



City of Homer

www.cityofhomer-ak.gov

Planning

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Memorandum

Agenda Changes/Supplemental Packet

TO: PLANNING COMMISSION
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK
DATE: APRIL 20, 2022
SUBJECT: SUPPLEMENTAL PACKET

PUBLIC HEARINGS

- A. Staff Report 22-28, Rezone of a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District

Public Comment Received pg 3 - 20


PENDING BUSINESS

- A. Planning Commission Regular Meeting Minutes of March 2, 2022 Amended

Excerpt from the Planning Commission Regular Meeting Minutes of March 16, 2022 pg 21

RECEIVED

APR 15 2022

To: City of Homer Planning Commission
Fr: Jon Faulkner, resident Hillside Acres. 
Re: Hillside Acres Proposed Zoning Amendment
Date: 4/11/22

CITY OF HOMER PLANNING/ZONING

Dear Planning Commission:

As a 35-year resident of Homer and of my current residence at 4621 West Hill Rd (Lot 2A Hillside acres Sub) I am writing to register objection to the city's initiative to rezone Hillside Acres from rural Residential to Urban Residential. My grounds for objection are numerous, as follows.

- 1) Any re-zoning of land effects the manner in which land and improvements can be developed or used. It is widely held that re-zoning affects land values, and whether the impact is positive or negative can be subjective, and yet entering a factual finding into the record on this topic is critical.
 - a. A finding that land values are negatively impacted by the proposed change in zoning should be considered a form of "taking" of private property.
 - b. A finding that land values are positively impacted will likely result in increased assessed values and annual taxes due. Thus, even an increase in land value is often detrimental to the interests of long-term residents and retirees.
 - c. My testimony is that re-zoning Hillside acres will negatively impact land values; negatively impact my quality of life and my quiet enjoyment of Lot 2A Hillside Acres.
- 2) There is a plethora of development standards codified in municipal standards that a private sector developer contemplating subdivision of this magnitude would need to comply with—PRIOR TO receiving the grant. These would include, at a minimum: Traffic impact studies; uniform standards for road and sidewalk improvements; drainage and easements for same obtained; public water pressure standards met (presently below city minimums at 25 psi); utility and access easements designed and obtained; steep slope stabilization—the list is long. The petitioner—the City of Homer—cannot guarantee the standards of its own ordinances will be met to any uniform condition or timeframe, since subdivision is an individual election.
 - a. The basic requirement to disclose who will pay for such improvements in advance of a re-zone must be met by the petitioner.
 - b. Future subdivision of lots cannot be coordinated and timed by a single entity, as with normal subdivision by a developer. Therefore, undisclosed or undetermined development costs will be absorbed by the subdivider, erasing the benefits of subdivision.
 - c. The historic and tragic cycle of "forced to sell or subdivide just to afford what I have" seems a likely consequence.
- 3) During a typical re-zone application, the municipal entity attaches conditions on the developer which are intended to offset negative impacts and financial liabilities resulting from the re-zone. These impacts are typically absorbed by a private developer as the entity who stands to gain

from the re-zone. Here this dynamic is reversed. The city of Homer is the petitioner who stands to gain, and yet has placed no development conditions on itself, and contemplates shifting costs to subdividers or homeowners.

