



## **Homer City Hall**

491 E. Pioneer Avenue

Homer, Alaska 99603

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

# **City of Homer Agenda**

**Advisory Planning Commission Regular  
Wednesday, August 21, 2019 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. [Approval](#) of Minutes of August 7, 2019 **p. 3**

## **Presentations / Visitors**

### **Reports**

- a. [Staff](#) Report 19-72, City Planner's Report **p. 17**

## **Public Hearings**

- a. [Staff](#) Report 19-73, An Ordinance amending dimensional requirements in the East End Mixed Use Zoning District to allow buildings up to 75 feet in height with a Conditional Use Permit **p. 19**
- b. Staff Report 19-74, An Ordinance amending permitted uses in the General Commercial 1 & General Commercial 2 Zoning Districts to expand manufacturing activities **p. 25**

## **Plat Consideration**

## **Pending Business**

- a. [Staff](#) Report 19-75, Permitting **p. 33**

## **New Business**

## **Informational Materials**

- a. [Memo](#) from the Homer Planning Commission to Mayor Castner and the Homer City Council RE: Ordinance 19-19(s) providing water outside of City Limits **p. 41**
- b. City Manager's Report to Homer City Council August 12, 2019 **p. 51**

**Comments of the Audience** Members of the audience may address the Commission on any subject. (3 min limit)

### **Comments of Staff**

### **Comments of the Commission**

### **Adjournment**

Next Regular Meeting is WEDNESDAY, SEPTEMBER 4, 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 19-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:32 p.m. on August 7, 2019 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS VENUTI, HIGHLAND, PETSKA-RUBACLAVA, BENTZ, SMITH

ABSENT: COMMISSIONER BOS (EXCUSED)

STAFF: CITY PLANNER ABOUD  
DEPUTY CITY CLERK KRAUSE

The Commission met at 5:30 for a worksession on Ordinance 19-19(S) with Mayor Castner, Councilmember Aderhold and Water/Wastewater Treatment Superintendent Cook who provided information and details on the City of Homer Water Supply. Councilmember Smith also attended the meeting.

Chair Venuti noted for the record that Commissioner Petska-Rubalcava will be needing to leave the meeting at 8:00 p.m. and inquired from the Clerk if that would affect the continuation of the meeting.

It was noted by the Clerk that a quorum would still be present so it would not require the meeting to end.

### **APPROVAL OF THE AGENDA**

Chair Venuti called for a motion to approve the agenda.

HIGHLAND/BENTZ – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA**

### **RECONSIDERATION**

### **ADOPTION OF CONSENT AGENDA**

a. Approval of minutes of July 17, 2019

Chair Venuti requested a motion to approve the Consent Agenda.

HIGHLAND/BENTZ– SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **VISITORS/PRESENTATIONS**

### **REPORTS**

A. Staff Report 19-65, City Planner's Report

Chair Venuti invited the City Planner Abboud to review his report for the commission.

City Planner Abboud reviewed Staff Report 19-65 requesting input from the Commission if they would like to add Beekeeping to their worklist.

There was a brief discussion on the topic and Commissioner Bentz reported that the Beekeeping Association provided a best practices document for residential areas and she will review it and talk with Planning Department staff to finalize and get the document hosted on the City website. She requested the document to be provided at the next meeting for the Commission.

City Planner Abboud will review and confer with the City Attorney if beekeeping is something that should be addressed at this time in city code or just wait to see how this industry progresses.

### **PLAT CONSIDERATION**

a. Staff Report 19-67, A.A. Mattox Subdivision Yakunin Addition Preliminary Plat

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

City Planner Abboud provided a summary review of Staff Report 19-67.

There was no applicant present.

Chair Venuti opened the Public Comment period noting that there was no one present in the audience to comment he closed the Public Comment period and opened the floor to questions of the Commission.

There was no comments or questions from the Commission.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 19-67 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH COMMENTS 1-3 IN THE STAFF REPORT.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PUBLIC HEARINGS**

A. Staff Report 19-66, Ordinance 19-32(S) to change the name of the "Advisory Planning Commission" to the "Planning Commission" throughout Homer City Code.

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

City Planner Abboud reviewed the Staff Report 19-66 and noted the following points:

- Ordinance 19-32(S) addresses nomenclature
- Does not affect the duties of the Commission

Chair Venuti opened the Public Hearing and noting that there was no audience present he closed the Public Hearing and opened the floor to questions from Commission.

There were no comments or questions from the Commission.

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 19-66 AND RECOMMEND FORWARDING ORDINANCE 19-32(S) AMENDING HOMER CITY CODE CHANGING THE NAME OF THE ADVISORY PLANNING COMMISSION TO PLANNING COMMISSION THROUGHOUT TO CITY COUNCIL FOR ADOPTION.

There was a brief comment on the Ordinance not changing anything.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PENDING BUSINESS**

A. Staff Report 19-68, Building Height

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

City Planner Abboud reviewed Staff Report 19-68 for the Commission. He responded to questions on the following:

- This would be allowed in the district by conditional use permit, no dwellings allowed in a structure.
- Similar process as Fire Marshall approval, an applicant would be required to seek and receive approval statement from the FAA
- Term “commercial” not being defined in the list of defined terms, a review of city code would be required to determine that they were not stepping on an understood definition
- The City Attorney did not recommend that it be defined, she just noted the absence of a definition. The word “commercial” was self-explanatory.
- Webster’s would be used to define the term if there was a question.

SMITH/BENTZ MOVED TO RECOMMEND FORWARDING A DRAFT ORDINANCE CONTAINING LANGUAGE AS AMENDED BY THE CITY ATTORNEY FOR PUBLIC HEARING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 19-69, An Ordinance Amending GC1 and GC2 Zoning Code Regarding Manufacturing

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

City Planner Abboud provided a summary of Staff Report 19-69 to the Commission. He affirmed that he would like to see this as a permitted use citing that commercial businesses would need approval from the Fire Marshall, etc., regarding any uses that produced toxins or hazardous concerns. He then commented on the existing triggers for a conditional use permit would still be applicable.

BENTZ/SMITH – MOVE TO TAKE FROM THE TABLE THE PENDING MOTION

*BENTZ/BOS – MOVED TO RECOMMEND HOMER CITY CODE 21.24.020 AND 21.26.020 BE AMENDED TO READ MANUFACTURING, FABRICATION AND ASSEMBLY*

*HIGHLAND/BENTZ – MOVED TO AMEND THE MOTION TO ADD “WITH A CONDITIONAL USE PERMIT”*

Chair Venuti asked if there was opposition to bring the motion from the table.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioners Bentz and Petska-Rubalcava stated that they were in opposition of the amendment.

Chair Venuti inquired if there was any further discussion, hearing none he requested the Clerk to perform a roll call vote.

VOTE. (Amendment) NO. HIGHLAND, PETSKA-RUBALCAVA, BENTZ, SMITH, VENUTI.

Motion failed.

Chair Venuti requested the Clerk to read the main motion before the commission.

BENTZ/BOS MOVED TO RECOMMEND HOMER CITY CODE 21.24.020 AND 21.26.020 BE AMENDED TO READ MANUFACTURING, FABRICATION AND ASSEMBLY.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud stated that he will prepare the draft ordinance and bring it back for Public Hearing.

C. Staff Report 19-70, Ordinance 19-19(S) Amending City Water Rules to Allow Water Service Outside of City Limits

Chair Venuti introduced the item by reading of the title into the record and commented that they had a very informative worksession on this before the meeting.

City Planner Abboud provided input that it was quite a bit to consider in a short time period and not the usual process that they would use for something similar and he was hesitant to recommend anything on this ordinance since he did not perform the research on this subject.

Chair Venuti reminded him that there were questions from Council directed to the Commission to answer.

The Commission entertained a lengthy discussion covering the following points, topics, issues, and concerns:

- The likelihood of businesses moving to outside city limits and loss of revenue to the city
- Limiting the services to residential properties only

- Existing businesses that are there in the area and how to navigate that
- Future connections and extension of the main line
- Promotion and incentives for affordable housing projects within the city limits that are within the infrastructure
- Requesting additional time from Council to thoroughly review and consider the issue presented to the Commission
- Developing a better and clear policy on extending city services outside city limits
- The issues brought up are more than defining a water service area in city code which is what this ordinance does, the language is pretty good but looking at the overall impact such as interruptability of service.
- Engineering review on the impact of growth that Homer can expect over the next 10 or 20 years for piped water.
- The Commission does not have sufficient information available to truly evaluate these questions.
- Evaluating a decided year for growth pattern
- Impact of trucked water to the Kachemak City area
- The results of the study that stated the supply was fine for now but did that report include extraterritorial water service, potential growth in Kachemak City, climate studies and the patterns that they are experiencing currently
- No immediate alternate water source if ever needed
- New Treatment Plant lessened impacts to the system as a whole
- Is it in the best interest of the city
- Overall economic impact to the city
- Annexation of serviced areas, it was pointed out that annexation or even discussion of the topic was not going to happen.
- Creating regulations that limit the ability of growth or types of connections to the system that is extended outside city limits
- Subdividing parcels that are hooked up to the water outside city limits
- Large Commercial projects and the impact to the system
- The current number of gallons that is released in the overflow based on the typical amount, that is not going into the river system and the environmental impacts that is or will cause in the future.
- There should be more comprehensive long term planning and projections of use
- Restricting growth in neighboring communities can cause further possible volatile problems.
- The lack of a clear decision from Kachemak City
- Smaller lot sizes and requirements such as the Borough has with regard to water and sewer systems, e.g. 1 acre lot
- Requesting the added language to prohibit subdividing without approval of the Planning Commission or City Council and further that Ordinance 19-19(S) does not include the possibility of any further future extensions of the waterline. This would require the property owners who want to hook up to the waterline will be agreeing that they cannot subdivide their property.



- Mandatory hookup or optional
- Consideration of being proactive or reactive when it comes to the water sources
- Review of usage requirements for proposed projects
- The ordinance should address the issue of Homer being able to govern every aspect of the issue

The Commission attempted to form recommendations from questions and concerns raised.

Commissioner Bentz suggested the following: Recommend Council to add language in 14.08.015 (a)(6) of sustainability of the resource

Deputy City Clerk Krause offered the following draft recommendation for the Commission:

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF ~~CLIMATE CHANGE ON THE CITY WATER SOURCE~~ **RESOURCE USE CHANGES AND CLIMATE VARIABILITY** ON THE CITY WATER SOURCE; AND FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS ORDINANCE 19-19(S) AS WRITTEN TO ESTABLISH A WATER SERVICE AREA.

Commissioner Bentz requested that instead of using the words “Climate Change” amend the line to read “resource use changes and climate variability”. She further commented that prefacing that statement with a reference to the intent of the Comprehensive Plan for infill and providing services to the city and having a plan like Appendix B that speaks to the annexation process specifically Step three that looks at water use and how that fits into annexation process and she thought that was really important and she believes that whatever the Commission recommends to City Council they should be aware of that and she believes that extending city services beyond city limits is counterintuitive to the Comprehensive Plan.

Additional discussion on existing projects that are being built are on cisterns and will have trucked water, incorporating the questions into what was drafted by the Clerk, and postponing this discussion for another month.

It was recognized that City Council will have their minutes and state that this is a much bigger issue and it will really determine the vision of Homer and the greater Homer area if we decide to start extending services out and what does that mean as far as Homer’s boundaries growing; Do we envision a scenario where the entire Homer bench is receiving piped water from the Bridge Creek Watershed? Is that sustainable and viable water source for that many properties and that much usage or do we support trucked delivery and cisterns as a conservation method since people do not use as much water when the source is limited?

Commissioner Petska-Rubalcava departed the meeting at 7:55 p.m. due to a prior commitment.

Commissioner Smith requested the Clerk to re-read the recommendation. He would like to include language that the Commission has thoroughly evaluated Ordinance 19-19(S) and that they are responding with the following questions.

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF RESOURCE USE CHANGES AND CLIMATE VARIABILITY ON THE CITY WATER SOURCE; AND FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS ORDINANCE 19-19(S) AS WRITTEN TO ESTABLISH A WATER SERVICE AREA.

Commissioner Highland questioned that the Commission really supports the ordinance as she does not. She also inquired if Commissioner Bentz wanted to include her previous statement in the recommendation.

Commissioner Bentz was not sure if it would be included as a recommendation as it was more of a “whereas” clause and cited her previous statement as a whereas clause, *“Whereas, Our vision is that the City of Homer will expand throughout the entire Homer Bench and provide piped water to the whole area fed by Bridge Creek Watershed.”* Ms. Bentz continued by stating that if that is the intention she feels that it should be acknowledged going into it, if we are supporting these types of extensions of water service. She felt this is the scenario that will eventually play out and is that the plan that they want?

Commissioner Highland asked if they could talk about annexation, seeking input from City Planner one of the questions is if this is in the best interests of the city, it is one of the big questions for her, and if this is in the city’s best interest is this (water) the carrot? She would also like to know the number of people getting trucked water in the area.

City Planner Abboud inquired how that would affect the commission’s response to the City Council on the ordinance.

Commissioner Bentz responded that they could add in as a whereas, “the ability to receive water from city sources outside city boundaries has major impact on the prospects of development in the outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation.” This is in the Comprehensive Plan. So if they add a “whereas” that refers to the Comprehensive Plan it would be transparent.

Chair Venuti commented that if East End Cottages decided to install a cistern then they would not be having this discussion.

Commissioner Highland responded that is why they need a policy. It is allowing them to be proactive.

Chair Venuti questioned that the Commission has two valid questions to submit to Council.

Commissioner Smith reiterated the recommendation as read by the Clerk and the two whereas statements proposed by Commissioner Bentz.

Commissioner Highland questioned if it was adequate or do they also want to include that they believe more discussion needed and request additional time for further review.

Chair Venuti commented that he would definitely be more comfortable if Kachemak City Council had responded on this issue.

Commissioner Smith recommended that they add a request to City Council that it comes back to the Planning Commission before the final Public Hearing on the ordinance. That way the Commission can review the final draft proposal before Council approves it.

Chair Venuti did not believe that there was an ongoing crisis for approval on the ordinance.

Commissioner Bentz opined that if they pass these comments to Council for consideration at the August 26<sup>th</sup> meeting it would be okay, she had larger concerns on the bigger discussion about resource management and resource planning outside this specific ordinance about a policy for water service areas. She believed that they needed a better understanding of their water resources; Commissioner Bentz stated she learned a lot today at the worksession; better understanding of water projections, potential uses or scenarios for the future so that could be a resource guide for the City Council when they are evaluating a water service area on a case by case basis. She really did not want to create another planning document but believed that having a document to provide a better understanding of their water resources and water uses could be so that when they apply this ordinance in the future they have a really thorough understanding of the sustainability of the resource. There needs to be separate document for information to use as a companion to this ordinance.

There was a brief discussion on how this is presented to Council and assurance that the Clerk captured the Commission's recommendations and concerns.

Commissioner Smith requested the Clerk to read the recommendation again.

Deputy City Clerk Krause read the recommendation as requested noting that the final line regarding support could be deleted or not.

Commissioner Smith would like to have the “Whereas” statements referenced in the recommendation and requested Commissioner Bentz to repeat her previous statement for the Clerk.

Commissioner Bentz requesting assistance in wordsmithing, formulated the statement to be included “Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation.”

Commissioner Highland added that she thought the next sentence in item 2, on page B-3 of the Comprehensive Plan was very relevant too. She confirmed with the Clerk that the “Whereas” clause could be as long as needed.

Commissioner Bentz commented that Council may have a better idea on how to articulate this statement but believed that the concept of acknowledging the spread of city services and potential for annexation should be out in front.

Commissioner Smith agreed commenting on the water issue in the reservoir was part of the reason the watershed district was created and makes sense to include the language in the memorandum.

City Planner Abboud noted the City of Homer was granted extraterritorial powers to regulate the Bridge Creek Watershed District since it deals with health, safety and welfare of the city.

Commissioner Highland inquired if the Commission wanted to address large commercial operations in their recommendations as that could present a large user forgoing sales tax, property tax and impacting the water source. She also added that she was uncomfortable saying she supported the ordinance as written.

Commissioner Bentz suggested the following amended language:

“Support the effort to create policy but do not support the ordinance as written.”

There was consensus from the Commission on making that change to the last sentence.

Commissioner Smith requested the Clerk to read the recommendation:

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE

EXTENSIONS, EFFECTS OF RESOURCE USE CHANGES AND CLIMATE VARIABILITY ON THE CITY WATER SOURCE;

FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS THE EFFORT TO CREATE POLICY BUT DOES NOT SUPPORT ORDINANCE 19-19(S) AS WRITTEN;

ADDITIONALLY AFTER THOROUGHLY EVALUATING ORDINANCE 19-19(S) THE PLANNING COMMISSION RECOMMENDS THAT THE FOLLOWING WHEREAS CLAUSES USING THE SAME OR SIMILAR LANGUAGE BE INCLUDED:

“Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation.”

