



City of Homer Agenda

Planning Commission Worksession
Thursday, January 2, 2020 at 5:30 PM
City Hall Cowles Council Chambers

Homer City Hall

491 E. Pioneer Avenue
Homer, Alaska 99603

www.cityofhomer-ak.gov

CALL TO ORDER, 5:30 P.M.

AGENDA APPROVAL

DISCUSSION TOPIC(S)

- A. Staff Report 20-04, Medical Zoning District p. 109 of the regular meeting packet

COMMENTS OF THE AUDIENCE (3 minute time limit)

COMMENTS OF THE COMMISSION

ADJOURNMENT, 6:20 P.M.



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Homer, Alaska 99603
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City of Homer Agenda

**Planning Commission Regular Meeting
Thursday, January 2, 2020 at 6:30 PM
City Hall Cowles Council Chambers**

CALL TO ORDER, 6:30 P.M.

AGENDA APPROVAL

PUBLIC COMMENTS 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).

RECONSIDERATION

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

- A. Planning Commission Regular Meeting Minutes of December 4, 2019 **p. 3**
- B. Decisions and Findings document for Conditional Use Permit 19-07, to allow a parking lot expansion adjacent to the Seafarer's Memorial Park on Homer Spit Road. **p. 13**

PRESENTATIONS / VISITORS

REPORTS

- A. Staff Report 20-01, City Planner's Report **p. 19**

PUBLIC HEARINGS

- A. Staff Report 20-02, to allow Conditional Use Permit 20-02, an amendment to CUP 18-04, for multiple buildings at 680 Sterling Highway **p. 23**
- B. Staff Report 20-03, Conditional Use Permit 20-01 to allow a second story addition to the NOMAR building & a four-plex at 104 E Pioneer Ave. **p. 51**

PLAT CONSIDERATION

PENDING BUSINESS

- A. Staff Report 20-04, Medical Zoning District **p. 109**

NEW BUSINESS

- A. Staff Report 20-07, Kenai Peninsula Borough Gated Subdivision Ordinance p. 131

INFORMATIONAL MATERIALS

- A. City Manager's Report for December 9, 2019 City Council Meeting p. 147

COMMENTS OF THE AUDIENCE Members of the audience may address the Commission on any subject. (3 min limit)

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is Wednesday, January 15th, at 6:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission

Session 19-20, a Regular Meeting of the Planning Commission was called to order by Chair Venuti at 6:34 p.m. on December 4, 2019 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS DAVIS, VENUTI, BENTZ, PETSKA-RUBALCAVA, HIGHLAND
N SMITH

ABSENT: COMMISSIONERS BOS (EXCUSED)

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

APPROVAL OF THE AGENDA

Chair Venuti called for a motion to approve the agenda.

HIGHLAND/BENTZ – SO MOVED.

BENTZ/HIGHLAND MOVED TO AMEND THE AGENDA TO ADDRESS PENDING BUSINESS ITEM A. STAFF REPORT 19-93 CUP 19-07 IMMEDIATELY AFTER AGENDA APPROVAL.

Commissioner Bentz stated for the record that at the last meeting the public hearing on CUP 19-07 was closed but because this is a quasi-judicial action the Commission cannot take any additional information or new evidence regarding CUP 19-07. Amending the agenda allows the Commission to complete the quasi-judicial action without being subjected to new information or evidence.

VOTE. (Amendment). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair requested a motion to approve the agenda as amended.

HIGHLAND/BENTZ – SO MOVED.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Venuti introduced the Pending Business Item A. by reading of the title into the record and requested action from the Commission.

SMITH/BENTZ MOVED TO DENY CONDITIONAL USE PERMIT 19-07 WITH THE FOLLOWING FINDINGS:

FINDING 6 THE COMMISSION FINDS THE PROPOSAL WILL CAUSE UNDUE HARMFUL EFFECT UPON DESIREABLE NEIGHBORHOOD CHARACTER AS DESCRIBED IN THE PURPOSE STATEMENT OF THE DISTRICT.

FINDING 7 THE PROPOSAL WILL BE UNDULY DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE SURROUNDING AREA OR THE CITY AS A WHOLE.

FINDING 9 THE PROPOSAL IS CONTRARY TO THE APPLICABLE LAND USE GOALS AND OBJECTIVES OF THE COMPREHENSIVE PLAN.

Commissioner Bentz commented that she is in support of denial based on the testimony received, as well as several sections of the current policies including the Comprehensive Plan, Spit Comprehensive Plan, Hazard Mitigation Plan and the Kenai Peninsula Hazard Mitigation Plan.

City Planner Abboud clarified that the Decision and Findings will be on the agenda for the January 2, 2020 meeting and the Commission will still have the opportunity to review and amend and approve or not at that time.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

- A. Minutes of the November 6, 2019 Planning Commission Meeting
- B. Decisions & Findings Document for CUP 19-08, two duplexes at 4155 Pennock St.
- C. Utility Easement Vacation at 4097 Mattox Road, also known as lot 6A-1, and affecting lot 20A-1, of Virginia Lynn 2006 Replat, HM 2006020

Chair Venuti requested a motion to approve the Consent Agenda

HIGHLAND/SMITH – SO MOVED

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

REPORTS

A. Staff Report 19-95, City Planner's Report

City Planner Abboud provided a summary of Staff Report 19-95 and commented further on the following:

- HAWSP Analysis report at Council was interesting
- No further notice of appeals on Medical Clinics
- Commissioner Training is available February 9, 2019
 - o Commissioner Petska Rubalcava and Bentz were interested in attending
 - o Commissioner Davis was out of state at the time
- Council passed the moratorium on Conditional Use Permits for Professional Offices or Medical Clinics in the Residential Office District
- Natural Hazards folks will be attending the January 16th meeting

Commissioner Davis will attend the January 13, 2020 Council meeting and requested some guidance on what he should speak about. Commissioner Highland will attend the January 27th Council meeting.

Commissioner Smith expressed that he did not attend the November 25th meeting as he had just returned from vacation.

PUBLIC HEARING(S)

A. Staff Report 19-96, A request to vacate a 33 foot wide section line easement across 4097 Mattox Road, also known as Lot 6A-1 Virginia Lynn 2006 Replat, HM 2006020

Chair Venuti introduced the item into the record by reading of the title into the record.

City Planner Abboud provided a summary of Staff Report 19-96 for the Commission.

Gary Nelson surveyor and representative for the applicant came forward and provided the reason for the application, noting the encroachments and that he was available for questions.

Chair Venuti opened the public hearing seeing no one in the audience to provide testimony he closed the public hearing and opened the floor to questions from Commission.

The Applicant and Staff address the following issues, and question from the Commission:

- How long the applicant had owned the property

HIGHLAND/BENTZ MOVED TO ADOPT STAFF REPORT 19-96 AND RECOMMEND APPROVAL OF VACATING THE NORTHERN 33 FOOT PORTION OF A SECTION LINE EASEMENT

Brief discussion on the Excerpt from Kenai Peninsula Housing Initiative, Inc. objection.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- B. Staff Report 19-98, An Ordinance amending the Homer City Zoning Map; to rezone a portion of the Residential Office Zoning District to Central Business Zoning District

Chair Venuti introduced the item by reading of the title into the record.

City Planner Abboud provided a summary of Staff Report 19-98 for the Commission.

Chair Venuti opened the public hearing seeing no one in the audience he closed the public hearing and opened the floor to questions from the Commission.

There were no questions from the Commission and Chair Venuti requested a motion.

HIGHLAND/SMITH MOVED TO ADOPT STAFF REPORT 19-98 AND RECOMMEND FORWARDING THE DRAFT ORDINANCE AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE ZONING DISTRICT TO CENTRAL BUSINESS ZONING DISTRICT TO COUNCIL.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- C. Staff Report 19-99, An Ordinance amending Homer City Code 21.70.040, Permit Terms; to require an as-built survey be submitted to the City Planner after completion of any building or structure.

Chair Venuti introduced the item into the record by reading of the title.

City Planner Abboud provided a summary of Staff Report 19-99 for the Commission.

Chair Venuti opened the Public Hearing seeing no one in the audience coming forward to provide testimony he closed the hearing.

The Commission discussed the following points with input from the City Planner:

- Requiring As-builts after construction will not prevent encroachments
- Providing assistance to the public to assure that it constructs a proposed structure within the property lines
- General points during previous meetings on when to require as-builts

Chair Venuti requested a motion.

BENTZ/HIGHLAND MOVE TO ADOPT STAFF REPORT 19-99 AND RECOMMEND FORWARDING THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 21.70.040, PERMIT TERMS; TO REQUIRE AN ASBUILT SURVEY BE SUBMITTED TO THE CITY PLANNER AFTER COMPLETION OF ANY BUILDING OR STRUCTURE TO COUNCIL.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

A. Staff Report 19-97, Fairview Subdivision 2019 Replat Preliminary Plat

Chair Venuti introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 19-97 for the Commission.

Chair Venuti opened the Public Comment period. Seeing no one come forward to comment he closed the comment period and opened the floor to questions from the Commission.

Commissioner Smith inquired if this property would be considered within the area under a moratorium.

City Planner Abboud responded that it is considered within that area designated but the moratorium does not apply to this action.

Chair Venuti requested a motion hearing no further comments or questions from the commission.

BENTZ/RUBALCAVA MOVE TO ADOPT STAFF REPORT 19-97 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH COMMENTS 1 AND 2:

1. DEPICT A FIFTEEN FOOT UTILITY EASEMENT ALONG ALL ADJACENT RIGHTS-OF-WAY.
2. REMOVE PLAT NOTE STATING, "THERE ARE NO WET AREAS ON THE PROPERTY."

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 19-101, Section-line Easement Vacation Plat Preliminary Plat associated with Virginia Lynn 2006 Replat

Chair Venuti introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 19-101 noting that the Kenai Peninsula Borough informed the Planning Staff that a Preliminary Plat review is required.

Gary Nelson, surveyor for the applicant provided some clarification on the action requested to vacate the section line noting that it was a small holdover section.

Chair Venuti opened the Public Comment period. Seeing no one come forward to comment he closed the comment period and opened the floor to questions from the Commission.

Commissioner Davis requested some clarification on the process of vacating the section line easement and then doing a preliminary plat after the fact.

City Planner Abboud tried to provide some clarification of the process and stated that if this action was done in error it can be corrected after the fact. He reiterated that the Planning staff received the direction from the Borough.

Mr. Nelson provided information that the Department of Natural Resources requires the action by plat.

Chair Venuti requested a motion hearing no further questions or comments from the Commission.

BENTZ/SMITH MOVED TO ADOPT STAFF REPORT 19-101 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT TO VACATE THE SECTION LINE EASEMENT ACROSS LOT 6A-1 VIRGINIA LYNN 2006 REPLAT.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

C. Staff Report 19-100, Nomar 2019 Replat Preliminary Plat

Chair Venuti introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 19-100 from the Commission noting the review of the nonconforming status.

There was no applicant present.

Chair Venuti opened the Public Comment period. Seeing no one come forward to comment he closed the comment period and open the floor for questions from the Commission.

There was no questions from the Commission.

Chair Venuti requested a motion.

RUBALCAVA/DAVIS MOVED TO ADOPT STAFF REPORT 19-100 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT TO REMOVE A COMMON LOT LINE WITH THE FOLLOWING COMMENT:

1. DEDICATE A 15 FOOT UTILITY EASEMENT ALONG RIGHTS-OF-WAY WHERE BUILDINGS DO NOT ENCROACH

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

- B. Staff Report 19-98, Medical Zoning District

Chair Venuti introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 19-98 and noted the number of CUP's for medical facilities in the area and the recently approved moratorium. He did note that he plans to inventory the number of multi-family and single family residences in the Hohe/Main Street area so that they have better data available.

Discussion ensued by the Commission and City Planner Abboud on the following topics:

- Defining the borders of the proposed district
- If a conditional use permit would or would not be required
- Traffic Impact to the area with the existing medical services versus multi-family structures, etc.
- Potential Land Value and appeal to investors but there are some considerations on the amount of vehicles that would impact the area
- The fabric of the neighborhood is already interjected with medical facilities
- Proposed discussion on parking design to facilitate a residential feel
- Landscaping designs and alternatives
- Stormwater runoff
- Do not go east past Hohe since that is smaller lots and fairly residential
- What impact would there be if they leave it RO but allow Medical Clinics outright
- Review Medical Districts in similar communities
- Changing to a Mixed Use District zoning
- Defining the term Medical Clinic versus Professional Office
- Adding Small Café's or similar businesses
- Creating a guiding statement on why they are creating a Medical District
- This is a symptom of existing problems and this is to address those issues of parking

Further comment from the Commissioners on the following was conducted:

- Articulate it as proactive to create long term solutions and respond to residents' concerns
- This issue has been identified in the previous Comprehensive Plans to address anticipated growth in services
- Possibly promoting second Medical District near or in the area of SVT since it was apparent that they would eventually run out of space

City Planner Abboud will draft a document and bring it back before the Commission for additional work.

Chair Venuti called for a 5 minute recess at 8:39 p.m. The meeting was called back to order at 8:42 p.m.

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. City Manager Report for November 25, 2019 City Council Meeting
- B. Letters from Paul Sayer & Jonathon Young

COMMENTS OF THE AUDIENCE

Chair Venuti read into the record a Memorandum from Mayor Castner regarding the HAWSP fund into the record at his request:

"I am sorry I can't attend your meeting this evening as there are two topics that I hope to enlist your immediate interest. I spoke today with your Chairman, Rick and Julie so they might add some comments to this memo. Please take note of an ordinance being introduced at Monday's meeting that re-establishes the HAWSP Fund which is the Homer Accelerated Water and Sewer Projects. There will shortly be money and a dependable revenue stream coming into the Fund. For many years the fund had been living in negative territory which has negated any new projects for expanding the city's infrastructure. That will change in early 2020. This means new SAD's (Special Assessment Districts) and requests from Public Works. You may want to examine the utility of maximizing the leverage of low interest loans as opposed to paying cash other than the SAD match.

Second, I am determined to try and help the Baycrest Subdivision from sliding into Cook Inlet. I have drafted a project proposal to place a storm water drainage system involving proper catchment and discharge features upon further consideration of the topic of current hillside drainage and ditching I believe it should be more comprehensive and city-wide. I have set aside some scoping study money in the 2019 budget and perhaps the Planning department can get together with the Public Works and a smart consultant for a day and draft an outline then precede an expensive planning document. Thank you, for thinking about this, I will try to attend your next meeting.

City Planner Abboud responded to the Mayor's commented that they may have reached critical mass and can now consider applying for funding. He then commented on the HAWSP

analysis and the actual process of the SAD's. He expressed his concerns on the cost of expansion versus the number of actual properties that sign on to receive services adding additional expense burden to the city.

Chair Venuti noted that there were many areas of the city that that did not have the ability to hook up to city water and sewer.

A brief discussion on HAWSP ensued regarding the previous discussions by the Commission and City Planner Abboud will forward those previous staff reports that were presented on the subject to the Commission in response to question from Commissioner Davis and Chair Venuti's statement.

Commissioner Highland asked about the extension of water services outside city limits and if the Regulatory Commission had approved that for the city and if that money was part of the funds the Mayor was referring to for the HAWSP.

City Planner Abboud did not have any updated information about that at this time on the action but then stated that the Water and Sewer Funding was the result of the Analysis that was done on the HAWSP and cleaning up the projects.

Commissioner Bentz directed the Commission to the second item from the Mayor on addressing the natural hazards and hazard overlay zone and expanding that citywide and recommended having the Mayor attend the meeting on January 16th when they have the people from DGGs come and that questions to address at that meeting is how the information they do have can be applied; what information do we need; what do we need a consultant to do; do we need to have the consultant find funding sources for a comprehensive stormwater master plan and hazards mitigation or overlay maps; is there already established funding sources for those things? How can we maximize the impact and move forward without leap frogging and piecing things together.

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Highland inquired about the process for the CUP on the Spit Parking and then referenced the parking study that was recommended in the Spit Comprehensive Plan and wondered if this commission was supposed to do that.

City Planner Abboud responded that he thought that was directed at the Port according to the Plan. He did note that Council did present a budget request for funding a Parking Study. He noted that everyone was so hot for the parking and that they needed to define the goal.

Commissioner Highland opined that Port and Harbor should have consulted with the Planning Commission before this CUP since in her opinion it was not the best solution and now they have spent a lot of money and now they have no solution. Then that leads to the next question, if she would have participated in this discussion at the Port & Harbor

Commission would she have had to excuse herself from the CUP action when it was brought before this Commission.

City Planner Abboud responded that was a good question, noting the awkwardness of the whole situation.

Commissioner Petska-Rubalcava questioned conflict of interest on the ordinance for asbuilt requirements if her father came in to testify to the ordinance. Would she have to excuse herself?

City Planner Abboud provided clarification that generally there is the consideration of monetary gain or loss and bias. That can be a bit trickier but if it is in your best interest there may be a conflict. He then proceeded to explain the process to the Commission as a whole.

Commissioner Petska-Rubalcava then asked if she would have a conflict with the Plats since she is paid whether they are approved or not.

City Planner Abboud explained that technically they are not approving the Plats, but generally if she is paid over \$1000 to conduct the work, it could be perceived that she may have a conflict.

Commissioner Bentz informed the Commission that she would miss the January 15th meeting and possibly the first meeting in February. She will confirm that absence with the City Planner.

Commissioner Smith commented on the replacement of new exterior lighting fixtures after painting his house and his concerns with the downward lighting not providing enough light during winter. He wanted to report that they worked beautifully and provided the necessary light he needed to back into his driveway with no problems.

Commissioner Davis had no comments.

Chair Venuti commented that it was a good meeting. He then expressed some concerns about a quorum for the first meeting in February. He noted it was a good meeting couple of bumps to start, but good meeting.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:10 p.m. The next regular meeting is scheduled for Wednesday, December 4, 2019 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: _____

HOMER ADVISORY PLANNING COMMISSION

Denial of CUP 19-07

RE: Conditional Use Permit (CUP) 19-07

Address: Not assigned

Legal Description: Lot 31, Homer Spit Road Subdivision Amended

DECISION

Introduction

Bryan Hawkins, City of Homer Port and Harbor Director, (the “Applicant”) applied to the Homer Advisory Planning Commission (the “Commission”) seeking approval of a conditional use permit (CUP 18-09) under Homer City Code (HCC) 21.32.030(d) for parking areas on a parcel found in the Open Space Recreation District located on the Homer Spit.

The applicant proposes to expand an existing parking lot in the Open Space Recreation Zoning District by adding fill to construct additional parking spaces. The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on October 2, 2019. After receiving public testimony, the Commission approved a motion to postpone the item until the Commission regular meeting of November 6, 2019. Notice of the public hearing was published in the local newspaper and sent to 8 property owners of 25 parcels and 79 lease holders representing 103 leased parcels on the Homer Spit prior to each of the meetings.

At the December 4, 2019 meeting of the Commission, after deliberations, the Commission voted to deny CUP 19-07 with the unanimous consent of the six Commissioners present.

Evidence Presented

At the Planning Commission’s meeting of October 2, 2019, Deputy City Planner Engebretsen reviewed the staff report. Carey Meyer, Public Works Director, representing the applicant, made a presentation and responded to questions of the Commission. Two written comments in opposition were received. Six members of the public testified with five of the speakers

expressing opposition and one in favor of the proposal. The item was then postponed until the Commission's meeting of November 6, 2019 to allow for the gathering of additional information.

At the meeting of November 6, Deputy City Planner Engebretsen reviewed an additional staff report. Bryan Hawkins, Port and Harbor Director made a presentation, as the applicant, and answered questions. Thirteen people testified against the proposal or expressed caution and six testified in favor. Five of the opponents and one of proponents had previously testified on October 2, 2019. Twelve written comments were provided to the Commission. Ten of the written comments opposed the proposal and two expressed caution toward the concept. One of the written comments in opposition was from an individual that also testified in person.

Findings of Fact

After careful review of the record and consideration of the testimony presented at the hearing, the Commission determined that Conditional Use Permit 19-07 does not satisfy the review criteria under HCC 21.71.030 and thus denies the conditional use.

Pursuant to HCC 21.71.030 and HCC 21.71.040, a conditional use must satisfy the following criteria:

- a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.
- b. The proposed use(s) and structure(s) are compatible with the purpose of the zoning district in which the lot is located.
- 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.
- d. 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.
- 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.
- g. The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

- h. The proposal does or will comply with the applicable regulations and conditions specified in this title for such use.
- i. The proposal is not contrary to the applicable land use goals and objectives of the Comprehensive Plan.
- j. The proposal will comply with all applicable provisions of the Community Design Manual.

Based on the findings below the proposed conditional use fails to satisfy all the criteria identified in HCC 21.71.030. The Commission hereby denies Conditional Use Permit 19-07 the following findings.

Finding 1: Protecting and preserving natural and scenic resources is supported in the purpose statement of the Open Space - Recreation District. Full construction of phases one and two will result in the loss of public beach area, particularly with phase two. The proposed expansion of the parking lot undermines the recreational potential within the property and compromises the natural and scenic resources of the area. This is found to cause an undue harmful effect upon desirable neighborhood character.

Finding 2: The Commission finds that the uncertainty of the project's effects on neighboring property, substantiated with both written and oral testimony, is an unacceptable risk. This applicant has not provided compelling evidence that the project is not going to be unduly detrimental to the health, safety and welfare of the surrounding area.

Finding 3: The applicant proposes to place fill and pavement in an existing natural beach area. This development is found contrary to the Homer Spit Plan Goals 1.4 and 4.1, as it does not properly value natural resources and compromises the natural resources of the spit by harming habitat and biological diversity. Conflict with the 2018 Homer Comprehensive Plan is noted in that the proposal is contrary to maintaining the quality of Homer's natural environment and scenic beauty as found in Goal 2 of the Land Use chapter.

Conclusion

Based on the foregoing findings of fact and law, Conditional Use Permit 19-07 is hereby denied.

Date

Chair, Franco Venuti

Date

City Planner, Rick Abboud

NOTICE OF APPEAL RIGHTS

Pursuant to Homer City Code, Chapter 21.93.060, any person with standing that is affected by this decision may appeal this decision to the Homer Board of Adjustment within thirty (30) days of the date of distribution indicated below. Any decision not appealed within that time shall be final. A notice of appeal shall be in writing, shall contain all the information required by Homer City Code, Section 21.93.080, and shall be filed with the Homer City Clerk, 491 East Pioneer Avenue, Homer, Alaska 99603-7645.

CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2020. A copy was also delivered to the City of Homer Planning Department and Homer City Clerk on the same date.

Date

Travis Brown, Planning Technician

Micheal Gatti
JDO Law
3000 A Street, Suite 300
Anchorage, AK 99503

Katie Koester, City Manager
491 E Pioneer Avenue
Homer, AK 99603



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TO: Homer Advisory Planning Commission
FROM: Rick Abboud AICP, City Planner
DATE: January 2, 2020
SUBJECT: Staff Report 20-01 City Planner's Report

City Council 12/09/19

I am sure that all of you already know that City Manager Koester submitted her resignation and is able to work on a transition until early April if necessary.

Memorandum 19-158 from Deputy City Clerk re: Vacation of a 40 foot wide section of an unnamed Public Access Easement in Homer described as the westerly 280.6 feet of the north 20 feet of Lot 14, H.K. Davis Subdivision Amended (HM 61-49) and the westerly 280.6 feet of the south 20 feet of Lot 1-L, H.K. Davis No. 5 (HM 86-21). The Public Access Easement being vacated is developed and located within the NW 1/4 SE 1/4 of Section 11, Township 6, Range 13 W, Seward Meridian, Alaska, within the Kenai Peninsula Borough, KPB File 2019-128V. Recommend approval.

Memorandum 19-159 from Deputy City Clerk re: Vacation of a 33 foot Section Line Easement located on the south lot lines of Lot 18-A Oscar Munson No. 23 (Plat HM 2006-66) and the south 400 feet of the east 400 feet of Government Lot 1, Section 20, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough, KPB File 2019-025v. Recommend approval.

Ordinance 19-59, An Ordinance of the City Council of Homer, Alaska, Approving the Sale of the Homer Public Library Lot Located at 3713 Main Street and Authorizing the City Manager to Execute the Appropriate Documents to Dispose of the Lot. Venuti. Recommended dates Introduction December 9, 2019. Public Hearing and Second Reading January 13, 2020.

Derotha Ferraro and Cinda Martin presented on Project Homeless Connect. It is a one day event on Wednesday, January 29th at the United Methodist Church from 9am to 4pm; it's a one stop event for housing and program enrollment, support for homeless and near homeless; and there is one goal to help end homelessness by helping those already homeless or near homeless achieve stability by accessing needed resources in a convenient one stop location. Ms. Ferraro provided an overview of the history of the nationwide program that started in San Francisco 15 years ago and Soldotna began their program in 2019. She explained there isn't an official homeless count in Homer, but the Food Pantry client numbers are growing, last year's average was 125 families, up to 175-200 this year. She provided a list of offerings at the

event, local organizers, and current needs. More information is available at www.sphosp.org and on Facebook.

Ordinance 19-51, An Ordinance of the Homer City Council Appropriating Funds for the Calendar Years 2020 and 2021 for the General Fund, the Water Fund, the Sewer Fund, the Port/Harbor Fund, and Internal Service Funds. City Manager. Introduction October 28, 2019. Public Hearing and Second Reading November 25, 2019 and December 9, 2019.

There were no public comments.

ADOPTED as amended with discussion.

- Amended: Spit Parking Study 2020 - \$20,000 Expenditure from Planning Reserves (postponed from November 25, 2019)

Ordinance 19-53, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 1.16.040 Fine Schedule and Chapter 5.42 Carryout Bags, Sections 5.42.020 Definitions and 5.42.020 Exceptions. Venuti. Introduction November 25, 2019, Public Hearing and Second Reading December 9, 2019. Memorandum 19-147 from Special Projects and Communications Coordinator as backup

There were no public comments.

ADOPTED with discussion.

Ordinance 19-54(S-2)(A), An Ordinance of the City Council of Homer, Alaska Amending the 2019 Operating Budget to appropriate an amount not to exceed \$50,000 from the HART Fund for the purpose of developing a Wayfinding-Streetscape Plan for the City of Homer, Authorizing the City Manager to Prepare an RFP for Consultant Services.

Memorandum 19-161 from Special Projects and Communications Coordinator as backup.

One person commented.

ADOPTED as amended with discussion.

Amended: Line 35 delete "public parking solutions"

Ordinance 19-58, An Ordinance of the City Council of Homer, Alaska, Addressing the Recommendations from the Altman Rogers & Company HAWSP Fund Balance Analysis Report. Mayor. Recommended dates Introduction December 9, 2019, Public Hearing and Second Reading January 13, 2020

INTRODUCED with discussion.

Natural Hazards

I am planning for presentations from both of the landslide analysis and coastal erosion folks on January 15th.

Appeals

Thirty days have past since the decision of the remand hearing and I have not received any notice of an appeal. This clears us up to get started working on the proposed medical district.

Commissioner training

Please let me know of your availability for Planning Commissioner Training on Sunday February 9th in Anchorage. The conference is sponsored by APA Alaska and the city will pay for the conference, travel, and lodging. This training is most important for the new commissioners.

Work list

- Green Infrastructure –
- Medical district – on agenda
- Transportation plan – Memo to council
- ~~Permit requirements – forward commission recommendations to council~~
- Signs – ordinance turned in for attorney review **

City Council report sign up

1.13.20 Davis

1.27.20 Highland

2.10.20

2.14.20



City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 20-02

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner, AICP
DATE: January 2, 2020
SUBJECT: Conditional Use Permit 20-02 to, Amending CUP 2018-04

Synopsis The applicant proposes to amend CUP 2018-04 by extending the required timeframe for completion of exterior finishes and to allow the site's original cabin to remain on site as an additional dwelling. A Conditional Use Permit (CUP) is required for a time limit extension, per HCC 21.71.070, and for more than one building containing a permitted principal use on a lot in the Gateway Business District, per HCC 21.22.030(a).

