	CORRUGATED POLYETHYLENE PIPE	OC	ON CENTER
DET	DETAIL	OH	OVERHEAD
DIA	DIAMETER	PC	POINT OF CURVATURE
DW	DRIVEWAY	PED	PEDESTAL
DWG	DRAWING	PI	POINT OF INTERSECTION
E	EAST, ELECTRIC	PL	PROPERTY LINE
EA	EACH	PP	POWER POLE
EG	EXISTING GROUND	PVMT	PAVEMENT
EL, ELEV	ELEVATION	R	RADIUS, RECORD
EOP	END OF PROJECT	REQ'D	REQUIRED
EP	EDGE OF PAVEMENT	ROW	RIGHT-OF-WAY
ESMT	EASEMENT	N.I.C.	NOT IN CONTRACT
EXIST	EXISTING	S	SOUTH
F&I	FURNISH AND INSTALL	S/W	SIDEWALK
FF	FINISH FLOOR	SDMH	STORM DRAIN MANHOLE
FG	FINISH GRADE	SH	SHOULDER
FT	FOOT, FEET	SSMH	SANITARY SEWER MANHOLE
GD	GROUND	SS	SANITARY SEWER
GR	GRADE	SW	SIDEWALK
HYD	HYDRANT	TBC	TOP BACK OF CURB
HDPE	HIGH DENSITY POLYETHYLENE	TC	TOP OF CONCRETE
IE	INVERT ELEVATION	TYP	TYPICAL
		TW	TOP OF WALL
		UTIL	UTILITY
		V.E.	VISUAL ENHANCEMENT
		W	WATER, WEST

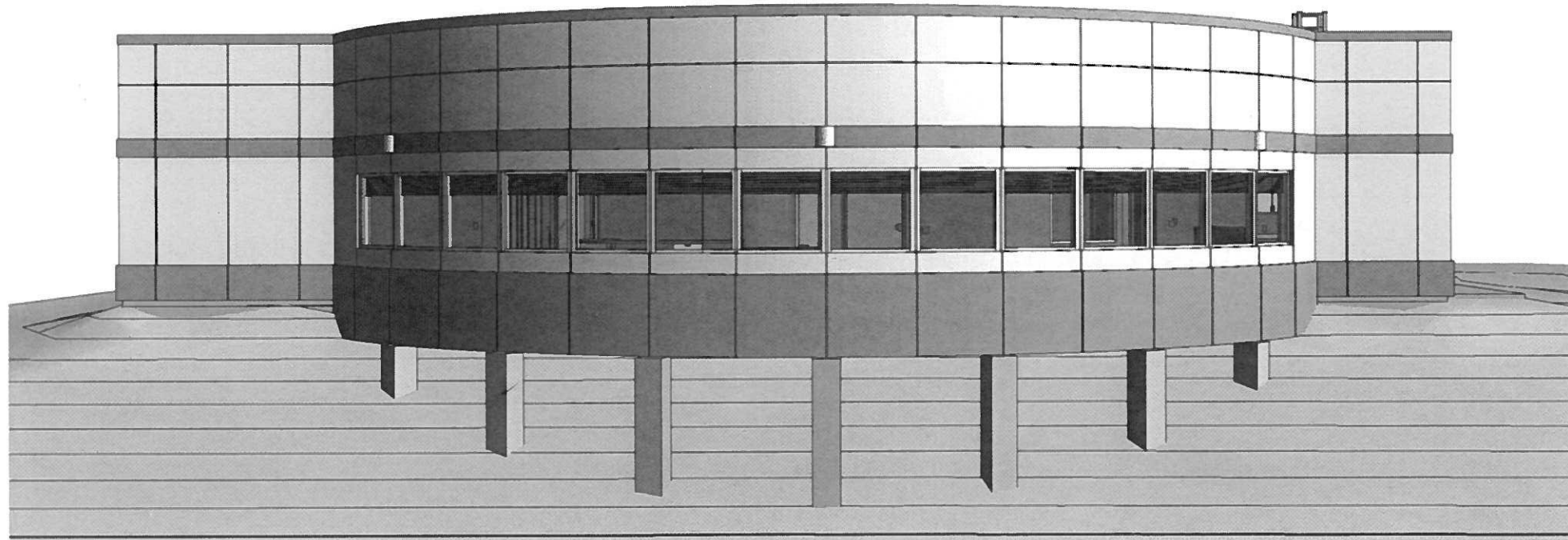
95% DOCUMENTS
04/21/2014HOMER HARBOR
MASTER'S OFFICECITY OF HOMER
491 E. PIONEER AVENUE
HOMER, ALASKA 99603

PROJECT:

Klauder & Company
Architects, Inc.606 Petersen Way
Kenai, AK 99611
Office: (907) 283-1919 Fax: (907) 283-0450
klauder@alaska.netDESIGN BY: WJN
DRAWN: MZD
CHECKED: WJN
JOB NO: 1358
DATE: 04/21/2014
REVISIONS:
NO. DATESHEET NUMBER
C1.0SHEET CONTENTS
CIVIL SITE PLAN



C1 SOUTH ELEVATION
A3.0 1/4" = 1'-0" (22x34); 1/8" = 1'-0" (11x17)

**SHEET NOTES:**

1. THE INDICATED ELEVATION DATUMS ON THE ARCHITECTURAL DRAWINGS ARE FOR REFERENCE ONLY. SEE THE CIVIL DRAWINGS FOR THE FINAL FINISHED FLOOR ELEVATION.

95% DOCUMENTS
4-15-2014

HOMER HARBOR
MASTER'S OFFICE
PROJECT:

CITY OF HOMER
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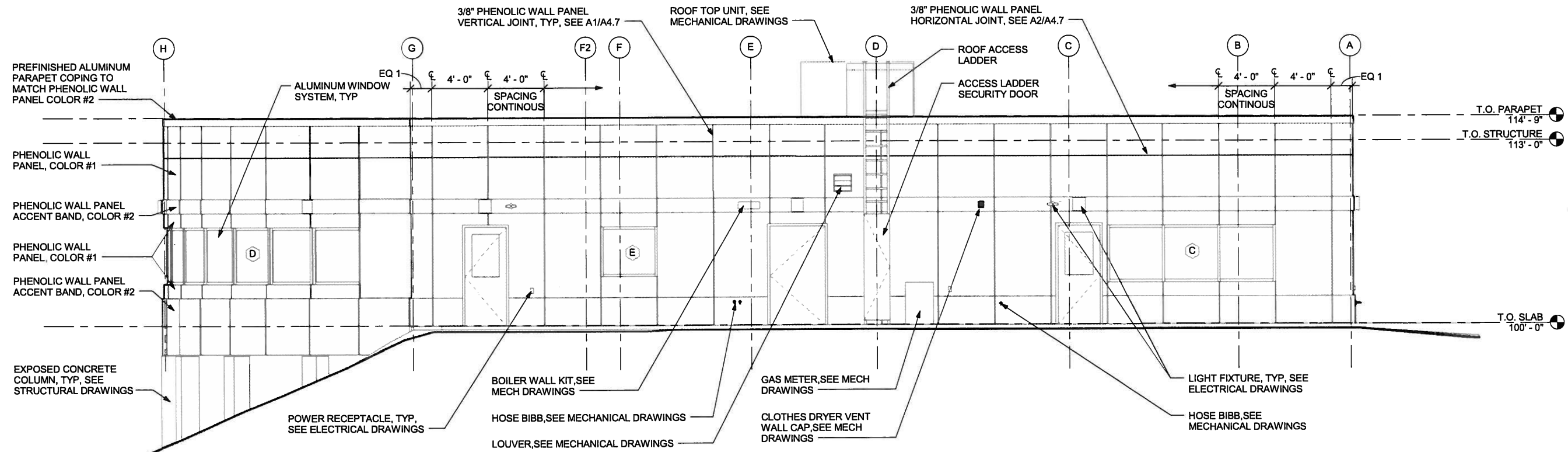
606 Petersen Way
Kenai, AK 99611
Office: (907) 283-1919 Fax: (907) 283-0450
Klauder@alaska.net

DESIGN BY:	PK
DRAWN:	BC, SY
CHECKED:	PK
JOB NO:	1325
DATE:	4-15-2014
REVISIONS:	
NO.	DATE

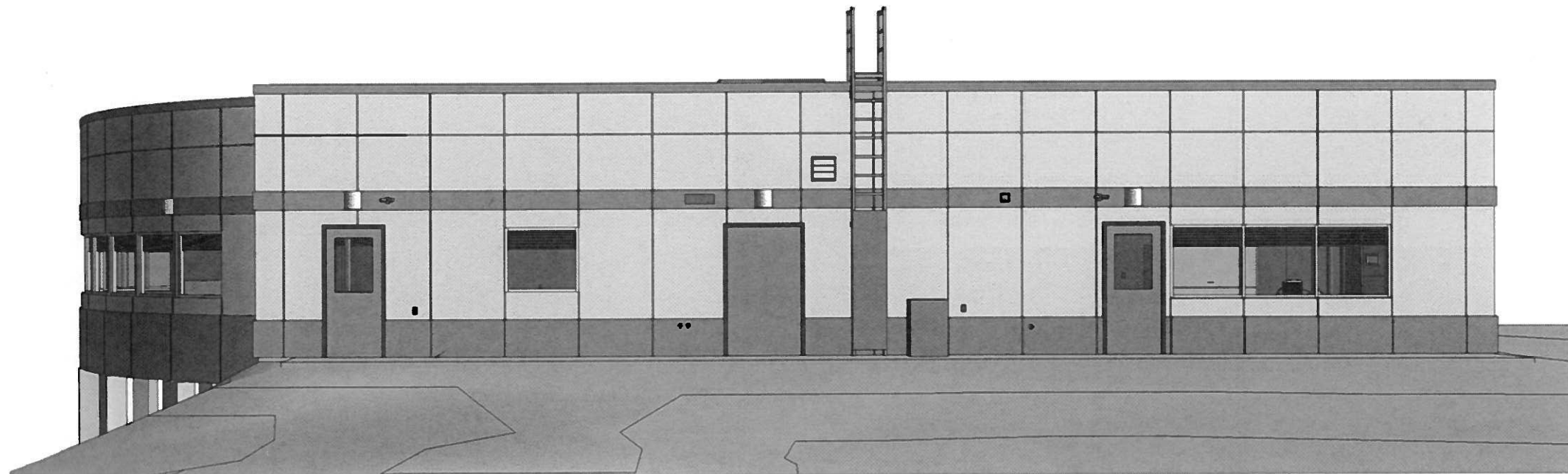
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A3.0
SHEET CONTENTS
SOUTH ELEVATION

GENERAL NOTES:

1. SEE SHEET A6.1 FOR WINDOW/RELITE TYPES.
2. ELEVATION LEVELS ARE FOR REFERENCE ONLY, SEE CIVIL FOR ACTUAL FINISH FLOOR ELEVATION



C1 EAST ELEVATION
A3.1 1/4" = 1'-0" (22x34); 1/8" = 1'-0" (11x17)



95% DOCUMENTS
4-15-2014

HOMER HARBOR
MASTER'S OFFICE
PROJECT:

CITY OF HOMER
491 E. PIONEER AVENUE
HOMER, ALASKA 99603
CLIENT:

Klauder & Company
Architects, Inc.

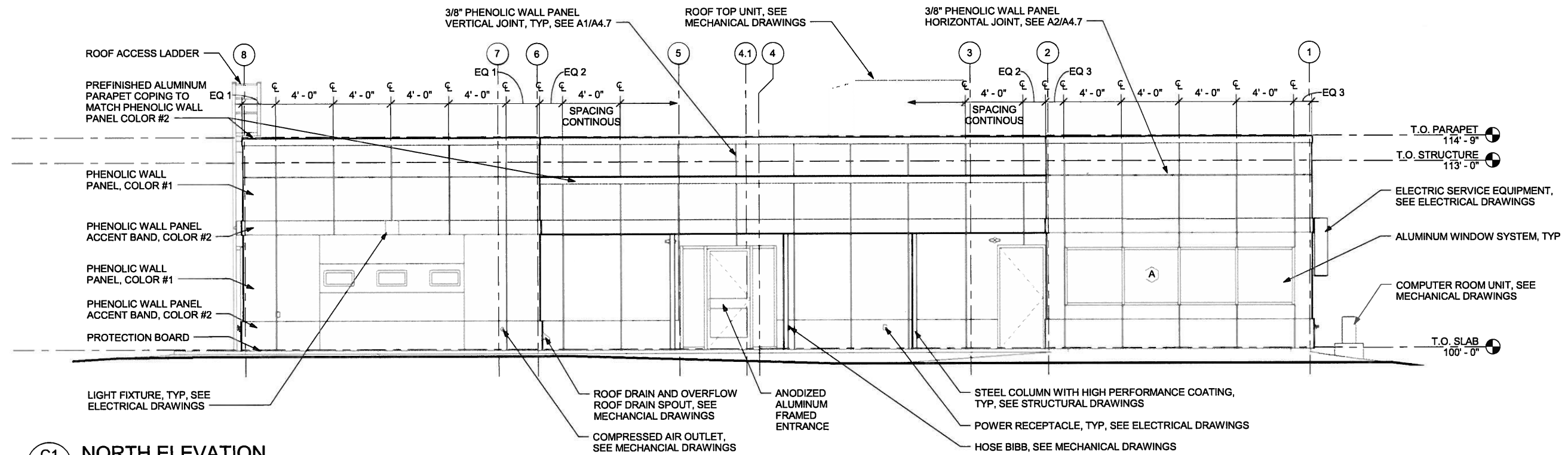
606 Petersen Way
Kenai, AK 99611
Office: (907) 283-1919 Fax: (907) 283-0450
Klauder@alaska.net

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CHECKED: PK
JOB NO: 1325
DATE: 4-15-2014

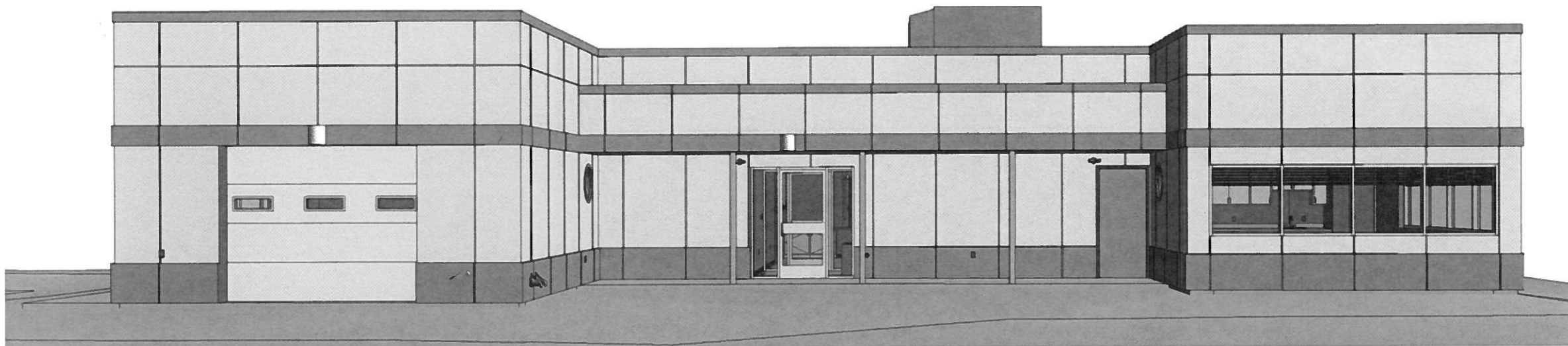
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NO. DATE

SHEET NUMBER
A3.1

SHEET CONTENTS
EAST ELEVATION



C1 NORTH ELEVATION
A3.2 1/4" = 1'-0" (22x34); 1/8" = 1'-0" (11x17)



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4-15-2014

HOMER HARBOR
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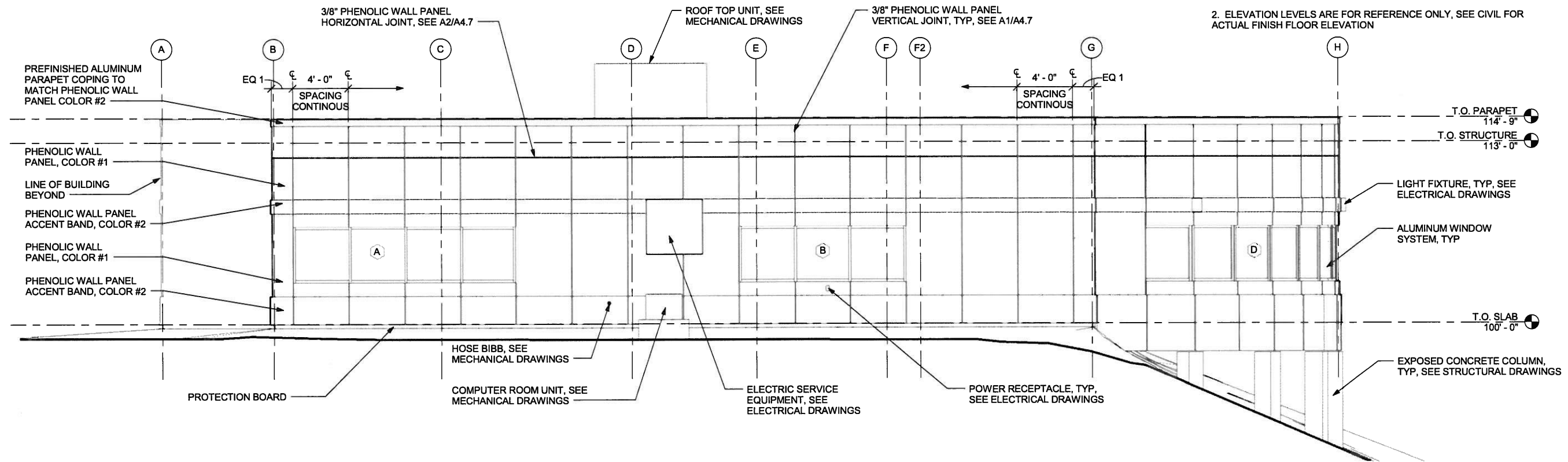
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CHECKED: PK
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REVISIONS:
NO. DATE

SHEET NUMBER
A3.2

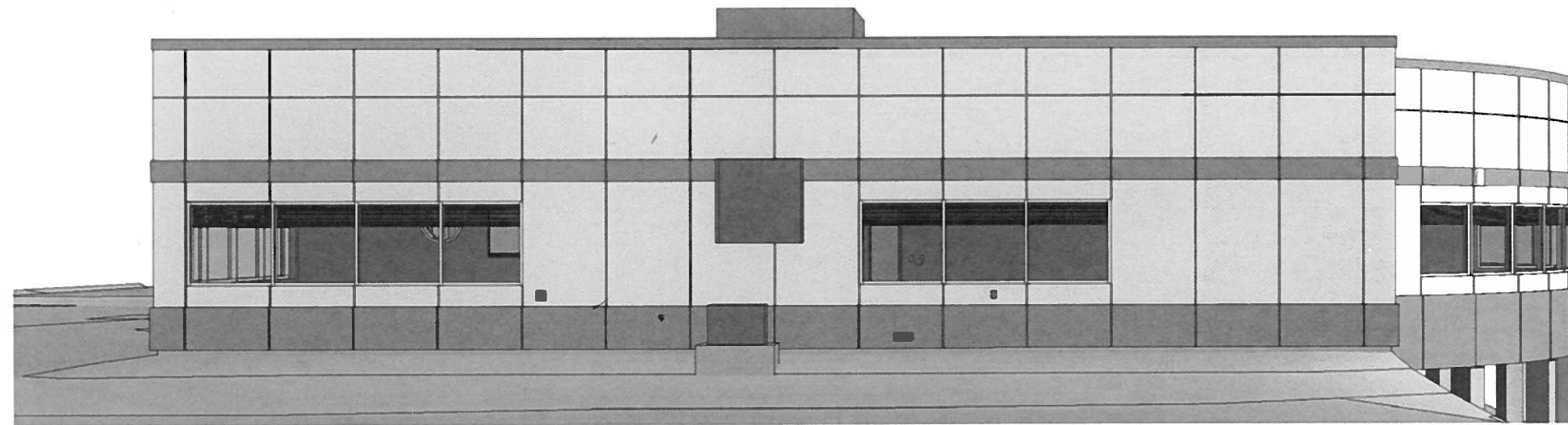
SHEET CONTENTS
NORTH ELEVATION

GENERAL NOTES:

1. SEE SHEET A6.1 FOR WINDOW/RELITE TYPES.
2. ELEVATION LEVELS ARE FOR REFERENCE ONLY, SEE CIVIL FOR ACTUAL FINISH FLOOR ELEVATION



C1 WEST ELEVATION
A3.4 1/4" = 1'-0" (22x34); 1/8" = 1'-0" (11x17)



95% DOCUMENTS
4-15-2014

HOMER HARBOR
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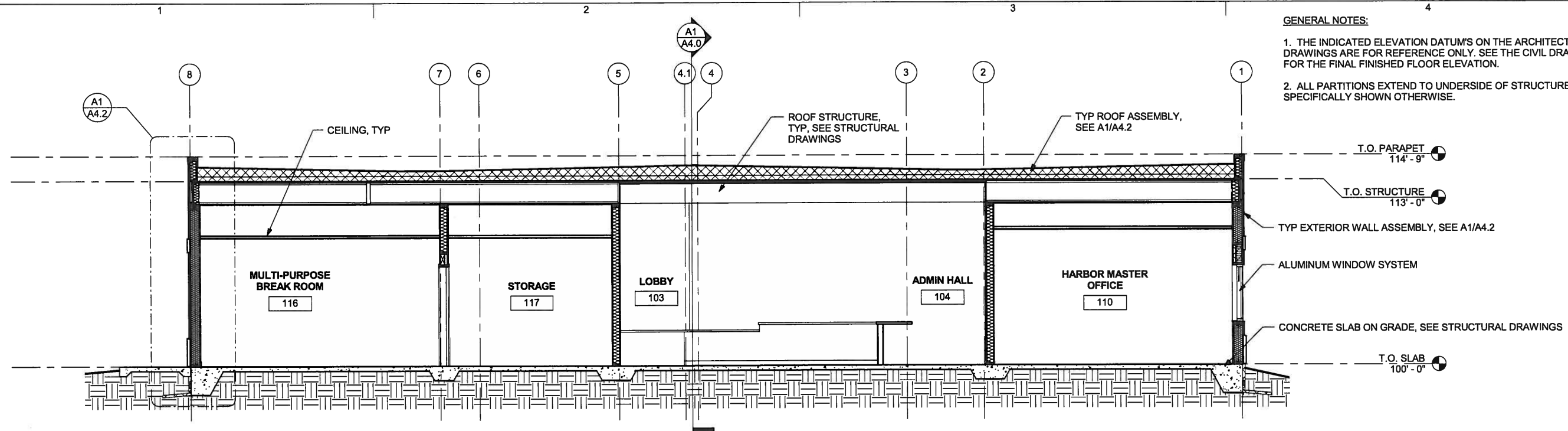
606 Petersen Way
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JOB NO: 1325
DATE: 4-15-2014

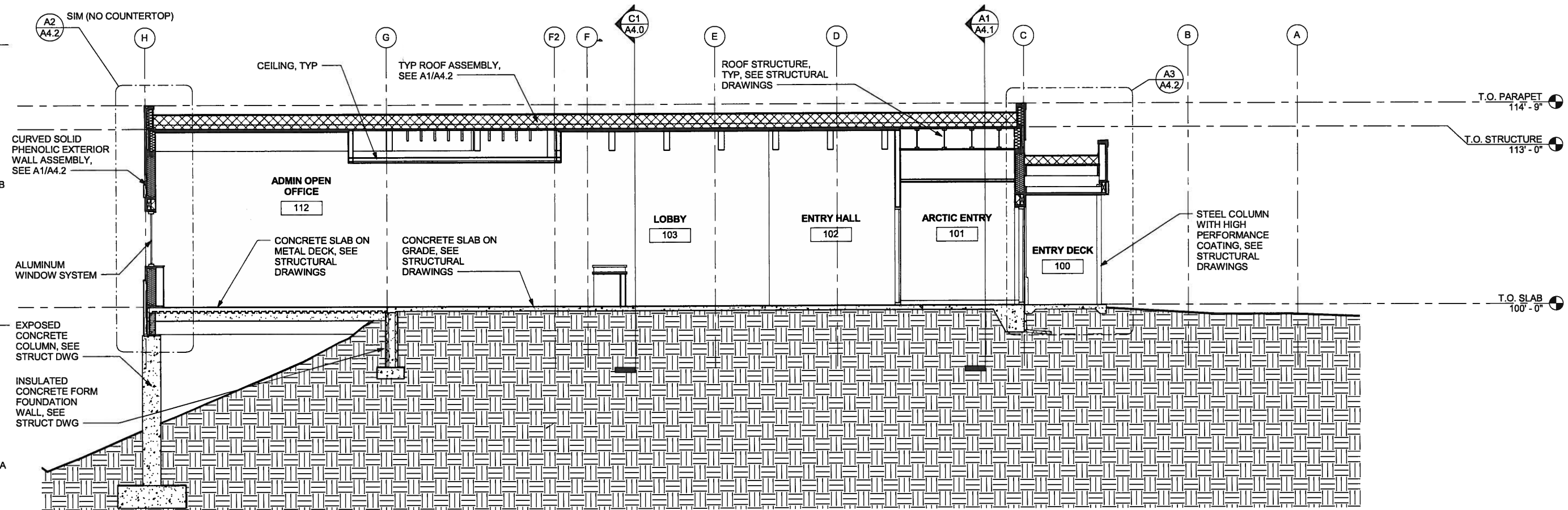
REVISIONS:
NO. DATE

SHEET NUMBER
A3.4

SHEET CONTENTS
WEST ELEVATION



C1 BUILDING SECTION
A4.0 1/4" = 1'-0" (22x34); 1/8" = 1'-0" (11x17)



A1 BUILDING SECTION
A4.0 1/4" = 1'-0" (22x34); 1/8" = 1'-0" (11x17)

GENERAL NOTES:

1. THE INDICATED ELEVATION DATUM'S ON THE ARCHITECTURAL DRAWINGS ARE FOR REFERENCE ONLY. SEE THE CIVIL DRAWINGS FOR THE FINAL FINISHED FLOOR ELEVATION.
2. ALL PARTITIONS EXTEND TO UNDERSIDE OF STRUCTURE UNLESS SPECIFICALLY SHOWN OTHERWISE.

95% DOCUMENTS
4-15-2014

HOMER HARBOR
MASTER'S OFFICE
PROJECT:

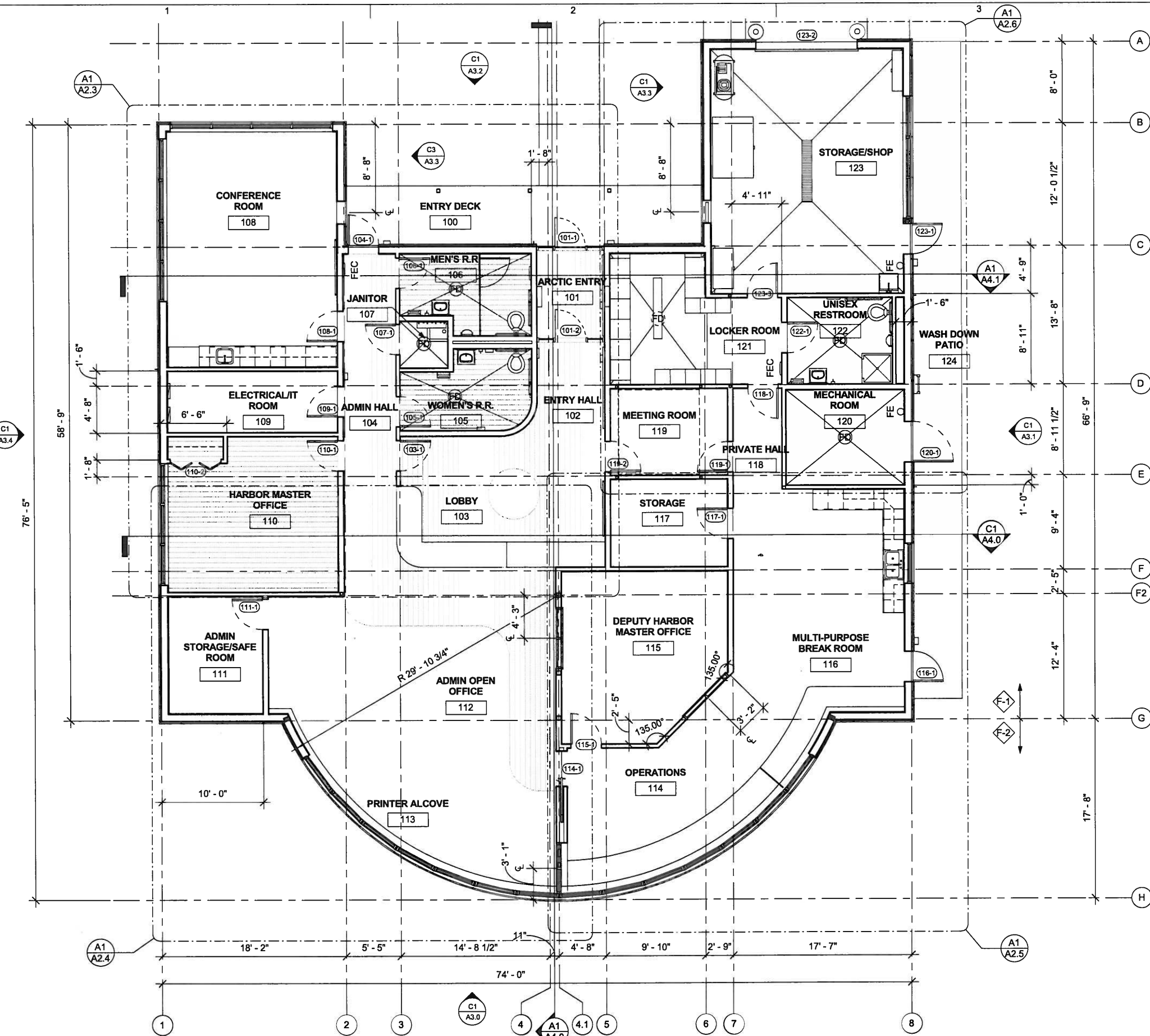
CITY OF HOMER
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Klauder@alaska.net

DESIGN BY: PK
DRAWN: BC, SY
CHECKED: PK
JOB NO: 1325
DATE: 4-15-2014
REVISIONS:
NO. DATE

SHEET NUMBER
A4.0
SHEET CONTENTS
BUILDING SECTIONS



GENERAL NOTES:

1. DIMENSIONS ARE TO FACE OF STUD, CENTERLINE OF COLUMN, OR CENTERLINE OF OPENING UNLESS NOTED OTHERWISE.
2. SEE SHEET A4.4 FOR FLOOR TYPES
3. SEE SHEET A6.0 FOR DOOR SCHEDULE.
4. SEE SHEET A6.2 FOR ROOM FINISH SCHEDULE.
5. SEE BUILDING ELEVATIONS SERIES A3 SHEETS AND INTERIOR ELEVATIONS SERIES A5 SHEETS FOR WINDOW/RELITE TYPE CALLOUTS.

95% DOCUMENTS
4-15-2014HOMER HARBOR
MASTER'S OFFICE

PROJECT:

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DESIGN BY:	PK
DRAWN:	BC, SY
CHECKED:	PK
JOB NO:	1325
DATE:	4-15-2014
REVISIONS:	
NO.	DATE

SHEET NUMBER

A2.0

SHEET CONTENTS
FLOOR PLANA1
A2.0 FLOOR PLAN

3/16" = 1'-0" (22x34); 3/32" = 1'-0" (11x17)

REF

PRELIMINARY
REVIEW
SET

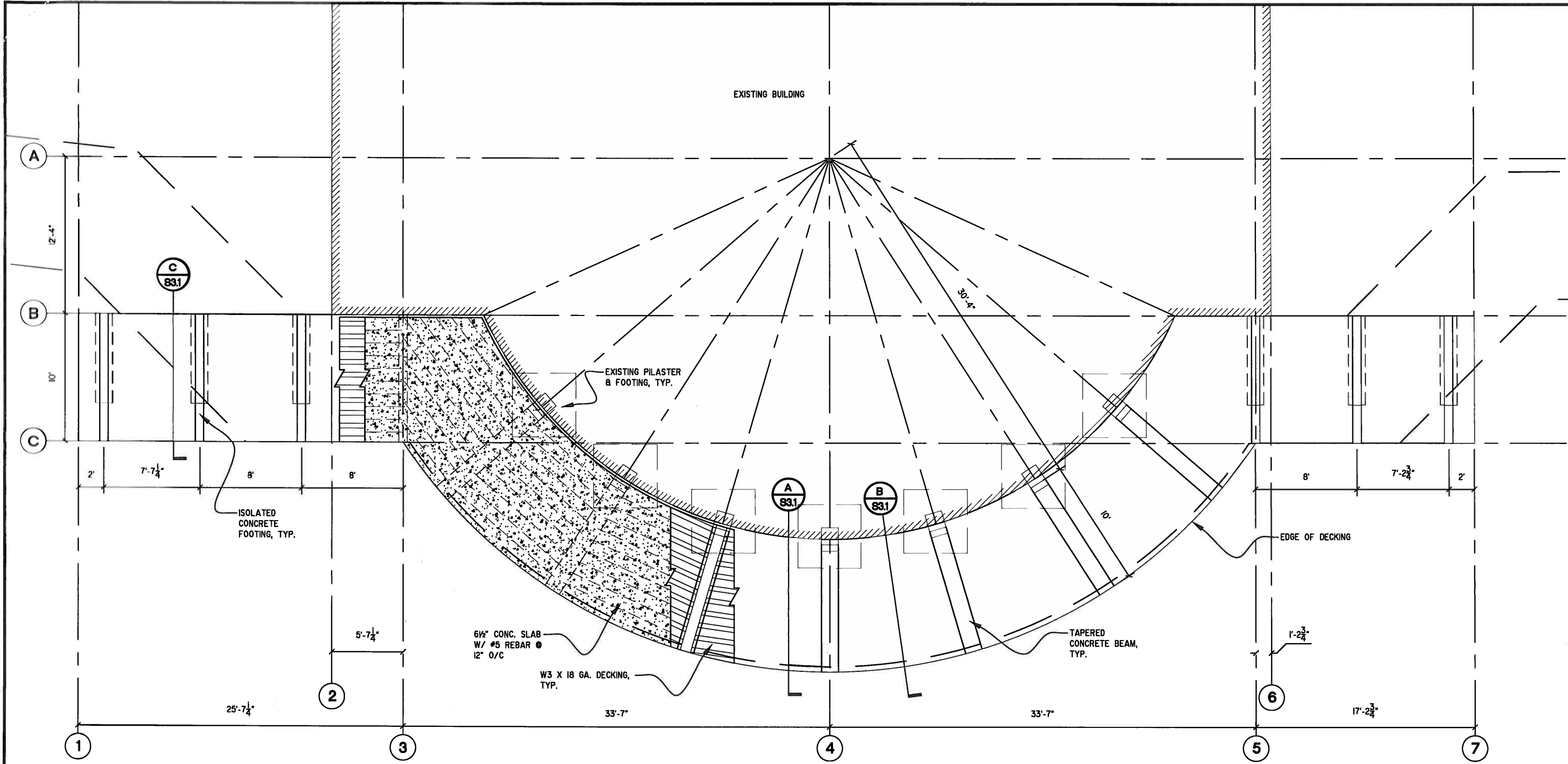
NO.	REVISION	DATE

CONSULTING ENGINEERS
STRUCTURAL/CIVIL
155 BIDARKA ST
KENAI, AK 99611
TEL. (907) 283 - 3583
NELSONENGINEER@ALASKA.NET



DEEPWATER DOCK TRAIL BOARDWALK
HOMER, AK
PLAN

PROJECT NO.
1412
DRAWN BY:
ZSR
CHECKED BY:
WJN
DATE: 04/01/14
SCALES: NOTED
HORIZ. NOTED
VERT. NOTED
SHEET
21
1 OF X

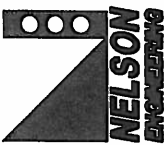


PLAN- OPTION 1
SCALE: 1/8"=1'-0"