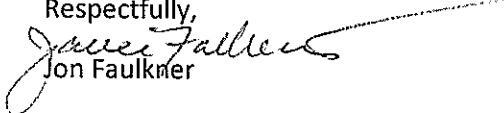
- a. For a private developer, recourse for failure to perform permit conditions carries punitive measures. Here, is there recourse for impacted residents if the City fails to perform?
 - b. In this instance, findings must be generated which not only protect those directly impacted, but which also protect the public at large against hidden or undisclosed liabilities that typically would be absorbed by a private entity.
 - c. Since municipal entities are shielded from civil liability in most matters, recourse for failure to perform is largely absent.
- 4) Factual findings which support the need for the re-zone need to be documented, as do any findings which undermine or refute that need.
 - a. With respect to the attached Proposed Zoning Amendment, the impetus is not coming from private interests or those directly impacted, but rather from a government subdivision acting on behalf of the public at large.
 - b. "Homer's population is growing" may be true, but in itself does not support a finding that a rezone in the Hillside Acres Subdivision (Petition area) is necessary or desirable at this time. Quite the contrary, it appears the current zoning and rural composition of the area is what is driving most housing demand and growth in population.
 - c. Other than vague reference to universal needs such as "affordable housing", my testimony is that there is no evidence on the record to justify re-zoning Hillside Acres.
 - d. My testimony is further that the existing character of Hillside Acres is precisely why I choose to live here.
- 5) The geographic area of the Proposed Re-zone area strangely mirrors the 2002 LID district. This makes practical sense, however, the public record confirms (Resolution 06-105 and public notices for same) that the LID was formed absent any hint or understanding that the LID would be used to justify or promote re-subdivision or re-zoning by the City.
 - a. There is no evidence in the public record to support the view that the Hillside acres LID has in any way been a financial burden shouldered by Homer taxpayers at large.
- 6) Whenever the interests of the many (public at large) are invoked to justify an action imposed on the few (directly impacted residents) precautions must be taken to guard against infringement of private property rights. In this context, the petitioner (the city) is equally obliged to represent the interests of private property owners as they are those of the public-- which presents a conflict of interest.
 - a. At a minimum, in virtually every forum, a perceived or potential conflict of interest requires the entity to disclose it. My testimony is that in this instance there is a strong likelihood of a conflict, that the standards applying to government should be higher—not lower—than for volunteer members of boards and commissions—and that the governing body of Homer should rule on how to conduct itself in this matter.
 - b. A conflict of interest in most forums is determined by financial loss or gain.

- i. It is generally held that municipal initiatives are implemented for gain of some public purpose or nature. But it is also true that costs for these initiatives be fairly apportioned and voted upon. Here, my testimony is that the City of Homer has a substantial financial interest in the outcome of this petition, and that the “vote” to assess and apportion costs consists of only 4-5 people, (Planning Commissioners).
 - c. At a minimum, there is a legal standard in these matters that the Municipal entity is obliged to observe.
 - i. What is the legal standard that exists for Municipal entities to originate a re-zone petition from which they stand to gain? This standard must be openly disclosed and in the public record.
 - ii. I am requesting the Planning Commission solicit from legal counsel the likely legal standard that would prevail in a Municipal-initiated rezone request such as this, with some reference to case law. This is not “advocacy based” legal advice, and hence appropriate to gain transparency and foresight.
- 7) Findings of fact are present in any ruling on a proposed zoning amendment. When such a proposal originates from a municipal entity, those findings must be published for residents to see and challenge in advance---just as they would be when a private entity is contemplating re-zone. In fact, just as my comments are required to be submitted timely for all parties to consider.
 - a. Presently, I am not aware of any directly impacted homeowners on record in support of this Proposed Zoning Amendment. Nor am I aware of any findings by the Planning Department justifying the action--other than the finding that this Amendment is consistent with the 2018 City of Homer Comprehensive Plan.
- 8) The character of land fronting on Sterling Highway is markedly different than interior lots insulated from the traffic, noise, and visual disturbance associated with a major arterial. The Proposed Zoning Amendment makes no attempt to distinguish between affected properties based on their amenities: their topography, views, access, proximity to neighbors and to permanent features like schools.
 - a. There is no finding on the record as to why West Hill Elementary School is included in the proposed area to be re-zoned. Similarly, the 5-acre Myhill tract south of Hillside Place has a permanent deed restriction against it, prohibiting subdivision. There is no purpose to including these. These two tracts alone appear to comprise over 15% of the proposed area for re-zone.
 - b. Presumably, some lots within the proposed area are too small to subdivide. Does any finding exist as to how many lots within the Proposed Zoning Amendment fit this description, thereby contributing to the amount of gross acreage ineligible for subdivision or added density?
- 9) The 2018 City of Homer Comprehensive Plan is not binding on the impacted homeowners in the matter of a re-zone. At best, it is a recommendation to future Commissions. Secondly a “Comp Plan” does not reflect the views—let alone the consensus—of those directly impacted.

Therefore, the City should be careful not to present the Comp Plan as evidence of broad consensus, or having any binding affect on a re-zone petition.