Commissioner Highland then inquired if the Commission would like to include a request for more time.

A brief discussion on what additional time would provide the commission and that rushing this ordinance through there are many major issues that should be thoroughly reviewed and discussed before approving.

Commissioner Smith offered to add language as follows:

“AND FURTHER REQUEST THAT CITY COUNCIL SUBMIT THE FINAL DRAFT ORDINANCE 19-19(S) FOR REVIEW OF THE PLANNING COMMISSION BEFORE HOLDING FINAL PUBLIC HEARING AND APPROVAL.”

The Commission agreed by consensus to add the request noting that it would provide an opportunity to respond or comment on any of Council’s final changes before approval.

Commissioner Highland then asked if they can include a statement that this is considered a very important planning decision.

Commissioner Smith requested a five minute recess.

Chair Venuti called for a recess at 8:17 p.m. The meeting was called back to order at 8:22 p.m.

Chair Venuti commented on adding a request to limiting it to residential only.

City Planner Abboud responded but was not audible for the Clerk to transcribe his response.

Commissioner Bentz inquired about addressing the question of negative impacts to businesses.

A brief discussion ensued on extending the water lines impacting local trucking companies, and comparing it to the Natural Gas line and those impacts to the fuel oil companies.

Chair Venuti inquired if the Commission has completed their discussion on this subject.

Commissioner Smith asked for the Clerk to read the recommendation one last time.

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF RESOURCE USE CHANGES AND CLIMATE VARIABILITY ON THE CITY WATER SOURCE; AND

FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS THE EFFORT TO CREATE POLICY BUT DOES NOT SUPPORT ORDINANCE 19-19(S) AS WRITTEN; AND

ADDITIONALLY AFTER THOROUGHLY EVALUATING ORDINANCE 19-19(S) THE PLANNING COMMISSION RECOMMENDS THAT THE FOLLOWING WHEREAS CLAUSE USING THE SAME OR SIMILAR LANGUAGE BE INCLUDED:

“Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation.”

AND FURTHER REQUEST THAT THE CITY COUNCIL REMAND ORDINANCE 19-19(S) BACK TO THE PLANNING COMMISSION BEFORE FINAL PUBLIC HEARING AND APPROVAL.

There was a brief discussion on needing a motion to forward the recommendation to Council.

SMITH/BENTZ – MOVED TO FORWARD THE PLANNING COMMISSION RECOMMENDATION ON ORDINANCE 19-19(S) AS WRITTEN AND AMENDED.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **NEW BUSINESS**

A. Staff Report 19-71, Draft Ordinance 19-xx Amending HCC 21.30 Marine Industrial District to change “Boat sales, rentals, service, repair and storage, and boat manufacturing” from a conditional use to a permitted use.

Chair Venuti introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 19-71 for the Commission. He noted that it would be expected to consider boats as a subject of marine equipment but for some reason it has been called out in city code. He would like this to be a permitted use as he could not find a valid reason for a conditional use permit requirement. It still would require a CUP for anything over 8000 square feet, or exceeding 70% of the building lot area.

BENTZ/HIGHLAND - MOVED TO AMEND HOMER CITY CODE TO ALLOW BOAT SALES, RENTALS, SERVICE, REPAIR, STORAGE AND BOAT MANUFACTURING AS A PERMITTED USE IN THE MARINE INDUSTRIAL DISTRICT AND REFER TO THE PORT AND HARBOR ADVISORY COMMISSION FOR COMMENT.

A brief discussion on the idea that boats are not consider marine equipment in current city code was held and that it appeared counter to the

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

#### **INFORMATIONAL MATERIALS**

- A. City Manager’s Report for the July 22, 2019 Homer City Council meeting
- B. Kenai Peninsula Borough Notice of Decision for Northern Enterprises No. 3 Preliminary Plat

#### **COMMENTS OF THE AUDIENCE**

#### **COMMENTS OF THE STAFF**

City Planner Abboud commented on being remiss in not having the Commission elections on this agenda and will make sure it is on the next agenda.

A brief discussion ensued regarding applicants for the vacancy and the Commission expressed a preference to waiting for their appointment and holding elections at the first meeting in September.

Deputy City Clerk Krause expressed her appreciation for the Commission allowing her to assist them in word-smithing their recommendations on Ordinance 19-19(S) and commented that they were able to get a lot done in a short time period.

## COMMENTS OF THE COMMISSION

Commissioner Highland had no comments.

Commissioner Bentz thanked Staff for their assistance tonight in writing their memos and providing the information. She thinks the water planning both water usage and stormwater is underlined a lot, but believes that both of those are big functions of the planning commission is to have those longer term, kind of vision and objectives for the city instead of, we are a little bit separate from the issues as they arrive, unlike City Council whom deal with the issues as they come up. So on a case by case basis they can have this longer term visioning and glad that they think like that on occasion.

Commissioner Smith commented it was a fantastic meeting and really appreciate the work that Rick and others did on investigating and setting up the meeting last time for the bees which he was unable to be here but read about and feels that he can go back to that individual and feel comfortable that they thoroughly processed the issue. But he also applaud the discussion around the water extension topic that it is obviously very difficult, especially on the fly type conversation, the concerns and passions everyone has about it. Thank you.

Chair Venuti agreed that it was a very interesting meeting. He appreciated the worksession and the information provided by Mr. Cook. It has been an interesting meeting.

## ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 8:37 p.m. The next regular meeting is scheduled for Wednesday, August 21, 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.

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RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: \_\_\_\_\_





## City of Homer

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## Planning

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[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud AICP, City Planner  
DATE: August 21, 2019  
SUBJECT: Staff Report 19-72 City Planner's Report

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### City Council 8/12/19

Ordinance 19-32(S), An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.72 Advisory Planning Commission; Homer City Code 11.12.010 Street Address Assignment Plan Adopted; Homer City Code 21.03.040 Definitions Used in Zoning; and Homer City Code 22.10.040 Applicable and Exempted Subdivisions to Change the Name of the Advisory Planning Commission to the Planning Commission Throughout. Introduction June 24, 2019, Public Hearing and Refer to Planning Commission July 22, 2019, Second Reading August 12, 2019.  
ADOPTED without discussion.

Memorandum 19-098 from City Clerk Re: Request for Homer City Council to Veto Kenai Peninsula Borough Approval of the vacation of a 10 ft. wide drainage easement on Lot 24-A, AA Mattox Peggi's Addition (Plat HM 99-64); within Section 17, Township 6 South, Range 13 West, Seward Meridian, Alaska, within the Kenai Peninsula Borough KPB File 2019-048V.  
Informational only.

### Staff

We have some vacation and training time scheduled. Julie will be out the 4<sup>th</sup> and 5<sup>th</sup>. Travis will be out the 29<sup>th</sup> through the 12<sup>th</sup>. I will be out from the 6<sup>th</sup> through the 20<sup>th</sup>. This will likely lead to a reduced ability to perform research for the Commission's meeting of September 18<sup>th</sup>. We will wait to see what applications are submitted before the meeting deadline and make some decisions about the meeting then.

### Work list

- Green Infrastructure – Syverine to attend conference and report back to HAPC. Goal is to increase capacity for a future plan update.
- Medical district – awaiting decision on the appeal
- Transportation plan – Memo to council
- Permit requirements – on agenda

- Bee keeping – no recommendation forwarded.

City Council report sign up

8.12.19 Smith

8.26.19 Bos

9.9.19 Petska-Rubalcava

9.16.19

10.14.19



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(p) 907-235-3106

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### Staff Report PL 19-73

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud AICP, City Planner  
DATE: August 21, 2019  
SUBJECT: Ordinance 19-xx an ordinance of the City Council of Homer, Alaska allowing buildings up to 75 in height in the East End Mixed Use District with a conditional use permit, 21.27.040 dimensional requirements.

### Introduction

In response to requests of the boat building and servicing industries in the East End Mixed Use District (EEMU), the Planning Commission wishes to support an allowance for structures taller than 35 feet.

### Analysis

Currently, structures in the EEMU District are limited to 35 feet in height. Boat building and repair facilities could expand current activities if allowed to build structures tall enough to accommodate boat masts. The EEMU District currently supports boat industries and the Comprehensive plan objectives includes promoting marine industries.

The concerns of supporting taller structures in the district are addressed in several ways. A CUP is required and allows opportunities for the neighbors and the community to weigh in on a proposal. The proposals must obtain a letter of non-objection from the FAA in addition to gaining Fire Marshall approval. Other possible operational concerns are subject to the district nuisance standards.

The marine trades are a vital and established industry in Homer and deserve consideration for the expansion of activities such as this ordinance proposes.

21.95.040 Planning Department review of code amendment.

The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.

Land Use Chapter goals encourage infill and objectives include development of clear and well-defined land use regulations. Implementation includes review of appropriate design standards and to re-evaluated height standards in commercial and mix use districts.

b. Will be reasonable to implement and enforce.

Code language is clear and the proposal will be reasonable to implement and enforce.

c. Will promote the present and future public health, safety and welfare.

Health, safety and welfare is promoted by the multi-agency review required for the proposed ordinance.

d. Is consistent with the intent and wording of the other provisions of this title.

The City Attorney has reviewed the proposed ordinance.

### **Staff Recommendation**

Hold a public hearing and make a recommendation to the City Council regarding adoption.

### **Att.**

Proposed ordinance

**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 19-xx**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
ALLOWING BUILDINGS UP TO 75 IN HEIGHT IN THE EAST END  
MIXED USE DISTRICT WITH A CONDITIONAL USE PERMIT,  
21.27.040 DIMENSIONAL REQUIREMENTS.

WHEREAS, the 2018 Homer Comprehensive Plan goals include the support of a variety  
of well-defined commercial/business districts for a range of commercial purposes; and

WHEREAS, the 2018 Homer Comprehensive Plan Land Use Chapter implementation  
table recommends re-evaluating height standards in mixed-use districts; and

WHEREAS, 2018 Homer Comprehensive Plan Economic Vitality Chapter objectives  
include promoting the marine trades; and

WHEREAS, the marine trades industry in the located in the East End Mixed Use District  
has shown a desire for taller structures; and

WHEREAS, the East End Mixed Use District have adopted nuisance standards; and

WHEREAS, The Homer Advisory Planning Commission supports expanded  
opportunities for the Marine Trades in the East End Mixed Use District.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.27.040 is hereby adopted to read as follows:

The following dimensional requirements shall apply to all structures and uses in the East End  
Mixed Use District:

a. Lot Size.

1. The minimum area of a lot that is not served by public sewer or water shall be 40,000  
square feet.

2. The minimum area of a lot that is served by either a public water supply approved by the State Department of Environmental Conservation or a public or community sewer approved by the State Department of Environmental Conservation shall be 20,000 square feet.

3. The minimum area of a lot that is served by both a public water supply approved by the State Department of Environmental Conservation and a public or community sewer approved by the State Department of Environmental Conservation shall be 10,000 square feet.

b. Building Setbacks.

1. All buildings shall be set back 20 feet from all dedicated rights-of-way other than alleys, except that adjacent to rights-of-way that lead to Kachemak Bay and have been determined to be unsuitable for road construction by resolution of the City Council, all buildings shall be set back from the boundary of the right-of-way according to the number of stories as follows:

Number of Stories	Setback (in feet)
1	5
1 ½	6
2	7
2 ½	8

2. The setback requirements from any lot line abutting an alley will be determined by the dimensional requirements of subsections (b)(3) and (4) of this section;

3. Buildings shall be set back five feet from all other lot boundary lines unless adequate firewalls are provided and adequate access to the rear of the building is otherwise provided (e.g., alleyways) as defined by the State Fire Code and enforced by the State Fire Marshal;

4. Any attached or detached accessory building shall maintain the same yards and setbacks as the main building.

c. Building Height.

**1. The maximum building height shall be 35 feet, except as provided in paragraph 2. of this subsection.**

**2. When authorized by a conditional use permit, the maximum building height for a building used solely for commercial purposes shall be 75 feet. A building for which a conditional use permit has been issued under this subsection shall not contain dwelling units.**

d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit.

e. Building Area and Dimensions – Retail and Wholesale. The total floor area of retail and wholesale business uses within a single building shall not exceed 75,000 square feet. No conditional use permit, planned unit development, or variance may be granted that would allow a building to exceed the limits of this subsection, and no nonconforming use or structure may be expanded in any manner that would increase its nonconformity with the limits of this subsection.

f. Screening.

1. When one or more side or rear lot lines abut land within an RO, RR, or UR district or when a side or rear yard area is to be used for parking, loading, unloading or servicing, then those side and rear yard areas shall be effectively screened by a wall, fence, or other sight-obscuring screening. Such screening shall be of a height adequate to screen activity on the lot from outside view by a person of average height standing at street level.

2. Outside storage of materials, equipment and trash/dumpsters adjacent to East End Road and Kachemak Drive shall be screened. Screening may consist of walls, fences, landscaped berms, evergreen plantings, or any combination thereof.

Section 2: Homer City Code 21.26.020 is hereby adopted to read as follows:

Section 2: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_\_ DAY OF \_\_\_\_\_,  
2019.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR

ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

YES:  
NO:  
ABSTAIN:  
ABSENT:

First Reading:  
Public Hearing:  
Second Reading:  
Effective Date:

Reviewed and approved as to form:

\_\_\_\_\_  
Mary K. Koester, City Manager

Date: \_\_\_\_\_

\_\_\_\_\_  
Holly Wells, City Attorney

Date: \_\_\_\_\_





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

[Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)

(p) 907-235-3106

(f) 907-235-3118

### Staff Report PL 19-74

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud AICP, City Planner  
DATE: August 21, 2019  
SUBJECT: Ordinance 19-xx, an ordinance of the City Council of Homer, Alaska expanding manufacturing activities in the General Commercial 1 District 21.14.020 permitted uses and structures and General Commercial 2 Zoning District 21.26.020 permitted uses and structures.

### Introduction

The Planning Commission wishes to have allowances in code for manufacturing activities not currently listed in code

### Analysis

Currently, manufacturing in the GC1 & 2 Districts is limited to a specific list of items. When code uses lists in this manner, specific items that are not on the list are not allowed. The current list of items supported includes electronic equipment, electrical devices, pottery, ceramics, musical instruments, toys, novelties, small molded products and furniture.

The Commercial Districts are envisioned to support manufacturing and nuisance standards apply to the districts to temper possible negative consequence of industrial and commercial activities. Since it is impractical to exhaustively list all manufacturing items, the Commission feels that manufacturing should be classified as a general activity that is supported in the districts. Manufacturing is proposed as a permitted activity and would only require a CUP when triggered by size of building area or lot coverage.

21.95.040 Planning Department review of code amendment.

The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the Comprehensive Plan and will further specific goals and objectives of the plan.

Land Use Chapter goals encourage include the support of a variety of well-defined commercial/business districts for a range of commercial purposes.

b. Will be reasonable to implement and enforce.

Code language is clear and the proposal will be reasonable to implement and enforce.

c. Will promote the present and future public health, safety and welfare.

Health, safety and welfare is promoted by the multi-agency review required for the proposed ordinance.

d. Is consistent with the intent and wording of the other provisions of this title.

The City Attorney has reviewed the proposed ordinance.

### **Staff Recommendation**

Hold a public hearing and make a recommendation to the City Council regarding adoption.

### **Att.**

Proposed ordinance

**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 19-xx**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
EXPANDING MANUFACTURING ACTIVITIES IN THE GENERAL  
COMMERCIAL 1 ZONING DISTRICT, 21.24.020 PERMITTED USES  
AND STRUCTURES, AND THE GENERAL COMMERCIAL 2 ZONING  
DISTRICT, 21.26.020 PERMITTED USES AND STRUCTURES.

