

WORK SESSION AGENDA

1. Call to Order 5:30 p.m.
2. Discussion of recent Planning Commissioner Training at the 2014 American Planning Association Conference in Anchorage
3. Discussion of Items on the Regular Meeting Agenda
4. Public Comments
The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
5. Commission Comments
6. Adjournment

REGULAR MEETING AGENDA

1. Call to Order

2. Approval of Agenda

3. Public Comment

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

4. Reconsideration

5. Adoption of Consent Agenda

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

- A. Approval of Minutes of November 5, 2014 meeting **pg. 1**
- B. Decisions and Findings for Conditional Fence Permit at 3945 Mullikin St. **pg. 9**

6. Presentations

- A. Tom Taffe, Wind Turbines

7. Reports

- A. Staff Report PL 14-94, City Planner's Report **pg. 13**

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.

9. Plat Consideration

- A. Staff Report PL 14-95, Tietjen Subdivision Church of Christ Add'n Preliminary Plat **pg. 17**

10. Pending Business

11. New Business

- A. Staff Report 14-96, Wind Energy Systems **pg. 35**

12. Informational Materials

- A. City Manager's Report for November 24, 2014 City Council Meeting **pg. 65**
- B. City of Homer Capital Projects Status Report – Public Works Department October 2014 **pg. 79**
- C. Kenai Peninsula Borough Planning Commission Notice of Decision Re: Section Line Easement Vacation Plat with Dierich Addition Lot 4B-1 Time Extension Request **pg. 83**

13. Comments of the Audience

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

14. Comments of Staff

15. Comments of the Commission

16. Adjournment

Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.
Next regular meeting is scheduled for January 7, 2015. A work session will be held at 5:30 pm.

Session 14-19, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on November 5, 2014 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BRADLEY, ERICKSON, HIGHLAND, STEAD, STROOZAS, VENUTI

ABSENT: BOS

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER

Approval of Agenda

Chair Stead called for the approval of the agenda.

VENUTI/HIGHLAND SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Public Comment

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

None

Reconsideration

Adoption of Consent Agenda

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

A. Approval of Minutes of October 15, 2014 meeting

Chair Stead called for a motion to approve the consent agenda.

HIGHLAND/VENUTI SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

Reports

- A. Staff Report PL 14-91, City Planner's Report

Deputy City Planner Engebretsen reviewed the staff report. In response to questions she gave an overview of the Safe Routes to School Grant.

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 14-92 Proposed Conditional Fence Permit for a 70 ft long 7ft tall fence along Mullikin Street 3945 Mullikin Street

Deputy City Planner Engebretsen reviewed the staff report.

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

STROOZAS/HIGHLAND MOVED TO APPROVE STAFF REPORT PL 14-92 AND A CONDITIONAL FENCE PERMIT AT 3945 MULLIKIN ST. WITH STAFF RECOMMENDATIONS AND FINDINGS.

It was suggested that there doesn't seem to be any special circumstances to justify needing the additional height, and that a fence of this size along the section of road will likely dominate the site. Other comments included in looking at the location of the house and the slope of the lot the additional height could be justified for privacy. The artistic design of the fence also includes using different length boards.

VOTE: YES: STEAD, HIGHLAND, ERICKSON, VENUTI, STROOZAS, BRADLEY

Motion carried.

- B. Memorandum 14-03, Continued Public Hearing for an ordinance of the Homer City Council amending Homer City Code 21.40.070, requirements, regarding standards for impervious coverage in the bridge creek watershed protection district.

Deputy City Planner Engebretsen noted correspondence included in the packet; as well as the additional laydown materials including letters from Carol Griswold, Phil Clay, Tammy Clay, and Lance and Rachel Prouse, also an additional laydown from Bob Shavelson and Cook Inletkeeper.

Chair Stead opened the public hearing.

Bob Shavelson, Executive Director of Cook Inletkeeper and city resident, commented in support of slowing down the process of amending the Bridge Creek Watershed District. He noted any proposed changes have to be consistent with the Comprehensive Plan and he thinks this fails to meet that

standard. The standard of promoting present and future public health, safety, and welfare and creating clear consistent regulation for small parcel development in the watershed does not get to the criteria the Commission is required to look at before forwarding this to council. There are certain due diligence requirements that he doesn't feel have been met here. He believes there needs to be some hydrologic study to understand what type of development can be done here. He reiterated that it is cheaper to prevent pollution to a drinking water supply than to treat it after the fact. He doesn't feel like there is enough information to make an informed decision.

Commissioner Venuti raised question about the water quality data and Mr. Shavelson said he sent the water data to planning late today. The caveat to the data is that they haven't gone through final quality control on the data and the data needs to be verified.

Commissioner Stroozas commented about the .19% increase of impervious surface that is being addressed in lots that are three acres or smaller. After 11 years with the current regulations we are asking to mitigate property for a small amount of owners who are unable to enjoy a reasonable amount of their property. If at a point in the future there is dramatic high density development in the area, additional changes can be made if needed. Mr. Shavelson said he doesn't believe there is enough factual information to determine the impact of the proposed changes. The purpose of the ordinance was not to prevent a catastrophe, it was meant to effect daily, weekly, and yearly chronic pollution that comes from non-point source pollution.

Joel Cooper, Bridge Creek watershed resident, recognized the land where he built his home is unique and as a landowner has an obligation to help protect it. Remember this is the city's drinking water supply, so don't look at it through the lens of development on a regular scale, it has to be looked at differently. He agrees they need to do a hydrological review of the area, and work with USGS to get a better idea of the water quality there. He also encouraged calculating the impervious cover in that concentrated area, that is a conduit for pollutants into the water shed. Developing this in small parcels would be like death by 1000 cuts to the watershed.

Nancy Hillstrand, owner of about 350 acres in the watershed, commented she does everything she can to protect the property and had planned to put into a conservation easement to protect the water quality. She feels like this change is going backward. She addressed the Beluga Lake plan and suggested it be used as a template, along with the Soil and Water Conservation District information on soils and what is going on there. This is the information that needs to be on the table before making these decisions, because protecting the city's water source is probably the most important job this group will do. She recommended a coalition, like they have done for Woodard Creek, to look at all this data so that we don't make a mistake.

Kevin Dee, Bridge Creek watershed resident, commented that he is willing to work within the current regulations relating to developing his property in order to keep the watershed intact. He agrees that there needs to be more facts on the table so they can make a decision that maintains the purpose of the watershed. It should be fact driven rather than based on a set of opinions. He isn't hearing anything about subdivision mitigation plans that would tie into small lots.

Carey Meyer, City of Homer Public Works Director, commented that he has talked to property owners with lots smaller than 3 acres to figure out a way to develop their lot, and it becomes very difficult. He noted his understanding that in the district there are 93 lots that are 3 acres or less and that there

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won't be any more lots created in the district that are three acres or less. He recommended they look at a 1000 gallon retainage instead of 40 gallons. 40 gallons doesn't mitigate enough runoff from a site. He also suggested the potential for dry wells as mitigation factors.

Commissioner Highland noted that a majority of the 93 lots aren't developed and they don't know what it will look like with the 4.2% with the lots developed.

Mike Hayes, property owner along Twitter Creek, recognizes that this district is a special place. He has 10 acres with three of them in the watershed. He feels that people should be able to live within the limits outlined in code and agrees it is important that the Commission continue to study this before making any changes.

There were no further comments and the public hearing was closed.

Deputy City Planner Engebretsen had no rebuttal comments.

VENUTI/STROOZAS MOVED TO APPROVE THE DRAFT ORDINANCE AMENDING HCC 21.40.070 REQUIREMENTS, REGARDING STANDARDS FOR IMPERVIOUS COVERAGE IN THE BRIDGE CREEK WATERSHED PROTECTION DISTRICT AND FORWARD TO CITY COUNCIL FOR ADOPTION.

Commissioner Stroozas acknowledged Public Works Director Meyer's comments about the water retention area. Deputy City Planner Engebretsen said she will look at the calculations and bring it back to them.

Commissioner Venuti agrees they need a hydrologist. He sees both sides of the picture but they need more information to make a good decision that is in the best interest of the public.

Commissioner Highland noted she has been attempting to contact some people regarding a hydrologist; also the NRCS and the Kenai Watershed. She feels they are guessing right now and it isn't the best way to approach this. She thinks there must be some best management practices for a water source they could use for reference. She also wonders if they can put together something showing what the runoff would be if all 93 lots were developed, and the impact of leach fields.

Commissioner Erickson expressed her understanding that for any new development within the district they can't have lots smaller than 4.5 or 5 acres. We aren't going to be looking at more of the smaller lots other than the Kelly Ranch Estates that was established prior to the Bridge Creek Watershed District formation. She would like to see City Council more actively pursue purchasing the smaller lots that people can't deal with because of the size; or if the Land Trust has the monies to purchase them for conservation. She also encourages incentives for current property owners to purchase the lots around them to create larger lots.

Chair Stead acknowledged they addressed the 4 acres being a minor change in Kelly Ranch Estates, and the impervious coverage in the subdivision goes up to 6%. He added that at the report from the October 15 staff report did not state that they don't need to protect our environmental function, but we do need to do that. We also need to define what the City Planner would find as special site considerations. He expressed his frustration with the studies that have been presented and touched on issues he sees relating to discrepancies between the studies and the area they are working with. In

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these studies there is no ability to go in and say this type of a mitigation or activity would prevent damage to the water quality. The Commission is trying to incorporate what we can do to allow people to use their land and provide some sort of mitigation.

Deputy City Planner Engebretsen commented that she doesn't know that the Commission will be able to get the magic number. The 4.2 was based on the information at the time. She explained that the Commission has some options to approve it as is, vote this down, or maybe look at mitigation plans instead of 5500 square feet so it's more consistent over time. Staff didn't spend a lot of time explaining the ways various commissions have approved mitigation plans, some have been simple, and some have required a stamped, engineered plan. In some ways best management practices or more consistency with mitigation plans would be a worthwhile result of this, whether they are staff or Commission approved.

There were comments relating to finding grants for the city to purchase additional land in the watershed, and working with DEC and other state agencies to find support and information that won't cost the city; and also discussion of when they wanted this back on their agenda.

HIGHLAND/BRADLEY MOVED TO POSTPONE THIS DRAFT ORDINANCE TO JANUARY 21, 2015.

There was brief discussion that Commissioner Highland would talk with the City Planner about what she would like to see from a hydrologist.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

C. Staff Report PL 14-93, Proposal for a public sign at Jack Gist Park

Commissioner Highland stated she has a conflict of interest. She is President of the Kachemak Bay Equestrian Association, which owns a neighboring property.

VENUTI/STROOZAS MOVED THAT COMMISSIONER HIGHLAND HAS A CONFLICT OF INTEREST.

Question was raised if Commissioner Highland felt she could make a nonbiased decision. She responded that she could.

VOTE: YES: ERICKSON

NO: STEAD, VENUTI, STROOZAS, BRADLEY

Motion failed.

Deputy City Planner Engebretsen reviewed the staff report.

Public Works Director Meyer commented about users of the park wanting a sign on East End Road to indicate the park is down there, and the Parks and Recreation Commission's goal to standardize park signage in the city.

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

Commissioner Erickson suggested there be hooks on the sign that would allow for displaying information on activities that are happening at the park.

Deputy City Planner Engebretsen explained that the information in the packet is what's being requested. The city's sign design does not include a logo of what activity is at a park. While this sign is larger than the other park signs, it isn't large enough to be an informational sign for all the activities there. If the Commission fails this, staff could come back with another solution.

There was further discussion about options to be able to display events at the park.

ERICKSON/VENUTI MOVED TO APPROVE STAFF REPORT PL 14-93 AND THE PROPOSED PUBLIC SIGN AT JACK GIST PARK WITH STAFF RECOMMENDATIONS AND FINDINGS, ALONG WITH A COUPLE HOOKS OR SOME WAY FOR ACTIVITIES TO BE DISPLAYED ON A TEMPORARY BASIS FOR THE DAY.

More discussion ensued about options to be able to display events at the park.

VOTE: YES: ERICKSON, BRADLEY, HIGHLAND, VENUTI
NO: STEAD, STROOZAS

Motion carried.

Plat Consideration

Pending Business

New Business

Informational Materials

- A. City Manager's Report for the October 13 and October 27 City Council Meetings
- B. Kenai Peninsula Borough Plat Committee Notice of Decision Re: Homer Enterprises, Inc.
Subdivision Resetarits Replat Preliminary Plat

Comments of the Audience

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

Bob Shavelson, Executive Director of Cook Inletkeeper and city resident, commented that having attended a previous meeting where there was no information on impervious coverage, his intent with what he provided was to get some information to them. There is a wide range of methodologies to look at and it's inherently complicated. He reiterated a comment from Ms. Hillstrand that the Commission deals with a lot of different and complicated things, but can't think of a more important thing they do than work on the drinking water supply for the City of Homer. It isn't just for the residents, but also the tourists, and people who live outside the city. It's a vital asset for the community and again, he advocates for a go slow approach.

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Joel Cooper, Bridge Creek Watershed resident, added that the abstract of the original document used in creating the district talks about thresholds and how things correspond to the 4.4 to 5% imperviousness. If they get that kind of analysis on the Bridge Creek Watershed, they might get some of the answers they are looking for. He noted he could have them focus on the highly concentrated area to see what kind of impact is happening.

Public Works Director Meyer commented that they don't need an expert to remind them of the importance of the water and that Homer soils are highly organic and erodible and underlying are fine grain silty soils that are even more erodible. Different percentages were looked at in developing the watershed ordinance as it exists and he recalls settling on the 4% because they recognized that it is a drinking watershed and wanted to be conservative and not approach the 10%. The other issue was impermeable surface are also created in the watershed off the site with roads, utility corridors, and so forth. It is important to maintain a safety factor there. We should be careful when we make adjustments that we aren't creating any problems.

Comments of Staff

None

Comments of the Commission

Commissioner Stroozas acknowledged the importance of the information presented by Mr. Shavelson. The Commission isn't done yet, obviously, but he believes they will make a decision at some point in time that will work for everyone, but especially for the watershed.

Commissioner Venuti said it was an interesting meeting. He acknowledged the potential cost of working with a hydrologist and the notion of who will pay for it. Deputy City Planner Engebretsen hopes to have some answers related to cost and timing at the January 21st meeting.

Commissioners Highland and Bradley said it was a good meeting.

Commissioner Erickson said good night.

Chair Stead said he will miss the December 3rd meeting. He acknowledged the Bridge Creek Watershed is the most important work they will do. The studies in hand don't adequately represent the types of issues they are trying to address and he has difficulty with that. When talking with the experts, they need to ensure the experts give them studies, or reasoning to accept studies, that make sense to the group.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:10 p.m. The next regular meeting is scheduled for December 3, 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 November 5, 2014

RE: Approval of Conditional Fence Permit
Address: 3945 Mullikin Street
Legal: Lot 1 Block 1 Daybreeze Park Subdivision

DECISION

Introduction

Alan Parks ("Applicant") and Alison O'Hara ("Applicant") applied to the Homer Advisory Planning Commission (the "Commission") under Homer City Code 21.50.120 for approval of a 5 to 7 foot high fence within 20 feet of the front lot line located at 3945 Mullikin Street.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on November 5, 2014. Notice of the public hearing was published in the local newspaper and sent to 43 property owners of 45 parcels.

At the November 5, 2014 meeting of the Commission, the Commission voted to approve the request with 6 Commissioners present, 6 Commissioners voted in favor of the conditional fence permit.

EVIDENCE PRESENTED

There was no testimony. The Commission discussed the height of the fence, the slope of the lot and the artistic design of the fence.

After due consideration of the evidence presented, the Homer Advisory Planning Commission, hereby makes the following findings of fact and conclusions of law.

Homer City Code §21.50120 a. Except as provided in subsection (c) of this section, fences may be constructed to heights in excess of those allowed by HCC 21.50.110 only when a conditional fence permit is first approved by the Planning Commission.

- 1. The issuance of such a permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights for full use and enjoyment of the property;**

Finding: A 70 ft long fence, 5-7 feet high along Mullikin Street would provide additional privacy allowing for the full use and enjoyment of the property.

- 2. The fence will not create a safety hazard for pedestrians or vehicular traffic;**

Finding: The fence does not pose a hazard to pedestrians or vehicular traffic when properly maintained.

- 3. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood;**

Finding: The fence is compatible with the neighborhood and does not detract from the design or appearance of other buildings or structures in the neighborhood.

- 4. The fence is a planned architectural feature designed to avoid dominating the site or overwhelming adjacent properties and structures;**

Finding: Due to the topography and the fact that the fence borders just a portion of the lot, the fence does not dominate the site or overwhelm the adjacent properties or structures.

- 5. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood;**

Finding: The fence will be parallel to the separated pathway. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood.

6. The fence will be of sound construction.

Finding: The fence will be of sound construction.

c. Exception. Under no circumstances will a conditional fence permit be considered for a fence that exceeds the limits of a required sight distance triangle.

Finding: No exception to the sight distance triangle is needed.

Conclusion

Based on the foregoing findings of fact and law, the Conditional Fence Permit is hereby approved.