- a. How effective is the 2018 Comprehensive Plan as a communication tool? My wife and I live here year-round, are civically engaged, and yet we had no idea the Comp Plan contained this objective. My testimony is that, based on my communication with six neighbors, none knew.
- 10) Notice to the community via publication of a Comprehensive Plan does not equate to consent by those directly impacted. Notice itself, or implied "non-objection" from their silence, is not the standard this community should adopt in these matters, in spite of the fact it is widely used as an expedient.
- 11) An LID was formed in 2001/02 to introduce water and wastewater to Hillside Acres. There was never justification presented by anyone—certainly not the City--that the LID was formed with the intent or purpose to promote smaller lots. On the contrary, serving larger lots is more expensive, and residents were TOLD THIS—and charged accordingly.
 - a. As to "cost recovery", residents paid 50% of the costs. Everyone paid the same assessment. The benefits upon re-zone, however, vary among landowners.
- 12) Zoning is not initiated solely for the benefit of government and its financial and social objectives. It is implemented for many others reasons: to protect the investment of private citizens; to protect private property rights; to promote stability and predictability in real estate values; to protect investments by homeowners and neighboring residents, lenders, investors and other private sector interests. And yes, to protect quality of life and a sense of community touted by urban planners.
 - a. A re-zone petition should not be granted without specific findings as to these conflicting objectives.
- 13) Substantial new home starts are occurring in the area abutting and east of West Hill—roughly 10 in the last 12 months. It is my testimony that sales of these lots and homes could be adversely affected by a full, proactive disclosure of the impacts of this re-zone initiative on these new homeowners. It is further my testimony that the law requires disclosure to all potential homebuyers of any pending or proposed action—including a re-zone petition--affecting real estate.

Thank you for your service to the community of Homer.

Respectfully,

Jon Faulkner

RECEIVED

APR 15 2022

To: City of Homer Planning Commission
From: Sara Faulkner
Re: Hillside Acres Proposed Zoning Amendment
Date: April 14, 2022

CITY OF HOMER
PLANNING/ZONING

I am writing to oppose the proposed zoning change at my residence, 4021 West Hill Road (Lot 2A Hillside Acres Subdivision) from rural residential to urban residential. I have lived at this address for over 32 years and during that time have enjoyed the rural residential neighborhood, and had planned to continue to live in this rural neighborhood of larger lot sizes, embracing the memories, wildlife, and everyday peace of the rural area during the rest of my lifetime.

On our lot we have gardens; a yard on which our kids and neighborhood friends played, sledged, and BBQ'd; streams; a pond for wildlife and skating; and several beehives. As I write this letter I have four moose basking in my front lawn, and several birds playing in the pond. In the summer our neighborhood becomes a bird amphitheater, with the songs echoing across our lot all day long. A miniature owl even lived next door.

At the time that the City of Homer proposed extending water and sewer service into our neighborhood, our neighbors in general were opposed to the added service. However, few residents attended the hearings or voiced their opinions, and thus a smaller few determined that the City would extend water and sewer service into our area. My recollection is that the hearings and vote were during the summer when residents were busy enjoying Alaska's outdoors, and were not attentive to the deadlines. Needless to say, we were never informed that this was the first step to transition our neighborhood from rural residential to urban residential, as was explained to me a couple weeks ago by the City Planner. The notice I received in the mail last month was the first notice I have had regarding this plan to change our zoning. The City has never reached out to us over the years to explain their plan or ask for our input until now. Hopefully it is not too late to put the brakes on this intervention into our peaceful rural lifestyle.

My understanding is that the other property owners adjacent to our property along West Hill also object to the rezoning of our lots (Holimans, Dixons, Johnsons). If the Planning Commission decides to pursue the rezoning, I suggest the City draw a line along West Hill to separate the urban vs rural neighborhoods rather than extending the urban to our area along the west side of West Hill. At a minimum, the lots above Hillside Place should remain rural.

I agree that housing is limited in Homer, and that as a community we have to address this issue. Instead of extending urban creep, the Planning Commission should address our housing shortage by looking at how they are currently managing short term rentals (STRs) in our existing residential neighborhoods. I argue that the explosion of STRs is directly related to Homer's lack of affordable housing, and better registration, regulation, and management of STRs, such as those offered

through 3rd party sites like AirBnB or VRBO, can help relieve this pressure. The majority of these STRs are non-owner occupied businesses operating in residential areas, compromising and eroding neighborhoods. Where is it codified in code where an STR exceeds the limits of a residential definition? At what point does an STR become commercial? The Planning Commission would be more effective at providing affordable housing by writing and regulating zoning codes to limit short term rentals vs long term rentals, which would provide the much needed affordable housing for the members of our community. In addition, the City of Homer needs to work directly with the 3rd party STR sites to collect its fair share of sales tax from the STRs.