Applicant: Kimberly M. Sangder
P.O. Box 2147
Homer, AK 99603

Location: 680 Sterling Hwy

Parcel ID: 1710007

Size of Existing Lot: 1.0 acres

Zoning Designation: Gateway Business & Scenic Gateway Corridor Overlay Districts (SGCOD)

Existing Land Use: Residential

Surrounding Land Use: North: Residential
South: Church
East: SPARC recreation facility
West: Vacant

Wetland Status: Has approval from USCOE for proposed project

Flood Plain Status: Not in a floodplain.

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 18 property owners of 16 parcels as shown on the KPB tax assessor rolls.

ANALYSIS: CUP 18-04 approved development of a main residence, a workshop, a garage, and 4 rental cabins on a lot located in both the Gateway Business District (GBD) and the Scenic Gateway Corridor Overlay District (SGCOD). The applicant is asking for two changes to the approval: 1) reduce the footprint of the main residence to allow the existing cabin to remain and 2) extend the timeline for completion of the dwelling exterior.

The purpose of our review is not a reconsideration or “do-over” of CUP 18-04. Rather than review all aspects of the original CUP, we have confined our review to the factors that have changed. Staff has determined that neither amendment affects the original CUP findings, but one of the amendments does affect Condition 3. Below is the staff analysis and recommendation for each of the two changes.

Change #1 - Allow the site’s original cabin to remain and reduce the footprint of the main residence. The site’s original cabin was not depicted in the approved site plan (attached) because it was planned to be removed and replaced by a portion of the main residence. The applicant seeks to reduce the footprint of the main residence to allow the existing original cabin to remain on site.

Parking, building footprint, open space

Considering the reduced footprint of the main residence and the addition of the original cabin footprint, the net change in total building footprint and open space for the site is negligible. The original parking layout is unchanged and included 4 extra parking spaces, therefore, the two additional parking spaces needed for the additional dwelling (the original cabin) are provided. This amendment does not alter the original CUP findings or conditions.

Design Review - Community Design Manual (CDM)

Although residential development within the Scenic Gateway Corridor Overlay District (SGCOD) is not required to comply with most design criteria of the CDM, those design criterion were utilized as a guideline for consideration of CUP 18-04. The attached CDM review worksheet, copied from Staff Report for CUP 18-04, illustrates how the original proposal supports elements of the CDM design criteria.

The reduction in size of the main residence will have a positive impact on building scale and mass since it will better reflect the mass and scale of the adjacent buildings. The proposal to keep the driftwood shingles feature and retain a similar color scheme helps to visually tie all of the buildings together. The proposed change of the main residence from cedar shingle siding to a log home with board and batten siding, will give it a similar architectural feature as the original cabin, although the color will be significantly lighter in tone than the original cabin.

Staff recommendation: No changed to the findings or conditions of CUP 18-04.

Change #2 - Allow additional time for completion of the exterior finishes of one of the dwellings. Condition #3 states: "Completion of the dwelling exterior shall be completed in 18 months". The deadline for this condition is December 2019. The applicant has been unable to complete the dwelling exterior in this timeframe and is seeking an extended timeframe for completion. This amendment does not alter the original CUP findings, but would change Condition 3.

Time Limitations

The commission may grant extensions for time limits imposed by a CUP for any cause it deems sufficient, per HCC 21.71.070. I have provided the project timeline, to date, below. The applicant has not provided a specific timeframe for completion, therefore, staff has proposed a completion date of early spring. If the applicant proposes an alternate deadline or the commission wishes to alter this deadline, they may do so at their discretion.

Project Timeline

- June 2018 - CUP 18-04 approved and Zoning Permit Issued
- Summer/fall 2018 – site work and water/sewer installation completed. Cabin 1 & main residence construction started.
- 2019 building season – Cabin 1 exterior framing finished, siding unfinished. Main dwelling exterior framing finished, siding unfinished.

Staff recommendation: No change to the findings of CUP 18-04. Change Condition 3 to read as follows:

Condition 3: The exterior finishes for "Cabin 1" and the "Main Residence" shall be completed by March 31, 2020.

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: The applicant proposes six total dwellings, a personal workshop building, and an accessory garage. More than one building containing a permitted principle use on a lot is a conditional use per HCC 21.22.030(a).

Finding 1: The applicable code authorizes more than one building containing a permitted principle use in the Gateway Business District.

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

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

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

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

Analysis: The proposal is a residential development that minimizes traffic along the Sterling Highway corridor and does not visually impact the Highway's scenic vistas.

Finding 2: The proposed uses and structures are compatible with the Gateway Business District and Scenic Gateway Corridor Overlay 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.

Analysis: Many uses in the Gateway Business District have greater negative impacts than would be realized from the proposed six total dwelling units, workshop and garage. Restaurants, hotels, and entertainment facilities would have a greater impact on nearby property values. Religious, cultural and fraternal assembly could generate a good deal of traffic.

Finding 3: Additional dwelling units 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.

Analysis: The lot on which the proposal is located is surrounded by vacant land, residential lots, a church, and an indoor recreational facility nearby.

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

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

Finding 5: Existing public, water, sewer, and fire services are adequate to serve the additional dwelling unit.

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

Analysis: The impact of six dwellings and a workshop building should be no greater than other permitted uses. A significant portion of the lot is devoted to natural areas and bulk and density is not excessive. A majority of the land found within the SGCOD is lawn and natural areas.

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.

Analysis: The proposal is found in an area that is well served by utilities and public infrastructure.

Finding 7: The proposal will not be unduly detrimental to the health, safety, or welfare of the surrounding area or the city as a whole.

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

Finding 8: An approved CUP in combination with meeting the standards of a zoning permit will allow the project to comply with applicable regulations.

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

Analysis: Goals of the Land Use Chapter of the Homer Comprehensive Plan include; GOAL 1, Guide 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 B: 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.

Finding 9: The proposal incorporates infill to an area well served with public roads and utilities. No evidence has been found that it is contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

Analysis: See attached staff review of the CDM.

Finding 10: The proposal will comply with the applicable provision of the CDM.

Condition 1: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM and must be approved by the Planning Office.

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:** Dumpsters shall be screened on three sides (**Condition 2**)
- 3. Surfacing of parking areas:** No specific conditions deemed necessary
- 4. Street and road dedications and improvements:** No specific conditions deemed necessary.
- 5. Control of points of vehicular ingress and egress:** No specific conditions deemed necessary.
- 6. Special provisions on signs:** An approved sign permit is required.
- 7. Landscaping:** Buffers displayed on site plan shall be maintained.
- 8. Maintenance of the grounds, building, or structures:** No specific conditions deemed necessary.
- 9. Control of noise, vibration, odors or other similar nuisances:** Nuisance standards per HCC 21.59.030 apply.
- 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 received.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP 2020-02 Amending CUP 2018-04, and Staff Report PL 20-02 with findings 1-10 and the following conditions:

Condition 1: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM and must be approved by the Planning Office.

Condition 2: If a dumpster is placed onsite it shall be screened on three sides.

Condition 3: The exterior finishes for "Cabin 1" and the "Main Residence" shall be completed by March 31, 2020.

Attachments

Application
Original Site Plan with Staff Markups
Site Photos
Community Design Manual Review
Public Notice
Aerial Photograph

City of Homer Planning

I am requesting an extension of my building permit that is currently still valid for 680 Sterling Highway. The 768 two story home that was the reason for applying for the re-zoning the property to multiple living units, is finished inside and needs exterior siding of which I will not have completed by the end of the current permit. I have changed the exterior siding from log siding to cedar shingles to lower the labor and costs, this will still have a nice beach cottage appeal.

Update on other buildings on site, the log home and the shop building that were on my prior original building permit is currently framed, finished roof with the covered porches, and they are currently being worked on (exterior).

The other buildings and garage that are not built as per the drawings on current permit are shown because the City Planning department requested a drawing that shows any and all future possible construction on the property (even if it's not built right now) to obtain a permit when I was seeking to build a 2 story 768 S.F. residence for an elderly person to live on my property. The gravel area besides the 768 S.F. home is currently being used as the parking area for that residence.

I have down sized the log home floor plan to be about the same as in my original building permit obtained at end of the year 2016 or beginning of 2017, see drawings attached to this letter, At this time I am requesting that the historical / original 16x24 cabin be permitted to stay in its current location to be used as an office when the house is completed, this cabin could also serve as a good location for a hair salon or small business. I have been told that the 16 x 24 cabin dates back to 1947 as many visitors have stopped by to admire the construction process and share their stories of the property and the old homestead cabin. All use of the property meets the City's zoning for the Gateway Business District.

Thank you for your time.

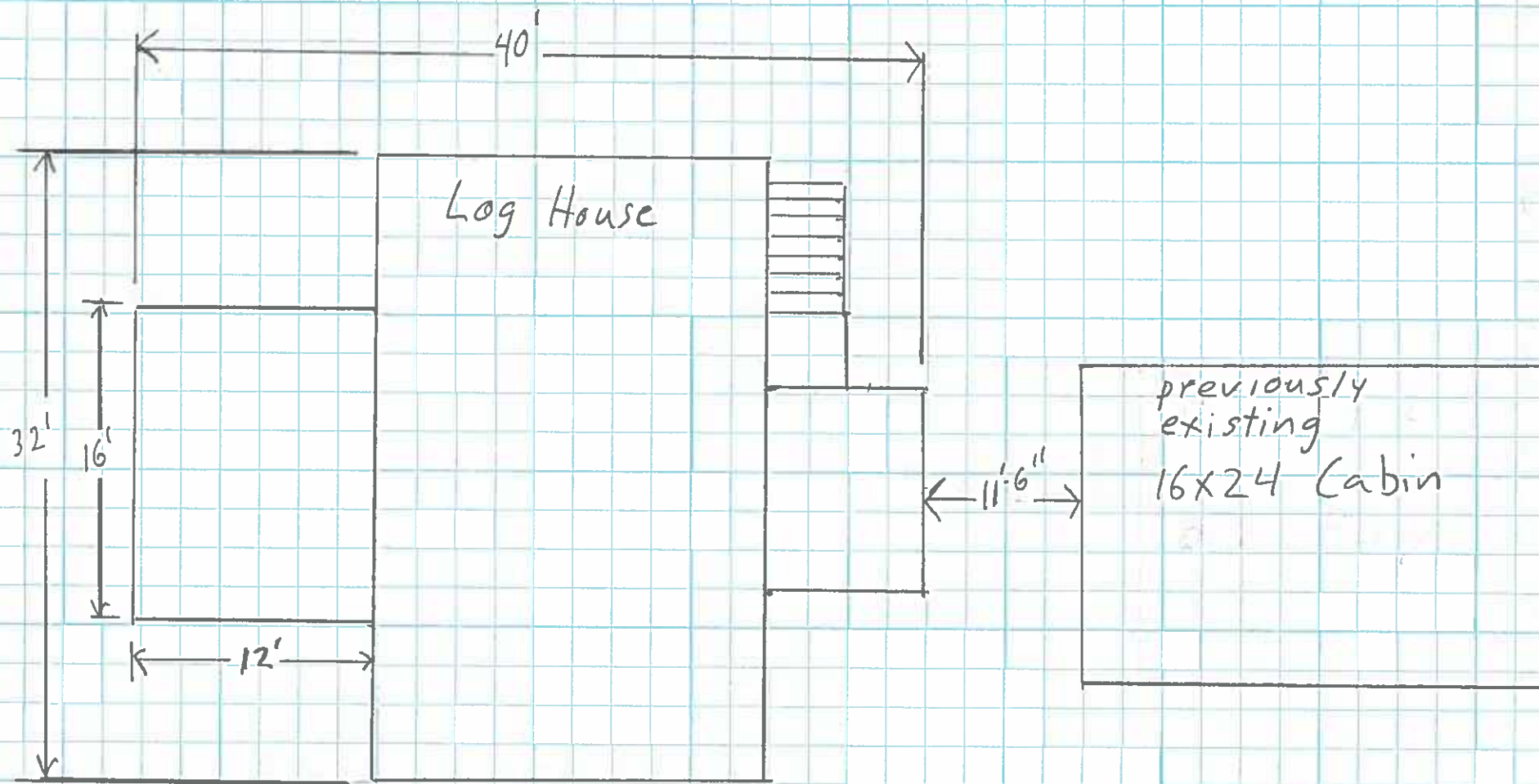
 Dated Dec 2, 2019

Kimberly Sangder

RECEIVED

DEC 02 2019

CITY OF HOMER
PLANNING/ZONING



RECEIVED

DEC 02 2019

CITY OF HOMER
PLANNING/ZONING

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CITY OF HOMER
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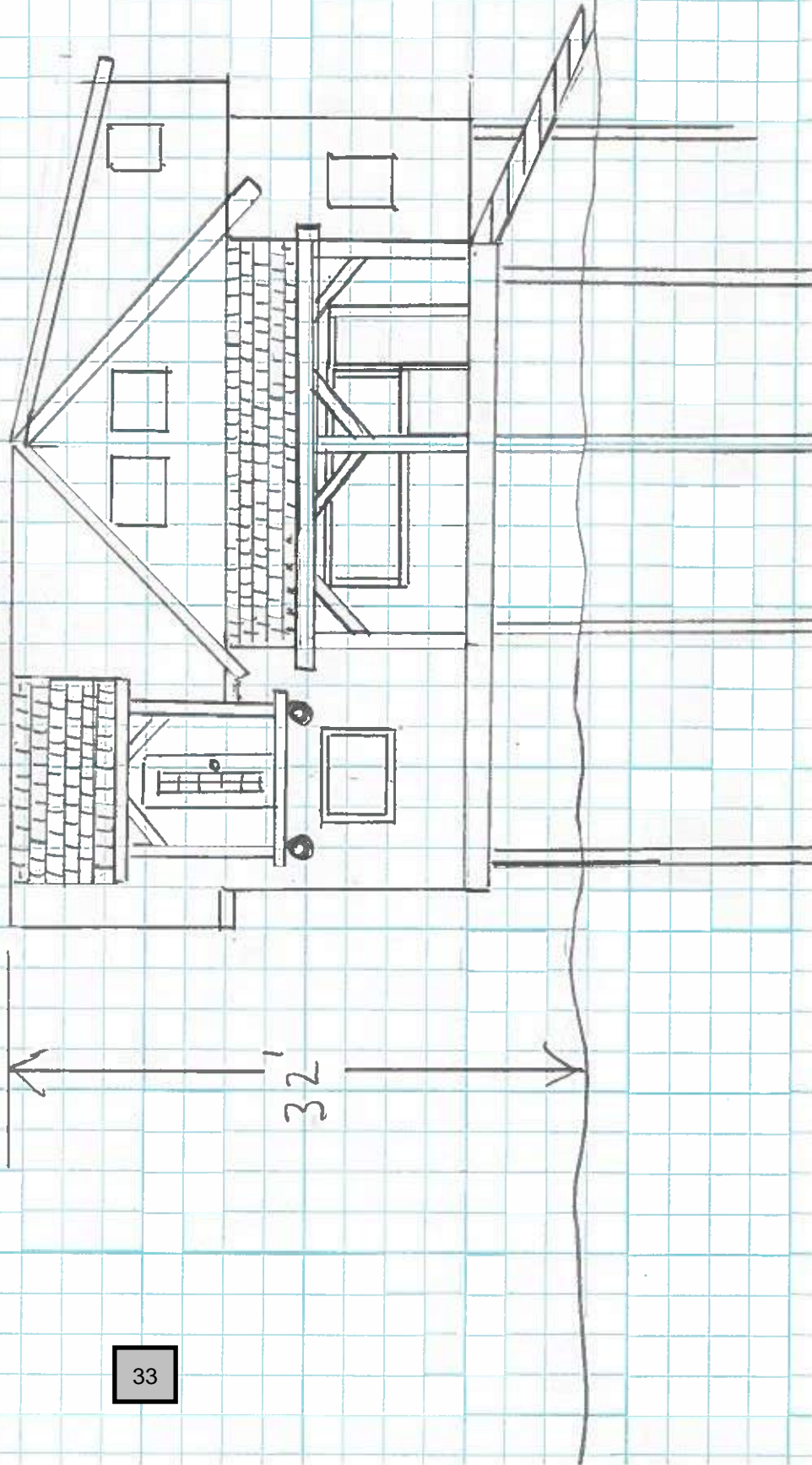
Residence

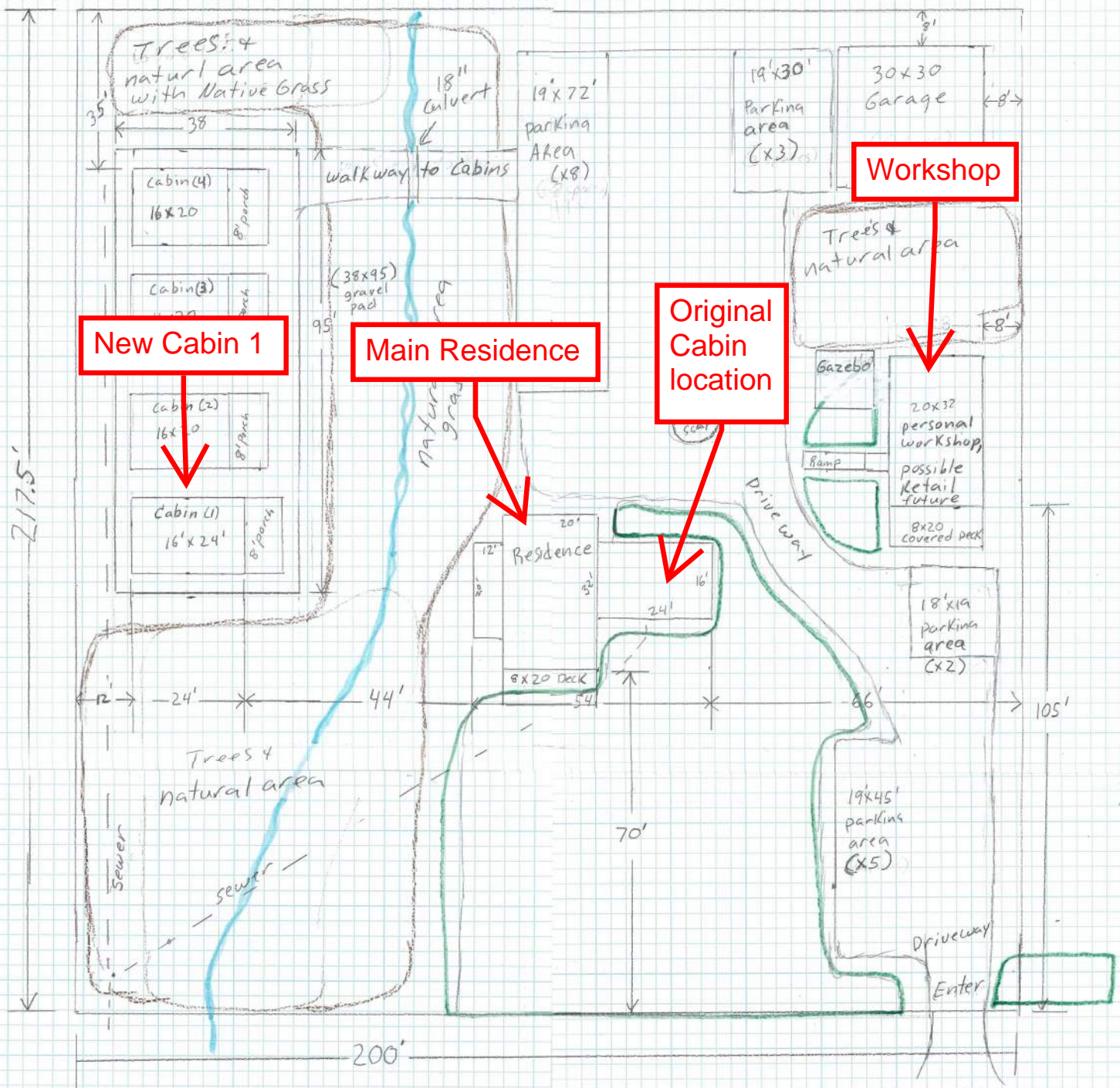
Front view from street

Siding = Log Home, Framed Walls = Board & Bat

1/8" = 1 Foot

Roofing = Weathered wood Architectural shingles





Cabin (1) to be built immediately.

Cabin (2,3,4 and garage) are future Plans.

Residence and workshop existing (under construction)

Parking and Driveway area are existing. 9000 sq.ft

Proposed Gravel Pad + walkway for Cabins (1,2,3,4 and walkway = 4170 sq.ft.

Lot size is 43,560 total sq. ft.

Green Circled area are lawn grass.

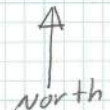
Blue Lines are natural Drainage area

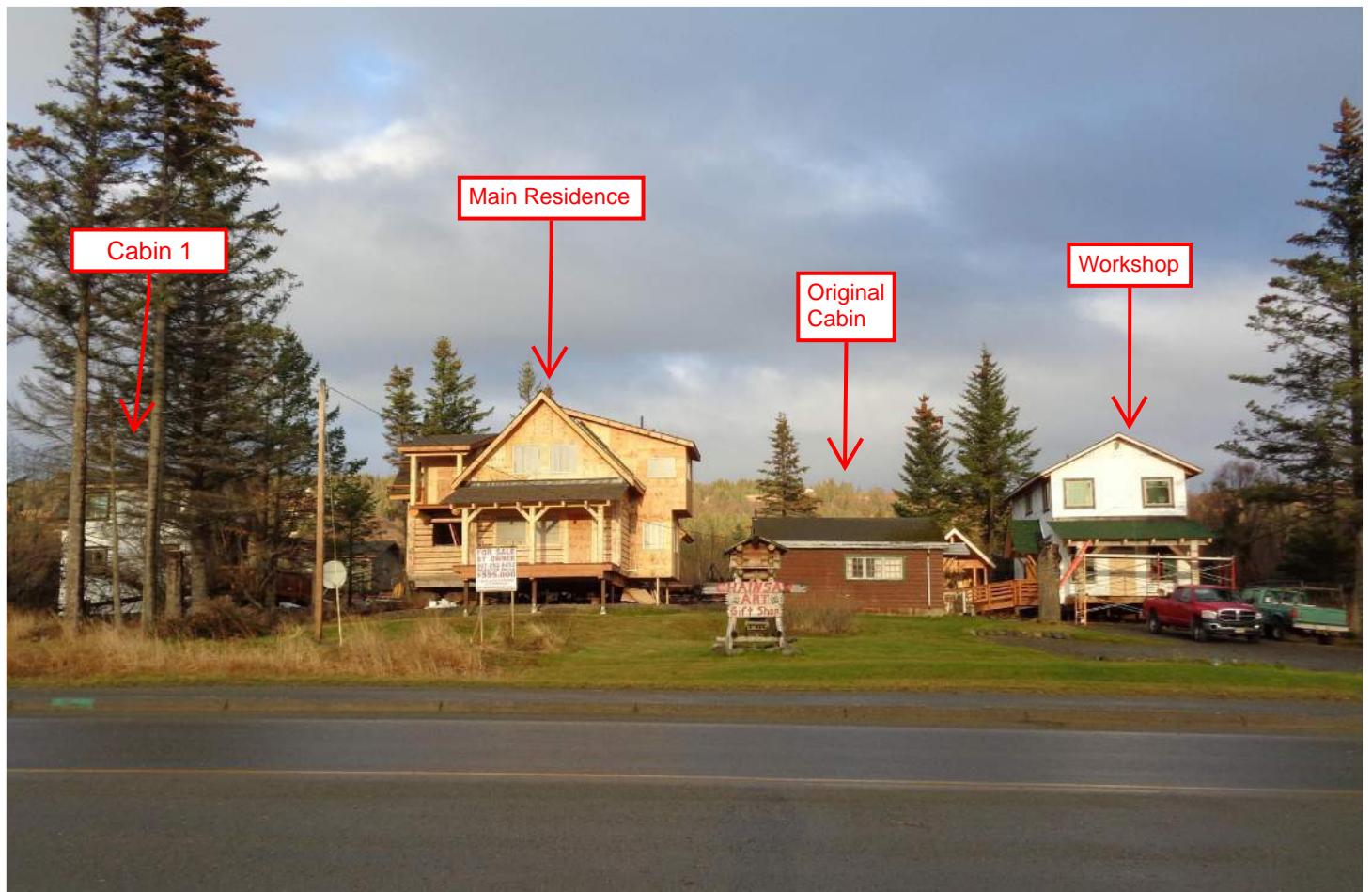
Brown circles are also trees and native grass area.

All areas not marked as buildings, lawn, driveway or parking are natural vegetation.

All borders except Highway between neighboring property are natural vegetation, these areas are not all marked to save confusion on map

Scale 1/8" = 1 foot





CDM Review Worksheet

The Community Design Manual was adopted by resolution in April 2004 and amended in January 2009. The CDM is divided into sections: architecture, site design, and connections. Currently the connections section has not been completed. The architecture and site design sections are applicable to conditional uses within the central business district.

The CDM represents a statement of policies, which shall be observed for building and site design in the City of Homer. The CDM states: "The City of Homer encourages a creative approach to design by providing a flexible review standard. The Commission is authorized to waive specific Design Manual requirements if it finds that (a) an alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements, and (b) the alternative design meets the intent of the general requirement."

Architecture Review (Begins on page 5 of 38)

The building and its setting: Buildings shall be designed to reflect the natural conditions of the site and shall include design elements, which visually anchor the building to the site.

1. Incorporate building design elements into landscaped areas.
2. Determine allowable building height.
3. Respect natural topography.

Staff

- The structures within the Scenic Gateway district are to be finished with natural wood and wood colored finishes.
- Maximum building height is 35 feet and the proposal meets this standard.
- The applicant does not intend to alter the natural topography.

The natural wood and wood finishes do incorporate well into the site.

Building Lighting: Lighting may be used to accent a building but shall not be used to denote a corporate or commercial image except on allowed signage. Lighting may be directed to a building but should generally not emanate from a building.

1. Avoid back lit panels and awnings.
2. Keep light sources hidden from public view.
3. Avoid bright lighting on outdoor surfaces of buildings.
4. Avoid colored lighting on buildings.
5. Apply utility lighting sparingly.
6. Lighted accents, canopies, color bars, stripes, or areas. (used sparingly)

Staff: Applicant is not proposing any of the above.

Building Scale and Mass: One of the most prominent characteristics of a building's design is its scale and massing. The scale of building determines its size in relation to surrounding buildings; the massing of a building gives it interest and character. Modern building trends emphasize large-scale designs with no thought toward massing. This imbalance between size and visual character has resulted in visually obtrusive development, which is out of character with surrounding structures of a smaller scale. Large retail boxes epitomize this trend and are considered incompatible with Homer's small town characteristics.

1. Avoid long low wall planes.
2. Provide substantial shifts in walls and roof surfaces.
3. Provide visual terminus to tops of buildings.
4. Avoid unusual or atypical roof forms on all structures.
5. Limit roof areas in the same plane.
6. Reflect mass and scale of adjacent structures.

Staff

- No long walls (over 24') are proposed for the site
- The grouping of structures are of relative similar scale that is reflective of other residential areas in the city.
- South Façade: The south façade consists of residential dwellings. The most substantial structure is the main dwelling that is centered on the lot. The house has a multi-faceted architectural features that are/will be finished in natural wood and wood finishes. Visual interest is produced and required breaks in the roof line are met.

Applicant reasonably meets these requirements given the size and scale of the development.

Parking Garages:

Staff: None included in the proposed development.

Window and Door Fenestration:

1. Maintain balance in the placement of windows.
2. Conform to solid/void ratio requirements.
3. Reflective glass is discouraged.

Staff

- Window placement is balanced.
- Reflective glass is not proposed

Siding and Trim: Traditional building materials such as brick, stone or wood reflect human handicraft and provide texture to building exteriors. Materials for new construction and remodeling should convey similar visual qualities.

1. Use materials which simulate quality traditional building materials.

Staff

The applicant proposes to use natural wood materials in natural wood finishes. The siding and trim simulate traditional quality building materials.

Miscellaneous Architectural Devices: *Building design should be executed in a straightforward manner. Tack-on devices may not be used to mitigate poor design or to promote a particular theme. If a particular style or theme is desired, it should be reflected in the building's form and general detailing.*

1. Architecturally integrated artwork is encouraged.
2. Avoid architectural gimmicks and fads.
3. Maintain consistency in awning design.
4. Avoid awnings which obscure or dominate the building design.

Staff

- No architecturally integrated artwork is proposed.
- No architectural gimmicks are shown.

Meets these guidelines.

