



Agenda

Planning Commission Regular Meeting

Wednesday, September 03, 2025 at 6:30 PM

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

Homer City Hall

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

Zoom Webinar ID: 205 093 973 Password: 610853

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

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. Unapproved Regular Meeting Minutes of August 20, 2025

PRESENTATIONS / VISITORS

REPORTS

- A. City Planner's Report, Staff Report 25-41

PUBLIC HEARINGS

PLAT CONSIDERATION

- A. BARNETT LOT 1-A 2025 RESUB, Staff Report 25-42
- B. RAW BIRCH 2025 REPLAT, Staff Report 25-43

PENDING BUSINESS

- A. AN ORDINANCE OF THE HOMER CITY COUNCIL ADOPTING THE 2025 HOMER COMPREHENSIVE PLAN AND RECOMMENDING ADOPTION BY THE KENAI PENINSULA BOROUGH, Memorandum PL 25-038

NEW BUSINESS

- [A.](#) Ordinance 25-54, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 8 Permits, Licenses and Regulations by Adding Chapter 8.13 Temporary Retail Services, Memorandum PL 25-44

INFORMATIONAL MATERIALS

- [A.](#) 2025 Planning Commission Calendar
- [B.](#) 2025 Planning Commission Meeting Dates & Submittal Deadlines

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

COMMENTS OF THE STAFF

COMMENTS OF THE MAYOR/COUNCIL

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is **Wednesday, September 17, 2025 at 6:30 p.m.** A Worksession is scheduled for 5:30 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

CALL TO ORDER

Session 25-14, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on August 20th, 2025 in the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, HARNESS, SCHNEIDER, H. SMITH, S. SMITH & VENUTI

ABSENT: COMMISSIONER WALKER (EXCUSED)

STAFF: CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

AGENDA APPROVAL

Chair S. Smith read the supplemental items into the record. He then requested a motion and second to approve the agenda as amended.

HARNESS/BARNWELL MOVED TO AMEND THE AGENDA BY TAKING UP PLAT CONSIDERATIONS AFTER RECONSIDERATION.

There was a brief conversation as to where on the agenda inserting the plat consideration made the most sense.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

HARNESS/BARNWELL MOVED TO ADOPT THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

A. Unapproved Regular Meeting Minutes of August 6, 2025

SCHNEIDER/BARNWELL MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

A. Tulin Terrace Subd. West Terrace Unit 1 Floyd 2026 Replat, Staff Report 25-39

Chair S. Smith introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary review of his staff report in the packet.

Chair S. Smith opened the floor for the Applicant. Katie Kirsis identified herself as the surveyor for the plat and made herself available for any questions.

Chair S. Smith then opened the public comment period. With no one wishing to speak, Chair S. Smith closed the public comment period. He then opened the floor to questions from the Commission.

Commissioner H. Smith questioned whether the need to abandon the water service should be included in the staff recommendations or if it's a mutual understanding. City Planner Foster advised the Commission to include it under the staff recommendations.

Commissioner Schneider asked if the current easements on the property were to be abandoned. Ms. Kirsis noted that the intention is to vacate the easements that serve no purpose, and to grant an easement along the existing water main to encompass the existing or future water main alignment.

HARNESS/H. SMITH MOVED TO ADOPT STAFF REPORT 25-039 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. THE SURVEYOR, HIRED BY THE PUBLIC WORKS DEPARTMENT, DEDICATE A CENTERED 30-FOOT WATERLINE EASEMENT ENCOMPASSING THE FULL EXTENT OF THE EXISTING WATER MAIN.
2. CORRECT THE SPELLING OF "TERRACE" IN THE LEGAL DESCRIPTION TO READ "TERRACE."
3. CORRECT THE NAMING OF "SKYLINE DR." IN THE VICINITY MAP TO READ "DIAMOND RIDGE RD."
4. THE SURVEYOR, HIRED BY THE PUBLIC WORKS DEPARTMENT, PROVIDE A UTILITY EASEMENT, CONSISTENT WITH THE EASEMENT GRANTED UNDER HM 2018-5 FROM THE ADJACENT PLAT TO THE SOUTH, TO ENCOMPASS ALL INFRASTRUCTURE NECESSARY FOR STAIRWAY ACCESS TO SERVICE THE WATER MAIN AND PRESSURE REDUCING VALVE.
5. THE SURVEYOR TO CORRECT (3) EASEMENT LABELS DEPICTED ON THE PLAT TO ALIGN WITH THE APPROXIMATE NOTES PROVIDED IN THE NOTE LEGEND:
 - a. THE LABEL CURRENTLY REFERENCING NOTE 3 TO BE UPDATED TO READ, "SEE NOTE 4."
 - b. THE LABEL CURRENTLY REFERENCING NOTE 4 TO BE UPDATED TO READ, "SEE NOTE 5."
 - c. THE LABEL CURRENTLY REFERENCING NOT 5 TO BE UPDATED TO READ, "SEE NOTE 6."
6. THE PROPERTY OWNER WILL NEED TO ABANDON ONE WATER SERVICE AT THE MAIN PRIOR TO THE RECORDING OF THE FINAL PLAT.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS/VISITORS

REPORTS

A. City Planner's Report, Staff Report 25-35

City Planner Foster provided a summary of his staff report in the packet, noting the following:

- Ordinance 25-54 has been referred to the Planning Commission and the Economic Development Advisory Commission.
- Next Regular Meeting is scheduled for Wednesday, September 3, 2025.
- Next Commissioner report to Council on August 25, 2025.

There was a brief discussion regarding the United States Army Corps of Engineers fill permit down at the Spit.

PUBLIC HEARINGS

A. A REQUEST TO VACATE THE 66-FOOT-WIDE SECTION LINE EASEMENT ACROSS LOT 2 ARNO SUBDIVISION, T 6S R 14W SEC 13 SEWARD MERIDIAN HM 2001078 ARNO SUB LOT 2 THAT PORTION LYING INSIDE HOMER CITY LIMITS, KNOWN AS 1145 DIAMOND RIDGE RD, Staff Report 25-37

Chair S. Smith introduced the item by reading of the title and deferred to City Planner Foster, who provided a summary of his staff report in the packet.

Chair S. Smith opened the floor for the Applicant. Katie Kirsis noted that she was the surveyor for the project and made herself available for any questions.

Chair S. Smith then opened the public hearing. With no one coming forward to speak, Chair S. Smith closed the public hearing. He then opened the floor to questions from the Commission.

Commissioner Harness questioned why the pedestrian easement was only 20 feet instead of 66 feet similar to the section line easement. Ms. Kirsis stated it's not likely a trail would be constructed through that area, and therefore 20 feet is a reasonable width to reserve for public access.

Commissioner H. Smith asked if the easement would affect what is defined as inside or outside city limits. Ms. Kirsis stated that it wouldn't affect the legal boundaries.

SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT 25-37 AND RECOMMEND APPROVAL OF THE VACATION OF THE SECTION LINE EASEMENT ACROSS LOT 2 ARNO SUBDIVISION.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. AN ORDINANCE OF THE HOMER CITY COUNCIL ADOPTING THE 2025 HOMER COMPREHENSIVE PLAN AND RECOMMENDING ADOPTION BY THE KENAI PENINSULA BOROUGH, Memorandum PL 25-038

Chair S. Smith introduced the item by reading of the title. He then opened the floor for Shelly Wade of Agnew::Beck. Ms. Wade covered the following items in her presentation:

- Timeline and process of draft plan to date and going forward
- Key elements of the plan
- Review of the top themes from the drafting process and how the hearing draft responds
- Planning Commission's role today

Upon the conclusion of Ms. Wade's presentation, Chair S. Smith opened the public hearing period.

Jan Keiser, city resident, provided written comments on the draft comprehensive plan, recommending revisions to language regarding harbor expansion, support for entrepreneurship, and commitments to the Transportation and Safety Action Plans. She expressed overall support for the ideas but suggested clarifying and strengthening specific language.

Hal Shepherd, representing the Kachemak Bay Watershed Council, supported the improved draft plan, emphasized addressing land development and extraction impacts on climate change, and encouraged using the plan as a foundation for watershed management partnerships.

Michael Jones, city resident, commended the progress of the draft plan, noted his written comments including an AI summary of Commission obligations, and recommended softening the language that appears to create obligations.

Tracy Nordstrom, city resident, thanked the Commission and the consultants for their extensive work. She recommended the Commission forward the draft plan along to City Council and further encouraged the Commission to use this document and cite components of it when new actions are before the Commission. She requested clarification on how Homer plans to court and support potential partners moving forward.

Devony Lehner, city resident, urged inclusion of the Diamond Creek Recreation Area in the Comprehensive Plan, highlighting its importance and recent connections to adjacent lands. She also suggested realizing Homer's potential role in coordinating food distribution during emergencies.

Rick Foster, city resident, urged the Commission to address potable water as a key growth management factor, recommending acknowledgment of the City's role in regional water supply and collection of data on delivery locations. He suggested policy changes included prioritizing water/sewer extensions within city limits, clarifying agreements with Kachemak City, correcting language on page 26, and maintaining the Gateway Business District identity.

Robert Ruffner, Planning Director for the Kenai Peninsula Borough, noted the Borough is reviewing the plan and public input, and encouraged the Commission to continue its work.

With no others coming forward to speak, Chair S. Smith closed the public hearing.

Chair S. Smith called for a 10-minute recess at 8:12 p.m.

Chair S. Smith called the meeting back to order at 8:22 p.m.

The Commission reviewed the document in its entirety. Discussion topics included the following items:

- Current introduction and condensed reflection
- Table of contents and list of appendices
- Gateway Business District presentation and zoning
- Water/Stormwater management and other water supply options
- Diamond Creek Recreation Area plan
- Affordable housing
- Public facilities and services

H. SMITH/SCHNEIDER MOVED TO EXTEND THE MEETING TO 9:45 P.M.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

H. SMITH/BARNWELL MOVED TO CONTINUE THE CONVERSATION ON THE COMPREHENSIVE PLAN TO THE NEXT SCHEDULED MEETING.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

NEW BUSINESS

A. Election of Officers, Memorandum PL 25-040

H. SMITH/SCHNEIDER MOVED TO VOTE BY SHOW OF HANDS.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Chair S. Smith opened the floor for nominations for Vice Chair.

Commissioner Barnwell was nominated for the position of Vice Chair.

