



Homer City Hall

491 E. Pioneer Avenue

Homer, Alaska 99603

www.cityofhomer-ak.gov

City of Homer Agenda

Planning Commission Regular Meeting

Wednesday, March 02, 2022 at 6:30 PM

Cowles Council Chambers and Via Zoom Webinar

Webinar ID: 979 8816 0903 Password: 976062

Dial: 1 669 900 6833 or 1 253 215 8782 Toll Free 1 877 853 5247 or 1 888 788 0099

CALL TO ORDER, 6:30 P.M.

AGENDA APPROVAL

PUBLIC COMMENTS The public may speak to the Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

RECONSIDERATION

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

[A.](#) Planning Commission Regular Meeting Minutes of February 16, 2022 **p. 3**

PRESENTATIONS / VISITORS

REPORTS

[A.](#) Staff Report 22-15, City Planner's Report **p. 13**

PUBLIC HEARINGS

[A.](#) Staff Report 22-16, Storage Container Dwellings **p. 18**

PLAT CONSIDERATION

[A.](#) Staff Report 22-17, Puffin Acres Bayweld 2022 Replat **p. 22**

PENDING BUSINESS

[A.](#) Staff Report 22-18, Building codes **p. 32**

NEW BUSINESS

INFORMATIONAL MATERIALS

[A.](#) City Manager's Report for Feb. 28, 2022 **p. 35**

[B.](#) Planning Commission Calendar **p. 40**

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is Wednesday, March 16, 2022 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

Session 22-03, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on February 16, 2022 at the Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, CHIAPPONE, HIGHLAND, VENUTI, CONLEY, BENTZ AND SMITH

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK KRAUSE

The Commission met at 5:30 p.m. for a worksession prior to the regular meeting. On the agenda was discussion on the Coastal Bluff Analysis and Storage Container Dwellings.

APPROVAL OF THE AGENDA

HIGHLAND/BENTZ MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- A. Planning Commission Regular Meeting Minutes of February 2, 2022
- B. Decisions and Findings Document for CUP 22-01 allowing two buildings containing three dwelling units at 373 Mountain View Drive.

HIGHLAND/BENTZ MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

- A. Staff Report 22-10, City Planner's Report

City Planner Abboud reviewed his staff report that was included in the packet. He commented further on the following:

- comments made at the worksession by the public regarding drainage
- adding funds to the Land Fund and the benefits to replenish that account
- possible funding for stormwater and building code as a result of the Hazard Mitigation Plan update
- Rural Residential Rezone update process and expectations of the benefits to update this in code
- Complaints received by the City Manager on noise from Airbnb's and the question on how to manage this since Homer has literally hundreds of these seasonal rentals
 - o checking on the validity of the complaints
 - o Homer is not a "spring break location"
 - o concerns regarding the removal from the market for year round rentals
 - o reinforcement for the rezoning and will assist in creating more housing to be built

City Planner Abboud facilitated questions and responded to questions on the timeline for the presentation of the draft Hazard Mitigation Plan; building code; green infrastructure funding; details on the projects selected will need input from the Public Works Director; the public works campus relocation is a slow moving long range plan; vacation rental businesses are or should be licensed and remitting sales tax.

PUBLIC HEARINGS

- A. Staff Report 22-11, draft Ordinance 22-xx Eliminating Maximum Parking Requirements for Large Retail and Wholesale Stores

Chair Smith introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 22-11 for the Commission noting the following:

- no mass or public transportation offered in Homer besides taxi's
- does not decrease the need for parking
- residents do not walk to the store due to location and topography
- considerable patronage by non-city residents, visitors and tourists
- policy itself is inconsistent, only large retail and wholesale stores are limited in the maximum
- Parking lots are an allowed use in the CBD and can be constructed without the limitation

Chair Smith opened the public hearing and having no one present in the audience in person and members of the audience attending by Zoom did not use the raise hand icon he closed the public hearing.