Roofing materials: *Views of roofs from the ground and from higher elevations play an important role in the architecture of the city. Roofing materials shall be selected according to following criteria.*

1. Use roof materials which provide texture and shadow lines.
2. Avoid bright-colored, reflective, or unsightly roofing materials.

Staff: Driftwood gray and forest green roofing tiles incorporate well into the natural setting with natural wood finish colors.

Color:

1. Keep field colors subdued.
2. Limit bold or bright trim colors.
3. Finer details may be accented with brighter colors.

Staff

The proposed colors are subdued.

Hierarchy in building design: Visual interest in the urban-scape can be achieved through a hierarchal approach to design. For example, strategically located structures, architectural elements or site amenities designed as focal points create a visual "draw" and suggest a point of activity. These also serve as a reference point for all subordinate structures. This concept is particularly applicable to large parcels with multiple structures. Multiple carbon copy buildings provide no visual hub and shall be avoided.

1. Design primary structure as a focal point.
2. Include area for outdoor leisure for Primary Structure.
3. Integrate secondary structures as support buildings.
4. Incorporate multiple tenant spaces into hierarchy of building design.
5. Provide consistent architectural interest to all prominent facades.

Staff

- The dwellings acts as the primary structure
- A large green area has been designated in front of the residence and a gazebo is found to the side
- The other structures on the site are integrated well as support buildings, accessory in size
- All visible structures incorporate porches or decks

The site is not a particularly large site and the proposed structures are modest in scale with similar features.

Site Design Review (begins page 21):

On-Site Primary Walkways:

1. Link commercial buildings and the public right-of-ways with primary walkways.
2. Assure that primary walkway width is proportionate to scale of project.
3. Differentiate walkway surface.
4. Accent walkways with significant landscaping.
5. Accent walkways with lighting and seating areas.
6. Identify historic events or structures.

Staff

No commercial buildings are proposed at this time. The nature of the development does not support the concept of creating businesses that rely upon or would likely support walk-in customers.

Outdoor Common Areas: *A common area is a designed outdoor space which encourages outdoor activities and leisure in outdoor spaces associated with commercial development. Required common spaces must be provided on-site, but may be enlarged and extended into city rights-of-way to connect with the sidewalk, subject to City of Homer approval.*

1. Provide common area of a size proportionate to development
2. Choose type of common area best suited to development
3. Locate common areas in view corridors.
4. Provide direct access to common areas with pedestrian walkways
5. Provide outdoor seating where people want to sit.
6. Consider allowed activities in common areas.

Staff

The site is not proposed to support commercial development at this time. Commercial development requirements are triggered for commercial development greater than 5000 square feet. This proposal does not meet this requirement. A large green space is available in front of the single family residence.

Commercial Streetscape along the Sterling Highway

1. Locate structure near front setback line
2. Orient service and delivery areas away from street

3. Limit the number of curb cuts
4. Limit width of driveways to 15, 24, or 34 feet.
5. Link dissimilar building with common site amenities. N/A
6. Provide covering over walkways where appropriate.
7. Place no more than 50% of required parking in front of buildings
8. Avoid parking in front of building entrance
9. Choose awning designs appropriate to building style.

Staff

- The proposed parking plan meets these guidelines

The nature of the proposal to provide rental cabins is not compatible with the creation of a commercial streetscape. This section of the Sterling Highway is not well served by moving development that is residential in nature up to the front setback line.

Landscaping and screening

1. Control vegetation to preserve existing significant views
2. Avoid removing significant vegetation.
3. Provide adequate room for retained vegetation.
4. Protect existing trees during construction.
5. Replace lost trees which were intended to be retained.
6. Choose plantings which are compatible with existing vegetation.
7. Locate vegetation to preserve significant views
8. Retain the natural symmetry of trees.
9. Use shrubs or vines on blank walls.
10. Conform to all other landscape criteria in the Homer City Code.

Staff

The applicant intends to retain significant natural features (labeled trees and natural area).

Vacant parcels in all zones:

1. Limit clearing to no more than 50% of significant vegetation and retain vegetation in all required buffers and setbacks. Clearing limitations apply to all vacant parcels with no approved Development Activity Plan, Storm Water Plan or zoning permit for development.

Staff

N/A Not vacant

Fences

1. Choose fence materials carefully.
2. Limit chain link to non-visible areas.
3. Limit height of fences

Staff: No fences are proposed at this time, also N/A to the SGCOL

Parking

1. Use landscaping to screen parking lots and service areas.
2. Limit the number of curb cuts.
3. Limit width of driveway.
4. Screen or enhance parking lots visible from the Sterling Highway, Lake Street, Heath Street, Main Street, or Pioneer Avenue.
5. Incorporate pedestrian ways into parking lots
6. Limit parking in front of buildings
7. Provide trees within larger parking lots
8. Avoid Parking in front of building entrances.
9. Handicap parking.

Staff

- Parking is limited in the front of the site. Most of the parking is behind the main structure. Some parking is provided in the first 100' to which the design manual applies.

Parking garages

1. Recess vehicle entries in main façade.
2. Screen parking garage façade
3. Receive Planning Commission approval for parking garages over 1 story or which enclose 20 or more vehicles.

Staff

No parking garage is proposed for this development.

Outdoor Lighting

1. Keep light source hidden from public view
2. Use downward directional lighting
3. Avoid lighting large area with a single source.
4. Avoid excessive light throw.
5. Choose approved outdoor light designs
6. Avoid light fixture designs which have an industrial appearance.

Staff

The first 100' of the development must meet the standards of the Design Manual, the rest of the development must conform to HCC21.59.030 per Gateway Business District standards. A condition of the CUP includes lighting review per zoning permit.

Outdoor furnishings

1. Use City approved furniture designs on public rights-of-ways.

Staff: N/A in SGCOL

Finding: In general the proposal complies with the Community Design Manual. The applicant has encountered this review due to the fact that approximately the first 100' of the parcel from the Sterling

Highway is in the Scenic Gateway Corridor Overlay District. This is not exactly a commercial development in the fashion which would be frequented by the general public. The proposal fits well into the natural setting which is currently found on the surrounding lots.

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Thursday, January 2, 2020 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

A request to amend Conditional Use Permit (CUP) 18-04 to allow a time limit extension of a condition of the CUP and to allow an additional dwelling at 680 Sterling Hwy. A time limit extension may be granted according to Homer City Code (HCC) 21.71.070 and approval of an additional dwelling requires a CUP for more than one building containing a permitted principal use on a lot, according to HCC 21.16.030(h). The subject parcel is Lot 16-A2, A.A. Mattox Subdivision 2007 Addition, SE ¼ SEC. 17, T. 6 S., R. 13 W., S.M., HM 2007078.

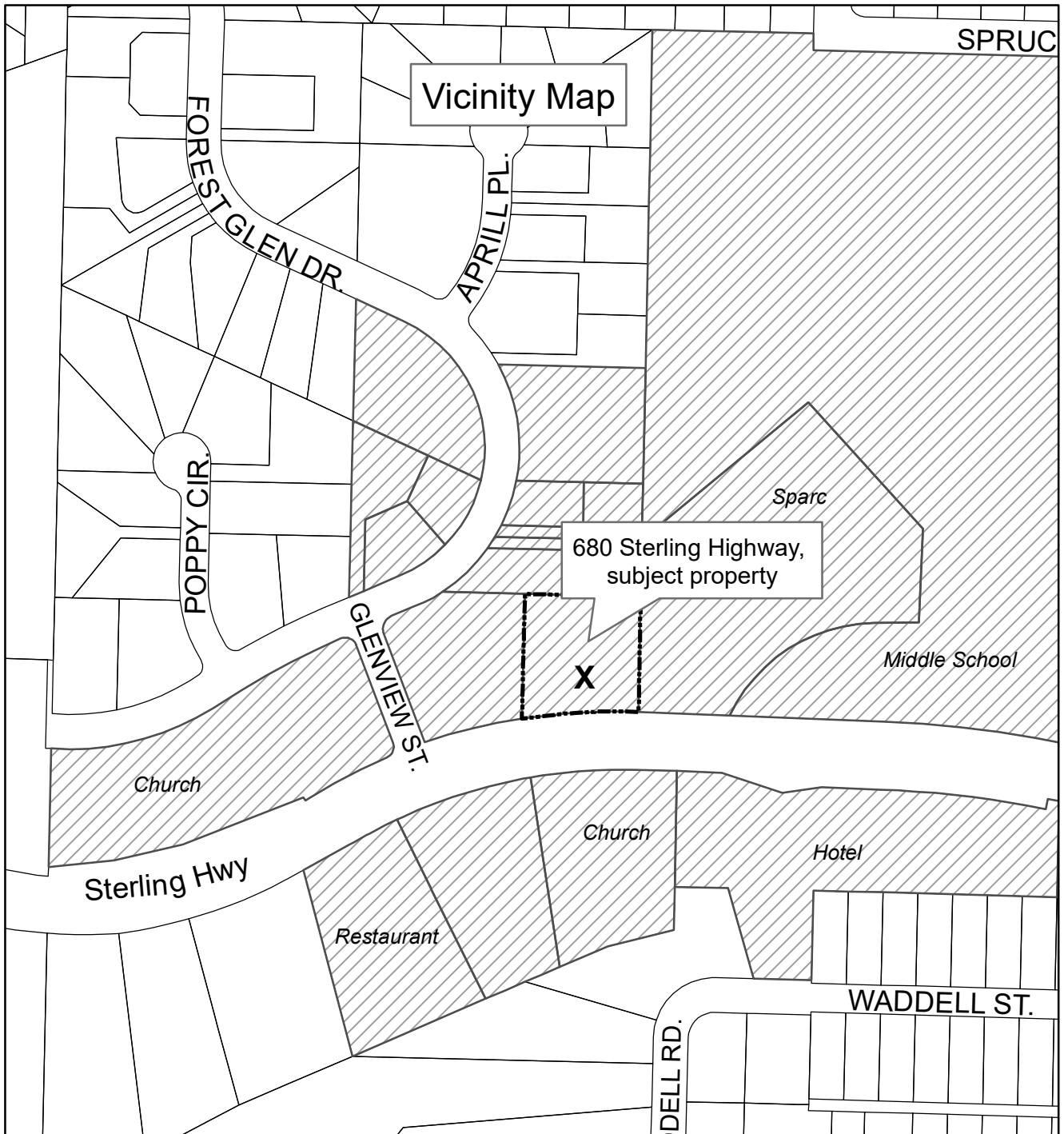
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

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

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

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VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department
12/19/2019

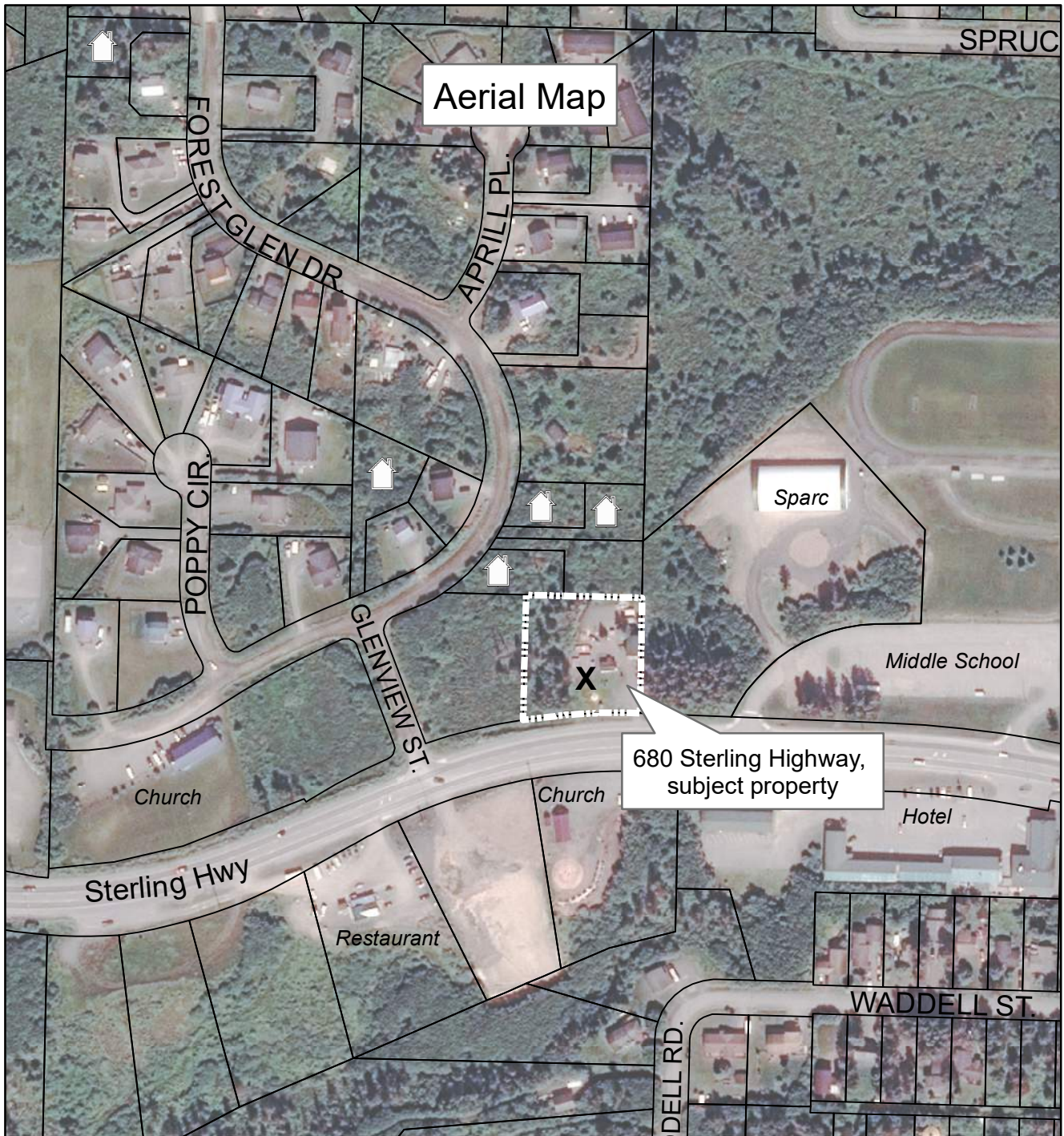
Request to amend CUP 18-04

Marked lots are w/in 300 feet
and property owners notified

0 50 100 200 300 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
12/16/2019

Request to amend CUP 18-04

2017 Photo; property lines not exact.

0 50 100 200 300 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

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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Staff Report 20-03

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: January 2, 2020
SUBJECT: Conditional Use Permit (CUP) 20-01

Synopsis The applicant proposes to add a second story to the existing Nomar building, to increase light manufacturing capacity, and construct a four unit apartment building on the northern lot. A lot line vacation preliminary plat is in process, as well as an application to rezone the northern lot from Residential Office (RO) to Central Business District (CBD) A Conditional Use Permit (CUP) is required per 21.18.030(j) more than one building containing a permitted principal use on a lot, 21.18.030(h) light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building; 21.18.040(d) building over 8000 square feet.

Applicant: Hooligan Holdings, LLC
104 E Pioneer Ave, Homer AK 99603
Homer, AK 99603

Location: 104 E Pioneer Ave (primary access)

Parcel ID: 17719102, 17719120

Size of Existing Lot: 0.49 and 0.91 acres

Zoning Designation: Central Business District and Residential Office. A rezone from RO to CBD has been applied for.

Existing Land Use: General office, retail, and light and custom manufacturing. The northern lot does not have any structures and is used for parking.

Surrounding Land Use: North: Residential mobile home
South: Restaurant, vacant parking lot
East: Bar
West: Movie Theater and residential

Comprehensive Plan: 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 outlying areas.

Wetland Status: Not within a mapped wetland area.

Flood Plain Status: Zone D, flood hazards not determined.

BCWPD: Not within the Bridge Creek Watershed Protection District

Utilities: Public utilities service the site.
Public Notice: Notice was sent to 33 property owners of 37 parcels as shown on the KPB tax assessor rolls.

Introduction

The applicant proposes to build a second story on the existing Nomar building, and eventually build a four unit apartment complex on the northern portion of the project property. The second story addition would be used for light and custom manufacturing of upholstery, clothing, marine related products canvases, and other cut and sewn cloth items.

Existing Parcels and Zoning

This application encompasses two lots. The northern lot is on Main Street and has access from a single driveway on the northern portion of the lot. This lot is currently a separate lot and is also zoned RO. A preliminary plat to vacate the lot line has been recommended for approval by the Homer Planning Commission, as was the application to rezone the lot to CBD. The rezone ordinance will be considered by the Homer City Council in January 2020. The second lot is on the corner of Main Street and West Pioneer Ave.

Existing Structures and postposed changes



There are currently two structures on the lot. The first is a white two story wood frame building built in the 1930's. The use of this building has varied from grocery store, to general retail, to its current use as office space. Nonconforming status for the location of a portion of the building in the 20 foot building setback was granted on 12/20/2019 per HCC 21.61. In the proposed site changes, this building would remain the same.

The existing "Nomar" building located to the east includes retail, light manufacturing and a garage for working on boat canvas projects. The proposed change is to add a second story to the building, with an access ramp from the northern parking lot. This would allow for bolts of fabric and upholstery type materials to be delivered to the second story, which will contain the expanded light and custom manufacturing services. The existing ground floor will be used for retail space.

The existing building has a tall parapet along front wall perimeter. The second story addition will extend above this roofline, for a total building height of just under 25 feet. The addition will also unify the height by extending to include the boat garage, and will cover up the existing mansard style roof of that addition (the blue roofline in the back of this photo).



Landscaping

The site plan shows an area where pavement will be removed and replaced with grass. (see diagram) This will be the public open space as required by x in the CBD. Benches or a picnic table are envisioned for this space. This area will provide a south facing resting spot with a view of Kachemak Bay. Also between the bar parking lot and the subject property, new landscaping will be installed.

Parking

The site plan shows 45 spaces. Twenty five are in front of the main buildings and are paved. Twenty spaces are behind the main building and are gravel.

Required spaces:

4 (1 bedroom) dwellings:	4 spaces
Retail and offices:	35 spaces
Manufacturing:	10 spaces
Total	49 spaces

Code allows for a 75% parking space reduction for mixed uses. $49 \text{ spaces} \times 75\% = 37 \text{ spaces}$ required. This site plan shows 45. Parking requirements have been met.

Lot coverage and building area

The lot area of the combined parcels will be 1.4 acres, or 61,000 square feet. Building area is approximately 13,000 square feet. Lot coverage will be approximately 21%.

ANALYSIS:

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;

Finding 1: HCC 21.18.030(j) authorizes more than one building containing a permitted principal use on a lot, HCC 21.18.030(h) authorizes light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building; and HCC 21.18.040(d) authorizes building area over 8000 square feet in a lot, if approved by a Conditional Use Permit.

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

Analysis:

HCC 21.18.010 Purpose states: The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

Finding 2: The proposed development will contain a mixture of residential and non-residential uses and structures, retail, and other business uses listed in the district. The proposed uses and structures are compatible with the purpose of the Central Business District.

Condition 1: All required parking must comply with HCC 21.55.060(b) which states "Offsite-parking must be located in a zoning district where it is a permitted use." This condition can be met by a successful rezoning of the RO lot, or by securing other off-site parking located in a zoning district that allows parking lots as a permitted use.

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

Analysis: Many uses in the Central Business District have greater negative impacts than would be realized from the proposed development. Pipelines, and railroads and storage would have a greater impact on nearby property values.

Finding 3: The proposed development is 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 proposal fits neatly into the CBD oriented development along Pioneer Avenue. The additional parking will be helpful in alleviating demand for parking in front of the Nomar Building.

Analysis: The immediate area around the site includes a bar, residential property, vacant land, a movie theater and restaurant and parking lot.

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 Response: Public services are currently adequate to serve the proposed uses and structures.

Finding 5: Existing public, water, sewer, and fire services are adequate to serve the proposed development.

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 scale, bulk, coverage and density of the proposed development are in harmony with the neighborhood character. The addition of a second story to the existing structure will unify the architecture while being in harmony with the surrounding area. The addition of the four-plex off of Main Street is a modest structure that will provide options for affordable housing. There is not expected to be a significant increase in traffic from this proposed project.

Analysis: Desirable neighborhood character could be described by a portion of the Purpose statement for the district.

HCC 21.18.010 states: "The purpose of the Central Business District is primarily to provide a centrally located area within the City for general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and other business uses listed in this chapter. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged."

Light and custom manufacturing will provide products to be sold in the ground level retail store, supporting the CBD as a general retail area, as well as provide a source of finished product to be exported from the community, generating jobs and economic activity. Onsite worker housing contributes to the mixture of uses in this centrally located area of the City.

Traffic: staff estimates, with full capacity of the retail store, a total of 298 trips per day for the whole site. No hour of the day is estimated to generate 100 trips, nor is the level of service expected to degrade at local intersections or roadways. No traffic impact analysis is required. See attachments for full analysis.

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: This proposal is most certainly a benefit to the City of Homer on a number of levels. Additional employment opportunities, enhanced building and site development and improved universal access to mention a few. We do not envision any detriment to the health, safety or welfare of the surrounding area or the City as a whole.

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 anything outside of code allowance.

Finding 8: The proposal shall comply 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: We feel that our proposed project is in harmony with the direction of high-quality building and site development outlined by HCP land use goal #3. It is our belief that by promoting aesthetically appealing design, the continued development of Homer's commercial districts will more and more reflect and complement Homer's natural scenic beauty. This is in accordance with HCP land use goal #2 while also addressing goal #4 through the enrichment of the existing commercial district to which Nomar is an invaluable contributor.

Maritime and outdoor activities are arguably the core of Homer's economic vitality. Nomar serves an important role in serving and supporting these interests of Homer residents which are so integral to our community. As a result of the proposed expansion in the manufacturing capacity of this business, there will be a modest increase in full-time employment offered. This project clearly identifies and promotes an industry that shows a capacity for growth. We believe that this specifically addresses HCP economic vitality goals #1 - #3.

An additional aspect to this proposal is the development of a fourplex on the property directly north of the existing Nomar building. This fourplex will provide affordable housing opportunities in the center of town, in confluence with both land use and economic vitality goals outline by HCP.

We believe that our proposed project will protect and enhance community character by expanding the production and supply of high quality and unique marine products to our local community and beyond.

Analysis: Goals of the Land Use Chapter of the Homer Comprehensive Plan include 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 outlying areas.

Finding 9: The proposal is not contrary to the applicable land use goals and objects of the Comprehensive Plan. The proposal aligns Goal 1 Objective A and no evidence has been found that it is not contrary to the applicable land use goals and objects of the Comprehensive Plan.

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

Analysis: The CDM applies to the second story addition and to improvements in pedestrian circulation between buildings. When a proposal contains less than 12 residential units, the CDM does not apply; therefore the apartment building is not included in this review. A full analysis of CDM elements is attached to this staff report.

Finding 10: Project complies with the applicable provisions of the CDM.

Condition 2: 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:** The application states a 6 foot tall cedar fence will be to screen the dumpster. **Condition 3:** screen all dumpsters 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: No comments or concerns on this project.

FIRE DEPARTMENT COMMENTS: The department reviewed the proposal and didn't have any comments or concerns.

PUBLIC COMMENTS: None received by packet publishing deadline.

STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission approve CUP **20-01** with findings 1-10 and the following conditions.

Condition 1: All required parking must comply with HCC 21.55.060(b) which states "Offsite-parking must be located in a zoning district where it is a permitted use." This condition can be met by a successful rezoning of the RO lot, or by securing other off-site parking located in a zoning district that allows parking lots as a permitted use.

Condition 2: Outdoor lighting must be down lit per HCC 21.59.030 and the Community Design Manual.

Condition 3: Screen all dumpsters on three sides.

Attachments

Application
Staff CDM review
Staff site plan notes sheet
Site photos
Traffic analysis
Public Notice
Aerial Photograph

SEABRIGHT SURVEY+DESIGN

1044 East Road Suite A
Homer, Alaska 99603
(907) 299-1091
seabrightz@yahoo.com

November 12, 2019

City of Homer
Planning Dept.
491 E. Pioneer Avenue
Homer, Alaska 99603

RE: NOMAR CUP Submittal

Dear City Planners,

Please find enclosed the submittal for the Nomar CUP. We have completed the application and have attached all the relevant documents for you review. Also we have included a check for \$500 to cover the fee. Please call me anytime with comments or questions.

Cordially,



Kenton Bloom, PLS
Seabright Survey+Design

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**CITY OF HOMER
PLANNING/ZONING**



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Planning

491 East Pioneer Avenue

Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Applicant

Name: Kenton Bloom, PLS

Seabright Survey + Design Telephone No.: 907-299-1091

Address: 1044 East Road Homer, AK 99603 Email: seabrightz@yahoo.com

Property Owner (if different than the applicant):

Name: Hooligan Holdings, LLC Telephone No.: 907-235-8363

Address: 104 East Pioneer Ave Homer Ak 9960 Email: rich@nomaralaska.com

PROPERTY INFORMATION:

Address: 104 E. Pioneer Ave. Lot Size: 1.4 acres KPB Tax ID # 17719102 /120

Legal Description of Property: Nils O. Svedlund Subd. Lot 8 and Lot 9 Tract A

For staff use:

Date: 11/14/19 Fee submittal: Amount \$500.✓
 Received by: TBS 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	OSR	BCWPD
Level 1 Site Plan	x	x	x			x			x		x	x
Level 1 ROW Access Plan	x	x							x		x	
Level 1 Site Development Standards	x	x										
Level 1 Lighting			x	x	x	x	x	x	x	x		
Level 2 Site Plan			x	x	x		x	x		x		
Level 2 ROW Access Plan			x	x	x		x	x		x		
Level 2 Site Development 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				

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:

Fire Marshall review process pending CUP approval

Y/N Will your development trigger a Development Activity Plan?

Application Status: *Review process pending CUP approval*

Y/N Will your development trigger a Storm water Plan?

Application Status: *Not Applicable*

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

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

Y/N Does your project trigger a Community Design Manual review?

If yes, complete the design review application form. The Community Design Manual is online at: <http://www.ci.homer.ak.us/documentsandforms>

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

Y/N Are there any nonconforming uses or structures on the property? *No existing buildings are non conforming*

Y/N Have the nonconformities been formally accepted?

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)?

There are currently two buildings on the property. One is the original grocery store built in 1934 and is 1870 s.f. It is used for USCG offices. The other is the NOMAR Building. This is the building slated for adding a second story. It is approximately 7325 s.f. The attached addition is 2555 s.f. The Nomar facility is used for manufacturing and retail sales. We are proposing an additional 1200 s.f. footprint four-plex to be located in the northerly portion of the property. The use will be residential.

All of the above buildings footprints totaling 12,950 S.F.

The percentage of building footprint to the total area of the property is 21.3% (12,950 s.f. building / 60,904 s.f. unified parcel)

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).

Nomar is planning on a 7325 s.f. second-floor expansion which will be used primarily for manufacturing of clothing, boat covers, fishing equipment, etc. This will allow the existing retail section to expand into an additional portion of the ground floor. The remaining ground floor area in the back of the building will be used for storage and warehouse. The proposed four-plex is a two-story residential building totaling 2400 sq. ft. The units are primarily intended to provide housing options to employees of NOMAR as needed.

The development proposal is designed to minimize site disturbance and to enhance the landscaped areas. The upper parking lot will provide residential, employee and overflow parking in excess of the code requirements for the unified properties.

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

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

PARKING

1. How many parking spaces are required for your development? 38
If more than 24 spaces are required see HCC 21.50.030(f)(1)(b). _____
2. How many spaces are shown on your parking plan? 44
3. Are you requesting any reductions? *No.*

Include a site plan, drawn to a scale of not less than 1" = 20' which shows all 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:

Kate Shukell, manager Date: *11/12/2019*

Property Owner's signature:

Dooligan Holdings LLC Date: *11/12/2019*

CONDITIONAL USE INFORMATION: Please use additional sheets if necessary. HCC21.71.030

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

21.18.030 J More than one Building on a property

21.18.030 H Manufacturing

21.18.040 D Building over 8000 sq. feet

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

The proposed uses are approved for the CBD Zoning.

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

The adjoining property values are not likely to be affected although the enhancement to the NOMAR building is likely to make the adjoining properties more valuable over time.