With no other nominations called out, Chair S. Smith declared Commissioner Barnwell re-elected as Vice Chair. Mr. Smith then handed the gavel over to Vice Chair Barnwell.

Vice Chair Barnwell opened the floor for nominations of the Chair.

Commissioner S. Smith was nominated for the position of the Chair.

With no other nominations called out, Vice Chair Barnwell declared Commissioner S. Smith re-elected as Chair.

INFORMATIONAL MATERIALS

- A. 2025 Planning Commission Calendar
- B. 2025 Planning Commission Meeting Dates & Submittal Deadlines
- C. Memorandum from City Clerk re: Call for the Question & Open Meeting vs Quorum Requirements

Chair S. Smith noted the informational materials included in the packet.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

City Planner Foster thanked everyone for their hard work and great conversations regarding the Comprehensive Plan.

COMMENTS OF THE MAYOR/COUNCILMEMBER (If Present)

Councilmember Aderhold thanked the Commission for the thoughtful deliberation in regards to the Comprehensive Plan, noting that she agreed with much of what was said.

COMMENTS OF THE COMMISSION

Commissioner Venuti opined that the Commission should've been involved in the Comprehensive Plan process from the very beginning. He commended Ms. Wade and Agnew::Beck for a great job in developing the plan.

Commissioner Harness thanked everyone for a great meeting, noting that the Commission worked through a lot of details tonight.

Commissioner S. Smith apologized for his recent absence. He stated he understands the importance of the Comprehensive Plan and that he's hopeful it can be representative of the community. He gave thanks to the Commission and Agnew::Beck.

Commissioner Schneider noted that he's impressed with the Comprehensive Plan and thanked everyone involved in the process.

Commissioner Barnwell thanked Agnew::Beck and City Planner Foster for their extensive work on the Comprehensive Plan.

Commissioner S. Smith echoed all the sentiments made by the Commission. He suggested the Commission come back to the next meeting with their comments written down and ready to discuss them. He noted that there are unique perspectives and unique voices that make the Comprehensive Plan great.

ADJOURN

There being no further business to come before the Commission, Chair S. Smith adjourned the meeting at 9:45 p.m. The next Regular Meeting is scheduled for **Wednesday, September 3rd, 2025 at 6:30 p.m.** All meetings

are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Zach Pettit, Deputy City Clerk II

Approved: _____



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 25-041

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
DATE: September 3, 2025
SUBJECT: City Planner's Report

Title 21 Zoning Code Re-write

City staff are currently reviewing a draft version of the new zoning code; it is anticipated a public review version of the new zoning code will be presented to the Planning Commission at their October 15, 2025 meeting for their review and comments. A public open house for review and comment of the draft code is scheduled for October 22, 2025.

Meeting Schedule

The next regular meeting date is Wednesday, September 17, 2025.

Commissioner Report to Council

9/8/25 _____



City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

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(p) 907-235-3106

(f) 907-235-3118

/ Staff Report 25-42

TO: Homer Advisory Planning Commission
Through: Ryan Foster, City Planner
From: Ed Gross, Associate Planner
DATE: September 3, 2025
SUBJECT: Barnett Lot 1-A 2025 Resubdivision

Requested Action: Approval of a preliminary plat for the resubdivision of Lot 1-A of, Barnett Resubdivision Lots 1 – 3 Unit 1, to become two smaller lots.

General Information:

Applicants:	Mullikin Surveys, LLC PO Box 1023 Homer, AK 99603	Matthew Crawford For Range Group, LLC 1309 Coffeen Avenue, Ste. 1200 Sheridan, WY 82801
Location:	North of Barnett Place, east and south of East Hill Road	
Parcel ID:	17723009	
Size of Existing Lot(s):	Approximately 1.54 acres	
Size of Proposed Lots(s):	Lot 1-A-1, 0.799 Acres & Lot 1-A-2, 0.743 Acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: residential South: residential East: residential West: vacant	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	No wetlands present	
Flood Plain Status:	Not located in a \flood plain	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available	
Public Notice:	Notice was sent to 52 property owners of 23 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. The plat divides one lot 1.543 acres each into two proposed lots of 0.799 acres for lot 1-A-1 and 0.743 acres for lot 1-A-2.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat does not meet this requirement. While the plat depicts a 15-foot utility easement along Barnett Place, it does not depict a 15-foot utility easement along East Hill Road. The plat should depict a 15-foot utility easement along East Hill Road

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements. No additional easements are required.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by Homer City Code 11.04.120.

Staff Response: The plat meets these requirements.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat does not meet these requirements. The proposed plat only identifies the street width to the centerline. Recommend showing the entire width of streets.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements.

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat does not meet these requirements. The proposed plat only identifies the street width to the centerline. Recommend showing the entire width of streets.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat does not meet these requirements. Adjacent parcels should be identified, including Lot 7 and Lot 8 across Barnett Place.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: The plat meets these requirements.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. No known encroachments.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: The plat meets these requirements.

Public Works Comments:

Water and sewer services will need to be provided to the newly subdivided lot prior to recording the final plat.

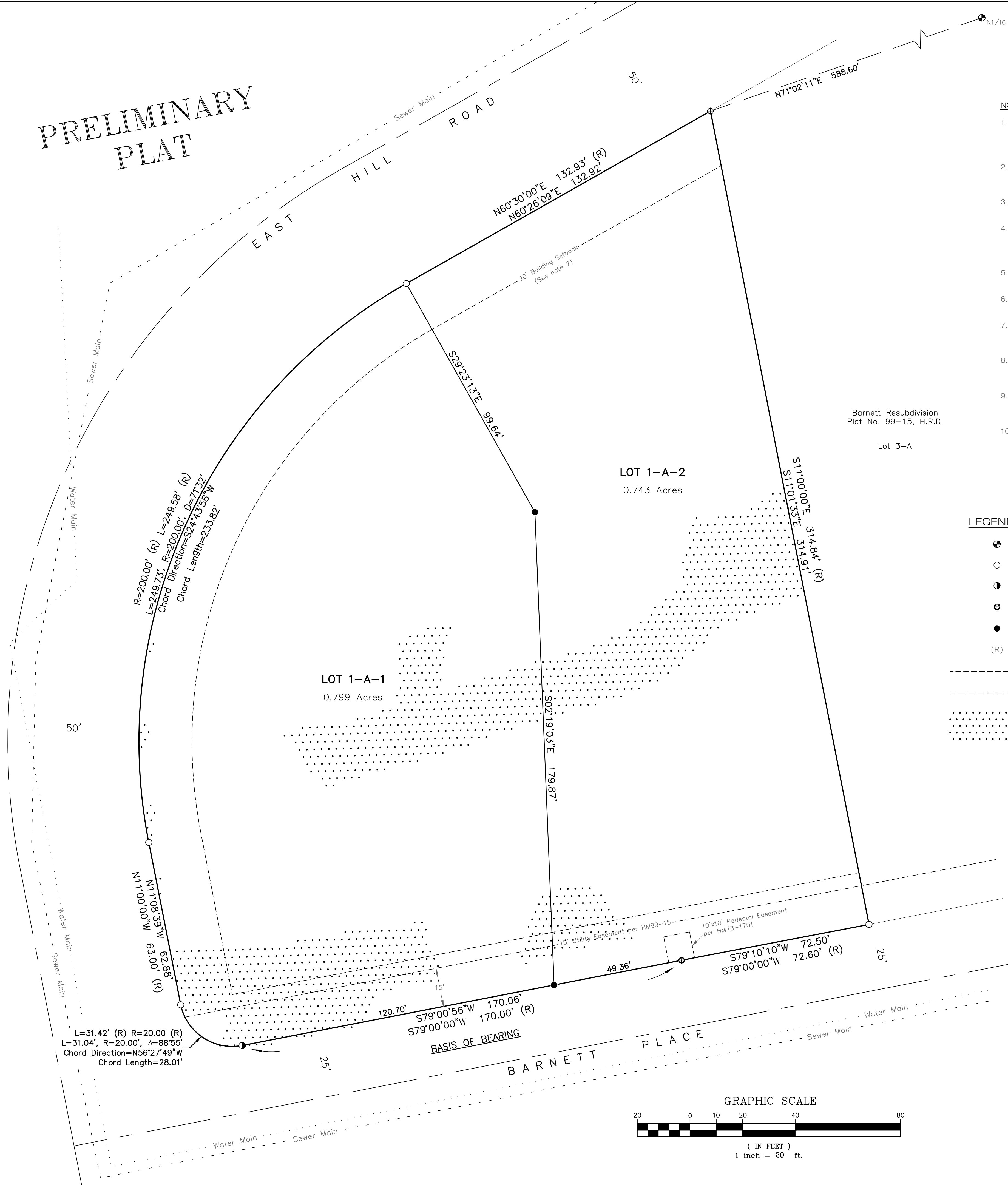
Staff Recommendation: The Planning Commission recommends approval of the preliminary plat, with the following comments:

1. Water and sewer services will need to be provided to the newly subdivided lot prior to recording the final plat.
2. The existing plat indicates a total area of 1.543 acres, yet the preliminary plat indicates 1.542 acres. Please clarify the total acreage of the lot.
3. The note, “15’ Utility Easement per HM99-15” and the associated dimensioning arrow with 15’, depicted along Barnett Place conflicts graphically with the hatch indicating 20% or greater slopes. This note and dimensioning, should be moved so that they do not conflict the hatching.
4. Recommend showing the entire width of streets (not just to centerline).
5. Adjacent parcels should be identified, including Lot 7 and Lot 8 across Barnett Place.

Attachments:

1. Preliminary Plat
2. Surveyor’s Letter to City of Homer
3. Public Notice
4. Aerial Map

PRELIMINARY
PLAT



NOTES:

- The Basis of Bearing for this survey was determined by high precision GNSS survey using Trimble R-10 survey grade receivers, differentially corrected and processed using Spectra Geospatial Survey Pro 6.6.1.7.
- A building setback of 20 feet is required from all street rights-of-way unless a lesser standard is approved by resolution of the appropriate planning commission.
- No direct access to state maintained right-of-way permitted unless approved by the State of Alaska Department of Transportation.
- Easement for electric lines or system and/or telephone lines together with the right to enter, maintain, repair, and clear shrubbery was granted to Homer Electric Association in Book 48, Page 77, Homer Recording District. Location undisclosed.
- Covenants, Conditions, and Restrictions as contained in an instrument in Book 93, Page 966, Homer Recording District.
- The borough will not enforce private covenants, easements, or deed restrictions per KPB 20.60.170.
- No permanent structure shall be constructed or placed within a utility easement which would interfere with the ability of a utility to use the easement.
- Wastewater Disposal: Wastewater treatment and disposal systems must meet the regulatory requirements of the Alaska Department of Environmental Conservation.
- Any person developing the property is responsible for obtaining all required local, state, and federal permits, including a U.S. Army Corps of Engineers wetlands determination, if applicable.
- Acceptance of this plat by the Kenai Peninsula Borough does not indicate acceptance of any encroachments.