In summary, I am opposed to the rezoning of my property from rural residential to urban residential. I suggest that the City of Homer use West Hill as the western boundary of the urban residential, and leave those properties on the west side of West Hill as rural residential. I encourage the City of Homer to better regulate STRs to help alleviate our housing shortage as well as to accurately collect its fair share of sales tax.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Faulkner", with a stylized, cursive script.

Sara Faulkner



HOMER REAL ESTATE

April 19, 2022

City of Homer

Attention: Rick Abboud

Via Email

RE: Rezone proposal for converting fully served Rural Residential Districts to Urban Residential

Dear Rick,

I am writing in my capacity as the Legislative Chair for the Kachemak Board of Realtors.

At our recent quarterly meeting, I presented the information you provided regarding the Planning department proposal to rezone Rural Residential districts which now have full City utilities to Urban Residential.

There was unanimous support for this action. It is very timely given the current growth spurt we are experiencing. The rezone would also open up the possibility for more affordable housing, with smaller lots in the UR district and more importantly, it will encourage the development of more rental units which are in extreme short supply.

This is an example of economic development coupled with realistic planning.

We hope that once this rezone is successful, that the Planning Commission moves on to look at Oscar Munson and Johnson Subdivisions across Beluga Lake, an east to Mariner, Meadow wood, and Cooper subdivisions among others.

Keep up the great work!

Sincerely,

Angie Newby

From: [Travis Brown](#)
To: [Renee Krause](#)
Cc: [Rick Abboud](#)
Subject: FW: Rezoning from Rural Residential to Urban Residential
Date: Wednesday, April 20, 2022 10:07:41 AM

Mark Sass just emailed [this](#) to me.

From: Mark Sass <markasass@gmail.com>
Sent: Wednesday, April 20, 2022 10:07 AM
To: Travis Brown <tbrown@ci.homer.ak.us>
Cc: Gmail <markasass@gmail.com>
Subject: Fwd: Rezoning from Rural Residential to Urban Residential

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Thanks Travis for info to get this in properly. Had submitted on website but didn't get to you.

Sent from my iPhone

Begin forwarded message:

Subject: Rezoning from Rural Residential to Urban Residential

City of Homer
Proposed Rezoning Amendment.
Sass Investments II LLC Mark A Sass
Property Owner
1641 Hillside Place
Homer, Alaska
Hillside Acres Subdivision.

Dear Planning Commission,
I have several thoughts regarding the proposed rezoning of the land west of West Hill Rd.
We purchased our property for stake in this beautiful part of Alaska to enjoy in retirement the rural open feeling with a view of Kachemak Bay. For our future and family. This area west of West Hill accomplished this.
In my opinion the majority of residents are long term having purchased and created their property to enjoy the rural larger open land lifestyle and do not want the increased density like land east of West Hill Rd.

Points to consider.

With the rolling open development that has existed created by residents then the allowance of subdivision in the past without proper frontages , flag lots and general access the use of this land was the intent of being open. This adds to the challenge that was not intent of future density of this area.

With the steep topography of the side hill and drainage this land is not conducive to more density.

Another fact with the Myhill Tract and West Hill Elementary School a large Percentage of property did not fit the proposed rezoning.

A large part of the frontage on Sterling Hwy also included in this land west of West Hill Rd already has been developed and added density already.

Another further challenge to this area is the huge special assessment of sewer and water against residents that further makes it very hard to make financially possible to subdivide at this time. Not sure how that will ever get resolved or how when paid off?

In my opinion with limited knowledge I believe there is enough land and development east of West Hill Rd to manage the supply and demand in reasonable future. In my opinion the blanket or majority decisions of city planning do not necessarily represent the best welfare of the long term residents living here that created this area. Future growing and Progress planning will always adjust the journey. Rezoning on this unique area at this time needs to be considered for current residents.

Please take that into consideration in your planning decision process and proposed rezoning for property owners west of East Hill Rd in Hillside Acres Subdivision.