WHEREAS, the 2018 Homer Comprehensive Plan goals include the support of a variety  
of well-defined commercial/business districts for a range of commercial purposes; and

WHEREAS, the 2018 Homer Comprehensive Plan Chapter 7, Economic Vitality  
encourages zoning regulations that support new businesses; and

WHEREAS, Manufacturing is supported in the General Commercial 1 and 2 Districts;  
and

WHEREAS, the current list of items permitted for manufacturing in the General  
Commercial 1 and 2 Districts unnecessarily limits opportunities; and

WHEREAS, the General Commercial 1 and 2 Districts have adopted nuisance  
standards; and

WHEREAS, The Homer Advisory Planning Commission supports expanded  
manufacturing activities in the General Commercial 1 and 2 Districts.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.24.020 is hereby adopted to read as follows:

21.24.020 Permitted uses and structures.

The following uses are permitted outright in the General Commercial 1 District, except when  
such use requires a conditional use permit by reason of size, traffic volumes, or other reasons  
set forth in this chapter.

a. Air charter operations and floatplane tie-up facilities;

b. General business offices and professional offices;

- c. Dwelling units located in buildings primarily devoted to business uses;
- d. Auto repair;
- e. Auto and trailer sales or rental areas;
- f. Auto fueling stations and drive-in car washes;
- g. Building supply and equipment sales and rentals;
- h. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- i. Garden supplies and greenhouses;
- j. Heavy equipment and truck sales, rentals, service and repair;
- k. Hotels and motels;
- l. Lumberyards;
- m. Boat and marine equipment sales, rentals, service and repair;
- n. Mortuaries;
- o. Open air businesses;
- p. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- q. Manufacturing, **fabrication and assembly** of electronic equipment, electrical devices, pottery, ceramics, musical instruments, toys, novelties, small molded products and furniture;;
- r. Publishing, printing and bookbinding;
- s. Recreation vehicle sales, rental, service and repair;
- t. Retail businesses;
- u. Trade, skilled or industrial schools;
- v. Wholesale businesses, including storage and distribution services incidental to the products to be sold;

85  
86 w. Welding and mechanical repair;

87  
88 x. Parks and open space;

89  
90 y. Appliance sales and service;

91  
92 z. Warehousing, commercial storage and mini-storage;

93  
94 aa. Banks, savings and loans, credit unions and other financial institutions;

95  
96 bb. Customary accessory uses to any of the permitted uses listed in the GC1 district;  
97 provided, that no separate permit shall be issued for the construction of any type of  
98 accessory building prior to that of the main building;

99  
100 cc. Dry cleaning, laundry, and self-service laundries;

101  
102 dd. Taxi operation;

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104 ee. Mobile food services;

105  
106 ff. Itinerant merchants, provided all activities shall be limited to uses permitted outright  
107 under this zoning district;

108  
109 gg. Recreational vehicle parks, provided they shall conform to the standards in Article II of  
110 Chapter 21.54 HCC;

111  
112 hh. Day care homes; provided, that a conditional use permit was obtained for the dwelling, if  
113 required by HCC 21.24.030; all outdoor play areas must be fenced;

114  
115 ii. Rooming house and bed and breakfast;

116  
117 jj. Dormitory;

118  
119 kk. As an accessory use, one small wind energy system per lot;

120  
121 ll. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing  
122 facilities as defined by State law.

123  
124  
125 Section 2: Homer City Code 21.26.020 is hereby adopted to read as follows:  
126

21.26.020 Permitted uses and structures.

The following uses are permitted outright in the General Commercial 2 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

- a. Production, processing, assembly and packaging of fish, shellfish and seafood products;
- b. Construction, assembly and storage of boats and boat equipment;
- c. **Manufacturing, fabrication and assembly** ~~and assembly of pottery and ceramics, musical instruments, toys, novelties, small molded products, electronic instruments and equipment and electrical devices;~~
- d. Research and development laboratories;
- e. Trade, skills or industrial schools;
- f. Publishing, printing and bookbinding facilities;
- g. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair, excluding storage of vehicles or equipment that is inoperable or in need of repair;
- h. Storage and distribution services and facilities, including truck terminals, warehouses and storage buildings and yards, contractors' establishments, lumberyards and sales, or similar uses;
- i. Airports and air charter operations;
- j. Underground bulk petroleum storage;
- k. Cold storage facilities;
- l. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- m. Mobile commercial structures;
- n. Accessory uses to the uses permitted in the GC2 district that are clearly subordinate to the main use of the lot or building, such as wharves, docks, restaurant or cafeteria facilities for employees; or caretaker or dormitory residence if situated on a portion of the principal lot; provided, that separate permits shall not be issued for the construction of any type of accessory building prior to that of the main building;
- o. Taxi operation;

p. Mobile food services;

q. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;

r. Recreational vehicle parks, provided they shall conform to the standards in Chapter 21.54 HCC;

s. Hotels and motels;

t. Dormitory;

u. As an accessory use, one small wind energy system per lot;

v. Open air business;

w. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as defined by State law.

Section 3: This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS \_\_\_ DAY OF \_\_\_\_\_, 2019.

CITY OF HOMER

\_\_\_\_\_  
KEN CASTNER, MAYOR

ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

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YES:  
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ABSENT:  
  
First Reading:  
Public Hearing:  
Second Reading:  
Effective Date:  
  
Reviewed and approved as to form:  
  
  
\_\_\_\_\_  
Mary K. Koester, City Manager  
  
Date:\_\_\_\_\_

\_\_\_\_\_  
Holly Wells, City Attorney  
  
Date:\_\_\_\_\_





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Planning

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### Staff Report PL 19-75

TO: Homer Advisory Planning Commission  
FROM: Rick Abboud AICP, City Planner  
DATE: August 21, 2019  
SUBJECT: Permitting

#### Introduction

After getting bumped from the last few work sessions, we have time to discuss permitting requirements.

#### Analysis

The Commission requested a work session to see a draft form of code that would be addressed by three items. I have attached a document that shows the sections of code, it is not in a final draft form. It shows the sections of code that would be impacted by the proposed regulations including after-build surveys, marking of property boundaries, and using surveys for site plans.

HCC 21.70 contains all the language associated with zoning permits. In addition to this section, we would have to address the site plans per HCC21.73, as a CUP does not have a requirement to produce a zoning permit for the application. Finally, we would need to address any physical siting requirements for staking in the site development standards section. I will note that this is yet another item that would traditionally be addressed in the building section of code, which would be administered by a building official. All three of the items will introduce additional work load which, hopefully, will be reasonable to enforce.

In consideration of the operational ability of the office, I would like the commission to consider rolling out the item of highest value first to gain some experience with compliance. I address the items individually below.

#### After construction as-built survey

I believe that the highest value item out of the three is the after-build as-built survey. This would provide the office with a certification that the improvements have met the regulations. While it may take some wrangling to ensure submittal, the timeframe for submittal should be sufficient for the applicant and does not introduce delays to project timeframes when surveyors are not immediately available. It would also likely influence a more thoughtful

structure siting process. The as-built survey will also have value to the property owner as a useful document at sale or for use in consideration of future improvements. This item can be address in HCC 21.70.040, Permit terms lines 95-105.

### **Staking of property lines**

Here is the building department item. For lack of a better place, such as Title 12 where building code would go, we can locate this item in the development standards. Since the 3 levels of standards are not built upon as the level increases, it requires an addition to all three developmental standards found in code in code (lines 190-201).

Staking could be practical if it is in a reasonable relation to the actual construction or the development is found precariously close to a setback. Perhaps it would be better addressed to only be necessary if a development is proposed to be within several feet of a setback.

### **As-built/survey use for site plans**

I find that this item is not particularly popular in smaller communities. I find it unnecessary for someone to use a survey on an unimproved property when a plat or diagram would produce the same results while providing no superior guidance in the field. A survey may be beneficial when a property already has improvements. If this item is still entertained by the commission, I would recommend that it is only necessary if improvements already exist on the lot and/or in the case of a CUP with existing improvements.

You will see throughout the code words in red. These are the places that we may change to require a survey for a site plan.

### **Summary**

I hope we all have an understanding of the value of the proposed items verses the scale of the issues. We have actually have had very few structures misplaced in a way that would render the structure non-compliant with code, I can only think of three times in particular over the last 11 years.

We can hold applicants to a higher standard for submittal using the code now in effect. Perhaps we might find out more about the accuracy of construction with the requirement of an after build as-built survey. I remain concerned about creating unavoidable delays for those that may not be able to jump to the front of a surveyors work list when someone is ready for construction, creating a requirement that is not particularly practical, and the additional staff workload.

### **Staff Recommendation**

Discuss and provide further direction.

**Att.** Working code 2.0

**21.70.010 Zoning permit required.**

a. Except as provided in subsection (c) of this section, a zoning permit shall be obtained from the City Planner for the following:

1. Erection, construction or moving of any building or structure.
2. Site development activities that trigger other review or approval requirements under the Homer Zoning Code, such as, but not limited to, the requirement of a site plan, development activity plan or stormwater protection plan.
3. An increase in the height, or an exterior dimension of any floor, of an existing building, or an increase in the height, or the footprint area, of an existing structure.
4. A change or expansion of the use of a lot.

b. The zoning permit required by this section shall be obtained prior to the commencement of any activity for which the permit is required. Failure to do so is a violation.

c. The following are exempt from the requirement to obtain a zoning permit, but not from compliance with applicable requirements of the Homer Zoning Code, such as, but not limited to, the development activity plan or stormwater protection plan:

1. Any change to an existing building that does not increase the height, or exterior dimension of any floor, of the building, and any change to an existing structure that does not increase the height, or footprint area, of the structure.
2. Erection or construction of a one-story detached accessory building used as a tool and storage shed, playhouse, or other accessory use, provided the building area does not exceed 200 square feet; and further provided, that there is already a main building on the same lot.
3. Erection or construction of a communications tower with a height not exceeding 35 feet, or an amateur radio tower.
4. Fences or walls used as fences, unless otherwise regulated by the Homer City Code.
5. Removal of any building or structure.
6. Termination of any type of use. [Ord. 14-18(A)(S-2) § 6, 2016; Ord. 14-56(A) § 1, 2015; Ord. 08-29, 2008].

**21.70.020 Application.**

a. Only the owner or lessee of the lot or a person authorized in writing by the owner or lessee may apply for a zoning permit. The City Planner may require the applicant to submit proof of authority to apply for a zoning permit.

b. All applications for zoning permits shall be on forms furnished by the City. The application shall require the following information:

1. The name, residence address, and mailing address of the applicant, the owner of the lot, and any lessee of the lot.

2. The legal description and street address of the lot.

3. A narrative description of the intended use of the lot, building, or structure.

4. The zoning code use classification under which the permit is sought.

**5. If construction or a new or changed use under a zoning permit will change the quantity or location of required off-street parking, a survey, plat, or plan, drawn to a scale of not less than one inch equals 20 feet showing the actual dimensions of the lot, the exact location of the buildings and structures erected or to be erected thereon, adjacent street rights-of-way, utility easements and facilities, building setbacks, drainage, parking lot ingress and egress points, driveways, parking lot aisles, and the number and location of off-street parking spaces and loading spaces. Where off-site parking will be provided to meet a requirement for off-street parking, a similar survey, plat or plan also shall be provided for the off-site parking, accompanied by the document required by HCC 21.55.060(d). A site plan prepared according to Chapter 21.73 HCC may be substituted for the survey, plat, or plan required by this subsection.**

**6. For new buildings or structures, or for changes to the exterior dimensions of existing buildings or structures, the survey, plat, or plan required by subsection (b)(5) of this section** also plan and elevation drawings of the buildings and structures erected or to be erected thereon. A site plan prepared according to Chapter 21.73 HCC may be substituted for the survey, plat, or plan required by this subsection.

7. Copies of any building permits or other permits required by applicable Federal, State or local law or regulations.

8. Copies of approved plans or other submittals that may be required by code, such as, but not limited to, traffic impact analysis, development activity plan, and stormwater plan.

9. Such additional information as the City Planner shall require to enable the City Planner to determine whether the application satisfies the requirements for issuance of a permit.

10. The applicant's signed certification that all the information contained in the application is true and correct. [Ord. 09-12(A) § 4, 2009; Ord. 08-29, 2008].

#### **21.70.030 Permit issuance and denial.**

a. The City Planner will review the application to determine whether the proposed building or structure, and intended use, comply with the zoning code and other applicable provisions of the City Code, and to determine whether all permits and approvals required by applicable Federal, State, or local law or regulation have been obtained. The City Planner may also refer the application to other City officials for review, comment or approval for compliance with applicable City Code. If the application meets all of the requirements, the City Planner will issue a written zoning permit.

b. The City Planner will deny a zoning permit if the application is incomplete or the City Planner determines that the application does not meet all the requirements for issuance of a zoning permit. A denial must be in writing and state the reasons for denial. It shall be promptly given to the applicant. If an application is denied because of incompleteness, the applicant may resubmit the application at any time, supplying the missing information.

c. In granting a zoning permit, no City official or employee has authority to grant a waiver, variance, or deviation from the requirements of the zoning code and other applicable laws and regulations, unless such authority is expressly contained therein. Any zoning permit that attempts to do so may be revoked by the City Manager as void. The applicant, owner, lessee, and occupant of the lot bear continuing responsibility for compliance with the zoning code and all other applicable laws and regulations.

d. If the City grants a zoning permit when the applicant has not obtained all necessary permits or approvals from the Federal, State, or other local governments or agencies, or has otherwise failed to satisfy all the requirements for a permit, neither the City, the City Planner, or any other City officer or employee shall be liable to any person for any consequences thereof. The applicant, owner, lessee, and occupant of the lot are solely responsible to ensure that all required permits and approvals have been obtained, and the issuance of a zoning permit by the City does not excuse any such requirement nor does it constitute a warranty or representation that all required permits and approvals have been obtained from the Federal, State, or other local governments or agencies. [Ord. 08-29, 2008].

#### **21.70.040 Permit terms.**

a. A zoning permit shall include a deadline that allows the applicant a reasonable amount of time in which to complete the work authorized by the permit. If the work is not completed within the time allowed, the City Planner may grant one reasonable extension for good cause shown. No additional extension will be granted, except upon the approval of the Commission for good cause shown.

b. **Any zoning permit for a building or structure shall require the applicant to submit to the City Planner item 1 below.** A zoning permit for a multiple-family dwelling or for a building or structure for commercial or industrial use shall require the applicant to submit to the City Planner **items 1-3 below.** **All items shall be submitted** promptly after completion of the work:

**1. An as-built survey, completed by a licensed surveyor, of the location, foundation, dimensions, and proximity to all lot lines of all buildings and structures covered by the permit;**

**2. An as-built schematic of the completed building(s) and structure(s) showing at least the perimeter, dimensions, entrances, driveways, parking areas, and loading areas; and**

**3. Proof of compliance with applicable building, plumbing, electrical, mechanical and other such codes adopted by the State of Alaska. [Ord. 08-29, 2008].**

#### **21.70.050 Permit – Public display.**

a. All permits issued under this chapter, including amendments and extensions, shall be displayed for public inspection in a prominent place, readily viewable from the nearest street, at the site for which the

109 permit was obtained. The permit shall be on display prior to commencement of any work at the site and  
110 remain on display until all work is completed.

111 b. The display of the permit constitutes the property owner's implied consent to the public to enter  
112 upon the property as reasonably necessary to inspect the permit at the point of display, and no person  
113 shall impede the access of the public to that point for the purpose of inspecting the permit. [Ord. 08-29,  
114 2008].

115 **21.70.060 Permit – Fee.**

116 The applicant for a zoning permit shall pay a fee according to the fee schedule established by resolution  
117 of the City Council. No application shall be processed until the fee is paid. [Ord. 08-29, 2008].

118 **21.70.070 Other permits under zoning code.**

119 Nothing in this chapter shall relieve the applicant of the obligation to obtain a conditional use permit,  
120 sign permit, variance, or other permit or approval required by other provisions of the zoning code. The  
121 zoning permit required by this chapter shall be in addition to any other applicable permit or approval  
122 requirements. If any such additional permits or approvals are required, they must be obtained prior to  
123 the issuance of the zoning permit under this chapter. [Ord. 08-29, 2008].

124 **21.70.080 Revocation of permit.**

125 a. The City Planner may revoke a permit for cause, including but not limited to any of the following:

126 1. The application for the permit contained any error, misstatement or misrepresentation of  
127 material fact, either with or without intention on the part of the applicant, such as might or  
128 would have caused a denial of the permit or the inclusion of additional conditions or  
129 requirements.

130 2. Any material change in the location, size, or shape of the building or structure made  
131 subsequent to the issuance of a permit, except pursuant to written amendment of the zoning  
132 permit approved by the City Planner.

133 3. Any material change in the use or intended use of the building, structure, or land made  
134 subsequent to the issuance of a permit, except pursuant to written amendment of the zoning  
135 permit approved by the City Planner.

136 4. The failure to comply with the terms of the zoning permit or the failure to complete the work  
137 authorized by the zoning permit within the time allowed in the permit, including any extensions  
138 that may be granted.

139  
140 b. Prior to revoking a permit, the City Planner shall give the applicant, property owner, or lessee affected  
141 by the revocation notice of the grounds for revocation and a meaningful opportunity to be heard  
142 concerning those grounds. If after such hearing the City Planner determines the permit shall be revoked,  
143 the City Planner shall prepare and promptly deliver to the interested parties a written decision stating  
144 the grounds for revocation and citing the evidence in support thereof. The City Planner's written  
145 decision may be appealed. [Ord. 08-29, 2008].

