



AGENDA

Planning Commission Regular Meeting

Wednesday, May 3, 2023 at 6:30 PM

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

Homer City Hall

491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

Zoom Webinar ID: 979 8816 0903 Password: 976062

<https://cityofhomer.zoom.us>
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

1. **CALL TO ORDER, 6:30 P.M.**
2. **AGENDA APPROVAL**
3. **PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA** The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit)
4. **RECONSIDERATION**
5. **CONSENT AGENDA** Items listed below are considered routine and non-controversial by the Commission and are approved in one motion. If a separate discussion is desired on an item, a Commissioner may request that item be removed from the Consent Agenda and placed on the Regular Agenda under New Business. No Motion is necessary.
 5. A. PC Meeting Minute Approval
Unapproved April 19, 2023 Regular Meeting Minutes **page 3**
6. **VISITORS/PRESENTATIONS**
7. **STAFF & COUNCIL REPORT/COMMITTEE REPORTS**
 7. A. City Planner's Report PC 23-030 **page 11**
8. **PUBLIC HEARING(S)**
 8. A. Staff Report 23-031, Conditional Use Permit (CUP) 23-05 per HCC 21.16.030 (g), more than one building containing a permitted principle use on a lot at 4063 Pennock Street.
page 15

9. PLAT CONSIDERATION(S)

9. A. Staff Report PC 23-032, Seal Rock Roost Preliminary Plat **page 40**

10. PENDING BUSINESS

10. A. Planning Commission Meeting Schedule - Memorandum 23-029 **pages 51**

11. NEW BUSINESS

12. INFORMATIONAL MATERIALS

12. A. City Manager's Report - CM April 24, 2023 Report **pages 53**

13. COMMENTS OF THE AUDIENCE (3 minute time limit)

14. COMMENTS OF THE CITY STAFF

15. COMMENTS OF THE COMMISSION

16. ADJOURNMENT The next Regular Meeting is Wednesday, May 17, 2023 at 6:30 p.m. A Worksession is scheduled for 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar.

1. CALL TO ORDER

Session 23-08, a Regular Meeting of the Planning Commission was called to order by Vice Chair Roberta Highland at 6:55 p.m. on April 19, 2023 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar. The worksession was canceled by the City Planner. Technical difficulties with reception delayed the meeting start time.

PRESENT: COMMISSIONERS VENUTI, SMITH, HIGHLAND, STARK

ABSENT: COMMISSIONER BARNWELL, CONLEY, CHIAPPONE (EXCUSED)

STAFF: CITY PLANNER ABOUD, DEPUTY CITY CLERK KRAUSE

2. AGENDA APPROVAL

Vice Chair Highland read the items from the supplemental packet and requested a motion and second to adopt the agenda as amended.

VENUTI/STARK MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

3. PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

Gary Nelson, city resident, spoke to the preliminary plat under Pending Business, stated he was briefly confused on the process, and this was clarified by the City Planner that the Commission did not approve it. Mr. Nelson continued by reading an email response he received from Public Works Director Keiser as follows, "Hello Gary, Thanks for stopping by. You may represent to the Planning Commission that you met with me and we agreed that the City would accept a Subdivision Agreement specifying the service connections needed to be relocated when Lot 51-A is developed or undergoes further lot line adjustments. You may remind them the City now requires a bond to secure the performance of Subdivision Agreements. (See Ordinance 23-15 Amending HCC11.20.070) Regards, Jan"

Mr. Nelson reiterated that they have come to an agreement with the City and the Planning Commission can approve the subdivision as recommended by Staff as he understood it.

4. RECONSIDERATION

5. CONSENT AGENDA

- 5. A. Unapproved Meeting Minutes
Regular Meeting Minutes for March 15, 2023

5. B. Time Extension Request

Right of Way Acquisition Sterling Highway Reconstruction Anchor Point to Baycrest Hill
Preliminary Plat

5. C. Decisions and Findings

Conditional Use Permit (CUP) 23-02 at 3375 Sterling Hwy
Conditional Use Permit (CUP) 23-03 at 1368 Lakeshore Dr.

Vice Chair Highland read the consent agenda into the record.

VENUTI/STARK MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

6. PRESENTATIONS/VISITORS

7. STAFF & COUNCIL REPORTS/COMMITTEE REPORTS

7A. City Planner's Report - Agenda Item Report PC 23-026

Vice Chair Highland introduced the topic and deferred to City Planner Abboud

City Planner Abboud provided a review of Staff Report PC 23-026. He provided additional details on the following:

- APA Conference in Philadelphia;
- Comprehensive Plan process and updates
- performance guarantees through bonding requirements
- Ordinance 23-21 was referred to the Planning Commission and will be on the next agenda. There is conflicting language regarding process and the public hearing date

City Planner Abboud responded to Commissioner Venuti regarding the language being written by a lay person and it needs the review of a professional to make sure the code that is adopted conforms to what is allowable and does not conflict with the Borough. The current language states that if the applicant does not do something the city is not forwarding the plat to the borough, which is not an option. He then stated that he has contacted Max Best for his input, but he will be out of town for a month.

City Planner Abboud explained that the preliminary plat is not the proper place for requiring an asbuilt for the engineering for infrastructure that has not been completed. There are processes to guarantee that the required infrastructure is completed. City Planner Abboud explained that is where the Public Works Director made the amendments to code to obtain those guarantees. It is the Public Works Director's responsibility to ensure that the requirements are included in the agreements for the development. He opined that the biggest phobia is that the ball is going to be dropped, but plans from thirty years ago did not have these requirements, such as sidewalks. A plat is not used to make sure that the infrastructure is in place. Planning assures that the required dedications are shown on the plat to accommodate those items. The performance is in the development agreement.

Commissioner Venuti questioned if the city will enforce this requirement.

City Planner Abboud reiterated that there will be guaranteed bond, and it's written into the agreement exactly what will be done. City Code states what the requirements are such as sidewalks, there are some items that could be a blanket requirement such as requiring paved roads and sidewalks in the CBD or urban residential, and this requirement could certainly be everywhere in the city but there is going to be some tradeoffs and everyone must understand the implications to do that.

Commissioner Venuti requested clarification that Public Works will be responsible for ensuring that the individual or developer has met the requirements of the bond.

City Planner Abboud responded that Public Works, as heard tonight, will include in the agreements the requirements outlined and the developer will provide the City a bond which gives assurance that the work will be done as prescribed in the agreement or the city will take over cash in the bond and make the improvements.

Commissioner Stark provided an outline on the typical process having plans reviewed, project inspections, etc., and acknowledged that the City was working towards having a building department, but that it is currently in the hands of Public Works.

Commissioner Smith expressed his apologies for the issues that were raised regarding the amendments proposed by Councilmembers Davis and Erickson. He referenced the issues that were brought about with the Forest Trails Subdivision preliminary plat with regards to allowing development in drainage way areas that in his opinion were unbuildable and questioned why they would even divide them in the manner that was shown on that preliminary plat.

City Planner Abboud responded that the surveyor explained there are some items that are unknown until you start getting into the project and clearing away but then it is determined that they will need to change the lot lines by reducing some lot sizes and enlarging others. He further commented on the desire to make amendments during proceedings and that applicants have a right to certain expectations and not have to worry about changes mid-process.

8. PUBLIC HEARING(S)

9. PLAT CONSIDERATION(S)

10. PENDING BUSINESS

10. A. Bunnell's Subdivision 2023 Replat Preliminary Plat
Memorandum 23-027 and Memorandum 23-025

Vice Chair Highland introduced the item by reading of the title and deferred to City Planner Abboud.

City Planner Abboud stated that he was not going to review Staff report 23-025 again as he believed everyone was familiar with the contents. There was some questions on making certain improvements required by Public Works and Mr. Nelson read into the record earlier the response from Public Works Director which he believed provided a solution. He did not believe there were any additional points of contention on this action. Staff recommends that the Planning Commission approve the Preliminary Plat with comments one through five.

Hearing no further questions from the Commission, Vice Chair Highland requested a motion and second.

VENUTI/STARK MOVED TO ADOPT STAFF REPORTS PL 23-027 AND 23-025 AND RECOMMEND APPROVAL OF THE BUNNEL SUBDIVISION 2023 REPLAT PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. INCLUDE A PLAT NOTE STATING PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ONSITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
2. DEDICATE A 15 FOOT DRAINAGE EASEMENT CENTERED ON THE CREEK IN LOT 51-A AND POSSIBLY THROUGH THE NORTHWEST CORNER OF LOT 54-A.
3. DEDICATE A 15 FOOT UTILITY EASEMENT FRONTING THE NEWLY DEDICATED SWATZELL STREET.
4. THERE CURRENTLY EXISTS A WATER & SEWER STUB OUT FOR LOT 51-A ON THE SOUTHEAST PROPERTY BOUNDARY, THESE SERVICES WILL NEED TO BE RELOCATED NORTH TO SERVE THE LOT DIRECTLY AND NOT VIA AN EASEMENT.
5. THE PROPERTY OWNER WILL NEED TO RELOCATE THE SERVICES PRIOR TO RECORDING THE PLAT OR ENTER INTO AN INSTALLATION AGREEMENT WITH THE CITY IN WHICH THEY WILL BOND THE COST OF RELOCATING THE SERVICES IN AN AGREED UPON TIME FRAME. THIS WILL ALLOW THE PLAT TO BE RECORDED PRIOR TO THE WORK BEING COMPLETED.

There was a brief discussion on the applicant speaking with Public Works and that resulted in the statement that was read into the record by Mr. Nelson. It was noted that this was a reasonable solution to the issue.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

11. NEW BUSINESS

11. A. Public Comment Submittal Process and Timing - Memorandum 23-028

Vice Chair Highland introduced the item and opened the floor to discussion by the Commission.

Commissioners expressed frustration over the limited time frame that they have to review materials provided in a supplemental packet distributed after 4:00 p.m. Some commissioners expressed that it was difficult to review all materials provided especially if it is extensive such as a recent packet containing over 55 pages of materials.

Staff provided feedback on being limited in the manner that items are submitted to the Commissioners. It is possible that Staff can submit individual documents or emails as they are received and then can submit those same documents in the supplemental packet. Staff explained that this did not stop the receipt or submittal of laydown materials up until and during meeting time.

After much discussion the Commission and staff agreed that items for the supplemental packet will be distributed as they are received, noting that this provides redundancy, but the Planning Department will forward to the Clerk for distribution, then will put them into a supplemental packet which will be distributed and posted. The Clerk reiterated that any items that were submitted at or during the meeting would be uploaded to meeting webpage after the fact as laydowns

11. B. Planning Commission Meeting Schedule - Memorandum 23-029

Vice Chair Highland introduced the item by reading of the title and invited City Planner Abboud to speak to the topic.

City Planner Abboud stated that he has broached this topic before and the Commission was not willing to support it at that time, but he was advocating the once a month meetings as it would allow staff the time to work on the details of items that interest the Commission or require more research to present to the Commission. Mr. Abboud addressed concerns regarding timely action from the Commission on plats or conditional use permits stating that additional meetings can be schedule if required and as the memorandum showed most of the Communities held planning commission meetings on a monthly schedule. He further noted that meeting twice a month puts a burden on the planning staff and even the Clerk to prepare for the meeting from getting information, research, draft documents, memorandums and the minutes all completed and then produce a packet, adding that it comprises a majority of his workload. If the meetings were reduced he would be able to expend time on items such as code amendments, enforcement, updates to various plans, etc. He further noted that reduction of meetings will require the Commission being efficient conducting meetings by limiting discussion and comments on agenda items. There are times that the Commission entertains discussion not germane to the agenda item and that would not be allowed.

Vice Chair Highland requested a motion and second before opening the floor to discussion by the Commission.

VENUTI/STARK MOVED TO AMEND THE PLANNING COMMISSION REGULAR MEETING SCHEDULE TO ONCE PER MONTH ON THE (DAY TO BE DETERMINED) WEDNESDAY WITH A WORKSESSION PRIOR TO THE REGULAR MEETING AND SCHEDULE SPECIAL MEETINGS AS NEEDED.

Discussion ensued on the following points:

- Planning Department needs additional staff
- Amending the meeting time to 5:30 p.m. to allow for more agenda items
- Still having worksessions which would be more valuable since there would be fewer meetings
- preference to continue discussion when all commissioners are present
- Homer is in crisis with public opinion that the city is growing too fast for the Planning Department or Commission to adequately guide the growth and maybe this is not the best time to reduce meetings

VENUTI/STARK MOVED TO POSTPONE DISCUSSION TO THE MAY 3, 2023 MEETING TO HAVE A FULL COMMISSION PRESENT.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

12. INFORMATIONAL MATERIALS

12.A. City Manager's Report
CM Report for March 28, 2023

Vice Chair Highland commented that the newsletter was very well done and appreciated it being included in the packet. She then encouraged the Commissioners to attend the planned Guiding Growth Community meeting on Saturday, April 29, 2023. This will be from 4:00 pm to 5:30 pm and should be interesting. Ms. Highland commented on the Harbor Expansion project and there was to be planned scoping meetings for the public and that it was to come to the Planning Commission also for input so there will be some new homework for the Commission to look at.

13. COMMENTS OF THE AUDIENCE

14. COMMENTS OF THE STAFF

Deputy City Clerk Krause stated he was glad that it worked out to have Commissioner Smith attend via conference call and he was able to be heard and participate in the discussion.

City Planner Abboud announced he would be leaving the City of Homer and moving to the east coast. His last meeting will be on May 3rd and his last day with the City is May 12, 2023. Ryan Foster will be the interim City Planner. He was the City Planner for Kenai and has been one of the Special Projects Coordinators for the City, and he likes it here.

15. COMMENTS OF THE COMMISSION

Commissioner Smith expressed his apologies for the technological issues connecting, but he found out that you cannot have two things going at the same time, so he kept getting booted off. He expressed his appreciation to the Clerk for her ability in getting him connected. He then commented in response to the City Planner's announcement that he understands how difficult it is to make decisions to leave a place but when you are caring for loved ones it is a no-brainer, but he actually knows the area where the City Planner is relocating and agreed that it is a very convenient place and believed that Mr. Abboud will enjoy living there. Commissioner Smith then expressed his apologies for the issues regarding preliminary plat and that proposed ordinance as he was approached by Councilmembers Davis and Erickson. It was intended to be a memo but then submitted and ordinance. He noted that it was shut down pretty quick. He apologized again for stepping outside the proper channels but knows better now. Mr. Smith expressed his appreciation for City Planner Abboud assistance and direction and professionalism over the last five years he has been on the Commission and hoped recent events have not caused him duress.