Chair Smith requested a motion and second.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 22-11 AND FORWARD TO CITY COUNCIL THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 21-57 LARGE RETAIL AND WHOLE SALE STORES, ELIMINATING THE MAXIMUM PARKING REQUIREMENT.

Commissioner Highland noted that the Commission discussed this topic thoroughly and did not believe that there was anything additional to discuss.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 22-12 Coastal Bluff Analysis

Chair Smith Introduced the item by reading of the title and invited City Planner Abboud to provide his report.

City Planner Abboud reviewed his staff report at the worksession and provided a summary of what was discussed:

- work out issues insuring the setback is from the face or edge of the structure
- definition for “edge and maybe a measurement section to make sure this is not compromised by other measurements
- displaying 60 foot setbacks west of West Hill Road
- Shoring up definitions of bluff edge which include eliminating the word bluffs so it is not confused with regulations of other bluffs that they deal with
- adding a section or some definitions pertaining to the Marine Erosion and distance from the marine area that this will apply to
- possibly incorporating some measure of mean high water
- working with Commissioner Bentz to define the language for the above

Chair Smith noted that staff has requested motion for recommended setback and locations but was unsure if they were ready to do that at this time and requested further input from the Commission.

Commissioner Bentz stated that she agreed with the idea of a 40 foot setback for all areas of Homer east of West Hill and then a 60 foot setback for areas west of West Hill Road. She expressed that if they wanted to make the motion as a Commission about just that number of feet for the setback, and then opined that it would be useful to make a motion to request staff to provide an ordinance with proposed language for review at the next meeting. Ms. Benz further stated that just incorporating those key bullet points that City Planner Abboud just give us an overview of, in the language, will help and having it before us in a draft ordinance form will be really helpful as far as making decisions in the future.

City Planner Abboud stated that he was unsure if a draft ordinance could be ready by the March 2nd meeting as he will be taking some time off and Planning Staff will have other time commitments.

BENTZ/VENUTI MOVED TO RECOMMEND 40 FEET AS A SETBACK FOR LOCATIONS IN HOMER EAST OF WEST HILL AND THE STERLING HIGHWAY INTERSECTION AND 60 FEET SETBACK FOR LOCATIONS WEST OF THE INTERSECTION OF WEST HILL ROAD AND THE STERLING HIGHWAY.

Commissioner Bentz added that it is consistent with the data and the research that shows higher erosion rates in the western portion of City of Homer and lower erosion rates in the areas east of West Hill and that 40 foot setback is pretty consistent with the 30 year planning horizon and with other documentation that the Commission has been presented on this topic.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

BENTZ/BARNWELL MOVED TO REQUEST STAFF TO PROVIDE A DRAFT ORDINANCE OF PROPOSED LANGUAGE OF DEFINITION UPDATES FOR COASTAL BLUFFS FOR REVIEW AT THE STAFF'S CONVENIENCE OR WHEN READY.

There was a brief discussion on putting a time limit on the draft ordinance.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 22-13, Storage Container Dwellings

Chair Smith introduced the item and requested City Planner Abboud to provide his staff report.

City Planner Abboud stated that this was a subject thoroughly discussed by the Commission and there are motions on the floor pertaining to allowing container dwellings in the Central Business District, Marine Commercial and East End Mixed Use District and a draft ordinance on eliminating container dwelling city wide by definition and he looks forward to the Commission's guidance on what they wish to do.

Chair Smith requested clarification from the Clerk regarding the motions that were on the floor for consideration.

Deputy City Clerk Krause stated that there were two motions from the January 5, 2022 regular meeting, a main motion and amendment. The amendment will be dispensed with first then the main motion. She provided guidance on the procedure.

Chair Smith read the amendment into the record, VENUTI/HIGHLAND MOVED TO AMEND THE MOTION TO EXCLUDE THE CENTRAL BUSINESS DISTRICT FROM THE MOTION and opened the floor for discussion.

Chair Smith stated that since there was no discussion on the amendment, he requested objections to the motion before them amending the motion to exclude the CBD from the main motion.