Date:_____

Vice Chair, Tom Stroozas

Date:_____

City Planner, Rick Abboud

NOTICE OF APPEAL RIGHTS

Pursuant to Homer City Code, Chapter 21.93, any person with interests in land 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

Walt Wrede, City Manager
491 E Pioneer Avenue
Homer, AK 99603

Thomas Klinkner
Birch, Horton, Bittner & Cherot
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STAFF REPORT PL 14-94

TO: Homer Advisory Planning Commission
FROM: Planning Staff
MEETING: December 3, 2014
SUBJECT: City Planner's Report

City Council meeting of 11.24.14

The Parks and Recreation Advisory Commission requested Council form a Beach Policy Task Force. Council decided not to do that, and sent it back to the Commission. So the Commission will be looking at the Beach Policy over the coming months, and specifically the Bishop's Beach area. Julie will be attending more meetings as the Commission works through this process.

Staff: Travis, Dotti, Franco, Savannah, and Tom S. attended the APA conference in Anchorage. The seminar *A Tall Order: Finding a Balance approach to Cell Tower Regulation* illustrated the explosion in cell phone usage and how that has led to the rise of tower installations. Proactive communities are developing realistic and balance regulations for tall structures that meet the FCC's standards.

Park, Art, Recreation and Culture (PARC) Needs Assessment

The November 13th Open House at Islands and Ocean was a big success with a broad spectrum of the community discussing the future PARC needs of Homer. Over 900 surveys have been completed, representing over 1400 people. Over the winter, Julie will continue to work with the consultants and the PARC steering committee, to produce a Needs Assessment which will be release in the spring of 2015. A project update is included as an attachment to this report.

SRTS

When the Commission says they want to work on safe streets or walkability, its actually a range of projects that will get us where we want to go. There may not be specific action items for the Commission; many ideas rely on other staff /departments/members of the community. In October, the City applied for a Safe Routes to School Planning Grant. Better

pedestrian and bike access for school children is a part of what will make Homer a more walkable community. If Homer is awarded the grant, staff will work with a steering committee to guide the grant activities. More meetings!

From the state website:

Grant applicants were from communities across the state. Projects varied from Planning grants to safety and education programs, and project constructing funding. Federal Funding Applicants include: Anchorage, Gustavus, Craig, Kotzebue, Bristol Bay Region, Homer, Petersburg, Thorne Bay, Hydaburg, Fairbanks, SE Region- Juneau, two non-profit corps; Alaska Trails and the Alaska Injury Prevention Center and the State of Alaska DHSS-Visibility program.

Evaluation and award: Applications will be evaluated by a select panel of project review board members from transportation and partner agencies. Scoring and award of reimbursable grants will be based on completeness and compliance of the application with questions on the application and subject to eligibility criteria. Announcement of intent to award is anticipated within 45 days of the application deadline.(Early December, 2014)

Funding: Currently, the Alaska Safe Routes to Schools Program has approximately \$850,000 available for grants as authorized under Sec 1404 SAFETEA-LU. Maximum funding per application is \$15,000 per planning grant and \$250,000 per infrastructure project, unless a project is regionally significant or a priority in a local SRTS plan, and includes specifically detailed scope, schedule, and budget to justify a higher award amount.

Attachments: Council Update 11.24.14 PARC Needs Assessment

Homer Park, Arts, Recreation, Culture Needs Assessment

City Council Update, 11.24.14

Outreach activities to date include the provider survey and online community survey, an outreach booth at the ski swap, a youth focus group, a senior focus group, a business focus group, and a community workshop. Interviews have also been conducted with PARC providers, including the Independent Living Center. The vast majority of outreach supports the idea that **PARC resources provide for the Homer community's mental, physical, economic and environmental well-being**. Arts and recreation make Homer a destination for people in Southcentral Alaska as well as visitors from around the world. Additional themes from outreach to-date include:



Workshop participants recognized the need for a providers, businesses, and the city to come together to meet the community's needs for PARC resources.

- Improve information sharing about existing PARC resources, including a centralized calendar and consolidated advertising and promotion.
- For both organizations and businesses: cultivate leadership, **coordinate among sectors**, identify who has responsibility for implementing projects, either for building new or improving existing facilities, or starting new or changing existing programs.
- **Make better use of existing facilities** if possible; for proposed new facilities, do feasibility assessments and ensure there is the means to cover initial and ongoing costs. Any new facility should complement the existing businesses and organizations and be the product of a coalition effort. It should be centrally located to provide access for people of all ages.

Homer PARC organizations provide:

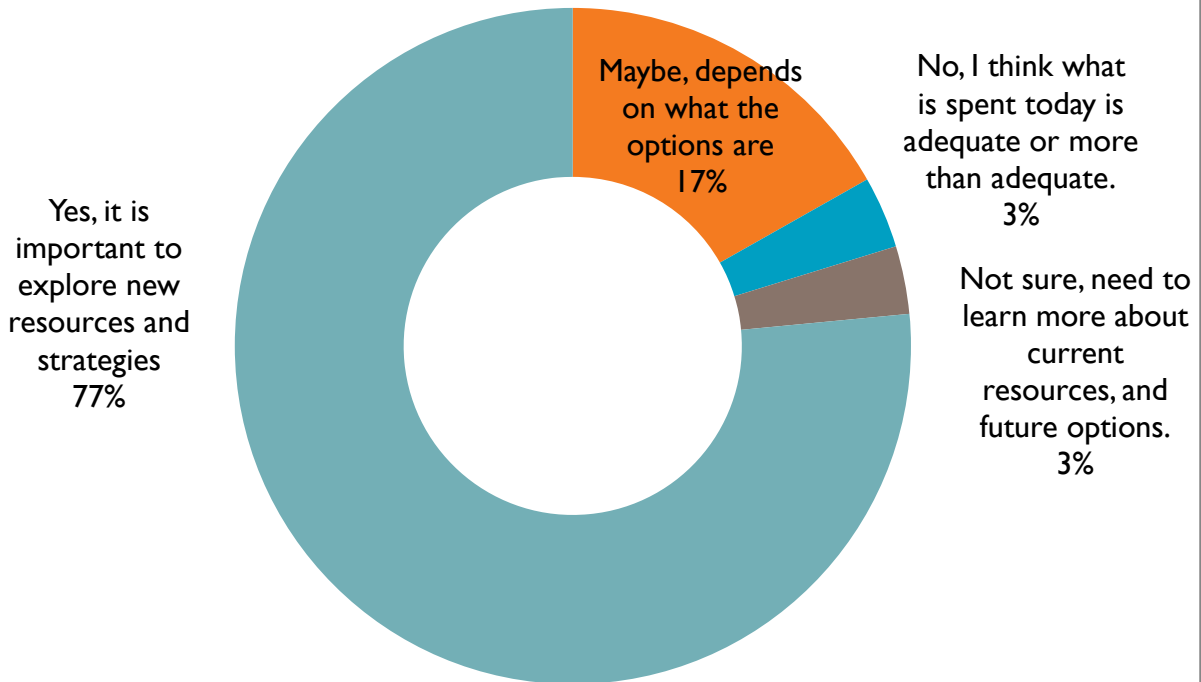
- 168 full time, part time or contracted jobs
- PARC volunteers provide 38,925 volunteer hours per year, or an average of **106 hours per day**.
- At least 75 board members, 101 formal volunteers, and around 750 informal or event specific volunteer positions.

(Homer PARC Provider Survey)

- Desire for a **multi-generational, multi-use space** that could fill the need for affordable gym space, a mid-size year-round theater, and/or music and art studios.
- Desire to maintain and expand the well-used, well-loved multi-use trails in the City core.

Going forward, the PARC Committee has decided to find additional members from the business community and **identify initial strategies** for some of the top needs that have been identified in the assessment. An upcoming statistically valid survey of Homer residents will complement the outreach efforts.

Maintaining and/or improving PARC opportunities requires funding and other forms of support. Do you support exploring new strategies to maintain and/or expand PARC opportunities in the greater Homer area? *Online Community Survey, Ages 18+*



77 percent of all respondents age 18 and older, and 67 percent of all respondents, said that it is important to explore new strategies to maintain and/or expand PARC opportunities in the greater Homer area. As of early November, 837 people had responded to the community survey, representing 1,420 household members.



For more details about the outreach to date, please see attached materials. This information can also be found at www.cityofhomer.ak.gov/recreation or through Julie Engebretsen, deputy city planner at JEngebretsen@ci.homer.ak.us. Or connect with Heather Stewart, the project manager, at Agnew::Beck Consulting at heather@agnewbeck.com.



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Staff Report 14-95

TO: Homer Advisory Planning Commission
FROM: Julie Engebretsen, Deputy City Planner
DATE: December 3, 2014
SUBJECT: Staff Report PL 14-95, Tietjen Subdivision Church of Christ Add'n Preliminary Plat

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

General Information:

Applicants:	Jerry Anderson PLS 2836 S. Ranchview Rd #206 Brookline MO 65619	East Homer Church of Christ PO Box 1935 Homer AK 99603
Location:	East End Road and Little Fireweed Lane	
Parcel ID:	17928040, 17928041	
Size of Existing Lot(s):	1.09 acres (both are the same size)	
Size of Proposed Lots(s):	2.181 acres	
Zoning Designation:	East End Mixed Use District	
Existing Land Use:	Eastern lot has a church, western lot is vacant	
Surrounding Land Use:	North: Industrial – dredge fill area, equipment storage South: Residential East: Vacant West: Church	
Comprehensive Plan:	Goal 1 Object B (p. 4-4) Promote a pattern of growth characterized by a concentrated mixed use center, and a surrounding ring of moderate-to-high density residential and mixed use areas with lower densities in outlying areas.	
Wetland Status:	The 2005 wetland mapping shows no wetland areas.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 20 property owners of 20 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the East End Mixed Use District. This plat vacates a common lot line between the East Homer Church of Christ, and the adjacent vacant parcel.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat does not meet this requirement. The surveyor states in his letter that he believes the provisions of 22.10.040 would allow an exception to this requirement. Staff does not agree, based on 22.10.030, Definitions. Nor would staff support not dedicating the easement even if 22.20.040 did apply. Staff recommends dedicating the 15 foot utility easements along all rights of way per HCC21.10.051.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements. No additional easements are needed at this time.

Preliminary Approval, per KPB code 20.25.070 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.

- A. Within the Title Block:
 - 1. 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 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;

Staff Response: The plat does not meet the requirements of A3: The name and address of the property owner is not listed.

- B. North point;

Staff Response: The plat meets these requirements.

- C. 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 or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat does not meet these requirements. Note Homer City limits along East End Road, and any section line along Birch Lane. Birch Lane was renamed to Eagle Place in the 1990's.

- 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;

Staff Response: political boundaries are not shown, as mentioned above.

- E. 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 reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and 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 does not meet these requirements: East End Road is not correctly depicted on the plat. The triangular lot to the north is not shown.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat does not meet these requirements: the triangular lot to the north is not shown.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

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

- J. Block and lot numbering per KPB 20.60.140, approximate dimensions and total numbers of proposed lots;

Staff Response: KPB staff will verify if Tract C1 is an acceptable lot numbering.

- 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;

Staff Response: The plat meets these requirements. City of Homer Public Works states that water and sewer are available to the lot.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. There are no apparent encroachments.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments:

1. Show adjacent utilities (water and sewer in East End Road), a 12" main runs perpendicular to EE Road mains, towards former Tract C1-A. Former Tract C1-A is served by water from this main. I have attached a plan and profile for the surveyor.
2. Add Plat Note: This lot is served by City of Homer water and sewer.
3. Change "Birch Lane" to "Eagle Place".
4. Show the 15' utility easement fronting Little Fireweed Lane and Eagle place.
5. Remove "Fritz Creek Drive". Use "East End Road"
6. Show the 20' radius return at the intersection of Little Fireweed and Eagle place.
7. Depict the waterline easement from former Tract C1-A towards 2880 Eagle Court. I attached the easement document for the surveyor's reference.

Fire Department Comments: No issues.

Staff Recommendation:

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

1. Include the name and address of the property owner on the plat.
2. Correct description of subdivision to reflect this is a combination of lots created by plat HM 76-92, not 78-50.
3. Correct the plat to show the triangular lot to the north, and the correct alignment of East End Road.

4. Show any section line easement affecting the subdivision along Eagle Place.
5. Show the approximate municipal boundaries on the plat.
6. Include all comments and corrects from City of Homer Public Works.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter
3. Public Notice
4. Aerial Map
5. Public Works drawings

We hereby certify that we are the owners of the real property shown and described hereon, and that we hereby adopt this plan of subdivision, and by our free consent dedicate all rights of way and public areas to public use, and grant all easements to the use shown.

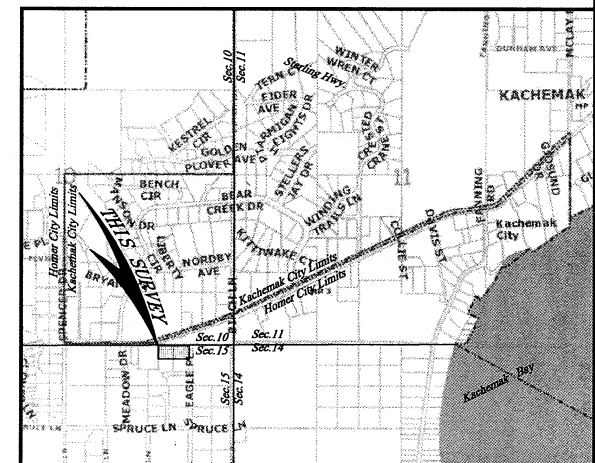
Subscribed and sworn to before me this _____ day of _____ 2014

PLAT APPROVAL

KENAI PENINSULA BOROUGH

BY _____
Authorized Official

CITY OF HOMER PLANNING/ZONING







JOB No.	2143
DATE:	OCT 17 2014
SCALE:	1" = 60'
KPB FILE No.	2014-
FIELD BOOK:	303/58
LOCATION:	MP 2.5 EAST ROAD
SECTION:	NE1/4 NE1/4 Sec. 15
TOWNSHIP:	06S
RANGE	13W

"CHURCH OF CHRIST ADD'N"

COMBINING TRACTS C1-A AND C1-B HM 78-50
INTO A SINGLE TRACT. WITHIN THE NE1/4 NE1/4
Sec. 15, Twp. 6S Rge. 13W, S.M.
HOMER RECORDING DISTRICT
WITHIN THE KENAI PENINSULA BOROUGH
AND THE CITY OF HOMER ALASKA
CONTAINING 2.181 Ac.

JERRY
ANDERSON
PLS

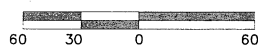
SURVEYING & BOUNDARY SOLUTIONS
JERRY ANDERSON PLS
417-830-0978
2836 RANCHVIEW RD. #206
BROOKLINE MO 65619

- | <i>SYMBOL LEGEND</i> | |
|---|--|
|  | (F) Brass Cap believed set by BY LS-1301 |
|  | (R) 5/8" Rebar, LS-1301 |
|  | (R) 12"x 30" Rebar, LS-1301 |
|  | (R) 2x2 Hub & Tack, of record LS-1301 |

I hereby certify that this plat was prepared from the most recent record plats and my survey notes from prior surveys. No additional field surveys were made in conjunction with this plat. I declare that the information shown hereon is true and correct to the best of my knowledge and belief.

Nerry A. Anderson

10/17/2014
Date



SCALE: 1"=60'


BIRCH COURT (60' R/W)

TRACT D PLAT 70-591 HRD



T6S	R13W
-----	------

N 57600.2
E 68170.4



KBB
TOWER

OWER GRID PER PLAT 87-37 HRD)
N52°19'30"E 3793.85'

SEE RECORD OF SURVEY
98-24 HRD FOR
ADDITIONAL TECHNICAL
SURVEY DATA

N 55281.4
E 65167.7

SECTION 10
SECTION 15

$$\frac{N89^{\circ}57'29"E}{660.46'}$$

Jerry Anderson PLS
2836 S. Ranchview Rd. #206
Brookline MO 65619

"Surveys & Boundary Solutions"

417-830-0978 Fax: 603-297-1977 Email: jerrya@starband.net
October 22, 2014

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

Re. Plat Submittal, Tietjen Subdivision Church of Christ Add'n.

Attached are two full size and one reduced size copy of the proposed plat, along with a check for the filing fee of \$200.00

The sole purpose of this plat is to remove the common lot line, returning property to its former state.

I have included some additional technical survey data that clarifies the right of way configuration at the intersection of Homer East Road and Little Fireweed Lane and to show the relationship to the City of Homer control grid.

The existing plat does not reflect any utility easements, but I suspect that the Certificate to Plat will show some recorded easements for water and sewer. If so, they will be referenced or shown on the final plat.

I believe that the provisions of 22.10.040 would allow an exception to the requirements of 22.10.051(a).

If you have questions or require additional information, please call or send an email.

Regards-



Jerry A. Anderson PLS

cc: East Homer Church of Christ
P.O. Box 1935
Homer AK 99603

RECEIVED

OCT 28 2014

CITY OF HOMER
PLANNING/ZONING

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:

Tietjen Subdivision Church of Christ Add'n Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. 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, December 03, 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 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.