LEGEND

- Found Iron Pipe Monument Set per HM 73-1701
- Found 2" Aluminum Cap on 5/8" Rebar, 7610-S 1999
- Found 2" Aluminum Cap on 5/8" Rebar, 3324-S 2023
- Found 5/8" Rebar
- Set 2" Aluminum Cap on 5/8" x 30" Rebar, 14449-S 2025
- (R) Record Measurements Per Record of Survey HM 99-15

- Setback Line
- Easement Line

Areas over 20% grade per Kenai Peninsula Borough Terrain Viewer (Five Foot Contours)

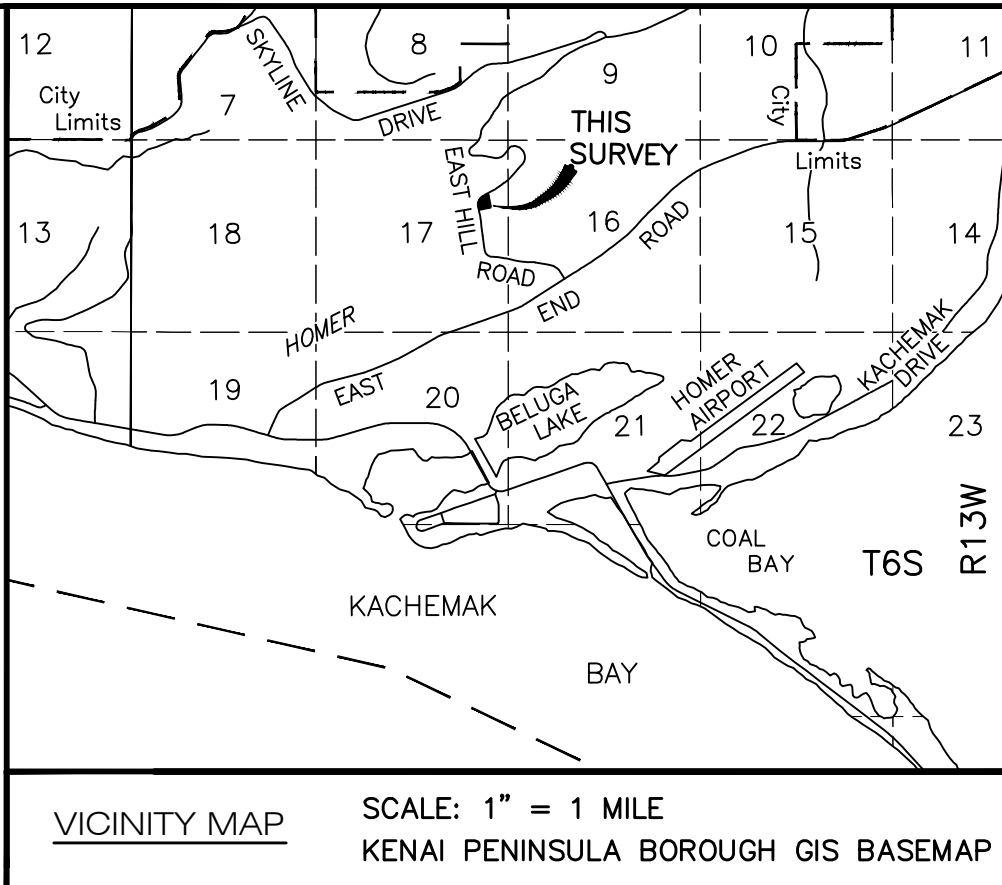
Note: This survey is outside of any wetlands per the Kenai Watershed Forum (KWF)

Note: Water and Sewer Mains shown are approximate locations per the City of Homer Department of Public Works Maps

SURVEYORS CERTIFICATE

I hereby certify that I am properly registered and licensed to practice land surveying in the State of Alaska, that this plat represents a survey made by me or under my supervision, that the monuments shown hereon actually exist as described, and that all dimensions and other details are correct.

Date: _____
Registration No.: 14449-S
Christopher L. Mullikin,
Professional Land Surveyor



CERTIFICATE OF OWNERSHIP AND DEDICATION

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

Matthew Crawford for Range Group LLC
1309 Coffeen Avenue, Ste. 1200
Sheridan, WY 82801

NOTARY'S ACKNOWLEDGMENT

For: _____

Acknowledged before me this ____ day of _____, 2025.

Notary Public for Alaska
My Commission expires: _____

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of July #__, 2025

Kenai Peninsula Borough Authorized Official



BARNETT LOT 1-A 2025 RESUB

A SUBDIVISION OF LOT 1-A
BARNETT RESUBD, LOTS 1-3, UNIT 1, PLAT No. 99-15
HOMER RECORDING DISTRICT

LOCATED WITHIN
THE SE1/4 NE1/4 OF SECTION 17
TOWNSHIP 6 SOUTH, RANGE 13 WEST,
SEWARD MERIDIAN, THIRD JUDICIAL DISTRICT,
KENAI PENINSULA BOROUGH,
HOMER RECORDING DISTRICT, ALASKA.

CONTAINING 1.542 ACRES

SURVEYOR	CLIENT
MULLIKIN SURVEYS LLC CHRISTOPHER MULLIKIN, PLS P.O. BOX 1023 Homer, AK 99603	MATTHEW CRAWFORD (RANGE GROUP LLC) 1309 COFFEEN AVENUE, STE 1200 SHERIDAN, WY 82801
SURVEY DATE: 7/3/2025	SCALE: 1" = 20'
PLAT DATE: 8/11/2025	BOOK No.: NA
CHECKED BY: CLM	FILE: LOT 1A BARNETT SUBDIVISION.dwg
DRAWN BY: MRS	KPB FILE No.: 2025-###



MULLIKIN SURVEYS LLC

MullikinSurveys.com 907-299-2289

Christopher Mullikin, PLS
P.O. Box 1023, Homer, AK 99603

PRELIMINARY PLAT SUBMITTAL

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

Re: Barnett Lot 1-A 2025 Resub

To Whom it may concern,

This is a preliminary plat for the subdivision of Lot 1-A, Barnett Resubd. Lots 1-3, Unit 1 (HM99-15) for Matthew Crawford of Range Group LLC.

Please find included in this packet:

- One full sized paper plat
- One half sized paper plat
- \$300 check (#271) for plat submittal fee

The electronic version has been emailed.

Sincerely,

Christopher Mullikin, PLS

RECEIVED

AUG 14 2025

**CITY OF HOMER
PLANNING/ZONING**

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Barnett Lot 1-A 2025 Resub Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Planning Commission on Wednesday, September 3, 2025 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for August 29, 2025 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

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

.....



Legend

Physical Addresses



Transportation

Mileposts



Parcels and PLSS

Tax Parcels



0 150 300
ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correction of the data, or use of the data.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us
(p) 907-235-3106
(f) 907-235-3118

Staff Report 25-043

TO: Homer Advisory Planning Commission
FROM: Will Anderson, Associate Planner
THRU: Ryan Foster, City Planner
DATE: August 20, 2025
SUBJECT: Raw Birch 2025 Replat

Requested Action: Approval of a preliminary plat to consolidate two former deed lots—(BK 184, PG 876 and BK 206, PG 30, Homer Recording District)—comprising lands described in Statutory Warranty Deed No. 2025-002362-0, excepting the portion conveyed to the State of Alaska Department of Transportation and Public Facilities as recorded in BK 312, PG 143, Homer Recording District. The consolidation will result in a single lot designated as Tract-A, accomplished through the vacation of the common lot line.

General Information:

Applicants:	Raw Birch LLC, Owner PO BOX 3448 Homer, AK 99603	McLane Consulting, Inc. Andrew Hamilton, P.L.S. 38240 Kenai Spur Hwy Soldotna, AK 99669-0468
Location:	Located within the City of Homer, eastward of the intersection of Lake Street and East Pioneer Avenue, on the southern side of East End Road, and across from the entrance of Homer High School at East Fairview Avenue.	
Parcel ID:	17706011, 17706012	
Size of Existing Lot(s):	1.68 acres, 0.91 acres	
Size of Proposed Lot(s):	2.556 acres	
Zoning Designation:	Central Business District	
Existing Land Use:	Vacant	
Surrounding Land Use:	North: Institutional South: Commercial East: Commercial, Residential Office West: Commercial, Institutional	

Comprehensive Plan:	Chapter 4 Land Use, Goal 4: Support the development of a variety of well-defined commercial/business districts for a range of commercial purposes.
Wetland Status:	Property contains areas subject to inundation, designated discharge slope wetlands per Kenai Watershed Forum (WKF)
Flood Plain Status:	Not located in a coastal flood plain
BCWPD:	Outside the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer are available
Public Notice:	Notice was sent to 39 property owners of 40 parcels as shown on the KPB tax assessor rolls.

Analysis: This subdivision lies within the Central Business District. The purpose of this plat is to vacate the common lot line between two deed lots (KPB 17706011 and KPB 17706012), consolidating them into a single parcel—Tract-A—totaling 2.556 acres. Tract-A will remain accessible via East End Road, with water and sewer utilities available from existing City infrastructure.

The preliminary plat identifies: State of Alaska drainage easements, City of Homer sanitary sewer easements, areas greater than 20 percent slopes, and lands subject to inundation.

Please note that an existing drainage along the western property line of Tract-A is not shown on this plat. For reference, see the Drainage Easement Diagram attached to this staff report.

Per the surveyor’s letter, the application seeks to unify these lots, facilitating future development and improving land use efficiency. The proposed replat does not alter existing access, utility easements, or zoning designations.

Homer City Code 22.10.051 Easements and rights-of-way

- A. The subdivider shall dedicate in each lot of a new subdivision a 15-foot-wide utility easement immediately adjacent to the entire length of the boundary between the lot and each existing or proposed street right-of-way.