Commissioner Stark commented that in spite of the technical difficulties they pulled off a great meeting and was glad that Commissioner Smith was able to connect and attend the meeting. He congratulated the City Planner and acknowledged that life changes and glad things came together for him, wished him all the best.

Commissioner Venuti voiced that the announcement was an interesting development, noting he has worked with the City Planner for 13 years, who has taught him a tremendous amount on how the City is operated and ran. He expressed his thanks for that and wished him the best of luck, however noted that where the City Planner was relocating to there was no red salmon. In fact that reminded him of a book title

that is fitting, So long and thanks for all the fish. Commissioner Venuti wished City Planner Abboud good luck.

Commissioner Highland expressed her shock and surprise at hearing the City Planner's news and wished him and his family the best. She noted that he has been the City Planner for most of her service on the Commission, over 13 years, and he has taught her just about everything she knows about planning. Interesting, just interesting times. She expressed her appreciation for Commissioner Smith and the Clerk on getting connected so they could meet tonight as there were a few important things to get done, thank you again for your persistence.

16. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 8:36 p.m. The next Regular Meeting is Wednesday, May 3, 2023 at 6:30 p.m. A worksession is scheduled for 5:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom webinar.

Renee Krause, MMC, Deputy City Clerk II

Approved: _____



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Staff Report PI 23-030

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: May 3, 2023
SUBJECT: City Planner's Report

Staffing

In case you have not heard, I have accepted a job in South Carolina and this will be my last Planning Commission meeting. It has been a privilege to be Homer City Planner for nearly 15 years. I figure that I have staffed in the neighborhood of 300 Planning Commission meetings during my tenure. I will really miss all the people I have gotten to know over the years, as we have grown older together.

Ryan Foster, our Special Projects Coordinator has accepted the role of interim City Planner upon my exit with the City on May 12th. He is very capable in the role and if all are nice (not that you wouldn't be) maybe he would consider taking the position as a permanent gig.

A bit of me will always be in Homer as has become the place I identify as home. Stealing from Douglas Adams, "So long and thanks for all the fish."

4.24.23 City Council

Ordinance 23-23, An Ordinance of the City Council of Homer, Alaska Appropriating the Funds for the Fiscal Years 2024 and 2025 Capital Budget. City Manager. Recommend Introduction April 24, 2023, Public Hearing May 8 and May 22, 2023, Second Reading May 22, 2023.

Resolution 23-040, A Resolution of the City Council of Homer, Alaska, Expressing Support for the Homer Port Freight Resiliency & Efficiency – Improving Greater Homer Area Transportation (FREIGHT) Project, Endorsing the City's Grant Application to the United States Department of Transportation Maritime Administration's FY2023 Port Infrastructure Development Program And Committing Local Match Funds. City Manager. Recommend adoption.

Resolution 23-041, A Resolution of the City Council of Homer, Alaska Authorizing a Task Order in the amount of \$20,000 to Coble Geophysical Services to Support the Beluga Slough Green Infrastructure Storm Water Treatment System and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Resolution 23-043, A Resolution of the City Council of Homer, Alaska Approving the City of Homer 2023 Land Allocation Plan. City Manager. Recommend adoption.

Ordinance 23-20, An Ordinance of the City Council of Homer, Alaska Appropriating Funds for the Fiscal Years 2024 and 2025 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, and Internal Services Funds. City Manager.

Resolution 23-046, A Resolution of the City Council of Homer, Alaska Authorizing a Task Order in the amount of \$379,661 to HDR Engineering, Inc. for the Homer Harbor Expansion Study's In-Kind Engineering Support Services and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director.

Commission Calendar Item

This month's Calendar item was to review the Transportation Plan. A draft of the new Transportation plan is out for staff review. Ryan Foster, current Special Project Coordinator, who will be interim City Planner, should have more on this item in the near future. The Commission is required to review the document and make a recommendation to City Council regarding adoption.

Preliminary Plats

Ordinance 23-21, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Section 22.10.050 to Specify that Preliminary Plats Approved by the City Shall Include all Development Commitments made to the City, and that a Final Plat for the City of Homer Shall be an As-Built Survey. Davis/Erickson. Recommend Introduction April 10, 2023 and Refer to Planning Commission, Public Hearing and Second Reading May 22, 2023. *(staff comment: The public hearing date was shifted – the Commission has additional time. Its more important this work be right than fast. This will be a future agenda item.*

I have made recommendations to have this item reviewed by a platting professional, as I see some technical issues with the language for which I do not have an assured solution. I had initial talks to see if former borough Planning Director Max Best may be available. He is out for a few more weeks on vacation. He seemed amenable to the idea of working on the issue.

Commissioner Report to Council

5/8/23 _____

Attachments

Commission calendar

**PLANNING COMMISSION
2023 Calendar**

	AGENDA ITEM DEADLINES	MEETING DATE	COMMISSIONER SCHEDULED TO REPORT	CITY COUNCIL MEETING FOR REPORT*	ANNUAL TOPICS/EVENTS
JANUARY	12/14/22 Public Hearing Items 12/16/22 Preliminary Plat Submittals 12/23/22 Regular Agenda Items	01/04/23		Monday, 01/09/23 6:00 p.m.	•
	12/28/22 Public Hearing Items 12/30/22 Prelim Plat Items 01/06/23 Regular Agenda Items	01/18/23		Monday 01/23/23 6:00 p.m.	•
FEBRUARY	01/11/23 Public Hearing Items 01/13/23 Prelim Plat Items 01/20/23 Regular Agenda Items	02/01/23	Highland	Monday 02/13/23 6:00 p.m.	<ul style="list-style-type: none"> • PC Training on Legislative vs Quasi-Judicial decisions • Developing and Writing Decisions & Findings
	01/25/23 Public Hearing Items 01/27/23 Prelim Plat items 02/03/23 Regular Agenda Items	02/15/23		Monday 02/27/23 6:00 p.m.	•
MARCH	02/08/23 Public Hearing Items 02/10/23 Prelim Plat Items 02/17/23 Regular Agenda Items	03/01/23		Monday 03/13/23 6:00 p.m.	<ul style="list-style-type: none"> • AK APA Conference • Comp Plan & Title 21 Update, Grading Permit, Homer Housing Event Presentation/Discussion
	02/22/23 Public Hearing Items 02/24/23 Prelim Plat Items 03//23 Regular Agenda Items	03/15/23		Tuesday 03/28/23 6:00 p.m.	• Presentation on Old Town, Transportation Plan Updates and Timeline
APRIL	03/15/23 Public Hearing Items 03/17/23 Prelim Plat Items 03/24/23 Regular Agenda Items	04/05/23		Monday 04/10/23 6:00 p.m.	<ul style="list-style-type: none"> • HNMTTP Review • Comp Plan Review
	03/29/23 Public Hearing Items 03/31/23 Prelim Plat Items 04/07/23 Regular Agenda Items	04/19/23		Monday 04/24/23 6:00 p.m.	<ul style="list-style-type: none"> • Amend meeting Schedule to once per month • Amend Public Comment Submittal deadline
MAY	04/12/23 Public Hearing Items 04/14/23 Prelim Plat Items 04/21/23 Regular Agenda Items	05/03/23		Monday 05/08/23 6:00 p.m.	•
	04/26/23 Public Hearing Items 04/28/23 Prelim Plat Items 05/05/23 Regular Agenda Items	05/17/23		Monday 05/22/23 6:00 p.m.	•
JUNE	05/17/23 Public Hearing Items 05/19/23 Prelim Plat Items 05/26/23 Regular Agenda Items	06/07/23		Monday 06/12/23 6:00 p.m.	• Reappointment Applications will be sent out

JUNE	05/31/23 Public Hearing Items 06/02/23 Prelim Plat Items 06/09/23 Regular Agenda Items	06/21/23	Monday 06/26/23 6:00 p.m.	•	
JULY	06/28/23 Public Hearing Items 06/30/23 Prelim Plat Items 07/07/23 Regular Agenda Items	07/19/23	Monday 07/24/23 6:00 p.m.	•	Reappointment Application Due
AUGUST	07/12/23 Public Hearing Items 07/14/23 Prelim Plat Items 07/21/23 Regular Agenda Items	08/02/23	Monday 08/14/23 6:00 p.m.	•	Spit Comp Plan review
	07/26/23 Public Hearing Items 07/28/23 Prelim Plat Items 08/04/23 Regular Agenda Items	08/16/23	Monday 08/28/23 6:00 p.m.	•	Election of Officers Training - City Clerk's Office
SEPTEMBER	08/16/23 Public Hearing Items 08/18/23 Prelim Plat Items 08/25/23 Regular Agenda Items	09/06/23	Monday 09/11/23 6:00 p.m.	•	Capital Improvement Plan
	08/30/23 Public Hearing Items 09/01/23 Prelim Plat Items 09/08/23 Regular Agenda Items	09/20/23	Monday 09/25/23 6:00 p.m.	•	Economic Development Visitor
OCTOBER	09/13/23 Public Hearing Items 09/15/23 Prelim Plat Items 09/22/23 Regular Agenda Items	10/04/23	Monday 10/09/23 6:00 p.m.	•	Floodplain or other Hazard regulation Overview
	09/27/23 Public Hearing Items 09/29/23 Prelim Plat Items 10/06/23 Regular Agenda Items	10/16/23	Monday 10/23/23 6:00 p.m.	•	
NOVEMBER	10/11/23 Public Hearing Items 10/13/23 Prelim Plat Items 10/20/23 Regular Agenda Items	11/01/23	Monday 11/27/23 6:00 p.m.	•	Annual Meeting Schedule Approval
DECEMBER	11/15/23 Public Hearing Items 11/17/23 Prelim Plat Items 11/24/23 Regular Agenda Items	12/06/23	Monday 12/11/23 6:00 p.m.	•	Review Commission Bylaws, Policies and Procedures Town Center Plan Review

*The Commission's opportunity to give their report to City Council is scheduled for the Council's regular meeting following the Commission's regular meeting, under Agenda Item 8 – Announcements/ Presentations/ Borough Report/Commission Reports. Reports are the Commission's opportunity to give Council a brief update on their work. Attend via Zoom or in Person.



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Staff Report 23-031

TO: Homer Planning Commission
THROUGH: Rick Abboud, AICP, City Planner
DATE: May 3, 2023
SUBJECT: Conditional Use Permit (CUP) 23-05

Synopsis The applicant proposes construct a second 1550 square foot general office building at 4063 Pennock Street. A conditional use permit for multiple non-dwelling structures is required per HCC 21.16.030(g).

Applicant: Jason Weisser
PO Box 2913
Homer, AK 99603

Location: 4063 Pennock

Legal Description: AA MATTOX 2020 ADDITION LOT 28-D

Parcel ID: 17730272

Size of Existing Lot: .33 Acres

Zoning Designation: Residential Office District

Existing Land Use: general business office

Surrounding Land Use: North: office/vacant/school
South: Residential
East: Single-family/Multi-family
West: Apartment complex

Comprehensive Plan: 2018 Homer Comprehensive Plan (HPC) Goal 1, Objective A, 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 out-lying areas.

Wetland Status: Wetlands not present according to KWF assessment

Flood Plain Status: Not located in a designated flood plain

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 32 property owners of 38 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: The applicant is proposing to construct a 1550 square foot general business office in addition to an existing 1500 square foot general business office on the lot. The structures are of the same design.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030, Review criteria, and establishes the following conditions:

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

Analysis: A second general business office may be approved CUP per HCC 21.16.030(g).

Finding 1: The applicable code authorizes the proposed use and structure.

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

Applicant: The building will be medium density used for office/clerical and will be low traffic.

Analysis: HCC 21.16.010, Purpose: *The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.*

The structures represent an average of the nearby densities, being less than that of the apartments to the west and house to the south and close to the footprints of structures across the street. The use is described in the propose statement of the district.

Finding 2: The structures and use is compatible with the purpose of the district.

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

Applicant: The two structures will be similar in size to the adjoining property and will be an attractive structure.

Analysis: Many uses in the RO district may have greater negative impacts than would be realized from two general office buildings. multi-family dwellings, day care facilities, assisted living homes and fraternal assembly may have a greater impact on nearby property values. Medical clinics and schools would generate a good deal of traffic.

Finding 3: Two 1550 square feet general office buildings are not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

Applicant: This will be a typical medium use office building.

Analysis: Existing surrounding uses include multi-family structures a school and residences. The scale and use of the proposed buildings is prescribed in the purpose of the district and the proposal is representative of a medium density. Traffic on the site is generally limited to traditional business hours and will have a very limited impact outside of those hours.

Finding 4: The proposal is compatible with existing uses of surrounding land.

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

Applicant: Yes.

Analysis: The site is served by a full array of utility services, road access, and Homer public safety operations.

Finding 5: Existing public, water, sewer, and public safety services are adequate to serve the proposal.

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

Applicant: The architecture is pleasing building will be low traffic and medium density.

Analysis: Desirable neighborhood character could be described by a portion of the purpose statement for the district. The proposed two general office buildings would not be much of a driver of congestion and would not produce an adverse effect on adjacent residential districts or the appearance of the community as desirable neighborhood character is described in the purpose of the district.

Finding 6: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character as described in the purpose statement of the district.

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

Applicant: No.

Analysis: The site is served by a city maintained road with water and sewer infrastructure.

Finding 7: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area and the city as a whole when all applicable standards are met as required by city code.

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

Analysis: The applicant is not requesting any exception to code. Gaining a Conditional Use Permit and subsequent zoning permit will allow the applicant conform to applicable regulations.

Finding 8: Gaining an approved CUP and subsequent zoning permit will provide for compliance with applicable regulations and conditions specified in Title 21.

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

Applicant: Providing infill in a commercial district with high quality buildings.

Analysis: The proposal aligns with Goal 1, Objective A and Goal 3, Objective B and no evidence has been found that it is not contrary to the applicable land use goals and objectives of the Homer Comprehensive Plan (HCP). A compliance review of the 2018 HCP is attached.

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Homer Comprehensive Plan.

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

Analysis: The Outdoor Lighting Chapter of the CDM is applicable to the RO District.

Finding 10: The project is required to comply with the Outdoor Lighting requirements of the CDM.

