

MEMORANDUM

TO: Homer Planning Commission
FROM: Janette Keiser, PE
DATE: July 16, 2025
RE: Comments Regarding Special Use Standards

I have reviewed Stantec's recommendations relating to Special Use Standards, offered at this July 16th Planning Commission Meeting and have the following comments:

1. General PUD standards, Chapter 21.52

- a. Need to improve the definition of a PUD. I never understood what it actually was.
 - i. The definition in Chapter 21.03 is currently different than the definition in Chapter 21.52. You need to fix this.
- b. A permit for a PUD comes with a lot of discretionary judgement, which is appropriate for this discretionary use. Thus, you need to keep it within the CUP process.
- c. The PUD standards should address sidewalk connectivity and storm water, particularly green infrastructure.

2. Multi-family

- a. Should address stormwater (especially green infrastructure)
- b. New standards should include provisions for sidewalks, stormwater (especially green infrastructure)

3. Assembly, Chapter 21.56

- a. I don't know why there needs to be a minimum lot size for this use. Lot size should be governed by the zoning and the use.

4. Large retail, Chapter 21.57

- a. Consultant's Recommendation is to delete the citizen participation element required for this use because the standards for other CUPs don't have such a requirement. While that may be true, there's a reason for it. The existing code specifies the intent of Chapter 21.57 is to "ensure that large store development has a quality that enhances the character of Homer and does not overwhelm its surroundings." Chapter 21.57(a). And this section goes on to talk about the "substantial [negative] impacts" than can affect communities such as noise, traffic, community character, environment and the local economy. Further, this chapter is to be "used to evaluate and assess the quality and design of proposed

large store developments...” Chapter 21.57.020(b). These are intangible issues that the other chapters relating to land use don’t have. You need citizen participation to help you address these issues and achieve the objectives of this chapter.

- b. Consultant’s Recommendation is to remove requirement for community & economic impact report because it is difficult to assess and requirements should be the same as other CUP. Again, this is not just any other CUP. These additional requirements were put in place to achieve the objectives of Chapter 21.57, including the objective related to the “local economy”. Before you lower the standards, you need to evaluate whether the triggering objectives are still applicable.
- c. Consultant’s Recommendation is to “*ensure that all approval criteria are objective...*” The nature of this use is to achieve subjective objectives. Thus, it is necessary to have some subjective approval criteria. Again, if you want to standardize the standards for this use, you need to address the objectives.
- d. Should address storm water management, particularly green infrastructure.
- e. Should address special transportation needs, such as loading zones for taxis and transit as well as pedestrian circulation.

- 5. Townhouse – Definition says a townhouse is “*a building on its own separate lot containing one dwelling unit that occupies space from the ground to the roof and is attached to one or more other townhouse dwelling units by at least one common wall*” Chapter 21.03 Definitions.

- a. Existing standards have a provision for open space, which should be preserved.
 - b. Should address stormwater (especially green infrastructure)

6. Outdoor Storage

You need to be clear about when “outdoor storage” becomes “junk”.

- 7. Off-site impacts (nuisances), Chapter 21.59.
 - a. Need to prohibit adverse impacts from stormwater and other drainage.
 - b. Need to include water and soil pollutants spilling onto adjacent property
 - c. Need to include “junk”. Current definition says it’s junk if it cannot, “*without further alternation or reconditioning, be used for their original purpose.*” I would like to see this expanded; that is, if a stockpiled item hasn’t been used within 5 years, it is junk.
 - d. Need to limit time which a nuisance or non-conforming use is allowed by grandfathered right.

8. Hotels, Motels, Lodging related commercial uses. MC Districts are supposed to be limited for water or Should not be permitted outright in MC districts
9. Auto Fueling Stations do they mean permitted within in GBD or CB
10. Auto Repair should not be permitted in same place as Auto Fueling stations because they look different. Auto Fueling stations don't have vehicle storage.
11. Drinking establishments should not be permitted outright in Marine Commercial for same reason Hotels shouldn't be permitted outright.
12. Multi-family What is RO? Should be a CUP. Multi-family in industrial and commercial areas should be limited to worker housing and/or owner/manager occupied.
13. Construction Camps should have standards & limited to worker housing.