Staff Response: The plat does not meet these requirements. The surveyor does not identify Tract-A as having granted a 15-foot utility easement.

Staff recommends the surveyor grant a 15’ utility easement fronting East Road, along the entire boundary west of the 25’ sewer main easement.

- B. The subdivider shall dedicate in each lot of a new subdivision any water and/or sewer easements that are needed for future water and sewer mains shown on the official Water/Sewer Master Plan approved by the Council.

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities required by HCC 11.04.120.

Staff Response: The plat meets these requirements. No rights-of-way are proposed.

Preliminary Approval, per KPB code 20.25.070 Form and contents required. The commission will consider a plat for preliminary approval if it contains the following information at the time it is presented and is drawn to a scale of sufficient size to be clearly legible.

- A. Within the Title Block:
 - 1. Names of the subdivision which shall not be the same as an existing city, town, tract or subdivision of land in the borough, of which a plat has been previously recorded, or so nearly the same as to mislead the public or cause confusion;
 - 2. Legal description, location, date, and total area in acres of the proposed subdivision; and
 - 3. Name and address of owner(s), as shown on the KPB records and the certificate to plat, and registered land surveyor;

Staff Response: The plat meets these requirements; however

Staff recommends amending the legend to clearly distinguish between the various line types depicted on the plat— including property lines, section lines, and rights-of-way centerlines.

- B. North point;

Staff Response: The plat meets these requirements.

- C. The location, width and name of existing or platted streets and public ways, railroad rights-of-way and other important features such as section lines or political subdivisions or municipal corporation boundaries abutting the subdivision;

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements; however—

Staff recommends adjusting the arrow in the vicinity map to accurately locate Tract-A, rather than adjacent lots to the east.

- E. All parcels of land including those intended for private ownership and those to be dedicated for public use or reserved in the deeds for the use of all property owners in the proposed subdivision, together with the purposes, conditions or limitation of reservations that could affect the subdivision;

Staff Response: The plat meets these requirements. *No such areas are proposed.*

- F. The names and widths of public streets and alleys and easements, existing and proposed, within the subdivision; [Additional City of Homer HAPC policy: Drainage easements are normally thirty feet in width centered on the drainage. Final width of the easement will depend on the ability to access the drainage with heavy equipment. An alphabetical list of street names is available from City Hall.]

Staff Response: The plat meets the specified requirements. However, an existing drainage located along the western property line of Tract-A, is not depicted on the plat.

Staff recommends the surveyor provide a 20' wide drainage easement centered along the location of the existing creek, consistent with the easement granted under HM 2018-40, to be subject to Homer City Code with the approximate location to be shown.

- G. Status of adjacent lands, including names of subdivisions, lot lines, lock numbers, lot numbers, rights-of-way; or an indication that the adjacent land is not subdivided;

Staff Response: The plat meets these requirements.

- H. Approximate location of areas subject to inundation, flooding or storm water overflow, the line of ordinary high water, wetlands when adjacent to lakes or non-tidal streams, and the appropriate study which identifies a floodplain, if applicable;

Staff Response: The plat meets these requirements. Areas subject to inundation are shown.

- I. Approximate locations of areas subject to tidal inundation and the mean high water line;

Staff Response: The plat meets these requirements. Not within a tidal area.

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

Staff Response: The plat meets these requirements.

- K. Within the limits of incorporated cities, the approximate location of known existing municipal wastewater and water mains, and other utilities within the subdivision and immediately abutting thereto or a statement from the city indicating which services are currently in place and available to each lot in the subdivision;

Staff Response: The plat meets these requirements. City water and sewer utilities are available from East End Road to the north.

- L. Contours at suitable intervals when any roads are to be dedicated unless the planning director or commission finds evidence that road grades will not exceed 6 percent on arterial streets, and 10 percent on other streets;

Staff Response: Not applicable, the plat meets these requirements. No roads are being dedicated.

- M. Approximate locations of slopes over 20 percent in grade and if contours are shown, the areas of the contours that exceed 20 percent grade shall be clearly labeled as such;

Staff Response: The plat meets these requirements. Areas of 20 percent slope are indicated with a gray hatch, see legend.

- N. Apparent encroachments, with statement indicating how the encroachments will be resolved prior to final plat approval; and

Staff Response: The plat meets these requirements. The vacation of the lot line does not create any encroachment conditions.

- O. If the subdivision will be finalized in phases, all dedications for through streets as required by KPB 20.30.030 must be included in the first phase.

Staff Response: Not applicable, the plat meets these requirements.

Public Works Comments:

1. Grant a 15' utility easement fronting East Road, along the entire boundary west of the 25' sewer main easement.
2. No comment on the ADOT culvert and drainage along the western boundary of the lot.

Staff Recommendation:

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

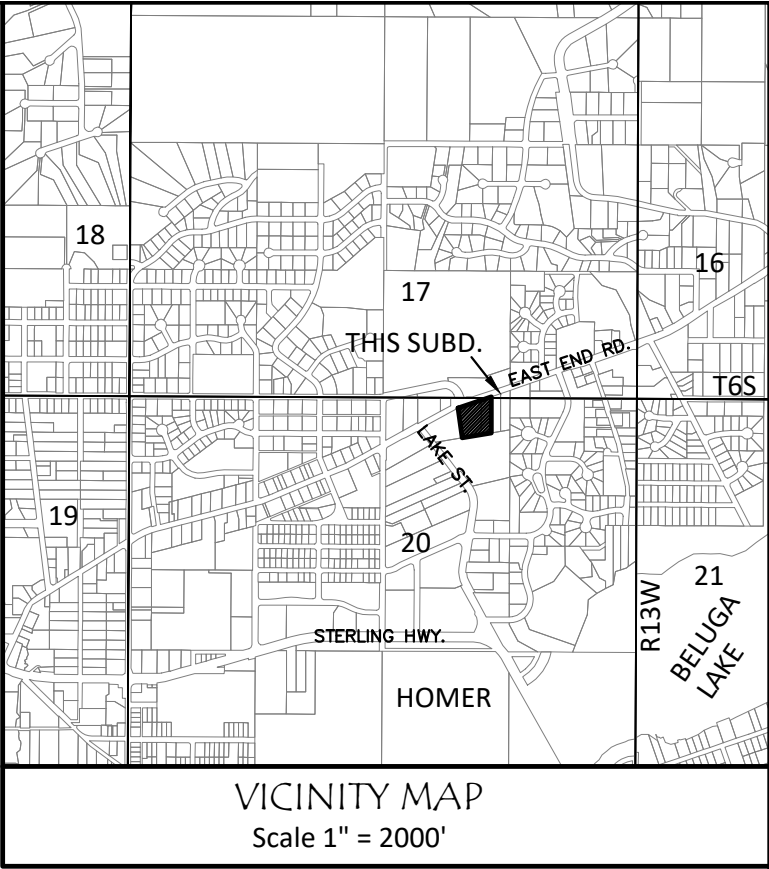
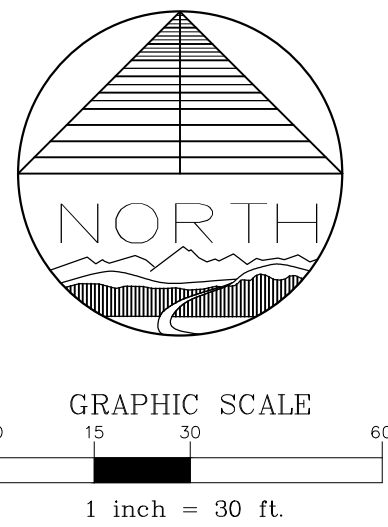
1. Grant a 15' utility easement fronting East Road, along the entire boundary west of the 25' sewer main easement.
2. Amend the legend to clearly distinguish between the various line types depicted on the plat—including property lines, section lines, and rights-of-way centerlines.
3. Adjust the arrow in the vicinity map to accurately locate Tract-A, rather than adjacent lots to the east.
4. Dedicate a 20' wide drainage easement centered along the location of the existing creek, consistent with the easement granted under HM 2018-40, to be subject to Homer City Code with the approximate location to be shown.

Attachments:

1. Preliminary Plat
2. Surveyor's Letter to City of Homer
3. Drainage Easement Diagram
4. Public Notice
5. Aerial Map



CURVE TABLE						
CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING	CHORD LENGTH
C1	3°25'08"	1325.46'	79.09'	39.56'	N 71° 46' 00" E	79.08'



CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT RAW BIRCH LLC, IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON AND ON BEHALF OF RAW BIRCH LLC, I HEREBY ADOPT THIS PLAN OF SUBDIVISION AND BY MY FREE CONSENT DEDICATE ALL RIGHTS-OF-WAY AND PUBLIC AREAS TO PUBLIC USE AND GRANT ALL EASEMENTS TO THE USE SHOWN.

JUSTIN G. BLACKSTOCK
RAW BIRCH LLC, OWNER
PO BOX 3448
HOMER, AK 99603

NOTARY'S ACKNOWLEDGEMENT

FOR: JUSTIN G. BLACKSTOCK
ACKNOWLEDGED BEFORE ME THIS

____ DAY OF _____, 2025

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC FOR THE
STATE OF ALASKA

NOTES

1. WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS SHALL BE PERMITTED ONLY IN CONFORMANCE WITH APPLICABLE REQUIREMENTS OF 18 AAC 72 AND 18 AAC 80.
2. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
3. ALL DEVELOPMENT MUST MEET THE CITY OF HOMER TITLE 21 ZONING CODE.
4. THIS PARCEL MAY BE SUBJECT TO THE FOLLOWING:
 - 4.1. A SANITARY SEWER EASEMENT GRANTED TO THE CITY OF HOMER
4.1.1. RECORDED APRIL 8, 1994, BOOK 232 PAGE 102, HRD.
 - 4.2. A SANITARY SEWER EASEMENT GRANTED TO THE CITY OF HOMER
4.2.1. RECORDED APRIL 8, 1994, BOOK 232 PAGE 108, HRD.
 - 4.3. A DRAINAGE EASEMENT GRANTED TO THE STATE OF ALASKA
4.3.1. RECORDED MARCH 28, 2001, BOOK 312 PAGE 139, HRD.
 - 4.4. A DRAINAGE EASEMENT GRANTED TO THE STATE OF ALASKA
4.4.1. RECORDED MARCH 28, 2001, BOOK 312 PAGE 147, HRD.
 - 4.5. RESOLUTION NO. 15-017 FOR THE CITY OF HOMER IN NATURAL GAS SPECIAL ASSESSMENT DISTRICT NUMBER 12-69
4.5.1. RECORDED MAY 12, 2015, 2015-001337-0, HRD.