Condition 1: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM

HCC 21.71.040(b). b. In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces:** No specific conditions deemed necessary
- 2. Fences and walls: Condition 2:** Any dumpster shall be screened on three sides.
- 3. Surfacing of parking areas:** No specific conditions deemed necessary.
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** No specific conditions deemed necessary.
- 7. Landscaping:** No specific conditions deemed necessary.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** No specific conditions deemed necessary.
- 10. Limitation of time for certain activities:** No specific conditions deemed necessary.
- 11. A time period within which the proposed use shall be developed:** No specific conditions deemed necessary.
- 12. A limit on total duration of use:** No specific conditions deemed necessary.
- 13. More stringent dimensional requirements,** such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.
- 14. Other conditions necessary** to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

PUBLIC WORKS COMMENTS: None

FIRE DEPARTMENT COMMENTS: None

PUBLIC COMMENTS: None

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP **Staff Report 23-031** with findings 1-10 and the following conditions.

Condition 1: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM

Condition 2: Any dumpster shall be screened on three sides.

Attachments

Application

Compliance review of HCP

Public Notice

Aerial Maps (City and KPB images)



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Applicant

Name: Jason Weber Telephone No.: 907-399-8061

Address: PO Box 2013 Email: Jasonweber@jag.net

Property Owner (if different than the applicant):

Name: JANE Telephone No.: _____

Address: _____ Email: _____

PROPERTY INFORMATION:

Address: 4063 pomack st Lot Size: 33 acres KPB Tax ID # 17730272

Legal Description of Property: Δ Mattox 2020 Add Lot 28-D

For staff use:

Date: _____ Fee submittal: Amount _____

Received by: _____ Date application accepted as complete _____

Planning Commission Public Hearing Date: _____

Conditional Use Permit Application Requirements:

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

Circle Your Zoning District

	RR	UR	RO	CBD	TCD	GBD	GC1	GC2	MC	MI	EEMU	BCWPD
Level 1 Site Plan	x	x	x			x			x			x
Level 1 ROW Access Plan	x	x							x			
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x	x	
Level 2 Site Plan			x	x	x		x	x		x	x	
Level 2 ROW Access Plan			x	x	x		x	x		x	x	
Level 2 Site Development Standards			x	x	x		x	x			x	
Level 3 Site Development Standards									x	x		
Level 3 ROW Access Plan						x						
DAP/SWP questionnaire				x	x	x	x	x			x	

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

- ☒ Y/N Are you building or remodeling a commercial structure, or multifamily building with more than 3 apartments? If yes, Fire Marshal Certification is required. Status: _____
- Y/N Will your development trigger a Development Activity Plan?
Application Status: _____
- Y/N Will your development trigger a Storm water Plan?
Application Status: _____
- Y/N Does your site contain wetlands? If yes, Army Corps of Engineers Wetlands Permit is required. Application Status: _____
- Y/N Is your development in a floodplain? If yes, a Flood Development Permit is required.
- Y/N Does your project trigger a Community Design Manual review?
If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>
- Y/N Do you need a traffic impact analysis?
- Y/N Are there any nonconforming uses or structures on the property?
- Y/N Have they been formally accepted by the Homer Advisory Planning Commission?
- ☒ Y/N Do you have a state or city driveway permit? Status: existing
- ☒ Y/N Do you have active City water and sewer permits? Status: existing

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

we currently have 1550sf building used as office space.
and want to build a second (same) building to be used as
office rental space.

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

Two 1550sf building used as office space rentals

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

21.16.030 g

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

These Building will be Medium density used for office/dwelling and will be low traffic use.

- c. How will your proposed project affect adjoining property values?

The Two structure will be similar in size to adjoining properties and will be an attractive structure.

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

This will be a typical medium use office building

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

yes

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

These Architecturally pleasing building will be low traffic and medium density

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

NO

- h. How does your project relate to the goals of the Comprehensive Plan?

The Comprehensive Plan are online, Providing Infill in a Commercial District with high quality Buildings

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

1. Y/N Special yards and spaces.
2. ☒ Y/N Fences, walls and screening. screen dumpster
3. Y/N Surfacing of parking areas.
4. Y/N Street and road dedications and improvements (or bonds).
5. Y/N Control of points of vehicular ingress & egress.
6. Y/N Special provisions on signs.
7. Y/N Landscaping.
8. Y/N Maintenance of the grounds, buildings, or structures.

S

9. Y/N Control of noise, vibration, odors, lighting, heat, glare, water and solid waste pollution, dangerous materials, material and equipment storage, or other similar nuisances.
10. Y/N Time for certain activities.
11. Y/N A time period within which the proposed use shall be developed.
12. Y/N A limit on total duration of use.
13. Y/N Special dimensional requirements such as lot area, setbacks, building height.
14. Y/N Other conditions deemed necessary to protect the interest of the community.

PARKING

1. How many parking spaces are required for your development? 10
- If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). 10
2. How many spaces are shown on your parking plan? 10
3. Are you requesting any reductions? No

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

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

CIRCLE ONE:

Owner of record

Lessee

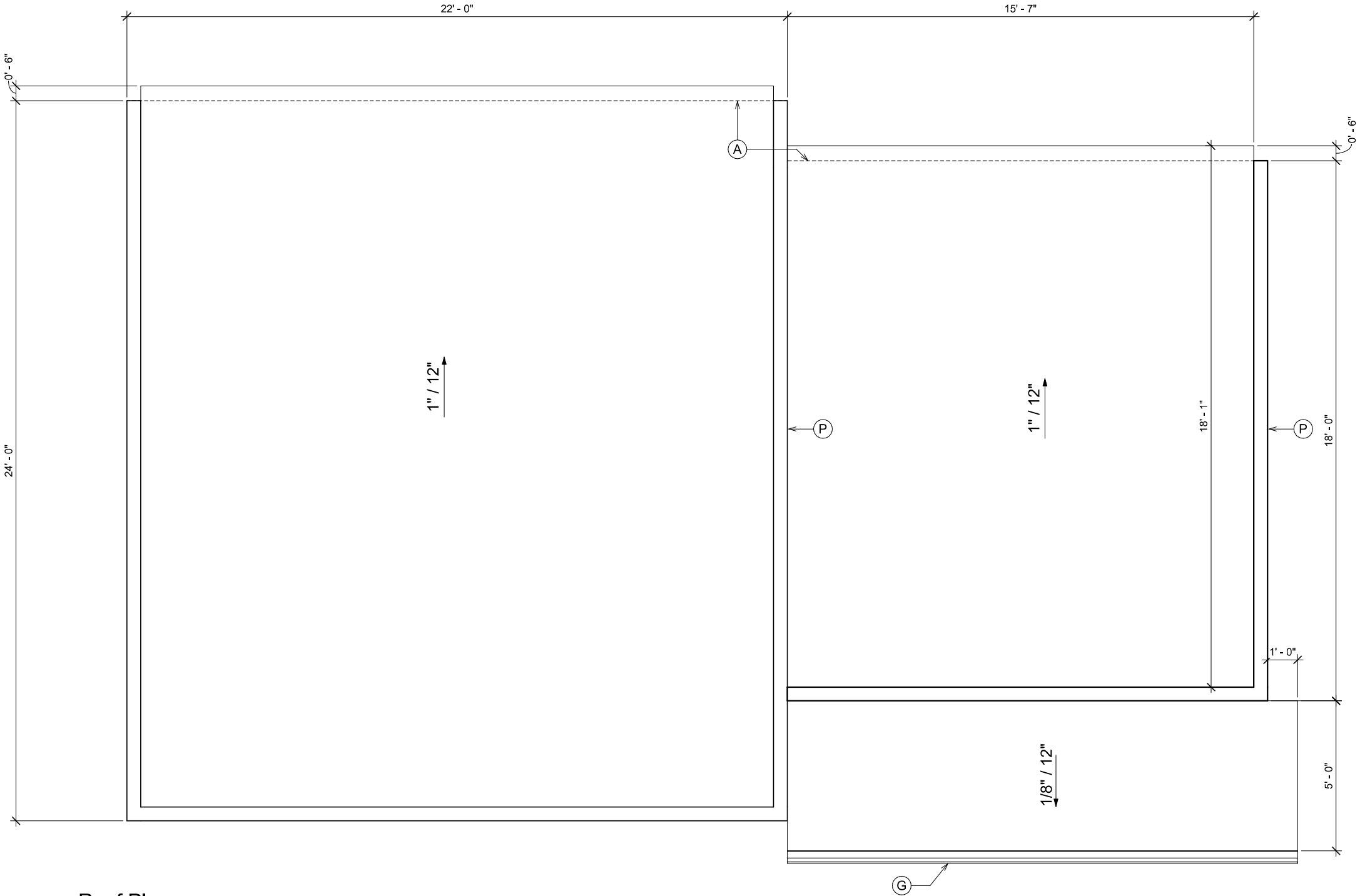
Contract purchaser

Applicant signature: _____

Date: Apr 19 2013

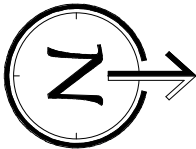
Property Owner's signature: _____

Date: _____



1 Roof Plan
1/2" = 1'-0"

- SHEET NOTES:**
- (A) LINE OF EXTERIOR WALLS (BELOW)
 - (G) GUTTER
 - (P) PARAPET WALL (2X6)

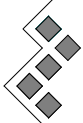


A2.3

DR: CH
CK: SAJ
DT: 10/15/2020
JB: HOMER
OFFICE
DWG: ROOF PLAN

WEISSER

HOMER, ALASKA



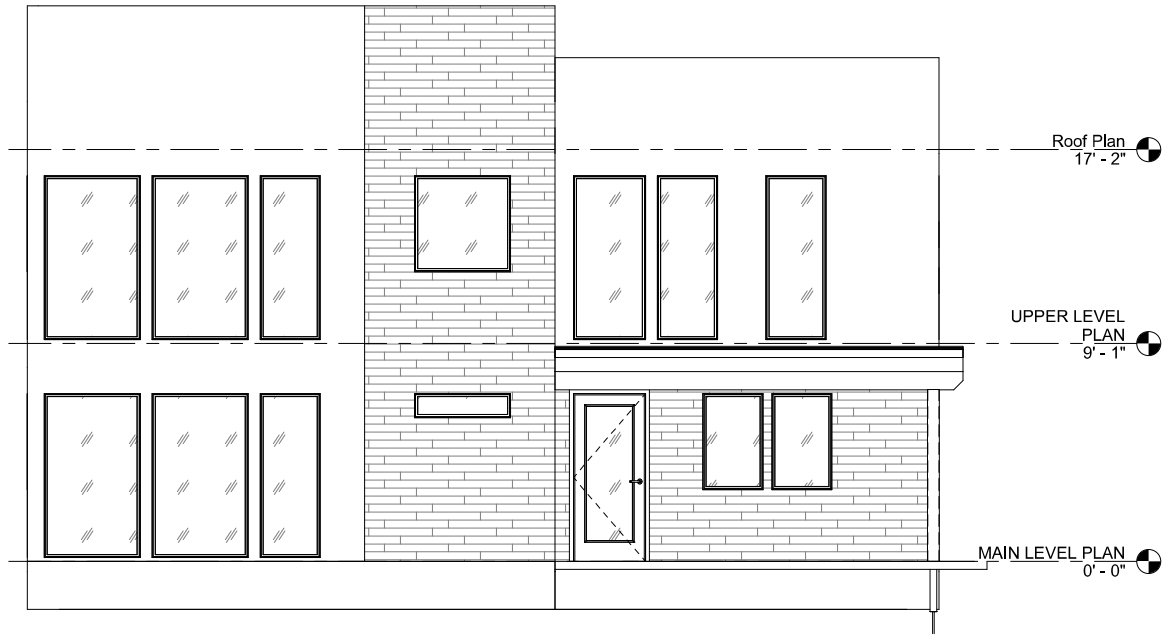
SAJJ ARCHITECTURE, LLC

SCOTT A. JONES SONES@SAJJARCHITECTURE.COM ANCHORAGE, AK 99502

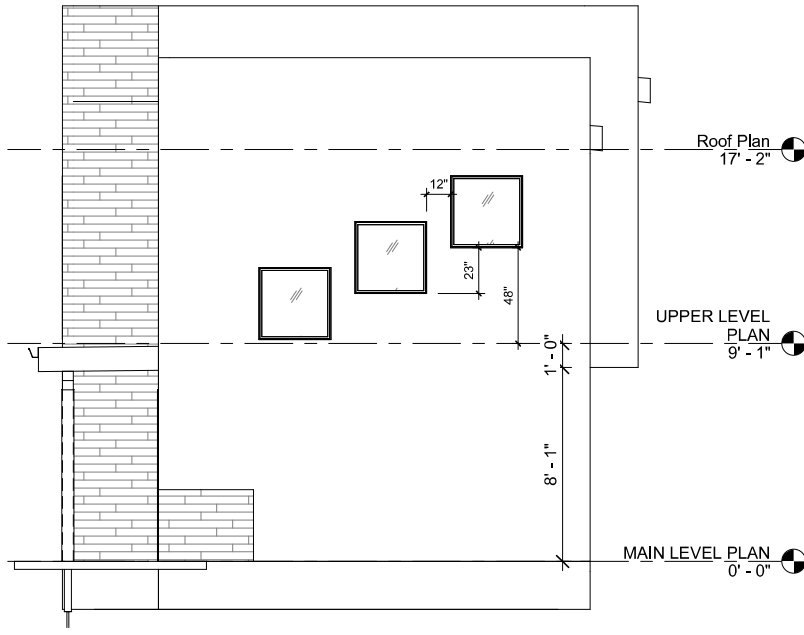
REV NO: DATE

SHEET NOTES:

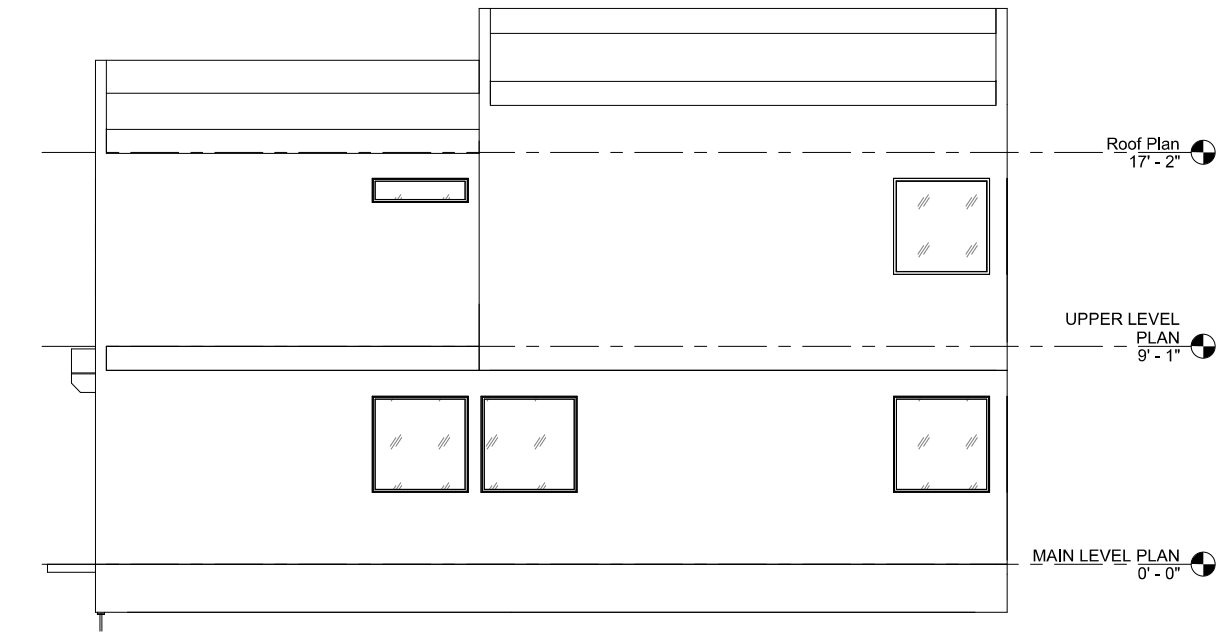
(A) NOTE A



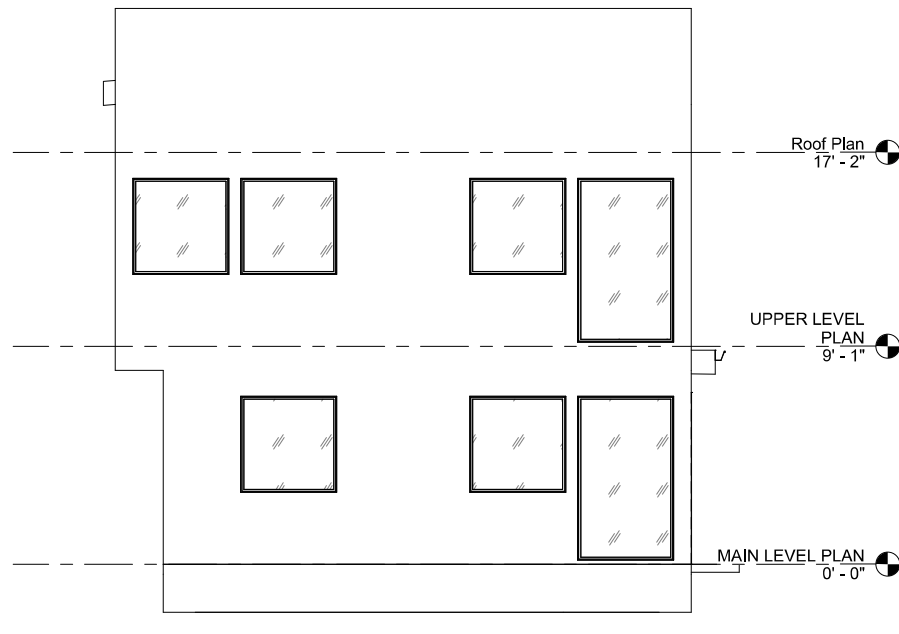
2 East
1/4" = 1'-0"



1 North
1/4" = 1'-0"



4 West
1/4" = 1'-0"



3 South
1/4" = 1'-0"

REV NO: DATE

SAJJ ARCHITECTURE, LLC
SCOTT A. JONES SONES@SAJJARCHITECTURE.COM ANCHORAGE, AK 99502

WEISSER
HOMER, ALASKA

DR: CH
CK: SAJ
DT: 10/15/2020
JB: HOMER
OFFICE
DWG: ELEVATIONS

A3.1

Door Schedule						
Door #	Width x Height	Type	Door Material	Frame Material	Hardware Group	Comments
101	36"x84"					
102	36"x80"					
103	36"x80"					
104	36"x80"					
105	36"x80"					
106	24"x80"					
201	24"x80"					
202	32"x84"					
203	36"x80"					
204	36"x80"					

Room Schedule								
#	Name	Area	Occ	Wall Finish	Ceiling Finish	Base Finish	Floor Finish	Comments
101	OFFICE/RECEPTION	279 SF						
102	OFFICE	144 SF						
103	OFFICE	147 SF						
104	RESTROOM	46 SF						
105	STAIR	75 SF						
201	KITCHENETTE	63 SF						
202	OPEN OFFICE	328 SF						
203	OFFICE	123 SF						
204	CONFERENCE	144 SF						
205	RESTROOM	30 SF						

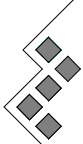
Window Schedule				
Type	Mark	Width x Height	Room	Comments
2.5 x 4	01	30"x48"		
4 x 1	02	48"x12"		
2.5 x 6 10	03	30"x82"		
4 x 6 10	04	48"x82"		
4 x 4	05	48"x48"		
3 x 3	06	36"x36"		
3 x 6 10	07	36"x82"		
2.5 x 6 10	08	30"x82"		

DR: CH
CK: SAJ
DT: 10/15/2020
JB: HOMER
OFFICE
DWG: SCHEDULES

A4.2

WEISSER

HOMER, ALASKA



SAJJ ARCHITECTURE, LLC

SCOTT A. JONES SJOES@SAJJARCHITECTURE.COM ANCHORAGE, AK 99502

REV NO: DATE



1 3D View 1

DR: CH
CK: SAJ
DT: 10/15/2020
JB: HOMER
OFFICE

DWG: 3D VIEW 1

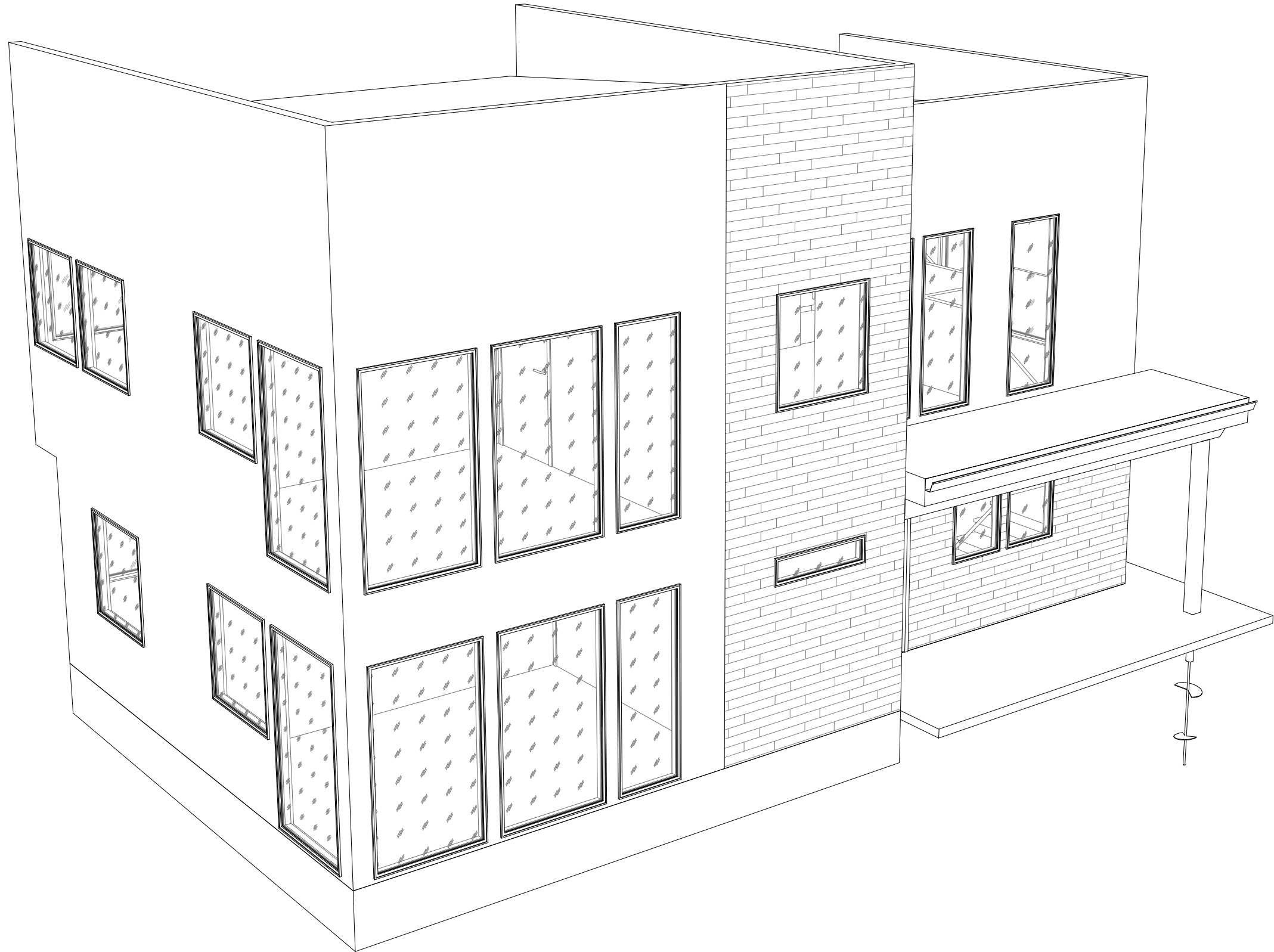
WEISSER

HOMER, ALASKA

SAJJ ARCHITECTURE, LLC
SCOTT A. JONES SJOES@SAJJARCHITECTURE.COM ANCHORAGE, AK 99502

REV NO: DATE

1 3D View 2



DR: CH
CK: SAJ
DT: 10/15/2020
JB: HOMER
OFFICE

DWG: 3D VIEW 2

WEISSER

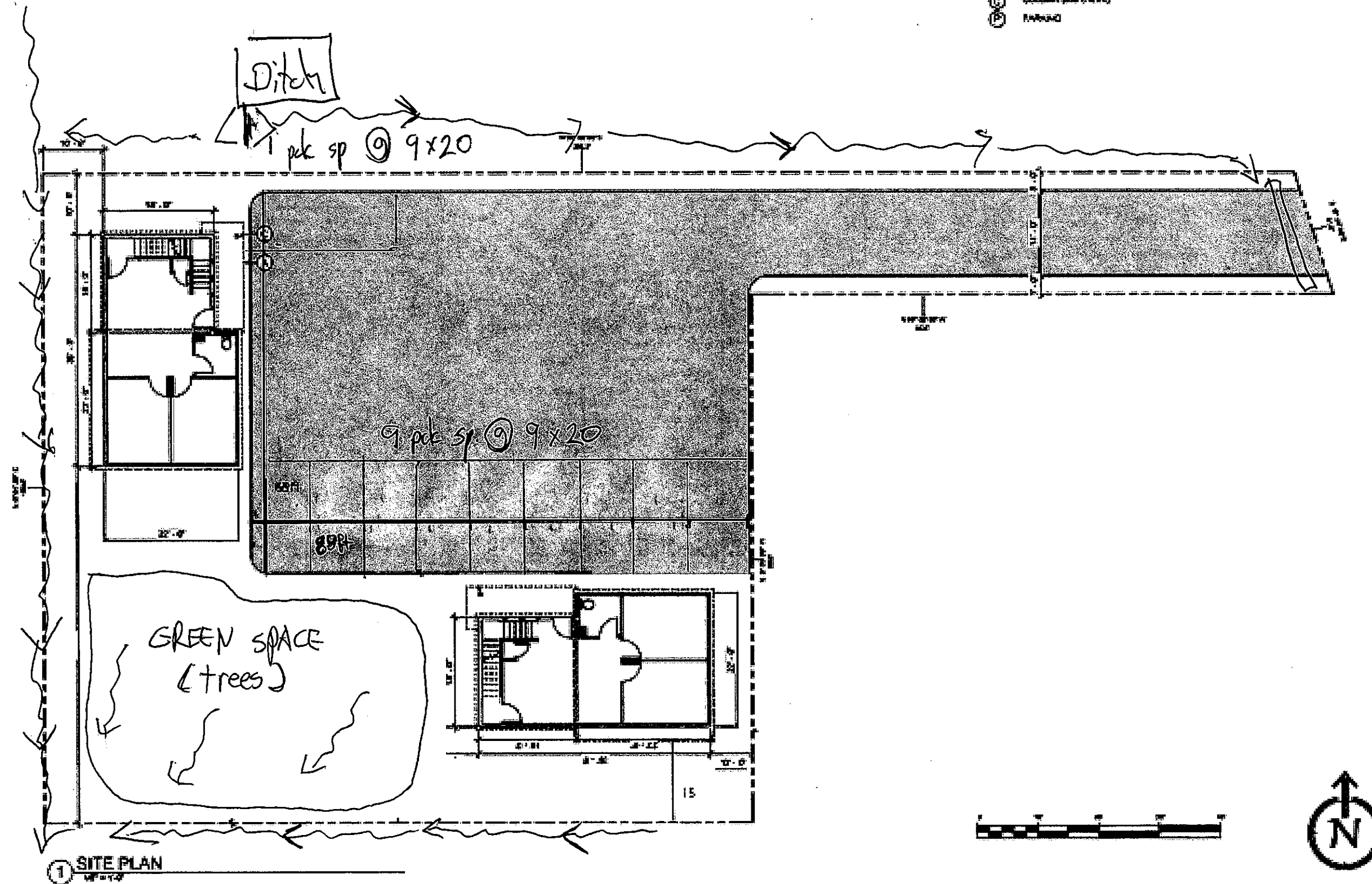
HOMER, ALASKA

SAJJ ARCHITECTURE, LLC
SCOTT A. JONES SJONES@SAJJARCHITECTURE.COM ANCHORAGE, AK 99502


REV NO: DATE

SHEET NOTES:

- A** LINE OF BUCK EMPLOYEES
B COLUMN (SEE ENTRY)
P PLYWOOD



NEW! DATE



S&P ARCHITECTURE, LLC
 1000 N. GARDEN HIGHWAY, SUITE 100, GAITHERSBURG, MD 20878
 TEL: 301.948.8888 FAX: 301.948.8889
 WWW.SPARCHITECTURE.COM

WEISSER
HOMER, ALASKA

DATE: 04
TIME: 00
BY: 000000000000
NO. 000000000000
RE: 000000000000

29

1X17 DRAWINGS ARE HALF THE INDICATED SCALE.