Thanks for opportunity to share my thoughts.
Mark A Sass
612-919-0735
Markasass@gmail.com

Sent from my iPhone

Travis Brown

From: Travis <travis.robotkay@protonmail.com>
Sent: Monday, April 11, 2022 2:04 PM
To: Department Planning
Subject: Proposed Zoning Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential. We are happy with the status of our neighborhood.

We absolutely do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,
Travis Robotkay
3866 Cabana Ct
Homer, AK 99603

Travis Brown

From: Travis Brown
Sent: Tuesday, April 19, 2022 3:23 PM
To: Travis Brown
Subject: Re: Rezone of West Homer Area

4/18/22

Sue Finney, resident at 1588 Hillside Pl., called the office and asked that her opposition to the rezone be relayed to the Planning Commission. She stated the following reasons for opposition:

- The current minimum lot size of 10,000 square feet provides adequate opportunity for subdividing. Allowing lots to be as small as 7,500 square feet will create too much density in this neighborhood.
- Hillside Acres is composed of dead-end roads with only one point of access. Allowing further density without providing a secondary means of access for emergency vehicles is a great concern.

Travis Brown
Planning Technician
City of Homer
(907)235-3106

Travis Brown

From: susan jeffres <fljeffres@msn.com>
Sent: Tuesday, April 19, 2022 5:40 PM
To: Department Planning
Subject: Rezoning of Hillside Place

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

We want to state our strong opposition to the rezoning plan changing our zoning designation to urban residential. When we purchased our property on Hillside Place in 2020, we were excited to be able to have some privacy, and not be packed in closely to our neighbors. Under the proposed zoning plan, owner/developers could take a piece of property and put numerous families on this property due to the ability to build multi-family homes on lots. The change in density would change our neighborhood.

We came from Colorado where postage stamp sized lots with starter mansions or multi-plexes on them is the norm. This is not the feeling we want in Homer. We like that we have the right to use our property for growing and raising our own food and the ability to put our largest investment to work for us. We could run a business out of our home should we so desire. We want to pass this on to our children and grandchildren.

We feel that the available lots on the east side of West Hill Road give the city/developers the ability to provide housing to Homer's growing population while leaving our neighborhood the way it was built and the way that the home owners here, that I have talked to, like it. This zoning proposal would impact the quality of life and the rural atmosphere that we so enjoy at our home in Homer.

Mike & Susan Jeffres
1698 Hillside Place
Homer, AK

Travis Brown

From: Kasia <kasia4@protonmail.com>
Sent: Monday, April 11, 2022 2:09 PM
To: Department Planning
Subject: Proposed Zoning Amendment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential.

I do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family.

This ill-conceived idea is what people do when they think they are going to fix a perceived "problem" but only succeed in creating several real problems. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,
Katarzyna Robotkay
3866 Cabana Ct
Homer, AK 99603

April 18, 2022

Homer Planning and Zoning

Re: Hillside Acres Rezoning Proposal

I am writing to express my opposition to the proposed rezoning of Hillside Acres Subdivision or “West Homer Area” as outlined in the proposed zoning amendment from Rural Residential to Urban Residential.

I purchased Tract 7 - Hillside Acres Subdivision in 1992 as a 5.14 acre parcel, one of the largest in the subdivision. My purchase was well planned because I wanted to live a “rural lifestyle” in the city limits, on a cul-de-sac, with a stream and the ability to have animals (dogs, horses, chickens) as well as a large garden and a small business. This property embraced all of these requirements; initially the entry to the property was a little wooden bridge and in the winter I had to “bounce” the snow covered alder branches along the road so that I could drive through them.

As the landscape changed, many trees were lost due to the spruce bark beetle infestation. The development of the water/sewer LID improvement district in 2002 divided the neighborhood; although I had a brand new DEC approved septic system; I approved the water/sewer project to support community and healthy standards, but was forced to “crush” my brand new septic system to comply with the new sewer system. All of these community development programs cost a lot of money, but seemed to be responsible community development. Had I known that the ultimate goal of the city was to bring a more dense population to the subdivision, I would not have supported the water/sewer improvement plan.

I also purchased another property in this subdivision, Tract 9A in 2004 and had to pay, once again, \$26,849.00 for the water/sewer assessments.

Natural Gas was brought to our subdivision in 2006, which I also paid for three times.