146 21.70.090 Occupancy without a permit prohibited.

147 No person shall use or occupy a building or structure that has been erected, constructed, enlarged,  
 148 altered, repaired, moved, improved, or converted after January 1, 2000, without a properly issued and  
 149 unrevoked zoning permit required by this chapter. [Ord. 08-29, 2008].

150 **21.73.010 Site plan – General.**

151 a. When a site plan is required by other provisions of the zoning code, the applicant shall submit to the  
 152 City Planner for approval a site plan prepared in conformance with this chapter.

153 b. The level of site plan required is specified in the applicable zoning district regulations. If the level is  
 154 not specified, a level one plan is required. [Ord. 08-29, 2008].

155 21.73.020 Site plan – Level one.

156 A level one site plan shall show on a **survey, map or plan** of the subject property, drawn to a scale of not  
 157 less than one inch equals 20 feet, all of the following:

158 a. The precise location of the lot boundaries and all setbacks and easements.

159 b. The precise location and dimensions of all existing and proposed structures, including any proposed  
 160 changes to the exterior dimensions of existing structures.

161 c. Elevation drawings and dimensions of all existing and proposed structures, including any proposed  
 162 changes to exterior dimensions of existing structures.

163 d. Existing site features and conditions, including topography, drainage, streams, water bodies,  
 164 wetlands, lines of mean high tide, storm berms, areas prone to erosion, and the general location of  
 165 vegetation.

166 e. The precise location of all existing and proposed structures in relation to existing and proposed  
 167 streets and other rights-of-way.

168 f. Access, including proposed driveway and curb cuts, with arrows indicating vehicular traffic patterns  
 169 into and out of the site and to and from all parking areas.

170 g. On-site traffic and pedestrian circulation systems, and a detailed parking plan.

171 h. Pedestrian access to adjacent public lands, waters, walkways and trails. Where practical, safe, and  
 172 where other means of access have not been provided, access easements may be required.

173 i. A grading and drainage plan indicating all cuts, fills and areas of disturbance. The plan shall display  
 174 elevation changes and cut and fill quantities.

175 j. The location of the site in relation to other existing uses on neighboring properties. [Ord. 08-29, 2008].

176 **21.73.030 Site plan – Level two.**

177 A level two site plan shall show on a **survey, map or plan** of the subject property, drawn to a scale of not  
 178 less than one inch equals 20 feet, all of the following:

179 a. All information required by HCC 21.73.020(a) through (e);

- b. Access, including proposed driveway and curb cuts, with arrows indicating vehicular traffic patterns into and out of all loading berths or areas;
- c. Turning radius for vehicles;
- d. The location and proposed screening of open storage areas;
- e. Basic floor plans and location of all existing and proposed structures;
- f. Location of utilities;
- g. Proposed signs and lighting;
- h. The location of the site in relation to residential uses and other existing industrial uses on adjacent properties;
- i. Location of snow storage. [Ord. 08-29, 2008].

**21.50.020 Site development standards – Level one.**

**e. prior to any on-site construction of a building or structure requiring a zoning permit the subject lot shall have the corners staked. A stamped communication of a licensed surveyor certifying that the property has been staked shall be provided to the Planning Office.**

**21.50.030 Site Development Standards – Level 2**

**g. prior to any on-site construction of a building or structure requiring a zoning permit the subject lot shall have the corners staked. A stamped communication of a licensed surveyor certifying that the property has been staked shall be provided to the Planning Office.**

**21.50.040 Site development standards – Level 3**

**c. prior to any on-site construction of a building or structure requiring a zoning permit the subject lot shall have the corners staked. A stamped communication of a licensed surveyor certifying that the property has been staked shall be provided to the Planning Office.**





# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Clerk

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## Memorandum

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: ADVISORY PLANNING COMMISSION

THRU: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

DATE: AUGUST 14, 2019

SUBJECT: ORDINANCE 19-19(S) AMENDING HOMER CITY CODE TITLE 14.08, "WATER RULES AND REGULATIONS" TO ADD HCC 14.08.015, "WATER SERVICE AREA"

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The Planning Commission reviewed Ordinance 19-19(S) at the regular meetings on July 17, 2019 and August 7, 2019 and it was the subject of a worksession on August 7, 2019. The excerpt from the minutes for those meetings and Staff Reports have been provided as attachments and backup for the recommendations and request listed below:

Recommend that City Council Review and Address Thresholds with Regard to the Long Term Effects of Extending City Services Outside City Limits to Include Future Connections; Construction; Subdivision of Parcels; Future Main Line Extensions; Effects of Resource Use Changes and Climate Variability on the City Water Source; and

Further Recommend that the Planning Commission Supports the Efforts to Create Policy but does not support Ordinance 19-19(S) as written; and

Additionally after thoroughly evaluating Ordinance 19-19(S) the Planning Commission Recommends that the following Whereas Clause using the same or similar language be included:

"Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation."

And Further Request that the City Council Remand Ordinance 19-19(S) back to the Planning Commission before final Public Hearing and Approval.

Excerpt from August 7, 2019 Meeting Minutes Unapproved

PENDING BUSINESS

C. Staff Report 19-70, Ordinance 19-19(S) Amending City Water Rules to Allow Water Service Outside of City Limits

Chair Venuti introduced the item by reading of the title into the record and commented that they had a very informative worksession on this before the meeting.

City Planner Abboud provided input that it was quite a bit to consider in a short time period and not the usual process that they would use for something similar and he was hesitant to recommend anything on this ordinance since he did not perform the research on this subject.

Chair Venuti reminded him that there were questions from Council directed to the Commission to answer.

The Commission entertained a lengthy discussion covering the following points, topics, issues, and concerns:

- The likelihood of businesses moving to outside city limits and loss of revenue to the city
- Limiting the services to residential properties only
- Existing businesses that are there in the area and how to navigate that
- Future connections and extension of the main line
- Promotion and incentives for affordable housing projects within the city limits that are within the infrastructure
- Requesting additional time from Council to thoroughly review and consider the issue presented to the Commission
- Developing a better and clear policy on extending city services outside city limits
- The issues brought up are more than defining a water service area in city code which is what this ordinance does, the language is pretty good but looking at the overall impact such as interruptability of service.
- Engineering review on the impact of growth that Homer can expect over the next 10 or 20 years for piped water.
- The Commission does not have sufficient information available to truly evaluate these questions.
- Evaluating a decided year for growth pattern
- Impact of trucked water to the Kachemak City area
- The results of the study that stated the supply was fine for now but did that report include extraterritorial water service, potential growth in Kachemak City, climate studies and the patterns that they are experiencing currently
- No immediate alternate water source if ever needed
- New Treatment Plant lessened impacts to the system as a whole
- Is it in the best interest of the city
- Overall economic impact to the city
- Annexation of serviced areas, it was pointed out that annexation or even discussion of the topic was not going to happen.
- Creating regulations that limit the ability of growth or types of connections to the system that is extended outside city limits
- Subdividing parcels that are hooked up to the water outside city limits
- Large Commercial projects and the impact to the system

- The current number of gallons that is released in the overflow based on the typical amount, that is not going into the river system and the environmental impacts that is or will cause in the future.
- There should be more comprehensive long term planning and projections of use
- Restricting growth in neighboring communities can cause further possible volatile problems.
- The lack of a clear decision from Kachemak City
- Smaller lot sizes and requirements such as the Borough has with regard to water and sewer systems, e.g. 1 acre lot
- Requesting the added language to prohibit subdividing without approval of the Planning Commission or City Council and further that Ordinance 19-19(S) does not include the possibility of any further future extensions of the waterline. This would require the property owners who want to hook up to the waterline will be agreeing that they cannot subdivide their property.
- Mandatory hookup or optional
- Consideration of being proactive or reactive when it comes to the water sources
- Review of usage requirements for proposed projects
- The ordinance should address the issue of Homer being able to govern every aspect of the issue

The Commission attempted to form recommendations from questions and concerns raised.

Commissioner Bentz suggested the following: Recommend Council to add language in 14.08.015 (a)(6) of sustainability of the resource

Deputy City Clerk Krause offered the following draft recommendation for the Commission:

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF CLIMATE CHANGE ON THE CITY WATER SOURCE **RESOURCE USE CHANGES AND CLIMATE VARIABILITY** ON THE CITY WATER SOURCE; AND FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS ORDINANCE 19-19(S) AS WRITTEN TO ESTABLISH A WATER SERVICE AREA.

Commissioner Bentz requested that instead of using the words “Climate Change” amend the line to read “resource use changes and climate variability”. She further commented that prefacing that statement with a reference to the intent of the Comprehensive Plan for infill and providing services to the city and having a plan like Appendix B that speaks to the annexation process specifically Step three that looks at water use and how that fits into annexation process and she thought that was really important and she believes that whatever the Commission recommends to City Council they should be aware of that and she believes that extending city services beyond city limits is counterintuitive to the Comprehensive Plan.

Additional discussion on existing projects that are being built are on cisterns and will have trucked water, incorporating the questions into what was drafted by the Clerk, and postponing this discussion for another month.

It was recognized that City Council will have their minutes and state that this is a much bigger issue and it will really determine the vision of Homer and the greater Homer area if we decide to start extending services out and what does that mean as far as Homer’s boundaries growing; Do we envision a scenario where the entire Homer b 43 s receiving piped water from the Bridge Creek

Watershed? Is that sustainable and viable water source for that many properties and that much usage or do we support trucked delivery and cisterns as a conservation method since people do not use as much water when the source is limited?

Commissioner Petska-Rubalcava departed the meeting at 7:55 p.m. due to a prior commitment.

Commissioner Smith requested the Clerk to re-read the recommendation. He would like to include language that the Commission has thoroughly evaluated Ordinance 19-19(S) and that they are responding with the following questions.

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF RESOURCE USE CHANGES AND CLIMATE VARIABILITY ON THE CITY WATER SOURCE; AND FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS ORDINANCE 19-19(S) AS WRITTEN TO ESTABLISH A WATER SERVICE AREA.

Commissioner Highland questioned that the Commission really supports the ordinance as she does not. She also inquired if Commissioner Bentz wanted to include her previous statement in the recommendation.

Commissioner Bentz was not sure if it would be included as a recommendation as it was more of a “whereas” clause and cited her previous statement as a whereas clause, *“Whereas, Our vision is that the City of Homer will expand throughout the entire Homer Bench and provide piped water to the whole area fed by Bridge Creek Watershed.”* Ms. Bentz continued by stating that if that is the intention she feels that it should be acknowledged going into it, if we are supporting these types of extensions of water service. She felt this is the scenario that will eventually play out and is that the plan that they want?

Commissioner Highland asked if they could talk about annexation, seeking input from City Planner one of the questions is if this is in the best interests of the city, it is one of the big questions for her, and if this is in the city’s best interest is this (water) the carrot? She would also like to know the number of people getting trucked water in the area.

City Planner Abboud inquired how that would affect the commission’s response to the City Council on the ordinance.

Commissioner Bentz responded that they could add in as a whereas, “the ability to receive water from city sources outside city boundaries has major impact on the prospects of development in the outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation.” This is in the Comprehensive Plan. So if they add a “whereas” that refers to the Comprehensive Plan it would be transparent.

Chair Venuti commented that if East End Cottages decided to install a cistern then they would not be having this discussion.

Commissioner Highland responded that is why they need a policy. It is allowing them to be proactive. Chair Venuti questioned that the Commission has valid questions to submit to Council.

Commissioner Smith reiterated the recommendation as read by the Clerk and the two whereas statements proposed by Commissioner Bentz.

Commissioner Highland questioned if it was adequate or do they also want to include that they believe more discussion needed and request additional time for further review.

Chair Venuti commented that he would definitely be more comfortable if Kachemak City Council had responded on this issue.

Commissioner Smith recommended that they add a request to City Council that it comes back to the Planning Commission before the final Public Hearing on the ordinance. That way the Commission can review the final draft proposal before Council approves it.

Chair Venuti did not believe that there was an ongoing crisis for approval on the ordinance.

Commissioner Bentz opined that if they pass these comments to Council for consideration at the August 26<sup>th</sup> meeting it would be okay, she had larger concerns on the bigger discussion about resource management and resource planning outside this specific ordinance about a policy for water service areas. She believed that they needed a better understanding of their water resources; Commissioner Bentz stated she learned a lot today at the worksession; better understanding of water projections, potential uses or scenarios for the future so that could be a resource guide for the City Council when they are evaluating a water service area on a case by case basis. She really did not want to create another planning document but believed that having a document to provide a better understanding of their water resources and water uses could be so that when they apply this ordinance in the future they have a really thorough understanding of the sustainability of the resource. There needs to be separate document for information to use as a companion to this ordinance.

There was a brief discussion on how this is presented to Council and assurance that the Clerk captured the Commission's recommendations and concerns.

Commissioner Smith requested the Clerk to read the recommendation again.

Deputy City Clerk Krause read the recommendation as requested noting that the final line regarding support could be deleted or not.

Commissioner Smith would like to have the "Whereas" statements referenced in the recommendation and requested Commissioner Bentz to repeat her previous statement for the Clerk.

Commissioner Bentz requesting assistance in wordsmithing, formulated the statement to be included "Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation."

Commissioner Highland added that she thought the next sentence in item 2, on page B-3 of the Comprehensive Plan was very relevant too. She confirmed with the Clerk that the “Whereas” clause could be as long as needed.

Commissioner Bentz commented that Council may have a better idea on how to articulate this statement but believed that the concept of acknowledging the spread of city services and potential for annexation should be out in front.

Commissioner Smith agreed commenting on the water issue in the reservoir was part of the reason the watershed district was created and makes sense to include the language in the memorandum.

City Planner Abboud noted the City of Homer was granted extraterritorial powers to regulate the Bridge Creek Watershed District since it deals with health, safety and welfare.

Commissioner Highland inquired if the Commission wanted to address large commercial operations in their recommendations as that could present a large user forgoing sales tax, property tax and impacting the water source. She also added that she was uncomfortable saying she supported the ordinance as written.

Commissioner Bentz suggested the following amended language:

“Support the effort to create policy but do not support the ordinance as written.”

There was consensus from the Commission on making that change to the last sentence.

Commissioner Smith requested the Clerk to read the recommendation:

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF RESOURCE USE CHANGES AND CLIMATE VARIABILITY ON THE CITY WATER SOURCE;

FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS THE EFFORT TO CREATE POLICY BUT DOES NOT SUPPORT ORDINANCE 19-19(S) AS WRITTEN;

ADDITIONALLY AFTER THOROUGHLY EVALUATING ORDINANCE 19-19(S) THE PLANNING COMMISSION RECOMMENDS THAT THE FOLLOWING WHEREAS CLAUSE USING THE SAME OR SIMILAR LANGUAGE BE INCLUDED:

“Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for annexation.”

Commissioner Highland then inquired if the Commission would like to include a request for more time.

A brief discussion on what additional time would provide the commission and that rushing this ordinance through there are many major issues that should be thoroughly reviewed and discussed before approving.

Commissioner Smith offered to add language as follows:

“AND FURTHER REQUEST THAT CITY COUNCIL SUBMIT THE FINAL DRAFT ORDINANCE 19-19(S) FOR REVIEW OF THE PLANNING COMMISSION BEFORE HOLDING FINAL PUBLIC HEARING AND APPROVAL.”

The Commission agreed by consensus to add the request noting that it would provide an opportunity to respond or comment on any of Council’s final changes before approval.

Commissioner Highland then asked if they can include a statement that this is considered a very important planning decision.

Commissioner Smith requested a five minute recess.

Chair Venuti called for a recess at 8:17 p.m. The meeting was called back to order at 8:22 p.m.

Chair Venuti commented on adding a request to limiting it to residential only.

City Planner Abboud responded but was not audible for the Clerk to transcribe his response.

Commissioner Bentz inquired about addressing the question of negative impacts to businesses.

A brief discussion ensued on extending the water lines impacting local trucking companies, and comparing it to the Natural Gas line and those impacts to the fuel oil companies.

Chair Venuti inquired if the Commission has completed their discussion on this subject.

Commissioner Smith asked for the Clerk to read the recommendation one last time.