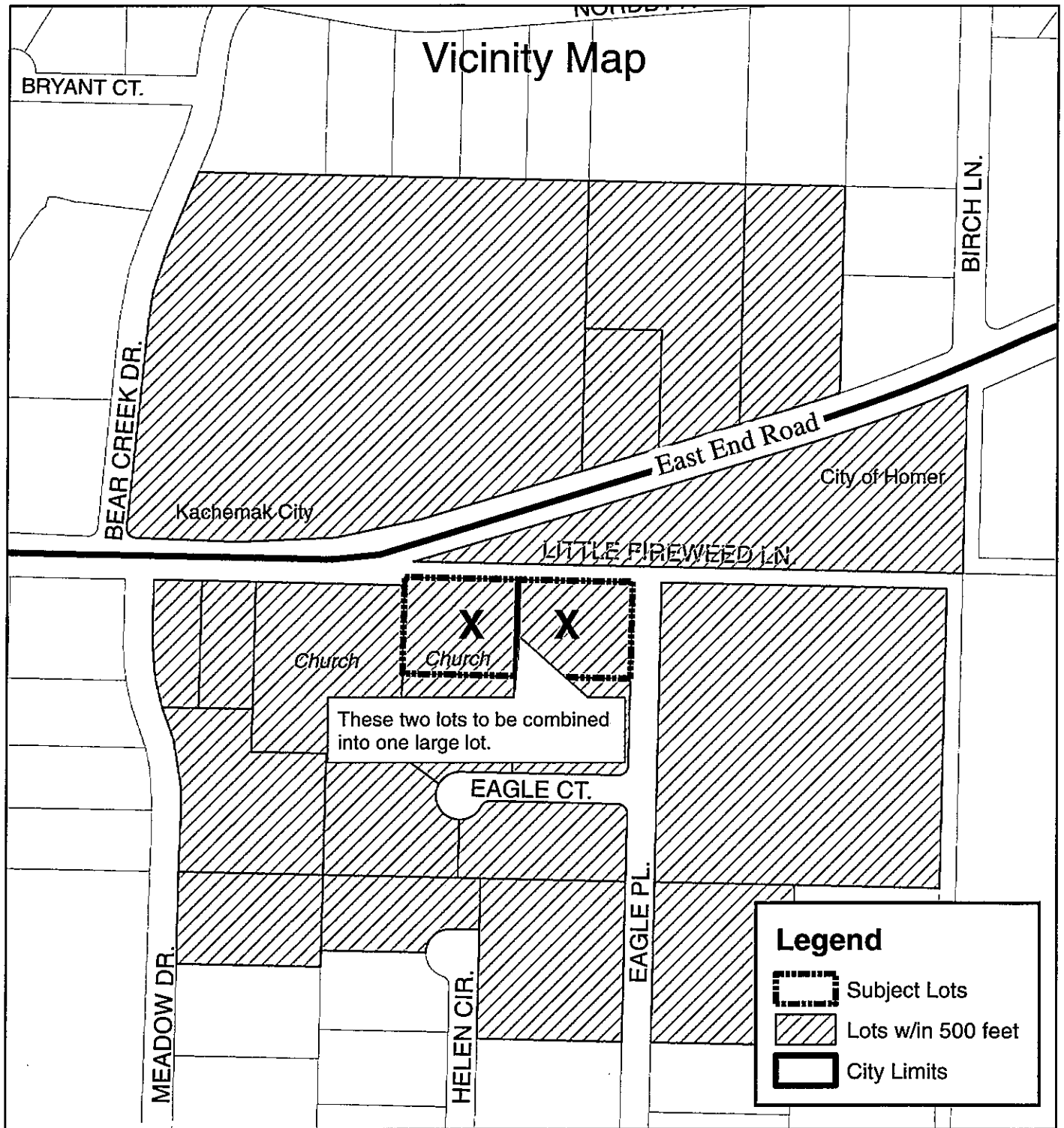
The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Travis Brown in the Planning and Zoning Office, 235-3106.

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

.....

VICINITY MAP ON REVERSE

Vicinity Map



City of Homer
Planning and Zoning Department
 November 20, 2014

Tietjen Subdivision Church of Christ Addition Preliminary Plat

Properties within 500 feet are marked
 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.

CERTIFICATE OF OWNERSHIP
We hereby certify that we are the owners of the real property shown and described herein, and that we hereby dedicate all rights of way and public areas to public use, and grant all easements to the use shown.

NOTARY'S ACKNOWLEDGMENT
For _____ day of _____ 2014
Subscribed and sworn to before me this _____ day of _____ 2014

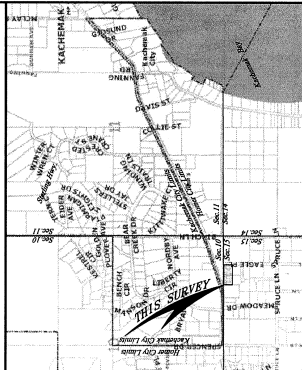
Notary Public for Alaska
My Commission Expires: _____
PLAT APPROVAL
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of _____
KENAI PENINSULA BOROUGH

BY: _____
Authorized Official

RECEIVED

OCT 28 2014

**CITY OF HOMER
PLANNING/ZONING**

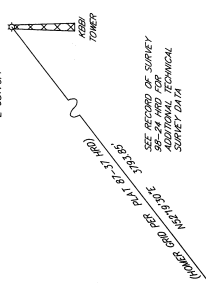


JOB No.	2143
DATE:	OCT 17 2014
SCALE:	1" = 60'
KPB FILE No.	2014-
FIELD BOOK:	303/58
LOCATION:	MP 25 EAST ROAD
SECTION:	NE1/4 NE1/4 Sec. 15
TOWNSHIP:	08S
RANGE:	13W

****TIE-LIN SUBDIVISION****
"CHURCH OF CHRIST ADD 'N'"
CONVING TRACTS C1-A AND C1-B IN 78-50
INTO A SINGLE TRACT WITHIN THE NE1/4 NE1/4
Sec. 15, Twp. 6S Rge. 13W, S4
WHICH RECORDING DISTRICT
AND THE CITY OF HOMER, ALASKA
CONTAINING 2.01 AC.

SURVEYING & BOUNDARY SOLUTIONS
JERRY ANDERSON PLS
415 S. 1ST ST.
2836 RANCHVIEW RD. #206
BROOKLINE MO 65619

N 57002.2
E 6970.4



SEE RECORD OF SURVEY
78-50 AND FOR
CITY OF HOMER
SURVEY DATA

SECTION 10 N 89°57'29"E
E 65007.5
SECTION 15 N 53°01'4
E 65007.5

TRACT D PLAT 70-591 HRD



FRITZ CREEK DRIVE (aka HOMER EAST ROAD) (aka EAST END ROAD) R/W VARIES

BASES OF BEARINGS EAST, PER PLAT 78-92 HRD (N89°57'29"E) HOMER QRD PER PLAT 87-87 HRD

N 53°01'4 E 65007.5

EAST 473.3' LITTLE FIREWEED LANE (53' R/W)

500.1' (FORMERLY TR C1-B)

(FORMER LOT LINE) (VACATED THIS PLAT)

TRACT C1

WEST 473.8'

TRACT C2-A PLAT 78-50 HRD

TRACT C2-B PLAT 78-50 HRD

BIRCH COURT (60' R/W)

SCALE: 1"=60'

0 30 60

157.20 245.6 (DIFFERENCE = 0170)

E 71°0 COR 245.6

55.0

55.0

55.0

55.0

55.0

55.0

55.0

55.0

55.0

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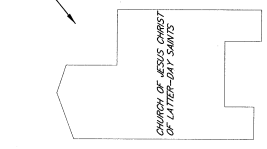
55.0

55.0

55.0

GENERAL NOTES:

- 1.) Homer city code requires setbacks within the city limits.
- 2.) No permanent structure shall be constructed or placed within an easement which would interfere with the utility or a utility to use the easement.
- 3.) Development within the City of Homer is subject to City of Homer zoning regulations.
- 4.) Acceptance of the plat by the Borough does not indicate acceptance of encroachments, if any.
- 5.) Comments, Conditions and Restrictions affecting this lot are recorded in _____ Homer Recording District.



Deed Parcel
Vol. 30, Pg. 96 HRD

SURVEYOR'S CERTIFICATE
I hereby certify that this plat was prepared from the most recent record plat and my survey notes from prior surveys, and that the information shown hereon is true and correct to the best of my knowledge and belief.
JERRY A. ANDERSON
Date

SYMBOL LEGEND	
(F)	Brass Cap believed set by BS-1301
(R)	5/8" Rebar, LS-1301
(R)	12" x 30" Rebar, LS-1301
(R)	2x2 Hub & Tank, of record LS-1301



City of Homer
Planning and Zoning Department

November 20, 2014

Tietjen Subdivision Church of Christ Addition Preliminary Plat

Properties within 500 feet are marked
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.*

TEMPORARY
RIGHT OF WAY EASEMENT FOR WATER AND/OR SEWER LINE

This grant of right of way easement between East Homer Church of Christ
whose address is East Road Homer, AK, as GRANTOR,
and Darrel Fincher
whose address is Box 2098 Homer, AK, as GRANTEE:

WITNESSETH:

WHEREAS Grantee is the Owner of Certain real property in Homer, Alaska adjacent to the property of Grantor which property of Grantee does not have access to use of water and/or sewer utility connecting pipe line with City of Homer Main unless use is made of property belonging to Grantor, the said property of Grantee being isolated from the frontage of the street where the city water and/or sewer main traverses.

NOW THEREFORE in consideration of \$1.00 and other good and valuable consideration, the Grantor does hereby grant, bargain and convey to Grantee, his heirs, administrators and assigns a right of way easement over, through and upon the line from the westerly 10 feet of lot CLA Tiejen subdivision according to plat no. 76-92 in the Homer Recording District, the purpose of laying, using and maintaining a connection water and/or sewer line from the City of Homer Main to the real property of Grantee adjoining and lying to the south of the said water and/or sewer line to extend in a southerly direction a manner as to enable Grantee to connect up with water and/or sewer to a structure owned by him on adjoining property to the aforesaid above described real estate of Grantor.

This grant is made upon the express condition that the same will be used only for the purposes above set forth and in such manner as not to interfere with or impair the use of the said real estate of Grantor and the water and/or sewer pipes will be buried to a depth as required by law.

Dated this 6th of April, 1983

STATE OF ALASKA)
THIRD JUDICIAL DISTRICT) ss:

THIS IS TO CERTIFY that before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared T.D. Watson AS MINISTER OF EAST HOMER Church of Christ and he acknowledged to me that he executed the within and foregoing RIGHT OF WAY EASEMENT FOR WATER AND/OR SEWER LINE, as his free and voluntary act and deed, for the uses and purposes therein set forth.

WITNESS my hand and notarial seal this 14th of April, 83

James E. Dyer
Notary Public in and for the State
of Alaska

My Commission expires 10-28-84



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 14-96

TO: Homer Advisory Planning Commission
FROM: Julie Engebretsen, Deputy City Planner
DATE: December 3, 2014
SUBJECT: Wind energy systems

Introduction

Mr. Tom Taffe is a guest speaker on the agenda. He would like to see a change on how the zoning code addresses wind turbines, specifically vertical-axis turbines. Commissioner Highland requested the item be on the agenda. Under current rules, wind energy systems must be on lots larger than one acre. Mr. Taffe will provide information to the Commission, but basically his ordinance would allow a vertical axis wind turbine on lots less than one acre, and amend setback requirements.

Staff Recommendation

Commission make a motion on whether or not to proceed on this issue, and provide direction to staff.

Some options:

- Ask staff to analysis the proposal and bring back at a future meeting.
- Add Wind Energy Systems to the work list. Provide direction to staff on a timeframe to work on this issue.
- Postpone any further discussion on this issue until a future date.
- Table this issue.

Attachments

Informational items provided by Mr. Taffe

Vertical axis wind turbines

Vertical-axis wind turbines (VAWTs) are a type of wind turbine where the main rotor shaft is set vertically and the main components are located at the base of the turbine. This arrangement allows the generator and gearbox to be located close to the ground, facilitating service and repair. VAWTs do not need to be pointed into the wind, which removes the need for wind-sensing and orientation mechanisms. Major drawbacks for the early designs (Savonius, Darrieus and giromill) included the significant torque variation during each revolution, and the huge bending moments on the blades. Later designs solved the torque issue by providing helical twist in the blades.

Advantages of vertical axis wind turbines

VAWTs offer a number of advantages over traditional horizontal-axis wind turbines (HAWTs). They can be packed closer together in wind farms, allowing more in a given space. They are quiet, omni-directional, and they produce lower forces on the support structure. They do not require as much wind to generate power, thus allowing them to be closer to the ground where windspeed is lower. By being closer to the ground they are easily maintained and can be installed on chimneys and similar tall structures.

Research at Caltech has also shown that carefully designing wind farms using VAWTs can result in power output ten times as great as a HAWT wind farm the same size.

VAWTs are much quieter than HAWTs, with dB levels at ground level ten meters from the tower measured at around 95 dB for a HAWT– the sound of passing traffic on a busy highway measured from the road shoulder – versus 38dB for a VAWT– the sound of whispered conversation. This is due to several factors, starting with the much lower tip speed of VAWTs.

VAWTs thrive in gusty winds. They produce very low starting torque, and used to exhibit dynamic stability problems before modern engineering methods and installation procedures. The blades of a VAWT were fatigue prone due to the wide variation in applied forces during each rotation, this has been overcome by the use of modern composite materials.

Researchers (in 2011) sought to overcome the inefficiencies associated with VAWTs by optimizing turbine placement within wind farms. It is thought that, despite the lower wind-speed environment at low elevations, "the scaling of the physical forces involved predicts that [VAWT] wind farms can be built using less expensive materials, manufacturing processes, and maintenance than is possible with current wind turbines." Modern designs of VAWTs have overcome the majority of issues associated with early designs.

PROPOSED AMENDMENT TO WIND ENERGY ORDINANCES

WHEREAS, wind energy systems have become more sophisticated and diverse since the existing wind turbine definitions, standards, and other governing ordinances were created in 2009; and

WHEREAS, the Homer City Code currently lacks standards recognizing the there are now new types of wind energy systems that have much smaller underlying footprints and dramatically lowered noise levels;

WHEREAS, the Homer City Code currently lacks standards recognizing the there are now new types of wind energy systems that have largely eliminated the potential harm to birds;

WHEREAS, the Homer City Code currently lacks standards recognizing that there are now new types of wind energy systems that have much greater stamina with respect to Alaskan climates;

WHEREAS, the Homer City Code currently lacks standards recognizing that modern wind turbines create the opportunity to decentralize locally and, as a result, better deal with climate change, natural disasters, and terrorism;

WHEREAS, the Climate Action Plan of the City of Homer encourages renewable energy to reduce fossil fuel use and carbon emissions;

WHEREAS, the cost of electric power has become a serious financial issue for the citizens and small businesses of Homer;

NOW, THEREFORE, THE CITY COUNSEL OF THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.03.040 is hereby amended by adding the following definitions:

"Small Wind Energy System" means a wind energy system having a rated capacity of less than 10 kilowatts and a total height less than 60 feet, whose primary function is to provide electric power for on-site consumption.

"Tower" means a fixed vertical structure that supports a wind turbine, including a monopole tower, plus its accompanying base plates, anchors, and hardware.

"Wind Turbine" means a bladed or other type of rotating mechanism that converts wind energy into electric energy.

"Vertical Axis Wind Turbine" (VAWT) means a type of wind turbine where the main rotor shaft is set vertically and the main components are located at the base of the turbine.

"Horizontal Axis Wind Turbine (HAWT)" means a type of wind turbine where the main rotor shaft is set horizontally and the main components are located near the top of the turbine tower.

Section 3. Subsection (b) of Homer City Code 21.05.030, Measuring heights, is amended to read as follows:

b. When measuring height of a building or a streetlight, the following are excluded from the measurement: steeples, spires, belfries, cupolas and domes if not used for human occupancy, chimneys, ventilators, weather vanes, skylights, water tanks, bulkheads, monuments, flagpoles, wind energy systems, television and radio antennae, other similar features, and necessary mechanical appurtenances usually carried above roof level.