In 2006, the City of Homer created the “Gateway Business District” which was zoned for business - this included Story Real Estate and was also a somewhat controversial zoning proposition, and another dense portion of our subdivision was created.

This history brings us up to the present rezoning proposal, which has numerous flaws:

- The properties in the Hillside Acres Subdivision on the west side of West Hill road were not designed or sold to create a dense population

- The lots are mostly owned by long term property owners who purchased the properties years ago, and wanted a “rural lifestyle
- The properties in Hillside Acres subdivision can be subdivided even if the zoning remains “Rural Residential” so the zoning change is not necessary (This is evidenced by my need to subdivide in 2019, thus creating Tract 7A and 7B). In order to complete this division, I had to put in another driveway, and pay for another water/sewer and gas assessment – totaling well over \$38,000.00.
- If new property owners move into the subdivision, they would benefit from the water/sewer/ natural gas development and potentially not shoulder any burden on the cost- this seems inequitable.
- The majority of the lots in Hillside Acres Subdivision on the west side of West Hill Road are irregular in shape, there are flag lots, and due to this are not readily available to subdividing.

In conclusion, I am very opposed to the change in zoning of the Hillside Acres Subdivision, particularly to the west of West Hill Road. The majority of the property owners are long term owners, who purchased and developed their respective properties with a certain lifestyle in mind. It is not fair for the city to “change the rules” so to speak, and force these long term residents to potentially live in a vastly changed neighborhood that they did not want. It is already difficult to witness the unprecedented growth to the east side of West Hill Road, as we drive home every day.

Please reconsider this proposed rezoning plan. Thank you.

Sincerely,

Linda S. Rourke

Linda Schauer Rourke

lsrourke@xyz.net

(907) 299-0415

To the Homer City Planning Commission; Regarding the Proposed Zoning Amendment

We do not support the the Proposed Zoning change.

The Planning Department references the 2018 Comprehensive Plan as the driving force to the rezoning of this area. This document also proposes development of an integrated system of green spaces that benefit the community by protecting corridors for trails, and storm water management. Which has not been addressed in any of the plans or discussion. The most important subject seems to be the ability to build on a 7,500 square foot lot.

The smaller lot size reduces the quality of life for residents. With not enough area to park two cars, guest parking, and other vehicles, such as boat, trailer and four wheeler causing street parking and impacting winter maintenance . Higher housing density results in higher noise levels, which impacts the quality of life in the neighborhoods. A result of smaller lots and no parks, or sidewalks leads to children playing in the street. Additionally the new smaller sized lots could affect the value of older larger sized lots and homes negatively. Smaller lots will effect the areas ecology changing what is best about Homer's character forever.

The 2018 Comprehensive Plan also addresses Transportation, and Public Services and Facilities. The plan states Homer needs to consider the transportation along side all other aspects of community growth. Changes to parking, highway congestion, maintenance, and bicycle and pedestrian safety has not been addressed in any subdivisions or currant discusses. In the Proposed Rezoning Area Soundview Ave and Eric Lane are the only streets with sidewalks. The rest of the areas residential streets have no sidewalks. The areas residents have no green spaces or parks and none appear to be in the zoning plan.

The zoning change does not plan for any costs related to the addition of parks, sidewalks, paving and drainage of the previously zoned RR area. Hillside Place has small very rusty drain culverts that ice up and glaciare the road in the winter. The existing water service at present has a very low pressure, 20-25 psi at my resident. Adding more housing will put a strain on existing utility infrastructure without upgrades.

The Zoning change seems to be led by Planning Department to the benefit of only a few. The areas present residents knew nothing about zoning changes until the Planning Office letter advising of a zoning changes. The City should upgrade the area with parks, green spaces, drainage, sidewalks, paving, and improved utility services before considering the action of allowing 7,500 square foot lots.

Thank You for considering our views.

James Dickson & Shawn Dickson,
1422 Hillside Place, Homer Alaska 99603

April 20, 2022



4/14/2022

City of Homer Planning Office
491 E Pioneer Avenue
Homer, AK 99603

To be read at the 4/20/2022 Meeting:

At the last Zoning Commission meeting, we were informed that our concerns about low water pressure in our area and a drainage plan is being looked into. There should be no rezoning until these issues have been addressed and a plan put forth and in place. Also the City's plan is to have more bike paths and open areas for public use have not been addressed in this area that's proposed to be rezoned.