RECOMMEND THAT CITY COUNCIL REVIEW AND ADDRESS THRESHOLDS WITH REGARD TO THE LONG TERM EFFECTS OF EXTENDING CITY SERVICES OUTSIDE CITY LIMITS TO INCLUDE FUTURE CONNECTIONS, CONSTRUCTION, SUBDIVISION OF PARCELS, FUTURE MAIN LINE EXTENSIONS, EFFECTS OF RESOURCE USE CHANGES AND CLIMATE VARIABILITY ON THE CITY WATER SOURCE; AND

FURTHER RECOMMEND THAT THE PLANNING COMMISSION SUPPORTS THE EFFORT TO CREATE POLICY BUT DOES NOT SUPPORT ORDINANCE 19-19(S) AS WRITTEN; AND

ADDITIONALLY AFTER THOROUGHLY EVALUATING ORDINANCE 19-19(S) THE PLANNING COMMISSION RECOMMENDS THAT THE FOLLOWING WHEREAS CLAUSE USING THE SAME OR SIMILAR LANGUAGE BE INCLUDED:

“Whereas, The Homer Comprehensive Plan addresses issues such as water access by stating that the ability to receive water from city sources outside city boundaries has a major impact on the prospects for development in outlying areas where options for wells are limited and determining if areas receiving water should be high priority areas for 47 ation.”

AND FURTHER REQUEST THAT THE CITY COUNCIL REMAND ORDINANCE 19-19(S) BACK TO THE PLANNING COMMISSION BEFORE FINAL PUBLIC HEARING AND APPROVAL.

There was a brief discussion on needing a motion to forward the recommendation to Council.

SMITH/BENTZ – MOVED TO FORWARD THE PLANNING COMMISSION RECOMMENDATION ON ORDINANCE 19-19(S) AS WRITTEN AND AMENDED.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Excerpt from July 17, 2019 Meeting Minutes – Approved

**NEW BUSINESS**

a. Staff Report 19-61, Ordinance 19-19(S) to allow piped water outside of City limits

Chair Venuti introduced the item by reading of the title and requested input from City Planner Abboud.

City Planner Abboud noted the Commission heard from Councilmember Smith, referenced the information contained in the packet and stated that the city needs to develop a policy. He requested input from the Commission to formulate a response.

Chair Venuti stated that the company that wanted to build low income housing which is what brought this issue about has been rescinded so questioned the necessity for the commission to address the issue.

City Planner Abboud responded that while that may be the case the City Council should still consider developing a policy so there are no questions in the future.

The Commission entertained discussion that included the following points:

- Supported developing a policy regarding extension of city services outside city limits
- Draining supply of water in drought periods and over extending uses
- Possibility of annexation of areas that want city services
- How to determine who gets city services and who doesn't
- Additional discussion is needed
- Extension of services to those within city limits first before offering services to properties outside of city limits
- Project of additional water sources, is this needed
- Use of improvement district creation and process outside city limits
- Motivation to supply water to that (those) property (ties)
- What is the plan for draw down, contracts with trucking companies, building out water systems into extra territorial parcels, will this action lend to annexation in later years



Commissioner Bentz asked City Planner Abboud about having a worksession to answer some of the questions.

City Planner Abboud responded that this is a date specific issue and he is not sure that much could be put together and continued by noting that the Commission seems to have concerns on the concept and those concerns could be written down. He then noted that water issues could possibly be addressed in the extra territorial.

Commissioner Highland added that she did not want to see a repeat of a split Council vote with the Mayor breaking the tie since there is no policy in place, reiterating that a policy is necessary and decision should not be reliant on who is sitting on the Council at the time.

Chair Venuti requested clarification on when the response was needed on this issue.

Deputy City Clerk Krause confirmed that Council has this scheduled for the August 26, 2019 meeting.

Chair Venuti noted the time frame and inquired if Commissioner Bentz would like to make a motion to have a worksession.

BENTZ/BOS MOVED TO SCHEDULE A WORKSESSION ON ORDINANCE 19-19(S) AND MEMORANDUM 19-072 AND INVITE THE SPONSOR OF THE ORDINANCE AND OR MAYOR FOR THE NEXT MEETING.

There was discussion by the commission on inviting members of Council and the Mayor to attend a joint worksession to provide some input and information to assist in formulating their response.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud questioned what information staff could provide.

Commissioner Bos responded that other times Council has requested the Commission's input and there is some background as to why they are doing something and how it came into question. He was just wanting the background on why they are requesting this action.

There was a brief discussion on allowing Councilmember Smith to address some points the commissioners made in the previous discussion.

Deputy City Clerk Krause advised the Commission on the proper procedure.

BOS/BENTZ MOVED TO SUSPEND THE RULES TO ALLOW COUNCILMEMBER SMITH TO PROVIDE BACKGROUND INFORMATION ON ORDINANCE 19-19(S).

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Councilmember Smith admitted that there is some history and was not sure value that would offer the commission. He stated that he believes a policy is needed and this is what the Ordinance 19-19(S) intends to do. Council took an action that they are allowed to do and some people were not happy about it. A policy is an important path forward. This is really determining what the City has, what they are capable of doing and what risks are involved. He further noted that Todd Cook, Water/Waste Water Treatment Superintendent presented to City Council, and that even with the 6 week dry period they are still at 50% capacity, they still flushed the system and it is still overflowing and it would take an apocalyptic event to task the city water sources. There are 16 lots that are currently using city water so that does not add any additional burden on the system. Mr. Smith further stated that they can look back as far as they want or they can look forward and determine what is in the best interest of the system. They are not talking about building out infrastructure into extra territorial properties but looking at allowing extra territorial properties to tie into existing infrastructure or become part of a cost sharing that will allow the city to build out into adjacent city lands which helps in the cost sharing. Otherwise it is very cost prohibitive. It is not about driving a main up Kachemak City and allowing properties to hook up.

City Planner Abboud inquired about the water line/section line that goes up to a subdivision, Canyon Trails.

Councilmember Smith responded that was paid and installed by the developer and is not an oversized main. He further stated that Todd Cook provided some very good information on the city water system.

Chair Venuti inquired about city residents who were unable to hook up to water.

Councilmember Smith responded that HAWSP is upside down right now. He provided information on the payment and funding for infrastructure with special assessment districts and grants. He provided the basics on how HAWSP program works. He then provided some background information on how the water line was installed out east end and how that was made viable with splitting the costs assigned to properties between Kachemak City and Homer.



## City of Homer

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### Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Katie Koester, City Manager  
DATE: August 7, 2019  
SUBJECT: August 12 City Manager's Report

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#### **Regulatory Commission of Alaska Hearing on Enstar Tariff 310-4**

The week of July 29<sup>th</sup> I, along with Mayor Castner, attended the Regulatory Commission of Alaska (RCA) hearing on Enstar Tariff filing 310-4. Councilmembers Stroozas and Aderhold were able to attend for a few days each and provide support, strategy and input. It was very meaningful to have Homer represented; the panel that heard the filing consisted of 2 former Mayors and the significance of 3 municipal governments aligning and the effort it took for elected officials to take the time out of their schedules was not lost on the Commission. I served as a witness to represent the Homer Area Ratepayers, the the name we gave ourselves to speak collectively as the Kenai Peninsula Borough, Kachemak City and the City of Homer. I explained how upset customers were when they learned that the surcharge could last more than 30 years. I was there to help put a 'face' to the issue and remind the Commission how their decision effected customers.

Homer Area Ratepayers entered into a settlement agreement with Enstar preceding the hearing. This agreement was much more favorable to us than Enstar's original position and represented significant compromise on Enstar's part. Under this agreement the tariff would remain the same (\$1 per MCF) and it would have a hard end date (2032) instead of remaining place potentially indefinitely. It was meaningful to be able to show the Commission that two adversarial parties were able to come together and compromise; both emphasized in testimony how important it was to have a positive relationship moving forward. Another critical component of the settlement agreement was regular reporting to the municipal governments on the status of the tariff to bring greater awareness to the issue. If natural gas sales exceed expectations, the \$1 per MCF could be removed before 2032.

The settlement was contested by the Regulatory Affairs and Public Advocacy (RAPA) section of the Attorney General's Office which made for a longer hearing and potentially more uncertain outcome. A key component of the settlement was rolling the cost overruns from installation of the trunk line in 2012 (\$1.08 million) into overall customer rate base. This represents an annual increase to the average customer of .05 cents a month. The benefits to the overall system of the Homer area connected to the system and sharing in the overall system costs was clearly demonstrated.

The RCA will make their decision any time between now and November 3, their statutory end date. They could agree with the settlement, or alter it in some way based on the hearing. A clear take away I had from the week of hearings was how important it was the municipalities spoke up and participated; taking an active role was necessary to get the Commission's attention and represent Homer area constituents.

quick action by the Mayor upon discovering that the tariff was not functioning as it should and the responsiveness of all three bodies will undoubtedly put Homer area ratepayers in a better position moving forward.

### **Update on Poopdeck Trail Project**

In July, Ptarmigan Ptrails, a Northwest-based trail construction company and member of the nationally recognized Professional Trail Builders Association, began trail construction on Kachemak Heritage Land Trust Poopdeck Platt property and on the adjacent City of Homer property. The new universally accessible trail is part of the Poopdeck Community Park project, aiming to help make Homer a more accessible community. Currently, construction is on hold until September due to a delay in shipment of building materials but is still on track to be completed this fall.

The trail construction is being done in collaboration with the City of Homer and the Homer Independent Living Center with funding from the Alaska Recreational Trails grant program and a required 10% match from the City. Other upcoming features of the Poopdeck Community Park project include informational signs with interactive elements, and in partnership with Homer Animal Friends, dog lending leashes and waste disposal stations.

### **Municode and Commission Chair Training**

The Clerk's office has been busy training and being trained. Staff sat in on a webinar provided by Municode Meetings that addressed some program updates and upcoming features that include the ability to display agenda titles on the Council Chamber screens as they come up for discussion, as well as the vote results when members vote on their iPads, and the option for legislators to submit agenda packet materials through the system. They've improved the PDF bookmarks of the agenda packet that direct the user to the first page of the agenda item, and the ability to publish ADA compliant HTML agendas and agenda packets to the City website. Municode Meetings is working on an integration between the Agenda program and the Municode codification program. The codification program is used to provide our City Code online and currently the City uses another company for this service. The Clerk is looking into the possibility of transitioning to Municode. They are also looking into integration with Laserfiche, which is a service the City uses for document management. Then integration with Laserfiche is down the road a year or two but has the potential to enhance our ability to easily provide public information through our website.

On July 24<sup>th</sup> the City Clerk held a training for Commission and Board Chairs and Vice Chairs. All of the groups were represented with seven Chairs and/or Vice Chairs in attendance along with each group's staff liaison. The training focused on the roles and responsibilities of the Chair/Vice Chair, the duties of staff in respect to their commission or board, and Alaska Statutes 44.62.310 and .312 Government meetings public and State policy regarding meetings. This is the first time a training like this has been offered in quite some time and it was well received with everyone who attended asking great questions and participating in the discussion. They touched on the 11 duties of the Chair per Robert's Rules of Order and recognized those duties are about procedure and running a meeting well, and not about exercising the leadership position to determine an outcome or be in control of the groups decision. They addressed ways to have productive discussion and ensure all members have an opportunity to share their views, processes for developing agendas and submitting materials in a way that leads the groups into productive meetings, and their role to conduct the public's business openly.

### **Visit with Senator Murkowski**

Mayor Castner, Port and Harbor Director Hawkins and I had the change to visit with Senator Murkowski on Saturday, August 3<sup>rd</sup> as she was in town for the Field to Vase dinner showcasing our outstanding local peony industry. We spent most of our 45 minutes updating her on the Large Vessel Harbor project as it is moving into the next phase and will be up for funding consideration by the Corps in the next budget cycle. We also solicited her help on navigating erosion issues on the Homer Spit as it will require a collaborative approach between the City, state and Federal government. Her office has kept very involved in the conversation and we appreciate her interest and concern.

### **Alaska Municipal League Summer Conference**

The day after City Council (August 13<sup>th</sup>) is the first day of the AML summer conference. We are fortunate it will be held in our back yard - Soldotna. The week promises to be interesting and I will have a full report for the next meeting. Some of the topics I am looking forward to include professional development on managing department heads put on by the Municipal Managers Association and an update on online sales tax. No doubt the state budget impacts will dominate the meeting.

### **The Bees Knees**

Stoked Beekeeping Co. has been approved to temporarily place a beehive on City property near Alice's Champagne palace to generate interest for a fundraising benefit for Homer Wilderness Leaders (HOWL) on September 8<sup>th</sup>. The hive can be accessed on foot by the interested public through the Alice's parking lot. The entrance of the hive will be south facing, so much of the coming and going of foraging bees will go unnoticed over the two large vacant lots south of the hive. The hive will be regularly tended and removed by September 10<sup>th</sup>. In the meantime, City property will enjoy a visit from these friendly pollinators.

### **Seawall Study**

I have attached the engineering report exploring long term preservation options for the seawall in addition to a cash flow analysis that went out to property owners on August 8<sup>th</sup>. The report recommends installing rip rap at the toe of the seawall at a cost of between 1.5 and 2.1m. Even if we are able to use existing revenue to finance this solution, it will require a significant increase in revenue either in the form of property taxes or a special assessment district. I have scheduled a neighborhood meeting with property owners for August 20 at 5:30pm. Potential next steps include funding a more detailed cost analysis and selecting a preferred option.

Enc:

Seawall engineering report, cash flow analysis and August 7 letter to property owners

Thank you from KBBI



# Memo

Date: Thursday, June 27, 2019

Project: Homer Seawall Study

To: Carey Meyer, PE Homer City Engineer

From: Ronny McPherson, PE HDR

Subject: Homer Seawall Alternatives Analysis



The purpose of this technical memorandum is to review the condition of the Homer seawall (herein referred to as the “seawall”) and provide concepts for improving the structure that would reduce maintenance cost and extend the functional life of the structure.

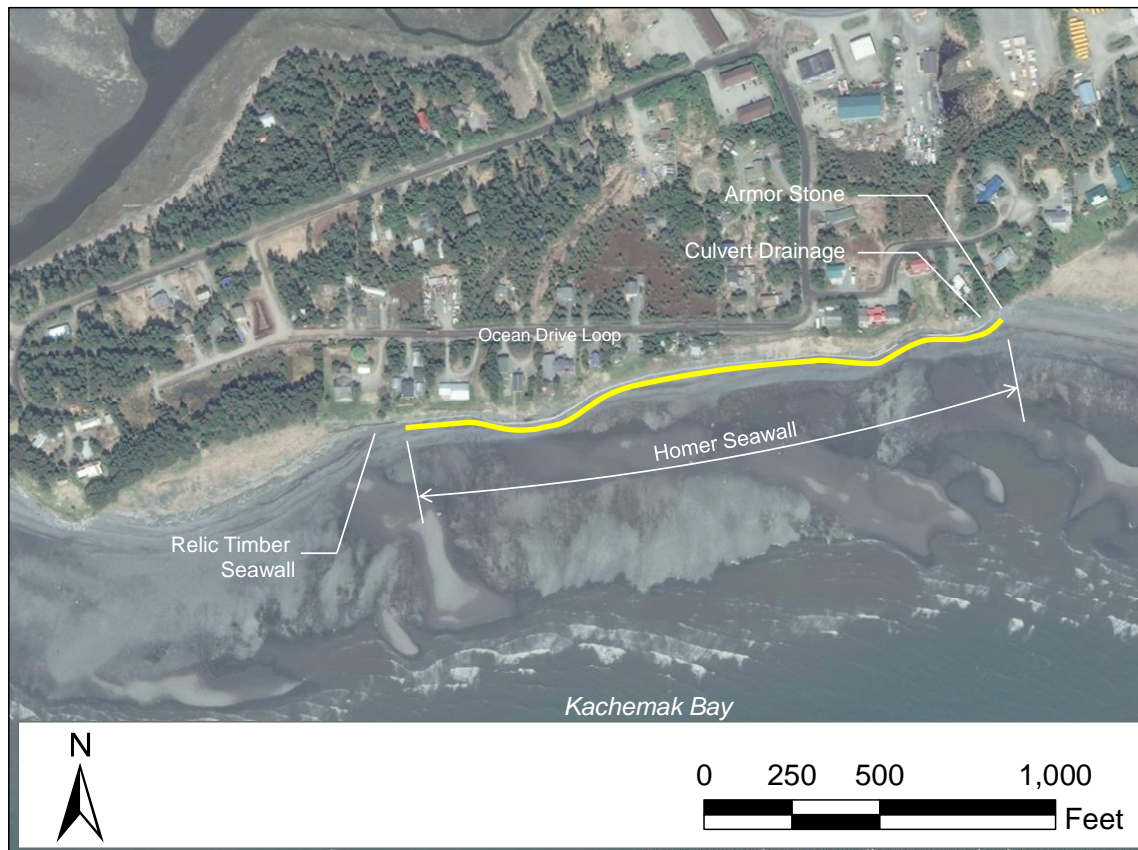


Figure 1. Homer seawall location map.