WASTEWATER DISPOSAL

PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

LEGEND

- RECORD PRIMARY MONUMENT AS DESCRIBED
- FOUND PRIMARY MONUMENT AS DESCRIBED
- FOUND 2" ALUMINUM CAP 7610-S 2005
- SET 5/8"x30" REBAR w/ 1" BLUE PLASTIC CAP LS-211269
- COMPUTED
- AREA SUBJECT TO INUNDATION/DISCHARGE SLOPE
- CONTOUR INTERVAL = 5'
- SLOPES GREATER THAN 20%

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH IN ACCORDANCE WITH KPB 20.10.040.

AUTHORIZED OFFICIAL

Plat #
Rec Dist
Date
Time



RAW BIRCH 2025 REPLAT			
REPLAT OF LANDS DESCRIBED IN STATUTORY WARRANTY DEED 2025-002362-0 EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES PER BOOK 312 PAGE 143, HRD.			
RAW BIRCH LLC, OWNER PO BOX 3448, HOMER, AK 99603			
2.556 AC. M/L SITUATED IN THE E1/2 SECTION 20 & W1/2 SECTION 17, TOWNSHIP 6 NORTH, RANGE 13 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THE CITY OF HOMER, AND THE HOMER RECORDING DISTRICT, ALASKA.		2.556 AC. M/L SITUATED IN THE E1/2 SECTION 20 & W1/2 SECTION 17, TOWNSHIP 6 NORTH, RANGE 13 WEST, SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THE CITY OF HOMER, AND THE HOMER RECORDING DISTRICT, ALASKA.	
ENGINEERING - TESTING SURVEYING - MAPPING P.O. BOX 468 SOLDOTNA, AK. 99669 VOICE: (907) 283-4218 FAX: (907) 283-3265 WWW.MCLANECG.COM	KPB File No.	2025-XXX	
	Project No.	252037	
SCALE 1" = 30'	DATE : AUG. 2025	BOOK NO. : 25-07	DRAWN BY : AHH



McLane Consulting Inc.
PO Box 468
Soldotna, AK 99669

City of Homer Planning Department
491 E Pioneer Ave
Homer, AK 99603

Subject: Submission of Raw Birch 2025 Replat – KPB Parcel IDs 17706011 & 17706012

Dear Planning Department,

On behalf of Raw Birch LLC, McLane Consulting Inc. is pleased to submit the Raw Birch 2025 Replat for review and approval. This replat proposes to combine Kenai Peninsula Borough Parcel IDs 17706011 and 17706012 into a single unified lot to facilitate future development and improve land use efficiency.

The parcels are currently described in separate deeds and are located within the City of Homer's jurisdiction. The proposed replat does not alter existing access, utility easements, or zoning designations.

Enclosed in this packet are the following items:

- (1) Full-size paper copy of the Plat
- (1) 11"x17" reduced paper copy of the Plat
- (1) Digital copy of the Plat optimized for legibility for an 11"x17" print (USB)
- Preliminary Plat Processing Fee (\$300)

We respectfully request that this replat be placed on the next available Planning Commission agenda for consideration. Please let us know if any additional information or revisions are needed to complete the review process.

Thank you for your time and attention to this matter. We look forward to working with the Planning Department to finalize this replat.

Sincerely,
Andrew Hamilton, PLS
Survey Manager
McLane Consulting Inc.

RECEIVED

AUG 11 2025

CITY OF HOMER
PLANNING/ZONING



26

NOTICE OF SUBDIVISION

Public notice is hereby given that a preliminary plat has been received proposing to subdivide or replat property. You are being sent this notice because you are an affected property owner within 500 feet of a proposed subdivision and are invited to comment.

Proposed subdivision under consideration is described as follows:

Raw Birch 2025 Replat Preliminary Plat

The location of the proposed subdivision affecting you is provided on the attached map. A preliminary plat showing the proposed subdivision may be viewed at the City of Homer Planning and Zoning Office. Subdivision reviews are conducted in accordance with the City of Homer Subdivision Ordinance and the Kenai Peninsula Borough Subdivision Ordinance. A copy of the Ordinance is available from the Planning and Zoning Office. **Comments should be guided by the requirements of those Ordinances.**

A public meeting will be held by the Homer Planning Commission on Wednesday, September 3, 2025 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

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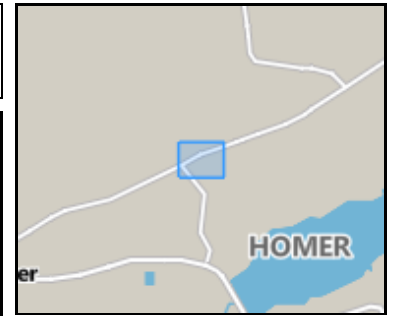
Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for August 29, 2025 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

.....



Legend

Transportation

Mileposts



Parcels and PLSS

Tax Parcels



0 200 400
ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correction of the data, or use of the data.

CITY OF HOMER
HOMER, ALASKA

City Manager

ORDINANCE 25-XX

**AN ORDINANCE OF THE HOMER CITY COUNCIL ADOPTING THE
2025 HOMER COMPREHENSIVE PLAN AND RECOMMENDING
ADOPTION BY THE KENAI PENINSULA BOROUGH.**

WHEREAS, The Kenai Peninsula Borough as a Second Class Borough shall provide for planning on an areawide basis in accordance with AS 29.40; and

WHEREAS, As provided in Kenai Peninsula Borough Code 21.01.025, cities in the Borough requesting extensive comprehensive plan amendments may recommend to the Kenai Peninsula Borough Planning Commission a change to the city comprehensive plan; and

WHEREAS, The City of Homer has prepared extensive comprehensive plan amendments in the form of the 2025 Homer Comprehensive Plan; and

WHEREAS, A comprehensive plan is a public declaration of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the City; and

WHEREAS, The 2025 Homer Comprehensive Plan will guide the development of the City of Homer; and

WHEREAS, The Homer Advisory Planning Commission and other City commissions and bodies have reviewed said plan and/or conducted public hearings; and

WHEREAS, The Homer City Council, based upon the recommendation of the Homer Advisory Planning Commission, recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2025 Homer Comprehensive Plan.

NOW THEREFORE, The City of Homer Ordains:

Section 1. The 2025 Homer Comprehensive Plan is hereby adopted as the City of Homer Comprehensive Plan, superseding the 2018 Comprehensive Plan, the 2006 Homer Town Center Development Plan, and 2010 Homer Spit Plan.

Section 2. The previously adopted Homer Master Roads and Streets Plan (1986), Homer Transportation Plan (2024), remain part of the Homer Comprehensive Plan.

[Bold and underlined added. Deleted language stricken through]

Section 3. Subsection (b) of Homer City Code 21.02.010, Comprehensive Plan-Adoption, is amended to read as follows:

b. The following documents, as initially approved and subsequently amended, are adopted by reference as comprising the Homer Comprehensive Plan.

- ~~1. Homer Comprehensive Plan (2018)~~
- 2. Homer Comprehensive Plan (2025)**
3. Homer Master Roads and Streets Plan (1986)
4. Homer Transportation Plan (2024)
- ~~5. Homer Town Center Development Plan (2006)~~
- ~~6. Homer Spit Plan (2010)~~

Section 4. The City hereby recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2025 Homer Comprehensive Plan as extensive comprehensive plan amendments under Kenai Peninsula Borough Code 21.01.025, and as an element of the Official Borough Comprehensive Plan within the City of Homer planning area of the Borough.

Section 5. Sections 1 through 3 of this ordinance shall take effect upon the adoption of the 2025 Homer Comprehensive Plan by the Kenai Peninsula Borough Assembly. The remainder of this ordinance shall take effect upon its adoption by the Homer City Council.

Section 6. Section 3 of this ordinance is of a permanent and general character and shall be included in the city code. The remainder of this ordinance is not of a permanent nature and is a non-code ordinance.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

84 _____
85 RENEE KRAUSE, MMC, CITY CLERK
86
87 Introduction:
88 Public Hearing:
89 Second Reading:
90 Effective Date:
91
92 YES:
93 NO:
94 ABSTAIN:
95 ABSENT:

DRAFT



Memorandum

TO: ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND
HOMER ADVISORY PLANNING COMMISSION

FROM: JACKIE MCDONOUGH, COMMUNITY DEVELOPMENT ASSOCIATE

DATE: AUGUST 14, 2025

SUBJECT: ITINERANT MERCHANT CODE REVISIONS

Purpose: The City Council requests guidance on postponed Ordinance 25-54, to determine if/how to accommodate vendors who wish to sell non-food items from temporary structures or vehicles within the Central Business District.

Background

Over the last year, there have been many inquiries from entrepreneurs wanting to conduct business from vehicles or temporary structures in the Central Business District and on the Spit. Those who want to sell food can do so thanks to a 2022 code revision. A City of Homer mobile food permit costs only \$50 annually; the number of mobile food services has doubled, and compliance is at 100%.

Vendors who want to sell non-food items or offer services are limited to the Itinerant Merchant License (HCC 8.08), which is expensive, onerous, and geared more toward door-to-door solicitation. While itinerant merchants may operate in the CBD, there is currently no allowance for temporary structures without a zoning permit. Ordinance 25-54 seeks to allow temporary structures, for retail.

Questions to consider

1. How long is temporary? "Temporary business" under Itinerant Merchant code is limited to 60 days, with associated temporary structures requiring removal immediately upon expiration [HCC 8.08.060]. Food trucks do not have limitations beyond having to reapply annually. Should temporary retail sales follow the mobile food unit model?
2. How would this affect traditional business owners in the CBD, who are asked to meet standards for fire safety, plumbing, and parking? Should small temporary structures be required to observe the same rules for road setbacks and attractive storefronts as permanent establishments?