Section 4. Homer City Code 21.12.020, Permitted uses and structures, is amended to read as follows:

r. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 5. Homer City Code 21.12.030, Conditional uses and structures, is amended to read as follows:

r. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 6. Homer City Code 21.14.020, Permitted uses and structures, is amended to read as follows:

p. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 7. Homer City Code 21.14.030, Conditional uses and structures, is amended to read as follows:

o. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 8. Homer City Code 21.16.020, Permitted uses and structures, is amended to read as follows:

r. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 9. Homer City Code 21.16.030, Conditional uses and structures, is amended to read as follows:

k. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 10. Homer City Code 21.18.020, Permitted uses and structures, is amended by adding a subsection (hh) to read as follows:

hh. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 11. Homer City Code 21.18.030, Conditional uses and structures, is amended by re-lettering subsection (n) as subsection (o) and adding a subsection (n) to read as follows:

n. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 12. Homer City Code 21.20.020, Permitted uses and structures, is amended by adding a subsection (zz) to read as follows:

zz. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 13. Homer City Code 21.20.030, Conditional uses and structures, is amended to read as follows:

l. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 14. Homer City Code 21.22.020, Permitted uses and structures, is amended by adding a subsection (r) to read as follows:

r. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 15. Homer City Code 21.22.030, Conditional uses and structures, is amended to read as follows:

b. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 16. Homer City Code 21.24.020, Permitted uses and structures, is amended to read as follows:

kk. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 17. Homer City Code 21.24.030, Conditional uses and structures, is amended by adding a subsection (o) to read as follows:

o. One Horizontal Axis Wind Turbine system having a rated capacity not exceeding 10

kilowatts, provided that it is the only wind energy system of any capacity on the lot. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 18. Homer City Code 21.26.020, Permitted uses and structures, is amended to read as follows:

u. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 19. Homer City Code 21.26.030, Conditional uses and structures, is amended by adding a subsection (s) to read as follows:

s. One Horizontal Axis Wind Turbine system having a rated capacity not exceeding 10 kilowatts, provided that it is the only wind energy system of any capacity on the lot. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 20. Homer City Code 21.28.020, Permitted uses and structures, is amended to read as follows:

q. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 21. Homer City Code 21.28.030, Conditional uses and structures, is amended by adding a subsection (j) to read as follows:

j. One Horizontal Axis Wind Turbine system having a rated capacity not exceeding 10 kilowatts, provided that it is the only wind energy system of any capacity on the lot. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 21. Homer City Code 21.30.020, Permitted uses and structures, is amended to read as follows:

p. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 22. Homer City Code 21.30.030, Conditional uses and structures, is amended by adding a subsection (l) to read as follows:

l. One Horizontal Axis Wind Turbine system having a rated capacity not exceeding 10 kilowatts, provided that it is the only wind energy system of any capacity on the lot. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 23. Homer City Code 21.40.050, Permitted uses and structures, is amended to read as follows:

q. As an accessory use, one Vertical Axis Wind Turbine system per lot having a rated capacity not exceeding 10 kilowatts.

Section 24. Homer City Code 21.40.060, Conditional uses and structures, is amended to read as follows:

h. One or more Vertical Axis Wind Turbine systems having a rated capacity not exceeding 10 kilowatts.

Section 25. Homer City Code 21.58.020 is amended to read as follows:

d. (1.) A Horizontal Axis Wind Turbine system may be installed only on a lot having an area not less than one acre. A Vertical Axis Wind Turbine system may be installed on any city lot.

d. (2) The distance from a Horizontal Axis Wind Turbine system to the closest property line may not be less than 1.1 times its total height. The distance from a Vertical Axis Wind Turbine system to the closest property is governed by normal setback rules or a conditional use permit as long as it is anchored by a manufacturer recommended cement block or mounted on the roof of a building.

Submitted by:

Thomas M. Taffe

PO Box 356, Homer, Alaska, 99603

907-299-4737

UGE 9M™

The World's Most Powerful Helical Wind Turbine

Businesses, communities and institutions can now benefit from UGE's quiet, elegant and efficient design for their larger energy projects. This powerful turbine generates energy at low wind speeds and captures wind from any direction. Standing at a height of 9 meters, the UGE-9M makes an impressive environmental statement while offsetting your energy costs.

Visit www.urbangreenenergy.com/UGE-9M to contact your local UGE Partner for a comprehensive site assessment and to learn more about the available government incentives.



UGE
URBAN GREEN ENERGY



UGE-9M Wind Turbine Specifications

Physical Information

Axis	Vertical
Height	9.60 m [31' 6"]
Width	6.40 m [21' 0"]
Weight	4900 kg [10800 lbs]
Swept Area	61.4 m ²
Blade Materials	Fiberglass with Steel Reinforcement

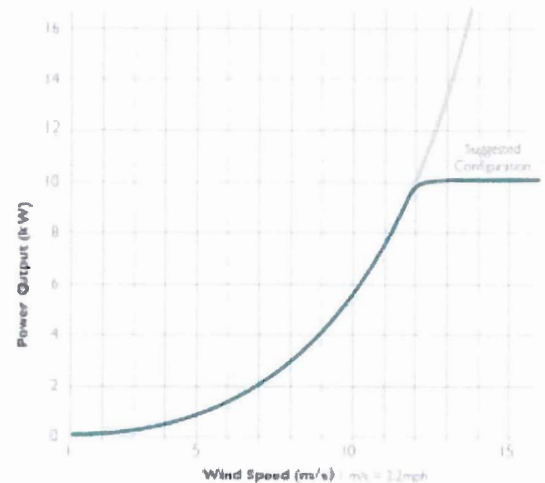
Performance

Rated Power	10000 W
Cut-in Wind Speed	3.5 m/s [7.8 mph]
Cut-out Wind Speed	30 m/s [67.1 mph]
Rated RPM	55 RPM
Survival Wind Speed	50 m/s [111.8 mph]
Rated Wind Speed	12 m/s [26.8 mph]
Annual Energy at 5 m/s	14750 kWh
Noise from IEC 61400-11 at 12 m/s [26.8 mph]	38 dB

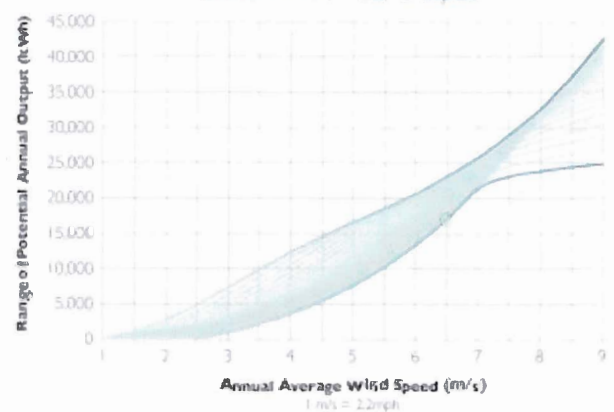
Electric Generation

Generator Type	Three-Phase Permanent Magnet
Temperature	-25 °C to 40 °C [-13 °F to 104 °F]
Drive System	Direct Drive
Rated Output	
Grid-Tie	530 V _{DC} Equivalent
Inverters and Controllers	Available for all locations and regulations

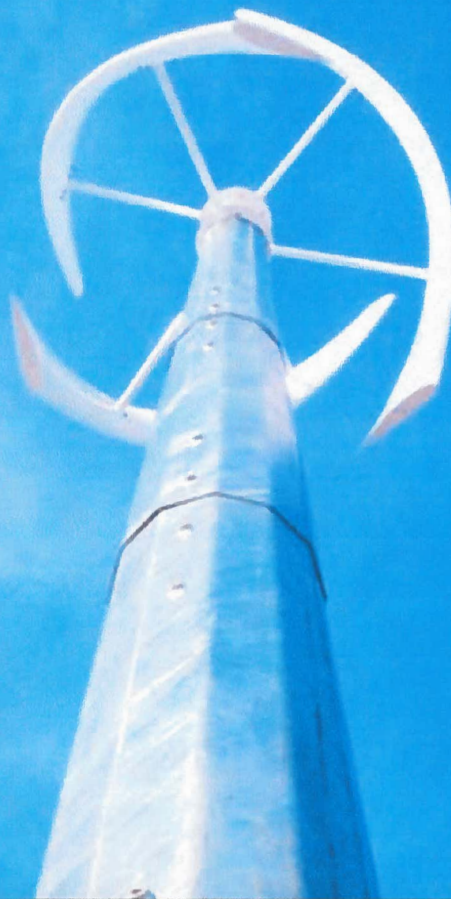
UGE-9M Power Curve



UGE-9M Annual Output



VisionAir™ 5





VisionAIR Wind Turbine Specifications

Physical Information

Axis	Vertical
Height	5.2 m [17'-1"]
Width	3.2 m [10'-6"]
Swept Area	16.6 m ² [179 ft ²]
Weight	756 kg [1665 lbs]
Blade Materials	Fiberglass

Turbine Operation

Cut-in Wind Speed	3.5 m/s [8 mph]
IEC Rated Wind Speed	11 m/s [24 mph]
Max Power Wind Speed	14 m/s [31 mph]
Cut-out Wind Speed	20 m/s [44 mph]
Survival Wind Speed	50 m/s [110 mph]
Rated RPM	130 RPM
AWEA Rated Sound Level	38.73 dBA

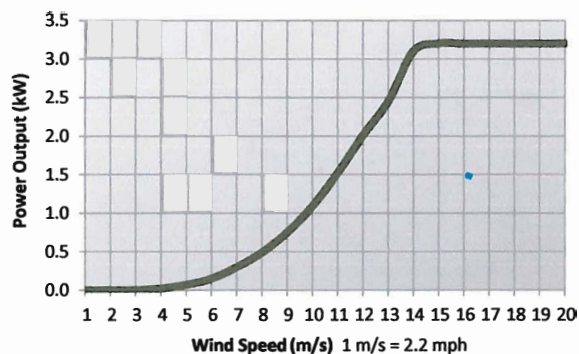
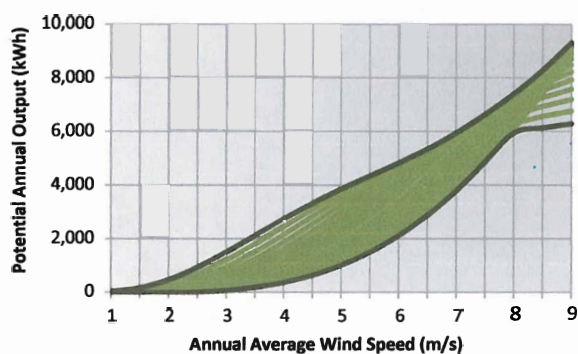
Electric Generation

Drive System	Direct Drive
Generator UL Rated Power	3.2 kW
Generator Rated Voltage	
Off-Grid	270 V _{dc} equivalent
Grid-Tie	530 V _{dc} equivalent
Temperature Range	-25 C to 40 C (-14 F to 105 F)
Inverters and Controllers	Available for all locations and regulations

Certifications

UL 1004 / CSA C22.2	Generator Electrical Safety
IEC 61400-11	Acoustic Noise Measurement
IEC 61400-12	Power Performance Measurement
ISO 9001	Manufacturing Quality Management
CE	European Conformity

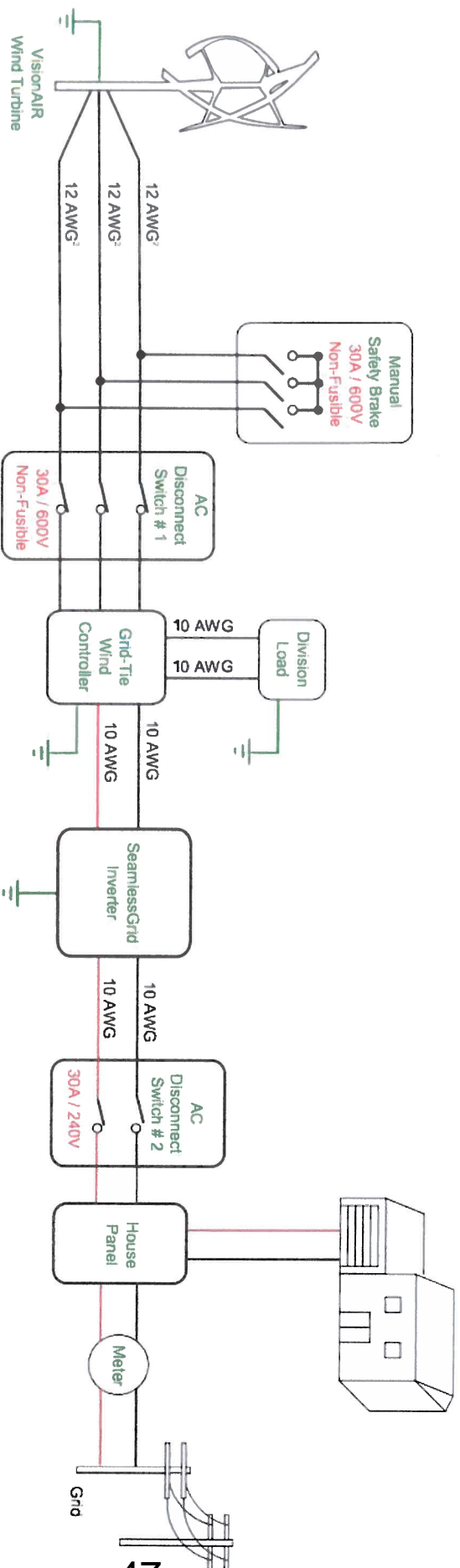
Model Number	UGE-5M
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VisionAIR

Grid-Tied

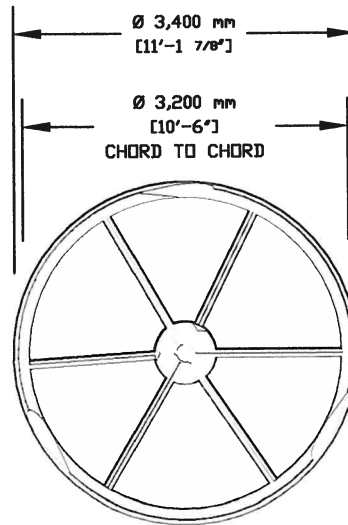
Wiring Diagram



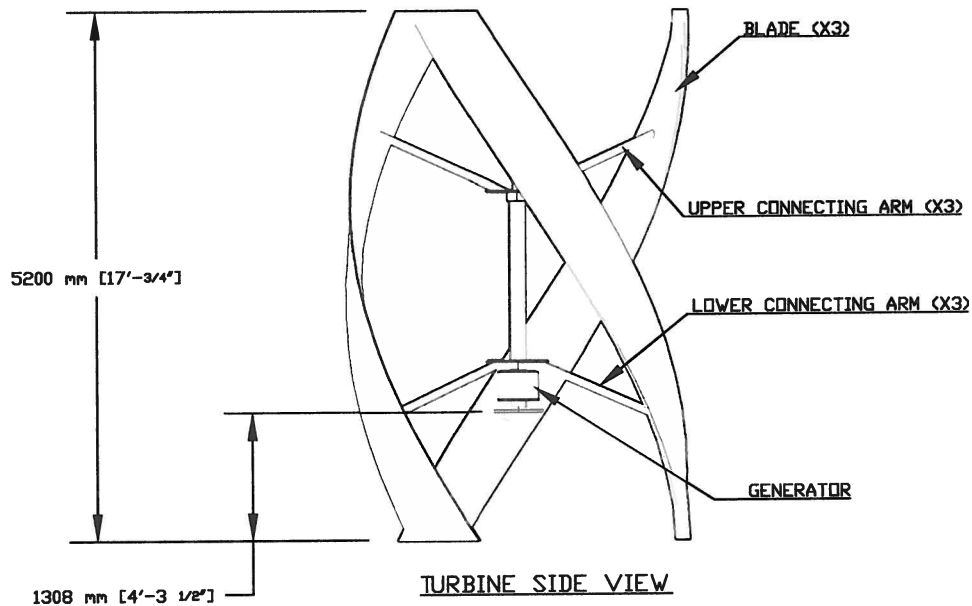
- Notes:
1. Wire gauge recommendations based on NEC 310.16 for THHW copper wire below 100°F (A certified electrician shall verify wire gauge meets local electrical code)
 2. Wire length should not exceed 150m, maximum voltage drop is 5%
 3. Each grounded component shall have its own grounding wire and connect to a common earth ground.

DRAWING NOTES:

1. THIS DRAWING IS BEING ISSUED FOR INFORMATION ONLY.
2. ALL VALUES ARE SHOWN 'METRIC (ENGLISH)'
3. DRAWING NOT TO SCALE, DO NOT SCALE DIMENSIONS FROM THIS DRAWING.