Commissioner Venuti requested clarification on what they were voting on.

Chair Smith stated that they were voting on the amendment only at this time, which was to limit the use of shipping containers to East End Mixed Use and Marine Commercial, the amendment excludes the CBD.

Commissioner Highland stated that they have two ordinances to vote on down the line and so her thought would be to vote no on these motion so they would need a roll call vote. She explained that they will be addressing two ordinances that the Commission has a choice between that will be voted on after the Commission addresses these two leftover motions from the meeting in January.

Commissioner Bentz questioned as a procedural aspect if the makers of the motion and the amendment would want to withdraw their motions or if they believe if these motions are the way they want to go.

Deputy City Clerk Krause explained that procedurally the motions should be voted down.

VOTE. (Amendment) YES. VENUTI, SMITH, CHIAPPONE, CONLEY, BENTZ, BARNWELL
VOTE. NO. HIGHLAND.

Motion carries.

Chair Smith then read the main motion as amended into the record as follows:

MOVED THAT THE CITY OF HOMER LIMITS THE USE OF SHIPPING CONTAINERS CONVERTED INTO DWELLINGS TO THE MARINE COMMERCIAL AND EAST END MIXED USE DISTRICTS, after clarification was provided by Commissioner Bentz on the motion being amended and affirmation provided by the Clerk.

Chair Smith then opened the floor for discussion, hearing none, he asked if there were any objections, as there were objections, he called for a roll call vote.

Commissioner Chiappone requested clarification on the result of the vote if they voted yes or no on the motion.

Chair Smith provided clarification that if they voted no on the motion it would not limit the use of shipping containers and if they voted yes it would limit the use on shipping containers as dwellings to those districts.

Commissioner Barnwell commented that it is arbitrary and that they should have a comprehensive city wide policy not district by district.

Commissioner Venuti expressed that he thought they were heading to a city wide decision on this.

Commissioner Highland responded that they were but they had to dispense with these motions first.

VOTE. YES. SMITH

VOTE. NO. CHIAPPONE, HIGHLAND, CONLEY, BARNWELL, BENTZ, VENUTI

Motion failed.

Deputy City Clerk Krause explained that the Commission needs to address the two ordinances presented by the City Planner in response to Chair Smith's question on next steps.

City Planner Abboud noted that procedurally by voting down the motions you voted down the ordinance on page 25 of the packet. He further noted that the Commission can vote or not as it decides on the other ordinance on page 28 of the packet.

Commissioner Highland stated that she would like to address that they do not want to allow containers as dwellings city wide and expressed that she needed some direction on where to proceed next.

Commissioner Bentz offered that she was wanting the draft ordinance shown on page 28 of the packet.

City Planner Abboud offered guidance on making a motion to adopt draft ordinance.

HIGHLAND/VENUTI MOVED TO ADOPT THE DRAFT ORDINANCE AMENDING TITLE 21.03.040 DEFINITIONS USED IN ZONING CODE.

Commissioner Bentz provided clarification that the proposed ordinance would amend city code to update the definition of dwelling so that any dwelling shall not include the use of our incorporation of connex boxes or other similar intermodal shipping containers in part or in whole and that would be a citywide limitation on the use of shipping containers or similar materials for building.

Commissioner Highland expressed her concerns regarding the possible safety concerns on the use of shipping containers for dwellings so she would be voting yes on the motion.

Commissioner Bentz expressed that she would rather see this addressed by a comprehensive building code rather than discriminating against this type of building material over others that may be potentially even more hazardous.

Commissioner Highland questioned the City Planner, stating that toxicity is her major concerns regarding safety with the shipping containers, and she would like to know of the possible dangers with other building materials.

City Planner Abboud responded that hopefully people who used these building methods would remediate the floor such as encapsulation or replacement, commenting that it would not be hard to do but the City does not have a building inspector to ensure that has been done. He further stated that any other building can be hazardous just by poor ventilation or stovepipe, radon, asbestos, lead paint, without a building code anything goes. Old buildings and old methods of building that are unhealthy and provided some current examples.