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

This proposal fits neatly into the CBD oriented development along Pioneer Avenue. The additional parking will be helpful in alleviating demand for parking in front of the Nomar Building.

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

Public services are currently adequate to serve the proposed uses and structures.

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

The scale, bulk, coverage and density of the proposed development are in harmony with the neighborhood character. The addition of a second story to the existing structure will unify the architecture while being in harmony with the surrounding area. The addition of the four-plex off of Main Street is a modest structure that will provide options for affordable housing. There is not expected to be a significant increase in traffic from this proposed project.

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

This proposal is most certainly a benefit to the City of Homer on a number of levels. Additional employment opportunities, enhanced building and site development and improved universal access to mention a few. We do not envision any detriment to the health, safety or welfare of the surrounding area or the City as a whole.

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

We feel that our proposed project is in harmony with the direction of high-quality building and site development outlined by HCP land use goal #3. It is our belief that by promoting aesthetically appealing design, the continued development of Homer's commercial districts will more and more reflect and complement Homer's natural scenic beauty. This is in accordance with HCP land use goal #2 while also addressing goal #4 through the enrichment of the existing commercial district to which Nomar is an invaluable contributor.

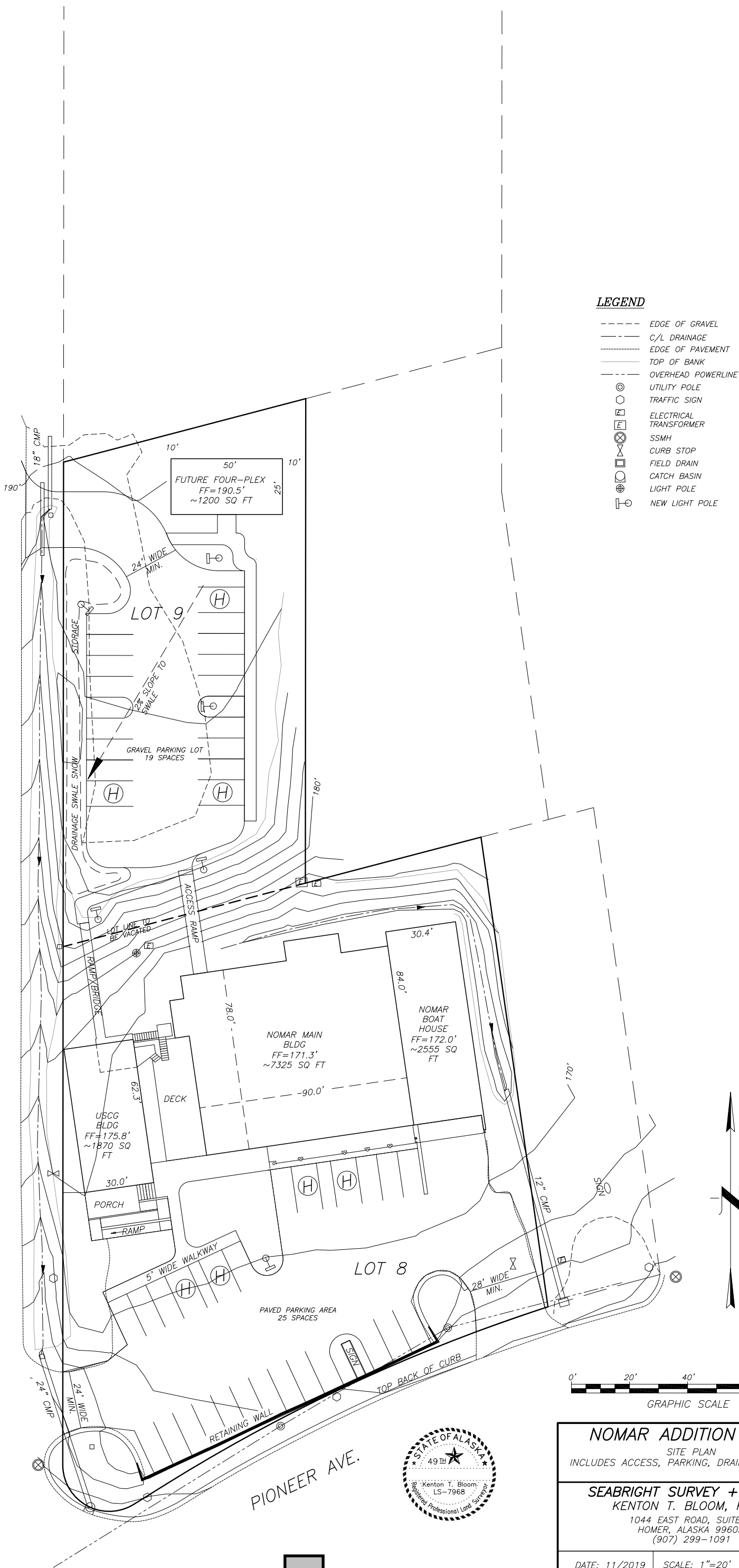
Maritime and outdoor activities are arguably the core of Homer's economic vitality. Nomar serves an important role in serving and supporting these interests of Homer residents which are so integral to our community. As a result of the proposed expansion in the manufacturing capacity of this business, there will be a modest increase in full-time employment offered. This project clearly identifies and promotes an industry that shows a capacity for growth. We believe that this specifically addresses HCP economic vitality goals #1 - #3.

An additional aspect to this proposal is the development of a fourplex on the property directly north of the existing Nomar building. This fourplex will provide affordable housing opportunities in the center of town, in confluence with both land use and economic vitality goals outline by HCP.

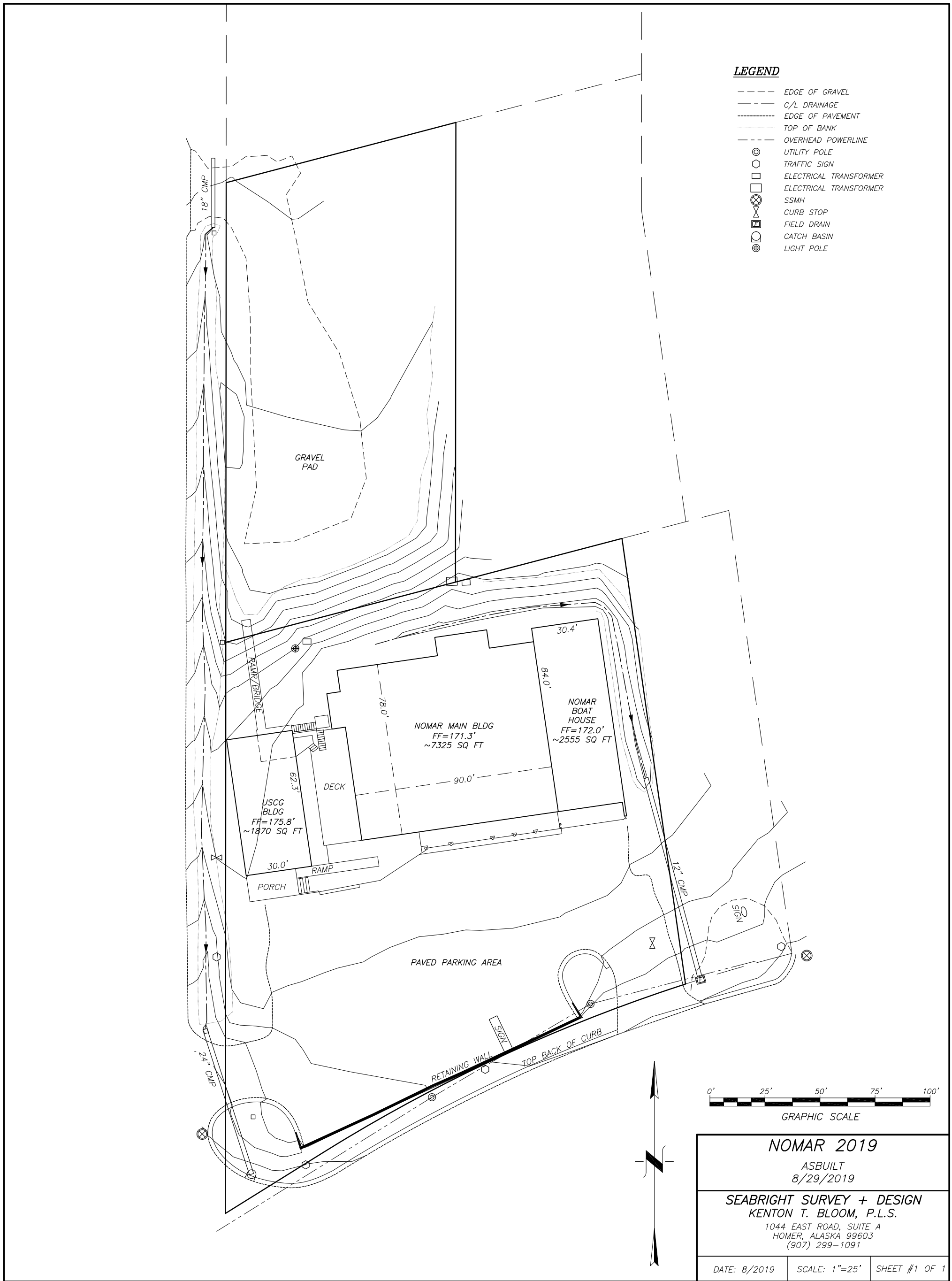
We believe that our proposed project will protect and enhance community character by expanding the production and supply of high quality and unique marine products to our local community and beyond.

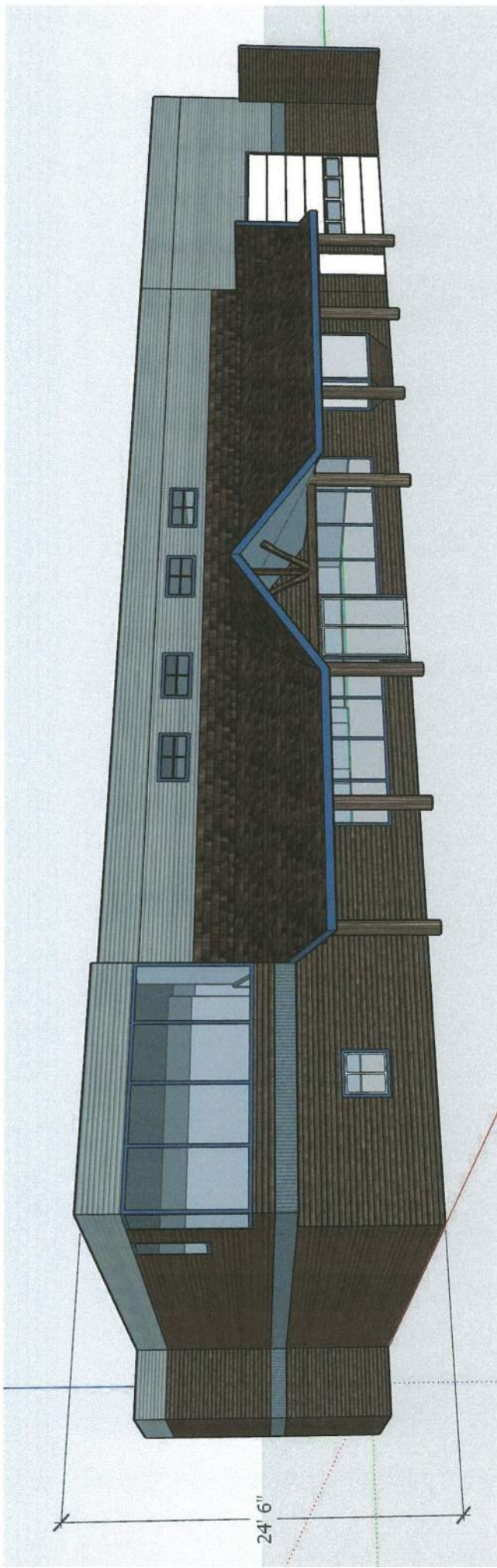


MAIN STREET

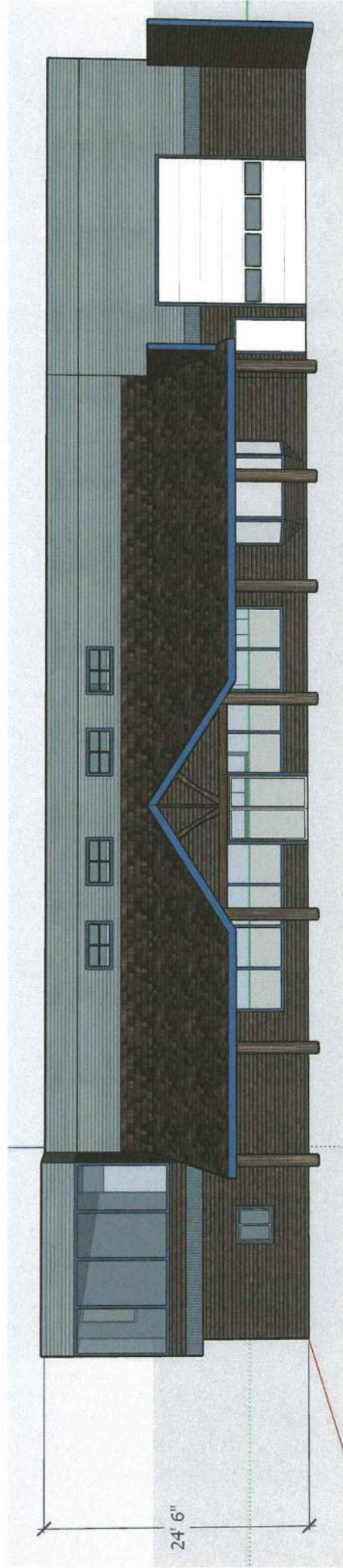


NOMAR ADDITION 2020 SITE PLAN INCLUDES ACCESS, PARKING, DRAINAGE, LIGHTING		
SEABRIGHT SURVEY + DESIGN KENTON T. BLOOM, P.L.S. 1044 EAST ROAD, SUITE A HOMER, ALASKA 99603 (907) 299-1091		
DATE: 11/2019	SCALE: 1"=20'	SHEET #1 OF 2





Proposed 2nd story addition looking North from Pioneer Avenue



Proposed 4-plex

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PLANNING/ZONING

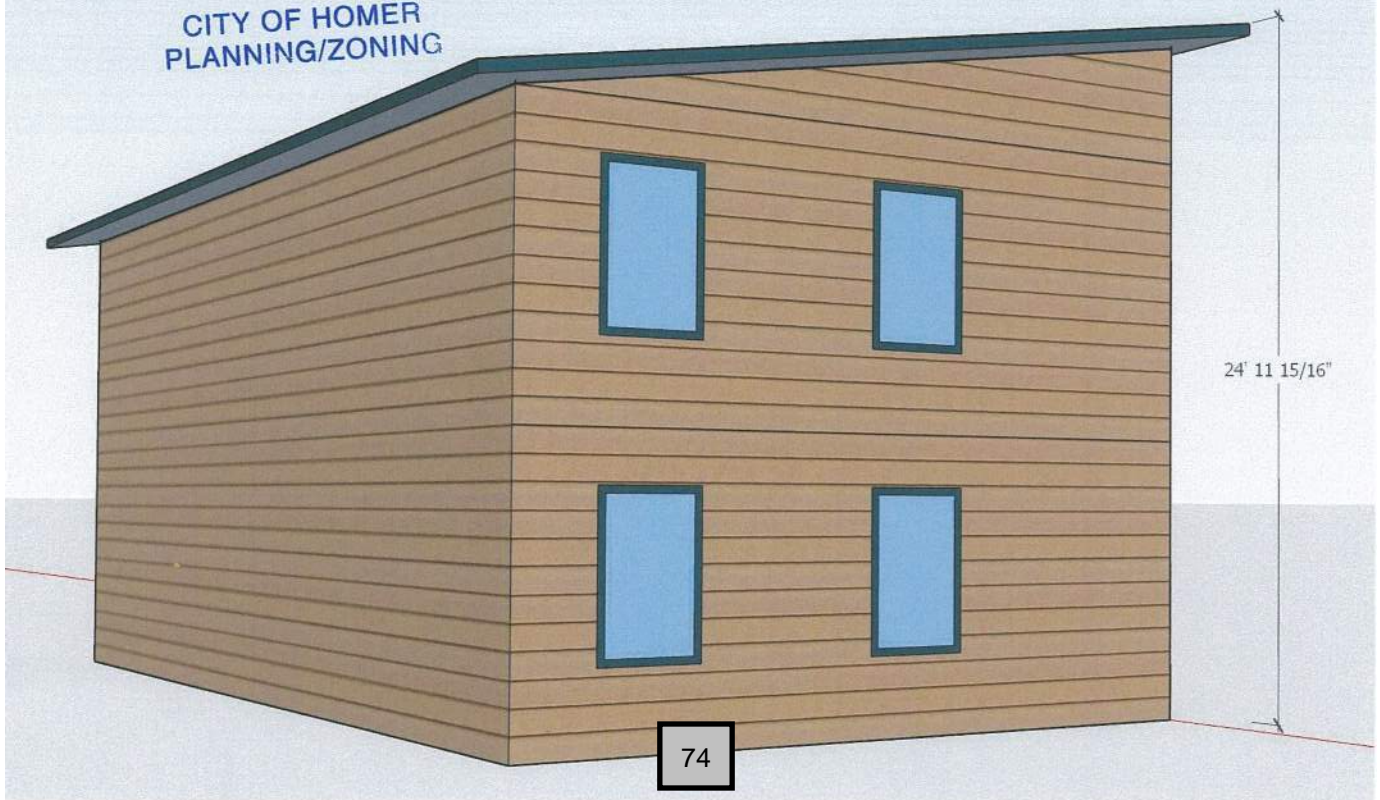


PROPOSED 4-plex

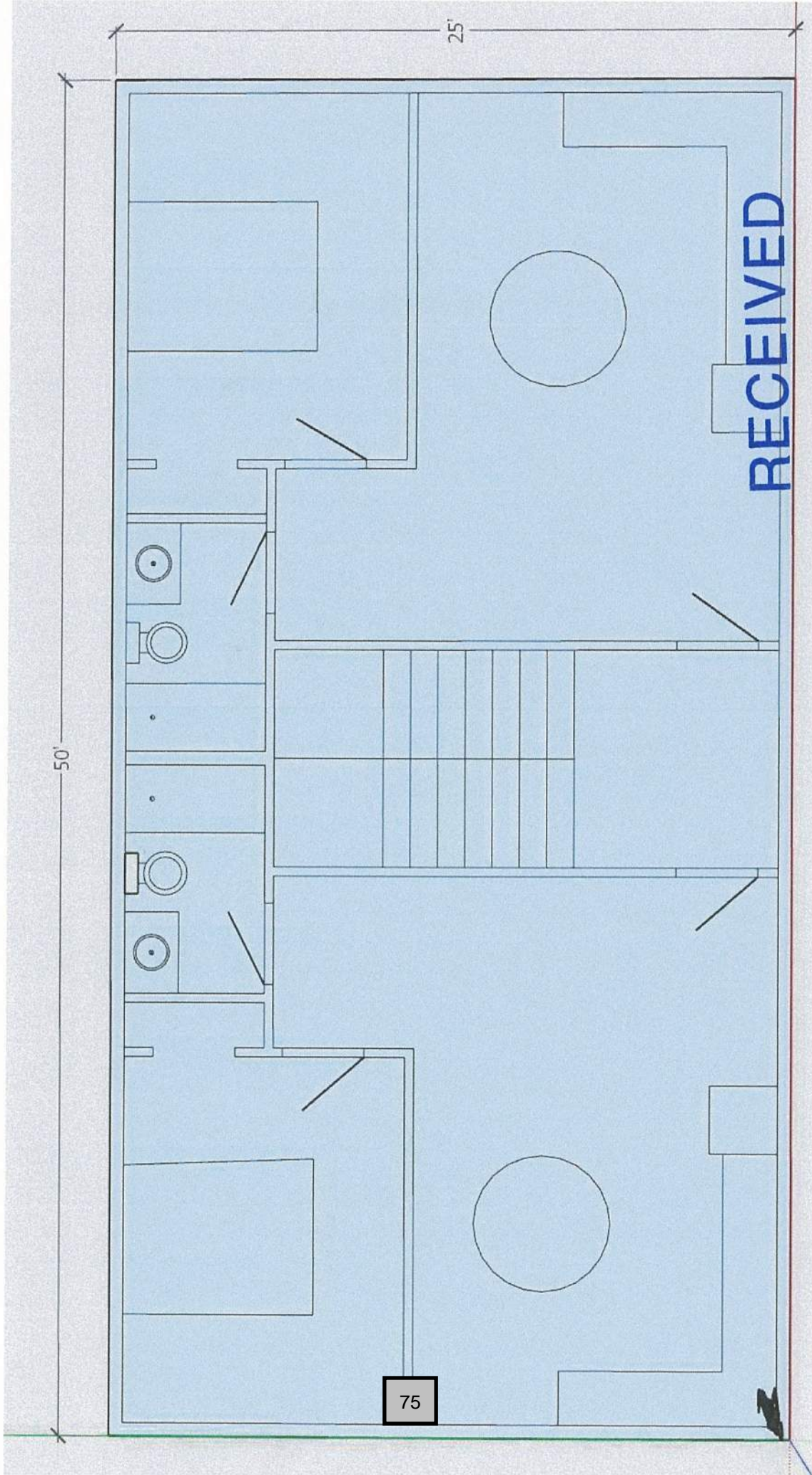
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Proposed 4-plex



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Community Design Manual (CDM) Review Application Requirements

CITY OF HOMER
PLANNING/ZONING

Project Name and Location: 104 E. Pioneer Avenue, Kate Mitchell, by Seabright Survey + Design

Many Conditional Use Permits (CUP) required compliance with the Community Design Manual (CDM). By providing the following information, your project can be reviewed more quickly and thoroughly.

- x Landscaping, Vegetation and Screening Plan. See pg 28-31 of the CDM.
- Utilities Plan. Provide a utilities plan showing location of utilities in relation to landscape and buffer areas (utility plan must be consistent with proposed areas of non-disturbance).
- x Parking and Paving Plan. See pg 33-35 of the CDM.
- x Grading and Drainage Plan. Include all cuts, fills, slopes, disturbed areas, retaining walls and structures.
- x Elevation Drawings. Provide complete elevation drawings of all buildings showing dimensions, trim details, color(s) and proposed materials including roofing, siding, and windows.
- x Sign Plan. A master sign plan showing the location of all signage consistent with HCC 21.60.
- x Lighting Plan. See pg 7,8 and pg 35-37 of the CDM and HCC 21.59.020-030.

Site Design. *This should align with the Grading and Drainage Plan. Pg 6 of the CDM.*

Describe the how building design transitions into the parking lot and landscaped areas. Describe your efforts to minimize cut/fill and to respect the natural topography.

The development of this parcel is well established and the main parking lot is paved. This proposed addition includes upgrades to an auxiliary parking lot, improved pedestrian accessibility and landscaping. The parking areas will be clearly delineated. The landscaped areas will be protected from automobile traffic. There will be negligible site disturbance with a gravel overlay on the auxiliary parking lot

Prominent Facades-Building Scale and Mass. *This should align with the elevation drawings. Pg 8-10, 27 of the CDM.*

Describe how the building's design reflects the mass and scale of adjacent properties:

The proposed addition is in harmony with the mass and scale of other buildings along Pioneer Avenue

- **Y/N** Does the building design avoid false pitch roofs? If no, see pg. 11-13. Yes

- Y/N Does the building design avoid A-frame, modified A-Frame, domes, curvilinear roof or other unusual roof forms? If no, see page 10. Yes

Window and Door Fenestration. *Should align with the elevation drawings. Pg 14 of the CDM.*

Windows and doors shall constitute a minimum of 25-30% of the prominent façade.

The proposed building will meet or exceed the desired ratio of windows and doors on the prominent facade.

Y/N Are the windows regularly spaced and aligned with other doors and windows in the same plane? Yes

- Y/N Does the building design include reflective glass? If so, Commission approval is required. No

Siding and Trim: *Page 15*

Describe the materials used for siding, the trim and the colors.

Siding Color: Type: Black/Gray tones

Trim Color: Gray

Type: Aztec Allweather trim with wood texture

Does the siding include:

- Y/N Metal panels No
- Y/N Sheet siding like T1-11 No
- Y/N Concrete panels No
- Y/N Tile No
- Y/N Smooth Concrete Blocks No
- Y/N Vertically ribbed or vertically grooved material No

Miscellaneous Architectural Devices: *This should align with the elevation drawings. Pg 15-17 of the CDM,*

Describe the use of awnings, awning fabric (opaque only), the lighting of the awnings and their function. Provide the linear feet of awning. Tenant franchise themes are not allowed in the TCD and GBD per HCC 21.20.050 and HCC 21.22.060. Describe how the building integrates artwork into the design.

We have no awnings nor tenant themes. Homer's Jeans is well known for its funky charm and associated artsy feel. There will be numerous opportunities to activate the area.

- Y/N Does the building design avoid the use of color to promote a theme or tenant specific identity? Yes
For example a typical Pizza Hut, McDonalds, Taco Bell building promotes a theme.
- Y/N Does the building design avoid use of neon, tube shaped lighting? Yes
- Y/N Does the building avoid back-lit awnings? Yes
- Y/N Does the use of awning provide weather protection over walkways and entrances? Yes

- Y/N Are the awnings consistent in design? Multiple awning design is not permitted. Pg 16. N/A
- Y/N Is the awning design secondary and complimentary of the building design? N/A

Roofing materials. Pg 17-18 of the CDM.

Describe the roofing material: Asphalt shingles
 What color is the roofing material? Black, gray, brown

Color. Pg 18-20 of the CDM.

What is the main color on the exterior walls? Black/gray tones
 What color is the trim as in the fascia, cornice, window and door trim? Gray
 Describe the use and color of accents such as molding, shadow lines, door frames: The trim will create a unified and clean façade.

Hierarchy in building design. This should align with the elevation drawings. Pg 18 of the CDM.

- Y/N or NA. Does the project include secondary building structures as support buildings? No
- Y/N or NA. Does the project include multiple tenant spaces? Yes

Describe the common architectural treatment of the buildings within the development. Include:

- Secondary structures as support buildings None
- The façade (the exterior wall exposed to public view) the ‘streetscape’.
 The existing entrance will move to face Pioneer Ave. The new façade will include a porch roof at the new entrance and balanced placement of windows with the new front door.
- Building height variation that reflects the location of individual tenants.
 Building addition rooflines are lowered from the main roof creating an interesting and cohesive relationship between the existing building and the addition
- Roof design
 The primary roof is a Gable Roof sloping at 6/12
- Window proportions
 The window and door proportions on the façade are in harmony with the 25-30% that is a minimum.
- Fencing
 The fencing will be limited to the dumpster enclosure. It will be a 6’ tall cedar fence.

Walkways. *This should align with the landscaping, parking and lighting plans. Pg 21,22 of the CDM.*

Describe how the walkways are linked between the main entrance to the parking area and the public right-of-way. Include the location, width, length, texture, lighting, seating, vegetation, integrated art work, color and the visual contrast to the other surfaces.

The walkways will all be a minimum of 5' wide, gravel and link the building entrance to the parking areas and to both Pioneer Ave. and Lee Ave. The steps leading down from Lee Avenue to The Pioneer Avenue level are proposed and will require an agreement between the City of Homer and the owner. These steps will be designated public access. Construction costs will be paid by the owner and completed as part of this project. Lighting will be designed to provide illumination to pedestrian areas and parking lots. Lighting will be downward directional and either mounted on the building or on poles not to exceed 12' in height.

- Y/N or NA. Are the walkways 5 ft wide or greater? Yes
- Y/N or NA. Are the walkways visually distinct from the surrounding surfaces? Yes
- Y/N or NA. Are vegetative strips 3 ft wide or greater? Yes. They are
- Y/N or NA. Are walkways 100 ft long or greater? If so, include lighting and seating. No
- Y/N or NA. Are historic events and structures identified? N/A
- Y/N or NA. Do you plan to avoid walkways which cross parking stalls? No

Outdoor Common Areas. *This should align with the landscaping plan. Pg 23-26 of the CDM.*

Describe any building focal points that create a “visual draw,” and/or the buildings’ prominent entrance.

The entire front of this building is designed to create a welcome and invited feeling. The covered porch is the focal point. The artful sign and plantings around the building complement the walkways. The landscape plan includes trees, shrubs and flowers as well as lawn. The frontage on Main St. will also be landscaped.