PRELIMINARY
REVIEW
SET

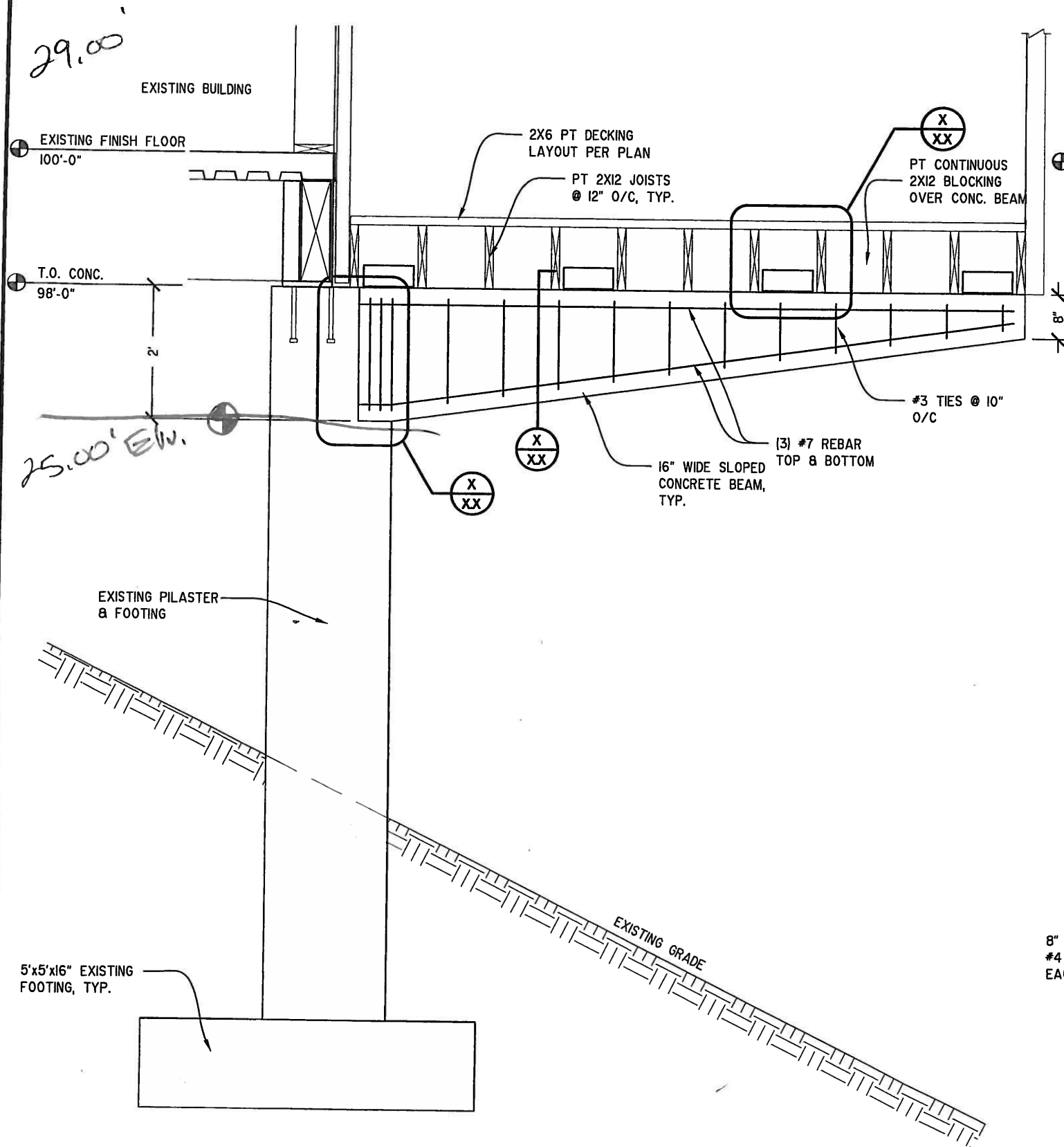
NO.	REVISION	DATE

CONSULTING ENGINEERS
STRUCTURAL/CIVIL
155 BIDARKA ST
KENAI, AK 99611
TEL. (907) 283 - 3583
NELSONENGINEER@ALASKA.NET

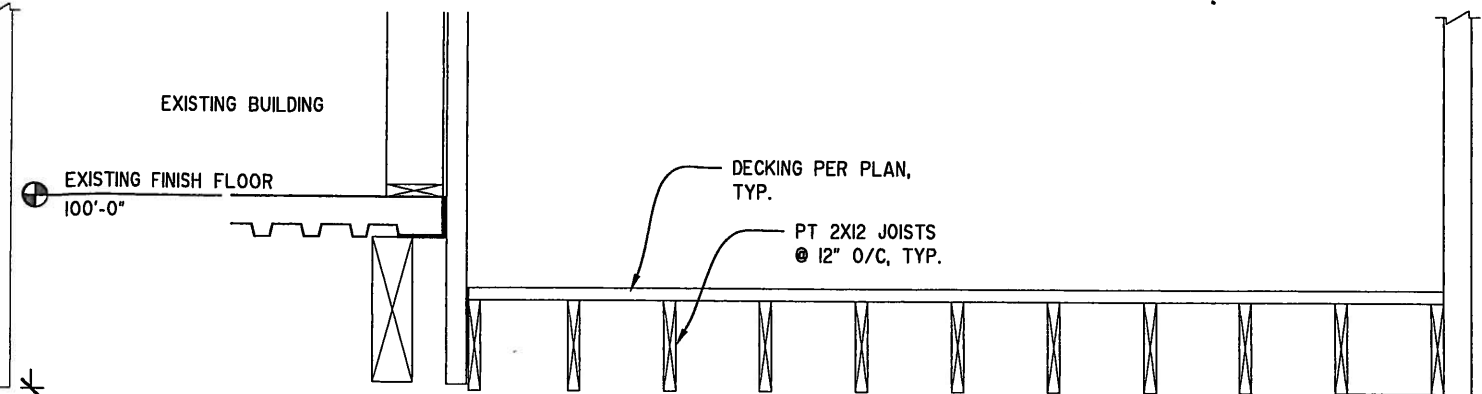


DEEPWATER DOCK TRAIL BOARDWALK
HOMER, AK
SECTIONS

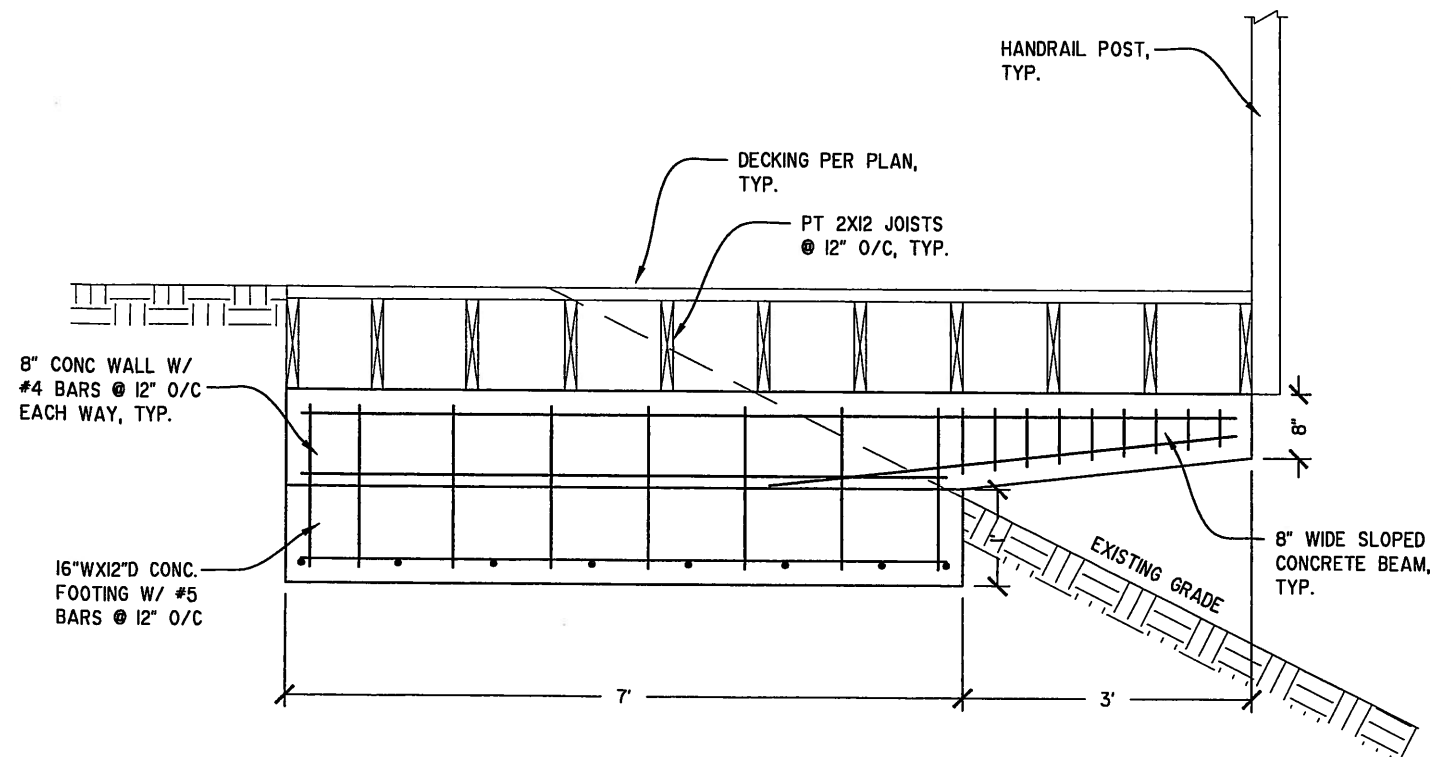
PROJECT NO.
1412
DRAWN BY:
ZSR
CHECKED BY:
WJN
DATE: 04/01/14
SCALES: NOTED
HORIZ. NOTED
VERT. NOTED
SHEET
3.2
4 OF X



A
32 SECTION
SCALE: 1/2" = 1'-0"



B
32 SECTION
SCALE: 1/2" = 1'-0"



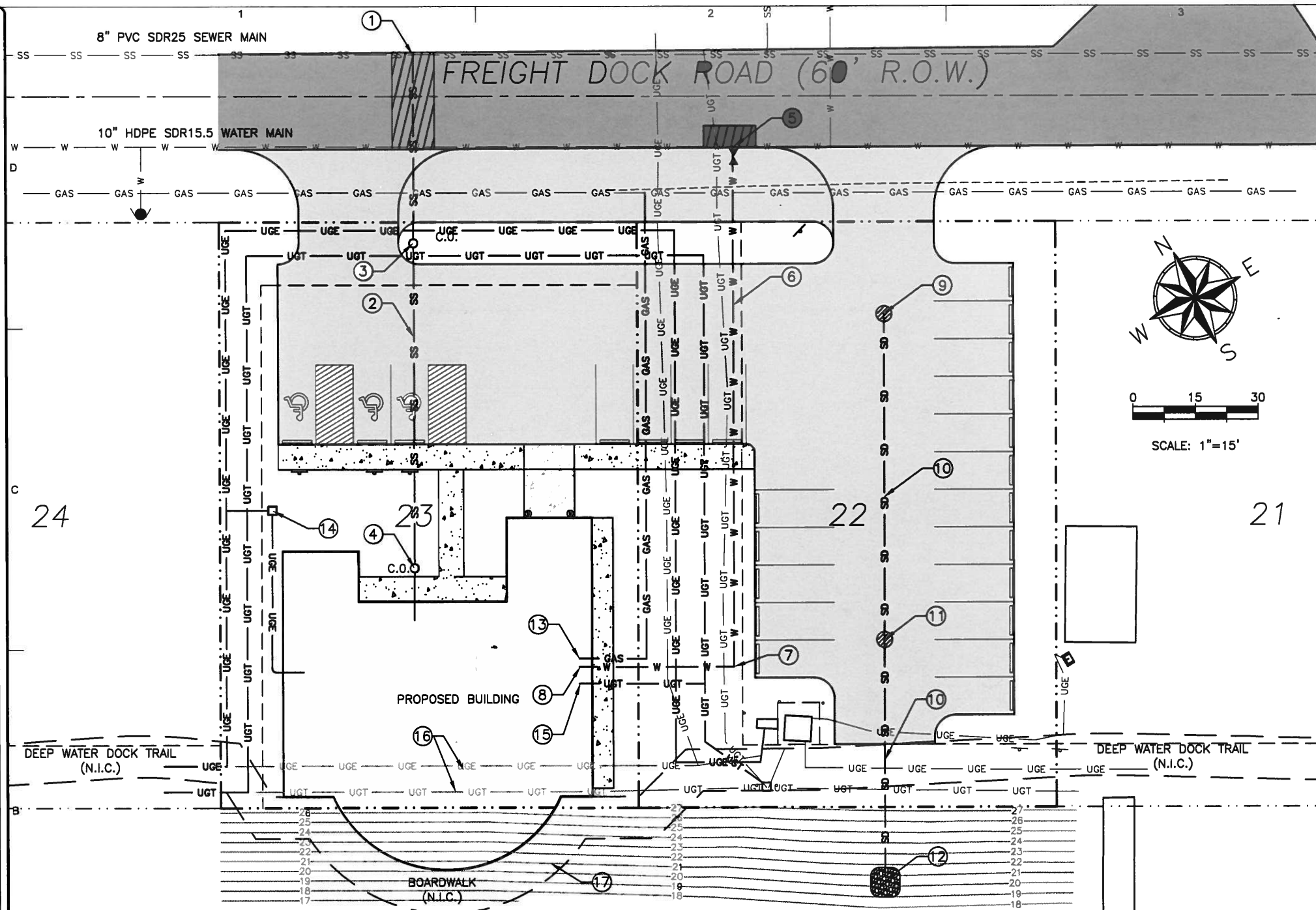
C
32 SECTION
SCALE: 1/2" = 1'-0"

NOT FOR CONSTRUCTION

PLOTTED 1/2 SCALE

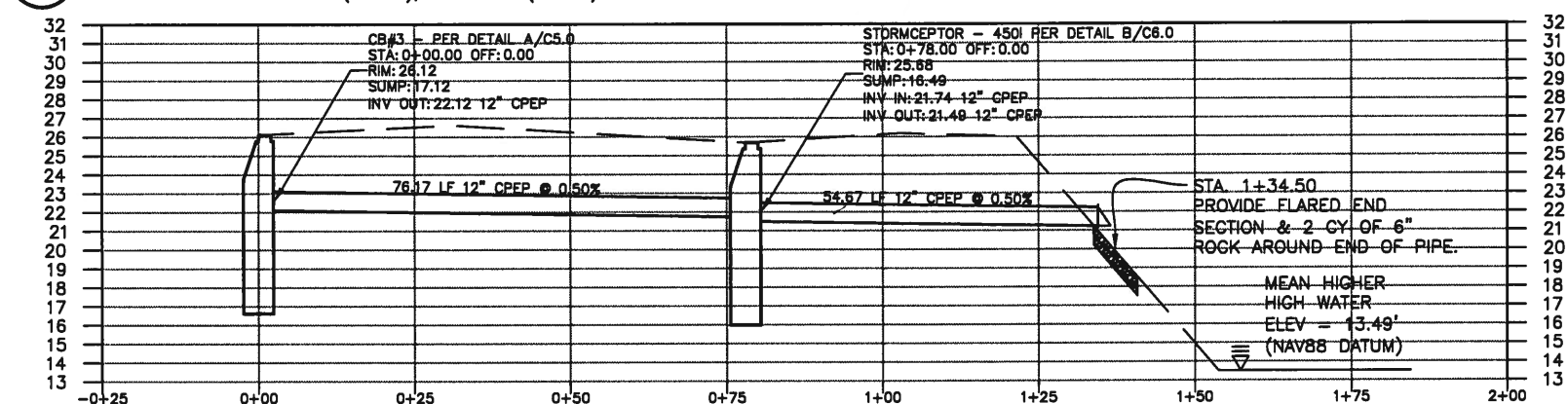
4/11/2014 9:40:27 AM

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A UTILITIES PLAN

GRAPHIC SCALE: 1" = 15' (22X34), 1" = 30' (11X17)

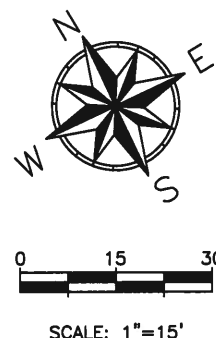


B STORM DRAIN SYSTEM PROFILE

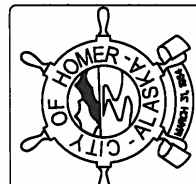
HORIZONTAL SCALE: 1" = 15' (22X34), 1" = 30' (11X17); VERTICAL SCALE: 1" = 5' (22X34), 1" = 10' (11X17)

UTILITIES PLAN KEY NOTES

- 1 CONNECT 4" CAST IRON 'TY-SEAL' SEWER SERVICE TO EXISTING 8" PVC SDR25 SEWER MAIN WITH TEE SADDLE PER CITY OF HOMER STANDARD DETAIL 500.13. REMOVE ASPHALT AS REQ'D AND REPLACE PER CITY OF HOMER STANDARD DETAIL 400.01. INV: 13.70± PER CITY OF HOMER AS-BUILTS (VERIFY)
- 2 F&I 4" CAST IRON 'TY-SEAL' SEWER SERVICE @ MIN. 2% SLOPE. SEE MECHANICAL PLANS FOR CONTINUATION INTO BUILDING. MIN. 5' BURY
- 3 F&I CLEANOUT 5' FROM EDGE OF PAVEMENT PER DETAIL C/C5.0.
- 4 F&I CLEANOUT 2' TO 5' FROM EDGE OF BUILDING SLAB PER DETAIL C/C5.0.
- 5 CONNECT 6" HDPE SDR11 WATER SERVICE TO EXISTING 10" HDPE SDR15.5 WATER MAIN PER DETAIL C/C6.0. F&I VALVE BOX PER CITY OF HOMER STANDARD DETAIL 600.03. REMOVE ASPHALT AS REQ'D AND REPLACE PER CITY OF HOMER STANDARD DETAIL 400.01. INV: 17.58± PER CITY OF HOMER AS-BUILTS (VERIFY)
- 6 F&I 6" HDPE SDR11 WATER SERVICE. SEE MECHANICAL PLANS FOR CONTINUATION INTO BUILDING. PROVIDE MIN. 7' BURY. MINIMUM 5' BENDING RADIUS
- 7 F&I 90 DEGREE SWEEP AND THRUST BLOCK
- 8 F&I WATER SERVICE RISER PER DETAIL A/C6.0.
- 9 F&I PERFORATED CATCH BASIN PER DETAIL A/C5.0. N 34463.53 E 72174.64
- 10 F&I 12" X 16 GA. CMP OR CPEP @ 0.5% GRADE PER CITY OF HOMER STANDARDS. BEARING S31°18'48.00"E
- 11 F&I STORMCEPTOR 450i PER DETAIL B/C6.0. N 34396.89 E 72134.10
- 12 PROVIDE FLARED END SECTION & 2 CY OF 6" ROCK AROUND END OF PIPE.
- 13 NEW GAS LINE & METER BY OTHERS
- 14 NEW JUNCTION BOX & UNDERGROUND ELECTRIC LINES BY OTHERS. SEE ELECTRICAL PLANS FOR CONTINUATION INTO BUILDING.
- 15 NEW PHONE PEDESTAL AND UNDERGROUND TELEPHONE LINES BY OTHERS. SEE ELECTRICAL PLANS FOR CONTINUATION INTO BUILDING.
- 16 EXISTING UNDERGROUND ELECTRIC AND TELEPHONE WITHIN BUILDING FOOTPRINT TO BE ABANDONED BY OTHERS.
- 17 DEEP WATER DOCK TRAIL & BOARDWALK (NOT IN CONTRACT)



95% DOCUMENTS
04/21/2014

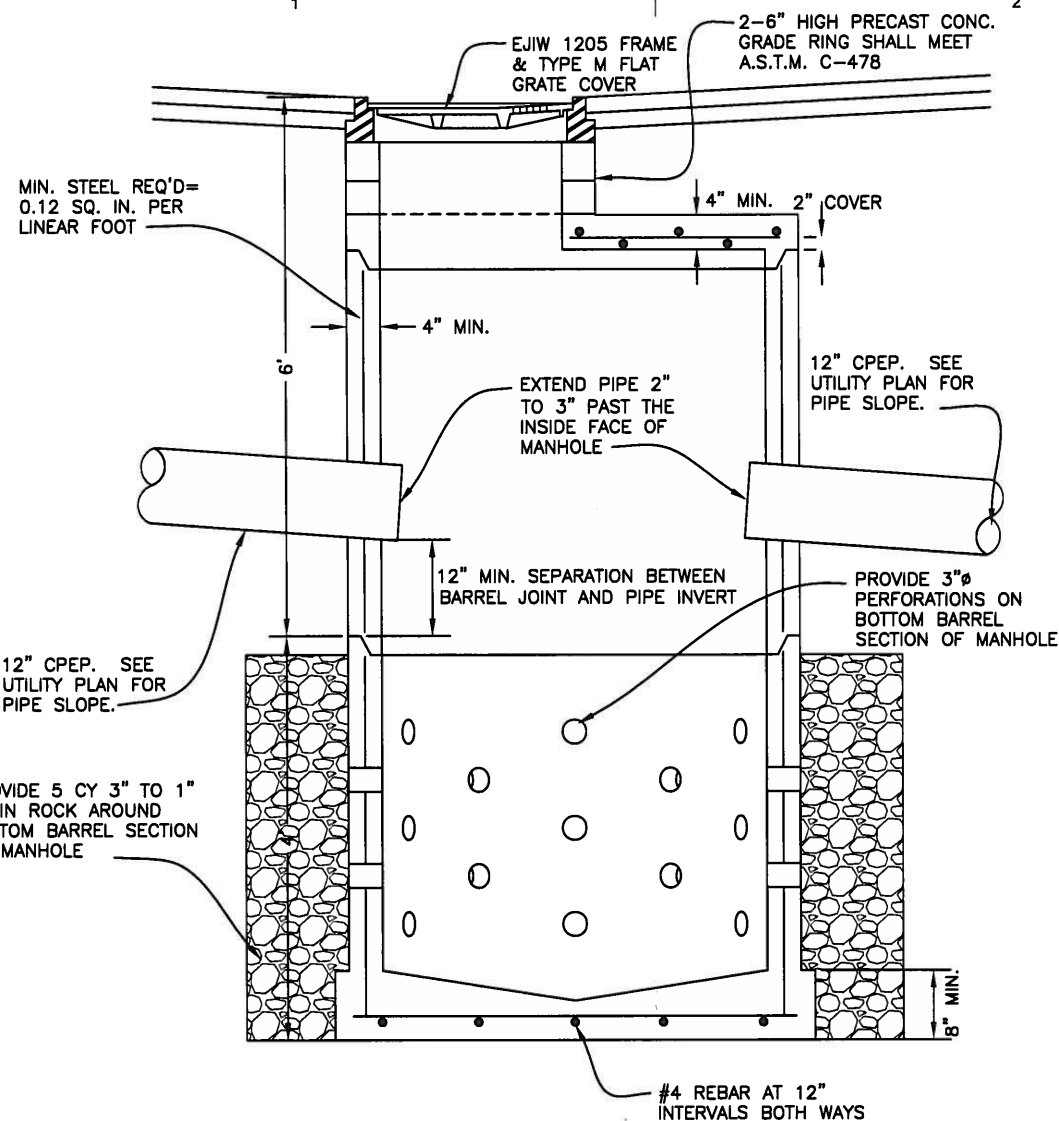


HOMER HARBOR
MASTER'S OFFICE
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DESIGN BY: WJN
DRAWN: MZD
CHECKED: WJN
JOB NO: 1358
DATE: 04/21/2014
REVISIONS:
NO. DATE