Further discussion points were made on the following:

- Applicants seeking the advice and input from the planning department

- current conditions within the dwelling that was installed in the neighborhood
- excluding containers by zoning code is very unusual and in terms of city planning Homer does not want to be the exception to that rule

VOTE. YES, CHIAPPONE, HIGHLAND, VENUTI, SMITH

VOTE. NO. CONLEY, BENTZ, BARNWELL

There was a brief discussion on the passing of this motion and clarification that shipping containers or connexes would not be allowed or used as building materials in the city limits.

Motion carried.

NEW BUSINESS

A. Staff Report 22-14, Building Codes

Chair Smith introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 22-14 for the Commission. He provided additional information on the following:

- if procedural inspections are not done in the building process how would they determine that it was built correctly without doing a destructive inspection
- older homes and buildings in Homer have numerous errors
- protects against man made hazards having a building code
- allows for discounted FEMA insurance rates when there is a building code
- building codes contribute to health and safety issues
- building codes provide energy savings when people implement

Discussion was facilitated and focused on the following:

- ISO ratings and how that would affect the city if they adopted a building code
- Community Rating System (CRS) applies to Flood Insurance
- Costs to implement a building department which are usually housed as a section of the Public Works Department
- City Planner has conducted nominal research on how this would be staffed but the fees usually cover the costs of staffing a department.
- Costs would be borne by the builder and home owner
 - o It has been shown that the filling of a municipal building inspector position is difficult to fill according to other municipalities
- This same personnel could fill the duties of Fire Marshall and or Code Enforcement
- The Planning Commission would recommend the adoption of building codes in the most efficient manner to the city.

Further comments were expressed by Commissioners on the following:

- Cost effectiveness of adopting building code but using private enterprise
- additional unnecessary bureaucracy

- condemning buildings or ensuring nice, safe housing
- the City has limited supply of buildable lots
- Most efficient way possible for the city but this will be driven by Administration and City Council
- Cost benefit comparison
- Overall goal for the community
- It is unusual for a community the size of Homer not to have an adopted building code
- This is not an issue to be hashed out by the Commission and will be developed by Administration.
- The Commission has heard many times over the last several years that certain issues are to be and best dealt with by building code
- Redundancy – if the banks are requiring inspections then it seems the City can just require the inspections

City Planner Abboud stated he will put this information into a memorandum to the City Council and Administration as it is not planning related and he will make sure it includes the concerns of the Commission. This does not relate to zoning code and he will not recommend building code or details as it falls under the administration and he is not qualified to do the work required. This will require structure outside of planning and zoning. The communication will include the reasons cited by the Commission to supported adopting a building code.

Chair Smith recounted his personal experience and if there was an adopted building code they might not have incurred the repair costs that they have on a three year old home. He further noted that they had omitted certain inspections assuming such a new home would be built in accordance with industry standards.

Commissioner Bentz expressed her appreciation for the City Planner keeping the scope of the Commission's work and where it needs to go and recapped the reasons supporting adoption of a building code as they can save lives, due to safety and they can be developed adopted and enforced efficiently using city resources and the resources of the local professional community.

INFORMATIONAL MATERIALS

- A. City Manager's Report for Feb. 14, 2022
- B. Kenai Peninsula Borough Notice of Decisions
- C. 2022 Meeting Deadlines Schedule
- D. 2021 Permit Report
- E. Planning Commission Calendar

City Planner Abboud commented on the Commission Calendar items and progress.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Deputy City Clerk Krause commented that it was a very interesting meeting and recounted her personal experience where land was built and people came in and bought existing buildings and knocked them down and built new and if they did not have the building codes then what type of structures that would have been constructed in their stead on the beach.

City Planner Abboud expressed appreciation for the Commission working through this as Homer is having growing pains and they will see more of this, expressing that it was inevitable as Homer matures as a city. Some of these issues that other cities do are going to become matter of fact and it is the 21st century and Homer will have to regulate too but they will get there and it will require input and effort from everyone.