TURBINE TOP VIEW



TURBINE SIDE VIEW

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PREPARED FOR:

CUSTOMER USE

—

—

PROJECT

UGE - 5M TURBINE

DRAWING TITLE

VISIONAIR TURBINE - DIMENSIONAL DRAWING

DATE:

04/30/2013

DRAFTED BY:

DB

CHECKED BY:

SV

DESIGNER #

UGE-5M-DIM

REVISION

00



Urban Green Energy

330 West 38th Street, Suite 1103, NY, 10018 USA
PHONE: (917) 720-5685
www.urbangreenenergy.com

VisionAIR wind turbine³





VisionAIR³ Wind Turbine Specifications

Physical Information

Axis	Vertical
Height	3.2 m [10'-6"]
Width	1.8 m [5'-11"]
Swept Area	5.76 m ² [62 ft ²]
Weight	274 kg [603 lbs]
Blade Materials	Fiberglass

Turbine Operation

Annual Energy at 5.5m/s	770 kWh
Cut-in Wind Speed	<4 m/s [8 mph]
AWEA Rated Wind Speed	11 m/s [24 mph]
Max Power Wind Speed	14 m/s [31 mph]
Cut-out Wind Speed	20 m/s [44 mph]
Survival Wind Speed	50 m/s [110 mph]
Rated RPM	200 RPM
Noise at 5m/s	41 dBA

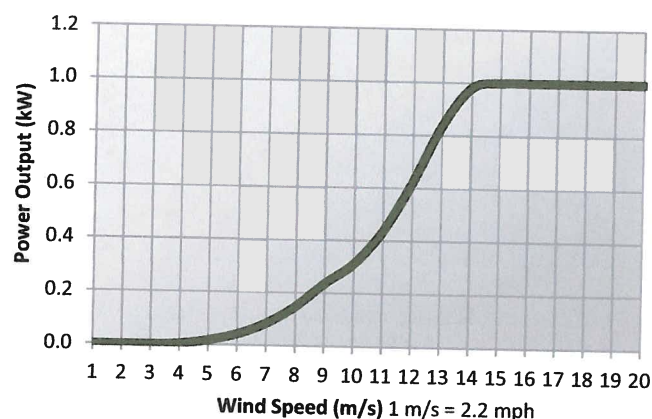
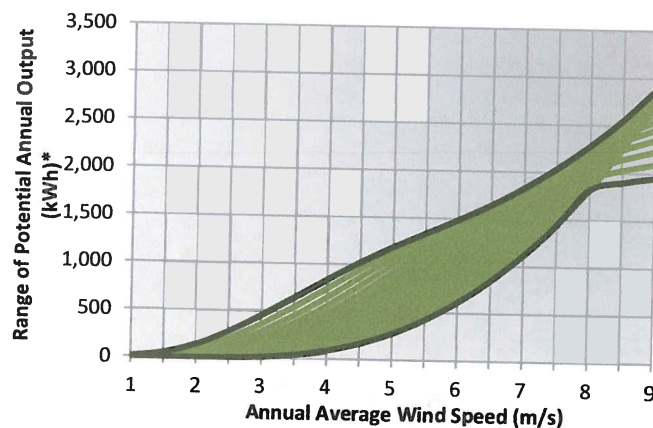
Electric Generation

Drive System	Direct Drive
UL Rated Power	1.0 kW
Generator Rated Voltage	
Off-Grid	270 V _{dc} equivalent
Grid-Tie	530 V _{dc} equivalent
Temperature Range	-25 C to 40 C (-14 F to 105 F)
Inverters and Controllers	Available for all locations and regulations

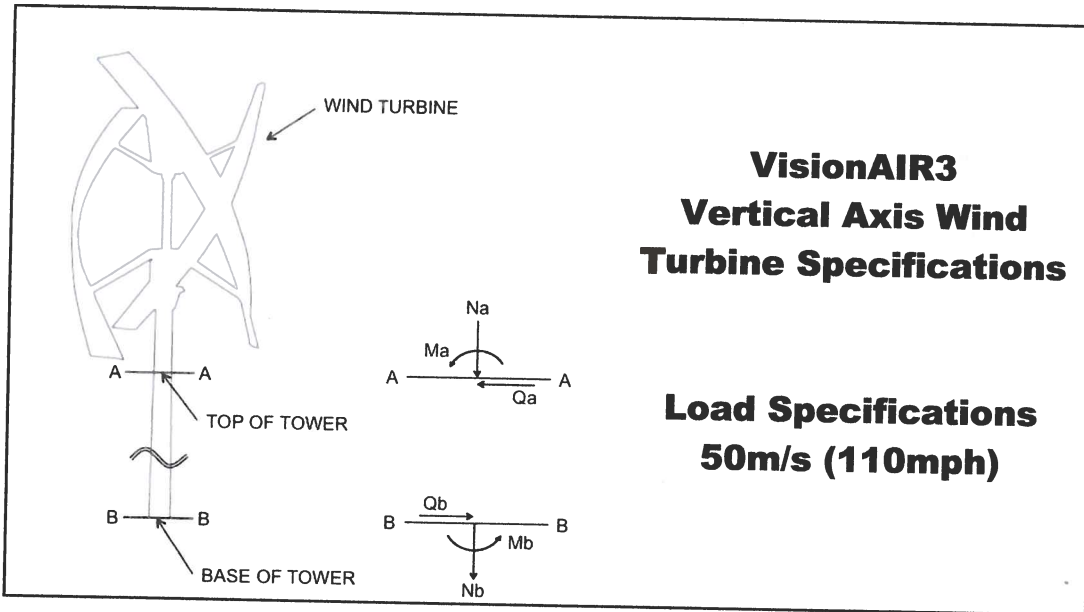
Certifications

UL 1004 / CSA C22.2	Generator Electrical Safety
ISO 9001	Manufacturing Quality Management
CE	European Conformity

Model Number UGE-3M



* Power data shown measured in ambient conditions in accordance with IEC 61400-12 and includes all electrical inefficiencies.
Annual energy production is dependent on location wind turbulence and wind speed distribution



VisionAIR3 Vertical Axis Wind Turbine Specifications

Load Specifications 50m/s (110mph)

Maximum Loads at the A-A plane (For all of towers)

Nmax	2.83 KN [0.64 k]
Qmax	3.72 KN [0.84 k]
Mmax	3.00 KN*m [2.21 k*ft]

Maximum Loads at the B-B plane

4m Tower	
Nmax	4.19 KN [0.94 k]
Qmax	5.00 KN [1.12 k]
Mmax	20.27 KN*m [14.95 k*ft]
10m Tower	
Nmax	7.85 KN [1.76 k]
Qmax	8.18 KN [1.84 k]
Mmax	61.94 KN*m [45.68 k*ft]
18m Tower	
Nmax	19.60 KN [4.41 k]
Qmax	15.85 KN [3.56 k]
Mmax	170.66 KN*m [125.87 k*ft]

Tower Notes:

- Maximum wind speed: 50 m/s
- When the applicable load per the table above is applied to the turbine and tower, the maximum deflection of the structure supporting the turbine and tower should meet the standard deflection tolerances of the local building code. For steel and concrete structures in the USA, deflections should meet the requirements of the AISC or ACI codes respectively. The lateral deflection of the top of the tower should under no circumstances be above 0.8% of the tower height.
- The turbine operating frequency ranges between 0 and 11 Hz. Care should be taken to prevent resonance between the turbine and the supporting structure.
- Tower should include a J-hook or other means of strain relief for the leads leaving the generator, upper and lower hand holes at either end of the tower, and be properly grounded and connected to a lightning protection system (if present) per the NEC or the local electrical code.
- Please see the UGE Warranty Agreement for information about the implications of designing your own tower on the turbine's warranty.

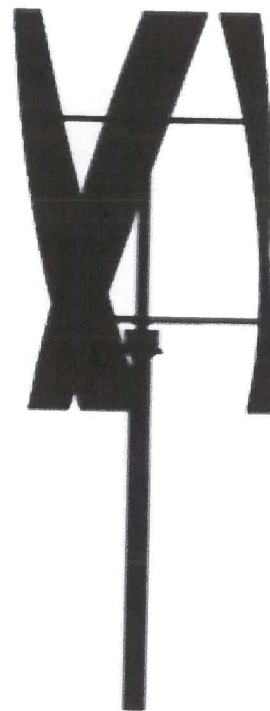
Other UGE Wind Turbines



HoYi!



VisionAIR5



UGE-9M



Hoyi!™



A compact answer to your renewable energy needs!

Good things come in small packages.

Super versatile and durable, UGE's smallest wind turbine is the perfect solution for off-grid power generation. This unit is ideal for street lights, boats and marine applications, or any location where power needs to be generated on site.

Standing approximately 1 meter tall, and weighing just 40kg, assembly takes less than 30 minutes and setting the tower and foundation for installation is simple and easy.

The Hoyi! starts producing energy in extremely low wind speeds and can withstand hurricanes, making it nearly maintenance free for its entire lifetime.

Visit www.urbangreenenergy.com/products/hoyi to find out more information!



Specifications

General

Axis	Vertical
Height	1.3m (4.3 ft)
Width	0.8m (2.6 ft)
Weight	40 kg (88.1 lb)
Swept Area	0.84m ² (9.0 ft ²)
Blade Materials	Fiberglass

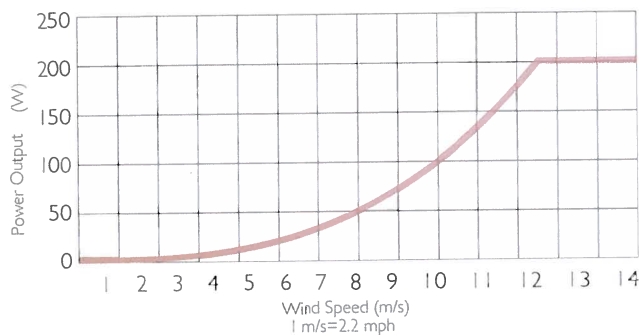
Performance

Rated Power	200 W
Cut-in Wind Speed	2.5 m/s (5.6 mph)
Cut-out Wind Speed	30 m/s (61.1 mph)
Rated RPM	200 RPM
Survival Wind Speed	50 m/s (110 mph)
Rated Wind Speed	12m/s (26 mph)
Noise Level at 12m/s	40 dB

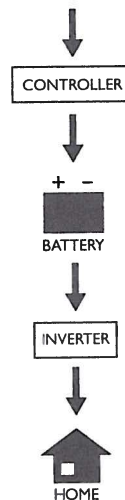
Electric Generation

Generator Type	PMG
Rated Output	
Off-Grid	200W

Hoyi VAWT Power Curve



Battery Backup System

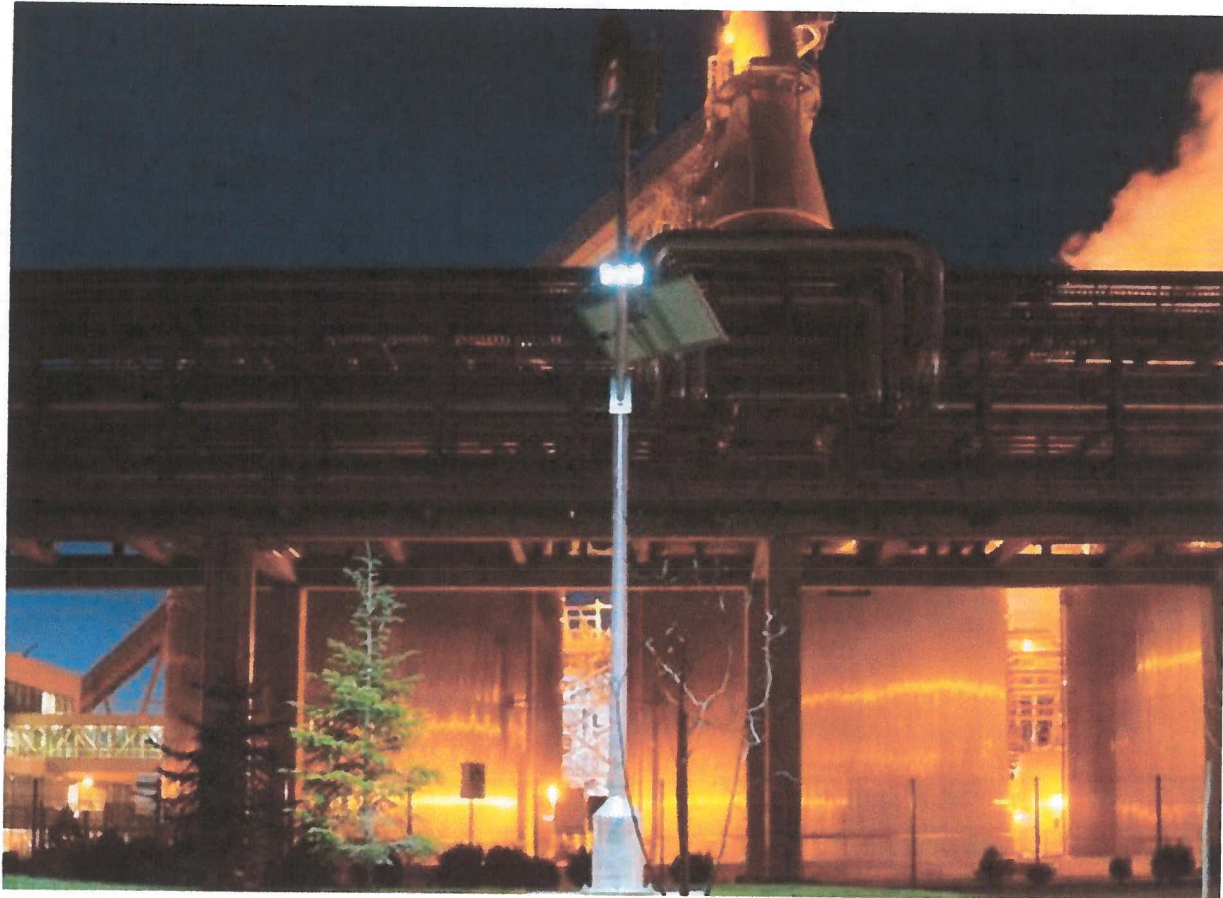


SOLAR READY



THE POWER TO DREAM
330 W 38th Street, Suite 1103, New York, NY 10018

www.urbangreenenergy.com
+1 (917) 720 5685 info@urbangreenenergy.com

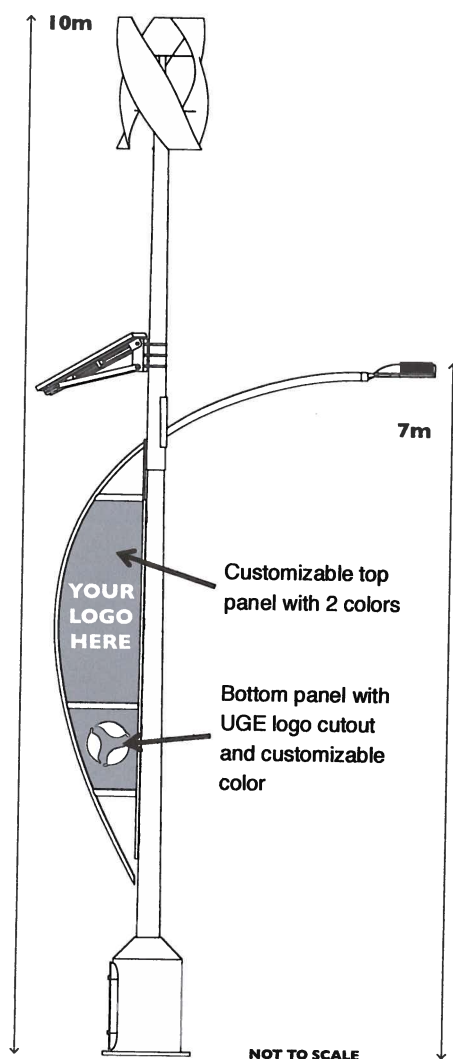


Sanya SLS Street Light





UGE SANYA SLS Street Light Specifications



Wind Power	
Turbine Model	UGE-HoYi!
Rated Power Output	200 W
Rated Wind Speed	12 m/s [27 mph]
Survival Wind Speed	50 m/s [110 mph]

Solar Power	
Rated Power Output	250 W
Number of Panels	1
Dimensions	1640 mm x 992 mm x 50 mm [64.6 in x 39.1 in x 2.0 in]

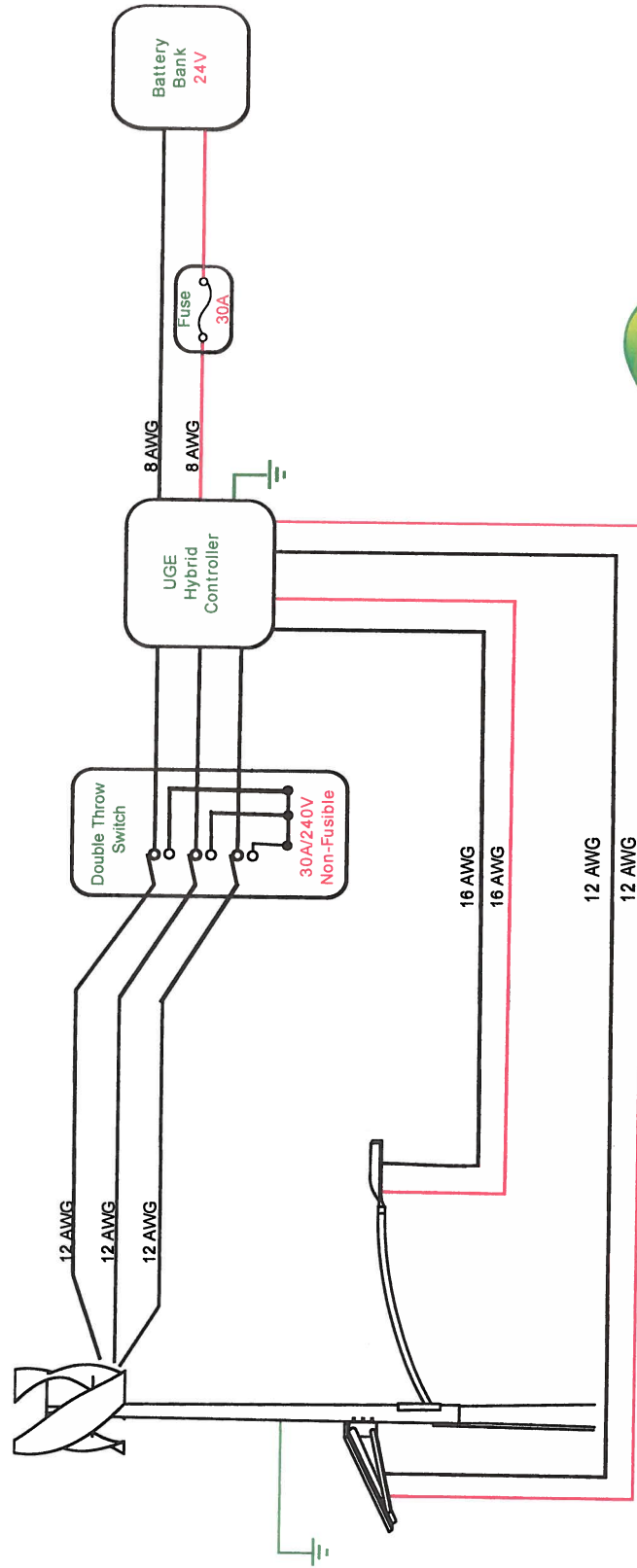
Lighting	
Light Type	LED
Rated Power Output	84W
Rated Voltage Input	24 Vdc
Lumen Output	6303 lm
Dimensions	615 mm x 400 mm x 115 mm [24.2 in x 15.7 in x 4.5 in]