SHEET NUMBER
C3.0
SHEET CONTENTS
UTILITIES PLAN &
STORM DRAIN
SYSTEM PROFILE

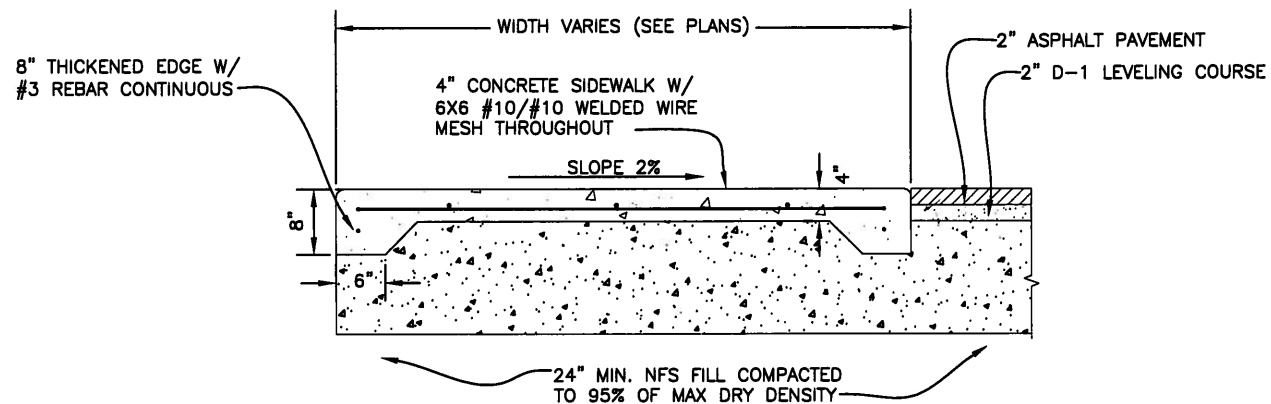


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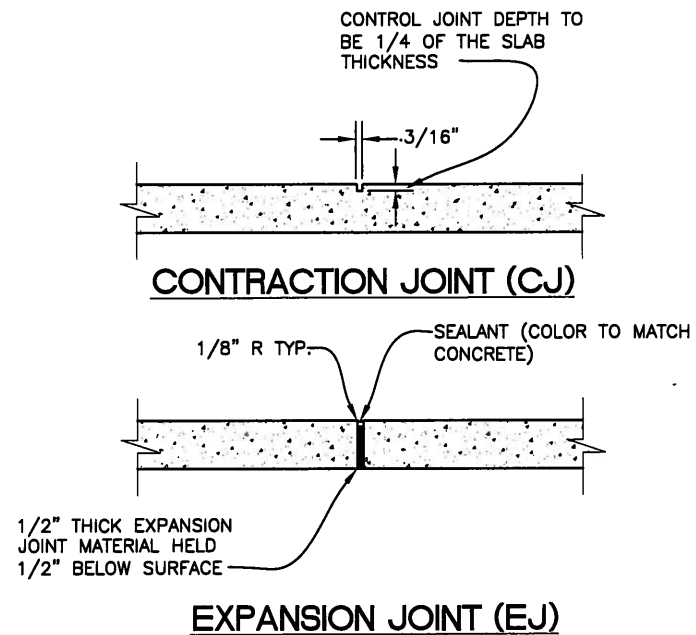
1. COMPRESSIVE STRENGTH OF CONCRETE SHALL BE MINIMUM 4000 P.S.I., EXCEPT BASE SLAB WHICH MAY BE 3000 P.S.I. CONNECT BASE & BARREL WITH CONTINUOUS STEEL.
2. SEE ASTM C-470-69 FOR DESIGN REQUIREMENTS AND MINIMUM REINFORCING STEEL REQUIRED.
3. BLOCKOUTS TO BE FORMED.
4. RUNS TO BE PLACED 12" ON CENTER ON UNOBSTRUCTED SIDE OF MANHOLE & 6" MAX. FROM TOP OF LID. SEE CITY OF HOMER RUNG (MANHOLE STEP) STANDARD DETAIL 800.07.
5. PAVE TO EDGE OF CATCH BASIN INLET.

A PERFORATED CATCH BASIN

GRAPHIC SCALE: 1" = 1' (22X34); 1/2" = 1' (11X17)

**D TYPICAL 4" CONCRETE SIDEWALK**

GRAPHIC SCALE: 1" = 1' (22X34); 1/2" = 1' (11X17)

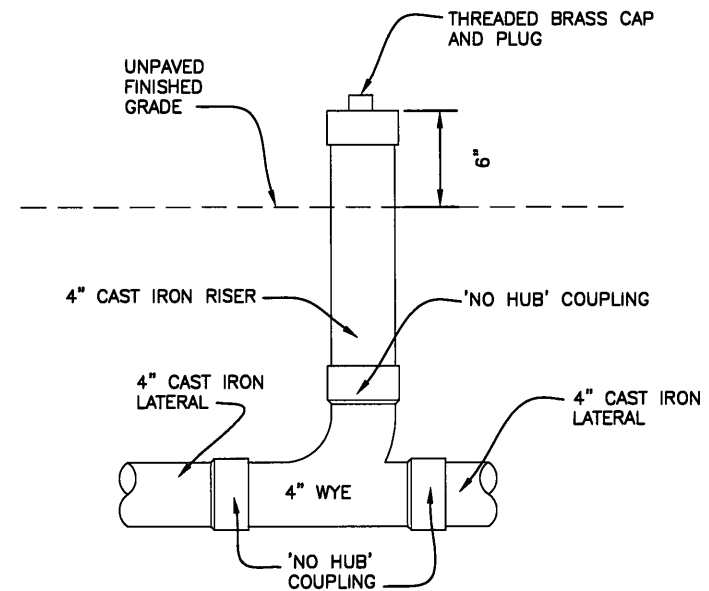


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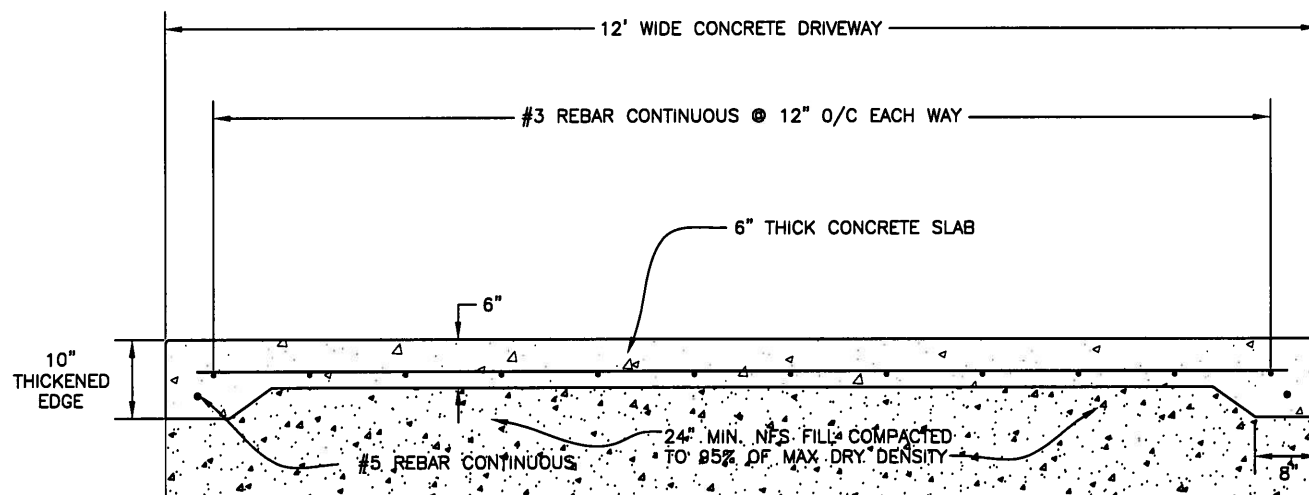
1. UNLESS OTHERWISE NOTED, CONTRACTION JOINTS SHALL OCCUR AT DISTANCES EQUAL TO WIDTH OF SIDEWALKS, WITH EXPANSION JOINTS NO FARTHER THAN 30 FEET APART.
2. UNLESS OTHERWISE NOTED, ALL CONCRETE FLATWORK TO BE OF BROOM FINISH, WITH PATTERN RUNNING PERPENDICULAR TO FLOW OF TRAFFIC.

B SIDEWALK JOINTS

GRAPHIC SCALE: NTS

**C TYPICAL SEWER CLEANOUT**

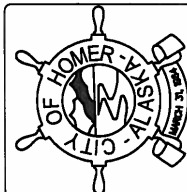
GRAPHIC SCALE: NTS

**E TYPICAL 6" CONCRETE DRIVEWAY**

GRAPHIC SCALE: 1" = 1' (22X34); 1/2" = 1' (11X17)

95% DOCUMENTS

04/21/2014

HOMER HARBOR
MASTER'S OFFICECITY OF HOMER
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Office: (907) 283-1919 Fax: (907) 283-0450
Klauder@alaska.netDESIGN BY: WJN
DRAWN: MZD
CHECKED: WJN
JOB NO: 1358
DATE: 04/21/2014REVISIONS:
NO. DATE

SHEET NUMBER

C5.0SHEET CONTENTS
TYPICAL DETAILS

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Wednesday, May 7, 2014 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska on the following matter:

Request for Conditional Use Permit (CUP) 2014-06: The City of Homer proposes a new Harbormaster building with overslope development within the Small Boat Harbor Overlay District and building location within the required setback area in the Marine Industrial and Marine Commercial Districts. A CUP is required per Homer City Code 21.46.040(a), 21.28.030(j), 21.28.040(b), 21.30.030(j) and 21.30.040(b). This proposal involves 3 lots: Lot 22 and Lot 23 of Homer Spit Subdivision No. 5 T 6S R 13W SEC 36 S.M and Lot G-8 Homer Spit Subdivision No. Two Amended T 6S & 7S R 13W SEC 35 & 36 & 1 & 2 S. M. The proposed building will be located at 4311 Freight Dock Rd.

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

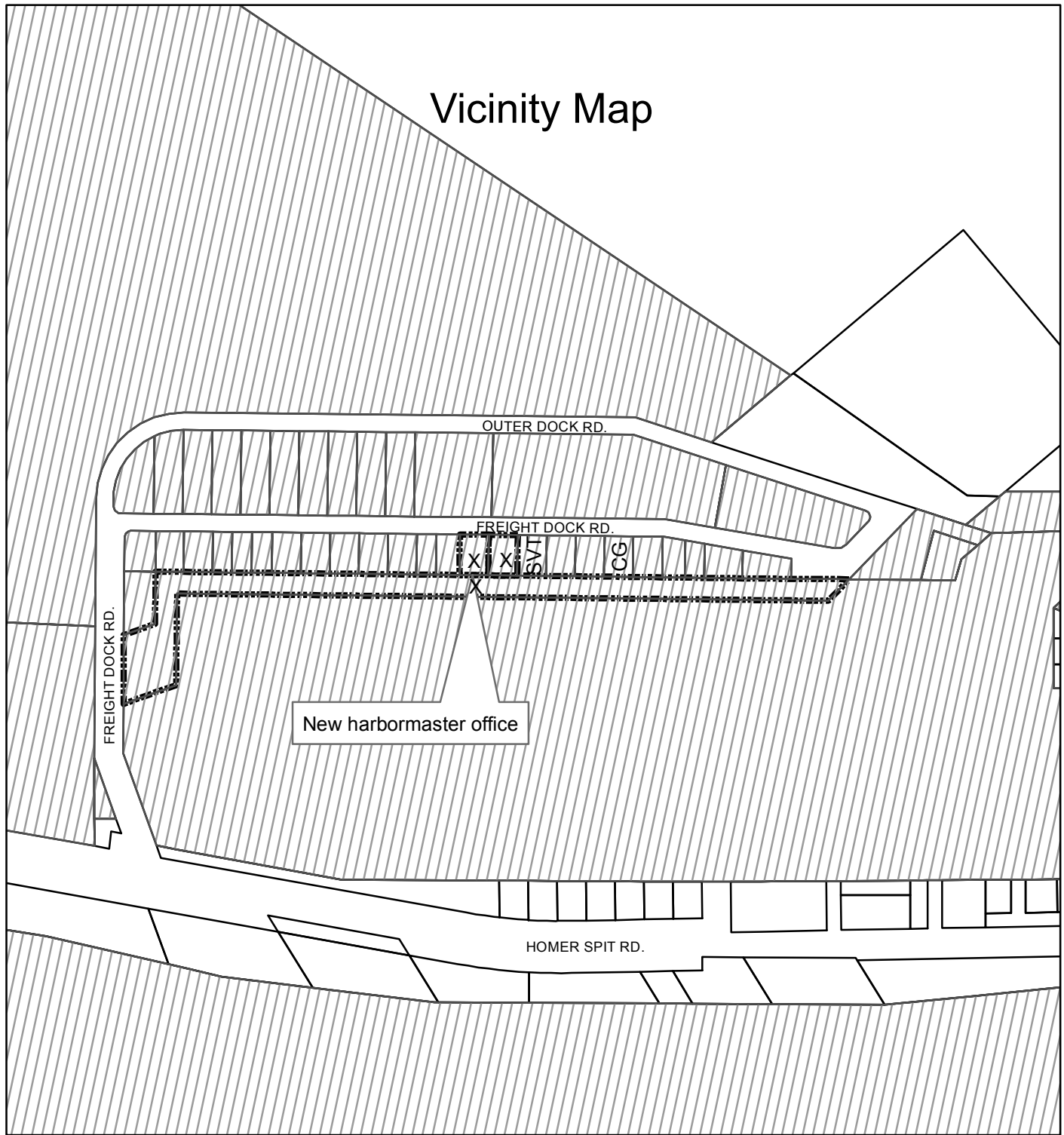
The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown at the Planning and Zoning Office, 235-3106.

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

.....

Vicinity Map on Reverse

Vicinity Map



City of Homer
Planning and Zoning Department

April 14, 2014

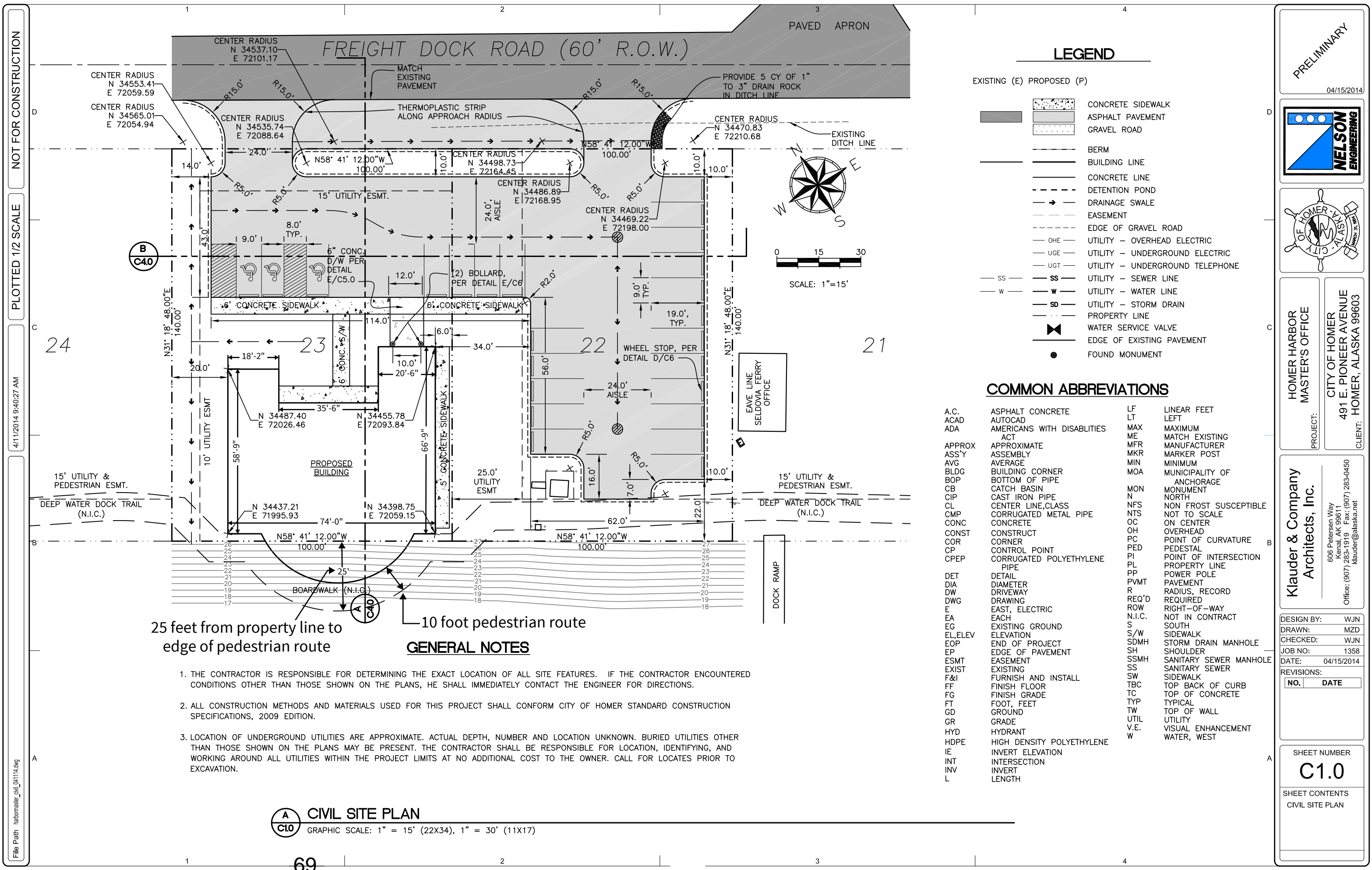
Request for CUP 14-06

Marked lots are within 300 feet
and property owners notified.

0 250 500 Feet



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



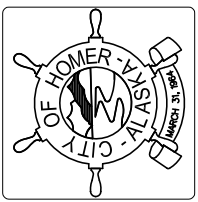
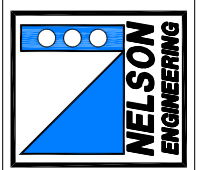
NOT FOR CONSTRUCTION

PLOTTED 1/2 SCALE

4/11/2014 9:40:27 AM

File Path harbormaster_civil_041114.dwg

PRELIMINARY
04/15/2014



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CLIENT:

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DRAWN: MZD
CHECKED: WJN
JOB NO: 1358
DATE: 04/15/2014

REVISIONS:
NO. DATE

SHEET NUMBER
C1.0
SHEET CONTENTS
CIVIL SITE PLAN

LEGEND

EXISTING (E) PROPOSED (P)	
	CONCRETE SIDEWALK
	ASPHALT PAVEMENT
	GRAVEL ROAD
	BERM
	BUILDING LINE
	CONCRETE LINE
	DETENTION POND
	DRAINAGE SWALE
	EASEMENT
	EDGE OF GRAVEL ROAD
	UTILITY - OVERHEAD ELECTRIC
	UTILITY - UNDERGROUND ELECTRIC
	UTILITY - UNDERGROUND TELEPHONE
	UTILITY - SEWER LINE
	UTILITY - WATER LINE
	UTILITY - STORM DRAIN
	PROPERTY LINE
	WATER SERVICE VALVE
	EDGE OF EXISTING PAVEMENT
	FOUND MONUMENT

COMMON ABBREVIATIONS

A.C.	ASPHALT CONCRETE	LF	LINEAR FEET
ACAD	AUTOCAD	LT	LEFT
ADA	AMERICANS WITH DISABILITIES	MAX	MAXIMUM
	ACT	ME	MATCH EXISTING
APPROX	APPROXIMATE	MFR	MANUFACTURER
ASS'Y	ASSEMBLY	MKR	MARKER POST
AVG	AVERAGE	MIN	MINIMUM
BLDG	BUILDING CORNER	MOA	MUNICIPALITY OF
BOP	BOTTOM OF PIPE		ANCHORAGE
CB	CATCH BASIN	MON	MONUMENT
CIP	CAST IRON PIPE	N	NORTH
CL	CENTER LINE, CLASS	NFS	NON FROST SUSCEPTIBLE
CMP	CORRUGATED METAL PIPE	NTS	NOT TO SCALE
CONC	CONCRETE	OC	ON CENTER
CONST	CONSTRUCT	OH	OVERHEAD
COR	CORNER	PC	POINT OF CURVATURE
CP	CONTROL POINT	PED	PEDESTAL
CPEP	CORRUGATED POLYETHYLENE	PI	POINT OF INTERSECTION
	PIPE	PL	PROPERTY LINE
DET	DETAIL	PP	POWER POLE
DIA	DIAMETER	PVMT	PAVEMENT
DW	DRIVEWAY	R	RADIUS, RECORD
DWG	DRAWING	REQ'D	REQUIRED
E	EAST, ELECTRIC	ROW	RIGHT-OF-WAY
EA	EACH	N.I.C.	NOT IN CONTRACT
EG	EXISTING GROUND	S	SOUTH
EL, ELEV	ELEVATION	S/W	SIDEWALK
EOP	END OF PROJECT	SDMH	STORM DRAIN MANHOLE
EP	EDGE OF PAVEMENT	SH	SHOULDER
ESMT	EASEMENT	SSMH	SANITARY SEWER MANHOLE
EXIST	EXISTING	SS	SANITARY SEWER
F&I	FURNISH AND INSTALL	SW	SIDEWALK
FF	FINISH FLOOR	TBC	TOP BACK OF CURB
FG	FINISH GRADE	TC	TOP OF CONCRETE
FT	FOOT, FEET	TYP	TYPICAL
GD	GROUND	TW	TOP OF WALL
GR	GRADE	UTIL	UTILITY
HYD	HYDRANT	V.E.	VISUAL ENHANCEMENT
HDPE	HIGH DENSITY POLYETHYLENE	W	WATER, WEST
IE	INVERT ELEVATION		
INT	INTERSECTION		
INV	INVERT		
L	LENGTH		

25 feet from property line to
edge of pedestrian route

10 foot pedestrian route

GENERAL NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL SITE FEATURES. IF THE CONTRACTOR ENCOUNTERED CONDITIONS OTHER THAN THOSE SHOWN ON THE PLANS, HE SHALL IMMEDIATELY CONTACT THE ENGINEER FOR DIRECTIONS.
2. ALL CONSTRUCTION METHODS AND MATERIALS USED FOR THIS PROJECT SHALL CONFORM CITY OF HOMER STANDARD CONSTRUCTION SPECIFICATIONS, 2009 EDITION.
3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. ACTUAL DEPTH, NUMBER AND LOCATION UNKNOWN. BURIED UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION, IDENTIFYING, AND WORKING AROUND ALL UTILITIES WITHIN THE PROJECT LIMITS AT NO ADDITIONAL COST TO THE OWNER. CALL FOR LOCATES PRIOR TO EXCAVATION.