* 95% REVIEW SET * 12/23/2021 10:40 10 AM



GOAL 1: Guiding Homer’s growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including limiting greenhouse gas emissions.

Objective A: 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.

Staff: This infill project supports the concentrated mixed-use center (of town) and supports a desirable community character.

Objective B: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth.

N/A – not associated with update of zoning map.

Objective C: Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.

Staff: While not a housing project, the structures are similar in size to others nearby and contributes to a quality neighborhood.

Objective D: Consider the regional and global impacts of development in Homer.

Staff: This projects promotes medium density and discourages sprawl with infill of a centrally located lot.

GOAL 2: Maintain the quality of Homer’s natural environment and scenic beauty.

Objective A: Complete and maintain a detailed “green infrastructure” map for the City of Homer and environs that presents an integrated functional system of environmental features on lands in both public and private ownership and use green infrastructure concepts in the review and approval of development projects.

N/A – not associated with mapping

Objective B: Continue to review and refine development standards and require development practices that protect environmental functions.

N/A – not associated with creation of development standards

Objective C: Provide extra protection for areas with highest environmental value or development constraints.

N/A – Already developed area, no change in impact is proposed.

Objective D: Collaborate with jurisdictions outside the City of Homer, as well as state and federal agencies, to ensure that environmental quality is maintained.

N/A – not associated with other jurisdictions

GOAL 3: Encourage high-quality buildings and site development that complement Homer's beautiful natural setting.

Objective A: Create a clear, coordinated regulatory framework that guides development.

Staff: Goal 3, objective A implementation items are all directives to review and consider new policies and are not directly applicable to CUP's.

Objective B: Encourage high quality site design and buildings.

Staff: The proposal supports a tasteful new office building that is required to gain approval of the State Fire Marshall.

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

Objective A: Encourage a concentrated, pedestrian oriented, attractive business/commerce district in the Central Business District (CBD) following the guidelines found in the Town Center Development Plan.

Staff: The proposal is not found in the CBD.

Objective B: Discourage strip development along the Sterling Highway and major collectors/thoroughfares.

Staff: This proposal supports infill in the RO district and that is not located on a major collector.

Finding:

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

**CITY OF HOMER
PUBLIC HEARING NOTICE
PLANNING COMMISSION MEETING**

A public hearing on the matter below is scheduled for Wednesday, May 3, 2022 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

A request for Conditional Use Permit (CUP) 23-05 per HCC 21.16.030(g), more than one building containing a permitted principle use on a lot at 4063 Pennock Street. The applicant proposes to construct a second general business office on the lot.

In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603.

To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903
Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for May 3, 2023 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4pm on the day of the meeting.

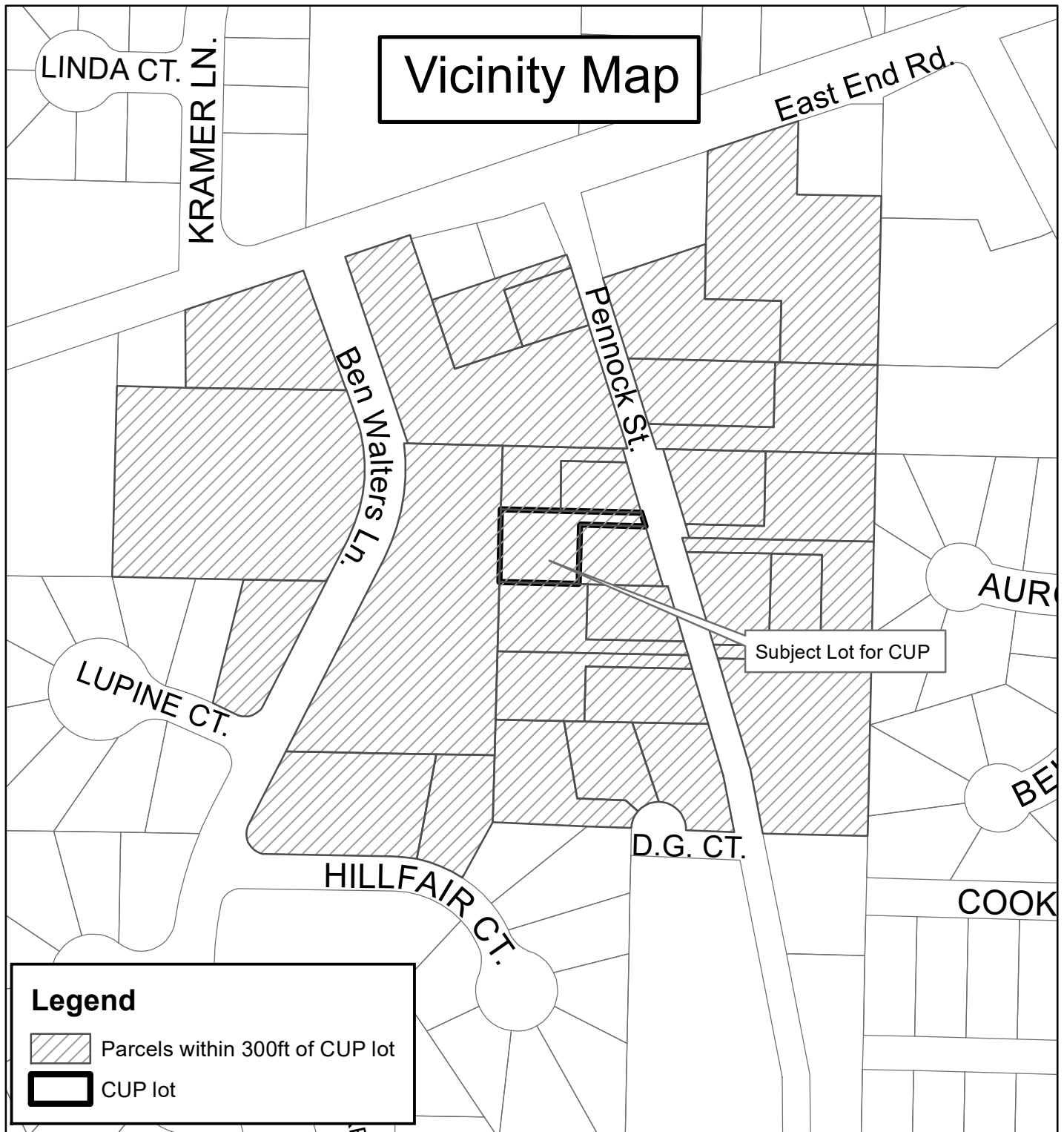
If you have questions, contact Rick Abboud at the Planning and Zoning Office. Phone: (907) 235-3106, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

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

.....

VICINITY MAP ON REVERSE





City of Homer
Planning and Zoning Department

April 7th, 2023

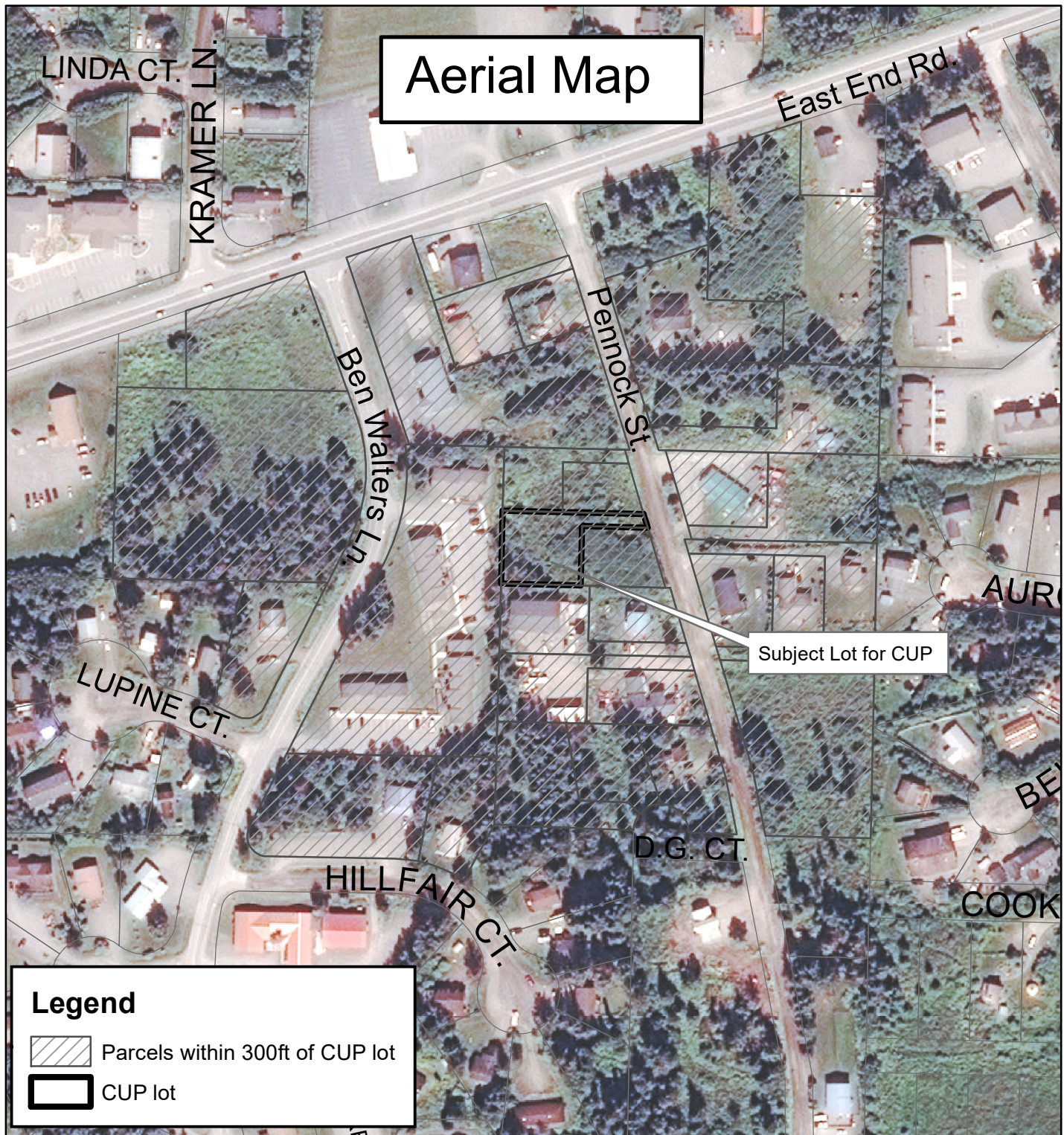
Request for Conditional Use Permit 23-05 4063 Pennock St.

Marked lots are within 300 feet and
property owners notified.

0 137.5 275 Feet



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



City of Homer
Planning and Zoning Department

April 7th, 2023

Request for Conditional Use Permit 23-05 4063 Pennock St.

Marked lots are within 300 feet and
property owners notified.

0 137.5 275 Feet



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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 PC 23-032

TO: Homer Planning Commission
FROM: Julie Engebretsen, Economic Development Manager
THROUGH: Rick Abboud, AICP, City Planner
DATE: 5/3/2023
SUBJECT: Seal Rock Roost 2023 Preliminary Plat

Requested Action: Approval of a preliminary plat to divide one larger lot into three smaller lots.

General Information:

Applicants:	Annette Koth 4758 Kachemak Dr Homer, AK 99603	Ability Surveys 152 Dehel Ave Homer, AK 99603
Location:	East End Road, East of Kachemak Drive	
Parcel ID:	17421036	
Size of Existing Lot(s):	5.76 acres	
Size of Proposed Lots(s):	2.772, 1.920 and 1.117 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Residential/Commercial South: Kachemak Bay East: Residential West: Residential	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	Riparian wetlands and potential tidal wetlands are shown on the plat.	
Flood Plain Status:	Areas below the bluff may lie within a VE 24 flood zone.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available at this time.	
Public Notice:	Notice was sent to 16 property owners of 20 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat subdivides one larger lot into three smaller lots. Staff met with the surveyor, who explained the KPB code allows water such as Kachemak Bay to be considered public legal access for property. Therefore, no right of way is dedicated to Tract 1B and 1C. The surveyor did provide a driveway exhibit; a private driveway easement over the existing driveway will be granted to Tract 1B and 1C.

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 these requirements.

- 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 required by HCC 11.04.120.

Staff Response: The plat meets these requirements.

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 meets these requirements.

- 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 meets these requirements.

- 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: The plat meets these requirements.

- 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 meets these requirements. City requests a 40-foot drainage easement centered on the creek. This easement may be reduced on the subject plat based on the actual location of the creek – not very much of the stream appears to be on the property.

- 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 meets these requirements.

- 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.

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

Staff Response: The plat meets these requirements.

- 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. No water and sewer services are in the immediate area.

- 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. No roads are dedicated.

- 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. Slopes are marked.

- 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. No known 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: A development agreement is not required. A 15-foot utility easement should be granted along East End Road. City requests a 40-foot drainage easement centered on the creek.