3. Would mobile vendors be welcome to operate everywhere mobile food services and itinerant merchants are allowed, or everywhere retail sales are a permitted use?
4. Are we ready for all the creative ways this might be used? Picture a shack renting scooters, a mobile sauna unit, a Christmas tree stand, a trailer with fishing tackle, a leaning tower of hats, carpet sales. The intent of this ordinance is to allow retail sales only within “structures,” so vehicles are not under current consideration. However, staff has seen interest from the public in operating from all kinds of mobile and temporary units. What would make the ordinance fair, clear, and enforceable for these vendors?
5. Should the ordinance follow most of the provisions of the existing mobile food ordinance (8.11) including allowing generators? Should it also require provision e. *Not diminish the ability of others to conduct business, through excessive noise, odor, or other occurrence?*
6. Would temporary retail structure owners be required to have an Itinerant Merchant license (8.08), or should that license be eliminated as unnecessary and burdensome?

What's currently allowed where?

	CBD	Rural Residential	East End Mixed Use	GC1	GC2	Marine Commercial	BCWPD
Mobile Food Service [HCC 8.11]	✓		✓	✓	✓	✓	
Itinerant Merchant [HCC 8.08]	✓		✓	✓	✓	✓	
Mobile Commercial Structure, not used for construction [HCC 21.03, 21.04.070]			✓		✓		
Roadside Produce Stand [HCC 21.03]		✓					✓
Farmers Market [HCC 21.03]	✓		✓	✓	✓		
Open Air Business [HCC 21.03]			✓	✓	✓		

Requested Action:

- Discuss the proposed ordinance 25-54, keeping in mind the balance between supporting entrepreneurship and respecting current business owner investment in the community.

- *Make recommendations to Council, with any amendments or changes by September 11th.*

Attachments:

HCC Ordinance 25-54

Memorandum CC-25-204 Amend HCC Title 8 Adding Chapter 8.13 Temporary Retail Services

Email from Jenny Stroyeck from Supplemental Packet

Council Minutes

Memorandum from Public Works Director Kort

**CITY OF HOMER
HOMER, ALASKA**

Davis/Aderhold

ORDINANCE 25-54

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE TITLE 8 PERMITS, LICENSES AND
REGULATIONS BY ADDING CHAPTER 8.13 TEMPORARY RETAIL
SERVICES.

WHEREAS, The City of Homer recognizes the growing interest in temporary and movable structures, such as food trucks and small retail shops, to promote economic development and vibrant community spaces; and

WHEREAS, The existing definition of mobile food service in Homer City Code 8.11.020 supports self-contained food service establishments but does not address other temporary retail structures, limiting opportunities for diverse commercial uses; and

WHEREAS, Creating a new category of movable retail structures will provide greater flexibility for entrepreneurs with limited resources to establish small businesses, such as mobile retail shops, without requiring permanent foundations; and

WHEREAS, Allowing movable retail structures will contribute to expanding the City's tax base by enabling new business opportunities and attracting visitors to commercial areas; and

WHEREAS, Movable retail structures enhance the city fabric and promote walkability by creating dynamic, accessible, and pedestrian-friendly commercial spaces in Homer's neighborhoods; and

WHEREAS, The City of Sitka defines movable structures as "structures built on a chassis with wheels, skids, or other mechanisms designed to facilitate mobility, not permanently affixed to a foundation," providing a model for broadening Homer's regulations to support temporary retail uses; and

WHEREAS, This amendment is intended to establish a new category of movable retail structures to include those on a chassis, skids, or wheels, thereby encouraging diverse, temporary commercial land uses that contribute to the economic and cultural vitality of Homer.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

~~Strike out~~ is deleted language, **bold underline** is new language

Section 1. Homer City Code Title 8 is hereby amended by adding Chapter 8.13 Temporary Retail Services as follows:

Chapter 8.13
TEMPORARY COMMERCIAL SERVICES

Sections:

8.13.010 Intent

8.13.020 Definition.

8.13.030 Permit Required

8.13.035 General standards

8.13.040 Permit – Application – Fees.

8.13.050 Permit Terms

8.13.080 Violation – Penalty.

8.13.085 Appeal of Decision

8.13.010 Intent

The intent of this chapter is to allow and regulate temporary retail services which may be beneficial to the City and its residents.

8.13.020 Definition.

For the purpose of this chapter, “temporary retail service” means a self-contained small commercial building, no larger than 150 square feet, that is designed to be readily moveable from location to location, without being permanently affixed to any site or permanently connected to any water or sewer utility service.

8.13.030 Permit – Required.

No person may operate from a temporary retail service as defined in this chapter within the City without first obtaining a temporary retail service permit from the City Manager or designee.

a. Exemptions. The permitting requirements of this chapter do not extend to the following instances:

1. Isolated or casual sales of personal goods, wares, vehicles, animals, etc., or to the sale of similar items at such functions as garage sales, flea markets, and bazaars;

2. Vendors participating in a special events permitted under HCC 5.46 or activities conducted at conferences that cater to a specialized audience;

3. A commercial fisherman who has a valid commercial fishing license issued by the State of Alaska and who has completed and filed with Alaska Department of Fish and Game the forms required to qualify as a “catcher-seller”.

8.13.035 General standards

The following general standards shall apply as requirements for the operation of temporary retail service in the City of Homer. The owner/operator of the temporary retail service shall:

1. Be registered to collect sales tax with the Kenai Peninsula Borough and be current on all sales tax remittances;

2. Have obtained permission from the property owner where operating;

3. Be located in a zoning district in which retail sales is a permitted use, or in any specific location authorized as part of an approved special event permitted under HCC 5.46;

4. Not create hazardous traffic patterns for vehicles or pedestrians;

5. Not diminish the ability of others to conduct business, through excessive noise, odor, or other occurrence;

6. Provide for the collection and removal of all waste from the site at the end of each day of operation;

7. Be in accordance with the regulations found in the City's Sign Code, HCC 21.60;

8. Post in a conspicuous place, able to be observed by the general public, their State of Alaska Business License, and the temporary retail service permit issued by the City of Homer (if applicable);

9. Ensure that, with the exception of generators, all operations, merchandise and services provided by and related to the temporary retail service be contained in or attached to the unit;

10. Not be located within a utility easement; within a building setback area, or within a State of Alaska Department of Transportation Right of Way;

11. If authorized to operate in a City right-of-way or on City property, hold a certificate of insurance indicating that the owner/operator's operation of a temporary retail service is covered by liability insurance that meets or exceeds the following:

<u>Personal Injury (each occurrence)</u>	<u>\$100,000</u>
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Aggregate Products (each occurrence) \$100,000

Property Damage (each occurrence) \$50,000

8.13.040 Permit – Application – Fees.

Unless waived by the City Manager as part of a permitted special event under HCC 5.46, a valid permit is required prior to operating a temporary retail service in the City. An application for a temporary retail service permit shall be submitted to, and approved by, the City of Homer and shall contain the following:

- 1. Completed application form, as provided by the City of Homer;**
- 2. Permit fee as set out in the City of Homer Fee Schedule;**
- 3. If operating in a City right-of-way or on City property, proof of insurance;**

8.13.050 Permit Terms.

The temporary retail service permit shall expire at the end of the calendar year of issuance.

The City Manager, or designee, may revoke a temporary retail service permit if it is determined that the conduct of the operation(s) is not in compliance with either the terms and conditions of the permit, or the provisions of the Municipal Code. The permit may be revoked immediately, including during the operation of the temporary retail service.

8.13.080 Violation – Penalty.

The following actions are unlawful and considered a minor offense as defined in HCC 1.16.040:

- 1. Operating a temporary retail service without obtaining a valid city temporary retail service permit or special event waiver under HCC 5.46;**
- 2. Operating a temporary retail service in violation of any of the general standards set forth in HCC 8.13.035;**

3. Selling or attempting to sell food and/or beverage, merchandise or other services on foot or from a motor vehicle, trailer, tent or other temporary facility that does not qualify as a temporary retail service and is not exempted in HCC 8.13.030.

The owner, agent, or contractor of a temporary commercial service where a violation has been committed or exists, may be fined as provided in HCC 1.16.040. Each and every day that the violation continues shall be deemed a separate and distinct violation. All remedies and penalties provided for in this chapter shall be cumulative and not exclusive.

8.13.085 Appeal of Decision.

Judicial review by the superior court of a final decision on a temporary commercial service permit issued by the City may be had by filing a notice of appeal in accordance with the applicable rules of court governing appeals in civil matters. The notice of appeal shall be filed within 30 days of notice of the final decision on the permit. Appeals of temporary retail service permits are heard solely on the administrative record which shall be prepared by the City. A copy shall be filed in the superior court within 30 days after the appellant pays the estimated cost of preparing the complete or designated record or files a corporate surety bond equal to the estimated cost.

Section 2. This ordinance is of a permanent and general character and shall be codified in Homer City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this this ____ day of August, 2025.

CITY OF HOMER

RACHEL LORD, MAYOR

ATTEST:

RENEE KRAUSE, MMC, CITY CLERK

YES:

NO:

ABSENT:

ABSTAIN:

200 First Reading:
201 Public Hearing:
202 Second Reading:
203 Effective Date:



MEMORANDUM

Ordinance 25-54, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 8 Permits, Licenses and Regulations by Adding Chapter 8.13 Temporary Retail Services. Davis/Aderhold.

Item Type: Backup Memorandum
Prepared For: Mayor Lord and Homer City Council
Date: August 5, 2025
From: Melissa Jacobsen, City Manager

At the July 28, 2025, City Council meeting, Councilmember Davis introduced Resolution 25-070 to direct the Planning Commission to amend city code, likely Title 21, to allow temporary retail structures on vacant lots in the Central Business District.

After discussion and postponement to August 11, 2025, city staff, including Community Development Director Engebretsen and myself, collaborated with Councilmembers Davis and Aderhold to develop a more streamlined solution that aligns temporary retail structures with mobile food service regulations, eliminating the need for the broader zoning code changes proposed in Resolution 25-070.

Currently, Chapter 8.11 regulates mobile food services as self-contained, movable establishments not requiring permanent utility connections. However, no clear framework exists for other temporary retail activities, such as mobile shops selling clothing or crafts. The existing Itinerant Merchant's License (HCC 8.08) is outdated, requiring burdensome processes like criminal background checks and high fees (\$1,020 for 180 days), and does not address mobile structures, making it unsuitable for modern entrepreneurs.

Ordinance 25-54 creates Chapter 8.13, Temporary Retail Services, to regulate self-contained small commercial buildings, no larger than 150 square feet that are designed to be readily moveable from location to location, without being permanently affixed to any site or permanently connected to any water or sewer utility service.