CIVIL SITE PLAN
GRAPHIC SCALE: 1" = 15' (22X34), 1" = 30' (11X17)





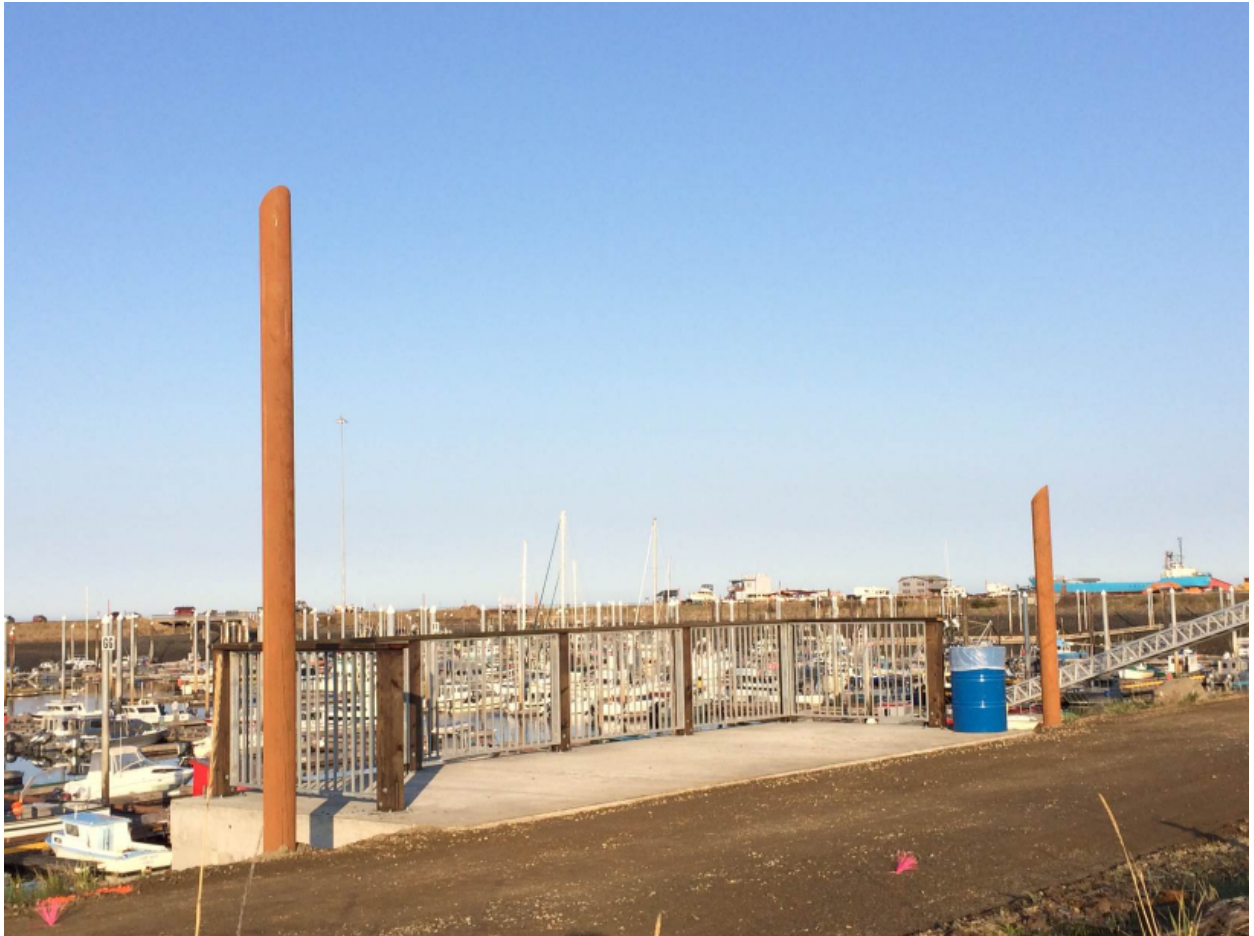
View from future building, across harbor.



View to northeast, across Freight Dock Road. Chip pad and storage area.



View up the harbor to the load and launch ramp.



Harbor overlook to the northwest of the harbormaster site. Note the design of the handrail, which will be repeated on the boardwalk in front of the harbormaster office. The pathway will be paved in the next two weeks, and a bench installed later this spring.



Looking southeast toward the Seldovia Ferry Building. The harbor office will extend over the harbor approximately between this point and the piling to the right of the trail.



Approximate area where boardwalk will rejoin the trail on land. Looking south east to Seldovia Ferry office and trestle.



Looking southeast to the Seldovia Ferry office. The future harbormaster office parking lot will be between this point and the ferry office. The main entrance to the ferry building is on the far side.



'Front' of the Seldovia Ferry office.



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 14-40

TO: Homer Advisory Planning Commission
THROUGH: Julie Engebretsen, Deputy City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: May 7, 2014
SUBJECT: Barnett Subdivision Quiet Creek Add'n 2014

Requested Action: Preliminary Plat approval to subdivide one lot off the southern portion of the 16.94 acre parcel.

GENERAL INFORMATION

Applicants:	Quiet Creek Community Association, Inc PO Box 1623 Homer, AK 99603 Ability Survey, Gary Nelson 152 Dehel Avenue Homer, AK 99603
Location:	Shellfish Avenue and South Slope Drive
Parcel ID:	17701082
Size of Existing Lot(s):	16.94 acres
Size of Proposed Lots(s):	Lot A1 will be 15.78 acres. Lot A2 will be 1.157 acres
Zoning Designation:	Rural Residential District
Existing Land Use:	Residential/Quiet Creek Condominiums
Surrounding Land Use:	North: Vacant parcels/residential South: Residential and vacant lots East: Residential West: Residential and vacant lots
Comprehensive Plan:	Goal 5, p 4-16 Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.
Wetland Status:	The western portion of the proposed Lot 2A is designated as a Discharge Slope.
Flood Plain Status:	Zone D, flood hazards undetermined.
BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer serve lot A-1, but will not serve lot A-2 at this time.
Public Notice:	Notice was sent to 49 property owners of 51 parcels as shown on the KPB tax assessor rolls.

ANALYSIS:

This subdivision is within the Rural Residential District. This plat subdivides one lot off the southern portion of the 16.94 acre parcel. Lot A-2 is accessed from Shellfish, an unconstructed Right of Way. Shellfish is also a modeled extension of the corridor between downtown Homer, north and east to East Hill Road, in the 2005 Transportation Plan, part of the adopted Comprehensive Plan.

The City of Homer Public Works Department has been working with the property owner to buy future lot A-2, as the site for a new water storage tank. This storage tank will be the subject of a future conditional use permit application. The current action in front of the commission is strictly a plat, creating one new lot.

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

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

Staff Response: The plat meets these requirements.

2. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets this requirement.

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

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

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

Staff Response: The plat meets this requirement.

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

Staff Response: The plat meets this requirement.

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

Staff Response: The plat meets these requirements.

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

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

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

Staff Response: The plat meets these requirements.

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

Staff Response: Water and sewer is not available for the proposed Lot A2. A 15' utility easement runs along the southern lot line.

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

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

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

Staff Response: The plat meets these requirements.

PUBLIC WORKS COMMENTS: No concerns. An installation or subdivision development agreement will not be required.

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

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission recommend approval of the preliminary plat.

ATTACHMENTS

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

NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Barnett Subdivision, Quiet Creek Add'n 2014

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

A public meeting will be held by the Homer Advisory Planning Commission on Wednesday, May 7, 2014 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

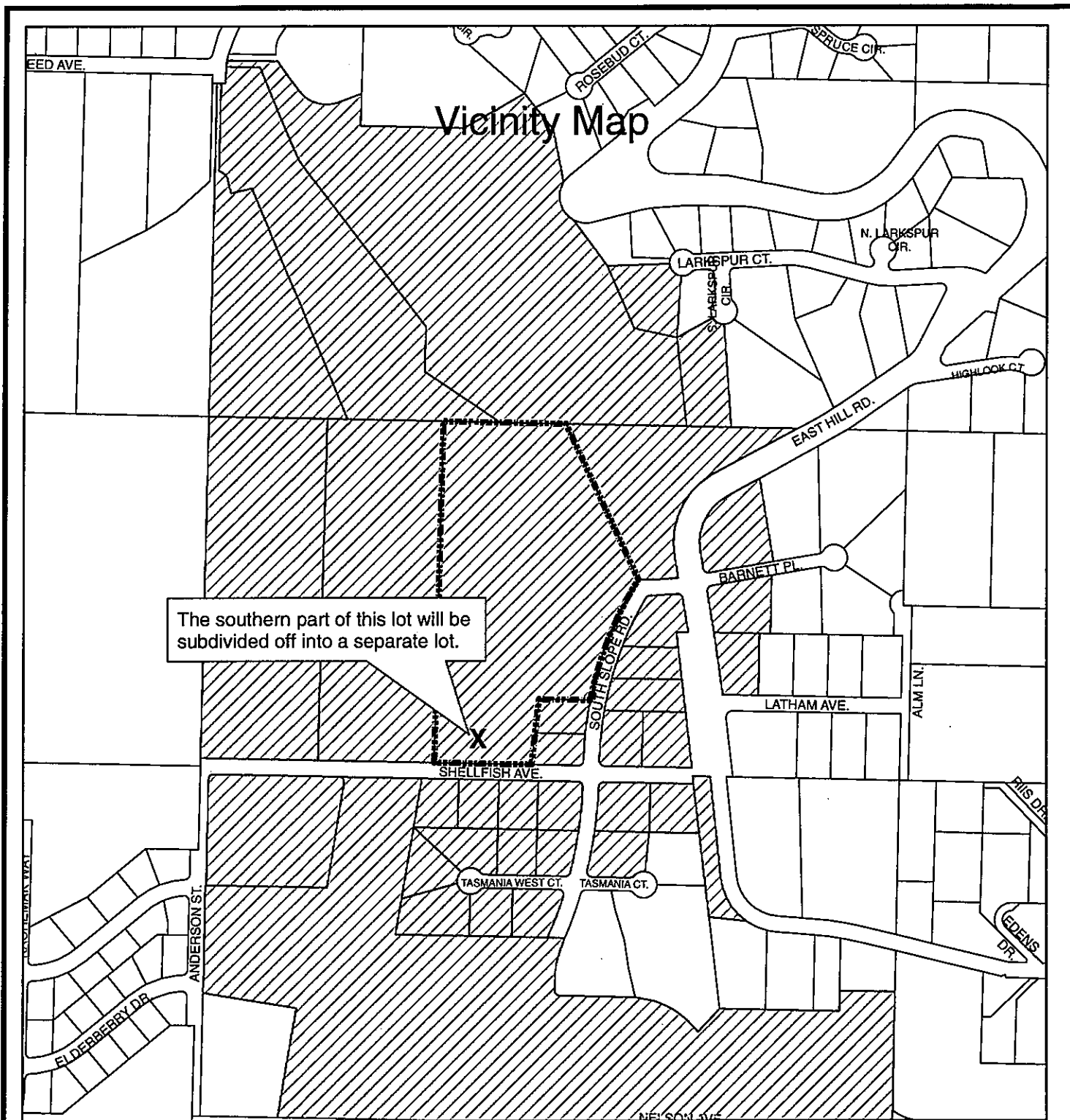
Anyone wishing to present testimony concerning these matters may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown in the Planning and Zoning Office, 235-3106.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department

April 18, 2014

Barnett Subdivision Quiet Creek Addition 2014 Preliminary Plat

Marked lots are within 500 feet
and property owners notified.

0 250 500 Feet



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

BAYVIEW GARDENS
RASPBERRY CT. ADD'N #8
VACATION LOT 3-A LOT B5

CERTIFICATE OF OWNERSHIP

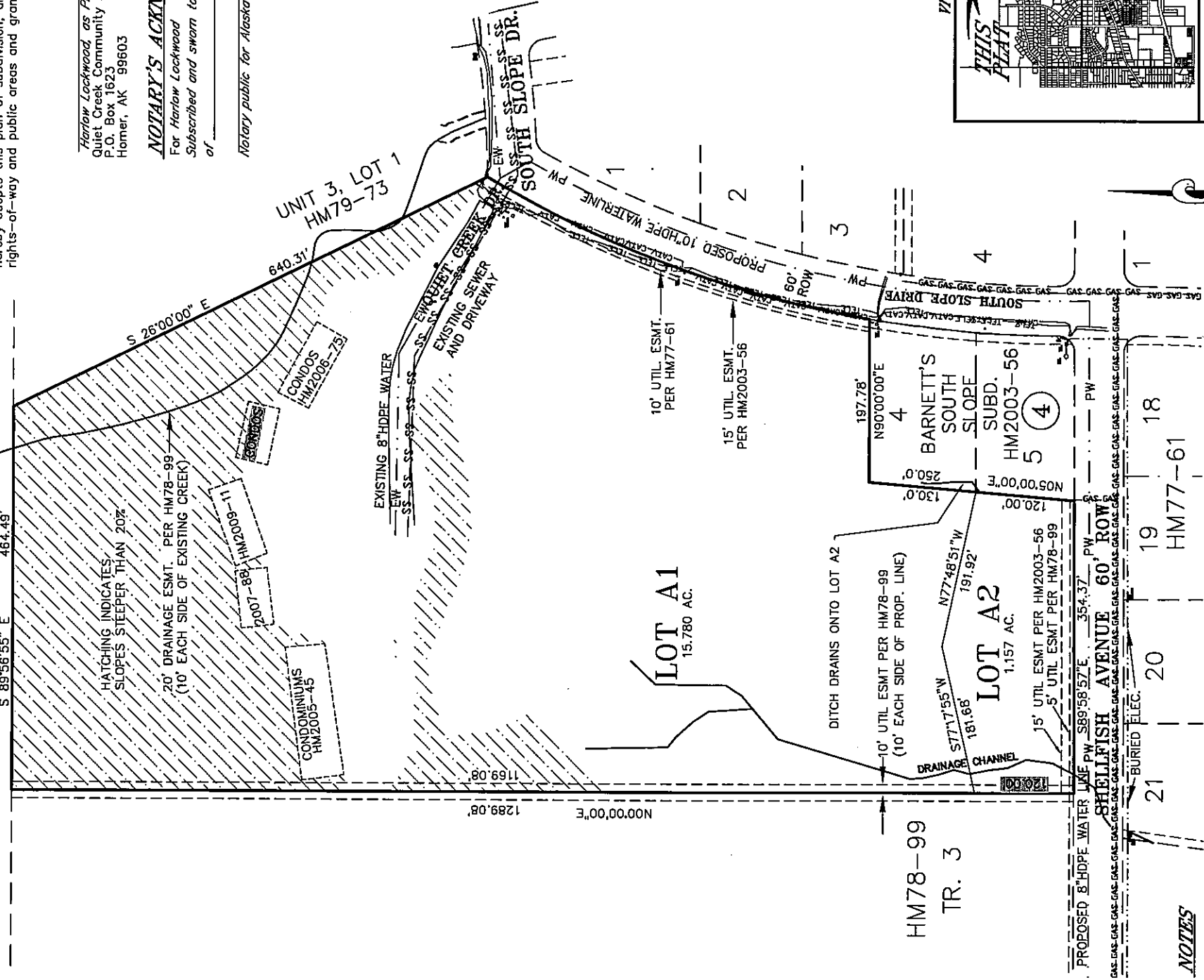
I hereby certify that the collective homeowners of the Quiet Creek Community by and through the Quiet Creek Homeowner's Association are the owners of the real property shown and described hereon, and that the collective homeowners of the Quiet Creek Community by and through the Quiet Creek Community Association hereby adopts this plan of subdivision, and by their free consent dedicate all public rights-of-way and public areas and grant all easements to the use shown.

Harlow Lockwood, as President
Quiet Creek Community Association Inc.
P.O. Box 1623
Homer, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For Harlow Lockwood
Subscribed and sworn to before me this _____ day
of _____ 2014.

Notary public for Alaska _____ My Commission Expires _____



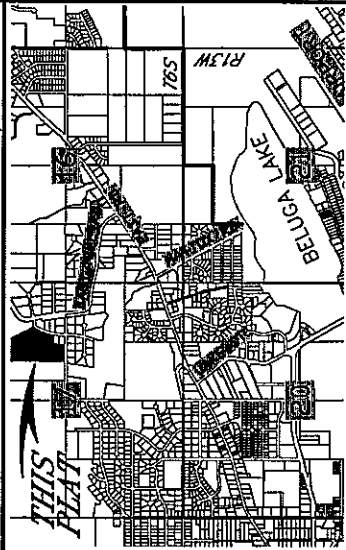
NOTES

1. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. THESE LOTS ARE SUBJECT TO HOMER CITY CODE.
3. REFERENCE IS MADE TO THE FOLLOWING PLATS IN THE HOMER RECORDING DISTRICT:
2011-39 (ROS), 2009-11,
CONDOMINIUM DEVELOPMENT PLANS AND AS-BUILTS;
2008-14, 2007-88, 2005-45, 2006-75,
SUBDIVISION PLATS: 2003-56, 78-99, 77-61.
4. WETLANDS EXIST ON THESE LOTS. ANY DEVELOPMENT WILL BE SUBJECT TO WETLAND DETERMINATION AND POSSIBLE WETLAND PERMITS.
5. THE FOLLOWING COVENANTS, CONDITIONS, RESTRICTIONS (CCR'S) AND EASEMENTS ARE RECORDED:
CCR BOOK 103, PAGE 88, & AMENDED BY 2003-001742-0,
HORIZONTAL PROPERTY REGIMES ACT DECLARATION 2004-005284-0 & AMENDED 2006-005162-0,
AMENDED 2007-004467-0,
AMENDED 2008-001629-0,
AMENDED 2009-001212-0,
AMENDED 2011-003286-0,
AND OTHER RELATED PUBLIC NOTICE;
CANCELLATION OF AMENDMENT NO. 5, SERIAL #2014-000705-0,
RECORD OF SURVEY (HM2011-39),
SETTLEMENT AGREEMENT 2014-000706-0,
INVALID AMENDMENT AND RECORD OF SURVEY 2011-3636-0,
SETTLEMENT AND AGREEMENT 2014-000706-0,
AND WATER AND SEWER SERVICE AGREEMENT BK. 290, PG. 332
AND DRIVEWAY ACCESS RIGHT-OF-WAY #2006-005246-0
AND BLANKET ELECTRIC TRANSMISSION EASEMENTS AT BK. 48, PG. 77 AND BK. 90, PG. 166.