Describe the building’s outdoor leisure area. Include walkway location and widths for covered and uncovered walkways, plaza surfaces (brick, stone, aggregate concrete, colored, textured) landscaping, shrubbery, flowers, viewing platforms, seating and signage. Describe areas for outdoor sales/carts, art displays and outdoor dining. The site plan shows the pathways in relation to the porches and landscaping. All pathways are a minimum of 5' wide and are wood or gravel. The porches will be concrete. There is greenbelt fronting the Main building. Thoughtful landscape design will make the development more cohesive and visually attractive.

IF the project’s floor area (total sf of all floors) is less than 5,000 sf., move to ***Loading and delivery area.***

- Primary structures shall incorporate either a prominent portico or plaza which is visible to the public and useable to customers or clients. Its size shall be at least 10% of the main level interior floor area. (CDM page 20) An area exceeding 10% of the total floor area for all the

buildings added together has been created as an open plaza. This area will be open to the clientele and employees of the buildings.

- If the floor area (total sf of all floors) is greater than 5,000 sf., then 5% of the floor area must be devoted to an outdoor leisure area.

The landscaped areas in front of each building provide an enhanced outdoor leisure area. The Total leisure area is 3200 sf. 10% of the total floor area = 2335 sf.

(Total floor area 23350 sf) X (0.05) must be greater than the outdoor leisure area. (CDM pg 24)

The 10% calculated above can count towards the 5% outdoor leisure area requirement

- Y/N Does the leisure area have trash receptacles, seating and/or tables. Yes
- Y/N Does the outdoor leisure area include walkways? If so, the walkways must be 8 ft wide or greater (p. 24). The leisure areas are bounded by the parking lot and the 10' wide building access walkway. The walkways from the parking to the buildings are 5' wide.

Loading and delivery area. *Should align with the Parking Plan. Pg 27 of the CDM.*

The needs for loading and unloading are modest and align with the parking plan.

- Y/N Are the loading and delivery areas oriented away from the street front? The loading areas are distinct. The existing front loading area is dedicated to large shipments, boats, vehicles, etc. There will be a secondary loading area via the new bridge spanning from the auxillary parking lot.

Landscaping and screening. *Should align with the landscaping plan. Pg 28-31 of the CDM.*

Describe the site's proposed landscaping, and any planned retention of the existing vegetation.

Provide a landscaping plan that includes:

- clearing limits No clearing required
- trees that will be thinned or topped None
- areas which will be completely cleared None
- the distance between buildings and trees No trees exist on site
- how existing vegetation will be protected during construction There will be minimal disturbance to existing vegetation in drainage ditch.
- how and where existing native vegetation will be retained. Existing alders along the westerly property line will be affected by the snow storage/ retention area.
- how and when the cleared areas will be replanted. The landscaped areas will be planted after the proposed building is constructed and the site grading is completed.

The property is already developed and well cared for. The areas where enhanced planting is

envisioned includes the parking islands and the fronts of the buildings.

- Y/N Is clearing limited to no more the 50% of the significant vegetation? Yes
- Y/N Does the plan include shrub planting on blank walls?
- There will be shrub planting along blank walls
- Y/N Does the plan include a minimum 3 ft landscaped buffer along all lot lines? Yes except as noted.
- Y/N Does the plan include a minimum 15-ft buffer from the top of a bank or drainage? The existing USCG building footprint falls within the 15' buffer on the west side of the existing building.

Fences. Pg 31 of the CDM.

Describe the site's fencing, its purpose, its material, height and visibility to the public.

6' tall cedar fence for dumpster enclosure.

- Y/N Does your plan avoid chain-link fencing? Yes

Parking. Should align with the parking plan. Pg 33*39 of the CDM.

Number of curb cuts? 2 Width of curb cuts? 25ft. Distance between the curb cuts? Existing curb-cuts on Pioneer Ave. and Main St.

Number of parking spaces? 44 Number parking spaces in front of the building? 12

- Y/N Does your plan avoid parking in front of the building entrances? Yes, provides ADA parking
- Y/N Are the curb cuts at least 200 ft. apart? Existing access is established. The revised access to the north on Main St. is well over 200' from the existing.
- Y/N Is traffic directed to side streets where possible? N/A
- Y/N Is the parking lot visible from Sterling Hwy, Lake St., Health St., Main St. or Pioneer Ave.? Yes
- Y/N or NA. Is parking lot screened with a 3 ft high solid hedge. Existing retaining wall along Pioneer Ave.
- Do the driveway widths meet the requirements below? Driveway entrance is 24' wide two way.
 - Maximum widths of one-lane driveways are 15 ft.
 - Maximum widths of two-lane driveways are 24 ft.
 - Maximum widths of three-lane driveways are 34 ft.

The parking lot in front is existing and the new configuration meets the design criteria.

If your project has less than 24 parking spaces, move to ***Lighting.***

If more than 24 spaces are required, 10% of the parking area must be landscaped with islands and/or dividers,

plus a 10ft buffer along rights-of-way. HCC 21.50.030(f)(1)(b).

If over 24 spaces, the parking lot is _24,000 sf. The landscaped portion within the parking lot is 3,430 sf. 14.3%

- Y/N The parking lot is paved. Required in the GBD per HCC 21.22.080(b). The main parking lot is paved. The auxiliary parking lot is gravel.
- Y/N Is less than 50% of the parking located in the front of the building? No
- Y/N or NA. If more than 24 spaces, are treed landscaped pockets provided every 100 ft or less? N/A
- Y/N or NA. If more than 24 spaces, is the minimum 10 ft landscaped buffer provided? N/A

Parking garages. Pg 35 of the CDM.

- Y/N Does your project include a parking garage over one-story or which encloses 20 or more vehicles?
If so, Planning Commission approval is required. N/A

Lighting. Should align with the Lighting Plan. Pg 7,8 &35-37 of the CDM and HCC 21.59.020.

Describe the light fixtures, height, their purpose, lighting direction and visual appearance.
See attached lighting description

- Y/N Is light source hidden from public view? Yes
- Y/N Does your lighting avoid excess light throw beyond the pedestrians and/or vehicles area? Yes
- Y/N Does your project avoid mounting outside light fixtures above 15 feet? Yes
- Y/N Does your project avoid parking lot luminaires that are above 28 feet? Yes
- Y/N Does your plan avoid bright lighting on outdoor surfaces of buildings? Yes
- Y/N Does your plan avoid colored lighting on buildings? Yes
- Y/N Does your plan avoid utility lighting? Yes
- Y/N Does your plan avoid lit accents, canopies, color bars, stripes? Yes

Outdoor furnishings. Pg 37-38 of the CDM.

Describe the outdoor furnishings, their location, type, style, manufacturer, series, and color. If in the right-of-way, approval by Public Works and the Planning Commission is required. There are a variety of options for outdoor furnishings. The owner proposes to place benches along the walkways.

- Y/N or NA Are the outdoor furnishings a commercial grade designed for heavy public use? The benches will be commercial grade.



TECHNICAL DATA SHEET

FEATURES

- Elegant and modern appearance
- Hollow heat sink design, fixture is lighter with excellent heat dissipation.
- High quality Samsung Chips
- Meanwell Driver

APPLICATION

Parking lot, street and building perimeter lighting.

83509

LED SHOE BOX FIXTURE

OUTDOOR POLE/ARM-MOUNTED AREA AND
ROADWAY LUMINAIRES

PRODUCT DETAILS

ELECTRICAL

Wattage	48W
Voltage	90-295V
Current	0.4A
Power Factor	0.9
Total Harmonic Distortion (THD)	19.2

LIGHTING PERFORMANCE

Lumens	5006
Lumens Per Watt (Lm/W)	104
Color Temperature (CCT)	5000K
Color Rendering (CRI)	75
Beam Angle	120°
Light Distribution	Type II, Very Short

Dimmable Lighting Control



ENVIRONMENT

Operating Temperature	-40°C ~ 50°C
Suitable Location	WET
Ingress Protection Rating	IP65

CERTIFICATIONS



LIFESPAN

Average Life (Hours)	50,000
Warranty (Years)	5

COMPONENTS

LED Light Source	Samsung LH351B
Driver	Meanwell LPF-60-42

CONSTRUCTION

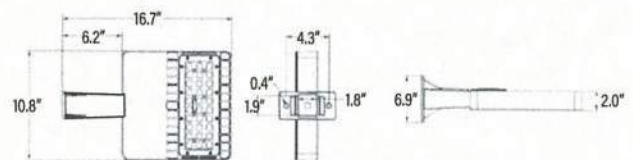
Housing	Aluminum
Base / Power Supply	Hard Wired
Finish	Bronze

PACKAGING

Master Carton	1pc / 811768026528
Country of Origin	China
HS Tariff	9405.40.6000

DIMENSIONS

Dimensions (Inches)	16.7"(L) x 10.8"(W) x 2.0"(H)
Weight (Pounds)	9.3



ORDERING

ITEM#	DESCRIPTION	CASE
83509	LED SHOE BOX FIXTURE 48W/50K/90-295V/POLE/WALL MOUNT/BRONZE	1
BRACKET OPTIONS		
83530	LED SHOE BOX FIXTURE FITTING - ADJUSTABLE SLIP FITTER/BRONZE	1
83534	LED SHOE BOX FIXTURE FITTING - ADJUSTABLE TRUNNION MOUNTING BRACKET/BRONZE	1

RECEIVED

NOV 14 2019

CITY OF HOMER
PLANNING/ZONING

Published lumens on LED products are approximate and may vary slightly.



CDM Review Worksheet

The Community Design Manual was adopted by resolution in April 2004 and amended in January 2009. The CDM is divided into sections: architecture, site design, and connections. Currently the connections section has not been completed. The architecture and site design sections are applicable to conditional uses within the central business district.

The CDM represents a statement of policies, which shall be observed for building and site design in the City of Homer. The CDM states: "The City of Homer encourages a creative approach to design by providing a flexible review standard. The Commission is authorized to waive specific Design Manual requirements if it finds that (a) an alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements, and (b) the alternative design meets the intent of the general requirement."

Architecture Review (Begins on page 5 of 38)

The building and its setting: Buildings shall be designed to reflect the natural conditions of the site and shall include design elements, which visually anchor the building to the site.

1. Incorporate building design elements into landscaped areas.
2. Determine allowable building height.
3. Respect natural topography.

Staff comment:

- The front entrance of the building will include a large gathering space.
- There is a 35-foot building height limit; the proposed addition is just under 25 feet.

Staff: The applicant has worked to meet the intent of the CDM.

Building Lighting: Building Lighting: Lighting may be used to accent a building but shall not be used to denote a corporate or commercial image except on allowed signage. Lighting may be directed to a building but should generally not emanate from a building.

1. Avoid back lit panels and awnings.
2. Keep light sources hidden from public view.
3. Avoid bright lighting on outdoor surfaces of buildings.
4. Avoid colored lighting on buildings.
5. Apply utility lighting sparingly.
6. Lighted accents, canopies, color bars, stripes, or areas. (used sparingly)

Staff: Applicant is not proposing any of the above. The project must comply with 21.20.090 lighting standards.

Prominent Facades: Prominent facades include all building facades visible from waterways, arterials, and activity centers, and also facades, which face the road(s) providing primary access to the building site. Prominent facades may not be sterile wall planes void of architectural interest. They shall be detailed with added relief, shadow lines, and visual depth unless screened with landscaping.

1. Apply all design criteria to prominent facades.

The E Pioneer Ave is a prominent facade. The existing wood beam front entry way and cedar shake style siding will remain. This creates a focal point for the structure. The boat garage currently has a mansard style roof, which is contrary to the CDM. This roof has structural components so it cannot be removed. To remedy the current disjointedness of the structure, the second story addition will create a unified roofline. Although this will be a flat top roof, the applicant feels this design will be in harmony with the mass and scale of other buildings along Pioneer Ave. The Hillas Building at 126 W Pioneer has a slightly wider front and is also a two story structure.

Staff: The prominent facade of the building meet the CDM requirements.

Building Scale and Mass: One of the most prominent characteristics of a building's design is its scale and massing. The scale of building determines its size in relation to surrounding buildings; the massing of a building gives it interest and character. Modern building trends emphasize large-scale designs with no thought toward massing. This imbalance between size and visual character has resulted in visually obtrusive development, which is out of character with surrounding structures of a smaller scale. Large retail boxes epitomize this trend and are considered incompatible with Homer's small town characteristics.

1. Avoid long low wall planes.
2. Provide substantial shifts in walls and roof surfaces.
3. Provide visual terminus to tops of buildings.
4. Avoid unusual or atypical roof forms on all structures.
5. Limit roof areas in the same plane.
6. Reflect mass and scale of adjacent structures.
 - The existing structure is 121 feet wide and the second story addition will not appreciably change this dimension. The front awning area will remain and creates a focal point with substantial visual interest that provides balance to an otherwise long low wall. The front wall of the building will have attractive new windows centered on the retail entrance.
 - Roof area is one large flat plane, although the mansard roof line will be eliminated.

Staff: Applicant reasonably meets these requirements given the size, scale, and building use of the development.

Parking Garages:

1. Recess vehicle entrances in the main façade.
2. Screen parking garage facade

Staff: No parking garages are proposed.

Window and Door Fenestration:

1. Maintain balance in the placement of windows.

2. Conform to solid/void ratio requirements on prominent façade wall planes.
3. Reflective glass is discouraged.
 - Window placement is balanced.
 - There are variations in siding texture.
 - Reflective glass is not proposed

Staff: There are balanced windows in relation to the roofed porch at the main public entrance. On the west side of the building is a large windowed area that cantilevers out, which somewhat balances the boat garage door. The design conforms to solid/void ratios, and the color renderings show the use of different materials and textures to create visual interest.

Siding and Trim: Traditional building materials such as brick, stone or wood reflect human handicraft and provide texture to building exteriors. Materials for new construction and remodeling should convey similar visual qualities.

1. Use materials which simulate quality traditional building materials.

Staff: The siding and trim simulate traditional quality building materials; the structure will be clad in grey and black tones with wood textured trim. The building will have a modern architecture feel as shown on the renderings.

Miscellaneous Architectural Devices: Building design should be executed in a straightforward manner. Tack-on devices may not be used to mitigate poor design or to promote a particular theme. If a particular style or theme is desired, it should be reflected in the building's form and general detailing.

1. Architecturally integrated artwork is encouraged.
2. Avoid architectural gimmicks and fads.
3. Maintain consistency in awning design.
4. Avoid awnings which obscure or dominate the building design.
 - No architectural gimmicks are shown.

Staff: Meets these guidelines.

Roofing materials: Views of roofs from the ground and from higher elevations play an important role in the architecture of the city. Roofing materials shall be selected according to following criteria.

1. Use roof materials which provide texture and shadow lines.
2. Avoid bright-colored, reflective, or unsightly roofing materials.
 - Roofing will be asphalt shingles, in black, grey or brown.

Staff: Roofing materials meet the requirements.

Color:

1. Keep field colors subdued.
2. Limit bold or bright trim colors.
3. Finer details may be accented with brighter colors.

Staff: Applicant has provided an elevation rendering with planned material colors. The color palette comply with the CDM. Colors are subdued, with an accent colors of blues and greys.

Hierarchy in building design: Visual interest in the urban-scape can be achieved through a hierarchal approach to design. For example, strategically located structures, architectural elements or site amenities designed as focal points create a visual “draw” and suggest a point of activity. These also serve as a reference point for all subordinate structures. This concept is particularly applicable to large parcels with multiple structures. Multiple carbon copy buildings provide no visual hub and shall be avoided.

1. Design primary structure as a focal point.
2. Include area for outdoor leisure for Primary Structure.
3. Integrate secondary structures as support buildings.
4. Incorporate multiple tenant spaces into hierarchy of building design.
5. Provide consistent architectural interest to all prominent facades.

Staff: The applicant will be removing pavement in an area between the main structure and the white two story building. This area will become lawn and provide an outdoor leisure area for the site.

Site Design Review (begins page 21):

On-Site Primary Walkways:

1. Link commercial buildings and the public right-of-ways with primary walkways.
2. Assure that primary walkway width is proportionate to scale of project.
3. Differentiate walkway surface.
4. Accent walkways with significant landscaping.
5. Accent walkways with lighting and seating areas.
6. Identify historic events or structures.

Staff: Due to the steep terrain from both Main Street and Pioneer Ave, a separated pedestrian access route is difficult to achieve on this already developed site. A pedestrian access from Main Street would probably need to be a set of stairs which would be mostly in city right of way.

Secondary Walkways:

1. Link each building with walkways.
2. Assure adequate walkway width.
3. Differentiate walkway surface
4. Avoid walkways which cross parking stalls.

Staff comment: Secondary pathways provide access parking and building entrances at the front and rear of the buildings.

Outdoor Common Areas: A common area is a designed outdoor space which encourages outdoor activities and leisure in outdoor spaces associated with commercial development. Required common spaces must be provided on-site, but may be enlarged and extended into city rights-of-way to connect with the sidewalk, subject to City of Homer approval.

1. Provide common area of a size proportionate to development

2. Choose type of common area best suited to development
3. Locate common areas in view corridors.
4. Provide direct access to common areas with pedestrian walkways
5. Provide outdoor seating where people want to sit.
6. Consider allowed activities in common areas.

Staff: 5% of the gross floor area, or 1,167 square feet of outdoor common area is required. Applicant is providing a 2335 square foot grass area between the two main structures. This also meets the requirement for outdoor leisure area of 10% of the first floor area (equates to 1,300 square feet.)

Commercial Streetscape

1. Locate structure near front setback line
2. Orient service and delivery areas away from street
3. Limit the number of curb cuts
4. Limit width of driveways to 15, 24, or 34 feet.
5. Link dissimilar building with common site amenities. N/A
6. Provide covering over walkways where appropriate.
7. Place no more than 50% of required parking in front of buildings
8. Avoid parking in front of building entrance
9. Choose awning designs appropriate to building style.
 - Curb cuts are limited to 24 and 28 feet wide
 - No new curb cuts are proposed

Staff: This building requires multiple points of entry to segregate building users and functions. Considering the use, the building reasonably complies with the streetscape requirements.

Landscaping and screening

1. Control vegetation to preserve existing significant views
2. Avoid removing significant vegetation.
3. Provide adequate room for retained vegetation.
4. Protect existing trees during construction.
5. Replace lost trees which were intended to be retained.
6. Choose plantings which are compatible with existing vegetation.
7. Locate vegetation to preserve significant views
8. Retain the natural symmetry of trees.
9. Use shrubs or vines on blank walls.
10. Conform to all other landscape criteria in the Homer City Code.
 - Site is currently developed. The landscaped portion within the parking lots is proposed at 14.3% or 3,340 square feet.
 - There is an existing retaining wall along Pioneer Ave with public art.

Staff: The site is already significantly developed and has no significant vegetation. The applicant has stated they would like to improve the landscaping as part of this construction project.

Vacant parcels in all zones:

1. Limit clearing to no more than 50% of significant vegetation and retain vegetation in all required buffers and setbacks. Clearing limitations apply to all vacant parcels with no approved Development Activity Plan, Storm Water Plan or zoning permit for development.

Staff: No significant vegetation exists on site.

Fences

1. Choose fence materials carefully.
2. Limit chain link to non-visible areas.
3. Limit height of fences

Staff: The dumpster will be fenced with a 6 foot tall cedar fence.

Parking

1. Use landscaping to screen parking lots and service areas.
2. Limit the number of curb cuts.
3. Limit width of driveway.
4. Screen or enhance parking lots visible from the Sterling Highway, Lake Street, Heath Street, Main Street, or Pioneer Avenue.
5. Incorporate pedestrian ways into parking lots
6. Limit parking in front of buildings
7. Provide trees within larger parking lots
8. Avoid Parking in front of building entrances.
9. Handicap parking.
 - Service areas (dumpster) will be screened with fencing. See Conditions in the staff report.
 - Vehicle access points are already established.
 - Pedestrian walkways have been incorporated into the public parking lot and at employee entrances.
 - Parking in front of the building is existing and will be reduced.
 - Handicap parking spaces are located closest to the public entrances.

Staff: The parking lot meets the intent of these guidelines.

Parking garages

1. Recess vehicle entries in main façade.
2. Screen parking garage façade
3. Receive Planning Commission approval for parking garages over 1 story or which enclose 20 or more vehicles.

Staff: No parking garage is proposed for this development.

Outdoor Lighting

1. Keep light source hidden from public view
2. Use downward directional lighting
3. Avoid lighting large area with a single source.
4. Avoid excessive light throw.
5. Choose approved outdoor light designs
6. Avoid light fixture designs which have an industrial appearance.

Staff: Lighting fixture information was provided in the application.

Outdoor furnishings

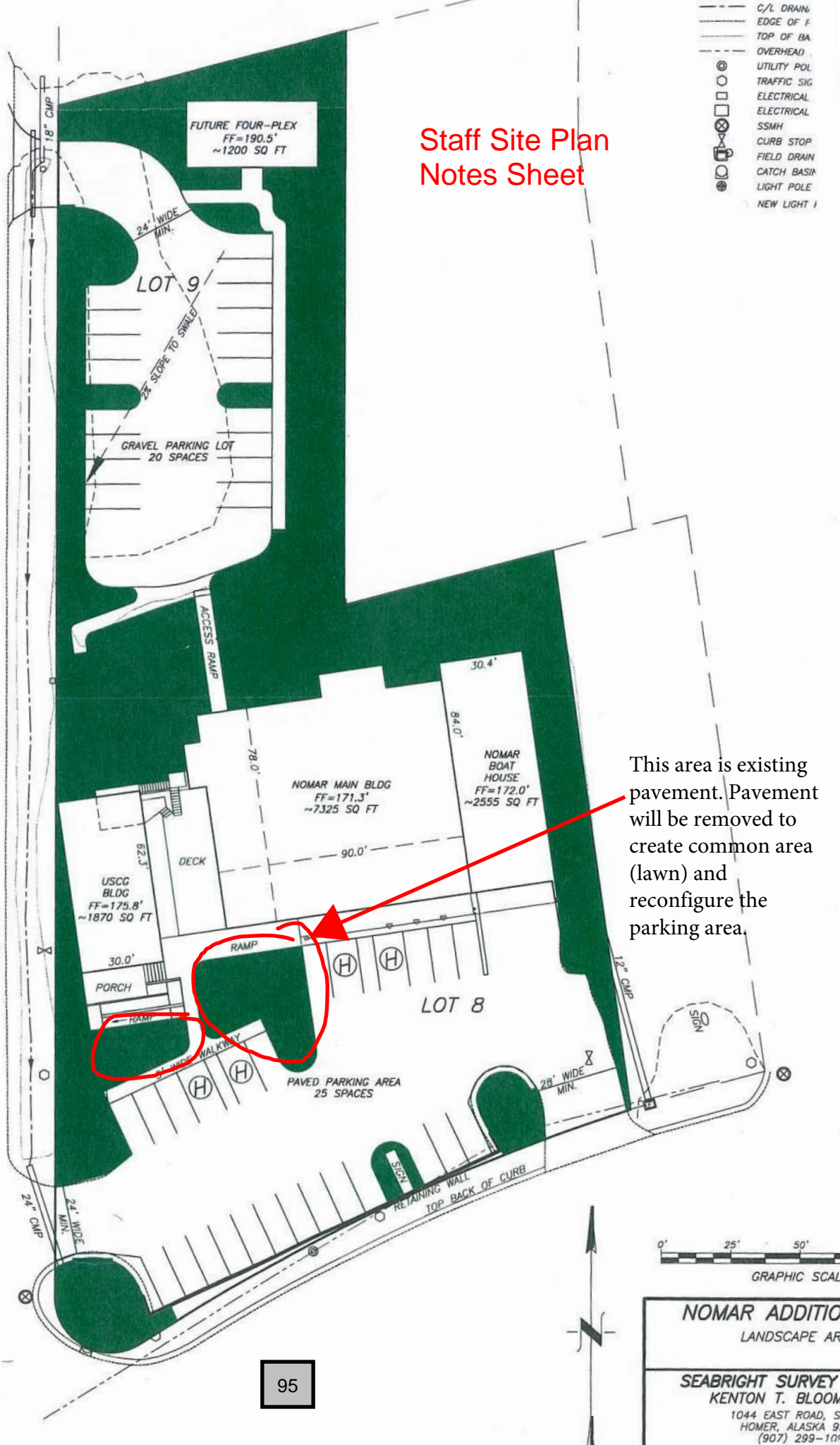
1. Use City approved furniture designs on public rights-of-ways.

Staff: No outdoor furnishings are proposed within public rights of way.

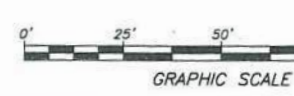
Finding: Project complies with the applicable provisions of the CDM.

- EDGE OF L
- C/L DRAIN
- EDGE OF F
- TOP OF BA
- OVERHEAD
- UTILITY POL
- TRAFFIC SIG
- ELECTRICAL
- ELECTRICAL
- SSMH
- CURB STOP
- FIELD DRAIN
- CATCH BASIN
- LIGHT POLE
- NEW LIGHT

Staff Site Plan Notes Sheet



This area is existing pavement. Pavement will be removed to create common area (lawn) and reconfigure the parking area.



NOMAR ADDITION LANDSCAPE AREA.

SEABRIGHT SURVEY +
KENTON T. BLOOM, P
1044 EAST ROAD, SUITE
HOMER, ALASKA 99603
(907) 299-1091

E Pioneer Ave primary
entrance. Adjacent bar on right



Site from E Pioneer Ave



Left building is non-conforming



View to the south over the existing building roof





View of northern lot, looking to the south along Main Street.

Traffic Analysis per HCC 21.18.060

A conditional use permit is required for every use that:

a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;

Staff comment: No hour of the day is projected to generate more than 100 vehicle trips.

b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;

Staff comment: Vehicle trips per day are calculated as fewer than 500 per day.

c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or

Staff comment: The proposed development is not estimated to result in more than 100 vehicle trips per day.

d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection. [Ord. 13-27 § 3, 2013; Ord. 08-29, 2008].

Staff comment: The Pioneer Ave and Main Street intersection was recently upgraded to a four way stop, and a traffic light has been installed at Main Street and the Sterling Highway. Traffic from the proposed development is not expected in a volume, frequency or time of day that would degrade a level of service of the transportation network.

Land Use	Sq footage	AM peak hour generation rate per 1,000 sq ft		PM peak hour generation rate per 1,000 square feet		Daily Traffic Generation per 1,000 square feet	
			Trips		Trips		Trips
Manufacturing	9600	0.78	7.488	0.75	7.2	3.82	36.672
Office	3400	1.8	6.12	1.73	5.882	11.57	39.338
Retail	7325	2.06	15.0895	1.94	14.2105	26.59	194.77175
Apartment Units	4	0.55	2.2	0.67	2.68	6.72	26.88
Total Trips		AM Peak Hour	30.8975	PM peak hour	29.9725	Total Daily Traffic	297.66175

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Advisory Planning Commission on Thursday, January 2, 2020 at 6:30 p.m. at Homer City Hall, 491 East Pioneer Avenue, Homer, Alaska, on the following matter:

A request for Conditional Use Permit (CUP) 20-01 to allow a second-story expansion of the NOMAR building at 104 E. Pioneer Ave. and a 4-unit apartment building at 3916 Main St. This request requires a CUP for more than one building containing a permitted principal use on a lot (HCC 21.18.030 (j)), light manufacturing (HCC 21.18.030 (h)), & for more than 8,000 square feet of building area (HCC 21.18.040 (d)). 104 E. Pioneer Ave. is also known as Lot 8 Tract A, Nils O Svedlund Subdivision Amended, Sec. 20, T. 6 S., R. 13 W., S.M. HM 0540251A. 3916 Main St. is also known as Lot 9 Tract A, Nils O Svedlund Subdivision Amended, Sec. 20, T. 6 S., R. 13 W., S.M. HM 0540251A.