RECOMMENDATION:

City Staff have been approached multiple times this year by would-be entrepreneurs wishing to engage in temporary retail services, and Staff agrees with the sponsors that the avenue for temporary vendors of non-food items or services to operate in Homer is a gray area. Ordinance 25-54 gets us moving in the direction of finally saying "yes" to folks eager to open such businesses in our community. However, Staff believes a little extra time should be taken to re-craft this ordinance to also include updates to our outdated Itinerant Merchant code.

From: [Rachel Lord](#)
To: [Renee Krause](#)
Cc: [Melissa Jacobsen](#)
Subject: Fw: Temporary Retail Ordinance
Date: Monday, August 11, 2025 12:09:08 PM

Hi Renee,

Could you please include this in the supplemental or laydown packets tonight?
I checked with Jenny and she gave a thumbs up.

Thanks!

Rachel

Rachel Lord
Mayor
City of Homer
c. 907-435-7209
[From the Desk of the Homer Mayor](#) - Newsletter

PUBLIC RECORDS LAW DISCLOSURE: Most e-mails from or to this address will be available for public inspection under Alaska public records law.

From: Jenny Stroyeck <wordfolk@xyz.net>
Sent: Saturday, August 9, 2025 10:26 PM
To: Mayor Email; Jason Davis; Donna Aderhold
Subject: Temporary Retail Ordinance

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

Hello Rachel, Jason, and Donna-

I am curious about this ordinance as a business owner in the CBD. Are these temporary businesses required to have parking and ADA accessibility like those of us with permanent buildings? I can tell you that parking is at a premium on Pioneer Avenue in the summer and if there are going to be a bunch of tiny businesses popping up, where are their patrons going to park? I love the idea of a walking accessible downtown shopping area, but since we have no city or public parking lots for people to park their vehicles while strolling this pedestrian accessible shopping area..... how does this work?

Also, it seems that the city has a spoken commitment to increasing ADA accessibility. (And we have a long way to go!) Many businesses have done their best to provide access when remodeling, at their own cost. Others have not. This is where I see a temporary shop as different from a food truck. In every food truck I have seen, only employees enter and as long as the surface where the truck is parked is smooth and reasonably level, accessibility is generally

not a problem. If customers are entering these shops, then it is my personal opinion that they need to be following the same accessibility standards as a permanent building. Otherwise we are just perpetuating the current double standard of accessibility only for the able.

I'm also concerned about the allowance of generators. Not a fan of adding to the noise pollution already present by the increasing number of floatplanes and growing traffic. I see that the ordinance does say that noise shall not impede the business of others. But who will enforce that? We have a current sandwich board ordinance in place, and it's pretty clear that there is no enforcement of that when the sidewalks and road edges are routinely blocked both in the CBD and on the Spit. (Also creating accessibility problems and unsafe conditions on the Spit where pedestrians walk into the traffic lane to get around the sandwich boards.)

I agree with Melissa that perhaps this needs to go back to planning and be thought through a bit more. I think it's great to offer an avenue to enter retail in a small way, but I would much prefer to see a planned area (maybe adjacent to the new rec center?) where shops could be clustered, and electrical hookups could be offered to minimize noise pollution and parking is available on site.

Our town is growing by leaps and bounds. I think planing and wise growth will keep it a spot tourists love to visit, and where people can live and raise families.

Thanks for your time and all the effort you put in to make our town a safe and livable place!

Jenny Stroyeck
65240 Diamond Ridge Rd.
Homer, AK 99603

Mayor Lord requested a roll call vote.

VOTE. NO. VENUTI, ERICKSON, ADERHOLD, PARSONS, DAVIS, HANSEN.

Mayor Lord called a five-minute recess at 8:08 p.m. She called the meeting back to order at 8:13 p.m.

ORDINANCE(S)

- a. Ordinance 25-54, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 8 Permits, Licenses and Regulations by Adding Chapter 8.13 Temporary Retail Services. Davis/Aderhold. Introduction August 11, 2025, Public Hearing and Second Reading August 25, 2025.

Memorandum CC-25-204 from City Manager as backup.

Mayor Lord introduced Ordinance 25-54 by reading of the title and requested a motion.

DAVIS/ADERHOLD MOVED TO INTRODUCE ORDINANCE 25-54 BY READING OF TITLE ONLY.

Discussion ensued on the following:

- Allowing retail sales in movable structures outside of food trucks
 - Not requiring connection to water & sewer as it would not be needed
 - ADA Accessibility
 - Use of generators and more noise pollution
 - Steppingstone to a more structured business
 - Not intended to put undue pressure on existing businesses
- Introduction and postponement to the second meeting in September
 - Staff review and make substantial edits
 - Council review staff edits and refers to the Planning Commission and EDC for recommendations
 - Having public input on this ordinance could provide valuable information before postponing it and giving it to staff rather than leaving it solely to the judgement of the staff
 - Having input from the Chamber of Commerce would be of great value as well, from Robert Green, Small Business Development
 - Postpone to the end of September and refer to the September 9th EDC meeting and Planning Commission September 3rd meeting
- Concern on impacts to “*brick & mortar*” businesses
 - Supporting temporary structures does not support the existing businesses
- Several preferences were recommended:
 - introduce the ordinance and hold a public hearing at the next meeting to hear from the public
 - Implement this ordinance and staff work on city code to address issues and concerns in detail over the next several months addressing itinerant merchant section in city code, etc.
- Implementation would allow business owners opportunities now or in the near future.
- Intent to create a walkable downtown, but there is nowhere to park

Mayor Lord restated for the record the three options presented by Councilmembers for the ordinance as she understood:

- Introduce and hold public hearing as normally done
- Introduce, postpone and refer to staff;
- Postpone and refer to advisory bodies; or

- Council can do nothing at all, as it is their decision.

ADERHOLD/ERICKSON MOVED TO POSTPONE ORDINANCE 25-54 TO THE SEPTEMBER 22, 2025 COUNCIL MEETING AND REFER THE ORDINANCE TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND HAVE STAFF DO ADDITIONAL REVIEW AND AMENDMENTS AS NEEDED.

Brief discussion on referring the ordinance to the Planning Commission followed.

ERICKSON MOVED TO AMEND THE MOTION TO ADD REFER TO THE CHAMBER OF COMMERCE.

Mayor Lord called for a second. Hearing none the motion failed due to lack of a second.

VENUTI/ADERHOLD MOVED TO AMEND THE AMENDMENT TO ADD REFER TO THE PLANNING COMMISSION AND ADD THE MEETING DATES

There was a brief acknowledgement that the ordinance would still need to be back before the Council at their second meeting in September and it was determined that the Planning Commission had a regular meeting on September 3, 2025 and the EDC had a meeting on September 9, 2025.

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

Motion carried.

Mayor Lord stated the amended motion to postpone for the record as follows and expressed her appreciation for the compromises and collaboration displayed.

ADERHOLD/ERICKSON MOVED TO POSTPONE ORDINANCE 25-54 TO THE SEPTEMBER 22, 2025 COUNCIL MEETING AND REFER TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AND THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION AT THEIR SEPTEMBER MEETINGS AND FOR STAFF TO DO ADDITIONAL REVIEW AND AMENDMENTS AS NEEDED.

There was no further discussion.

VOTE. (Main motion as amended). NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 25-55, An Ordinance of the City Council of Homer, Alaska, Amending the FY26 Capital Budget by Appropriating Funds in the Amount of \$8,000 from the Community Recreation Center Fund for a Public Information Campaign in Connection with the Ballot Proposition to Approve a City Sales Tax Increase in the Amount of 0.3%, for a Term of Eight Years, for the Purpose of Financing the Acquisition and Construction of a Multi-Purpose Community Recreation Center. Davis/Aderhold. Introduction August 11, 2025, Public Hearing and Second Reading August 25, 2025.

Mayor Lord introduced Ordinance 25-55 by reading of the title and requested a motion.

DAVIS/ADERHOLD MOVED TO INTRODUCE ORDINANCE 25-55 BY READING OF TITLE ONLY.

There was a brief comment on not making a motion or second and letting the motion die at the table.



MEMORANDUM

To: Planning Commission
Through: Ryan Foster, City Planner & Staff Liaison to the Planning Commission
From: Daniel Kort, Public Works Director
Date: August 27, 2025
Subject: Supplementary Information related to Ordinance 25-54

Background:

Discussion began relating to temporary businesses and whether they were required to connect to City of Homer (City) water and sewer services. The creation of Ordinance 25-54 came from these discussions.

Discussion:

In July 2025, Resolution 25-070 was introduced to direct the Planning Commission to amend city code to allow temporary retail structures on vacant lots in the Central Business District. After discussion, a new approach was proposed, which led to the introduction of Ordinance 25-54 Amending Homer City Code Title 8 Permits, Licenses and Regulations by Adding Chapter 8.13 Temporary Retail Services.

Some of the interest in this code amendment is to relieve the temporary structure from the requirement of connecting to city water and sewer. Water and wastewater utilities fall under the Public Works Department, and on behalf of the Public Works Department, I'd like to offer the Planning Commission information related to this proposed code change.

Homer City Code HCC 14.04.020(a) states *"Except as otherwise provided in this chapter, no person shall erect or occupy a dwelling or commercial or industrial building directly adjacent to the sanitary system without connecting to the sanitary system."* If a person builds on vacant land that has water and wastewater utility "frontage", they must hook up to the utility. The intent is likely tied to encouraging more water and sewer customers (residential, commercial, and industrial), and also health and safety reasons.

City code currently allows accessory structures to be built on a lot that has a primary structure which is already served by water and sewer. This accessory structure does not need to be served with water and sewer service, provided the primary structure on the lot has water and sewer service. The difference would be that in the proposed Ordinance, there would only be a temporary structure on the property fronting the water and sewer utility, but there is no utility connection made to the property.

Support of the proposed Code change is related to a presentation from “Strong Towns”, in which the presenter spoke about his observations of Pioneer Avenue, how he observed a lot of vacant land and parking lots, and how he believed we did not have developed property density to “pay for the miles of pipe in the ground”. There were also comments that the “Temporary Retail Services” would fill in the gaps and generate sales tax revenue. While this could provide people the opportunity to initiate a business opportunity to see if it will be successful and create sales tax revenue, it also raises question that Temporary Retail Service is no different than vacant land when it comes to the Strong Towns conversation of paying for the “miles of pipes in the ground”, because the “Temporary Retail Services” are bypassing the connection to the City’s utilities.