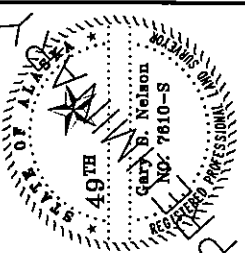
REC	DIST
Date _____	20 _____
Time _____	M _____
Requested By _____	
Address _____	

KPB FILE No. 2014-_____

VICINITY MAP SCALE: 1"= 1/2 MILE



DATE	4/22/2014
SCALE	1"= 100'
GRID No.	4R-73
JOB No.	4749
DRAWING:	4749



BARNETT SUBDIVISION,

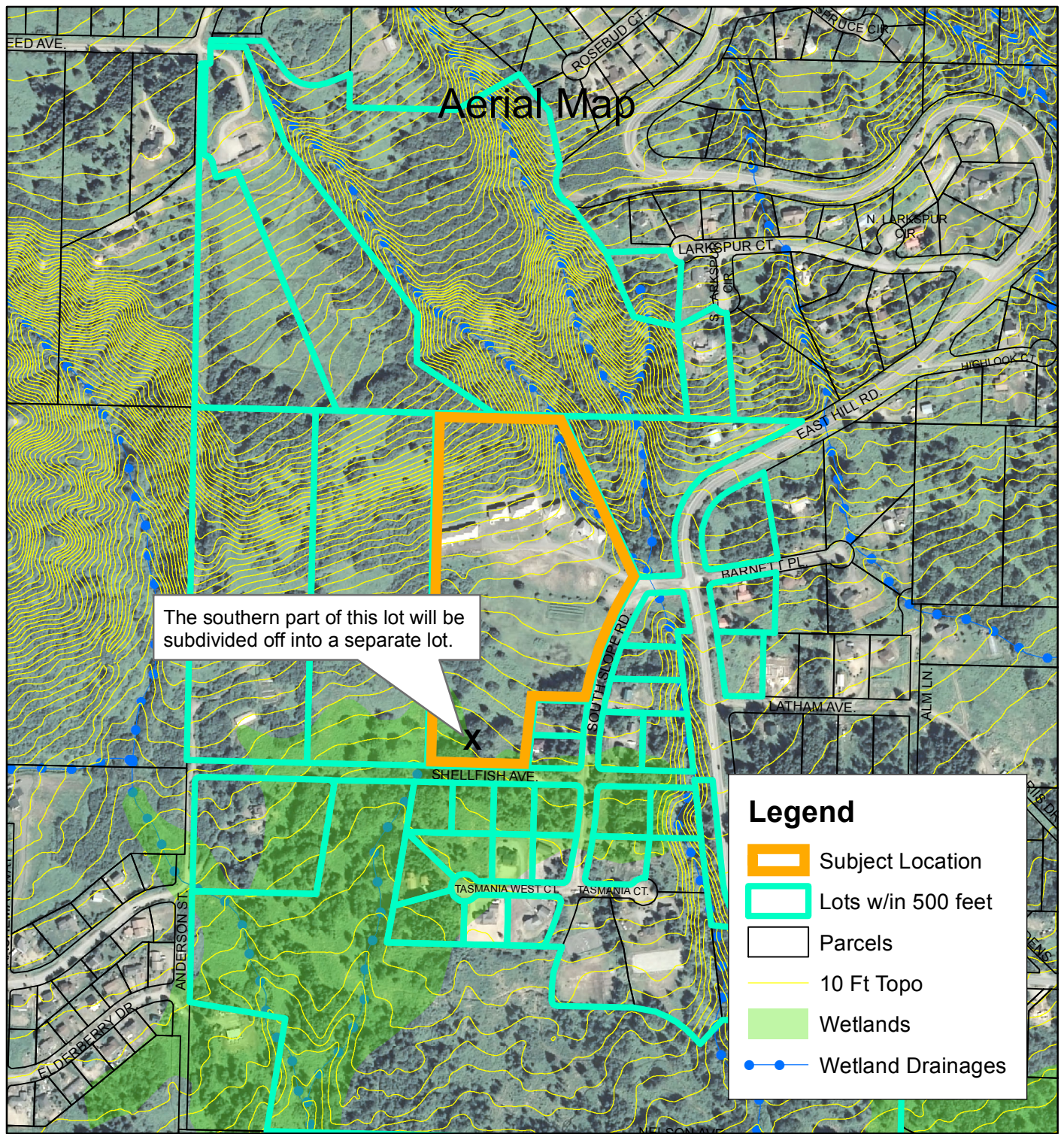
QUIET CREEK ADD'N 2014

A SUBDIVISION OF TRACT A, BARNETT SUBDIVISION, QUIET CREEK ADDITION (HM2003-56) WITHIN THE NE1/4 SEC. 17, T6S, R13W, S.M., CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, HOMER RECORDING DISTRICT, STATE OF ALASKA,

CONTAINING 16.937 ACRES
EXCEPTING THEREFROM:
QUIET CREEK COMMUNITY LLC PHASE 1 (HM2005-49),
QUIET CREEK COMMUNITY LLC PHASE 2 (HM2006-75),
QUIET CREEK COMMUNITY LLC PHASE 3 (HM2007-88),
QUIET CREEK COMMUNITY LLC PHASE 4 (AMENDED HM2009-11)

ABILITY SURVEYS

GARY NELSON, PLS
(907) 235-8440
152 DEHEL AVE., HOMER ALASKA 99603



City of Homer
Planning and Zoning Department

April 18, 2014

Barnett Subdivision Quiet Creek Addition 2014 Preliminary Plat

Marked lots are within 500 feet
and property owners notified.

0 250 500 Feet



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



City of Homer

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Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

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(f) 907-235-3118

Staff Report PL 14-42

TO: Homer Advisory Planning Commission
THROUGH: Julie Engebretsen, Deputy City Planner
FROM: Dotti Harness-Foster, Planning Technician
DATE: May 7, 2014
SUBJECT: Heliports Draft Ordinance

Introduction: Attached is a draft ordinance based on the heliports and helipads discussions this spring.

As of the writing of this staff report, staff has not had the opportunity to thoroughly review this ordinance. It is provided to the Commission to allow plenty of time read and discuss the proposed changes.

Section 1 includes a definition for "hospital" as defined in AS 47.32.900 which states: "Hospital" means a public or private institution or establishment devoted primarily to providing diagnosis, treatment, or care over a continuous period of 24 hours each day for two or more unrelated individuals suffering from illness, physical or mental disease, injury or deformity, or any other condition for which medical or surgical services would be appropriate; "hospital" does not include a frontier extended stay clinic;"

GC2 district starting on Line 164: The GC2 district encompasses the airport which permits heliports. On state airport property the City has no zoning authority. Starting on Line 164 "helipads" would be conditionally permitted (outside the airport boundary) in the GC2 district.

Bridge Creek Water Protection District (BCWPD) starting on Line 231: The purpose of the BCWPD is to prevent the degradation of the water quality for the City's water supply. By definition (Line 29) helipad is for take offs and landings only, no permanent facilities, nor any fueling. In addition, many parcels have substandard access and some have no legal access, therefore staff recommends the helipads be a permitted use in the BCWPD.

As you review the draft ordinance, these grids may be helpful. If you have suggestions or edits please contact staff.

Heliports	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed											X		
Permitted outright								X airport					
Not Allowed	X	X	X	X	X	X	X		X	X		X	x

HELIPAD	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	EEMU	MC	MI	OSR	BCWP
CUP needed			X					x					
Permitted outright													x
Not Allowed	X	X		X	X	X	X		X	X		X	

Attachments: Draft ordinance presented May 7, 2014

P:\PACKETS\2014 PCPacket\Ordinance\Heliports\SR 14-42 Heliports May 7 2014 with RA comments.docx

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 14-__ Presented May 7, 2014

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.03.040, DEFINITIONS; HOMER CITY CODE 21.12.030, 21.14.030, 21.16.030, 21.18.030, 21.24.030, 21.26.030, 21.28.030 AND 21.32.030, CONDITIONAL USES AND STRUCTURES; AND HOMER CITY CODE 21.40.050, PERMITTED USES AND STRUCTURES, TO DEFINE THE TERMS HELIPAD AND HOSPITAL, TO DELETE HELIPORT AS A CONDITIONAL USE IN THE RURAL RESIDENTIAL, URBAN RESIDENTIAL, CENTRAL BUSINESS DISTRICT, GENERAL COMMERCIAL 1, GENERAL COMMERCIAL 2, MARINE COMMERCIAL AND OPEN SPACE – RECREATION ZONING DISTRICTS; TO ADD HELIPAD AS A CONDITIONAL USE ACCESSORY TO A HOSPITAL IN THE RESIDENTIAL OFFICE ZONING DISTRICT AND HELIPAD AS A CONDITIONAL USE IN THE GENERAL COMMERCIAL 2 ZONING DISTRICT; AND TO ADD HELIPAD AS A PERMITTED USE IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. HCC 21.03.040 Definitions, is amended by adding definitions of "helipad" and "hospital" to read as follows:

"Helipad" means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

"Hospital" has the meaning given in AS 47.32.900.

Section 2. HCC 21.12.030, Conditional uses and structures (Rural Residential), is amended to read as follows:

21.12.030 Conditional uses and structures. The following uses may be permitted in the Rural Residential District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Planned unit development, limited to residential uses only;
- b. Religious, cultural and fraternal assembly;

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

- c. Cemeteries;
- d. Kennels;
- e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;
- f. Mobile home parks;
- g. Public utility facilities and structures;
- h. Pipelines and railroads;
- ~~i. Heliports;~~
- ij.** Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- jk.** Day care facilities; provided, however, that outdoor play areas must be fenced;
- ~~kl.~~ **kl.** Group care home;
- ~~lm.~~ **lm.** Assisted living home;
- ~~mn.~~ **mn.** More than one building containing a permitted principal use on a lot;
- ~~no.~~ **no.** Indoor recreational facilities;
- ~~op.~~ **op.** Outdoor recreational facilities;
- ~~pq.~~ **pq.** Public school and private school;
- ~~qr.~~ **qr.** One small wind energy system having a rated capacity exceeding 10 kilowatts, provided that it is the only wind energy system of any capacity on the lot.

Section 3. HCC 21.14.030, Conditional uses and structures (Urban Residential), is amended to read as follows:

21.14.030 Conditional uses and structures. The following uses may be permitted in the Urban Residential District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Planned unit development, excluding all industrial uses;
- b. Townhouse developments;
- c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- d. Religious, cultural and fraternal assembly;
- e. Hospitals;
- f. Pipelines and railroads;
- ~~g. Heliports;~~
- gh.** Storage of heavy equipment or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- hi.** Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;

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

83 ~~ij.~~ Group care home;
84 ~~jk.~~ Assisted living home;
85 ~~kl.~~ More than one building containing a permitted principal use on a lot;
86 ~~lm.~~ Indoor recreational facilities;
87 ~~mn.~~ Outdoor recreational facilities;
88 ~~no.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts,
89 provided that it is the only wind energy system of any capacity on the lot.
90

91 Section 4. HCC 21.16.030, Conditional uses and structures (Residential Office), is
92 amended to read as follows:
93

94 21.16.030 Conditional uses and structures. The following uses may be permitted in the
95 Residential Office District when authorized by conditional use permit issued in accordance with
96 Chapter 21.71 HCC:

- 97 a. Planned unit developments, excluding all industrial uses;
98 b. Townhouses;
99 c. Public or private schools;
100 d. Hospitals and medical clinics;
101 e. Public utility facilities and structures;
102 f. Mortuaries;
103 g. Day care facilities; provided, however, that outdoor play areas must be fenced;
104 h. More than one building containing a permitted principal use on a lot;
105 i. Group care homes;
106 **j. Helipads, but only as an accessory use incidental to a hospital conditional use;**
107 ~~kj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
108 provided, that it is the only wind energy system of any capacity on the lot;
109 ~~lk.~~ Other uses approved pursuant to HCC 21.04.020.
110

111 Section 5. HCC 21.18.030, Conditional uses and structures (Central Business District), is
112 amended to read as follows:
113

114 21.18.030 Conditional uses and structures. The following uses may be permitted in the
115 Central Business District when authorized by conditional use permit issued in accordance with
116 Chapter 21.71 HCC:

- 117 a. Planned unit developments, excluding all industrial uses;
118 b. Indoor recreational facilities and outdoor recreational facilities;
119 c. Mobile home parks;
120 d. Auto fueling stations;
121 e. Public utility facilities and structures;
122 f. Pipeline and railroads;

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

- 123 ~~g. Heliports;~~
124 ~~gh.~~ Greenhouses and garden supplies;
125 ~~hi.~~ Light or custom manufacturing, repair, fabricating, and assembly, provided such
126 use, including storage of materials, is wholly within an enclosed building;
127 ~~ij.~~ Shelter for the homeless, provided any lot used for such shelter does not abut a
128 residential zoning district;
129 ~~jk.~~ More than one building containing a permitted principal use on a lot;
130 ~~kl.~~ Group care homes and assisted living homes;
131 ~~lm.~~ Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber
132 Subdivision to Heath Street;
133 ~~na.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts;
134 provided, that it is the only wind energy system of any capacity on the lot;
135 ~~ne.~~ Other uses approved pursuant to HCC 21.04.020.
136

137 Section 6. HCC 21.24.030, Conditional uses and structures (General Commercial 1), is
138 amended to read as follows:
139

140 21.24.030 Conditional uses and structures. The following uses may be permitted in the
141 General Commercial 1 District when authorized by conditional use permit issued in accordance
142 with Chapter 21.71 HCC:

- 143 a. Campgrounds;
144 b. Crematoriums;
145 c. Multiple-family dwelling;
146 d. Public utility facility or structure;
147 e. Mobile home parks;
148 f. Planned unit developments;
149 g. Townhouses;
150 h. Pipelines and railroads;
151 ~~i. Heliports;~~
152 ~~ij.~~ Shelter for the homeless, provided any lot used for such shelter does not abut an RO,
153 RR, or UR zoning district;
154 ~~jk.~~ More than one building containing a permitted principal use on a lot;
155 ~~kl.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;
156 ~~lm.~~ Other uses approved pursuant to HCC 21.04.020;
157 ~~ma.~~ Indoor recreational facilities;
158 ~~ne.~~ Outdoor recreational facilities.
159

160 Section 7. HCC 21.26.030, Conditional uses and structures (General Commercial 2), is
161 amended to read as follows:
162

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

21.26.030 Conditional uses and structures. The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC

- a. Planned unit development, excluding all industrial uses;
- b. Townhouse developments;
- c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- d. Religious, cultural and fraternal assembly;
- e. Hospitals;
- f. Pipelines and railroads;
- ~~g. Heliports;~~
- ~~gh.~~ Storage of heavy equipment or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- ~~hi.~~ Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;
- ~~ij.~~ Group care home;
- ~~jk.~~ Assisted living home;
- ~~kl.~~ More than one building containing a permitted principal use on a lot;
- ~~lm.~~ Indoor recreational facilities;
- ~~mn.~~ Outdoor recreational facilities;
- ~~no.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- o. Helipads.

Section 8. HCC 21.28.030, Conditional uses and structures (Marine Commercial), is amended to read as follows:

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

- a. Drinking establishments;
- b. Public utility facilities and structures;
- ~~c. Heliports;~~
- ~~cd.~~ Hotels and motels;
- ~~de.~~ Lodging;
- ~~ef.~~ More than one building containing a permitted principal use on a lot;
- ~~fg.~~ Planned unit developments, limited to water-dependent and water-related uses,

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

with no dwelling units except as permitted by HCC 21.28.020(o);

~~g~~**h**. Indoor recreational facilities;

~~h~~**i**. Outdoor recreational facilities;

~~i~~**j**. The location of a building within a setback area required by HCC 21.28.040(b). In addition to meeting the criteria for a conditional use permit under HCC 21.71.030, the building must meet the following standards:

1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and

2. Have a design that is compatible with that of the structures on the adjoining property.

Section 9. HCC 21.32.030, Conditional uses and structures (Open Space -- Recreation), is amended to read as follows:

21.32.030 Conditional uses and structures. The following uses may be conditionally permitted in the Open Space – Recreation District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

a. Public utility facilities and structures;

b. Any structures used for uses permitted outright in the district;

c. Fishing gear and boat storage;

d. Campgrounds;

e. Pipelines and railroads;

f. Parking areas;

~~g. Heliports;~~

~~g~~**h**. Other open space and recreation uses;

~~h~~**i**. Indoor recreational facilities;

~~i~~**j**. Outdoor recreational facilities.

Section 10. HCC 21.40.050, Permitted uses and structures (Bridge Creek Watershed Protection District), is amended to read as follows:

21.40.050 Permitted uses and structures. The following uses and structures are permitted outright in the BCWP district, except when such use or structure requires a conditional use permit by reason of its nature, size or other reasons set forth in this chapter. Permitted uses and structures remain subject to all applicable provisions of this chapter:

a. Single-family dwelling;

b. Duplex dwelling;

c. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2);

d. Public parks and playgrounds;

e. Rooming houses or bed and breakfast establishments;

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

- 243 f. Storage of personal commercial fishing gear in a safe and orderly manner;
244 g. Private storage in yards, in a safe and orderly manner, of equipment, including
245 trucks, boats, recreational vehicles and automobiles; provided, that all are in good mechanical
246 and operable condition, and if subject to licensing, currently able to meet licensing
247 requirements; and further provided, that the stored items do not create impervious cover in
248 excess of the limits in HCC 21.40.070;
249 h. Other customary accessory uses incidental to any of the principal permitted uses
250 listed in the BCWP district, such as limited personal use gardening as described in HCC
251 21.40.090(c);
252 i. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
253 j. Mobile homes, subject to the requirements set forth in HCC 21.54.100;
254 k. Day care homes;
255 l. Up to four recreational vehicles on a lot as a temporary dwelling not to exceed 90
256 days' occupancy per vehicle in any calendar year;
257 m. Religious, cultural, and fraternal assembly;
258 n. Public schools and private schools;
259 o. Day care facilities;
260 p. Ministorage;
261 q. As an accessory use, one small wind energy system per lot having a rated capacity
262 not exceeding 10 kilowatts;
263 **r. Helipads.**

264
265 Section 11. This Ordinance is of a permanent and general character and shall be
266 included in the City Code.

267
268 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
269 _____ 2014.

270
271 CITY OF HOMER

272
273
274 _____
275 MARY E. WYTHER, MAYOR

276
277 ATTEST:

278
279
280 _____
281 JO JOHNSON, CMC, CITY CLERK
282

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

283 YES:

284 NO:

285 ABSTAIN:

286 ABSENT:

287

288 First Reading:

289 Public Hearing:

290 Second Reading:

291 Effective Date:

292

293 Reviewed and approved as to form:

294

295

296

297 _____
Walt E. Wrede, City Manager

298 Date: _____

Thomas F. Klinkner, City Attorney
Date: _____

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



City of Homer

www.cityofhomer-ak.gov

Planning

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Planning@ci.homer.ak.us

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STAFF REPORT PL 14-41

TO: Homer Advisory Planning Commission
THROUGH: Julie Engebretsen, Deputy City Planner
FROM: Dotti Harness-Foster, Planning Technician
MEETING: May 7, 2014
SUBJECT: Draft Ordinance 14-xx, Amending Homer City Code HCC 21.60.060, Table 3, Permitted Sign Characteristics

INTRODUCTION: The Faith Lutheran Church Planning Board submitted a letter, requesting a change to the sign code to allow internally lit, changeable copy signs in the Gateway Business District (GBD). At the meeting of April 16th, the Planning Commission reviewed the request, and initiated a code amendment per 21.95.010. This item is not currently scheduled for public hearing; this staff report is an introduction to the issue and for discussion purposes. A public hearing, with a complete draft ordinance, will be on the May 21st HAPC agenda.

When reviewing this staff report, a key question emerges: Will allowing changeable copy and/or internally lit signs provide an attractive gateway to residents and visitors as they enter Homer on the Sterling Highway?