The seawall was constructed in 2002 using fiberglass sheet pile. Based on information provided by the City of Homer, the structure experienced immediate challenges primarily due to several major storm events occurring during construction and has since required continued maintenance to maintain functionality. One issue that was observed early in the project, was the

degradation of the sheet pile material due to abrasion from the beach sediments. Timber paneling was subsequently installed to mitigate the abrasion. A steel whaler (horizontal structural member) was also installed to provide additional structural support for the wall (Figure 2 and Figure 3). Over time, it has been observed that the elevation of the seafloor at the toe of the wall is lowering, noting that the elevation of the toe varies greatly throughout the year (i.e. seasonal variations). Continued lowering of the toe elevation will eventually undermine the seawall and allow retained uplands to slough.

## Existing Homer Seawall Observations

A site visit was conducted on April 25, 2019 with the City of Homer City Engineer to observe the condition of the seawall. During the visit, several sink holes at the top of the seawall were observed. These were generally correlated with local failures of the timber facing at the toe of seawall (Figure 4). Within these local failures, the degrading effects of the prior abrasion were observed. Seawall height, as measured from the beach to the top of the sheet pile, was measured near the culvert drainage located on the east side of the seawall (Figure 1) and was found to be approximately 15 feet. A schematic showing the approximate conditions of the existing seawall is shown in Figure 2. Armor stone was observed on the eastern terminal of the seawall and is shown in Figure 5. Many of the armor stone were observed to have rounded edges indicating recurring movement over time which is assumed to be due to wave action. Based on rough measurements and an assumed density of 160 pounds per cubic foot, stones were found to range from 1,500 lbs. to 7,500 lbs. in weight with most stones weighing less than 2,000 lbs.

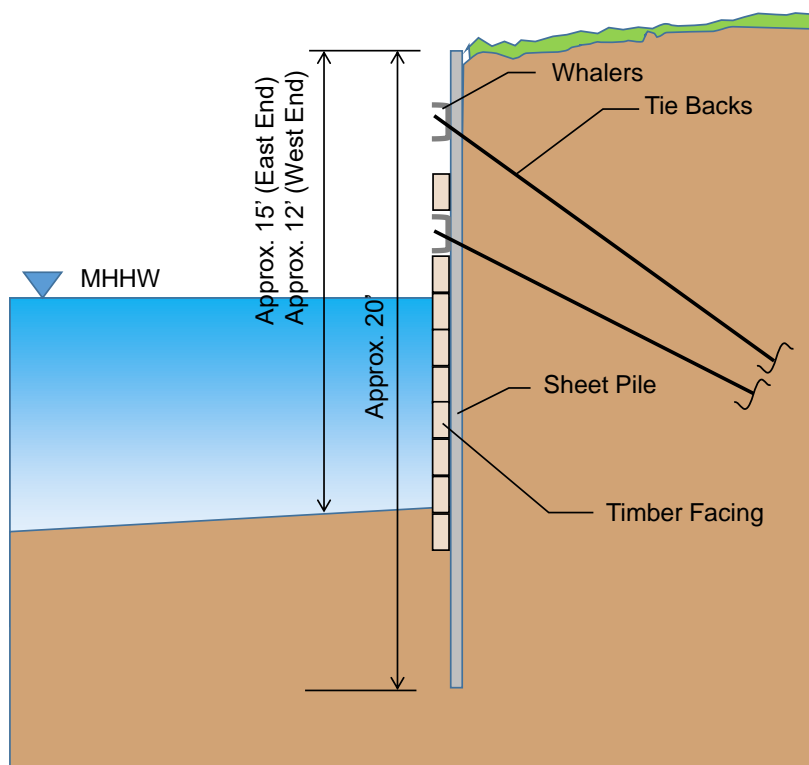


Figure 2. Existing seawall schematic.



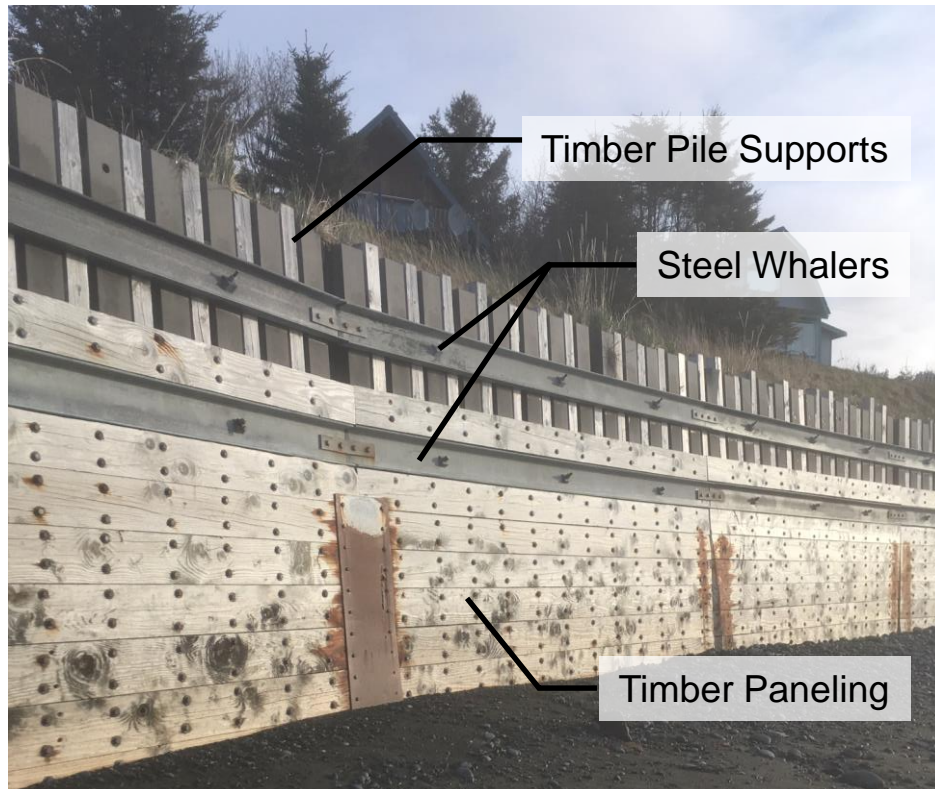


Figure 3. Seawall existing condition.



Figure 4. Example of observed local failure – correlates to sink hole at top of the seawall. Inset shows previous assumed abrasion damage.



Figure 5. Observed armor stone at east terminal of the seawall.

### Metocean Conditions and Sediment Transport

The following provides a brief description of the meteorological and oceanographic (metocean) conditions as well as sediment transport trends near the seawall.

#### Tide

Tide datums for the area were gathered from the NOAA tide station located at Seldovia, AK and are provided in Table 1. Although this station is located across Kachemak Bay, the tide datums provide a good representation of conditions at the project site. The base of the seawall is estimated to be at an elevation of approximately +12' Mean Lower Low Water (MLLW) based on observed tide levels during the site visit.

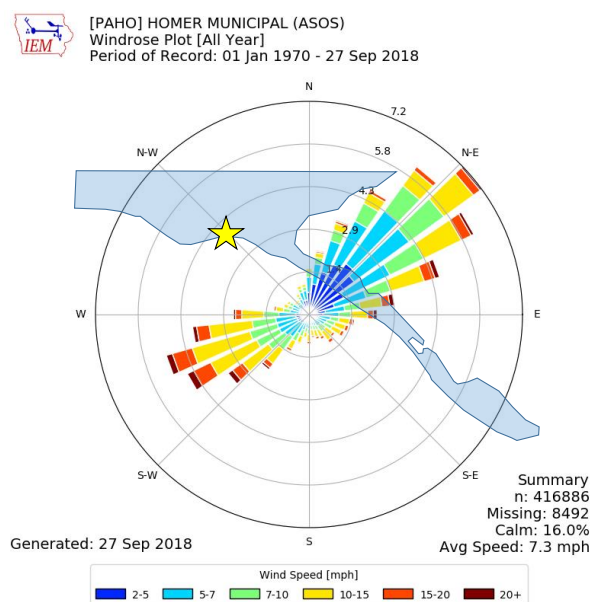
Table 1. Tidal Datums at Seldovia NOAA Tide Gauge (NOAA 2019)

	Elevation, FT (MLLW)	Elevation, FT (NAVD88)
Mean Higher High Water	18.1	12.7
Mean High Water	17.2	11.9
Mean Sea Level	9.6	4.3
Mean Low Water	1.7	-3.6
Mean Lower Low Water (MLLW)	0.0	-5.3
North American Datum of 1988 (NAVD88)*	5.3	0.0

\*NAVD88 conversion calculated using Alaska Department of Natural Resources – Alaska Tidal Datum Portal (DGGs 2019).

## Wind

Figure 6 provides a wind rose from data gathered at the Homer airport. The wind rose graphically shows the wind direction, magnitude, and frequency of occurrence. A silhouette of the Homer spit with the seawall location shown as a “star” is also included in the figure in the background. This provides a graphical orientation of the shoreline at the seawall in relation to the wind trends. From the figure, it can be seen that annually wind predominantly blows in two directions: northeast and west southwest.



**Figure 6. Wind rose showing predominant wind direction, frequency, and magnitude at Homer, AK (ISU 2019).**

## Waves

Kachemak Bay is relatively shielded from open ocean swell coming from the Gulf of Alaska. Waves generated at the site are primarily wind-generated waves that have developed within the Kachemak Bay/Cook Inlet water bodies. Because of this, wave directional trends will closely align with wind directional trends shown in Figure 6. Due to the presence of the Homer spit and orientation of the project shoreline, waves traveling from the northeast direction will not be able to develop to any significant size prior to impacting the seawall. However, waves traveling from west southwest can reach a significant size due to the large fetch (>80 miles) and deep water across Kachemak Bay and Cook Inlet. Considering these conditions, it is believed that depth limited storm waves impact the seawall on a regular basis. Figure 7 provides an example of storm conditions during a high tide at the seawall. In addition to the large wind-generated waves impacting the seawall, wave reflection off the seawall likely amplifies the waves just seaward of the structure.





**Figure 7. Storm waves impacting existing Homer seawall (photo courtesy of City of Homer).**

### **Sediment Transport**

For discussion purposes, sediment transport can be simplified as cross-shore transport and long shore transport.

Cross-shore transport is the movement of sediment up and down the beach profile (section view). In typical open-ocean beaches, wave action from winter storms will cause cross-shore sediment transport to the lower part of the beach profile creating a skinner beach or lower beach elevations. During calmer summer periods, cross-shore transport will move this sediment back up into the higher portions of the beach profile creating a seasonally wider beach. This trend or some variation is likely occurring as seasonal variations of the Homer beach elevations are typical.

Long shore sediment transport is the movement of sediment parallel to the shoreline. Sediment will move along the shoreline as waves approach a shoreline from an oblique angle. The more oblique the angle and more wave energy, the more sediment is transported. Based on the wave directional trends and orientation at the Homer seawall, the beach experiences waves impacting the shoreline from a consistent oblique angle, thus a net sediment transport from west to east can be assumed with minimal to no seasonal transport from east to west. In addition, the overall presence and orientation of the neighboring Homer spit also indicates that the net sediment transport is from west to east at the seawall.

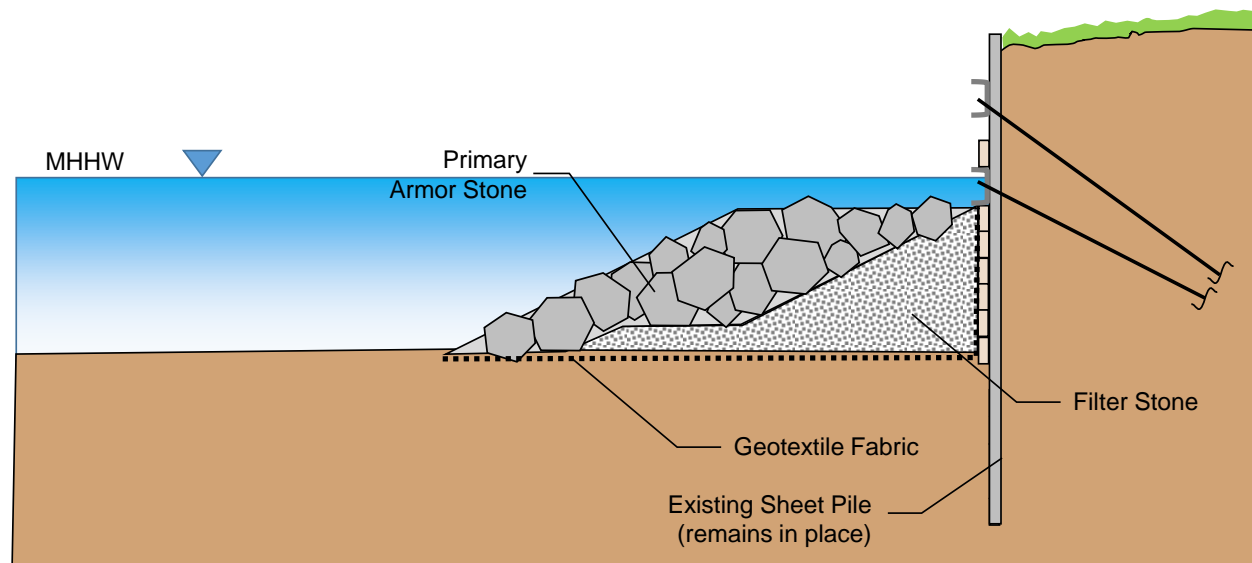
## Seawall Improvement Concepts

Several concepts for improving the longevity of the existing seawall were reviewed.

- 1) Armor Stone Scour Protection
- 2) Geotextile Container Scour Protection
- 3) Groin Field
- 4) New Steel Sheet Pile Wall
- 5) New Soldier Pile and Concrete Lag Wall

### Concept 1: Armor Stone Scour Protection

Armor stone scour protection involves constructing a revetment type structure at the base of the existing seawall. The structure would utilize at least two stone material classes: a filter stone and a primary armor stone. A non-woven geotextile fabric would be placed as a barrier between the filter stone and the seawall as well as the beach. Filter stone would then be placed as a wedge between the primary armor stone and the seawall. This rock material and geotextile fabric will act as filter layers to reduce sediment migration through the structure. Sediment loss behind the seawall should thereby be minimized, which would reduce localized failure from “sink holes.” The filter stone will also provide protection to the existing seawall from the larger primary armor stone which could damage the seawall during construction or if stones moved during a storm event. This revetment concept would reduce scour (lowering of the beach) at the base of the seawall, which if were to continue, could result in the collapse of the seawall. This concept should also prevent continued damage at the base of the seawall such as the “kicking out” of the seawall at the base as observed during the site visit. However, it should be noted that repairing a localize failure of the seawall would become significantly more challenging with a rock structure in place at the toe. Figure 8 provides a schematic of this concept.



CONCEPT 1 – ARMOR STONE SCOUR PROTECTION

**Figure 8. Concept 1 - Armor stone scour protection schematic.**

#### Advantages:

- The seawall toe would be shored up with the armor stone mitigating localized failures of the seawall increasing the longevity of the structure. Continued lowering of the beach elevation in front of the seawall would not be a major concern.
- Armor stone structures can be design to have a long service life.

#### Disadvantages:

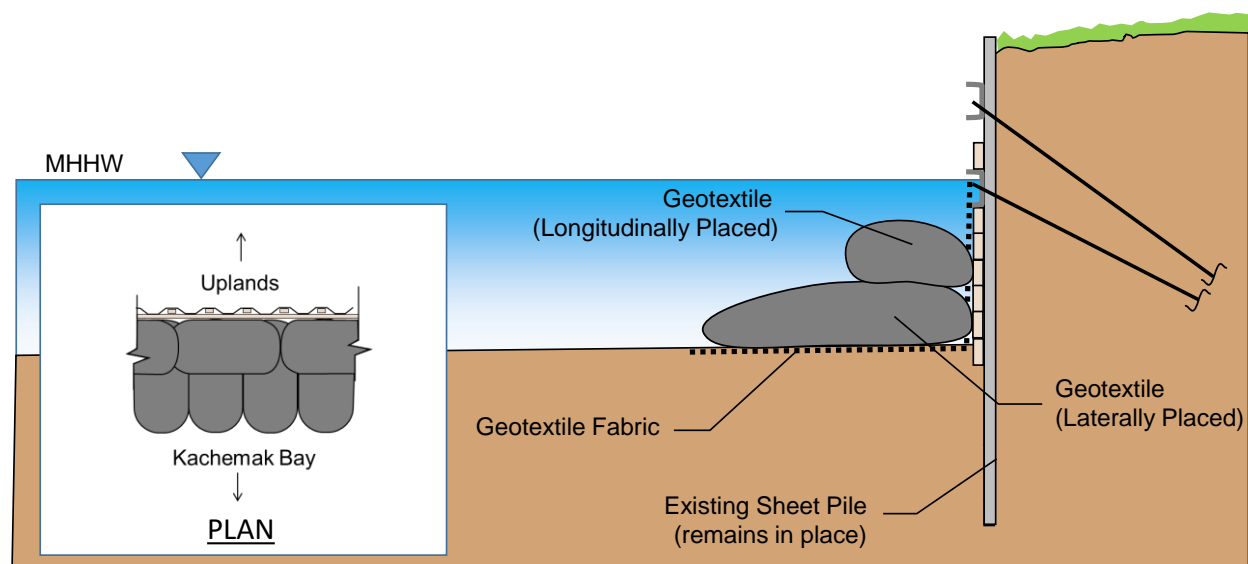
- If a localized failure were to occur due to a seepage of sediment through the seawall, repair of the failure would be more challenging (costly) than the current repair method.
- Armor stone can have a high construction cost.