Electronics	
Controller Model	UGE-SLS-OGCH
Controller Output Voltage	24 Vdc
Recommended Battery Capacity	150 Ah

Tower	
Design features	Electronics enclosure / Customizable sail
Height (with turbine)	10 m [32'-10"]
Enclosure Size	85 cm x Ø60 cm [33.5 in x Ø23.6 in]

SANVASLS

Battery Back-Up Wiring Diagram

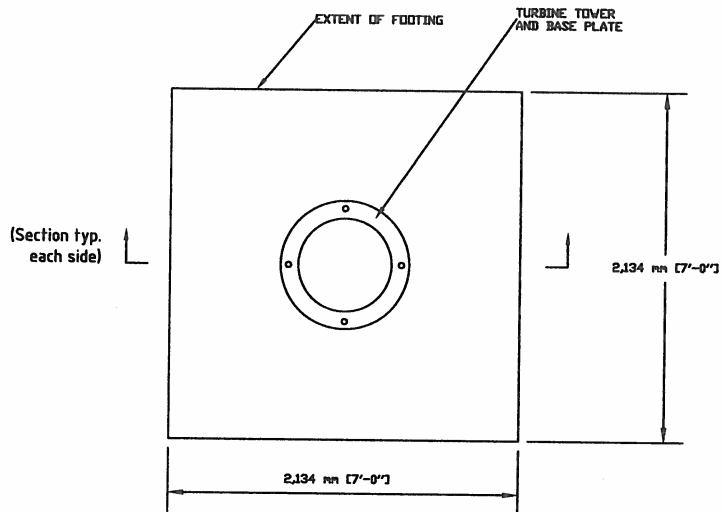


- Notes:
1. Wire gauge recommendations based on NEC 310.16 for THHW copper wire below 100° F
(A certified electrician shall verify wire gauge meets local electrical code)
 2. Each grounded component shall have its own ground wire and connect at a common earth ground

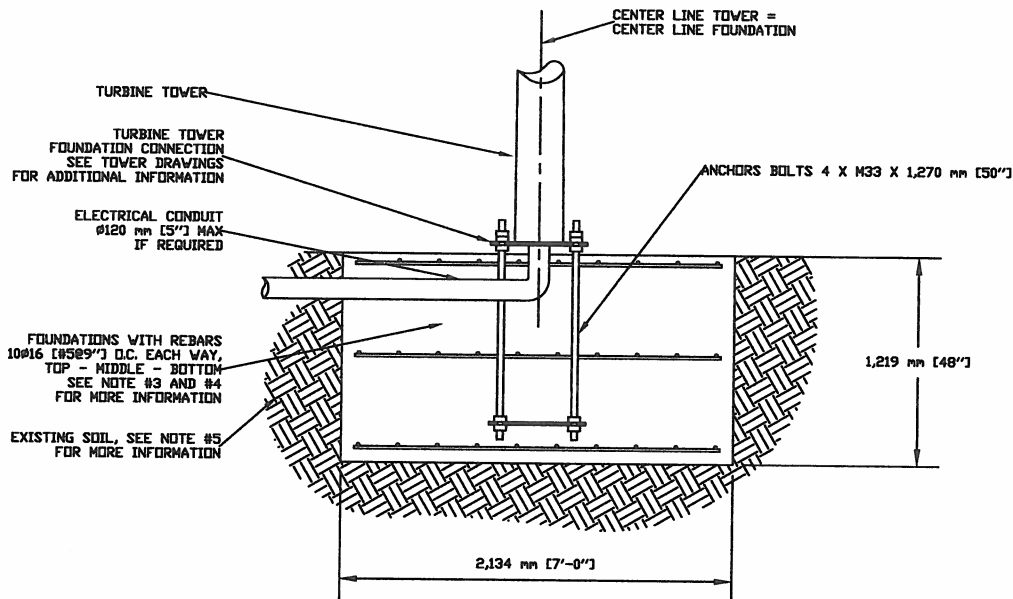


DRAWING NOTES:

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2. ALL VALUES ARE SHOWN 'METRIC (ENGLISH)'
3. MATERIAL PROPERTIES ARE AS FOLLOWS:
CONCRETE (f'c) 20.7 MPa [3 ksi]
REBAR (fy) 413.7 MPa [60 ksi]
4. PROVIDE 76 mm [3"] CLEAR COVER FROM EDGE OF REBAR TO FACE OF CONCRETE IN CONTACT WITH EARTH. PROVIDE 26 mm [1"] CLEAR COVER FROM REBAR TO ALL OTHER FACES OF CONCRETE FOUNDATION.
5. MINIMUM ALLOWABLE BEARING CAPACITY = 71.8 kPa [1500 psf] MATCHES CLASS 3 SOIL PER IBC
6. DRAWING NOT TO SCALE.



UGE - SANYA 9M TOWER - PLAN VIEW



UGE - SANYA 9M TOWER - SECTION

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PREPARED FOR:

CUSTOMER USE

DATE: 11/20/2012

DRAFTED BY: SVP

CHECKED BY: SVP

PROJECT:

UGE - SANYA SLS STREETLAMP

DRAWING #

UGE-SLS-F900

REVISION:

03

DRAWING TITLE:

UGE - SANYA SLS STREETLAMP - FOOTING



Urban Green Energy

330 West 38th Street, Suite 1103, NY, 10018 USA

PHONE: (917) 720-5685

www.urbangreenenergy.com



Technical Documentation

Drawing for Sanya SLS 9m Tower

Document Number (s): UGE-SLS-T9-001

Original Date: September 5th, 2012

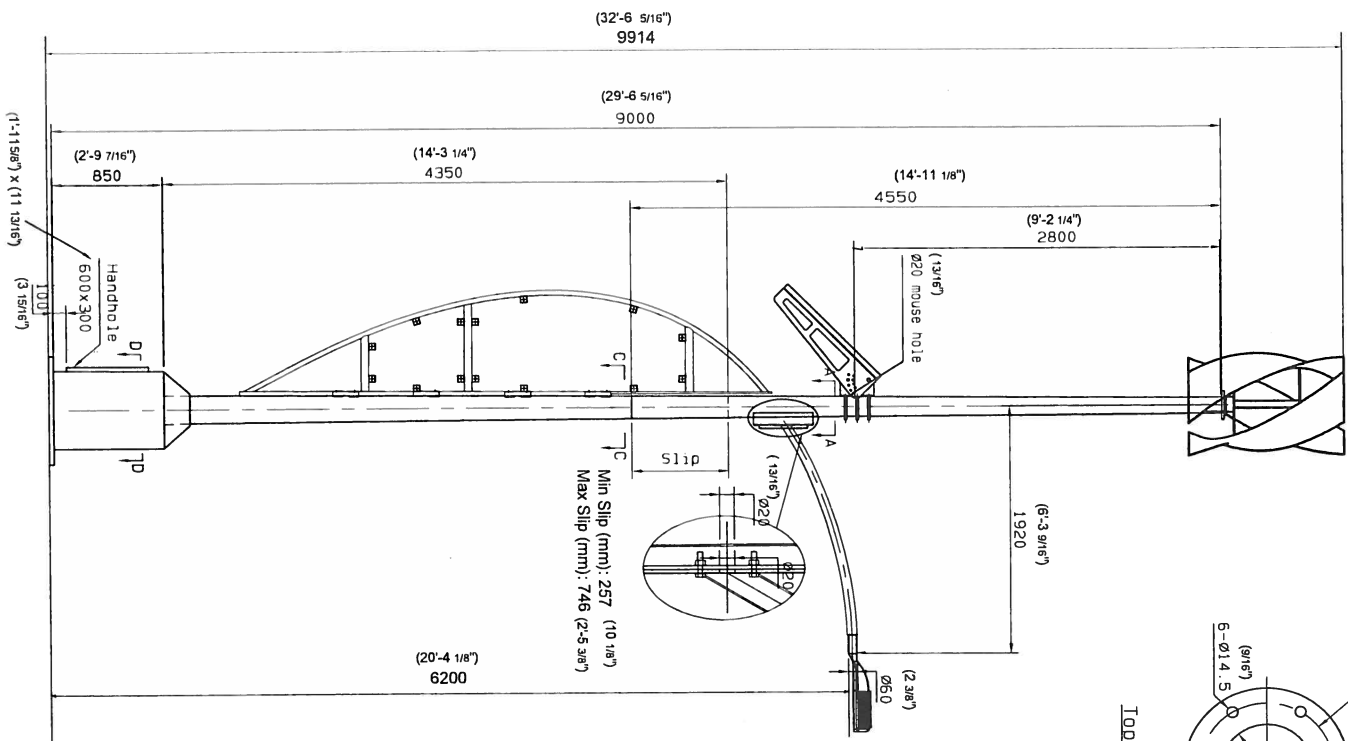
Revised On: August 13th, 2013

Version: 1.3

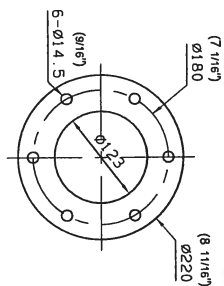
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Checked by: JATG

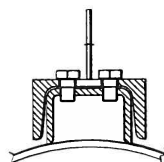
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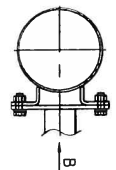
TOP Flange



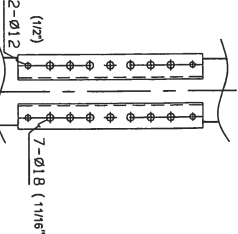
C-C detail



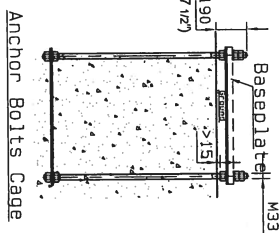
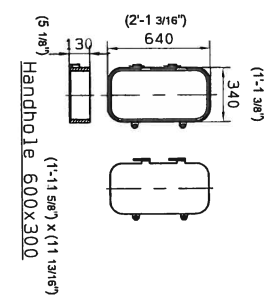
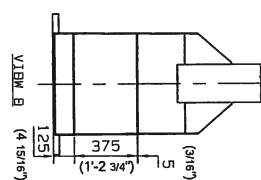
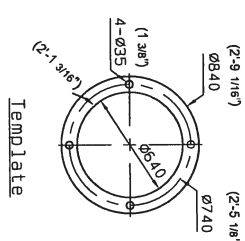
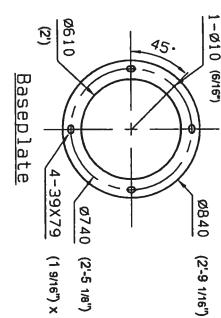
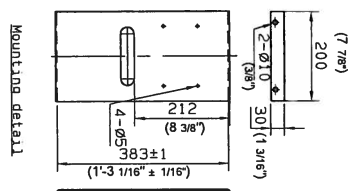
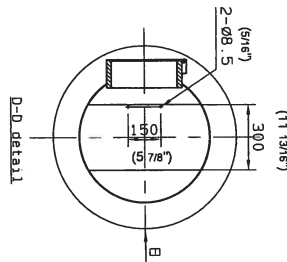
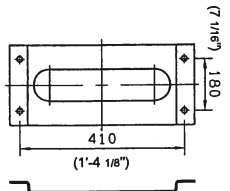
A-A detail



View B



COVER



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PROJECT	DRAWING #	REVISION
UGE TOWER DESIGN	UGE-SLS-9	03
DRAWING TITLE: UGE SANYA SLS TOWER DESIGN DRAWING		





Technical Documentation

Sanya-SLS Standard Tower Footing

Document Number (s): UGE-SLS-F900-001

Original Date: December 18, 2012

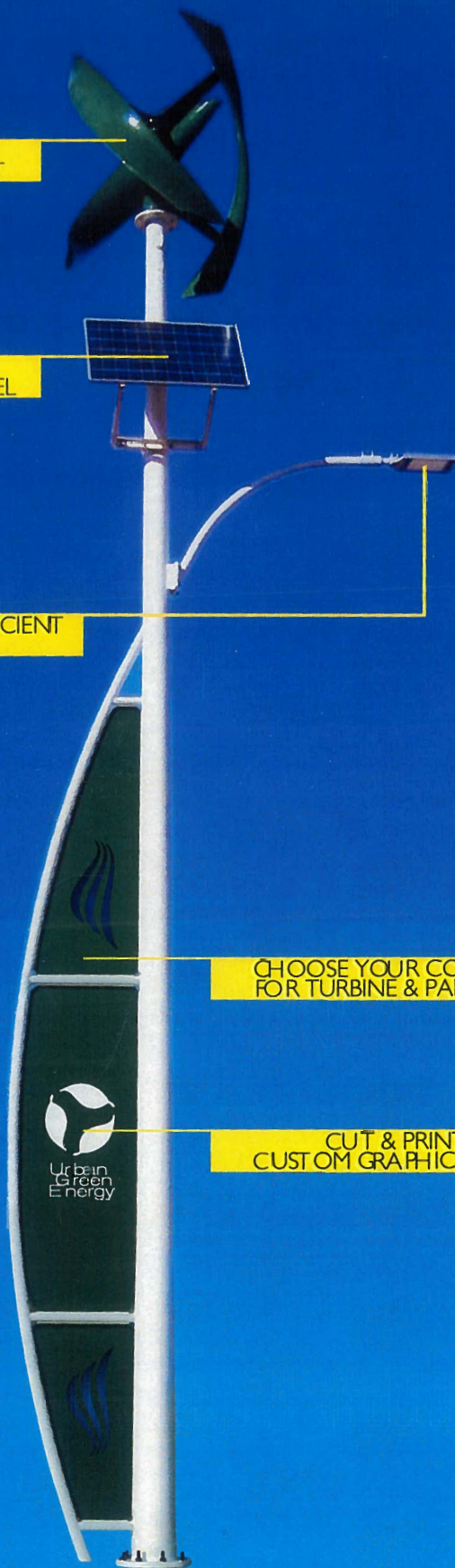
Revised On:

Version: 1.0

Completed by: SVP

Checked by: MC

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WIND ENERGY

Turbine	UGE-600 VAWT
Rated output	600W
Rated windspeed	12 m/s (27 mph)

SOLAR POWER

Rated panel output	150W
Dimensions	1.18X0.99 m (3.87X3.25 ft)

LED LIGHT

Wattage	77W
Number of Lights	1
Height from ground	8 m (26 ft)
Lumens	6930
LED voltage (DC)	24V

POST

Material	Steel
Finish	Powder Coated
Height	10 m (33 ft)

CONTROL SYSTEM

Controller	UGE-600h
------------	----------

BATTERIES

Capacity (Ah) - 5 day storage	125
Capacity (Ah) - 7 day storage	175

CHOOSE YOUR COLOR
FOR TURBINE & PANEL

CUT & PRINT
CUSTOM GRAPHICS



Urban GreenEnergy

Designed at our home in New York City, USA
Find out more at www.urbangreenenergy.com
or contact us at info@urbangreenenergy.com



REDEFINE NATURAL

At Urban Green Energy we have always looked to brighten your day by providing innovative products for a more sustainable future. With our new hybrid wind and solar powered street lamp we're looking to brighten your night as well!

The

SANYA HYBRID STREET LAMP

Sanya redefines the meaning of natural light. Our environment produces vast amounts of natural energy. Let's show our environment we care - give a little back to nature, reduce the usage of fossil fuels, save money, or do all simultaneously with Sanya.

With the UGE Sanya street lamp, installation is always quick and affordable. It's as easy as pouring a foundation, assembling the system, and flipping the switch! The Sanya is ideal for a variety of applications, such as roads, resorts, bridges, and parking lots.

Rather than offering only one design option, we will customize your hybrid wind/solar street lamp to fit your application. Custom logos and designs can be added to the Sanya to create a powerful marketing tool for your company.

Contact one of our representatives today to discuss how Sanya can work for you!