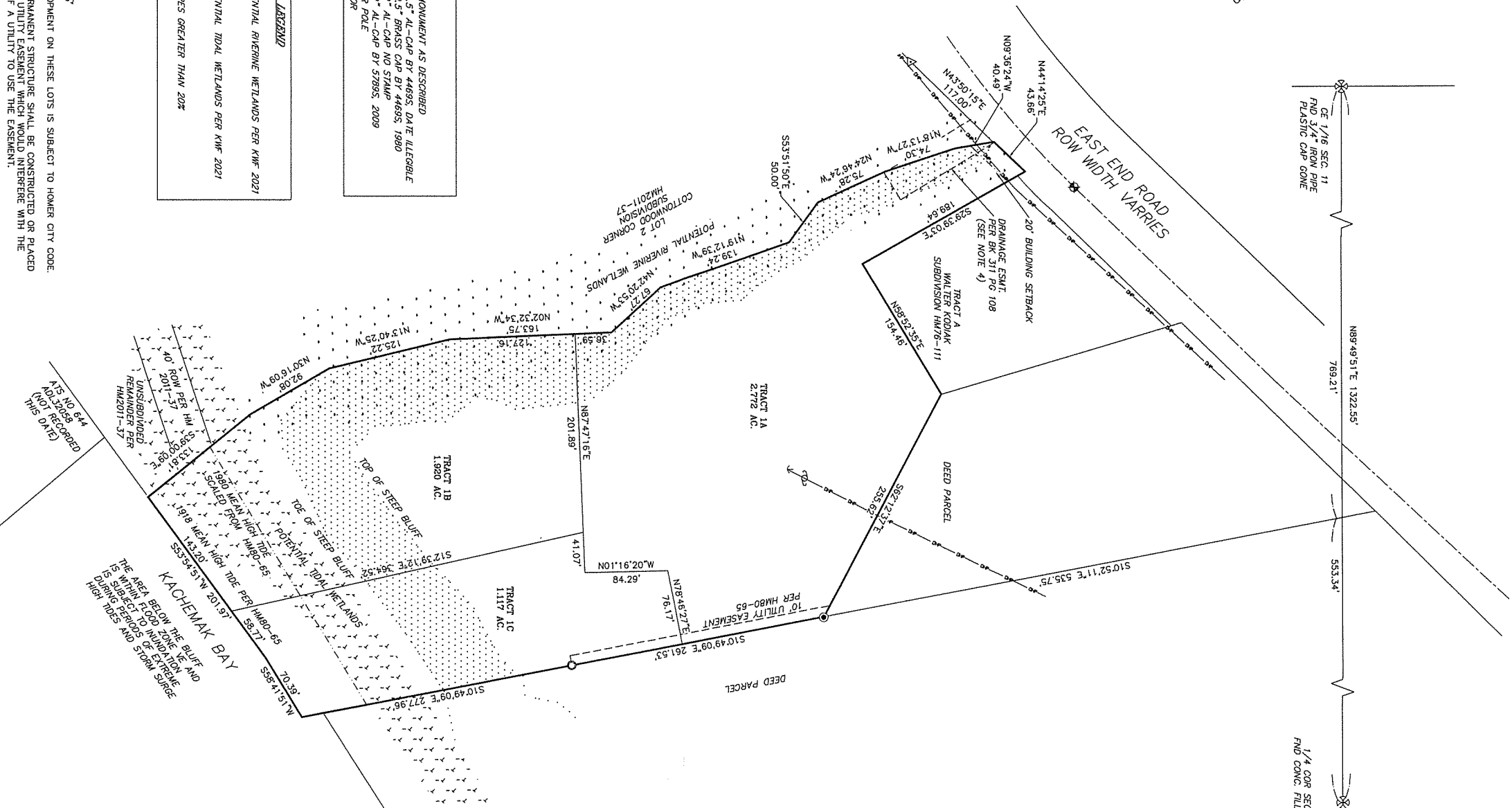
Staff Recommendation:

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

1. Include a plat note stating "Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits."
2. The subdivider shall dedicate a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and the existing street right-of-way.
3. Grant a 40-foot drainage easement centered on the creek. This language may need to be modified to reflect the appropriate easement. Most of the creek appears to be west of the subdivision; a 20-foot drainage easement along the western lot line, or similar, may be an alternative south of the existing DOT easement.

Attachments:

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



LEGEND

NO MONUMENT AS DESCRIBED

NO 1.5\"/>

HATCH LEGEND

POTENTIAL RIVERINE WETLANDS PER KWF 2021

POTENTIAL TIDAL WETLANDS PER KWF 2021

SLOPES GREATER THAN 20%

- NOTES**
1. DEVELOPMENT ON THESE LOTS IS SUBJECT TO HOMER CITY CODE.
 2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
 3. PROPERTY OWNER SHOULD CONTACT ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
 4. BOOK 314 PAGE 108, H.R.D. GRANTED A DRAINAGE EASEMENT TO TRACT 1A AND TRACT 1B FOR THE PURPOSE OF INSTALLING AND MAINTAINING DRAINAGE FACILITIES.
 5. HATCH PATTERN SHOWS APPROXIMATE LOCATIONS OF WETLANDS AS IDENTIFIED BY THE KENAI WATERSHED FORUM.

CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described herein, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all public rights-of-way and grant all easements to the use shown.

ANNETTE KOTH
4755 KACHEMAK DR
HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For ANNETTE KOTH

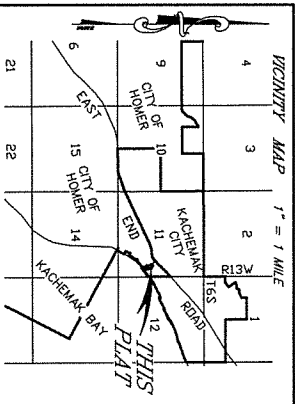
Acknowledged before me this ____ day of _____, 2023.

Notary public for Alaska _____ My Commission Expires _____

RECEIVED

APR 07 2023

**CITY OF HOMER
PLANNING/ZONING**



DATE	4-6-2023
SCALE	1" = 60'
JOB NO.	5474
DRAWING	SYMA, 5102, 4885
DRAWN BY	CN
CHECKED	

SEAL ROCK ROOST 2023

A REPEAT OF TRACT 1, SEAL ROCK ROOST SUBDIVISION (HM80-65) IN THE SE 1/4 SEC. 11, T5S, R13W, S4, KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA CONTAINING 5.809 ACRES

OWNERS: ANNETTE KOTH
4755 KACHEMAK DR
HOMER, AK 99603

ABILEY SURTHERS
DRAFTER, 725
152 DEER AVE., HOMER ALASKA 99603

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of MM/DD/YYYY.

KENAI PENINSULA BOROUGH

BY _____

Authorized Official

WASTEWATER NOTES

TBD

(SIGNATURE OF) ENGINEER _____

LICENSE # _____

DATE _____

PLAT #	
REG. DIST.	
DATE	20__
TIME	__M

HPB FILE No. 2023-000



CE 1/16 SEC. 11
FND 3/4" IRON PIPE
PLASTIC CAP CODE

769.21'

553.34'

1/4 COR. SEC'S 11 & 12
FND CONC. FILLED IRON PIPE

EAST END ROAD
ROW WIDTH VARIES

20' BUILDING SETBACK

DRAINAGE ESMT.
PER BK 311 PG 108
(SEE NOTE 4)

TRACT A
WALTER KODAK
SUBDIVISION HM78-111

DEED PARCEL

N44°14'25"E
43.66'

N09°36'24"W
40.49'

N43°30'15"E
111.00'

N18°13'27"W
74.30'

N24°46'24"W
75.28'

S53°51'50"E
50.00'

N19°12'39"W
139.24'

N42°20'53"W
61.21'

N02°32'34"W
163.75'

N13°40'25"W
125.22'

N00°16'09"W
92.08'

N40°11'37"E
135.91'

N39°00'09"E
135.91'

N35°33'51"W
135.20'

N19°12'39"W
139.24'

N42°20'53"W
61.21'

N02°32'34"W
163.75'

N13°40'25"W
125.22'

N00°16'09"W
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N13°40'25"W
125.22'

N00°16'09"W
92.08'

N40°11'37"E
135.91'

LEGEND

⊗ FND MONUMENT AS DESCRIBED

⊙ FND 1.5" AL-CAP BY 44695, DATE ILLEGIBLE

⊙ FND 2.5" BRASS CAP BY 44695, 1990

⊙ FND 2" AL-CAP NO STAMP

⊙ FND 2" AL-CAP BY 57895, 2009

⊙ POWER POLE

⊙ ANCHOR

HATCH LEGEND

□ POTENTIAL RIVERINE WETLANDS PER KWF 2021

□ POTENTIAL TIDAL WETLANDS PER KWF 2021

□ SLOPES GREATER THAN 20%

NOTES

1. DEVELOPMENT ON THESE LOTS IS SUBJECT TO HOMER CITY CODE.

2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.

3. PROPERTY OWNER SHOULD CONTACT ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.

4. BOOK 311 PAGE 108, H.R.D. GRANTED A DRAINAGE EASEMENT TO THE STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND MAINTAINING DRAINAGE FACILITIES.

5. HATCH PATTERN SHOWS APPROXIMATE LOCATIONS OF WETLANDS AS IDENTIFIED BY THE KENAI WATERSHED FORUM.

WASTEWATER NOTES

TBD

(SIGNATURE OF) ENGINEER

LICENSE #

DATE

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of MM/DD/YYYY.

KENAI PENINSULA BOROUGH

BY

Authorized Official

PLAT #

Rec Dkt

Date

Time

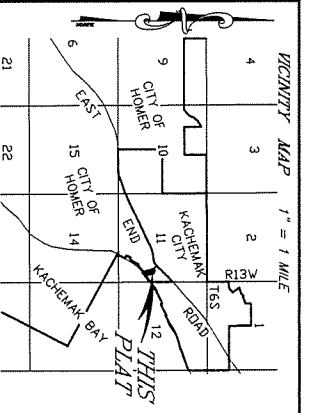
CERTIFICATE OF OWNERSHIP

I hereby certify that I am the owner of the real property shown and described hereon, and that I hereby adopt this plan of subdivision, and by my free consent dedicate all public rights-of-way and grant all easements to the use shown.

ANNETTE KOTH
4758 KACHEMAK DR
HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT

For ANNETTE KOTH
Acknowledged before me this ___ day of ___ 2023
Notary public for Alaska My Commission Expires



SEAL ROCK ROOST 2023

DRIVEWAY EASEMENT EXHIBIT

A REPEAT OF TRACT 1, SEAL ROCK ROOST SUBDIVISION (HM80-65) IN THE SE1/4 SEC. 11, T6S, R13W, S4M, KENAI PENINSULA BOROUGH, HOMER RECORDING DISTRICT, THIRD JUDICIAL DISTRICT, STATE OF ALASKA CONTAINING 5.809 ACRES

OWNERS: ANNETTE KOTH
4758 KACHEMAK DR
HOMER, AK 99603

ALBERT STUBBS
GARY NELSON, P.E.
(RD) 235-9440
152 DEER HILL, HOMER, ALASKA 99603

DRAWN BY: BT

CHECKED: GN

ABILITY SURVEYS

SURVEYING HOMER SINCE 1975

LAND SURVEYING - CONSTRUCTION SURVEYING - DESIGN SURVEYING
152 DEHEL AVE. , HOMER, AK. 99603 PH. 907-235-8440 FAX. 235-8440

4/7/2022

City of Homer Planning Dept.
491 E. Pioneer Ave.
Homer, AK 99603

Re: Preliminary Plat submittal of **SEAL ROCK ROOST 2023**

Enclosed herewith are 1 reduced 11" X 17" copy of the preliminary plat and 1 full sized 24"X36" copy, and check # 3878 in the amount of \$300 for the City of Homer filing fee.

The proposed subdivision is located near the intersection of East End Rd. and Kachemak Dr. The existing parcel is serviced by onsite water(cistern) and sewer. The north boundary of TRACT 1B is located 15' south of the existing septic drain field serving a home on TRACT 1A. The location of the septic field influenced the northern extent of TRACT 1B and 1C.

Tract 1, Seal Rock Roost, HM80-65 is zoned as Rural Residential. Legal access to the two southern lots will be via Kachemak Bay. The owner intends to provide an easement to both of these lots for land-based access along the existing driveway from East End Rd. Per Kenai Peninsula Borough requirements, this easement will be granted at the time of the lot sale.

I am not aware of any necessary code exemptions at this time but reserve a right to ask for it if one is found to be necessary.

Thank you for your assistance and consideration in this endeavor. Please don't hesitate to call for any reason.

Sincerely,

/s/ Gary Nelson

Gary Nelson, PLS

RECEIVED

APR 07 2023

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:

Seal Rock Roost 2023 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 Planning Commission on Wednesday, May 3, 2023 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for May 3, 2023 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

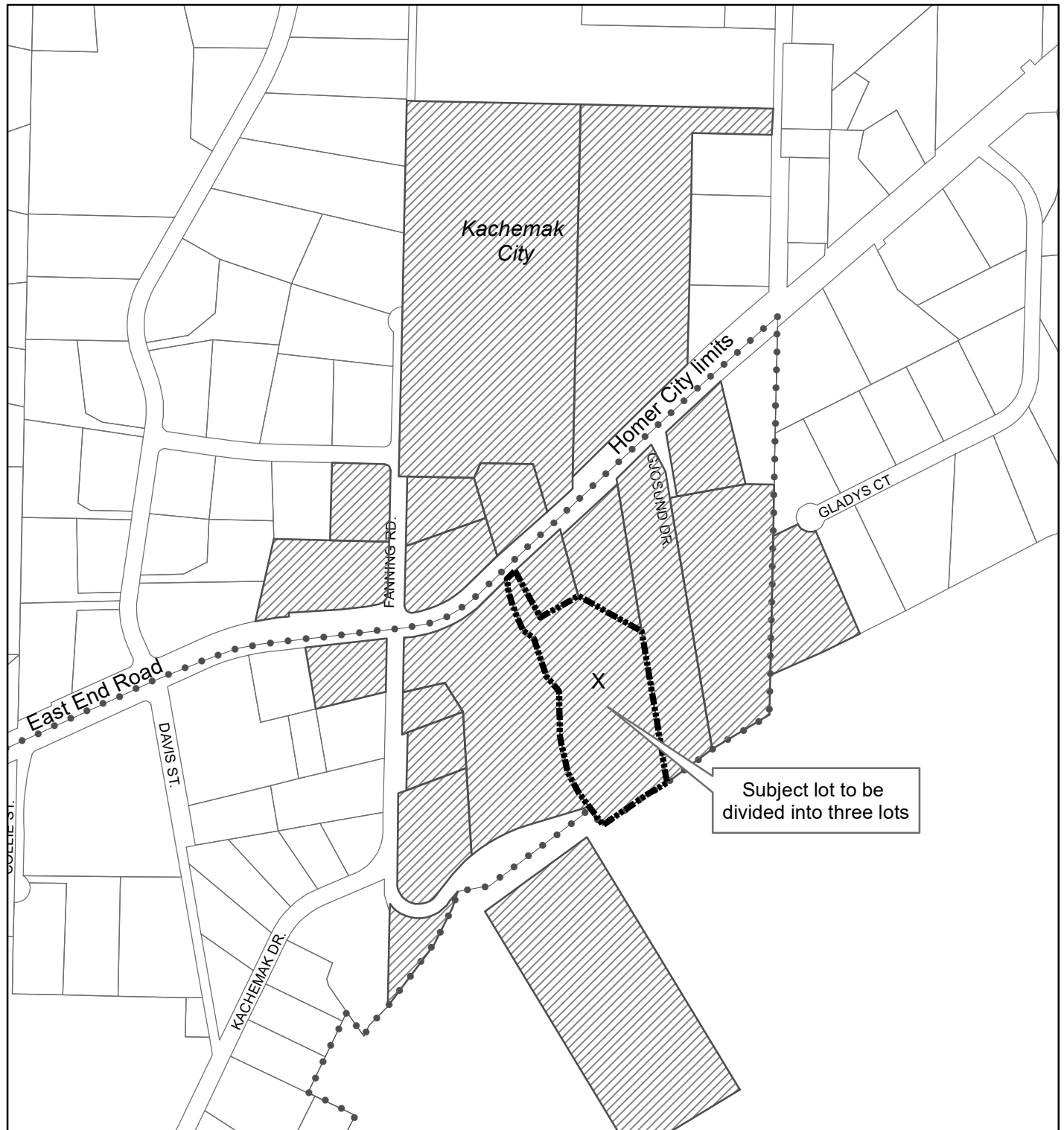
Written comments can be emailed to the Planning and Zoning Office at the address below, mailed to Homer City Hall at the address above, or placed in the Homer City Hall drop box at any time. Written comments must be received by 4 p.m. on the day of the meeting.