Variations of Concept 1 – There are several other materials that can be used in lieu of armor rock for revetment type structures. These include gabion mattresses or baskets, geotextile marine mattresses, articulating concrete blocks, and concrete armor units. The following provides a few thoughts on these types of technologies for this application.

- Gabions – Gabions are wire baskets or mattresses that contain stone. Their advantage is that through the containment of smaller stones, their ability to withstand waves and currents is much greater than if the same size stones were uncontained. However, gabions will become ineffective and may fail if the wave environment is too great – which may be the case along the seawall. Since gabions are made of steel, they have a tendency to degrade quickly in a saltwater environment. To combat corrosion, gabions are manufactured with galvanized steel, stainless steel, and PVC coatings.
- Marine Mattress – Marine mattresses are similar to gabions in that they contain smaller stone, however, marine mattress use a flexible geosynthetic material. These structures are generally able to withstand the saltwater environment better. Similar to the gabion concept, marine mattresses are not effective and subject to failure if the wave environment becomes too extreme which may be the case along the seawall.
- Articulating Block Mats (ABMs) – ABMs come in a variety of shapes, sizes, and configurations. Often, ABMs interlock/connect with a puzzle type shape and/or rope or cable. ABMs offer good mitigation against erosion but are often damaged due to undermining of the structure and do not have the ability to self-adjust like an armor stone revetment. In addition, ABMs are typically used in lower energy wave environments.
- Concrete Armor Units (CAUs) – CAUs come in a variety forms but often resemble large concrete “jacks.” These type of structures can be very advantageous in high wave energy environments because they can be constructed larger than easily quarried armor stone. CAUs would breakdown wave energy approach the seawall but are not preferred over traditional armor stone in this situation because they would not easily mitigate localized scour and local failure of the existing seawall (i.e. they would not prevent sediment migration through the existing seawall).

## Concept 2: Geotextile Container Scour Protection

Geotextile container scour protection would be very similar to the shape and functionality of the armor stone scour protection (Concept 1), however, the primary building material would be a sand-filled geotextile fabric container. The container would be made using a two-layer geotextile fabric system. The inner-fabric of the container would be made of non-woven geotextile material to prevent sediment migration through the container. The outer-fabric would be made of a strong woven geotextile fabric to support the weight of the container which can be upwards of 2,000 lbs. Containers would be fabricated with three sides pre-fabricated (sewn) similar to a pillow case. The container would also have pre-fabricated straps sewn in to allow a spreader bar to place the container in the desirable location. The containers would then be filled with locally sourced sand using a hopper and the remaining side sewn in the field. Ideally containers would be sized to be the maximum weight the construction equipment could handle and maneuver. The containers would be placed along the toe of the seawall to prevent scour. Figure 9 provides a schematic showing the section and plan of this concept. Figure 10 provides an example of a geotextile container revetment, however, note the containers are placed differently (pyramid-layout) than shown in Figure 9 and are not placed directly against the seawall.



CONCEPT 2 – GEOTEXTILE CONTAINER SCOUR PROTECTION (SECTION)

Figure 9. Concept 2 - Geotextile container scour protection section schematic.



**Figure 10. Example of geotextile container revetment (pyramid layout). In the Homer seawall case, the containers would be placed against the seawall.**

#### Advantages:

- The seawall toe would be shored up with the geotextile container mitigating localized failures of the seawall increasing the longevity of the structure. Continued lower of the beach elevation in front of the seawall would not be a major concern.
- Geotextile container fabrication is significantly less costly than armor stone. Sand used to fill the containers is assumed to be readily available in the Homer area.
- If a localized failure were to occur due to a seepage of sediment through the seawall, repair of the failure would not be as challenging as an armor stone revetment since only a few containers would need to be removed and replaced.
- The structure would be fairly inexpensive to repair if some containers were damaged. At the time of initial construction, additional containers could be fabricated and stored until needed.

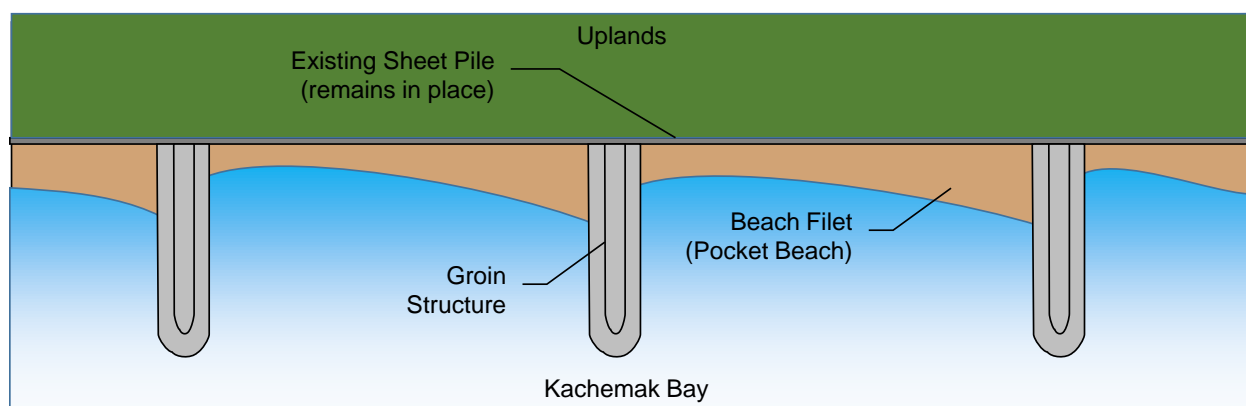
#### Disadvantages:

- More easily damaged by larger wave forces and has higher potential for rupturing due to debris.
- Geotextile containers do not have as long of a design life as other materials such as armor stone or steel sheet pile. The fabric breaks down overtime due to sunlight and weathering.
- Geotextile containers are easily vandalized (e.g. cut with a knife) and rendered ineffective.



### Concept 3: Groin Field

A groin is a coastal structure that is orientated perpendicular to the shoreline with the intent of disrupting the long shore sediment transport. A groin field is a series of groins placed relatively uniformly along a shoreline that create pocket beaches between structures. Groins can be constructed with a variety of materials but are most often constructed with armor stone. As sediment travels along the shoreline due to wave action and currents, a groin will disrupt the flow of sediment and accrete sediment along the up-drift side of the groin (called a filet). Since wave action and/or currents will continue to move sediment, the down-drift side of the groin will lose sediment/erode. In the situation of a groin field, sediment between groins is relatively stable. The most down-drift groin, however, is still subject to this potential erosional effect. Since there is a significant net long shore sediment transport along the seawall, a groin field would be very effective at retaining sediment in front of the seawall. However, erosion effects at the down-drift side of the seawall could be very significant with minimal opportunities for wave action to replenish the down-drift side with sediment. A potential solution to offset the significance of the down-drift erosion is to create a groin structure that is quasi-porous allowing a portion of the sediment to transport through the groin structure. An example of this would be a series of timber piles driven close to each other or armor rock structure with a low crest elevation. Making the groin structure quasi-porous also limits the effectiveness of the groin. Figure 11 provides a plan-view schematic of this concept.



CONCEPT 3 – GROIN FIELD (PLAN)

**Figure 11. Concept 3 - Groin field plan schematic.**

Advantages:

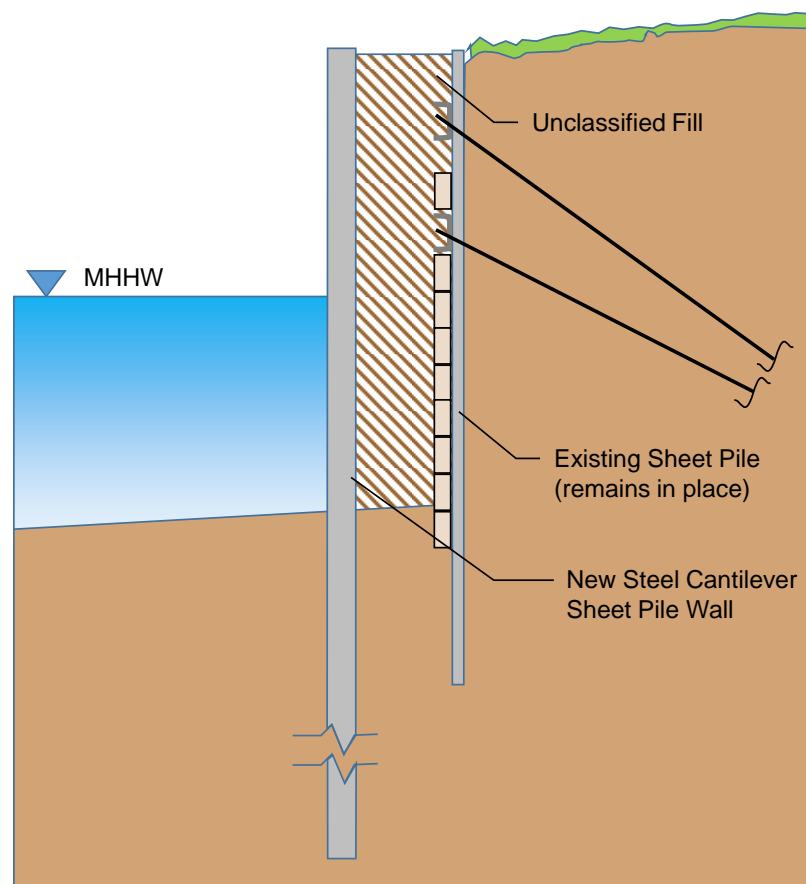
- The seawall toe would be shored up with additional natural sediment. Continued lower of the beach elevation would be halted or slowed greatly.
- Localized failures of the seawall would not be any more challenging than they are today.
- Depending on the amount of sediment accumulation in front of the seawall, localized failures would likely be reduced.

#### Disadvantages:

- Groins do not limit cross-shore sediment transport. A large storm could erode sediment at the base of the seawall.
- Multiple groin structures, especially made of armor stone or sheet pile, would be very costly.
- Groin structures made of timber would have a limited life span compared to armor stone.
- Potential for down-drift erosional impacts are great.

#### Concept 4: New Steel Sheet Pile Wall

A new steel sheet pile wall, similar to the wall used to repair the seawall on the eastern side could be installed just seaward of the existing wall. The wall could be design to be cantilevered (i.e. requiring no tie backs). Fill would be placed between the new steel sheet pile wall and the existing sheet pile wall effectively encapsulating the structure. The design life of the existing structure would then be negated as the design life would solely rely on the new steel sheet pile wall. This concept would be similar to the current seawall, but with a more robust structure. Figure 12 provides a schematic of this concept.



CONCEPT 4 – NEW STEEL SHEET PILE WALL

Figure 12. Concept 4 - New steel sheet pile wall schematic.

#### Advantages:

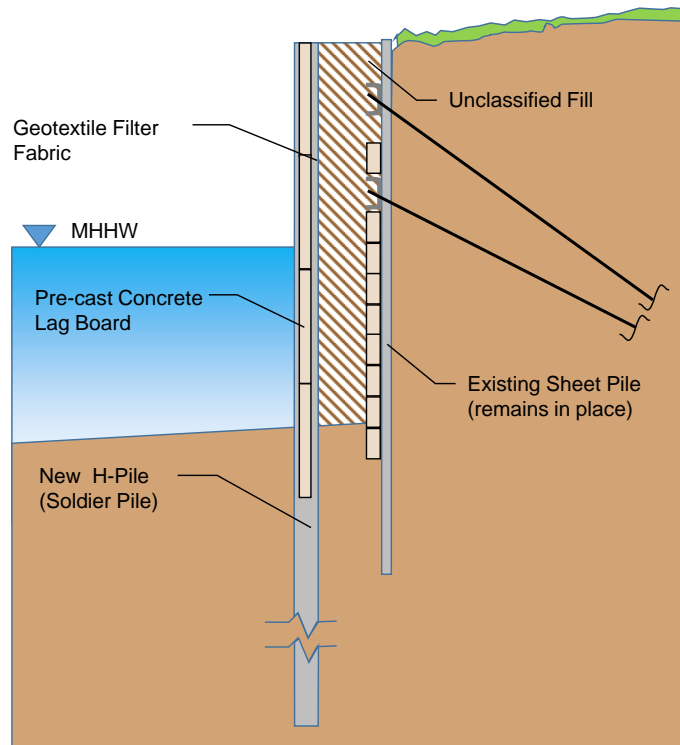
- Condition of the existing seawall (e.g. localized failures) would not be a factor in the longevity of the retaining structure.
- Lowering of the beach elevation could be factored into the design.
- Steel sheet pile walls can be design to have a long service life.

#### Disadvantages:

- Installation of steel sheet pile can very expensive and is often more expensive than armor stone structures.

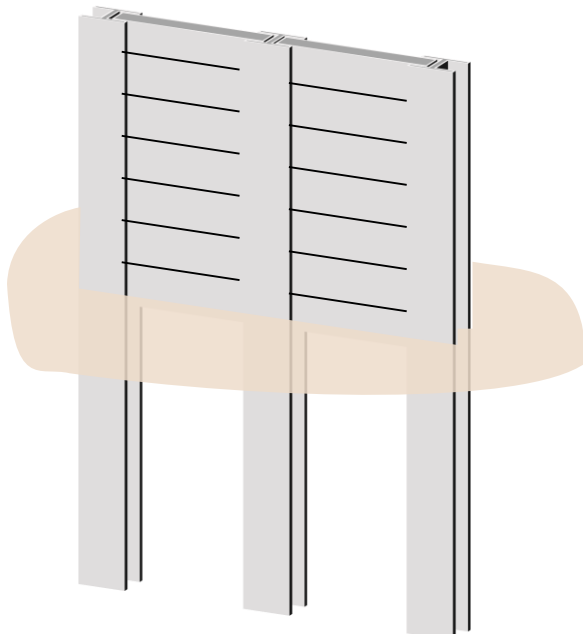
#### **Concept 5: New Soldier Pile and Concrete Lag Wall**

A soldier pile and concrete lag wall would be an innovative approach to shoring up the existing seawall. A soldier pile is a single pile that is designed to be stout and handle significant loading. A concrete lag is a pre-cast concrete block. This concept would entail driving steel H-piles and then sliding concrete lags between H-piles to create a wall. The overall wall would be designed to be cantilevered (i.e. does not require tie-backs). This wall would be installed just seaward of the existing seawall and fill would be placed between the new seawall and the existing seawall. A unique feature of this concept is that as the beach elevation lowers over time, the concrete lags can be lowered to meet the new beach grade (and might lower due to their own weight). Then additional lags can be placed on top of the existing lags to continue expanding the height of the wall. Note, placing additional lags would require mobilizing construction equipment. A geotextile filter fabric would need to be installed on the landward side of the wall to prevent sediment from piping through the concrete lags. If existing lags are moved deeper and additional lags are placed, careful maintenance of the geotextile filter fabric will be required to mitigate sediment from migrating through the wall. Figure 13 and Figure 14 provide schematics of Concept 5. An example of this concept is shown in Figure 15

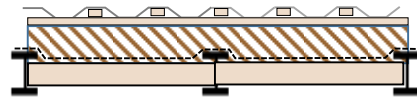


CONCEPT 5 – NEW SOLDIER PILE AND CONCRETE LAG WALL (SECTION)

**Figure 13. Concept 5 - New soldier pile and concrete lag wall section schematic.**

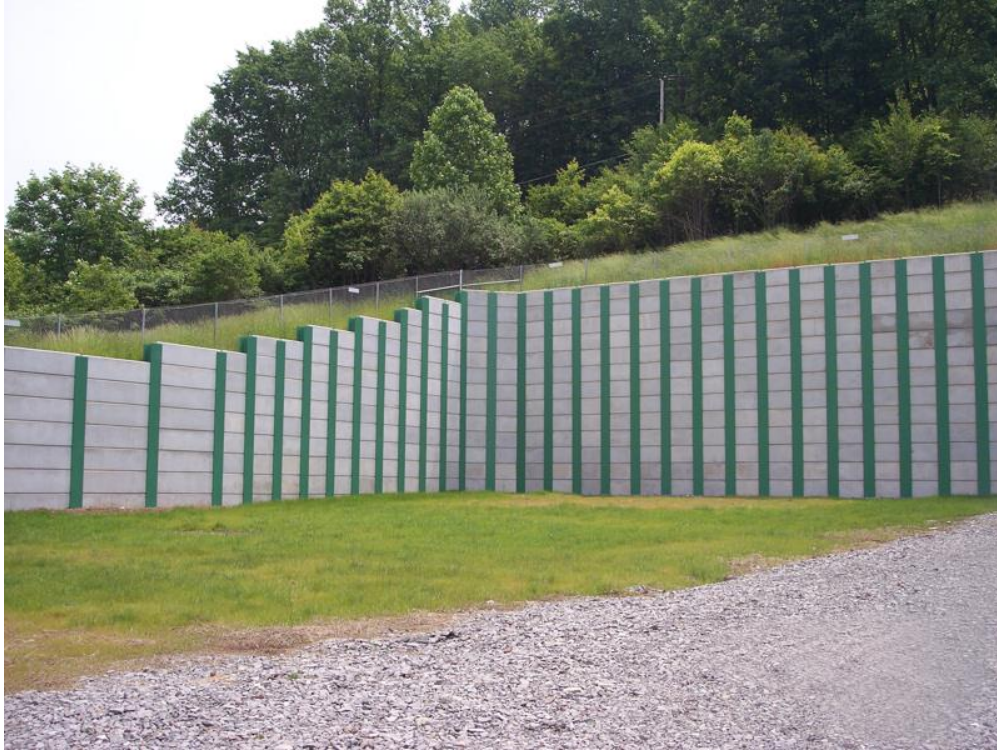


CONCEPT 5 – NEW SOLDIER PILE  
AND CONCRETE LAG WALL (OBLIQUE)



CONCEPT 5 – NEW SOLDIER PILE  
AND CONCRETE LAG WALL (PLAN)

**Figure 14. Concept 5 - New soldier pile wall and concrete lag wall section oblique and plan schematic.**



**Figure 15. Example of a concrete lag wall (source: easternvault.net).**

**Advantages:**

- Condition of the existing seawall (e.g. localized failures) would not be a factor in the longevity of the retaining structure.
- Lower of the beach elevation can be addressed by lowering concrete lags as necessary and adding additional lags on top of existing lags.
- Steel pile and concrete can be design for an extremely long design life.