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

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Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum 14-175

TO: Mayor Wythe and Homer City Council

FROM: Walt Wrede

Date: November 24, 2014

SUBJECT: Natural Gas Distribution System

STATUS REPORT

HOMER NATURAL GAS DISTRIBUTION SYSTEM SPECIAL ASSESSMENT DISTRICT

Introduction / Background

The Homer Natural Gas Distribution System project has a history of public discussion and Council action that goes back to 2009 when the possibility of a gas line extending to Homer from the North Fork looked more and more realistic. I will not attempt to rehash all of that history here, but it did seem useful to highlight the significant Council actions that got us to where we are today.

- When it adopted Resolution 12-069, the City Council initiated a Natural Gas Distribution System Special Assessment District. The Resolution contained a finding that all parcels of real property would be assessed equally because they would be provided access to gas.
- Resolution 12-081 contained and endorsed an improvement plan for the Special Assessment District. The plan included a per-lot assessment estimated to be \$3,283.30. This amount was a preliminary estimate and was subject to adjustment based upon the City's actual costs incurred for the improvement and the number of parcels on the final assessment roll.
- Ordinance 12-46 appropriated \$50,165 for the first round of assessment district administrative costs and for public outreach and education. The funds were to be recovered later through property assessments.
- Ordinance 13-02 formally created the Homer Natural Gas Distribution System Special Assessment District.
- Ordinance 13-03 (S) (2) authorized the City to issue Natural Gas Distribution System Special Assessment Bonds in an amount not to exceed \$12,700,00 to finance the project.

- Ordinance 13-09 appropriated funds in the amount of \$539,368 for administration and direct services provided in support of the assessment district and established a project budget. The funds were to be recovered over ten years through property assessments.
- Resolution 13-017 (S) authorized and approved a construction contract between the City of Homer and Enstar Natural Gas Company in an amount not to exceed \$12,160,632.

Construction Summary

The gas distribution system construction project was completed in two seasons. This is impressive because there were many knowledgeable and experienced parties who were skeptical that a job of this size and scope could be done in two seasons. The original plan was for the “Core Area” in downtown to be constructed in 2013 and the East End, Spit, and Bluff areas to be completed in 2014. The warm winter in 2013-2014 enabled the contractors to accelerate the schedule and work on the Spit was completed during the winter months. Work in parts of the West Hill area began earlier in the season than originally anticipated.

The end result was that the entire project was completed several months early. Again, we cannot say enough about the contractors who worked for Enstar. They did an excellent job and responded quickly to City or citizen inquiries. Enstar, the contractors, and the City staff worked very well together and coordinated their efforts toward a common goal. Problems were resolved quickly and efficiently. Our early concerns about traffic disruptions, dust, property owner complaints, and general public inconvenience did not materialize except for a very few isolated incidents. In summary, the project went about as smoothly as anyone could have hoped for.

The contract between the City and Enstar contained a preliminary estimate that the project would consist of 392,000 linear feet or 74.24 miles of pipe. Those numbers were refined later when the engineered / design plan was completed in preparation for the bidding process. The designed plans called for 377,054 linear feet or 71.41 miles of pipe. The final constructed / installed number is 375,835 linear feet or 71.18 miles of pipe.

There are many reasons for the differences between the estimates in the contract, the engineered plans, and the final construction numbers. First, estimates became much more precise as Enstar moved from the preliminary drawings used for project planning and contract discussion purposes to the engineered, bid ready documents used later. Most of the adjustments were mutually agreed upon. For example, there were instances where the alignment of a section of pipe was changed because a more direct and shorter route was identified. There were times where it was decided not to construct sections of pipe that were in the original design because the right of way was not cleared or constructed, there were no other utilities present, no structures to be served, and construction would have been expensive with little or no benefit. There were instances where pipe was eliminated because all of the adjacent lots could be served from different directions and the pipe was redundant (Poopdeck ROW). There were also instances where additional pipe was installed due to unforeseen circumstances such as the Enstar’s inability to obtain easements.

One of the major reasons this project went far more smoothly than anyone anticipated was the fact that much more of the project was “bored” than the design or bid documents anticipated. Boring costs are significantly more per unit than “trenching”. The original design and cost estimate

anticipated that boring would only be used to avoid or mitigate damage to sensitive areas like streams, wetlands, or steep trenches. It would also be used in downtown areas where there would be potential conflicts with other utilities or infrastructure and/or restoration costs (pavement, sidewalks) would be high if trenching were employed. In short, the plan was to trench as much as possible to keep costs and ultimately assessments as low as possible.

The project design and bid documents called for 7.8 miles or 10% of the project to be bored and 64.33 miles or 90% of the project to be trenched. In the end, 46.02 miles or 65% of the pipe was installed using boring technology and 25.16 miles or 35% was installed by trenching. As you can see, this is a significant difference. There are a number of reasons for this. They include:

- Preliminary engineering and fieldwork, conducted mostly in winter and without the benefit of field locates, did not anticipate or identify all of the areas where boring was preferred or necessary.
- Most of the decisions to bore were made independently by the contractors because they found it to be in their best interest to do so. For example, UTI received a discount on the normal per unit cost of boring in year one because of the anticipated volume of work. Other times contractors determined that it was cheaper and easier to bore because they could avoid permitting, mitigation, and restoration costs that might be associated with trenching. In all cases where the contractors decided independently to bore, they were paid the trench price.
- In some cases the City agreed to boring in advance due to special circumstances. For instance, on Kachemak Drive and on Skyline Drive, there were areas where Enstar could only obtain vital easements if it agreed to bore. If we had refused, important gas loops would not have been completed and we would have been left with dead end lines. In addition, a significant number of parcels that were included in the assessment district and whose owners wanted gas would not have been served. We determined it was worth the extra money in those cases.

Property Served

A benefited or served property in the Homer Natural Gas Distribution System Assessment District is defined as a property that has a gas line fronting its property line or one that is close enough, as in the case of a cul-de-sac, to be accessed with a normal service line. The preliminary assessment roll contained 3,855 properties to be assessed. This number was used to calculate the estimated assessment per property. Assessment rolls are often changing and evolving based upon new information and circumstances and this one is no exception. It will likely change several more times between now and the time Council approves the final roll. The Council has already amended the preliminary assessment roll several times by resolution, most recently through adoption of Resolution 14-092-A.

The current, amended roll contains 3,816 properties to be assessed. This is a reduction of 39 properties. This is important to note because 39 fewer properties at an estimated assessment of \$3,283 per property results in a \$128,037 reduction in revenue; revenue that is needed to repay the City's loan. Following is break down of those 39 properties:

- 11 properties were removed from the roll due to lot line vacations which occurred prior to the deadline established by Council.
- 9 properties were exempted from assessment because they were not benefitted. These are properties that are not developable for some reason, pursuant to criteria established by Council resolution.
- 19 properties were excluded from the assessment district because they were not served due to mutual decisions by the City and Enstar (See Construction Summary Above).

As requested by Council, the Planning Department will produce a large map that can be placed on the wall for the next meeting on December 8, 2014. This map will show where the gas lines are constructed, which properties are served, and which properties are either exempted or not served.

Project Cost

The estimated total project cost prior to construction was \$12,700,000. This number includes the not to exceed contract price with Enstar (\$12,160,632) plus the City budgeted administration and direct costs (\$539,368). The news is good with respect to both components of the budget. The final negotiated post construction project cost was \$12,085,632 or \$75,000 below the not to exceed contract amount. The City's costs are \$273,756 or \$265,612 below the approved budget. This figure includes anticipated administrative expenses that will accrue during the next phase of assessment district approval and finalization in 2015.

Therefore, the final project cost is \$12,359,388. This is \$340,612 below the total project budget. So, the news so far is good. The project was completed on time and under budget. An added financial benefit is the fact that the City will not have to draw down as much money on its loan with the Borough as expected.

Condominiums

The preliminary assessment roll included full assessments for each individual condominium unit within a condominium building or complex. Kenneth W. Castner III sued the City (3HO-13-38 CI) and argued that the condominium complex he had an ownership interest in should only receive one assessment for the parcel it was located on. The City argued otherwise based upon the clear language of the relevant statute and second opinions obtained by attorneys experienced in this area of law. The judge ruled in favor of Castner and against the City. The City believes this was a flawed decision for many reasons but decided that on balance, it was not worth the time, effort, and expense to appeal. It is not my intent to rehash this case here.

The judge's decision had the potential to have very significant impacts upon the assessment roll and the assessment amount ultimately paid by the remaining property owners. For example, if the City only levied one assessment per lot for condominium units, approximately 102 properties would be dropped from the assessment roll. One hundred and two properties times the projected per property assessment is \$334,000 in lost revenue needed to repay the Borough loan. This lost revenue and additional cost would have to be shifted to the remaining property owners in the assessment district.

Since the judge rendered his decision, Tom Klinkner and I have spent time weighing the costs and benefits of various alternative approaches to assessing Condos. We have tried to balance the

competing requirements of the judge's decision, the statutes, the desire to achieve a degree of proportionality and fairness for all property owners, and other financial, legal, and political considerations.

A recommendation from Tom on how to proceed with the assessment of condos is attached and Tom will be available to discuss this with you in person at the November 24 meeting. In short, Tom concludes, all things considered, that the City would be best served by issuing one assessment per lot for condo buildings and dividing the assessment by the number of condos in the building. Exceptions to this approach would include condos with individual service lines and/or meters. So for example, in Mr. Castner's case, if we apply one assessment to the property, subtract the separate tax parcels that are owned in common, and divide it by the number of condo units (assuming 5), you wind up with an assessment for each condo of about \$657.00. This approach complies with the law and assigns individual assessments to each condo. Therefore, the assessment roll does not lose 102 properties. However, the bottom line is still the same. Approximately \$334,000 in assessment revenue is lost which will have to be made up somehow. This amount may be reduced somewhat when condos with individual service lines or meters are accounted for.

The discussion in the next section on projected assessments assumes that the Council will accept Tom's recommendation. We understand that may not be the case. If the Council wants to discuss this further in more detail, including legal strategies and the potential legal costs, benefits, and risks associated with other alternatives, I would suggest an executive session soon, before the final assessment roll is produced for public consumption in late January. If Council does not object or question the recommendation, this is the approach the administration will take in preparing the final assessment roll. Remember that Council will still have public hearings on the final roll and the opportunity to hear property owner objections. The Council will have additional opportunities to amend the roll at that time as it sees appropriate before final approval.

Projected Assessments

Following is a chart that shows what the estimated property assessment will be using the new, updated information we have on total project costs and the number of properties to be assessed. Keep in mind that this will likely change slightly before the final roll is produced as new information on individual condos is produced and other information emerges during the public comment and objection period. For information purposes, this chart contains a comparison of the original assessment estimate vs. the current, post project estimate and a comparison of what assessments will be if each individual condo unit receives a full assessment rather than one assessment per lot divided by the number of condos.

Original Cost Estimate: \$12,657,147 (This is the first estimate that was used to calculate estimated assessments)

Final Total Project Cost: \$12,359,388

	<u>Number of Parcels</u>	<u>Assessment</u>	<u>Difference from original</u>
Original Estimate	3855	\$3,283.31	
Condos Fully Assessed	3816	\$3,238.83	-- \$44.48
Condos Assessed Per Lot	3714	\$3,327.78	+ \$44.47

It should be noted that the City will be receiving quarterly Free Main Allowance rebate payments from Enstar for the next ten years. The City receives rebates every time a property owner hooks up to natural gas. The rebate is a way to partially reimburse the City for its initial investment in the distribution system infrastructure. Kachemak City has been receiving rebates that average in the neighborhood of \$800.00 per property. If Enstar's projections on future customers are close to accurate, the City should be receiving Free Main Allowance payments that total \$1.2 Million or more. The Council has talked about applying the FMA toward reducing property assessments. If it does so, the assessment in the end could be less than \$3,000.

Next Steps

Between now and January, the staff will be working on tuning up the final assessment roll and making sure the new assessment software program is operational. The final assessment roll is scheduled to be on the Council agenda the second meeting in January. Once the final roll is introduced, Council will follow the process prescribed in Title 17 of the code. The process will include opportunities for the landowners in the assessment district to object and to point out errors and omissions.

In the interim, it would be good for the Council to consider several other items:

- Confirm and formalize how the FMA payments will be used and allocated.
- Consider a set of recommendations, still to be submitted, regarding SAD code changes that will streamline administration.
- Consider incentives for payment in full. For example, it is my understanding that for Borough USADs, if property owners pay the assessment in full within 60 days of billing, there is no interest charged and no lien against the property is recorded. This works to the advantage of both the City and the property owner.

MEMORANDUM

**TO: WALT WREDE, CITY MANAGER
CITY OF HOMER**

FROM: THOMAS F. KLINKNER

**RE: NATURAL GAS DISTRIBUTION SYSTEM ASSESSMENTS FOR
COMMON INTEREST COMMUNITIES**

FILE NO.: 506,742.205

DATE: NOVEMBER 7, 2014

1. Introduction.

By Resolution 12-069, the Council initiated a natural gas distribution system special assessment district ("District") and found that "the natural gas distribution system will benefit equally all parcels of real property in the City that will receive access to natural gas service ... and that all parcels so benefited should be assessed equally for the cost of the natural gas distribution system." In the improvement plan for the District adopted by Resolution 12-081, the amount of this per-lot assessment was estimated to be \$3,283.30; however this amount is subject to adjustment based on the actual costs incurred by the City for the natural gas distribution system improvements.

In *Castner v. City of Homer*¹ the Superior Court held that levying natural gas distribution system assessments on condominium units in the Kachemak Bay Title Building as though the units were individual parcels would result in assessments that were invalidly disproportionate to the benefit the units would receive from the improvements. The following updates and completes our analysis of the effect of the *Castner* decision on the City's assessment of condominiums for natural gas distribution system improvements.

2. The Assessment of Condominiums

As we have explained previously, the assessment of condominiums is regulated by the Uniform Common Interest Ownership Act, Alaska Statute Chapter 34.08 (the "Act"). A condominium consists of separately owned units each of which holds an

¹ Superior Court No. 3HO-13-38CI.

undivided interest in common elements.² The Act provides for the treatment of units in a condominium as separate parcels of real estate:

(b) In a condominium or planned community,³

(1) if there is a unit owner other than a declarant, each unit that has been created, together with its interest in the common elements, constitutes for all purposes a separate parcel of real estate;

(2) if there is a unit owner other than a declarant, each unit shall be separately taxed and assessed, and a separate tax or assessment may not be rendered against any common elements for which a declarant has reserved no development rights.⁴

On the basis of the rules in AS 34.08.720(b), the City proposed to assess each condominium unit in the District the same per lot assessment amount as other benefited real estate parcels.

3. The Decision in the *Castner* Case

In *Castner*, the Superior Court observed that the City's improvement plan called for all parcels of real property in the District to be assessed an equal amount, regardless of a parcel's use or other characteristics, and that each parcel of real property in the District other than a condominium typically would receive natural gas service through a single service connection to the distribution system.⁵ The Superior Court contrasted this state of affairs with the assessments proposed for property in which Castner owned condominium units:

Kachemak Bay Title Building is located within the city limits of Homer, and is comprised of five condominium units and a 30% ownership of all common property associated with the units. The plaintiff owns [interests in] three condominium units located in the Kachemak Bay Title

² AS 34.08.990(8). Common elements consist of the exterior walls and structural elements of a multi-unit building, shared interior facilities such as lobbies and elevators, and exterior areas used for such purposes as parking and landscaping.

³ A planned community typically consists of separately owned units with common elements owned by an association. A subdivision of single family dwellings with common open space owned by a homeowners' association would be a planned community.

⁴ AS 34.08.720(b). These rules in apply "if there is a unit owner other than the declarant." "Declarant" refers to the developer of the condominium project. Thus, the rules in AS 34.08.720(b) apply from the time that the developer of a condominium project has sold at least one unit in the project.

⁵ Memorandum Decision and Order dated January 8, 2014 ("Order"), 9.

Building. ... The City of Homer included the Kachemak Bay Title Building's five condominium units, the lot on which the building is located, and the parking area within the gas improvement district and assessed each "property" \$3,283.30 for the benefit they would receive by the gas line. In sum, the Kachemak Bay Title Building parcel is being assessed nine times for a total of \$29,549.70, which includes the plaintiff's assessed costs of \$9,849.90.

Thus, the Superior Court found that although the Kachemak Bay Title Building received natural gas service through a single service connection, it was subject to nine separate assessments.⁶

In its analysis, the Superior Court relied heavily on a Wisconsin court decision that each property receiving sewer service through an individual service connection should be assessed equally, regardless of whether the property was owned singly or in separate condominium units:

The Wisconsin Supreme Court noted that "other lots that [had] multiple habitable units and were provided access to the sewer main through one four-inch stub to the lot were charged only one availability charge. Yet the Petitioners' lot was assessed an availability charge 18 times higher for the same, single four-inch stub. The court held that assessment costs was [sic] not levied uniformly, because the condominiums were not treated the same as the other lots that received one access stub to connect each lot to the sewer main ...