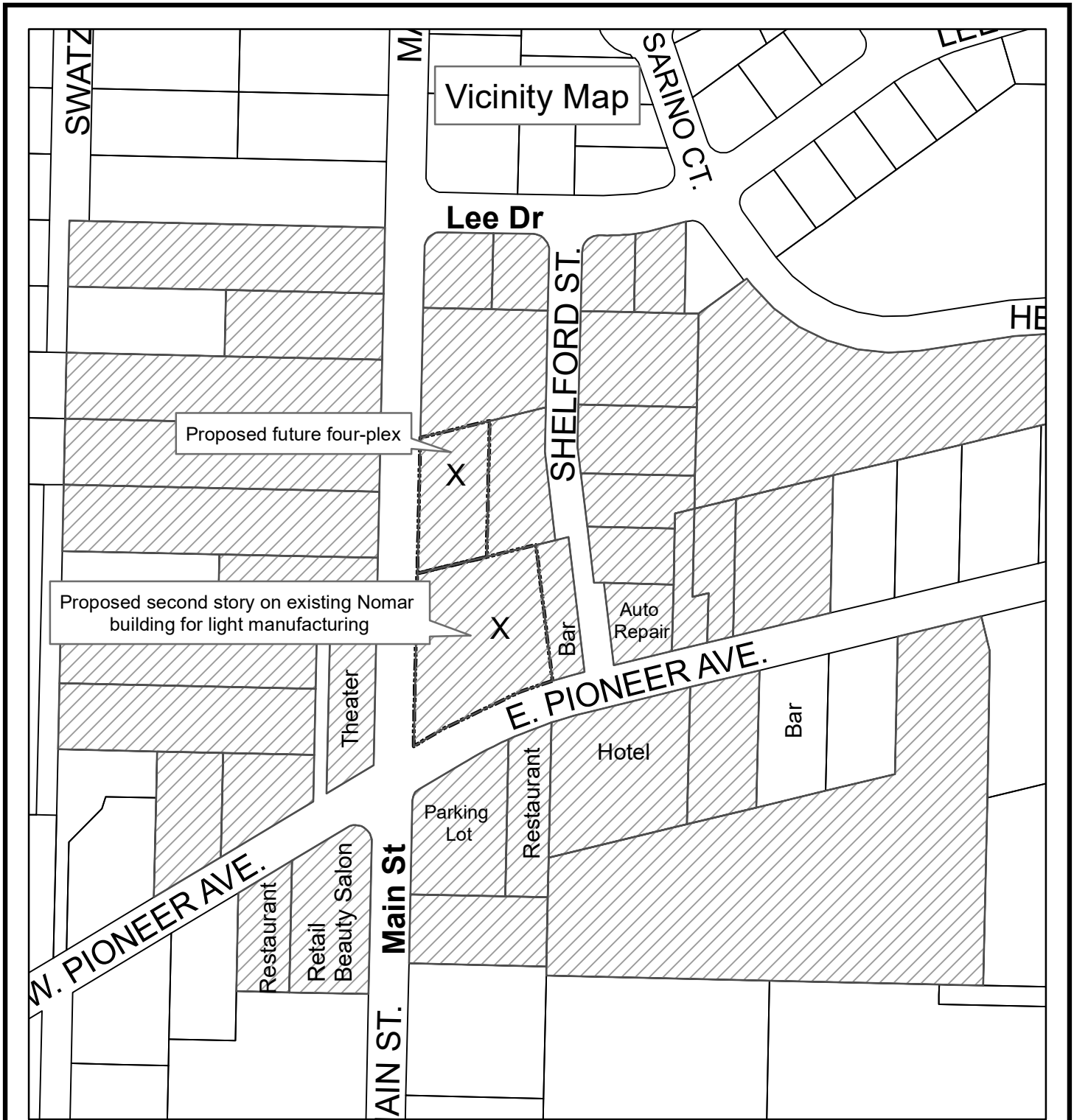
Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

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

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

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department

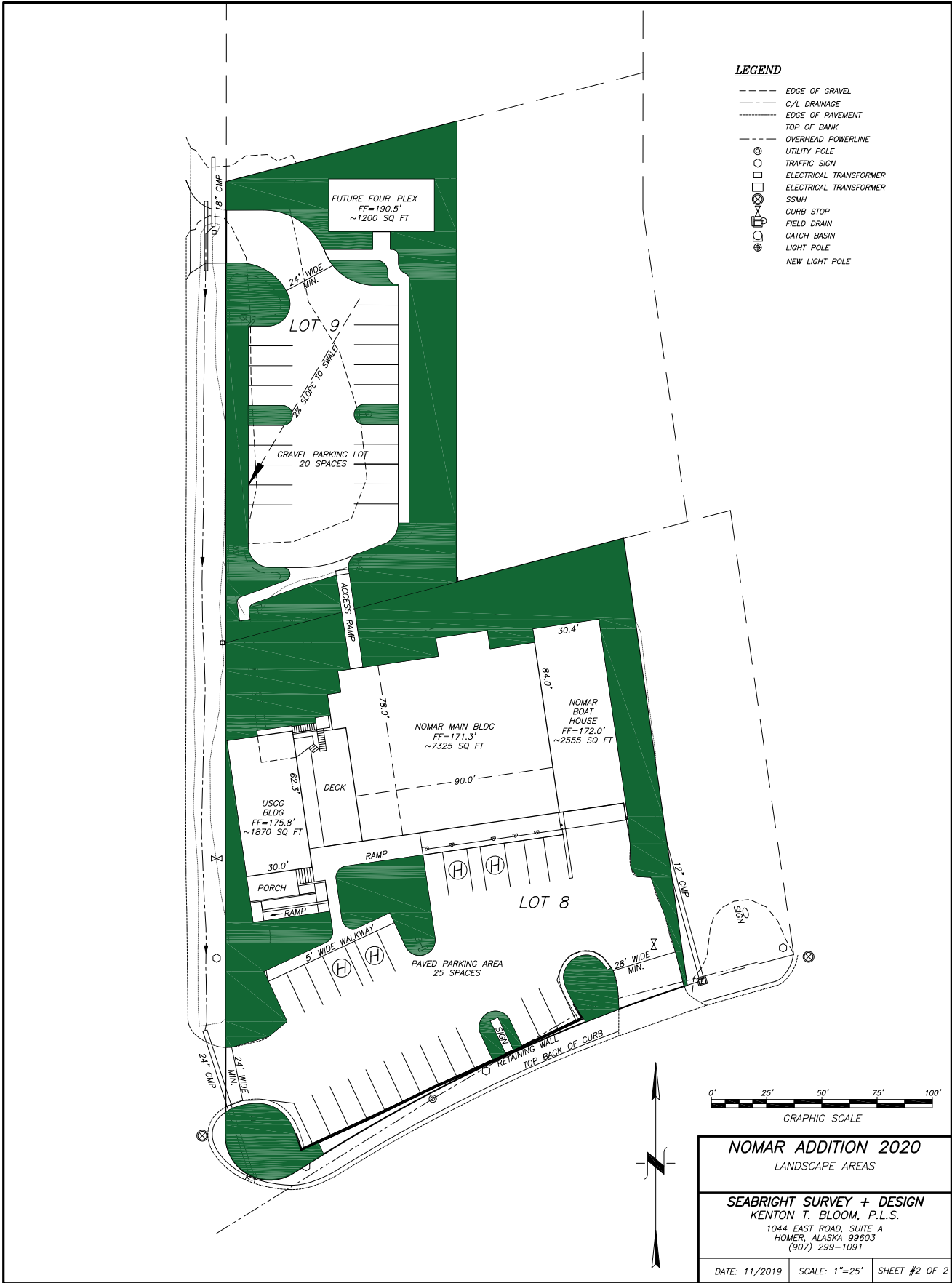
12/16/2019

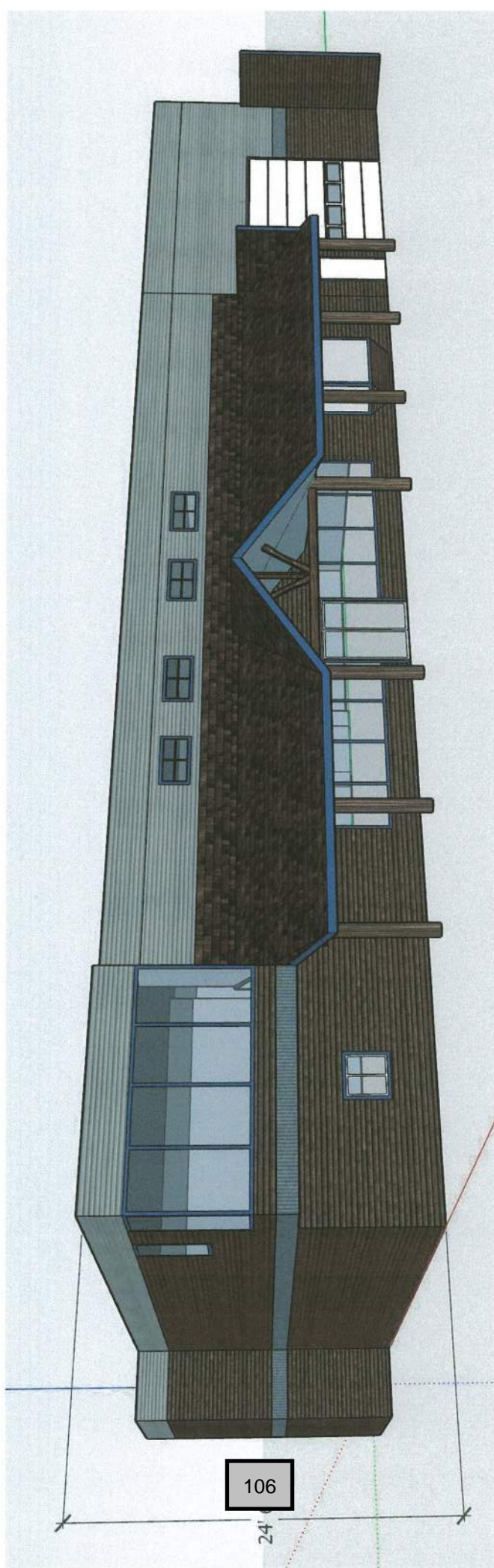
Request for Conditional Use Permit 2020-01 104 E Pioneer Ave

Marked lots are w/in 300 feet
and property owners notified.



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.





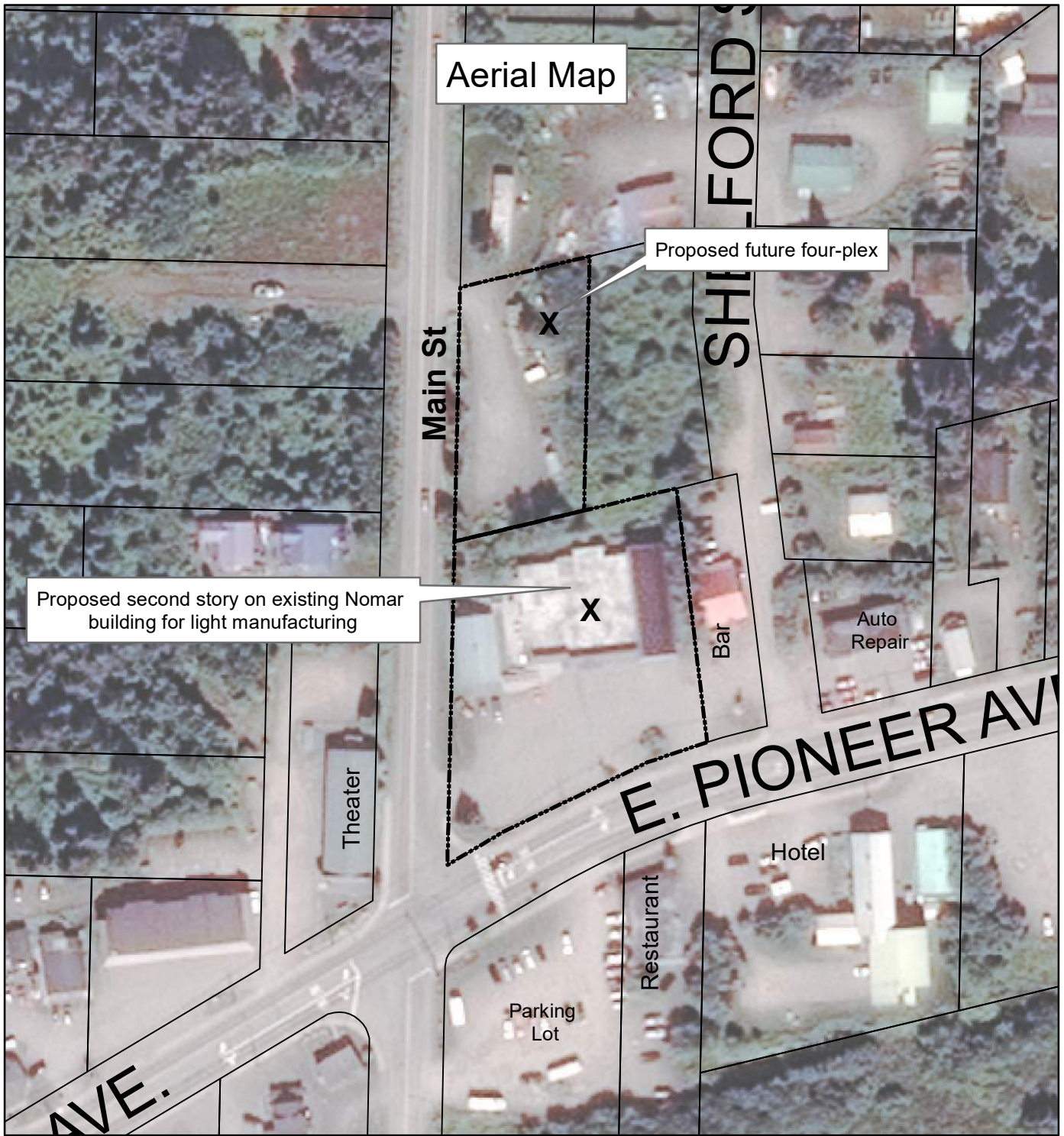
106

24'

RECEIVED

NOV 14 2019

CITY OF HOMER
PLANNING/ZONING



City of Homer
Planning and Zoning Department

12/20/2019

Request for Conditional Use Permit 2020-01 104 E Pioneer Ave



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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 20-04

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: 1/2/2020
SUBJECT: Medical Zoning District

Introduction

Julie will be at the work session to facilitate discussion. This staff report is arranged in order of discussion topics! Please note: Some items are outside the scope of a zoning ordinance. Ultimately by June, the Commission will be making several recommendations to Council, and some of them may be storm water or traffic related. We don't need full solutions at this point, but its desirable to have clear next steps the community can take to address concerns. (Transportation Plan? Storm water plan? Sound familiar?!) Based on work session conversation, staff will come back with draft recommendations, which we can continue to work on with the goal of a neighborhood meeting in February.

1. (10 minutes – about a minute for each Commissioner) What are your top two observations from visiting the Barlett/Hohe/Main Street Area?

- a. Example from Julie: I visited about 7:45 am on a weekday. There is some traffic during shift change at the hospital, and from school drop offs via Soundview. This lasts for maybe 15 minutes. Otherwise, there are few cars at that time. Also, the level of outdoor lighting is OK. There are some old non-compliant fixtures, but overall, there is reasonably good lighting as far as intensity and fixtures – much better than some other parts of our community. Continued redevelopment with existing lighting code should continue this trend for the hospital area.

2. (5 minutes) Storm Water:

Discussion: In the really big picture, a storm water Special Assessment District type funding mechanism might be needed for the neighborhood. That is well outside the scope of a zoning amendment, nor is it an immediate concern. Storm water planning could be accomplished either by a specific plan for the neighborhood, or as part of a community wide storm water plan.

Action: The Commission can make a recommendation to Council on next steps.

3. (5 minutes) Traffic

Discussion: Much like storm water, an understanding of traffic at full build out would help in long term area planning. This could be accomplished by a neighborhood traffic study, or as part of a larger community traffic modeling project like the Transportation Plan.

Action: Is the Commission comfortable with either of those options as next steps? The Commission can make a recommendation to Council on next steps.

4. (5-10 minutes) Review of land area map, ownership

Discussion: A revised area map has been created. This map is of a smaller more focused area in the block between Bartlett and Hohe. A land ownership map has been produced. Notice how much of the block is owned by government, medical providers or a developer. A land use map, based on current land use is also included.

Action: Does the Commission agree with this draft boundary?

5. (10 Minutes) Land Uses, current and proposed.

HCC 21.03: "Clinic" means a professional office with facilities for providing outpatient medical, dental or psychiatric services, which may include as incidental to the principal use a dispensary to handle medication and other merchandise prescribed by occupants in the course of their professional practices.

Discussion: In current zoning, two observations are that medical professional offices require a CUP (because by definition they are clinics), but other professional offices do not – architect, engineer, etc. Also, parking lots are not a listed use, but are clearly needed to support the hospital. In the new medical or professional office district these could be allowed outright.

Action: Allow medical clinics and parking lots as permitted uses in the new district. Are there other uses necessary? Revisit this topic after the Commission hears from South Peninsula Hospital and comments at the neighborhood meeting.

6. (5 minutes) Next Steps:

- a. Staff will work with a commissioner to draft purpose statement for the new district, for the next meeting.
- b. South Peninsula Hospital is scheduled to speak at the February 5th meeting.
- c. February 5th meeting: finalize draft boundaries and zoning district text in preparation for neighborhood meeting (Feb 19th?)

7. (Review on your own) Examples from other communities.

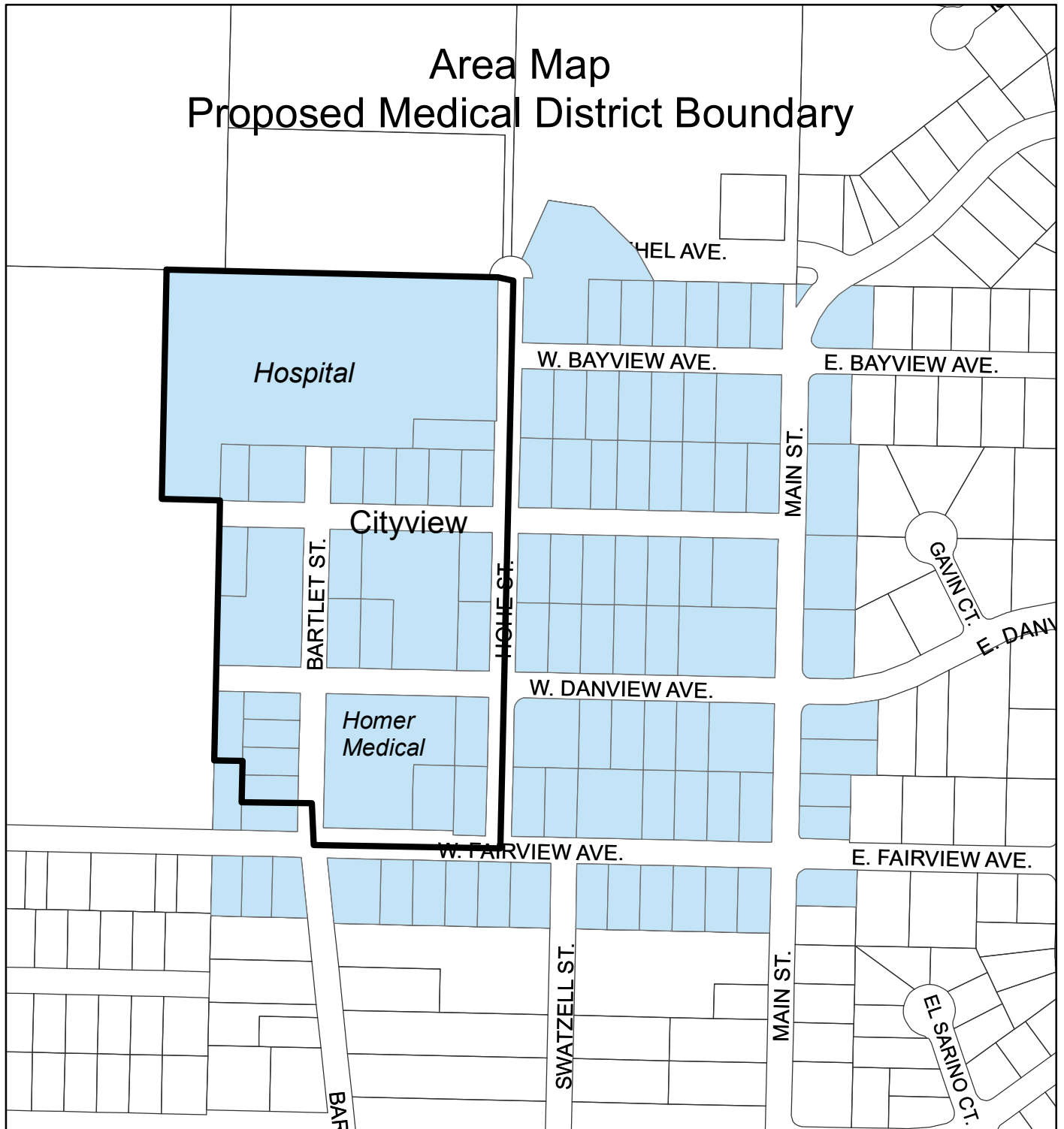
Discussion. Soldotna: Soldotna has an institutional zone for things such as hospitals, churches, schools and other government functions. The area around the Central Peninsula Hospital is zoned limited commercial, and you can find medical clinics in converted homes, much like the hospital area around Homer's hospital. Soldotna's limited commercial district allows for a broader range of uses, with a set floor area of 1,300 square feet for some uses.

Mat-Su hospital is not located within a City, so no valley examples are provided. Tumwater WA, near Olympia code is included as an example. Cities like Tumwater WA and Boise, ID have mixed use districts that include hospitals and medical uses, while other communities use limited commercial or institutional type zoning. Staff finds them all to be quite different. Like Homer, many communities may have started with small community facilities that grew over time, and became part of cities with zoning either through incorporation or annexation.

Attachments

Area map
Land ownership map
Land use map
Soldotna code
Tumwater, WA code



Area Map Proposed Medical District Boundary



City of Homer
Planning and Zoning Department

12/23/2019

Legend

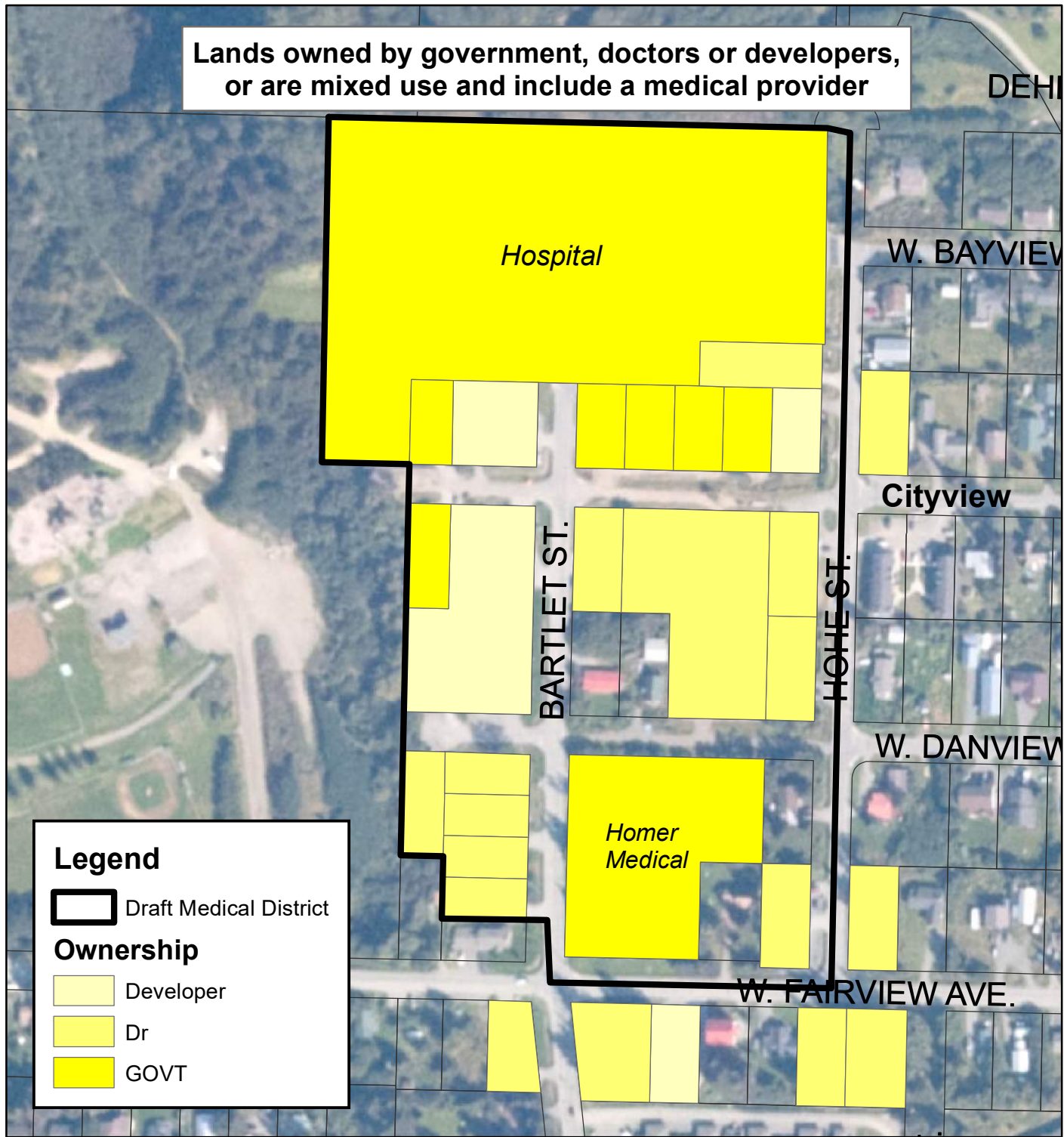
-  Draft Medical District
-  Moratorium Area

0 113 300 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.

Lands owned by government, doctors or developers,
or are mixed use and include a medical provider



Legend

Draft Medical District

Ownership

Developer

Dr

GOVT



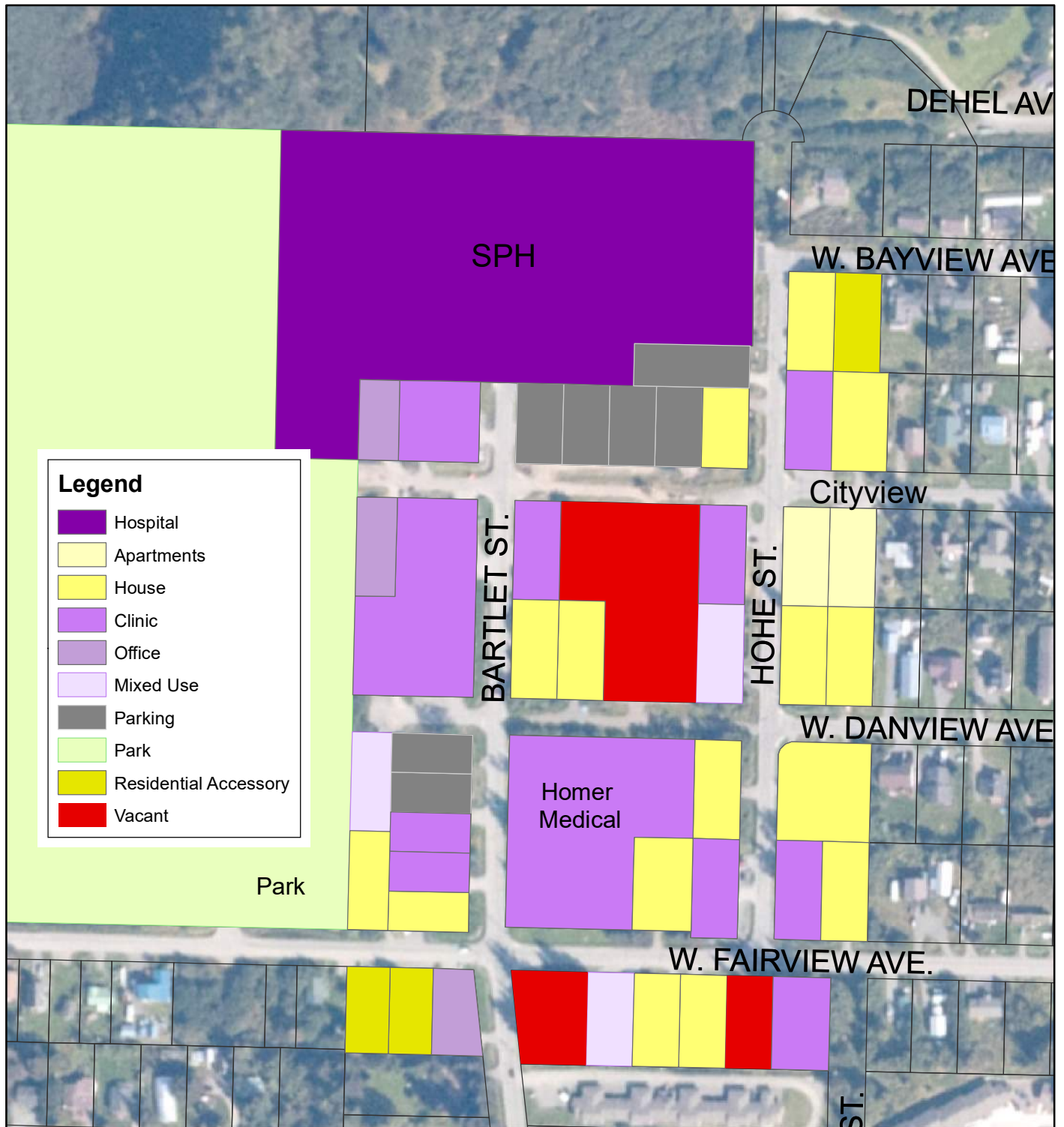
City of Homer
Planning and Zoning Department

12/19/2019

0 Feet
115 300



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City of Homer
Planning and Zoning Department

12/19/2019

General Land Use Map

0 150 300 Feet

117



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SOLDOTNA

17.10.260 - Limited Commercial District (LC).