**Disadvantages:**

- Installation of piles and lags can be very expensive and is likely more expansive than armor stone structures.
- Concrete lags require geotextile fabric to prevent sediment migration (piping) through the structure.

## Rough Order Magnitude Costs

A rough order of magnitude (ROM) cost for each concept was developed. Quantities were determined through conceptual design and assumed rough unit rates were applied to develop the ROM costs. Note, no design has been performed to determine quantities, and comparable project costs were not reviewed. ROM costs should be used as a general “order of magnitude” and not used for financial planning purposes. Costs associated with design and permitting of the concepts is include in the ROM cost values.

**Table 2. Rough Order Magnitude Costs for Reviewed Concepts**

	<b>Rough Order Magnitude Cost</b>
Concept 1 – Armor Stone Scour Protection	\$1.5M to \$2.1M
Concept 2 – Geotextile Container Scour Protection	\$0.6M to \$0.9M
Concept 3 – Groin Field (assumes 4 groins)	\$3.0M to \$4.3M
Concept 4 – New Steel Sheet Pile Wall	\$2.9M to \$4.0M
Concept 5 – New Soldier Pile and Concrete Lag Wall	\$3.2M to \$4.4M

## Recommendations

The following provides some recommendations for advancing improvements to the Homer Seawall.

- Consider performing a more detailed alternatives analysis that focuses on 2 or 3 preferred concepts from this effort to advance the designs to a preliminary level and obtain more informed potential costs.
- Only consider the geotextile container option if funds are limited and the opportunity to receive additional funds is not likely in the foreseeable future.
- If the City of Homer procurement rules allow, consider advancing the seawall options as a design/build delivery project. These designs are not complicated and the cost can be highly influenced by the contractor’s availability, equipment spread and location, and on-hand materials.
- For concepts using armor stone, recommend advancing the project through a traditional design/bid/build or construction manager/general contractor (CM/GC) delivery project.
- For the groin field concept, recommend performing an extensive modeling and performance analyses to inform potential for down-drift erosion impacts.

## References

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- ISU, 2019. Iowa State University, Iowa Environmental Mesonet. Webpage,  
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webpage, <http://tidesandcurrents.noaa.gov/>







## Homer Seawall Cash Flow Analysis Based on Two Alternatives

*Produced by Public Works Director Carey Meyer, P.E.*

### Introduction

The analysis prepared by Coastal Engineer Ronald McPherson of HDR, Inc. details five preventative maintenance measures that would minimize the Seawall's future repair costs. The purpose of the following discussion is to entertain the two most affordable options and demonstrate how investment in either of these preventative capital projects would produce a positive benefit/cost ratio compared to the current "reactive" process.

### Current "Reactive Process"

Yearly maintenance/repair costs are trending up for the Seawall. Exhibit A charts the Seawall's maintenance/repair costs for 2006-2018 and projects future costs out 20 years assuming a "status quo" approach.

Projecting the current trend into the future, the total cost to complete maintenance/repair over the next 20 years "as is" will accumulate to approximately \$996,000 (or \$49,800/year; see Exhibit B).

### Preventative Capital Projects: Concept 1 & Concept 2

The average of the costs to complete *Concept 1- Armor Stone Scour Protection* is \$1,800,000 (the engineer estimates the cost ranges from \$1,500,000 to \$2,100,000). Borrowing this amount at 5% interest means annual payments over a twenty year period would total \$144,432 for this preventative project expense.

The average of the cost to complete *Concept 2-Geotextile Container Scour Protection* is \$750,000 (the engineer estimates the cost ranges from \$600,000 to \$900,000). Borrowing this amount at 5% interest means annual payments over a twenty year period would total \$60,180 for this preventative project expense.

Please note that this analysis does not take into consideration many important factors (i.e. – inflation, expected life of existing seawall or relative effectiveness of alternative improvements, ability to secure environmental permits, etc). As noted by the Engineer, Concept 2 is more easily damaged, has a higher potential for rupturing, and does not have as long of a design life as other materials like armor stone, which means these materials may need to be replaced again within the 20 year timeframe. Following Engineer McPherson's first recommendation is therefore highly recommended: *"Consider performing a more detailed alternative analysis that focuses on 2 or 3 preferred concepts from this effort to advance the designs to a preliminary level and obtain more informed potential costs."*

### Summary

The intent of either preventative capital project is to save the Seawall, reduce the "reactive" annual maintenance costs of the Seawall, and save money over the long run for ODLA property owners.

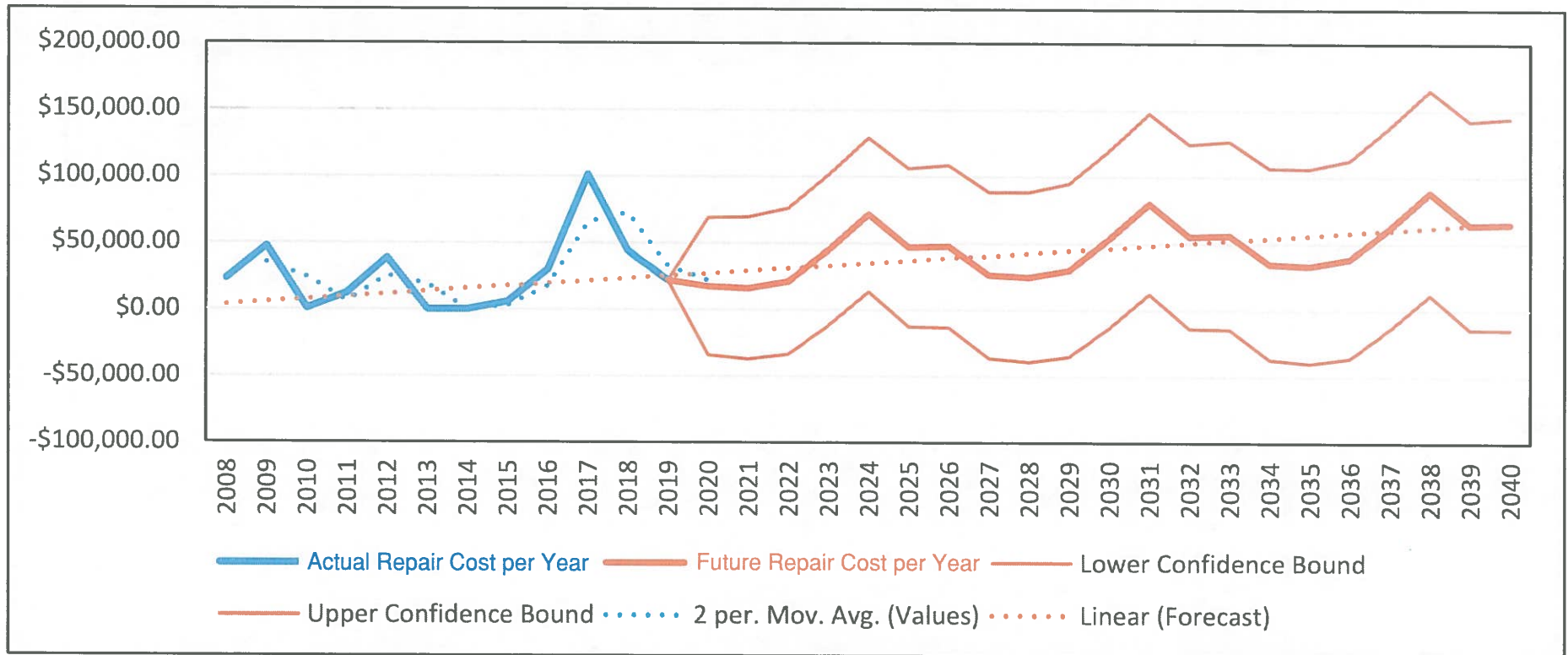
An optimistic assumption would be that by protecting the toe of the seawall with these preventative capital projects, maintenance/repair costs could be reduced by up to 80%. This could reduce the current "status quo" maintenance costs over the next 20 years from \$996,000 to \$199,200 – an overall savings of \$796,800 (or \$39,840/year), making either preventative measure a worthwhile, fiscally prudent next step. In theory, this could take what is currently spent on maintenance alone (\$49,800) and reduce it to \$9,960 a year.

The below table summarizes what this reduction in annual maintenance costs would look like along with annual expenses and revenue estimates.

Approach	Annual Preventative Capital Project Cost	Annual Maintenance Cost	Total Cost over 20 Years (Preventative Project + Maintenance)	Annual Cost Per Lot (16 Lots)	Average Annual Revenue based on 2012-2018 (ODLSA Mil Rate currently 9.962541)	Total Revenue for 20 Years (Based on 2012-2019 Average)	Outstanding Expenses
Status Quo		\$ 49,800	\$ 996,000	\$ 3,113	\$ 44,952	\$ 899,043	\$ (96,957)
Concept 1	\$ 144,432	\$ 9,960	\$ 3,087,840	\$ 9,650	\$ 44,952	\$ 899,043	\$ (2,188,797)
Concept 2	\$ 60,180	\$ 9,960	\$ 1,402,800	\$ 4,384	\$ 44,952	\$ 899,043	\$ (503,757)

As the “Outdating Expenses” column in the above table shows however, ODLSA residents will need to finance either status quo or preventative capital project options above what is currently being collected. The two accounts that fund Seawall maintenance/repair (Mil Rate Deposits and the City’s Seawall Reserve Account) do not have enough funds to cover these expenses outright.

# Exihbit A



# Exhibit B

Timeline	Values	Forecast	Lower Confidence Bound	Upper Confidence Bound
2008	\$23,000.00			
2009	\$47,318.30			
2010	\$715.17			
2011	\$11,971.10			
2012	\$38,292.31			
2013	\$0.00			
2014	\$0.00			
2015	\$5,616.96			
2016	\$29,720.25			
2017	\$101,126.83			
2018	\$43,597.51			
2019	\$21,809.00	\$21,809.00	\$21,809.00	\$21,809.00
2020		\$17,420.09	-\$34,155.87	\$68,996.05
2021		\$15,904.44	-\$37,283.96	\$69,092.83
2022		\$21,107.29	-\$33,658.34	\$75,872.92
2023		\$44,796.63	-\$11,514.04	\$101,107.31
2024		\$71,309.01	\$13,482.86	\$129,135.16
2025		\$46,734.86	-\$12,579.51	\$106,049.23
2026		\$47,553.59	-\$13,223.79	\$108,330.97
2027		\$26,020.83	-\$36,207.23	\$88,248.89
2028		\$24,505.18	-\$39,140.49	\$88,150.86
2029		\$29,708.03	-\$35,334.98	\$94,751.04
2030		\$53,397.37	-\$13,024.01	\$119,818.76
2031		\$79,909.76	\$12,127.76	\$147,691.75
2032		\$55,335.61	-\$13,790.32	\$124,461.53
2033		\$56,154.33	-\$14,299.84	\$126,608.51
2034		\$34,621.57	-\$37,155.91	\$106,399.06
2035		\$33,105.92	-\$39,970.91	\$106,182.76
2036		\$38,308.77	-\$36,054.25	\$112,671.79
2037		\$61,998.12	-\$13,638.62	\$137,634.86
2038		\$88,510.50	\$11,611.85	\$165,409.15
2039		\$63,936.35	-\$14,213.01	\$142,085.71
2040		\$64,755.08	-\$14,634.35	\$144,144.50

<b>SUM</b>	<b>\$996,902.33</b>
<b>AVG</b>	<b>\$86,687.16</b>



## City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## Office of the City Manager

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(p) 907-235-8121 x2222

(f) 907-235-3148

August 7<sup>th</sup>, 2019

### Dear Ocean Drive Loop Service Area (ODLSA) Property Owners,

At the February 2019 neighborhood meeting, there was general consensus that hiring a coastal engineering firm to conduct an analysis of the seawall; provide maintenance work recommendations; and evaluate potential improvements that would significantly extend the life of the seawall and reduce maintenance needs and costs in the long-term would be in the ODLSA's best interests.

Attached please find Coastal Engineer McPherson's "Homer Seawall Alternatives Analysis" as well as a cash flow analysis developed by Public Works Director Meyer based on Mr. McPherson's findings.

The cash flow analysis flushes out the two most affordable concepts proposed for the Seawall: Armor Stone Scour Protection and Geotextile Container Scour Protection. It is clear that additional revenue is needed to fund maintaining the Seawall "as is" (which is not recommended) or by taking a proactive approach and initiating a capital improvement project to reinforce the wall. I encourage you to read more about these two concepts in Mr. McPherson's report as there are pros and cons to each concept.

I would like to have another neighborhood meeting with ODLSA residents on Tuesday, August 20<sup>th</sup> at 5:30PM in the upstairs conference room of City Hall. At this meeting, Mr. McPherson will be available over the phone to answer questions regarding his report. My hope is for the neighborhood to collectively determine next steps for protecting the Seawall. As mentioned before, the Seawall is showing its age (16 years old), which is increasing the amount of needed repairs as the trend shows. I am concerned the funds used to pay for Seawall maintenance are at an unsustainable level and prompt action is needed.

Please confirm with my Executive Assistant Rachel Friedlander if you can or cannot attend. Rachel's direct line is (907) 435-3102 and her email is [RFriedlander@ci.homer.ak.us](mailto:RFriedlander@ci.homer.ak.us). Please note there is a way to call in to the meeting if you cannot attend in person.

Thank you in advance for your response. I look forward to seeing you August 20<sup>th</sup> at 5:30PM.

Best,

Katie Koester, City Manager







July 30<sup>th</sup>, 2019

Dear Homer City Council,

KBBI would like to recognize the importance of the City of Homer Grants program, of which KBBI was an award recipient in Fiscal Year 2019. Our distribution of \$3,025.00 was used for General Operating Support.

We thank the City of Homer for partnering with the Homer Foundation to administer this funding to KBBI and our incredible Nonprofit community. One of Homer's greatest strengths is its Nonprofit sector, and this is partly due to the leadership of the City of Homer and the Homer Foundation. It is rare to find funds for Operating Support in any Grant program and to be able to apply for it locally is extremely valuable to us at the station and to our cohort in the community. Moreover, Council Members Lord and Venuti attended a meeting with all the awarded Nonprofits at the Homer City Hall on Thursday, June 6<sup>th</sup> to garner feedback and discussion around the Grants program. This was very much appreciated by all parties attending.

Thank you all,

Alder Snow

KBBI Development Director

[alder@kbbi.org](mailto:alder@kbbi.org)