Also at the last meeting it was addressed by Mr. John Faulkner that it should not be for the property owners to defend against the government and their interest with the land developers, but the landowners should be asking if and when they want their area rezoned. It's for government to work for the best interest of the people.

By making smaller homes around us lowers the property values of the established homes.

For these reasons we stand firmly against rezoning from rural to urban in our area.

Arn & Kathy Johnson
1390 Hillside Place
Homer, Alaska 99603

907-399-1214

reduced, but the cost of building damage is also reduced during a natural disaster.

Building codes also help communities get back on their feet faster by minimizing indirect costs such as business interruptions and lost income.

- 5.4 Table 5-6: Recommended action Add: Property buyout of wetlands with green infrastructure value
 - Inclusion of the information on earthquakes, expressed concerns on the hillside behind the hospital and then questioned the steep slopes code and if that should be reviewed.

City Planner Abboud responded that they can revisit the code and there is always room for improvement, he reported that he has been working with the Public Works Director/City Engineer on the coastal setback items which fits into the steep slope guidelines and can get more complex but they can have an evaluation done as it plays along with erosion and destabilization. They are better off than most communities in Alaska but not to the degree that California is.

Further discussion on these topics ensued:

- the condition of the Bridge Creek Dam
 - o this has not been spoken of pointedly
 - o not sure of any mitigation proposals if something happened with the dam
- Page 60, Emergency Shelters – the city has several places that are designated as emergency shelters and concerns were raised during previous earthquakes, regarding the use of the schools as an emergency shelter due to possible structural damage. It was noted during the visioning event that more table top exercises should be conducted.
- the amount of valuation of the new police station should be corrected
- Reviewing the document brings forth that the City is involved in many things that can go awry even in their small little town
- additional errors noted on table 4.6 page 60 of the packet

A. Minutes for Regular Meeting March 2, 2022

Vice Chair Highland introduced the items and invited Commissioner Venuti to bring forth his comments on the section of the minutes regarding the memorandum.

Commissioner Venuti expressed that the minutes reflected that not all Commissioners were supportive of building code and he believed that to be incorrect as he did not recall that any Commissioners were against establishing building code.

City Planner Abboud reported that he included the unapproved minutes as an attachment to the memorandum in response to questions on whether City Council has seen the minutes.

Additional comments from the Commission ensued that there was unanimous consent on the implementation of building code but not for establishing a building department.

Deputy City Clerk Krause responding to questions on process stated that she can review the audio and correct the minutes if the Commission believes that they currently do not reflect the action and discussion taken. The Commission can then approve the corrected minutes at the next meeting. Mrs.

Krause confirmed that Commissioner Bentz could include this action in her report to City Council and will forward a copy of the corrected minutes for her use in the report.

Vice Chair Highland requested a motion and second to effect this request.

BENTZ/VENUTI MOVED TO REQUEST THE CLERK REVIEW THE AUDIO OF THE MARCH 2^N MEETING TO CLARIFY THIS TOPIC IN THE MINUTES.

There was no discussion.

VOTE. NON-OBJECTION. UANNIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. City Manager's Report for Feb. 28, 2022
- B. Planning Commission Calendar

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

City Clerk Jacobsen commented that it was nice to see everyone this evening.

COMMENTS OF THE COMMISSION

Commissioner Conley complimented Vice Chair Highland on doing a good job.

Commissioner Venuti questioned City Planner Abboud regarding the lack of sidewalks in recent new developments, they have constructed really nice roads but did not put in any sidewalks and he would like to know what can be done to incorporate sidewalks into a subdivision.

City Planner Abboud responded that this was a topic at the Council Visioning event, further stating that currently there are no regulations requiring a sidewalk unless it is identified in the Homer Non-motorized Trails and Transportation Plan (HNMTTP). We require paving urban residential roads. The City would only requires a minimum standard road in others. I would recommend updating the HNMTTP, they can then make connection and determine where they would be best to install and then they would have the rule of law.

Commissioner Venuti responded that it would be nice to develop a ruling on this as it is certainly more expensive to put sidewalks in after the road is built.

City Planner Abboud commented that it was expensive but that is one of the things about figuring out where you want to put sidewalks as there are consequences from the cost to making the street much faster and possibly more dangerous. He compared the speed of driving on a paved road in comparison