If you have questions or would like additional information, contact Rick Abboud at the Planning and Zoning Office. Phone: (907) 235-3106, email: clerk@cityofhomer-ak.gov, or in-person at Homer City Hall.

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

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department
4/20/23

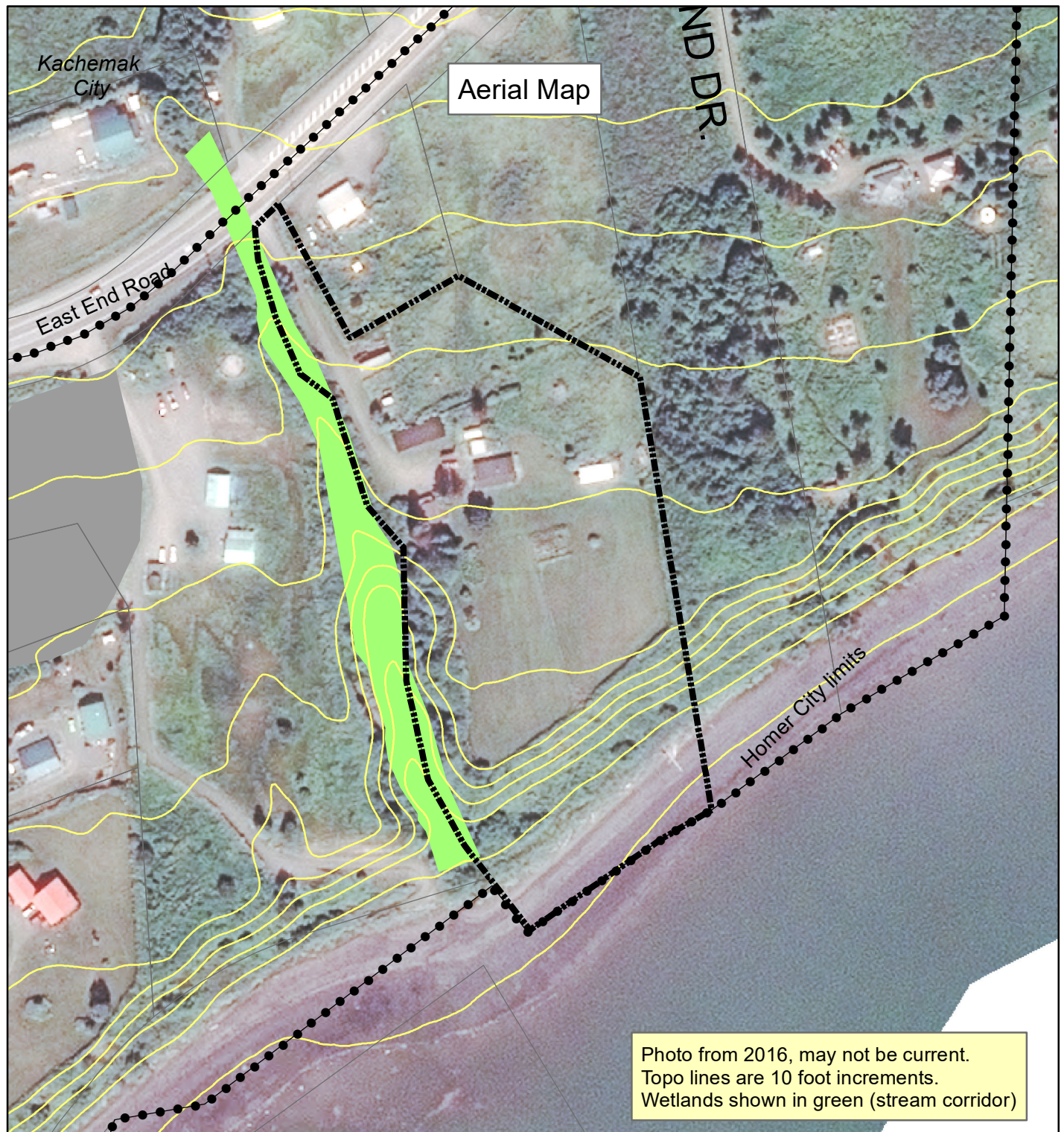
Seal Rock Roost 2023 Preliminary Plat

Marked lots are within 500 feet
and property owners notified

0 250 500 1,000 Feet



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



City of Homer
Planning and Zoning Department
4/20/23

Seal Rock Roost 2023 Preliminary Plat

0 50 100 200 300 Feet



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or conclusions drawn therefrom.*



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 23-029

TO: HOMER PLANNING COMMISSION
FROM: JULIE ENGBRETSSEN, ECONOMIC DEVELOPMENT MANAGER
DATE: APRIL 19, 2023
SUBJECT: MEETING SCHEDULE

Introduction

Staff encourages the Planning Commission to consider a one meeting per month schedule, with special meetings and work sessions scheduled when needed. Most communities around the state have monthly Planning Commission meetings. Refer to the chart below for examples of communities that meet once-per-month.

PC meetings per month	
One	Two
Soldotna	Kenai * with cancellations
Seward	Valdez
Palmer	
Wasilla	
Kodiak	
Nome	
Bethel	
Cordova	

HPC Meetings

2022: held 17 regular meetings

2023: 21 meetings scheduled

Analysis

For context, in the mid-2000s, the Commission had a record 32 meetings in one year. During this time, when the Planning Department had four full-time staff members. Larger projects and topics such as box stores, the creation of the Bridge Creek Watershed Protection District, and 40 preliminary plats meant Commission meetings began with work sessions at 5:30 p.m., and ran until 10:00 or 11:00 p.m. on a regular basis. Recruitment for new Commission members became difficult due to the time commitment required. Planning staff had little time outside of writing staff reports and prepping for meetings to work on other Planning department duties—such as enforcement, public and developer education, and training.

Today, the Planning Commission still meets twice-per-month but has substantially less actionable items for review at each meeting. Staff believes that meeting once per month will not be the cause for late-night meetings, and meeting time will still be managed efficiently and effectively.

The Planning department has 2.5 employees with occasional assistance on plats. As development regulations become more complex, City staff finds themselves needing to hire outside expertise or spend more time understanding the complex projects and find solutions. Based on the two meetings per month schedule, staff has five business days to review the Commission's discussion (without minutes, because they take several days to be processed by the City Clerk's office) and write new staff reports.

The opinion of City staff is that if the Commission were to move to a once-per-month meeting schedule, staff time would be better utilized to write quality staff reports and make substantial progress on projects and topics. Staff would have more time to work with hired subject-matter experts and to develop comprehensive staff reports, draft ordinances, and presentations. More meetings do not necessarily make for better regulation or more efficient government; improved staff reports and more productive meetings do. Staff encourages the Commission to reduce their meeting schedule to once a month as the first step to empowering better meetings.

Staff Recommendation

Consider moving Commission meetings to once a month, with special meetings as necessary. If the Commission approves a motion in favor of reducing the meeting schedule, staff can prepare a resolution to amend the meeting schedule, and an ordinance to amend Title 2.

NOTE: The Commission can schedule special meetings at their discretion and/or if the need arises. There would be a once a month deadline for applicants submitting applications for Commission approval.



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: April 19, 2023
SUBJECT: City Manager's Report for April 24, 2023 Council Meeting

2022 Visioning Update

I have been providing roughly quarterly updates to the Council priorities set in the 2022 visioning work sessions at the Pratt Museum. Accompanying this report is a memo providing updates on all priority items from 2022 and some additional commentary on projects that carried over from 2020.

Coast Guard City Update

We have received word that the Commandant of the Coast Guard officially intends to approve our application to become a Coast Guard City. We are waiting for the end of the 30-day Congressional notification period to expire before we can become official. I expect that we should have exciting news to share at the second Council meeting in May.

Goodbye to Rick Abboud, City Planner

After 15 years, and upwards of 300 Planning Commission meetings with the City of Homer, Rick is moving on to a new position with York County, South Carolina which is part of the Charlotte metropolitan area. Rick joined the City in 2008 after serving as the planning director for Bethel, AK. He jumped straight into the big job of wrapping up the 2008 Homer Comprehensive Plan and shepherding it through the Planning Commission, City Council, and the Kenai Peninsula Borough Assembly. During Rick's tenure with the City he has worked with staff, Planning Commission, and Council on projects that have touched every section of Title 21. He collaborated to make additions to code which include solutions relating to steep slope development, grading and filling, over slope development, wind energy, telecommunication towers, storm water, creation of the East End Mixed use District, allowances for accessory dwellings, marijuana businesses, flood hazard ordinances and maps, coastal setbacks, and the creation of the medical district. Working with legal counsel, Rick has diligently defended numerous decisions of the Planning Commission over the years – including some that have been sustained in the Alaska Supreme Court and have been used as subject matter in an Alaska Chapter of the American Planning Association Conference session titled "how to do it right". Rick has also been very active with MAPP, Rotary, the Kenai Peninsula Homelessness Coalition, and served a stint as interim-City manager before my arrival in Homer. Being City Planner is a tough job, and Rick has done a good job. I applaud Rick for his efforts here in Homer and wish him the best in York County.

In preparation for Rick's departure, I have Special Projects Coordinator Ryan Foster on deck to serve as interim-City Planner. Ryan has previously served as the Planning Director for the City of Kenai and as Principal Planner for Los Alamos County, New Mexico.

State Legislature Check-Ins

After visits to Council by both Senator Stevens and Representative Vance, staff conducted follow up Zoom meetings arranged by our lobbyists at J&H Consulting. We largely talked about the Harbor Expansion study, the Municipal Harbor Grants Program, and each elected official gave us their analysis of the ongoing state budget process.



Residential Fuel Spill

On April 2, 2023 Homer Fire received a call from Enstar Energy who was reporting a smell of fuel in the area of Crittenden and Hidden Way. At about 11:45am Chief Kirko responded to the area and met with an Enstar employee who stated he had been receiving reports from residents in the neighborhood for the past few days of a potential gas leak. Enstar had inspected the homes and utilities in the area and found all systems to be secure and functioning properly. As the Chief investigated the area he detected the scent of diesel in the air, however there was no obvious visual sign of a spill. Chief Kirko was able to track the scent to storm drain and then followed it back to a property on Hidden way. At that time the spill was reported the City's Water & Sewer team, Alaska Department of Environmental Conservation (DEC), and the Coast Guard. At approximately 12:20pm HVFD and the Water & Sewer team responded with crews to place absorbent boom and pads at culverts and storm drains to help mitigate the spread of fuel toward the bay. At approximately 1:00pm Coast Guard, MST2 John Fanelli arrived and conducted a survey and obtained witness statements. Through the statements and the investigation of the site it was determined that the fuel spilled was home heating fuel from a 300-gallon home heating tank. The total amount leaked is estimated at between 75-150 gallons. Chief Kirko met with Jade Gamble of DEC on site and briefed her on our mitigation activities. We also met with the son of the home owner to discuss the cleanup procedures and what the home owner responsibilities are when this happens. At this point, the Fire Department is no longer directly involved keeping this case open and DEC has taken over case management. Moving forward, we're going to try to take this event as an opportunity for public education regarding residential oil storage and spill

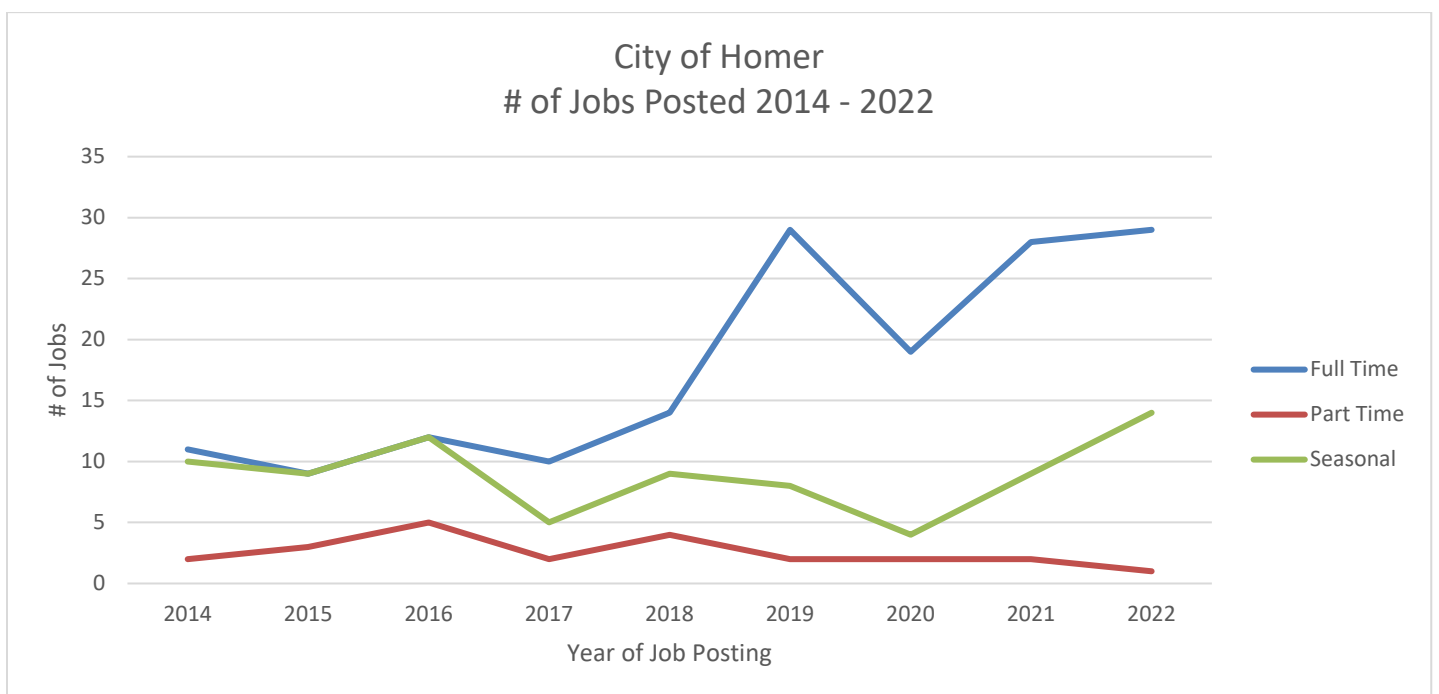
mitigation/response. Chief Kirko and Assistant to the City Manager Bella Vaz will be collaborating on that topic in the coming weeks.