COMMENTS OF THE COMMISSION

Commissioner Conley commented that growing up in Homer and going through the stages of its growth he is inherently resistant to rules and regulations but he was coming to the sober realization that Homer is growing and he believed that the their secret here has been found out, and while a tough pill to swallow, there are a lot of things that the Commission has been talking about that are slow to come around but are very important. He appreciated the effort from everyone focusing on making Homer a better place to live as he is raising three kids and he has invested in Homer so wants to ensure that they make it a good place to live. He expressed his appreciation for the work that City Planner Abboud and Deputy City Clerk Krause for her patience and assistance in working this all out stating that they do a great job.

Commissioner Highland echoed Commissioner Conley's comments and that they had a good thoughtful discussion tonight and expressed her appreciation of staff.

Commissioner Venuti expressed his appreciation for the Commission listening to his spiel and encouraged the commissioners to review the information contained in the links he provided noting that some of it was pretty dry reading but what they are all about. He then commented that they had a celebrity in their midst, congratulating Commissioner Chiappone on his award from the Alaska Literary Council and \$5000.

Commissioner Chiappone stated that this was a fantastic meeting and expressed his appreciation to Deputy City Clerk Krause and Commissioner Bentz for their assistance in getting through the motions and amendments and he heard a new term for Homer from the City Planner that Homer was getting "snowbirdish." It was a great meeting and everyone was great to work with.

Commissioner Barnwell thanked City Planner Abboud and Deputy City Clerk Krause for all their hard work stating that the memorandums and information are well written and the background provided such detail. He appreciated the comment regarding regulating for the 21st century and his mantra is to use the knowledge and data they have to plan better and do better. He then provided some experience in walking around Anchorage with his dad after the 1964 earthquake and while he opposes more bureaucracy, he does see the need to regulate but maybe they can do it better and smarter. He then agreed that it was a good meeting.

Commissioner Bentz stated that she has requested excusal for the March 2nd meeting, she expressed her joy at already having her signed copy of Commissioner Chiappone's book, so will not ask for an autograph and she agreed to commit to working with the City Planner on some bluff definition language and perhaps follow-up about doing a future worksession regarding community resilience and crosswalk plans and nature based solutions for conversation in the near future.

Chair Smith recounted some new things he learned at the Chair/Vice Chair training that Commissioner Highland and he attended regarding the limitation on comments on motions and that they do not require a motion to close a meeting but he will not rob Commissioner Highland of her pleasure in that action. He then expressed his appreciation for the talents that each of the Commissioners bring to this body. He also noted that he may miss a meeting coming up as will need to travel to be with his dad.

Commissioner Bentz also advised the commission on the upcoming training opportunity offered at the Annual Planning Conference.

City Planner Abboud will get that information distributed to the Commissioners.

ADJOURN

There being no further business before the Commission, the meeting was adjourned at 8:25 p.m. The next Regular Meeting is Wednesday, March 2, 2022 at 6:30 p.m. A worksession is scheduled for 5:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom webinar.

Renee Krause, MMC, Deputy City Clerk II

Approved: _____



City of Homer

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Planning

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(p) 907-235-3106

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Staff Report Pl 22-15

TO: Homer Planning Commission
FROM: Rick Abboud, City Planner
DATE: March 3, 2022
SUBJECT: City Planner's Report

City Council 2.14.22

Ordinance 22-07, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Appropriating \$15,000 from the Homer Accelerated Road and Trail Program Road Fund and \$5,000 from both the Water and the Sewer Capital Asset Repair and Maintenance Allowance (CARMA) Funds for a total of \$25,000, to Update the City of Homer's Design Criteria Manual, Standard Construction Specifications, Standard Construction Details, and Reconcile Designated Elements of the Development Standards in Homer City Code. City Manager/Public Works Director. Introduction January 24, 2022 Public Hearing and Second Reading February 14, 2022.