The court finds the reasoning of the Wisconsin Supreme Court's holding in *Steinbach* to be compelling. First, there is no nexus between the charge to an owner of a "parcel of record" or "lot" who shares access to the gas line through one two-inch high density polyethylene pipe and the City of Homer's cost to provide that access. Second, lots or parcels that have multiple habitable units and leases were provided with the same access to the gas line through one two-inch high density polyethylene pipe to the lot were charged only one assessment charge per lot or parcel. ... Third, there is no showing that each condominium owner received a greater benefit than was provided to other properties affected by the gas line extension.⁷

⁶ Order, 2-3. The reference to nine assessments is based on the City's initial draft assessment roll. The City later found that the division of the Kachemak Bay Title Building property into nine separate tax parcels was incorrect. One difficulty with the *Castner* decision is that the Superior Court did not allow the City to complete the administrative process of correcting this sort of error in the assessment roll for the District. It is unclear whether correction of the assessment roll would have affected the Superior Court's decision.

⁷ Order, 11-12.

On the basis of this analysis, the Superior Court concluded that "[t]he per lot assessment is, however, disproportionate to the benefit conferred upon unit owners as opposed to other assessed properties within the assessment district."⁸

4. The ENSTAR Tariff.

ENSTAR provides service under the terms in its tariff on file with the Regulatory Commission of Alaska. An additional consideration in implementing the *Castner* decision is the ENSTAR tariff provision regarding service connections. The tariff provides for the installation of one service connection and meter connecting ENSTAR's distribution system to each customer. A customer is the person or entity that contracts with ENSTAR for natural gas service. Thus, if there is one service connection to a condominium property, the entire condominium property (or its related homeowners' association) would be the customer. It also is possible that ENSTAR could install a separate service connection and meter for each unit in a condominium, or for each building in a multi-building condominium project. The number of service connections and meters that will be installed in each case is determined by the contractual relationship between ENSTAR and its customer, and not by the City.

5. Assessing Condominiums.

The City could apply the *Castner* decision at various levels of generality. At a minimum, it binds the City in its assessment of *Castner's* condominium property. The City may levy an amount equal to only one per-lot natural gas distribution system assessment against the entire Kachemak Bay Title Building. To do so consistently with the Act, the City should determine the actual number of condominium units in the building, excluding all parts of the property that are properly characterized as common elements, divide the per-lot assessment amount by the number of condominium units, and levy the resulting amount against each of those units.

While the *Castner* decision does not strictly bind the City in assessing condominiums other than the Kachemak Bay Title Building, we recommend that the City apply the same assessment method to any other condominium where more than one unit is served by a single service connection to the natural gas distribution system. If a condominium project consists of only one building that is served by a single service connection, the City should levy assessments against the condominium units in the building in the manner described for the Kachemak Bay Title Building. If a condominium project consists of multiple buildings, each of which is served by its own service connection, the City should allocate a single per-lot assessment to each service connection, divide it by the number of condominium units in the related building, and levy an assessment equal to the resulting amount against each condominium unit in that building. If there is a separate service connection for each unit in a condominium, the City should levy the per-lot assessment amount against that unit.

⁸ Order, 13.

I also recommend that the City adopt the following process in assessing condominiums.

- Correctly correlate the actual elements of the condominium with the Kenai Peninsula Borough's tax assessment records. As the *Castner* case illustrates, the Borough tax assessment records are only a starting point for levying assessments against condominiums. Each tax parcel that corresponds to a condominium unit should be identified as such. Any tax parcel that corresponds only to a common element (open space, parking area, etc.) should be excluded from the assessment roll. In cases where there is doubt about the nature of a tax parcel in a condominium, a review of the recorded declaration for the condominium or an inspection of the condominium property may be required.
- For condominium units currently receiving natural gas service, identify the customer receiving gas service, and the facilities through which gas service is provided. If the customer is an individual unit owner, and the unit receives gas service through a separate service connection and meter, the unit may be treated as a separate lot for assessment purposes. If the customer is a representative of multiple unit owners (such as a homeowners' association), and the units receive gas service through a single service connection and meter, the multiple units receiving service should be treated as a single lot for assessment purposes, as described above.
- For condominium units in the District that do not currently receive natural gas service, the City, with advice from ENSTAR, should determine the manner in which ENSTAR would be most likely to provide service to the condominium. Based on that determination, units in the condominium should be assessed as described above.

Small-town charm, *'End of the Road' ...* *... is the start of something special* big-time venue

By Katie Koester

A picturesque fishing community on the shores of Kachemak Bay, you might know Homer as the location for Discovery Channel's "Alaska: The Last Frontier," or episodes of "The Deadliest Catch" and "Salmon Wars." Homer has the location and logistics to create world-class film. People don't just come to Homer to film, world-renowned filmmakers live and work out of this artistic community.

A beautiful, four-hour drive or 30-minute flight from Anchorage, Homer is known as the end of the road and is full of the charm and scenery only small-town Alaska can provide. A maritime community with an average 140 days of sun a year, Homer is your best bet for convenient marine-based filming in Alaska. A short boat ride can get you up close and personal with sea otters, seabirds, seals, sea lions and sometimes whales. Combined with glaciers, mountains and terrestrial wildlife, Homer makes an extent location for any natural history filming. As the launching point for bear viewing in Katmai National Park, Homer provides a base for productions like the Disney film "Bears" and dozens of other bear-related film and television productions. Homer is the gateway to endless adventures.

In Homer, filmmakers find a scenic seaside small town with the amenities and access film crews need to get their job done. Need to move equipment and copy around quickly? Next day FedEx service makes the filmmaker's job easier — something not necessarily available in places like Southeast Alaska. A local Radio Shack means you can even replace burned-out resistors or transistors. Many local businesses provide basic support to the film industry — comfortable hotels, excellent restaurants, car rentals and charter aircraft, both fixed wing and helicopter. You can even rent horse transportation in Homer, if that is what your script requires. Homer is an eclectic artistic town that appreciates film with



Photo courtesy of Zatzworks
 A Homer-based Zatzworks helicopter with the only Alaska-based 4k Cineflex shoots for National Geographic's "Ultimate Survival."

no municipal permits or red tape to stand in the way of the perfect shot. Perhaps most importantly, in Homer you will find people interested and supportive of the arts.

In addition to national productions filmed in Homer, some of the leading technology in areal cinematography is based here. Zatzworks provides stabilized aerial imagery for television, film and advertising markets, including the Discovery Channel, BBC and national commercial spots. A dedicated helicopter outfitted with a gyro-stabilized Cineflex with Alexa, Dragon or Sony camera means Zatzworks can quickly travel anywhere in Alaska to shoot. As owner Daniel Zatz puts it, "Homer is well-positioned. We can wake up in Homer and be in any corner of the state the same day."

In Homer you will find exceptional scenery, wildlife, amenities and a community that welcomes filmmakers with open arms. Homer is proud of the local talent that calls Homer home and hopes to draw more filmmakers to Alaska's premier small-town maritime filming location.



... Katie Koester is the community and economic development coordinator for the city of Homer.

STATUS REPORT - CAPITAL PROJECTS

City of Homer - Public Works Department – October 2014

The following projects have been completed this year or are under construction:

Homer Natural Gas Main Extensions – The second (and final) year's construction of the gas mains is complete. Gas services are being installed until cold weather stops any trenching efforts.

City Building Conversions to Natural Gas – City buildings served by the second year gas main extensions (Water Treatment Plant and the Restrooms/Harbor Maintenance Shop on the Spit) will be completed this year. Conversions at the water treatment plant are complete; Spit facilities are now being converted. This will complete all conversion authorized by the City Council.



Harbormaster Overslope Construction

Harbormaster's Office Building Replacement – Ground was broken this summer for the new Harbormaster's Office. Currently the building enclosure is being completed, which will allow the interior work to be completed this winter. Site work, including paving, will be completed this year. Art work has been selected and artists have received their notice to proceed. Grand Opening – May, 2015.

have been completed. This coming spring, System 4 improvements will be installed. The work provides improved floats in the Small Boat Harbor, including A, J, R, and S float replacement and utility improvements (on the west side of the harbor); and System 4 improvements including portions of AAA float and HH and JJ float replacement with utility improvements (on the east side). All work will be complete by Summer 2015.

Harbor Float Replacement – This project, is funded 50% by State grant; 50% by City bond proceeds, bid this Spring; material arrived in August and much of the improvements planned for the west side of the harbor



New Floats in Storage

Ramp 3 Replacement – The project is also funded 50% by State grant; 50% by City bond proceeds. The work consists of the removal of the existing approach trestle and ramp and construction of a new shorted trestle and longer covered ramp. This work is now substantially complete.



New Ramp 3 Being Installed

System 5 Electrical Improvements – The project is funded 50% by State grant; 50% by City bond proceeds. The work provides improved water and electrical service to the large commercial vessels that moor at this facility. This improvement will provide more dependable connections.



New Electrical Pedestal

DWD Trail/Cruise Ship Bus Staging Area – This work is funded by cruise ship passenger head tax revenues. The work is substantially complete and consists of improvements at the Deepwater Dock approach, including staging area striping and signage; and paving of a trail from the staging area, along the east side of the small boat harbor, past the load and launch ramp to Homer Spit Road. Also included in this project are timber overlooks, benches, perimeter banners, interpretive signing and 1% for art installations. A restroom, guard shack and shelter were constructed last year at the Deepwater Dock approach.

STATUS REPORT - CAPITAL PROJECTS

Spit Trail Extension –This work is also funded by cruise ship passenger head tax revenues (but provided through ADOT). The work is substantially complete and consists of improvements to the End of the Road Park, including parking area paving, striping and signage; and paving of a trail from the Park, back toward the Small Boat Harbor and along the east side of the small boat harbor to the Freight Dock Road/ Homer Spit Road intersection. Also included in this project are timber overlooks, benches, perimeter banners, interpretive signing and 1% for art installations. A restroom was constructed last year at the End of the Road Park.



Overlook near the Fish Dock



New Spit Boardwalk

Spit Trail Boardwalk Replacement Project – This project was completed early this summer and consists of replacing the wooden boardwalk along the Small Boat Harbor between Ramp 1 and 3. The new boardwalk is wider than the old one; and includes overlooks with picnic tables and benches. This work is funded by cruise ship passenger head tax revenues provided through ADOT.

Coal Point Trail - This work is funded by cruise ship passenger head tax revenues. The work is substantially complete and consists of paving of a trail from Homer Spit Road (near the Ice Dock Road intersection) over to the Bay; along the Bay (near the Small Boat Harbor entrance) to Coal Point Park. Also included in this project is interpretive signing. Riprap shore protection installed last year along the trail alignment allowed for permanent trail improvements to be constructed and erosion of the beach was eliminated.



Harbor Entrance Shore Protection Improvements –This shore protection will solve shore erosion problem and allow for the Coal Point Trail to be constructed (providing access from the proposed Spit Trail to Coal Point Park). This work is funded by cruise ship passenger head tax revenues provided through ADOT.



City Beautification Project – The Parks and Recreation Department has again this year provided thousands of plants for City flower beds and local business barrels and planting areas.

Skyline Satellite Fire Station – The new fire station, located at the Water Treatment Plant, is substantially complete. The new building includes four vehicle storage bays, and a small office and restroom. This year there will be no fire-fighting equipment stored outside and all equipment will be ready to respond to any emergency.



New Skyline Station

Karen Hornaday Park Shelter Relocation –This work was completed early this summer and consisted of moving the old shelter to a new foundation in between the ball fields. This work was the initial effort associated with Phase II of the current Park improvement projects.



Relocated Shelter

Karen Hornaday Park Campground/Trail Improvements – This project is funded by a Land and Water Conservation Fund grant, with a 50% match requirement, represents the second phase of the current Park improvement projects. The project is substantially complete. The project consists of constructing a looped trail around the back of the first upper ball field, providing access for maintenance equipment and pedestrians to the second upper

STATUS REPORT - CAPITAL PROJECTS

ball field and the relocated shelter. The project also consists of providing improvements to the campground – completing drainage improvements, capping all access roads with gravel, capping all camping parking spaces, improving campgrounds one and two to meet ADA requirements, and providing electrical service to the campground host site.

Sewer Treatment Plant Headworks Intake Screen Replacement – The original treatment plant headworks (screening and solids removal at the beginning of the sewer treatment process) upgrade was completed this year to facilitate better treatment and replace aging equipment.

Airport Underground Fuel Tank Removal – Completing the conversion of the airport terminal to natural gas was the removal of the underground fuel tank that previously served the facility. Removal of underground tanks eliminates the potential liability associated with operating underground tanks and the potential for groundwater contamination.



Airport Tank Removed



Beluga Slough Sign

Beluga Slough Trail Interpretive Signing – Six interpretive signs were placed along the Beluga Slough Trail. These signs reflect the poetry of Wendy Erd, writer and story facilitator, and provide the trail user with inspiration and education about the wetland environment of the slough, and the plants and wildlife that make it home. The last portion of plastic trail is scheduled to be replaced next spring

Old Town Pedestrian Improvements – This project is complete and consisted of restriping Bunnell Avenue (from Main to Beluga Place) to narrow vehicle lanes, provide for a pedestrian walkway along the south side of the street; installation of 15 MPH speed limit signs; paint crosswalks at three locations (with signage); pave the Bishop's Beach parking lot; and construct a portion of trail along Charles Way. The intent of this project was to slow vehicular traffic and provides safer pedestrian access in the Old Town area.



Bunnell St. Safety Improvements

Bishop's Beach Parking Lot Paving – This trailhead parking lot was paved using Homer Accelerated Roads and Trails Program (HART) funds. The improvements increased the convenience of beach access, reduced maintenance, and increased parking efficiency.



Bishop's Beach Parking Pavement



Charles Way Trail Connection

Charles Way Trail Improvement – a short section of trail, connecting access improvements already in place to the Beluga Place right-of-way (near the Bishop's Beach Park) was connected to increase pedestrian access in the Old Town neighborhood.

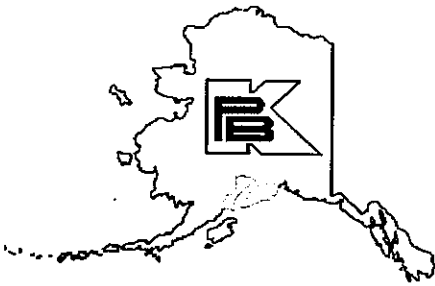
STATUS REPORT - CAPITAL PROJECTS

The following projects were designed this summer:

New Water Storage Tank
Shellfish Water Main Extension
Kachemak Drive (Phase III) Water Main Extension
Homer Spit Cast Iron Water Main Replacement
PRV Replacement/Micro Hydro Turbine Installation
Seafarer's Memorial Parking Lot

The design of the following projects is anticipated to begin soon:

Feasibility Study – Deep Water Dock Expansion
Homer Spit Barge Haul Out Facility
Chip Pad Runoff Water Quality Improvements



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**

October 29, 2014

NOTICE OF DECISION KENAI PENINSULA BOROUGH PLANNING COMMISSION

MEETING OF OCTOBER 27, 2014

RE: Section Line Easement Vacation Plat with Dierich Addition Lot 4B-1 Time Extension Request

During their regularly scheduled meeting of October 27, 2014, the Kenai Peninsula Borough Planning Commission granted approval of the subject time extension for four years through October 27, 2018. Draft, unapproved minutes of the pertinent portion of the meeting are attached.

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

This notice and unapproved minutes were sent October 29, 2014 to:

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

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

Survey Firm: Roger W. Imhoff, RLS
PO Box 2588
Homer, AK 99603

Subdivider / Petitioner: Douglas & Sandra Stark
2073 Horizon Ct.
Homer, AK 99603-9300

KPB File Number: 2010-172



AGENDA ITEM C. CONSENT AGENDA

*1. Time Extension Request

- b. SLE Vacation Assoc. with Dierich Addn. Lot 4B-1
 KPB File 2010-172 & 2010-177; Imhoff/Stark
 Location: City of Homer

STAFF REPORT

PC Meeting: 10/27/2014

This subdivision was approved on November 8, 2010, and approval was valid through November 8, 2014.

The DNR Survey Section approved a partial vacation, but did not grant the same vacation width as petitioned by the owners (DNR approved narrower than petitioned).

The surveyor and owners believe that the DNR acted improperly and they appealed the decision to the DNR Commissioners Office on November 11, 2013. In a letter dated January 9, 2013, the Commissioner's Office agreed to review our appeal. It has been almost 2 years and still not received any decision from the Commissioner's Office.

On behalf of the owner the surveyor is requesting a 4-year time extension on September 29, 2014.

There have been no changes in the area except the new preliminary for Quiet Creek Park and the final plat for J Waddell Homestead.

STAFF RECOMMENDATIONS: Extend preliminary plat approval for four-years, through October 27, 2018, subject to the following:

1. Copy of plat with a current utility review being submitted with the final plat.
2. Plat must comply with any subsequent changes to Kenai Peninsula Borough Code up to February 11, 2014.

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

END OF STAFF REPORT

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

AGENDA ITEM C. CONSENT AGENDA

*1. Time Extension Request for the Transportation Utility Corridor Vacation Approval

- c. Widgeon Woods Phase Two
 KPB File 2012-037; Integrity / KPB, Lane, CIRI
 Location: Off Ciechanski Road in Kenai

STAFF REPORT

PC Meeting: 10/27/14

The Planning Commission granted a two-year approval of the vacation of portions of the 60-foot Transportation Utility Corridor on October 22, 2012. The Planning Commission did not meet on October 13 so this item had to be scheduled for the October 27 meeting, which is 5 days after the vacation approval expires.