This proposed Code change brings up some questions/comments for consideration, such as:

- There are other existing “brick and mortar” retail facilities that are connected to City utilities. This Code change could cause some inequity where some retail businesses are connected to the City utilities, while other “Temporary Retail” are not connected. How would the City balance these inequities?
- How would the City prevent “quiet quitting” and retail facilities transitioning to temporary facilities to avoid overhead costs related to utilities?
- There are other businesses that don’t require water or sewer services to operate. This Code change currently only specifies “retail”, but how long before other businesses request coverage under this Code change?
- How long is “temporary”? How will the code prevent these temporary structures from becoming structures that are permanently located on properties?
- A business typically needs to provide employees and customers with restrooms. In this scenario, the temporary business would be shifting this responsibility onto the City owned and operated restrooms. This means that the City bears the cost related to providing restrooms, and all City customers offset the cost.

The concern is the less customers of the water and wastewater utility, the more expensive the rates are for each connected customer.

The Public Works Department understands the reason behind the proposed Code change and supports the general principle, however we are responsible to maintain and operate water and wastewater utilities in the best interest of the City and the customers. Perhaps there are things that can be considered in the formation of this proposed code change. Some examples:

- The presenter for Strong Towns mentioned that some City’s have “business incubator districts” where the City or a developer owns a single property and there are multiple temporary structures located upon the single property where people can operate temporary business as a “trial balloon” to determine if the business is successful.
- Perhaps the Code change limits the time period a temporary structure can be used before they have to transition to a “brick and mortar” structure.

- Perhaps the Code change includes stipulations where a property can only host a temporary structure for a set time period, followed by a “cooling off period” where a temporary structure cannot be located on the property to prevent one temporary structure being replaced with a second temporary structure, followed by a third, and so on.

Summary:

The Public Works Department recognizes the value in the proposed Code change, however has reservations on the potential impact. The potential impact being a reduction in users of the water and wastewater utility and shifting of cost burden upon other utility users. We are hopeful that some middle ground can be found where the City is fostering an environment that is conducive to new businesses, while simultaneously is advocating for connection to the City’s utilities.

**PLANNING COMMISSION
2025 Calendar**

	AGENDA ITEM DEADLINES	MEETING DATE	COMMISSIONER SCHEDULED TO REPORT	CITY COUNCIL MEETING FOR REPORT*	ANNUAL TOPICS FOR AGENDA AND EVENTS PLANNED
JANUARY	12/11/24 Public Hearing Items 12/13/24 Prelim Plat Submittals 12/17/24 Regular Agenda Items	01/02/25		Monday, 01/13/25 6:00 p.m.	
	12/24/24 Public Hearing Items 12/27/24 Prelim Plat Submittals 01/03/25 Regular Agenda Items	01/15/25		Monday 01/27/25 6:00 p.m.	
FEBRUARY	01/15/25 Public Hearing Items 01/17/25 Prelim Plat Submittals 01/24/25 Regular Agenda Items	02/05/25		Monday 02/10/25 6:00 p.m.	NFIP Staff Training
	01/29/25 Public Hearing Items 01/31/25 Prelim Plat Submittals 02/07/25 Regular Agenda Items	02/19/25		Monday 02/24/25 6:00 p.m.	
MARCH	02/12/25 Public Hearing Items 02/14/25 Prelim Plat Submittals 02/21/25 Regular Agenda Items	03/05/25		Monday 03/10/25 6:00 p.m.	
	02/26/25 Public Hearing Items 02/28/25 Prelim Plat Submittals 03/07/25 Regular Agenda Items	03/19/25		Monday 03/24/25 6:00 p.m.	
APRIL	03/12/25 Public Hearing Items 03/14/25 Prelim Plat Submittals 03/21/25 Regular Agenda Items	04/02/25		Monday 04/14/25 6:00 p.m.	
	03/26/25 Public Hearing Items 03/28/25 Prelim Plat Submittals 04/04/25 Regular Agenda Items	04/16/25		Monday 04/28/25 6:00 p.m.	
MAY	04/16/25 Public Hearing Items 04/18/25 Prelim Plat Submittals 04/25/25 Regular Agenda Items	05/07/25		Monday 05/12/25 6:00 p.m.	
	04/30/25 Public Hearing Items 05/02/25 Prelim Plat Submittals 05/09/25 Regular Agenda Items	05/21/25		Tuesday 05/27/25 6:00 p.m.	
JUNE	05/14/25 Public Hearing Items 05/16/25 Prelim Plat Submittals 05/23/25 Regular Agenda Items	06/04/25		Monday 06/09/25 6:00 p.m.	Reappointment Applications will be sent out by the Clerk.
	05/28/25 Public Hearing Items 05/30/25 Prelim Plat Submittals 06/06/25 Regular Agenda Items	06/18/25		Monday 06/23/25 6:00 p.m.	

JULY	06/25/25 Public Hearing Items 06/27/25 Prelim Plat Submittals 07/03/25 Regular Agenda Items	07/16/25		Monday 07/28/25 6:00 p.m.	
AUGUST	07/16/25 Public Hearing Items 07/18/25 Prelim Plat Submittals 07/25/25 Regular Agenda Items	08/06/25		Monday 08/11/25 6:00 p.m.	<ul style="list-style-type: none"> • Election of Officers • Worksession: Training with City Clerk • Capital Improvement Plan Presentation by Jenny Carroll
	07/30/25 Public Hearing Items 08/01/25 Prelim Plat Submittals 08/08/25 Regular Agenda Items	08/20/25		Monday 08/25/25 6:00 p.m.	
SEPTEMBER	08/13/25 Public Hearing Items 08/15/25 Prelim Plat Submittals 08/22/25 Regular Agenda Items	09/03/25		Monday 09/08/25 6:00 p.m.	
	08/27/25 Public Hearing Items 08/29/25 Prelim Plat Submittals 09/05/25 Regular Agenda Items	09/17/25		Monday 09/22/25 6:00 p.m.	
OCTOBER	09/10/25 Public Hearing Items 09/12/25 Prelim Plat Submittals 09/19/25 Regular Agenda Items	10/01/25		Monday 10/13/25 6:00 p.m.	
	09/24/25 Public Hearing Items 09/26/25 Prelim Plat Submittals 10/03/25 Regular Agenda Items	10/15/25		Monday 10/27/25 6:00 p.m.	Annual Meeting Schedule for 2026
NOVEMBER	10/15/25 Public Hearing Items 10/16/25 Prelim Plat Submittals 10/24/25 Regular Agenda Items	11/05/25		Monday 11/10/25 6:00 p.m.	
DECEMBER	11/12/25 Public Hearing Items 11/14/25 Prelim Plat Submittals 11/21/25 Regular Agenda Items	12/03/25		Tentative: Monday 01/05/26 6:00 p.m.	There are no Council meetings in December.

*The Commission's opportunity to give their report to City Council is scheduled for the Council's regular meeting following the Commission's regular meeting, under Agenda Item 8 – Announcements/ Presentations/ Borough Report/Commission Reports. Reports are the Commission's opportunity to give Council a brief update on their work. Attend via Zoom or in Person. A written report can be submitted if no member is able to attend.



2025 Meeting Dates & Submittal Deadlines

Homer Planning Commission

Meeting dates are bolded and submittal deadlines are underneath

January 2, 2025

December 11 for Public Hearing Items
December 13 for Preliminary Plat Submittal
December 17 for Regular Agenda Items

January 15, 2025

December 24 for Public Hearing Items
December 27 for Preliminary Plat Submittal
January 3 for Regular Agenda Items

February 5, 2025

January 15 for Public Hearing Items
January 17 for Preliminary Plat Submittal
January 24 for Regular Agenda Items

February 19, 2025

January 29 for Public Hearing Items
January 31 for Preliminary Plat Submittal
February 7 for Regular Agenda Items

March 5, 2025

February 12 for Public Hearing Items
February 14 for Preliminary Plat Submittal
February 21 for Regular Agenda Items

March 19, 2025

February 26 for Public Hearing Items
February 28 for Prelim. Plat Submittal
March 7 for Regular Agenda Items

April 2, 2025

March 12 for Public Hearing Items
March 14 for Preliminary Plat Submittal
March 21 for Regular Agenda Items

April 16, 2025

March 26 for Public Hearing Items
March 28 for Preliminary Plat Submittal
April 4 for Regular Agenda Items

May 7, 2025

April 16 for Public Hearing Items
April 18 for Preliminary Plat Submittal
April 25 for Regular Agenda Items

May 21, 2025

April 30 for Public Hearing Items
May 2 for Preliminary Plat Submittal
May 9 for Regular Agenda Items

June 4, 2025

May 14 for Public Hearing Items
May 16 for Preliminary Plat Submittal
May 23 for Regular Agenda Item

June 18, 2025

May 28 for Public Hearing Items
May 30 for Preliminary Plat Submittal
June 6 for Regular Agenda Items

2025 Meeting Dates & Submittal Deadlines

Homer Planning Commission

Meeting dates are bolded and submittal deadlines are underneath

July 16, 2025

June 25 for Public Hearing Items

June 27 for Preliminary Plat Submittal

July 3 for Regular Agenda Items

August 6, 2025

July 16 for Public Hearing Items

July 18 for Preliminary Plat Submittal

July 25 for Regular Agenda Items

August 20, 2025

July 30 for Public Hearing Items

August 1 for Preliminary Plat Submittal

August 8 for Regular Agenda Items

September 3, 2025

August 13 for Public Hearing Items

August 15 for Prelim. Plat Submittal

August 22 for Regular Agenda Items

September 17, 2025

August 27 for Public Hearing Items

August 29 for Preliminary Plat Submittal

September 5 for Regular Agenda Items

October 1, 2025

September 10 for Public Hearing Items

September 12 for Preliminary Plat Submittal

September 19 for Regular Agenda Items

October 15, 2025

September 24 for Public Hearing Items

September 26 for Preliminary Plat Submittal

October 3 for Regular Agenda Items

November 5, 2025

October 15 for Public Hearing Items

October 16 for Preliminary Plat Submittal

October 24 for Regular Agenda Item

December 3, 2025

November 12 for Public Hearing Items

November 14 for Preliminary Plat Submittal

November 21 for Regular Agenda Item