Memorandum 22-018 from Public Works Director as backup.

There were no public comments.

ADOPTED

Ordinance 22-08, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Appropriating \$140,000 from the Homer Accelerated Roads and Trails (HART) Program Fund for Appraisals and Technical Field Work to Support Four Green Infrastructure Stormwater Management Projects. City Manager/Public Works Director. Introduction January 24, 2022 Public Hearing and Second Reading February 14, 2022

Memorandum 22-019 from Public Works Director as backup.

There were no public comments.

ADOPTED

Ordinance 22-09, An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Authorizing at Total Transfer of \$4,000,000 from the General Fund Fund Balance to Include \$1,500,000 to General Fund Fleet Capital Asset Repair and Maintenance Allowance (CARMA) Fund, \$1,500,000 to General Fund CARMA, and \$1,000,000 to Land Reserves Fund. City Manager/Mayor. Introduction January 24, 2022 Public Hearing and Second Reading February 14, 2022.

Memorandum 22-020 from City Manager as backup.

There were no public comments. ADOPTED

Resolution 22-011, A Resolution of the City Council of Homer, Alaska Awarding a Contract to Seabold Consulting, LLC of Homer, Alaska in the Amount of \$25,000, to Update the City of Homer Design Criteria Manual, Standard Construction Specifications, Standard Construction Details, and Reconcile Updates in Homer City Code and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 22-018 from Public Works Director as backup.

ADOPTED

2.28.22

Resolution 22-0xx, A Resolution of the City Council of Homer, Alaska Authorizing Task Orders to Coble Geophysical Services, Bishop Engineering, and Homer Soil and Water Conservation for Technical Services to Support the Green Infrastructure Storm Water Program, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 22-0xx from Public Works Director as backup

Planning Commissioner Training

All Commissioners are encouraged to attend APA Alaska's virtual Planning Commissioner Training offered Sunday, March 20, 2022, 9:00AM – 1:30PM. Please let the Planning Office if you are able to attend and we will sign you up!

Permitting software

We continue to work on modifying and testing the software with hope that it will be ready for the next building season.

Hazard Mitigation Plan Update

The core workgroup met and reviewed and ranked potential mitigation projects. This should take us to our draft document which will be scheduled for review. I believe, we will have something shortly.

Rural Residential Rezone Update:

We are dividing up our efforts for the rezone and will notify and take questions and concerns from those on the west side of town that is proposed to go from Rural Residential to Urban Residential first. We would like to gain some experience from the process and do not want to introduce confusion for the concerns of an area on the west side of town to those that might be had on the east side of town.

Our schedule:

March 7: mail out flier, launch website

March 14th-25th: Chat with a planner timeframe

April 6th: Work session with PC
April 7th hearing notice mailed
April 20th Public hearing

We will develop a similar process for those to the east as we progress or finish the west depending on our experiences.

Economic Development Advisory Commission

The EDC has identified the next two topics they want to focus on; affordable workforce housing, and quality of life. Workforce housing relates to seasonal and year round employees, and the quality of life topic touches on how Homer is growing and changing, and maintaining the quality of life the face of all this change.

Commissioner Report to Council

3/14/22 _____
3/28/22 _____
4/11/22 _____
4/25/22 _____

Attachments:

Planning Commissioner Training Part 1
Rezone Flier



PLANNING COMMISSIONER TRAINING | PART 1

FOUNDATIONS

SUNDAY, MARCH 20TH, 2022 | 9:00 AM - 1:30 PM
JOIN US VIRTUALLY | REGISTER AT WWW.AKPLANNING.ORG

*Are you a member of a board and commission who wants to better understand your role and responsibilities? Want to know what decisions you can make and how to best serve your community? **This training is for you!** Join us for **Part 1: Foundations**, detailed below, and **Part 2: Deeper Dive, April 23rd**, to expand your knowledge and get answers to your questions.*

PRELIMINARY AT-A-GLANCE AGENDA

9:00 - 9:45 AM

PLANNING COMMISSIONER 101

Presenter: **Ryan Yelle**, Municipality of Anchorage

An overview of the material covered in the Alaska Planning Commission Handbook, including statutory basis for planning in the state, roles and responsibilities of Commissioners, and the importance of the Comprehensive Plan and municipal codes of ordinance.