Guiding Growth Conversation Series

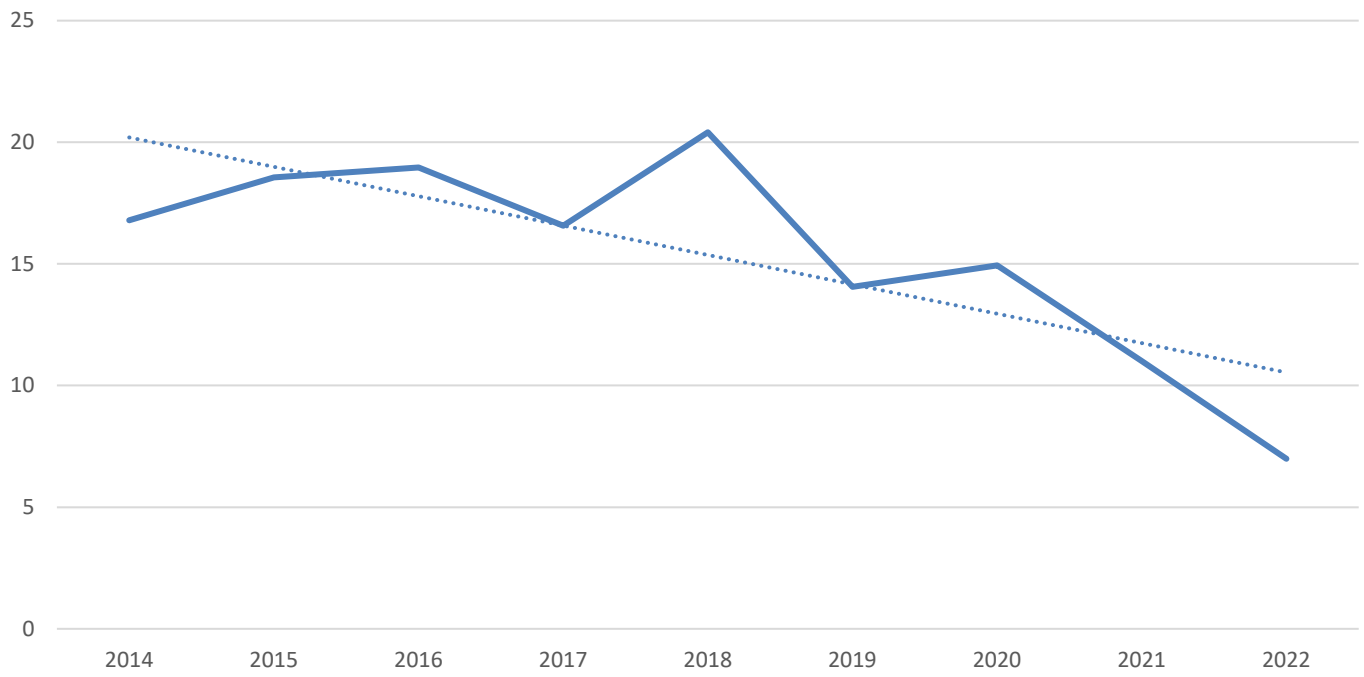
Guiding Growth is a conversation series developed by community members to explore growth opportunities and shared community values. Participating community members are unaffiliated and anyone is invited to help brainstorm, implement, and participate in the discussions. Through civic discourse, good conversation, and relevant resources the group hopes to help guide the vision of how the Homer community develops. The first discussion is on April 29, 4:00 pm at Christian Community Church. Mercedes Harness will present newspaper clippings about how Homer was growing forty years ago--and how many of our concerns and shared values have remained consistent. Tom Kizzia, who edited the Homer News in the mid-1970s, will provide deeper context. Community members will be invited to share their insights and ideas.

Job Applicant Data

I occasionally field questions from Council, other Cities, and local employers about how successful our recruiting efforts are at this time. The general perception is that the volume of job applicants has decreased and it has been more difficult to hire quality candidates. Wanting to see if reality backs that perception, I pulled some data from our online job application system and saw a declining volume of interest. I then turned it over to Special Projects Coordinator David Parker for a deeper dive. A couple trends have emerged. Since about 2019, we've been posting more job opportunities. We have also seen fewer applicants per listing starting in 2019. As one would anticipate, there are a large number of factors that play into the dynamics that drive interests in municipal positions – the types of jobs available, the pay ranges, the local housing market, how aggressively we market positions, etc. Despite lower numbers, we have had some very successful recruitments which landed talented and experienced new hires. At the same time, some positions have taken many months to fill with a qualified and interested person. If Council approves the proposed funding of a review of Personnel Regulations and Salary Schedules included in the Capital Budget, we will be able to dig deeper into potential internal barriers to recruitment and retention and develop solutions that will assist our ongoing modernization and improvement of human resources practices.



City of Homer Applicants/Job 2014 - 2022





City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council

FROM: Rob Dumouchel, City Manager

DATE: April 17, 2023

SUBJECT: 2022 Council Visioning Follow Up #4

Staff continues to work diligently to achieve 2022 Council visioning priorities. This is the fourth installment of what are intended to be roughly quarterly updates on project progress.

2022 Council Priorities

Fiscal Policy Improvements					
Comprehensive Plan Fast Forward		Zoning Code Modernization		Building Code Adoption and Implementation	
Expansion of Sidewalks and Trails			Water and Sewer Expansion		
Housing Challenges			Emergency Preparedness and Training		
Public Safety Conversations	Volunteer Action Plan	Coast Guard City Designation	Harbor Float Replacements	Recreation Priorities and Planning	Cybersecurity Improvements

- **Fiscal Policy Improvements** – We have developed and introduced the FY24/25 Operating and Capital Budgets and the FY22 Audit is nearly complete. Administration is using the budget as a device to provide a lot of baseline information to Council on different funds and future needs of the City. I see this as the foundation for the fiscal planning objective. The next layer is inventorying and expanding our fiscal policies as they relate to the various funds, our desires for reserve amounts, what funds can be used for, etc. Matched with that is a continued improvement to reporting methods. As financial policy improvements underpin virtually everything we do here at the City, we're trying to take a very comprehensive approach to this process.
- **Comprehensive Plan Fast Forward** – This project is being re-imagined. Council approved Ordinance 23-11 which appropriated \$650,000 for the comprehensive plan and zoning code update. That item was subsequently line item vetoed to reduce the appropriation to \$250,000. This dramatically changes what we are capable of achieving in relation to this Council priority. Standby for what will likely be a summer work session to get Council buy-in for the path forward.

- **Zoning Code Modernization** – This item was split into two pieces, pre- and post-comprehensive plan. With the comprehensive plan project up for re-imaging, the pathway of the zoning code modernization is somewhat unclear. We have had successes with what were intended to be pre-comprehensive plan items which included the West Hill rezone (Ordinance 22-35) and the conditional use permit reform project (Ordinance 22-68(A)). Ordinance 22-68(A) has been challenged in Court and our legal team is addressing that complaint.
- **Building Code Adoption and Implementation** – We submitted an application in late December for the BRIC (Building Resilient Infrastructure and Communities) Grant Program through FEMA as a possible source of funding to get our building program off the ground. The response to this application, not expected until June at the earliest, will have a large influence on how we proceed to the next steps. In the meantime, we're also working on permitting concepts for grading, dirt work, and burning which impact the same general stakeholders.
- **Housing Challenges** – The Special Projects Team had been planning a housing forum of some sorts when we became aware of some other entities within the community looking to do the same thing. We joined forces with South Peninsula Hospital Foundation, Kenai Peninsula Economic Development District, Homer Chamber of Commerce, Choosing Our Roots, and MAPP to host a community conversation facilitated by Denali Daniels. Upwards of 100 people came to the meeting and others completed associated surveys. I expect Council to receive a report from the event soon. More information available here: <https://ddaalaska.com/homer-housing-solutions/>
- **Water and Sewer Expansion** – Public Works has been putting significant effort into the general concept of expanding our utilities for the last two years. Expect more detailed updates in the future as we work to secure funding for significant expansion opportunities. We especially need to have future discussions regarding the financing of water and sewer expansions. We currently have access to frequent loan opportunities through ADEC. Special Projects has been looking at potential updates to the special assessment district process as well.
- **Expansion of Sidewalks and Trails** – The Main Street sidewalk has been completed and the Master Transportation Plan has made significant progress. In November, Council passed Ordinance 22-42(S-3) which creates new specifications for when new streets are required to provide for non-motorized transportation. The proposed FY24/25 Capital Budget has \$1.7M for the construction of a Ben Walters Sidewalk. We have also heard that our State Transportation Alternatives Program (TAP) grant application for the Homer All Ages and Abilities Pedestrian Path (supported by Resolution 23-013) is a big hit with AKDOT and has a high likelihood of success.
- **Emergency Preparedness and Training** – The All Hazards Plan has been completed and accepted by Council. We've used that document to create a monthly feature on a different hazard within the City's newsletter. The tsunami brochure design project with UAF has been completed and printed copied distributed. There remains much work to do related to the Emergency Operations Plan (EOP) and future training opportunity development. I have staff actively looking for funding opportunities related emergency preparedness. Chief Kirko and I attended a Tsunami Operations Workshop in Kodiak in March 2023. We learned a lot of valuable information from the various state and federal agencies present. We're also hoping to leverage those connections into some in person training for staff in the not too distant future.
- **Public Safety Conversations** – The Volunteer Fire Department hosted an open house in October which brought the public inside the fire hall for a discussion about fire and EMS services here in

Homer. The Homer Police Department has had success engaging the public with women's self-defense classes and a talk about social media that **Lt. Browning** has given multiple times here in town, once at the State legislature, and a number of other communities in Alaska.

- **Volunteer Action Plan** – Due to demands related to other projects, the Volunteer Action Plan has been on a bit of a hiatus. I'm looking at having it resume activity shortly with significant help from Economic Development and Community Recreation.
- **Coast Guard City Designation** – The Coast Guard Commandant has indicated her intent to approve our application to Congress. If no objections are filed during the 30-day notification period, our status as a Coast Guard City will become official. If all goes according to plan, this will happen at our second meeting in May.
- **Harbor Float Replacements** – Council passed Ordinance 22-19(A) which made \$56,540 available from the Port Reserves Fund for grant and engineering assistance related to a harbor float replacement project. At the second meeting in April, Council will have an opportunity to pass a resolution supporting the City's submission of a Port Infrastructure Development Grant that would help fund float replacement.
- **Recreation Priorities and Planning** – While this is a bigger conversation than the HERC/Pioneer Gateway Redevelopment Project, much of the general recreation conversation is occurring in parallel to those work sessions/discussions. We did host a presentation by Community Recreation Manager Mike Illg on August 22 that covered the City's recreational relationship with the Kenai Peninsula Borough School District. Further discussions have been part of the FY24/25 operating budget discussion.
- **Cybersecurity Improvements** – In late 2022 we filled an open IT position created by Ordinance 22-20, and in early 2023 we brought on a new lead for IT which gave us a full three person IT team for the first time since the third position was created. The lead IT position's job description was rewritten by the Library Director and I to function as a Chief Technical Officer (CTO). The new team, paired with the institutional knowledge and experience of Network Administrator Tomasz Sulczynski, has been making up a lot of ground on necessary updates and improvements. You'll see in the FY24/25 proposed operating and capital budgets that are increased funds for cybersecurity operations and a number of systems upgrades funded as capital projects.

2020 Highlights

- HERC Demolition – demolition of the smaller HERC building hit a snag in permitting related to hazardous materials, specifically PCBs. Council approved a task order to do testing for PCBs, and the results will drive the next step in the process.
- Stormwater Management Plan and Implementation – we have a grant pending to support the portions of the Kachemak "sponge" stormwater plan. Ordinance 23-16(S) accepted a grant and appropriated funds to support the Beluga Slough stormwater treatment system.
- Climate Action Plan – the CAP was intended to be integrated into the Comprehensive Plan for which funding was largely vetoed; a new path forward needs to be developed
- Wayfinding – Plan was adopted by Council, next steps will involve testing designs and installing prototypes around town. FY24/25 Capital Budget includes \$50,000 for implementation.

- Procurement Policy – Has been rolled into 2022 goal of financial policy improvements; looking at finishing the project with a finance term contract holder
- Reserve Funding; Election Code; Council Operating Manual; Funding for Large Vessel Harbor Study – Largely complete

2020 Council Initiated Priorities

HERC Demolition/Community Recreation Center		Stormwater Management Plan and Implementation		
Climate Action Plan		Wayfinding/Streetscape		
Water and Sewer Policy	Reserve Funding (Water and Sewer)	Election Code	City Council Operating Manual	Procurement Policy
Funding for Large Vessel Harbor Study				