- A. Intent. The Limited Commercial District (LC) is intended to provide transition areas between commercial and residential districts by allowing low volume business, mixed residential, and other compatible uses which complement and do not materially detract from the uses allowed within adjacent districts.
- B. Permitted Principal Uses and Structures. The following principal uses and structures are permitted in the LC District, provided the gross floor area for some uses as noted below does not exceed one thousand three hundred square feet, subject to the general standards provided in subsection E of this section:
1. Community residences: community residences for the handicapped and emergency shelters;
 2. Day care centers;
 3. Dwellings: single-family, two-family, multi-family, condominium, and townhouses subject to the provisions of 17.10.290;
 4. Eating and drinking establishments (not to exceed one thousand three hundred sq. ft.): restaurants and coffee bars;
 5. Guide services, including fishing, hunting, and tour (not to exceed one thousand three hundred sq. ft.);
 6. Industry, light (not to exceed one thousand three hundred sq. ft.): gunsmithing, printing and taxidermy;
 7. Lodging: bed and breakfast establishments and boarding houses;
 8. Offices: general, medical and public service;
 9. Parking, commercial lots;
 10. Parks and day-use playgrounds;
 11. Personal services (not to exceed one thousand three hundred sq. ft.): art studios, barbers, beauticians, dressmakers, dry cleaner and self-service laundry, fitness centers, photographic studios, tailors and tanning salons;
 12. Repair services (not to exceed one thousand three hundred sq. ft.): electronics, home appliances, musical instruments, plumbing and heating and small engines; and
 13. Retail sales (not to exceed one thousand three hundred sq. ft.).
 14. Marijuana testing facility provided the following standards are met:
 - a. Signage is limited to a single wall sign only, and may not exceed 16 square feet in area and ten feet in height;
 - b. The use shall comply with requirements of the State, and Sections 17.10.295 and 8.30 of Soldotna Municipal Code.
- C. Conditional Uses and Structures. The following conditional uses and structures may be approved in the LC District, subject to the general standards and procedures found in Section 17.10.400, Conditional Uses, any specific standards cited with the uses, and any special conditions imposed by the Commission:
1. Any permitted use in this district with a size limitation may be approved as a conditional use if its size exceeds one thousand three hundred square feet;
 2. Animal care: boarding, commercial kennels, and veterinarian clinics/hospitals;

3. Boat mooring basins and launching sites;
 4. Churches and similar religious facilities;
 5. Clubs, private lodges, fraternal organizations and other similar civic, charitable or social establishments;
 6. Community residences: correctional community residential centers;
 7. Funeral homes;
 8. Institutions, handicapped;
 9. Institutions, health care: nursing or convalescent homes;
 10. Lodging: recreation lodges, hotels, and motels;
 11. Museums and art galleries;
 12. Recreation facilities: miniature golf;
 13. Schools: dance, elementary, secondary, colleges, vocational/technical; and
 14. Theaters.
- D. Accessory Uses and Structures. Accessory uses and structures are permitted which are clearly incidental to and customarily found in connection with the principal uses and structures and which comply with the special rules found in Section 17.10.305, Accessory Uses and Structures.
- E. General Standards. The following general standards shall apply:
1. Minimum lot size: eight thousand four hundred square feet;
 2. Minimum lot width: seventy feet;
 3. Maximum lot coverage: thirty percent;
 4. Maximum building height: thirty-six feet;
 5. Minimum yards:
 - a. Front yard-twenty feet; rear yard-twenty feet, if adjacent to a residential district (otherwise no rear yard is required),
 - b. Side yard-five feet, if not abutting a street or residential district,
 - c. Side yard-twenty feet, if abutting a street or residential district,
 - d. Side or rear yard-ten feet, if walls facing side or rear lot lines contain windows or other openings;
 6. Off-street parking and loading shall be provided as required in Section 17.10.330, Off-street parking and loading; and
 7. Landscaping shall be provided as required in Section 17.10.335, Landscaping;

(Ord. 2007-22 §§ 3, 4, 2007; Ord. 692 § 1, 1999)

(Ord. No. 2010-033, § 2, 10-27-2010; [Ord. No. 2015-036, § 5, 10-28-2015](#); [Ord. No. 2018-004, § 2, 2-14-2018](#).)

Chapter 18.20

MU MIXED USE ZONE DISTRICT

Sections:

- 18.20.010 Intent.**
- 18.20.020 Definitions.**
- 18.20.030 Permitted uses.**
- 18.20.040 Accessory uses.**
- 18.20.050 Conditional uses.**
- 18.20.060 Development standards.**

18.20.010 Intent.

It is the intent of the mixed use (MU) zone that there be a mixture of land uses in close proximity. Mixed use can include: development of a parcel or structure with one or more different land uses, such as combination of residential, office, retail, public, or entertainment in a single or physically integrated group of structures.

The mixed use zone provides an opportunity to develop areas in Tumwater that are transit oriented and pedestrian-friendly while still accommodating automobiles, and provide affordable housing and quality community design.

Over time, areas in this zoning district are intended to gradually change from strip commercial development and other low-intensity or nonpedestrian oriented uses into a mixed use, pedestrian, auto and transit oriented corridor.

Mixed use is desirable in these areas in order to:

- A. Create vibrant places and increase pedestrian business activity.
- B. Increase security.
- C. Promote full time use of facilities.
- D. Encourage a variety of businesses which offer retail goods or consumer services that appeal to pedestrians and/or serve the needs of the surrounding neighborhood.
- E. Create a transit/pedestrian orientation which lessens traffic impacts by providing ready

access to transit facilities and provides places to work and shop adjacent to living spaces, thus lessening the need to drive.

F. Provide affordable housing by providing more available building lots at a lower cost.

G. Create a pedestrian-friendly environment with well designed streets and public open spaces.

H. Provide a sense of community and place with quality community design.

(Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

18.20.020 Definitions.

“Mixed use development” means the development of a parcel or structure with one or more different land uses, such as a combination of residential, office, retail, public, or entertainment in a single or physically integrated group of structures. Mixed use is characterized by:

A. Complementary land uses – land uses that are at least compatible and, preferably, work together for mutual benefit (e.g., personal commercial services that serve adjacent residences); and

B. Convenient pedestrian connections.

(Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

18.20.030 Permitted uses.

Uses permitted in the mixed use district are as follows:

A. Professional services;

B. Retail sales;

C. General offices;

D. Support facilities;

E. Parks, open space areas and recreational facilities;

- F. Restaurants;*
- G. Restaurants (without drive-through windows);**
- H. Post offices;
- I. Motels, hotels;
- J. Planned unit development (PUD) (see TMC Chapter [18.36](#));
- K. Medical clinics;
- L. Child day care center; child mini-day care center;
- M. Adult family homes, residential care facilities;
- N. Group foster homes;
- O. Private clubs and lodges;
- P. Family child care home;
- Q. All residential uses, provided the minimum density standards in TMC [18.20.060](#) are met;
- R. Personal services;
- S. Used motor oil recycling collection point;
- T. Nurseries, retail;
- U. Museum, library, art gallery;
- V. All uses not permitted which were legally established prior to January 1, 1996, except where there is a cessation of the use for three or more years;
- W. Civic center complex;
- X. Centers for senior citizens, youth, general community and similar groups;
- Y. Entertainment facilities;

Z. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family or two-family dwelling;***

AA. Senior housing facilities;

BB. Electric vehicle infrastructure;

CC. Community gardens;

DD. Farmers markets;

EE. Animal clinics or hospitals;

FF. Churches;

GG. Civic center complex;

HH. Convalescent centers, rest homes, nursing homes;

II. Taverns, cocktail lounges;

JJ. Temporary expansions of schools, such as portable classrooms.

*Restaurants are a permitted use for all parcels in the mixed use (MU) zone district in the city, except for those parcels in the mixed use (MU) zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW. In that location, restaurants without drive-through windows are allowed, but restaurants with drive-through windows are prohibited.

**Restaurants (without drive-through windows) are a permitted use for those parcels in the mixed use (MU) zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW.

***Wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval, and furthermore are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-024, Amended, 01/16/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-015, Amended, 09/07/2010; Ord. O2000-004, Amended, 07/18/2000; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

18.20.040 Accessory uses.

Accessory uses in the mixed use district are as follows:

- A. On-site hazardous waste treatment and storage facilities;
- B. Cocktail lounges as an accessory use to restaurants;
- C. All uses customarily accessory to permitted uses;
- D. Home occupation, as approved by director of community development;
- E. Accessory wireless communication antenna.*

*Emergency communication towers and antennas, wireless communication facilities, and building heights greater than fifty feet are subject to Federal Aviation Administration (FAA) standards and approval if they apply, and furthermore emergency communication towers and antennas and wireless communication facilities are also subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2018-025, Amended, 12/18/2018; Ord. O2011-002, Amended, 03/01/2011; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

18.20.050 Conditional uses.

Conditional uses in the mixed use district are as follows:

- A. Schools;
- B. The following essential public facilities:
 - 1. Emergency communication towers and antennas,**
 - 2. State education facilities,
 - 3. Mental health facilities (including but not limited to: congregate care facilities; adult residential treatment facilities; evaluation and treatment centers),
 - 4. Inpatient facilities including substance abuse facilities (including but not limited to: intensive inpatient facilities; long-term residential drug treatment facilities; recovery house facilities);
- C. Parking lots as separate, primary uses, including park and ride lots;

- D. Parking structures;
- E. Automobile service stations;*
- F. Wireless communication towers.**

*Automobile service stations are a conditional use for all parcels in the mixed use (MU) zone district in the city, except for those parcels in the mixed use (MU) zone district located on the north side of Israel Road SW between Littlerock Road SW and Tyee Drive SW where the use is prohibited.

**Emergency communication towers and antennas and wireless communication facilities are subject to Federal Aviation Administration (FAA) standards and approval if they apply, and furthermore emergency communication towers and antennas and wireless communication facilities are subject to provisions for wireless communication facilities in TMC Chapter 11.20, Wireless Communication Facilities.

(Ord. O2018-025, Amended, 12/18/2018; Ord. O2017-024, Amended, 01/16/2018; Ord. O2017-006, Amended, 07/18/2017; Ord. O97-019, Amended, 06/17/1997; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

18.20.060 Development standards.

Development standards in the mixed use zone are intended to achieve a human-scale, pedestrian- and transit-oriented environment.

A. Densities. All development including but not limited to development which includes commercial and residential uses within the same building or on the same lot shall be required to meet the provisions of either subsection (A)(1) or (2) of this section.

1. Commercial.

- a. A minimum floor area ratio (FAR) of 0.25 or a total of one-fourth square foot of gross area per one square foot of site area is required.
- b. The maximum floor area ratio (FAR) shall be 2.0 or a total of two square feet of gross area per one square foot of site area.
- c. A commercial structure shall be no more than fifty thousand square feet gross floor area. This requirement may be waived by the community development director based upon a finding that the proposed use can conform to other requirements of the mixed use zone, is designed to accommodate the pedestrian emphasis, incorporates residential and is compatible and complementary to

surrounding uses in the zone.

2. Residential.

a. A minimum average density of fourteen dwelling units per net acre is required. This is calculated by averaging the densities of all of the different types of housing provided within the development.

B. Impervious Coverage and Open Space. No more than eighty-five percent of the square footage of the site may be covered by impervious surface. The site must be landscaped in accordance with TMC Chapter [18.47](#).

C. Setbacks and Yard Area.

1. Front: no minimum.
2. Side: no minimum.
3. Rear: no minimum.

Where any structures or portions of structures, containing any permitted, accessory and/or conditional use allowed by this chapter, are adjacent to any single-family low or single-family medium density residential zoning district, the minimum setback shall be twenty feet and shall be screened from view in accordance with TMC Chapter [18.47](#).

D. Open Storage. Open storage is prohibited with the exception of retail nurseries. Long-term parking of operational company cars, light trucks, and vans within parking lots shall not be construed to be open storage.

E. Conversion of Existing Structures. An existing residential structure may be converted to a commercial or office use if the structure is brought into conformance with the building code for such uses and all site plan review standards can be met, with the exception of setbacks of existing buildings.

F. Building Height. Buildings shall not be constructed over fifty feet or five stories, whichever is less, except as provided in subsection (F)(1) of this section; provided, however, that no structure shall penetrate imaginary airspace surfaces as defined by [14 C.F.R. Part 77](#). A map that provides detailed information about ground and imaginary airspace surface

elevations is available for inspection in the community development department.

1. Minimum Conditions.

a. Drawings shall be submitted illustrating, in both plan view and elevation, the shadows that would be cast by the proposed building or structure at noon on December 21 (winter solstice). No building or structure will be permitted that is shown by these drawings to cast a shadow onto any other property that is greater than the shadow that would be cast by a hypothetical building fifty feet in height on the south lot line of the shaded property. The solar setback of a proposed structure is calculated using the following formula:

$$\text{Solar setback} = (H - M) / (0.40 + P)$$

H = height (in feet of highest shade-producing point of structure)

M = maximum allowable height for buildings and structures in zoning district

0.40 = tangent of sun altitude on December 21

P = north/south slope of lot (in percent)

2. Exterior walls of the proposed building shall include windows whenever possible. Where the construction of a windowless wall is necessitated by adopted building codes, the exterior facing of the wall shall be articulated on each story of the building with architectural features such as cornices or other projections, recesses, different building materials, awnings, signs, or other similar features that provide visual relief.

3. The exterior of the building's ground floor shall be visually separated from upper floors through the use of architectural features such as awnings, cornices, distinct but compatible facade materials or lighting, or other similar methods.

4. The site design for the proposed building or structure shall include an outdoor plaza, park, or landscaped area that shall be designed and maintained for public use.

G. Signs. The requirements of TMC Chapter 18.44 applicable to the mixed use zone district must be met.

H. Pedestrian Access.

1. An on-site pedestrian circulation system which links the street and the primary entrance(s) of the structure(s) shall be provided. Sidewalks or pedestrian ways must connect the required pedestrian system to existing pedestrian systems on adjacent developments if adequate safety and security can be maintained. Convenient pedestrian access to transit stops shall be provided.
2. Sidewalks, walkways or pedestrian systems shall be required and constructed according to the city's road development standards or as approved by the community development director.
3. Where the pedestrian circulation system crosses driveways, parking areas, and loading areas, it must be clearly identifiable, through the use of elevation changes, speed bumps, a different paving material, or other similar method approved by the community development director. Striping may be permitted only in conjunction with at least one of the preceding methods.

Lighting for parking lots and pedestrian ways shall be provided to ensure personal safety. Lighting shall be integrated into the architectural character in terms of both illumination and fixtures. Site lighting shall be directed downward and inward or other techniques may be utilized to minimize impacts on off-site uses.

(Ord. O2017-006, Amended, 07/18/2017; Ord. O2016-037, Amended, 01/03/2017; Ord. O2011-002, Amended, 03/01/2011; Ord. O2004-009, Amended, 12/07/2004; Ord. O98-009, Amended, 10/20/1998; Ord. O97-024, Amended, 03/03/1998; Ord. O96-022, Amended, 12/17/1996; Ord. O95-035, Added, 12/19/1995)

The Tumwater Municipal Code is current through Ordinance O2019-030, passed November 4, 2019.

Disclaimer: The city clerk's office has the official version of the Tumwater Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.ci.tumwater.wa.us/>

City Telephone: (360) 754-5855

[Code Publishing Company](#)



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 20-07

TO: Homer Advisory Planning Commission
FROM: Rick Abboud AICP, City Planner
DATE: January 2, 2020
SUBJECT: Kenai Peninsula Borough Draft Ordinance Adopting KPB 20.80,
Subdivision Private Streets and Gated Subdivision

Introduction

A substitute ordinance is up for consideration at the borough. In addition to the substitute, Assembly members Dunne and Assembly President Cooper have proposed amendments. The Commission and Council are asked to provide input to the Borough by January 30, 2020 for review by the Borough Planning Commission on February 10th and the Borough Assembly on February 25th.

Review

The ordinance would allow private, gated subdivisions. The road to each individual lot would not be a public dedication as is required now. Instead, the Home Owners Association (HOA) would bear all responsibility for the road, and the road would be its own separate parcel, owned collectively by the HOA. There are provisions for blocking public access by gating the private road, if desired.

Subdivision construction requirements remain unaffected by this ordinance and through street connections can still be required based on Homer's adopted plans. The proposals general standard addresses:

- All provision of borough subdivision code apply excluding requirements for rights-of-way dedication and justification currently used for exceptions
- Must use borough code for naming street and addressing
- Must create a turnaround for those denied entry
- Private streets are considered a separate lot and must be marked as 'private'
- No Borough maintenance – **check with legal to see if the City needs such a statement**
- Private construction and maintenance of streets
- Road standards must be met if converted back to public ROW in the future
- Local emergency services approval of proposed gate access
- Approach and departure areas must be constructed by an engineer and allow proper emergency access
- Owners must maintain and service gate
- Gate may not be in ROW

Converting public streets to private streets

- Vacation of ROW requirements are applicable as found in code
- The proposal shall not cause a discontinuity of the current or proposed street system
- Must accept road "as-is"
- Must indemnify government regarding the proposal
- Cannot convert CIP or RIAD financed roads w/l ten years – **Check with legal to see if the City needs a similar provision. LOOKING FOR COMMISSION INPUT HERE!**

Converting private streets to ROW

- Must comply with current design requirements at expense of the owner(s)

Analysis

The ordinance provides for guidance to create a gated subdivision out of undeveloped parcels, conversion of existing streets/ROW's, and conversion of private streets back to public.

In an instance of consideration for an undeveloped parcel, there is nothing specifically prohibiting a gated subdivision from being proposed until the parcel needs to be subdivided. Now they would be required to provide legal access by dedicating ROW. Of course, our development requirements would still apply.

A planned development of an undeveloped parcel seems to be more acceptable than the conversion of roads that may have been taxpayer funded. It is quite possible that you may feel that this sort of thing is not in Homers best interest whether or not existing city streets are involved. One thing that gets my support is the policy of accepting only ROW that meet current road standards in the event that a conversion from private to public is necessary.

Amendments

Willy Dunne, Memorandum dated November 21, 2019

- *All public streets may not be converted if it provide access to any form of public easement*
 - o I am fine with this concept. Perhaps it could use language to state ***unless equal or superior access is provided***
- *A cost to convert*
 - o I would think that it is up to us to put a price on conversion or Homer roads with additional Homer code. I do believe that some ROW is valued quite differently than others. Perhaps we are more than glad to freely turnover or at least reduce the cost of the nonconforming street.
- *All previously public ROW's must be returned when converting back to public from private*
 - o There could be many differing situation that might warrant this, but I am not sure that is it best for all circumstances. Concerns include:
 - the ability of land owners to bring all substandard roads to current spec
 - the desired reconfiguration of poorly designed subdivisions
 - previous dedications might be reconfigured to provide better service or design and it would not be desirable to revert back to a poor design.

- Previous public ROW could be put into different uses if it is decided to abandon for a superior design

Kelly Cooper (first amendment)

- *All must be part of HOA unless they did not sign petition and those will not have to participate in HOA or pay dues.*
 - I do not have a strong opinion about this and am looking for Commissioner perspectives. This is most likely more of an issue for the conversion of existing development. Now you would have a land owner that has no say in how the HOA is managed and has no input, seems really messy.
 - Should 70% of the landowners force the other 30% to refuse city services and be subject to an HOA in which they have no interest?
 - Again it feels like this is a measure most likely associated with the previously developed lands.

Kelly's second amendment

- *Final approval shall be subject to approval by the assembly*
 - I do not have any issue with the concept but do have some concerns surrounding the subject matter.
 - There are a few actions that are acted upon separately in order get approval of a gated subdivision.
 - Already dedicated ROW's will need to be vacated first with a final veto given to our Council to deny and apparently again to the Borough after gaining the vacation and completing the rest of the process.
 - Likely these processes done in parallel
 - In any event, both will have there own due process
 - The issue here is that borough code regarding vacations is vague and would be difficult to defend, since code fails to set the expectations for approval or denial well enough (think the 4 standards for a variance or all the criterion for CUP approval), especially the "veto" which has absolutely no standards listed, so it would be up to a judge to determine the appropriate standard(s) that serves a legitimate governmental purpose.
 - Standards should be developed for the veto

I still recognize that upon approval of such an ordinance, the City will have to formulate some code to respond to local concerns, whether that be a prohibition of sorts or any sort of policy regarding developed or undeveloped utilities or any other local concern. Thanks to Commissioner Bentz's amendment, we will have 180 days to work it out after adoption, as that is the effective date of the ordinance.

Staff Recommendation

Consider your support for the ordinance itself and/or any provisions listed above. Remember that regardless of what we may support or not, we will have to formulate or own code to reflect our local concerns outside of the framework provided by the borough.

Attachments

1. Kenai Peninsula Borough Substitute Ordinance 2019-24
2. KPB Assembly Memorandum from Willy Dunne
3. KPB Assembly Memorandum from Assembly President Copper (first)
4. KPB Assembly Memorandum from Assembly President Copper (titled "Second Amendmen[t]")

Introduced by: Mayor
Date: 9/3/19
Hearing: 12/3/19
Action:
Vote:

**KENAI PENINSULA BOROUGH
SUBSTITUTE ORDINANCE 2019-24**

**AN ORDINANCE ADOPTING KPB 20.80, SUBDIVISION PRIVATE
STREETS AND GATED SUBDIVISIONS**

WHEREAS, privacy, security, and public safety concerns expressed by residents may be addressed by private streets in subdivisions; and

WHEREAS, Goal 2, Focus Area: Land Use and Changing Environment, Objective A of the 2019 Comprehensive Plan is to establish policies that better guide land use to minimize land use conflicts, maintain property values, protect natural systems and support individual land use freedoms; and

WHEREAS, private streets can only be approved through the KPB 20.50 exception process and there are currently no designated standards and requirements, nor established procedures to create subdivisions with private streets and gated access; and

WHEREAS, there is a need for designated standards and requirements and establishment of procedures for creating gated communities; and

WHEREAS, designating standards, requirements and procedures for establishing private streets within subdivisions with gated access will address residents as well as the public's privacy, security, and access concerns; and

WHEREAS, the Kenai Peninsula Borough Road Service Area board at its meeting held on November 19, 2019 recommended unanimous approval of this ordinance; and

WHEREAS, the Kenai Peninsula Borough Planning Commission at its meeting held on November 12, 2019 recommended approval by majority vote;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That KPB Chapter 20.80, entitled “Private Streets and Gated Communities” is enacted as follows:

20.80.010. - Purpose.

This chapter provides standards and requirements for the establishment of private streets in subdivisions in the borough. In accordance with the requirements of this chapter, a subdivision with private streets and gated access may be created either at the time of subdivision by the owner of the parcel being subdivided or by the owners of the parcels along a public street(s).

20.80.020. – Requirements.

Private streets in subdivisions shall meet the following requirements:

- A. Provisions of KPB Chapter 20, excluding 20.30.210 and 20.50, apply and must be met.
- B. All private streets will comply with street naming and street addressing per KPB 14.10 and 14.20.
- C. A public vehicular turn around shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit. An unrestricted turn around, located within the private street, shall be provided to allow vehicles that have been denied entry to the private streets the ability to exit. If borough maintenance of a turnaround is requested, then the turnaround must: (1) remain a public right-of-way; (2) be constructed with a minimum radius of 30 feet with a grade of 4 percent or less per KPB 14.06.160(D); and (3) be accepted into the borough’s road maintenance program. The owner(s) of an approved gated subdivision shall be responsible for providing maintenance to all private streets and unmaintained turnarounds.
- D. Private streets shall be contained within a separate lot which meets the right of way requirements of Chapter 20. The entrances to all private streets will be marked with a sign stating that it is a private street in compliance with KPB 14.06.200.
- E. The borough shall not pay for or contribute to any cost to construct, improve, or maintain a private street.
- F. The following notes are required on the subdivision final plat

1. Borough maintenance shall not be provided on any private streets.
2. Private streets are not public and are subject to private construction and maintenance.
3. To convert private streets back to a public right of way, the requirements of KPB 14.06 – Road Standards, must be met.

G. Gated subdivisions and private streets may be approved, provided they meet the following criteria:

1. Emergency services shall be provided access within the private subdivision. Approval by the fire and emergency services provider, with jurisdiction in the area of the gated subdivision, is required. The fire and emergency services provider must be satisfied that fire and emergency services providers will have safe access into and within the gated subdivision.
2. When located within a city, a final plat of a subdivision with a private street must comply with KPB 20.60.080 – Improvements – Installation agreement required.

20.80.030. – Gates

If a gate is installed to prevent public access to a subdivision with private streets the gate must conform to the following requirements:

- A. The fire and emergency services provider that serves the proposed gated subdivision must approve the fire and emergency services access plan for each gate prior to installation. The fire and emergency services provider should consider access for emergency vehicles into, and within, the private streets and gated subdivision.
- B. The approach and departure areas for the gate(s) must be designed by a licensed professional civil engineer.
- C. Approach and departure areas on both sides of a gated entrance must provide adequate setbacks and proper alignment to allow free and unimpeded passage of emergency vehicles through the entrance area.
- D. After installation, all emergency access systems must be approved by the fire and emergency services providers serving the gated subdivision. The owner(s) of the private street parcel must maintain all components of the gate system in a normal operating condition

and have them serviced on a regular basis, as needed, to ensure proper gate operation.

E. No part of the gate system may be placed in a public right-of-way.

20.80.040. – Converting to gated subdivision.

A. A platted right of way may not be vacated, except upon petition by resolution of the governing body from a municipality in which the property is located or by the owner(s) of the majority of land fronting or abutting the right of way to be vacated. The request shall comply with the applicable replat and vacation requirements and procedures in this title, except as provided otherwise in this chapter.

B. Converting public street to private street – standards.

1. Vacation of the public right-of-way shall be in accordance with the criteria set forth in KPB 20.70.
2. The proposed gated subdivision shall not cause discontinuity in the existing or proposed public street system for adjoining lands.
3. The proposed gated subdivision must not cause discontinuity in the existing or proposed road system to any property owner within the proposed gated subdivision that fronts on the public right-of-way that is to be vacated.
4. Prior to recording, the private tract owner(s) shall accept the road “as-is” in its present condition and shall agree to indemnify, hold harmless, and defend the borough against any claims arising from the private ownership, maintenance and control of the converted street.
5. The private tract owner(s) shall execute a defense and indemnification agreement in favor of the borough in the following form: The private tract owner(s) shall indemnify, defend, and hold and save the borough, its elected and appointed officers, officials, agents and employees, hereinafter collectively referred to as “agents”, harmless from any and all claims, demands, suits, or liability of any nature, kind or character including costs, expenses, and attorneys’ fees. The private tract owner(s) shall be responsible under this clause for any and all legal actions or claims of any character arising from the private tract owner(s) or the private tract owner(s) acts or omissions related to its private streets and gates in any way whatsoever. This defense and indemnification responsibility includes claims

alleging acts or omissions of the borough or its agents, which are said to have contributed to the losses, failure, violations, or damages, except for acts or omissions solely attributable to the borough.