BACKGROUND:

For years the church has used temporary signs such as banners to notify the public of upcoming events because permanent changeable copy signs are not allowed in the GBD. The church requests two amendments to Homer's Sign Code HCC 21.60.060, Table 3:

1. To allow changeable copy signs, and
2. To allow internally illuminated signs.

If both amendments are approved, a principal building in the GBD would be allowed one permanently mounted, internally lit, changeable copy sign. For the most part, the sign standards in the GBD are the same standards as in the other business districts with the exception of Table 3 (HCC 21.60.060). Table 3 does not allow changeable copy or illumination internal signs in the GBD.

ANALYSIS:

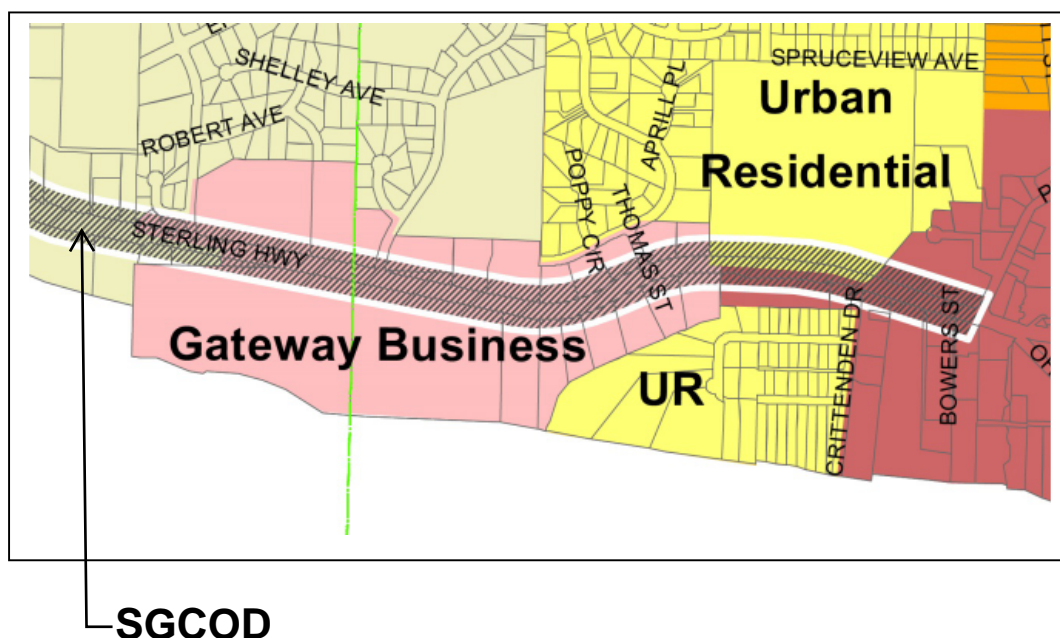
Changeable copy signs can be internal or externally lit. In Homer all changeable copy signs must be permanently mounted and the lettering can only change one time per day, with an exemption for time and temperate, HCC 21.60.040 Definitions:

“Changeable copy sign” means a sign that includes characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, and on which the message changes less often than one time per day; provided, that a changing electronic or mechanical indication of time or temperature does not cause a sign to be a changeable copy sign.”

Internally lit also referred to as Illumination Internal signs: If the light source is not external; it's internal. Technology changes rapidly, so by today's standards internal light sources may include LED, Electronic Message Center, back lit and halo lighting. In general, internally lit signs are more legible because the light bulbs are better maintained and the light source can't be misdirected. Regardless of the district, Homer's Sign Code does not allow animated signs, HCC 21.60.080(e) Design, construction, and maintenance.

“Illumination, if used, shall not be animated. Light rays shall shine only upon the sign or upon the lot on which the sign is located, and no direct light or significant glare shall be cast onto any adjacent lot, street, or right-of-way.”

Gateway Business District and Overlay District: The GBD runs west from the Homer Middle School along both sides of the Sterling Highway, south to Kachemak Bay, and ends just past the corner of West Hill Road and Carriage Court where Story Real Estate is located. Permitted uses include: retail, restaurants, hotels, financial institutions, churches, schools and entertainment establishments. The portion of parcels that front and are within 150 feet of the centerline of the Sterling Highway are within the narrow Scenic Gateway Corridor Overlay District (SGCOD). The SGCOD does not affect signage in the GBD because the SGCOD requires that signs comply with the sign code as it applies to the GBD.



Purpose of the GBD:

"The purpose of the Gateway Business District is primarily to promote mixed use development, with an emphasis on visitor-oriented business. Conflicts between residential and business uses are resolved in favor of business. Among the goals of the Gateway Business District regulations are the minimization of future traffic congestion along the Sterling Highway corridor, and preservation of the favorable experience residents and visitors have when entering Homer by way of the Sterling Highway."

Purpose of the SGCOD:

a. The primary purpose of the Scenic Gateway Corridor Overlay District is to make additional provisions for preservation of scenic vistas, to enhance the compatibility of development and to minimize future traffic congestion and maintain safety along the Sterling Highway corridor.

b. The Scenic Gateway Corridor Overlay District shall overlap and overlay existing zoning districts. The intent of this district is to have development that is sensitive to the "Gateway" of Homer and provide an additional layer of protection for the panoramic views of the Gateway while furthering the primary purposes of the district.

The 2010 Comprehensive Plan references the Gateway as a mixed use, "visitor-oriented area that should be developed in a manner that provides an attractive gateway to Homer." Ch 4. pg 5. This aligns with the Chapter 4 Land Use goals:

Goal 2: Maintain the quality of Homer's natural environment and scenic beauty." Ch 4, pg 4-1.

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

Illumination Internal Signs: Discuss how internally lit signs relates to the purpose of the GBD and the Comprehensive Plan. Some considerations are:

- Attractiveness, or not, between internally lit and externally lit signs.
- Legible: Research indicates the internally lit signs are more legible because the light is more evenly distributed.
- Public safety: When a sign is more legible, motorists have more time to react.
- Lighting levels: Homer does not have sign brightness or luminance levels.

Changeable copy sign code amendment: Staff supports changeable copy signs because a permanently mounted changeable copy sign is more attractive than temporary signs such as banners or sandwich boards. This combined with Homer's Sign standards upholds the purpose of the GBD.

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

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

Finding 1: This amendment is consistent with the 2010 Comprehensive Plan Chapter 4 Land Use Goal because a permanently mounted, changeable copy sign is more attractive than temporary signs such as banners or sandwich boards.

Finding 2. Homer's Sign standards restrict the sign size and sign height (10 ft) which helps to further the goals and objectives of the Comprehensive Plan. This amendment to allow changeable copy signage is not contrary to the goal and objectives of the comprehensive plan.

b. Will be reasonable to implement and enforce.

Finding 3: This amendment will be reasonable to implement and enforce.

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

Finding 4: This amendment promotes health, safety and welfare by allowing uses in the GBD to notify the public of community events by using permanently mounted, changeable copy signs.

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

Finding 5: This amendment is consistent with the intent, wording and purpose of HCC Title 21.

STAFF COMMENTS/RECOMMENDATIONS:

1. Changeable Copy Signs: Planning staff recommends amending HCC 21.60.060 Table 3 to allow Changeable Copy signs.

2. Illumination Internal Signs: Discuss how internally lit signs relates to the purpose of the GBD and the Comprehensive Plan.

ATTACHMENTS

1. Letter from Faith Lutheran Church stamp dated March 19, 2014
2. Draft Ordinance dated May 7, 2014.

Faith Lutheran Church Planning Board

1000 Soundview Ave.

Homer, AK. 99603

To: Homer Advisory Planning Commission

City of Homer

Planning and Zoning Office

491 E. Pioneer Ave.

We at Faith Lutheran Church need to replace our sign. We are located at the corner of Soundview and the Sterling Hwy, across from West Homer Elementary in the Gateway Business District. Our current sign is falling over and looks run down. Last summer we put out banners attached to our current sign to notify the public about various events and services such as Easter service, Vacation Bible School, Faith Lutheran Youth Group etc. We received a letter from planning and zoning that these banners violate the sign code in our zoning district. In the fall of 2013 we voted as a congregation to replace our sign with a new sign having our church name on top and an area of changeable type on the bottom. Upon receiving a quote for an acceptable sign, we took the new sign plan to the Planning and Zoning department and learned that changeable copy, internally lit signs are not allowed in the Gateway Business District. As a church, we have various events for the community throughout the year and would like to be able to communicate times and dates to the passing public. The sign that we are wanting to install does this in a clean, simple manner and complies with the rest of the sign code.

We at Faith Lutheran Church are requesting an amendment to Homer City Code 21.60.060 Table 3 to allow changeable copy signs in the Gateway Business District.

We would also request to amend Homer City Code 21.60.060 Table 3 to allow an internally illuminated sign in the Gateway Business District.

According to HCC 21.95.010, a member of the Planning Commission may initiate an amendment to this Title.

Respectfully submitted:

Faith Lutheran Church Planning Board

Buck Jones, President

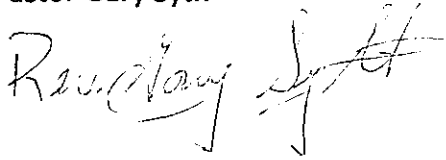
Buck Jones 299-1857

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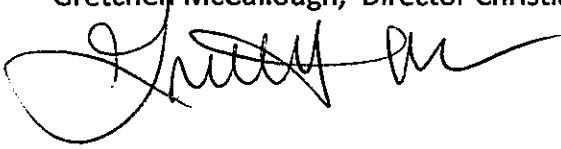
MAR 19 2014

CITY OF HOMER
PLANNING/ZONING

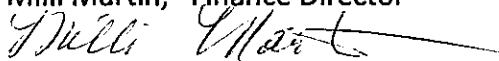
Pastor Gary Syth



Gretchen McCullough, Director Christian Education



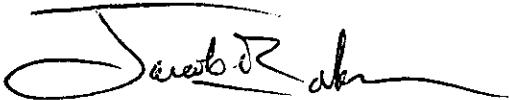
Milli Martin, Finance Director



John Baker, Elders Board



Jacob Baker, Director Church Properties



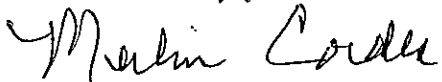
Tamekia Jones, Director of Education

Carol Clark, Director of Parish Activities



Martha Hendrickson, Director of Pre-School Education

Carol Cordes, Secretary


Marlin Cordes, Past President
Past Director of Finance
Past Director of Church Properties


**CITY OF HOMER
HOMER, ALASKA**

Planning

DRAFT ORDINANCE 14-presented May 7, 2014

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING TABLE 3 PERMITTED SIGN CHARACTERISTICS BY ZONING DISTRICT, FOLLOWING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, TO PERMIT CHANGEABLE COPY SIGNS AND ILLUMINATION INTERNAL IN THE GATEWAY BUSINESS DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. Table 3, Permitted Sign Characteristics by Zoning District, following Homer City Code 21.60.060, Signs on private property, is amended to read as follows:

Sign Type	Table 3.													
	RR	UR	RO	INS (a)	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS(e)
Animated (b)	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	PN	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	P	P	PN	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	P	P	N	P	P	P	P	P	N	N
<u>Notes to Table 3</u> a. The INS column does not represent a zoning district. It applies to institutional uses permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined as an established organization or corporation of a public, non-profit or public safety/benefit nature, <i>i.e.</i> , schools, churches and hospitals. b. Animated signs may not be neon or change colors or exceed three square feet in area. c. Changeable Copy signs must be wall or pole mounted, and may not be flashing. d. Neon signs may not be flashing and may not exceed 32 square feet. e. The PS column does not represent a zoning district. It applies to Public Signs permitted under the zoning code, in all zoning districts.														

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

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

P:\PACKETS\2014 PCPacket\Ordinance\Sign-Gateway\Draft ordinance for May 7 2014 meeting.docx

21 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
22 _____ 2014.
23

24
25 CITY OF HOMER
26

27
28 _____
29 MARY E. WYTHE, MAYOR
30

31 ATTEST:
32
33

34 _____
35 JO JOHNSON, CMC, CITY CLERK
36

37 YES:

38 NO:

39 ABSTAIN:

40 ABSENT:
41

42 First Reading:

43 Public Hearing:

44 Second Reading:

45 Effective Date:
46

47 Reviewed and approved as to form:
48
49

50 _____
51 Walt E. Wrede, City Manager

52 Date: _____

Thomas F. Klinkner, City Attorney

Date: _____

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



City of Homer

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ACTING MANAGER'S REPORT

April 14, 2014

TO: MAYOR WYTHER / HOMER CITY COUNCIL

FROM: JO JOHNSON

UPDATES / FOLLOW-UP

1. Trip to Juneau: I traveled to Juneau with Mayor Wythe to meet with Senators Micciche and Stevens, Representative Seaton, Coast Guard Captain Jack Vogt and staff, DOT Commissioner Kemp and staff, and City Lobbyists Linda Anderson and Yuri Morgan. All meetings were favorable and encouraging for the future of Homer. The first draft of the Senate's capital budget was released and includes funding for Fire Department Equipment Upgrades, Harbor Sheet Pile Loading Dock, Waddell Way Road Improvement, and Ferry Terminal Improvements. Other capital project funding within the draft budget is for Homer Hockey Association and Homer Senior Citizens natural gas conversion and Pratt Museum new building construction.

ATTACHMENTS

1. Senate's Capital Budget Draft

FY 2015 Capital Budget Homer-Kenai Area

HD	Project Title	SB119 v.A (Governor)	SB119 v.O (Senate)
Section 1 - Fiscal Year 2015 Capital Projects			
Department of Commerce, Community and Economic Development			
Alaska Energy Authority-Round VII Renewable Energy Project Grants (AS 42.45.045)			
28-30	Stetson Creek Diversion Cooper Lake Dam Facilities Project	\$	\$ 3,453,900
30	Seldovia House Ground Source Heat Pump Project	-	318,300
Grants to Municipalities (AS 37.05.315)			
30	Homer-Fire Department Equipment Upgrades	-	350,000
30	Homer- Harbor Sheet Pile Loading Dock	-	350,000
30	Homer-Waddell Way Road Improvement	-	1,430,000
29	Kenai-New City Light/Heavy Equipment Storage Building	-	1,900,000
29	Kenai- Replacement Fire Department Pumper/Engine	-	400,000
29	Kenai-Wastewater Treatment Plant Upgrades and Renovation Design	-	200,000
28-30	Kenai Peninsula Borough -Central Peninsula Landfill Equipment Maintenance Building	-	1,808,000
28-30	Kenai Peninsula Borough-Extension of Paved Lighted Pedestrian Path,K-Beach Elementary School to Kenai Peninsula College	-	463,100
28-30	Kenai Peninsula Borough- HVAC System Replacement	-	807,000
30	Seldovia - Fully Equipped Police Vehicle	-	45,500
30	Seldovia- Smolt Stocking for Seldovia Slough	-	25,000
28	Seward-Marine Expansion Including Breakwater	-	5,900,000
29	Soldotna-Citywide Sidewalk, Street and Utility Improvements	-	24,000
29	Soldotna- Regional Sports Complex Roof Replacement	-	1,200,000
Grants to Named Recipients (AS 37.05.316)			
30	Anchor Point Public Library-New Library Planning	-	15,000
30	Boys & Girls Club of the Kenai Peninsula-Kasilof Clubhouse Technology Center Equipment	-	10,000
30	Cook Inlet Aquaculture Association-Tutsumena Lake Smolt Monitoring	-	25,000
30	Funny River Chamber and Community Association-Playground/Recreational area Upgrades	-	25,000
30	Homer Hockey Association, Inc.- Natural Gas Conversion	-	12,468
30	Homer Senior Citizens Inc.- Senior Center Natural Gas Conversion	-	100,000
30	Homer Society of Natural History dba Pratt Museum-New Museum Building Construction	-	950,000
30	Kachemak Shellfish Mariculture Association-Kachemak Shellfish Hatchery	-	50,000
30	Kachemak Ski Club, Inc.-Diamond Ridge-Safety Equipment for Ohlson Mountain Rope Tow	-	20,000
28-30	Kasilof Regional Historical Association-Kasilof-Victor Holm Cabin Restoration and Access	-	20,000
28-30	Kenai Peninsula Borough-Bear Creek Search and Rescue Equipment	-	29,700
28-30	Kenai Peninsula Borough-Kachemak Emergency Service Area- Quint Aerial	-	250,000
30	Kenai Peninsula Fair Association-Septic System Replacement, Renovations and Facility Upgrades	-	100,000
29	Kenai Watershed Forum-Educational Programming	-	50,000
30	Nikolaevask, Inc.- Natural Gas Conversion and Connection to Water Treatment Building and Multi-Use Facility	-	100,000
30	Ninilchik Community Library-Parking Lot/Driveway Paving and Drainage	-	60,000
30	Snomads, Inc.-Diamond Ridge-Upgrades to Watermelon/Marathon/Diamond Ridge Trails	-	45,000
30	South Peninsula Haven House-Energy Efficiency Improvement and Roof Repair	-	25,000
29	The LeesShore Center-Facility Safety Upgrades	-	30,000
30	Village of Kachemak Selo Water company, Inc.- Fox River (Kachemak Selo) Emergency Response Building	-	50,000
30	Village of Razdolna, Inc.-Parking Lot Safety Improvements	-	25,000
30	Voznesenka Community Council, Inc.-Voznesenka Loop Improvements	-	50,000

FY 2015 Capital Budget Homer-Kenai Area

HD	Project Title	SB119 v.A (Governor)	SB119 v.O (Senate)
Department of Corrections			
Deferred Maintenance, Renewal, Repair and Equipment			
28-30	Kenai-Wildwood Correctional Center Deferred Maintenance	1,045,000	1,045,000
28-30	Seward-Spring Creek Correctional Center Deferred Maintenance	400,000	400,000
Department of Labor and Workforce Development			
28-30	Heavy Equipment Shop/Diesel Shop/Pipe Welding Relocation-Phase 2	8,000,000	8,000,000
Deferred Maintenance			
28-30	Deferred Maintenance, Renewal, Repair and Equipment-AVTEC	1,000,000	1,000,000
Department of Natural Resources			
28-30	Exxon Valdez Oil Spill Trustee Council Land Acquisition for Public Access on Lower Kenai River	580,800	580,800
30	Funny River Community/Alaska State Parks-Funny River-River Access	-	35,000
28-30	Lower Kenai River Park Facility and Access Improvement-Phase 1 of 2	1,000,000	1,000,000
28-30	Public Access and User Facilities Improvements at the Mouth of the Kaslof River Phase 2	1,400,000	1,400,000
Deferred Maintenance, Renewal, Repair and Equipment			
28-30	Parks and Outdoor Recreation Deferred Maintenance-Kenai Region	572,000	286,000
Department of Public Safety			
Deferred Maintenance, Renewal, Repair and Equipment			
28-30	Soldotna-Trooper Post Facility Repairs	150,000	150,000
Department of Transportation and Public Facilities			
Airport Improvement Program			
28-30	Seward-Airport Improvements	17,000,000	17,000,000
Surface Transportation Program			
28-30	Homer-Ferry Terminal Improvements	1,500,000	1,500,000
28-30	Soldotna-Kalifornsky Beach Road: Milepost 16 to 22.2 Paving Rehabilitation and Signalization	6,000,000	6,000,000
28-30	Williamsport to Pile Bay Road	3,500,000	3,500,000
University of Alaska			
UAA Community Campuses Deferred Maintenance			
28-30	KPC Campus Renewal	-	500,000
30	KPC Kachemak Bay Campus Renewal	-	120,000
29	KPC Kenai River Campus Career Tech Collateral Buildings Backfill	-	200,000
30	KPC Kachemak Bay Campus Gas Conversion	-	70,000
	KPC Kenai River Campus Academic Center/Classroom Renewal	-	50,000
Section 1 Subtotal		42,147,800	63,553,768
Grand Total: \$		42,147,800	\$ 63,553,768



City of Homer

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MANAGER'S REPORT

April 28, 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. Employee Health Insurance: (**Reprinted from the March 24 Report**) You will recall that we discussed bringing the employee health insurance issue back to you at around mid-year. The idea was to address the issue before we started budget preparation in the fall. Right now, we are targeting the first meeting in August for a special meeting / workshop on an off-Monday (preferable). This would be a workshop forum. Jeff Paxton, our broker would be present for a presentation. The idea would be to present the data we have for the first 8 months of the new plan to look at impacts on costs and employee utilization. We would also present you with the bids we have received from private sector insurance companies. The goal would be for Council to be able to make an informed decision going forward re: staying self insured vs. the private sector. Starting the process this early will help with budget preparation, will give us time to make all of the necessary transfers, and give employees adequate notice. Also, Andrea Petersen is planning on having a report to you on the wage scale and ways to address the job classifications that are falling behind as requested by Council. This report will be submitted at about the same time so that the Council can look at total employee compensation prior to budget time.
2. PERS: Good news here. It looks like the Governor's proposal to transfer \$3 Million into the PERS and TERS funds is going to pass. The really good news for the City is that the municipal contribution rate will not be increased, which would have been a major hit to the budget. The bad news is that termination studies have not been eliminated as hoped.
3. Capital Budget: At the time this report was written, the Capital Budget was still being debated. If it passes in its current form, I think the community did pretty well overall, considering the dire predictions about spending going into the session. Community projects include money for the Pratt Museum building project, funds for natural gas conversion at the Senior Center, and one year funding restoration for KBBR. City projects include funds for refurbishment of Fire Department apparatus, Phase I of the East-West Road Corridor, and funding for the Sheet Pile Dock in the harbor.