- C. A public street constructed or improved with borough funds, either through a Capital Improvement Project (CIP) or Road Improvement Assessment District (RIAD), cannot be converted to a private street within ten (10) years of the CIP or RIAD completion date for that street.

20.80.050. – Converting private streets to public right of way in gated subdivision.

- A. The owner(s) of a private street may petition to dedicate the private street through the platting process. The plat must comply with KPB Chapter 20.
- B. The private street to be dedicated to a public right of way must meet the design criteria set forth in KPB 20.30 and KPB 14.06.
- C. At the expense of the private street tract owner(s), a civil engineer will determine whether the private streets meet KPB Title 14 and Title 20 standards for street design and construction. If the streets do not meet borough standards the dedication shall be denied.
- D. The borough may also require, at the private street tract owner's expense, the removal of any improvements, access control devices, gates, landscaping or other aesthetic amenities associated with the private street.

20.80.060. – Enforcement.

Violations of this chapter shall be in accordance with KPB 20.10.030 and KPB 21.50.

SECTION 2. That KPB Chapter 20.90, entitled “Definitions is amended as follows:

20.90.010. – Definitions generally.

In this title, unless otherwise provided, or the context otherwise requires, the following definitions shall apply.

...

“Gated subdivision” means a residential subdivision consisting of multiple parcels of land where vehicular and/or pedestrian access by the general public from a public street and street(s) within the gated community and/or public right-of-way(s) is restricted as a result of a barrier that may include, but is not limited to gates, security personnel, fences or walls.

...

“Private street” is defined as a vehicular access way shared by and serving two or more lots, which is not publicly maintained, but maintained by the private tract owner(s). The term “private street” shall be inclusive of alleys. The term “street” also includes the term “street” as used in KPB title 14.

SECTION 3. That this ordinance shall become effective 180 days after its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____ DAY OF _____, 2019.

Kelly Cooper, Assembly President

ATTEST:

Johni Blankenship, Borough Clerk

Kenai Peninsula Borough Assembly

MEMORANDUM

TO: Kelly Cooper, Assembly President
Members, Kenai Peninsula Borough Assembly

FROM: Willy Dunne, Assembly Member (V.M.) for W.D.

DATE: November 21, 2019

RE: Amendments to Ordinance 2019-24 Mayor Substitute, Adopting KPB 20.80, Subdivision Private Streets and Gated Communities (Mayor)

In the event the assembly amends ordinance 2019-24 by substitution, following are some proposed amendments to the substitute ordinance 2019-24 for your consideration. The first amendment would prohibit conversion of a public street to a private street if there exists any form of public access easement accessible by any public street being vacated and converted to private property.

The second amendment would impose fees on the property owners prior to conversion of a public street to private property. These are based on discussions with local road contractors and the borough road service area director.

The third amendment would require that as a part of converting private streets to public streets in a gated subdivision, all rights of way that were public when the gated subdivision was formed shall also be dedicated to the public.

[Please note the underlined bold language is new and the bold strikeout language in brackets is to be deleted.]

- In Section 1 amend KPB 20.80.020 by inserting a new subparagraph G.3 as follows:

20.80.020 – Requirements

Private streets in subdivisions shall meet the following requirements:

...

G. Gated subdivisions and private streets may be approved, provided they meet the following criteria:

...

3. **A public street may not be converted to a private street under this chapter if it provides public access to any form of a public [141] s easement.**

- In Section 1 amend KPB 20.80.040 by inserting a new subparagraph D as follows:

20.80.040. – Converting to gated subdivision.

...

D. Prior to approval of a gated subdivision in which any public streets are vacated and converted to private property, the subdivision property owners must pay to the borough a fee of:

- a. \$200 per linear foot for unpaved roads; or**
- b. \$250 per linear foot for paved roads; and**
- c. Fair market value of acreage for any undeveloped rights-of-way.**

- In Section 1 amend KPB 20.80.050 by inserting a new subparagraph B as follows and re-lettering the remaining subparagraphs:

20.80.050. – Converting private streets to public streets in gated subdivision.

...

B. To convert a private street back to a public street under this section, all rights of way in the subdivision that were public rights of way immediately before the gated subdivision was formed, whether developed or undeveloped, must also be dedicated to the public.

MEMORANDUM

TO: Members, Kenai Peninsula Borough Assembly
FROM: Kelly Cooper, Assembly President
DATE: December 2, 2019
RE: Amendment to Ordinance 2019-24, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions [Mayor]

This is a proposed amendment to Ordinance 2019-24. The ordinance, as written, requires gated subdivisions to comply with all requirements of KPB 20.60.190, including certification of the final plat by “all parties having an interest of record in land being subdivided.”

This requirement could lead to a single owner in a subdivision stopping the development of a gated subdivision, even if all other owners in the subdivision wish to proceed. It is foreseeable that this issue could arise in a variety of circumstances, such as an out-of-state landowner who may not be available for signature, or who may not recognize and understand the safety concerns that residents actually living in a neighborhood experience on a daily basis.

The amendment proposes an approach similar to both the Utility Special Assessment District (USAD) and Road Improvement Assessment District (RIAD) codes, which require a supermajority of property owners to proceed with those projects. The proposed amendment requirements are measured by the land, not the number of proposed owners. This is similar, for example, to the method used for petitions to vacate rights-of-way. Neither Alaska statutes nor regulations restrict the Assembly’s ability to determine the requirements for final platting with regards to certification by landowners.

Additionally, KPB 20.80 is amended to note that only those property owners who approve the change will be responsible for paying dues, fees or assessments to the homeowners’ association for conversion and maintenance of the private street.

[Please note the underlined bold language is new and the bold strikethrough language in brackets is to be deleted.]

➤ Amend **Section 1** as follows:

SECTION 1 That KPB Chapter 20.80, entitled “Private Streets and Gated Communities” is enacted as follows:

...

20.80.020(D). A homeowners’ association (HOA) is required for approval of private streets within a subdivision. All property owners voting in favor of the conversion to private street(s) [to be served by the private streets] must be members in or part of the HOA, in

accordance with KPB 20.80.050(D) and KPB 20.60.190(1)(b). The HOA shall own and be responsible for the maintenance of the private streets and appurtenances.

...

20.80.050(D). If approved, only those property owners in the subdivision voting in favor of converting to a gated community with private street(s) will be responsible to pay any dues, fees or assessments to the homeowners' association for conversion and maintenance of the private street and any appurtenances. The homeowners' association documents and final replat document shall note the limitation of financial responsibility of those voting no on conversion.

- Add **SECTION 3.** That KPB 20.60.190, entitled “Certificates, statements, and signatures required” is amended as follows:

20.60.190. - Certificates, statements, and signatures required.

A final plat submitted for review and approval shall bear the following certificates with signatures of appropriate parties signed with permanent black ink:

1(a). All parties having an interest of record in land being subdivided shall sign a certificate of ownership and dedication printed on the plat, affixed thereto, or by separate affidavit. If such title interest is vested in other than named individuals, including but not limited to corporations, partnerships, limited liability companies, trusts or homeowner's associations, the certificate shall be signed and acknowledged by an individual(s) under written authority granted by its board of directors or shown by official documentation appropriate to the entity. Documentation of such authority shall be submitted with the final plat.

1(b). When the plat or replat is specific to a gated community created under KPB chapter 20.80, the parties having an interest of record in a supermajority (70%) of the land being subdivided shall sign a certificate of ownership and dedication printed on the plat, affixed thereto, or by separate affidavit. If such title interest is vested in other than named individuals, including but not limited to corporations, partnerships, limited liability companies, trusts or homeowner's associations, the certificate shall be signed and acknowledged by an individual(s) under written authority granted by its board of directors or shown by official documentation appropriate to the entity. Documentation of such authority shall be submitted with the final plat.

MEMORANDUM

TO: Members, Kenai Peninsula Borough Assembly
FROM: Kelly Cooper, Assembly President
DATE: December 2, 2019
RE: Second Amendment to Ordinance 2019-24, Adopting KPB 20.80, Subdivision Private Streets and Gated Subdivisions [Mayor]

This is a second proposed amendment to Ordinance 2019-24. The ordinance, as written, requires approval of gated subdivision replats by the planning commission, with appeal to a hearing officer.

An application to convert to a gated subdivision seeks to vacate the public right-of-way and create a private right-of-way. As such, the approval of a gated subdivision should be handled more like a right-of-way vacation than a typical plat or replat approval, which generally involves reconfiguration of lot lines or similar reorganization of land ownership. It is more appropriate for the Assembly to consent to the approval of a gated subdivision than the planning commission.

[Please note the underlined bold language is new and the bold strikethrough language in brackets is to be deleted.]

- Amend Section 1 as follows:

SECTION 1 That KPB Chapter 20.80, entitled “Private Streets and Gated Communities” is enacted as follows:

...

20.80.040(B).

[Upon determination by the planning director that the replat application is complete, the request shall be subject to review and approval by the borough planning commission regarding whether the gated subdivision requirements and procedures have been met, as set out in this chapter. The borough planning commission decision is subject to appeal to the hearing officer pursuant to KPB 21.20.]

Upon approval of the replat by the planning director, the request shall be subject to review and approval by the borough planning commission regarding whether the gated subdivision requirements and procedures have been met, as set out in this chapter. The borough planning commission decision is subject to review and approval by the assembly.

...



City of Homer

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Office of the City Manager

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(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Katie Koester, City Manager
DATE: December 4, 2019
SUBJECT: December 9 City Manager's Report

Alaska Municipal Manager Association/ Alaska Municipal League Travel Report

What an action packed week we had in Anchorage for AML! I was pleased so many members of Council and the Mayor could make it; we were well represented. I flew up Sunday morning to attend a planning meeting for Alaska Municipal Management Association (AMMA) and the 4th quarter meeting of the Southern Kenai Peninsula Managers. The Peninsula Manager meeting focused on regional alignment and the organizational structure of the Remote Sellers Tax governing body. Monday I helped lead a New Manager Orientation which was a great success; Managers of all stages turned out to provide support to our colleagues. We know that our communities are successful when their managers feel supported and have the tools they need to do their job. The afternoon session included a representative from our national organization, International City Manager Association (ICMA), presenting on implicit bias and a session on how to gain support in your community for projects. I learned some great tips on how to make sure the outspoken few don't derail a municipal priority.

All day Tuesday was spent "in the basement" on various professional development activities (where the managers are relegated to – AML likes to joke that it is because we represent the foundation of our municipalities...) Topics ranged from a panel discussion on council-manager relations to a joint session with the attorneys regarding the perils of social media (we have a social media guide on our website, if you are interested). During the business meeting, we reinforced our support of rural managers with a robust scholarship program for attendance to AMMA; appointed committees to work on conference planning, professional development and communications; and elected a board of directors for 2020. Along with many of you, I was fortunate enough to drop in on the Clerks dinner that evening and honor the Alaska Municipal Clerks Conference incoming president, Melissa Jacobsen.

Wednesday and Thursday were full days with breakout sessions and keynotes that many of you also attended (along with some City Council packet prep since AML falls on packet deadline). Highlights for me included the PERS reform policy group where municipalities discussed the threat of increased contribution rates and the bold proposals to reduce the unfunded liability and a panel on cyber security that made me aware of some other aspects where we are vulnerable to electronic manipulation, such as fraudulent electronic payments. I was on a panel that discussed city manager-council relations and felt proud to have many councilmembers and the Mayor in attendance. I hope I accurately represented some of the things we have right when it comes to 8 people working together for the betterment of our community and the

inherent different roles and responsibilities. I was also able to meet twice in person with City Attorney Gatti on various issues.



A major accomplishment of AML over the last year has been the formation of a Remote Sellers Tax (RST) governing board and signing of an agreement. Thus far, 15 municipalities have signed onto the agreement to create a central collection point for online sales tax transaction, including the City of Homer and Kenai Peninsula Borough (who has been a leader in the conversation). I am pleased that three members of the Peninsula were elected to the governing board: Scott Bloom, City Attorney for Kenai; Brandi Harborough, Finance Director for the Kenai Peninsula Borough; and Stephanie Queen, City Manager for Soldotna. I am confident that with this strong Peninsula representation, the interest of the Peninsula and cities that do not collect their own sales tax will be heard. Mayor Castner was able to participate in a ceremony signing the RST agreement. The collaboration and cooperation of so many different municipalities in such a short amount of time is truly impressive. Though there is much work to be done, it looks promising that at some point in 2020 municipalities will be collecting sales tax from online sales.

Those who attended AML were able to connect with innumerable colleagues and friends from across the state. Homer made a great showing at the Block Party table (thanks to Councilmembers Aderhold, Venuti and Lord for collecting different pieces to showcase Homer– see photo to the right). Homer was also generous at the auction held at AML, donating many lovely handcrafted and artistic items from our area to provide scholarships for Mayors attending from rural communities.

Meeting with ADOT on Baycrest Subdivision

While in Anchorage for AML, Mayor Castner arranged for a meeting with ADOT and Baycrest subdivision advocate Scott Adams and asked that I attend. On Thursday, November 21, we met with Public Information Officer and Special Projects Coordinator for the Central Region Jill Reese, Group Chief for Central Region Highway Design James Amundesen, and Hydrologist Paul Janke. The City has long advocated that ADOT redirect the runoff from Sterling Highway that collects in the beehive on the downslope of the highway (Resolution 18-008). During the meeting, the State maintained their position that the natural drainage patterns of the area were not altered with the highway improvements and that redirecting the flow from the beehive, as the City has suggested, would expose the State to potential unknown liability. While the City was not able to make headway on mitigating the outflow from the beehive, I appreciated the frankness of the ADOT employees, the time they have spent visiting and working on Baycrest, and their genuine concern for the residents that are experiencing damage due to slope instability in the neighborhood.



December 12th Travel to Anchorage with Harbormaster Hawkins

Next week, Harbormaster Hawkins and I have arranged meetings in Anchorage with various organizations to advance Homer priorities. Our meeting with Todd Vanhove (ADOT&PF Chief of Planning Central Region) and Joselyn Biloon (ADOT&PF Kenai Area Planner) will focus on the large vessel harbor and erosion on the Spit; the meeting with Ms. Biloon and Scott Thomas (ADOT&PF Central Traffic and Safety Engineer) will discuss Spit parking issues, Pioneer Ave., crosswalks, and other bike/pedestrian issues; and our meeting with Engineer Ronny McPherson at HDR will also discuss the large vessel harbor. While in Anchorage, we will take advantage of an in-person meeting with City Attorney Gatti and his colleague Cindy Cartledge to review the large vessel harbor funding packet and financing options. I am hopeful this jam-packed, whirlwind of a trip will continue progress being made on all of these projects and will provide a summary in my next manager's report.

Draft Summary Report for Low-Impact Development Planning for the City of Homer Published

Ordinance 19-018 approved the acceptance of a Low Impact Development Planning grant from the Alaska Department of Environmental Conservation, the purpose of which is to study the benefits of green infrastructure in Homer. Public Works has been working with Kinney Engineering to complete the study and the draft Summary Report has been completed and submitted to the grant agency for review and comment. The draft study's preliminary conclusion is that green infrastructure can protect runoff water quality and reduce "hard infrastructure" costs to the community. The study is available for public review at the City's Public Works web-site: <https://www.cityofhomer-ak.gov/publicworks/city-homer-study-integrate-green-infrastructure-stormwater-master-plan>. There you will also find a link to the "story map" that is intended to provide the public with an interactive, concise, and informative narrative regarding the study. The final summary report will be complete in June 2020.

Meeting with Representative Vance

Councilmember Smith arranged a meeting with Representative Vance and her staff, Lauren Simpson, with the objective of getting them both up to speed on the Large Vessel Harbor Expansion project so they can be our advocates with the State and others. Bryan did a great job giving Representative Vance talking points to emphasize the regional nature of the project and its importance to the state-wide economy. I appreciate her taking the time to champion this project and will keep her and her staff in the loop as we move forward.

Meeting with Homer Foundation Executive Director

I had the opportunity to meet with Mike Miller, Executive Director of the Homer Foundation, and learn about some of the exciting initiatives they are working on. I think it would be valuable for the Council to hear from Mr. Miller as the steward of the City of Homer endowment and grant program and head of an organization that has its finger on the pulse of our non-profit community. I will invite him to provide an update to Council as a visitor during an upcoming meeting in January.

Enc:

FY2019 3rd Quarter Report

Homer Police Station Progress Report



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907-235-3170

(f) 907-235-3145

Memorandum

TO: Katie Koester, City Manager
FROM: Pat McNary, Project Manager
DATE: December 3, 2019
SUBJECT: NEW HOMER POLICE STATION – STATUS UPDATE

The purpose of this memo is to update the City Manager on progress made thus far on the police station project.

Contract Status:

Phase 1 & 2 Contract, (site civil and final GMP), executed - \$6,064,758.00

Construction Status:

Site work Commenced May 7, 2019.

Estimated completion date June 1, 2020

Contract Completion date June 15, 2020

Estimated % complete to date: 38.5%

Structure is complete. Civil work is to subgrade. Building is dried in, windows in, roofing complete. Interior framing complete. Mechanical and electrical rough-in in progress. Parking structure complete, roofing complete. No exterior finishes commenced.

Progress for several Milestone stages has proceeded ahead of original schedule. While this has the potential to accelerate completion, the Contractual Completion date remains the same.

Budget Status:

Project budget: - \$7,500,000.00.

Costs to Date: - \$2,891,207.00

Balance to complete: - \$4,608,793.00

Project Completion: - 38.5%

Cornerstone payments through Pay Application #6 (October 2019) - \$1,893,527.00

Total Contingency: \$232,921.00. Contingency used to date: \$82,750.00.

Total Contingency Remaining: - \$150,171.00

35.5% of Contingency used to date.

Prepared by: Pat McNary
Project Manager

Quarterly General Fund
Expenditure Report
For Quarter Ended September 30, 2019

	Amended FY19 Budget	Actual As of 9/30/19	Budget Remaining	% Budget Used
Revenues				
Property Taxes	\$ 3,406,952	\$ 1,932,413	\$ (1,474,539)	56.72%
Sales and Use Taxes	5,408,322	4,129,092	(1,279,230)	76.35%
Permits and Licenses	34,963	30,097	(4,866)	86.08%
Fines and Forfeitures	24,865	19,868	(4,997)	79.90%
Use of Money	34,346	147,057	112,711	428.17%
Intergovernmental	569,700	373,050	(196,651)	65.48%
Charges for Services	610,305	353,048	(257,257)	57.85%
Other Revenues	-	40,643	40,643	100%
Airport	148,732	162,221	13,488	109.07%
Operating Transfers	2,012,178	1,406,585	(605,593)	69.90%
Total Revenues	\$ 12,250,363	\$ 8,594,071	\$ (3,656,291)	70.15%
Expenditures & Transfers				
Administration	\$ 1,099,661	\$ 764,158	\$ 335,503	69.49%
Clerks	751,823	610,540	141,283	81.21%
Planning	374,333	267,675	106,658	71.51%
Library	932,402	627,251	305,151	67.27%
Finance	697,254	480,150	217,103	68.86%
Fire	1,059,435	731,325	328,110	69.03%
Police	3,259,226	2,365,650	893,576	72.58%
Public Works	2,779,148	1,905,668	873,480	68.57%
Airport	219,842	139,172	80,671	63.31%
City Hall, HERC	185,584	128,062	57,522	69.00%
Non-Departmental	94,000	94,000	-	100.00%
Total Operating Expenditures	\$ 11,452,709	\$ 8,113,651	\$ 3,339,056	70.84%
Transfer to Other Funds				
Leave Cash Out	\$ 85,232	\$ 85,232	\$ (0)	100%
Debt Repayment	-	-	-	-
Energy	10,703	10,703	-	100%
Adjusting Entries	-	-	-	0%
Total Transfer to Other Funds	\$ 95,935	\$ 95,935	\$ (0)	100%
Total Transfer to Reserves	\$ 701,720	\$ 827,042	\$ (125,322)	118%
Total Expenditures & Transfers	\$ 12,250,363	\$ 9,036,628	\$ 3,213,734	73.77%
Net Revenues Over (Under) Expenditures	\$ 0	\$ (442,557)		

Quarterly Water and Sewer Fund
Expenditure Report
For Quarter Ended September 30, 2019

	Amended FY19 Budget	Actual As of 9/30/19	Budget Remaining	% Budget Used
<u>Revenues</u>				
Water Fund	\$ 2,116,651	\$ 1,913,053	\$ (203,598)	90.38%
Sewer Fund	1,722,014	1,396,204	(325,810)	81.08%
Total Revenues	\$ 3,838,665	\$ 3,309,257	\$ (529,408)	86.21%
<u>Expenditures & Transfers</u>				
<u>Water</u>				
Administration	\$ 186,554	\$ 134,488	\$ 52,066	72.09%
Treatment Plant	634,642	441,934	192,708	69.64%
System Testing	27,400	17,886	9,514	65.28%
Pump Stations	97,019	65,908	31,111	67.93%
Distribution System	303,476	204,439	99,037	67.37%
Reservoir	29,047	15,337	13,710	52.80%
Meters	239,973	166,539	73,434	69.40%
Hydrants	189,233	136,388	52,844	72.07%
<u>Sewer</u>				
Administration	\$ 170,836	\$ 113,542	\$ 57,294	66.46%
Plant Operations	673,035	510,387	162,648	75.83%
System Testing	14,500	6,075	8,425	41.90%
Lift Stations	199,213	126,723	72,490	63.61%
Collection System	242,448	163,922	78,527	67.61%
Total Operating Expenditures	\$ 3,007,375	\$ 2,103,567	\$ 903,809	69.95%
Transfer to Other Funds				
Leave Cash Out	\$ 14,859	\$ 14,859	\$ -	100%
GF Admin Fees	517,046	517,046	-	100%
Debt Repayment	-	943	(943)	100%
Other	59,969	59,969	-	100.00%
Total Transfer to Other Funds	\$ 591,874	\$ 592,817	\$ (943)	100.16%
Transfers to Reserves				
Water	\$ 84,252	\$ 84,252	\$ -	100%
Sewer	155,164	155,164	-	100%
Total Transfer to Reserves	\$ 239,416	\$ 239,416	\$ -	100%
Total Expenditures & Transfers	\$ 3,838,665	\$ 2,935,800	\$ 902,865	76.48%
Net Revenues Over(Under) Expenditures	\$ (0)	\$ 373,457		

Quarterly Port and Harbor Fund
Expenditure Report
For Quarter Ended September 30, 2019

	Amended FY19 Budget	Actual As of 9/30/19	Budget Remaining	% Budget Used
Revenues				
Administration	\$ 471,040	\$ 439,063	\$ (31,977)	93.21%
Harbor	2,958,349	2,495,727	(462,622)	84.36%
Pioneer Dock	363,326	238,936	(124,390)	65.76%
Fish Dock	553,500	517,261	(36,239)	93.45%
Deep Water Dock	262,500	193,136	(69,364)	73.58%
Outfall Line	4,800	4,800	-	100.00%
Fish Grinder	12,000	6,705	(5,295)	55.88%
Load and Launch Ramp	125,000	123,176	(1,824)	98.54%
Total Revenues	\$ 4,750,515	\$ 4,018,803	\$ (731,712)	84.60%
Expenditures & Transfers				
Administration	\$ 642,204	\$ 519,184	\$ 123,020	80.84%
Harbor	1,328,754	924,372	404,382	69.57%
Pioneer Dock	72,980	52,038	20,942	71.30%
Fish Dock	622,087	471,076	151,011	75.73%
Deep Water Dock	104,600	58,414	46,186	55.84%
Outfall Line	6,500	2,831	3,669	43.55%
Fish Grinder	25,475	20,036	5,439	78.65%
Harbor Maintenance	416,161	300,262	115,898	72.15%
Main Dock Maintenance	41,000	25,609	15,391	62.46%
Deep Water Dock Maintenance	51,500	28,063	23,437	54.49%
Load and Launch Ramp	86,699	58,895	27,804	67.93%
Total Operating Expenditures	\$ 3,397,959	\$ 2,460,781	\$ 937,179	72.42%
Transfer to Other Funds				
Leave Cash Out	\$ 29,241	\$ 29,241	\$ -	100%
Debt Service	-	-	-	0%
GF Admin Fees	592,576	592,576	-	100%
Other	420,454	420,454	-	100%
Total Transfer to Other Funds	\$ 1,042,271	\$ 1,042,271	\$ -	100.00%
Transfers to Reserves				
Administration	\$ -	\$ -	\$ -	-
Harbor	-	-	-	-
Pioneer Dock	271,984	-	-	0%
Fish Dock	-	-	-	0%
Deep Water Dock	-	-	-	-
Outfall Line	-	-	-	-
Fish Grinder	-	-	-	-
Load and Launch Ramp	38,301	-	-	0%
Total Transfer to Reserves	\$ 310,285	\$ -	\$ -	0%
Total Expenditures & Transfers	\$ 4,750,515	\$ 3,503,051	\$ 937,179	73.74%
Net Revenues Over(Under) Expenditures	\$ 0	\$ 515,752		

CITY OF HOMER

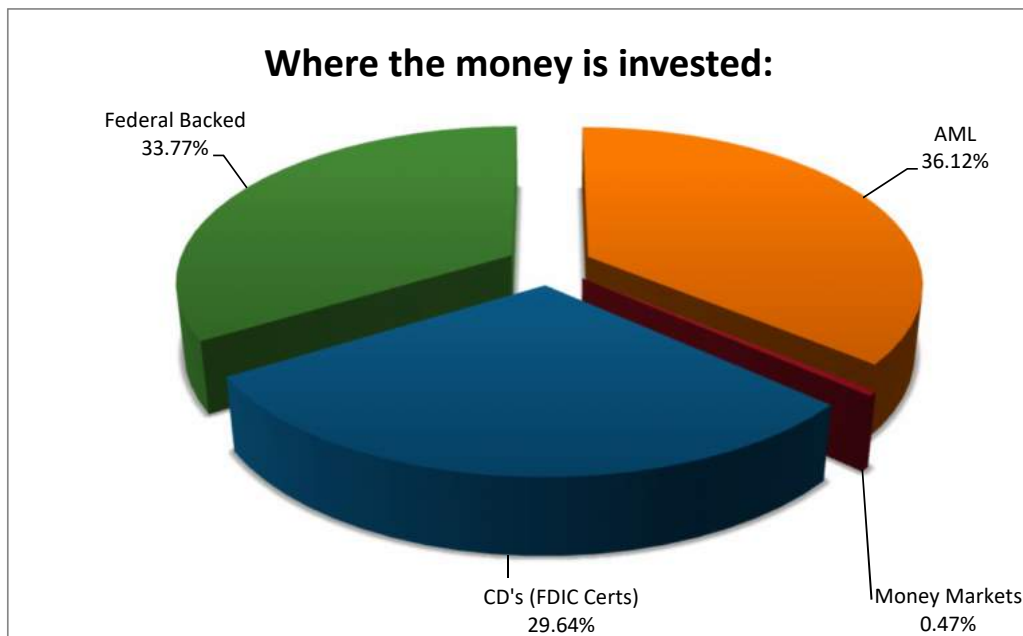
Treasurer's Report

As of:

September 30, 2019

INVESTMENT BY INSTITUTION:	\$ Invested	% Of \$ Invested
Alaska Municipal League	\$ 9,169,701	36%
Pro-Equities	\$ 16,350,377	64%
Total Cash and Investments	\$ 25,520,078	100%

MATURITY OF INVESTMENTS:		AMOUNT	% Of Investment by Maturity Date
1 to 30 Days	10/30/2019	\$ 9,179,392	35%
30 to 120 Days	1/28/2020	\$ 1,411,930	25%
120 to 180 Days	3/28/2020	\$ 381,755	7%
180 to 365 Days	9/29/2020	\$ 1,396,652	3%
Over 1 Year		\$ 13,134,311	29%
TOTAL		\$ 25,504,041	100%



These investments are made in accordance with the City of Homer's investment policy pursuant to Ordinance 93-14, Chapter 3.10. The balances reported are unaudited.