4. Legislature Recognizes City's 50 Year Anniversary: The Alaska Legislature adopted a proclamation "Honoring the City of Homer at the 50 Year Anniversary of City incorporation." The prime sponsors were representative Paul Seaton and Senator Peter Micciche. It looks like the entire Legislature signed on as co-sponsors. A copy will be available at the meeting and we will have it framed and placed in a prominent place.
5. Spit Project Updates: The Spit Trail extension and the new trail on the other side of the harbor are scheduled to be paved late this week. Much progress is being made on the interpretative areas and other enhancements as you may have noticed. The new restrooms are all about to be hooked up to natural gas, which will greatly reduce utility costs. The Spit Trail extension has been a long time coming and we are pleased that we will be able to get it done before the visitor season arrives in full force.
6. Paving: A quick reminder that DOT/PF is planning to execute Phase II of its paving project this summer. There will be new pavement on the Sterling Highway from the Pioneer Avenue intersection all the way to the end of the Spit. There will be delays and inconvenience but the end result should be good. The City is working with DOT/PF to incorporate some of the planned pedestrian improvements at the end of the Spit as part of this project.
7. Main Street / Sterling Intersection: DOT/PF has informed the City that it has selected an alternative for traffic control at the Main St. / Sterling intersection. It plans to install a traffic signal with right turning lanes. DOT/PF would like an endorsement or comment from the Council before it proceeds further. A resolution expressing support for the project is on the agenda to get the issue on the table.
8. Pier One Lot: As you are aware, there has been a lot of public discussion about the highest and best use of the parcel that Pier One is located on. If anyone had any questions about the need or the demand for marine industrial / marine trades activities there, you should have been there last week. As many as six vessels were hauled out and being worked on, almost entirely with local crews and labor.
9. Congratulations to Mike Ilg: Community Recreation Coordinator Mike Ilg ran and finished the Boston Marathon. According to the paper, he was the only person from Homer to finish the race. Mike ran to raise money for charity. Way to go Mike!
10. Trip Report: On April 2, 3, and 4 I was in Washington DC. The purpose of the visit was to attend a hearing of the Federal Maritime Commission with Holly Wells and to visit our delegation. I met with Congressman Young and a number of staff members in Senator Begich and Senator Murkowski's offices. The topics of discussion included the future of KBRR, the excise tax provision of the Affordable Health Care Act, and funding for the Deep Water Dock and the harbor expansion. We talked a lot about Homer's role in energy development and support for the expansion of Arctic shipping.

ATTACHMENTS (Not Included in Planning Commission Packet)

1. April Employee Anniversaries
2. Public Works Director: Community Disaster Recovery Training
3. Status of EPA Funded Water Projects Design



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

April 16, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLAT COMMITTEE

MEETING OF APRIL 14, 2014

RE: Bayview Gardens Subdivision 2014 Addition Preliminary Plat

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of April 14, 2014 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; and 20.40.

By unanimous consent, an amendment motion passed to grant exception to KPB 20.30.240, Removal of the 20-foot building setback plat note citing the eight findings and tying them to the three standards

Findings

1. The subdivision is within the City of Homer.
2. Per HM 76-104, there shall be a 20-foot building setback from all front lot lines.
3. KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980.
4. Ordinance 83-25, enacted on May 3, 1983, delegated zoning regulations to the City of Homer.
5. The parent plat was recorded prior to zoning regulations being delegated from KPB to the City of Homer.
6. Building setbacks within the subdivision must comply with the requirements of the zoning district per KPB 20.30.250.
7. Removing the 20-foot building setback from the plat will allow the building setback to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.
8. Per the Homer Advisory Planning Commission's recommendation, staff is recommending a note be placed on the final plat stating the subdivision is subject to the City of Homer zoning regulations.

Please contact the Planning Department if you need additional information.

This notice and unapproved minutes of the subject portion of the meeting were sent April 16, 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:

Fineline Surveys, Inc.
PO Box 774
Anchor Point, AK 99556

Subdivider/Petitioner:

Alaska USA Trust Co TTEE
William Jarrett, Jr,
Trad IRA
PO Box 196757
Anchorage, AK 99519-6757

KPB File Number:

2014-009

AGENDA ITEM E. SUBDIVISION PLAT PUBLIC HEARINGS

6. Bayview Gardens Subdivision 2014 Addn.
KPB File 2014-009; Fineline/Jarrett

Staff Report given by Patti Hartley

Plat Committee Meeting: 4/14/14

Location:	City of Homer
Proposed Use:	Residential
Water:	City
Sewer:	City sewer service is not available.
Zoning:	Rural Residential
Assessing Use:	Vacant
Parent Parcel Number(s):	173-594-02, 173-594-03

Supporting Information:

The proposed subdivision is a simple replat of two lots into one lot containing approximately one acre. City water and sewer serve the subdivision. A soils report is not required. The subdivision fronts State maintained Skyline Drive and constructed Paintbrush Court.

Homer Advisory Planning Commission approved the replat on February 5, 2014 subject to:

1. Correct the right-of-way width. Paintbrush Court is 60 feet wide with a 50-foot radius
*KPB Platting Staff Comments: The centerline distance is correct on the plat submitted for KPB review. For clarity, **staff recommends** compliance with the Homer Commission's recommendation.*
2. Add a plat note that the lot is subject to City of Homer zoning regulations.
*KPB Platting Staff Comments: **Staff recommends** compliance with the Homer Commission's recommendation.*

The Certificate to Plat was provided in accordance with KPB 20.25.090. The Certificate to Plat indicates no beneficial interests affect this property. Additional notification will not be required at this time.

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

Staff recommends that notes be placed on the final plat indicating any exceptions granted by the Plat Committee with the meeting date.

Exception(s) Requested: KPB 20.30.240 – Remove 20-foot building setback plat note.

Staff Discussion: Plat Note 2 on HM 76-104 states the plat is subject to a 20-foot building setback from all front lot lines.

KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980. Ordinance 83-25 delegated zoning regulations to the City of Homer three years later.

The proposed plat is within the City of Homer and is subject to the requirements of the zoning code. Removing the 20-foot building setback from the plat will allow the building setback to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.

As older subdivisions are brought to the Committee for a replat, plat notes that no longer apply based on current ordinances will be requested to be removed. Removing the 20-foot building setback note is basically a housekeeping measure that will allow the plat to conform to current city codes regarding building setbacks.

Findings

1. The subdivision is within the City of Homer.
2. Per HM 76-104, there shall be a 20-foot building setback from all front lot lines.
3. KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980.
4. Ordinance 83-25, enacted on May 3, 1983, delegated zoning regulations to the City of Homer.
5. The parent plat was recorded prior to zoning regulations being delegated from KPB to the City of Homer.
6. Building setbacks within the subdivision must comply with the requirements of the zoning district per KPB 20.30.250.
7. Removing the 20-foot building setback from the plat will allow the building setback to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.
8. Per the Homer Advisory Planning Commission's recommendation, staff is recommending a note be placed on the final plat stating the subdivision is subject to the City of Homer zoning regulations.

Staff reviewed the exception request and recommends granting approval. Staff recommends the Committee select the findings they determine are applicable, make additional findings if needed, tie the findings to the following standards, and vote on the exception in a separate motion.

Staff recommends references to the building setback be removed from Plat Note 2.

Unless prohibited under this title, the commission (committee) may authorize exceptions to any of the requirements set forth in this title. Application for an exception shall present the commission (committee) with substantial evidence, justifying the requested waiver or exception stating fully the grounds for the application and the facts relied upon. All exceptions must be requested and granted at the time of preliminary plat approval. Exceptions may not be requested with a final plat submittal.

The commission (committee) shall make findings of fact meeting the following standards before granting any exception:

1. That special circumstances or conditions affecting the property have been shown by application;
Findings 1-8 support this standard.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right and is the most practical manner of complying with the intent of this title;
Findings 1-8 support this standard.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which said property is situated.
Findings 1-8 support this standard.

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 20.25.070 (FORM AND CONTENTS), KPB 20.25.080 (PETITION REQUIRED), KPB 20.30 (DESIGN REQUIREMENTS); AND KPB 20.40 (WASTEWATER DISPOSAL), AS FOLLOWS:

20.25.070 - Form and contents required.

Platting staff comments: The plat complies with the following portions of 20.25.070: B, C, E, G,

Platting staff comments: The following portions of 20.25.070 are not applicable to the subject plat: H, I, and

L-O.

Platting staff comments: Additional information is provided for the following portions of 20.25.070 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 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; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;
Platting Staff Comments: Staff recommends the City of Homer and Kenai Peninsula Borough be included in the title block. Staff recommends the parent plat's recording number be included in the legal description.
- 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 Township and Range be included in the vicinity map.
- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision;
Platting Staff Comments: Staff recommends the 40-foot easement for the high voltage transmission line be shown and labeled with the source of the easement noted on the plat. Staff recommends the restriction associated with the easement be noted on the plat: Buildings within this easement must conform to the National Electrical Code.
- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;
Platting Staff Comments: Staff recommends a lot number per 20.60.140 be assigned to the replatted lot.
- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;
Platting Staff Comments: Homer Advisory Planning Commission did not request additional information be shown. A map showing the city's sewer and water lines per KPB GIS mapping is in the plat file.

20.25.080. Petition required. A petition shall be submitted with each subdivision, abbreviated subdivision and plat waiver subdivision and shall include:

Platting staff comments: The submittal complies with 20.25.080 (A, D, E).

Platting staff comments: The following portions of 20.25.080 are not applicable to the subject plat: C

Platting staff comments: Additional information is provided for the following portions of 20.12.070 or additional information, revision or corrections are required:

- B. Proposed means of wastewater disposal.
Not provided by the submittal. City sewer lines do not extend to the subject property so wastewater disposal must be on-site.

KPB 20.30 Design Requirements

Platting staff comments: The plat complies with the following portions of 20.30: 20.30.050, 20.30.100, 20.30.120, 20.30.130, 20.30.150, 20.30.190, 20.30.200, 20.30.210, and 20.30.220.

Platting staff comments: The following portions of 20.30 are not applicable to the subject plat: 20.30.020, 20.30.040, 20.30.090, 20.30.110, 20.30.140, 20.30.160, and 20.30.260.

Platting staff comments: Additional information is provided for the following portions of 20.30 or additional information, revision or corrections are required

20.30.030. Proposed street layout-Requirements.

- C. Preliminary plats fronting state maintained roads will be submitted by the planning department to the State of Alaska Department of Transportation and Public Facilities (DOT) for its review and comments.

Platting Staff Comments: Notice of the proposed subdivision was mailed to DOT as part of the routine agency notification process.

20.30.060. Easements-Requirements.

Platting Staff Comments: **Staff recommends** compliance with 20.30.060.

20.30.070. Lots on major streets-Access requirements.

Platting Staff Comments: Notice of the proposed subdivision was sent to the KPB Roads Department as part of the routine agency notification process. Any driveway off Skyline Drive will have to be permitted in advance by the State Department of Transportation.

20.30.080. Alleys. Alleys are prohibited unless allowed by city ordinance.

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

20.30.170. Blocks-Length requirements. Blocks shall not be less than 330 feet or more than 1,320 feet in length. Along arterial streets and state maintained roads, block lengths shall not be less than 800 feet. Block lengths shall be measured from centerline intersections.

Platting Staff Comments: KPB GIS 4-foot contours show terrain within the proposed plat is relatively flat. However, the block is significantly affected by steep terrain. Cul-de-sacs are a common right-of-way design. Based on topography, it is unlikely the block will be able to conform to 20.30.170. The plat is within the City of Homer. Homer Planning and Zoning Commission did not express concern with block length. Based on the size and location of the subject property, **staff recommends** the Committee concur that the plat cannot address compliance with 20.30.170.

20.30.180. Pedestrian ways required when. Pedestrian ways not less than 8 feet wide shall be required in blocks longer than 600 feet where reasonably deemed necessary to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.

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

20.30.230. Lots-Double frontage prohibited when.

Platting Staff Comments: The replatted lot has double frontage and is less than 250 feet deep. The proposed platting action combines two lots into one lot. The size and design of the replatted lot is dictated by the size and design of the parent lots. The parent lots did not comply with the depth requirements of the previous double frontage subdivision code (20.20.220); therefore, no reconfiguration of the subject lots can conform to 20.30.230. **Staff recommends** the Committee concur that the double frontage is acceptable based on other physical conditions.

20.30.250. Building setbacks-Within cities. The building setback requirements for subdivisions located within cities shall be governed by the provisions of municipal zoning districts.

Platting Staff Comments: Approval of the exception to 20.30.240 will bring the plat into compliance with 20.30.250.

20.30.270. Different standards in cities.

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

20.30.280. Floodplain requirements.

Platting Staff Comments: The City of Homer administers a floodplain program through HCC 21.41 Flood Prone Areas. Per the Homer City staff report, the plat is not within a mapped flood hazard area.

Per the River Center review, the subdivision is not affected by the Anadromous Waters Habitat Protection District.

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

KPB 20.40 -- Wastewater Disposal

Platting Staff Comments: Staff recommends the appropriate wastewater disposal note per KPB 20.40.020 be placed on the final plat.

ADDITIONAL REQUIREMENTS FOR ADMINISTRATIVE APPROVAL OF THE FINAL PLAT (KPB 20.60)

Platting staff comments: The plat complies with the following portions of 20.60: 20.60.110 and 20.60.130.

Platting staff comments: The following portions of 20.60 are not applicable to the subject plat: 20.60.040, 20.60.050, 20.60.060, 20.60.090, and 20.60.100.

Platting staff comments: Additional information is provided for the following portions of 20.60 or additional information, revision or corrections are required

20.60.010. Preparation requirements generally.

Platting Staff Comments: Staff recommends compliance with 20.60.010.

20.60.020. Filing-Form and number of copies required.

Platting Staff Comments: Staff recommends compliance with 20.60.020.

20.60.030. Certificate of borough finance department required.

Platting Staff Comments: Staff recommends compliance with 20.60.030.

20.60.070. Plat specifications.

Platting Staff Comments: Staff recommends compliance with 20.60.070.

20.60.080. Improvements-Installation agreement required. A final plat of a subdivision located within city limits shall not be recorded with the district recorder prior to compliance with any city ordinances concerning the installation of improvements. Evidence of compliance shall be provided by the subdivider in the form of a written statement from the appropriate city official that improvements required by city ordinance are or will be installed. Evidence of compliance shall be a part of the final plat submission and the time for action required by KPB 20.60.210 shall not commence until evidence of compliance is submitted.

Platting Staff Comments: Staff recommends compliance with 20.60.080.

20.60.120. Accuracy of measurements. Boundary and lot closure computations must be submitted with the final plat.

Platting Staff Comments: KPB GIS will verify closure complies with 20.60.120. Staff recommends compliance with 20.60.120.

20.60.140. Block and lot numbering.

Platting Staff Comments: Staff recommends a number be assigned to the replatted lot.

20.60.150. Utility easements.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.150.*

20.60.160. Easements.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.160.*

20.60.170. Other data required by law.

B. Private covenants and restrictions of record in effect at the time the final plat is approved shall be referenced on the plat.

*Platting Staff Comments: **Staff recommends** a note be placed on the plat for the private restrictive covenants and the amendments. **Staff recommends** compliance with 20.60.170.*

The borough will not enforce private covenants, easements, or deed restrictions per KPB 21.44.080.

20.60.180. Plat notes. Plat notes shall not be placed on a final plat unless required by borough code or by the planning commission in order to promote or protect the public health, safety, and welfare consistent with borough and state law.

Platting Staff Comments: Additional plat notes may be required based on easements/covenants in the final Certificate to Plat.

Staff recommends the following note be placed on the plat: "No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation."

20.60.190. Certificates, statements, and signatures required.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.190. **Staff recommends** the Notary's Acknowledge conform to 20.60.190:*

Notary's Acknowledgement

For:

Acknowledged before me this _____ day of _____, 20____.

(Notary seal affixed)

Notary Public for Alaska

My commission expires:

20.60.200. Survey and monumentation.

*Platting Staff Comments: **Staff recommends** compliance with 20.60.200; show monumentation of record including source, type of monument and date(s). Also show section tie.*

20.60.210. Approval-Authority-Certificate issued when.

Platting Staff Comments: If the Plat Committee conditionally approves the preliminary plat, staff recommends compliance with 20.60.210.

20.60.220. 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 20.60.220.

The planning director may refer the final plat to the planning commission when:

- 1. Major redesign was a condition of preliminary approval by the planning commission or the advisory planning commission of the city in which the subdivision is located;*
- 2. Final approval by the commission was a condition of preliminary approval; or*
- 3. The planning director determines there are other conditions to support referral to the commission.*

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.

MAIN MOTION: Commissioner Foster moved, seconded by Commissioner Gross to grant approval of the Bayview Gardens Subdivision 2014 Addition with staff recommendations.

AMENDMENT MOTION: Commissioner Foster moved, seconded by Commissioner Gross to grant exception to KPB 20.30.240, Removal of the 20-foot building setback plat note; citing the 8 findings tying them to the three standards.

Findings

1. The subdivision is within the City of Homer.
2. Per HM 76-104, there shall be a 20-foot building setback from all front lot lines.
3. KPB Ordinance 80-4, Amending the Subdivision Ordinance to Clarify Building Setback Requirements in the Area of the Borough within the Boundaries of a First-Class City, was enacted on February 19, 1980.
4. Ordinance 83-25, enacted on May 3, 1983, delegated zoning regulations to the City of Homer.
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6. Building setbacks within the subdivision must comply with the requirements of the zoning district per KPB 20.30.250.
7. Removing the 20-foot building setback from the plat will allow the building setback to conform to current city codes as well as create the flexibility of changing if the building setback in the zoning district changes.
8. Per the Homer Advisory Planning Commission's recommendation, staff is recommending a note be placed on the final plat stating the subdivision is subject to the City of Homer zoning regulations.

Chairman Ruffner asked if there was discussion on the motion.

Commissioner Ecklund stated that there was a 20 foot building setback on the plat and there was a 20 foot building setback in the City of Homer's Code. She asked if the note was to be removed so that it was consistent if the City of Homer regulations changed. Commissioner Foster and staff replied yes. Commissioner Ecklund stated that would be best so there would be no conflict with City Code.

AMENDMENT VOTE: The amendment motion passed by unanimous consent

ECKLUND YES	FOSTER YES	GROSS YES	RUFFNER YES	TAURIAINEN YES	5 YES
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MAIN MOTION VOTE: The amendment motion passed by unanimous consent

ECKLUND YES	FOSTER YES	GROSS YES	RUFFNER YES	TAURIAINEN YES	5 YES
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AGENDA ITEM F. FINAL PLAT PUBLIC HEARINGS - None

AGENDA ITEM G. OTHER / NEW BUSINESS

AGENDA ITEM H. MISCELLANEOUS INFORMATION -- NO ACTION REQUIRED

AGENDA ITEM I. ADJOURNMENT

There being no further business, Chairman Ruffner adjourned the meeting at 6:55 p.m.

Patti Hartley