9:45 - 10:00 AM

BREAK

10:00 - 10:45 AM

EFFECTIVE MEETINGS

Presenter: **Jed Cox & Lydia Mielke**, Alaska Division of Community and Regional Affairs

An overview of what you need to know to hold an effective meeting including Robert's Rules of order, Open Meetings Act, ex-parte communication, executive sessions and more.

10:45 - 11:00 AM

BREAK

11:00 - 12:30 PM

LEGAL BASIS FOR PLANNING & DECISION-MAKING

Presenters: **Jill Dolan & Kellen Spillman**, Fairbanks North Star Borough

Learn more about the legal basis for planning, police powers, and the different types of decisions made by Boards and Commissions.

12:30 - 12:45 PM

BREAK

12:45 - 1:30 PM

DISCUSSION & PART 2 TOPICS

Facilitators: **Ryan Yelle & Kellen Spillman**

Engage in a facilitated discussion to get your questions answered, learn from one another and identify topics you want covered in April for Planning Commissioner Training Part 2: Deeper Dive



PROPOSED ZONING AMENDMENT



AMENDING RURAL RESIDENTIAL DISTRICT (RR) TO URBAN RESIDENTIAL (UR)

Homer's population is growing and to keep pace with community needs, the City is considering a land use change to the district located between West Homer Elementary School and Bidarki Creek north of Sterling Highway.

This amendment is part of the long-term vision in the adopted 2018 Comprehensive Plan. To see how this might impact you, please join us at one of the drop-in events below or scan the QR code to read more.

Read the 2018 City of Homer Comprehensive Plan

<https://www.cityofhomer-ak.gov/planning/2018-homer-comprehensive-plan>

WE WANT TO HEAR FROM YOU

- March 14 - 25: Give us a call with your questions. Chat with a Planner during business hours. Call 907-235-3106 or email us at planning@ci.homer.ak.us
- April 6: Planning Commission Worksession, 5:30pm

CONTACT PLANNING

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Homer, AK 99603
907-235-3106
planning@ci.homer.ak.us



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



City of Homer

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Planning

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Staff Report PL 22-16

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: MARCH 2, 2022
SUBJECT: CONTAINER DWELLINGS PUBLIC HEARING

Introduction

The Planning Commission has moved to support an ordinance that prohibits the use of Connex or other similar intermodal shipping containers for use in dwellings.

Analysis

Commissioner Venuti brought the issue of regulating the use of Connex container for use as dwellings. He made several points about his concerns for use including:

- safety and health hazards with materials used in shipping containers
- aesthetics
- there is no standards for construction
- there are no requirements for inspection
- Not appropriate structure to be used in the urban or residential zones of the city where residents are heavily invested using more conventional means
- Use of shipping containers he believes will devalue the neighboring properties
- Community Design Manual does not support the use shipping containers

The Commission continued the discussion in 2 following meetings, arriving in a motion that was sustained by a vote of 4-3 in support of banning their use in dwellings city-wide. The sustaining arguments supported the concerns of the safety of their use. As Homer has not adopted a building code, single family and multi-family dwellings containing three or less units are not subject to building codes and the structures are not required to be inspected or gain certificates of occupancy. Additional concerns were expressed of a possible negative effect to properties neighboring their use and their undesirable form.

Staff Recommendation

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

Attachments

Planning Department review of code amendment
Draft ordinance

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.

Staff: The amendment is consistent with the Comprehensive Plan and furthers Chapter 4, Goal 3 by encouraging “high-quality buildings.”

b. Will be reasonable to implement and enforce.

Staff: The amendment should not present difficulties to implement and enforce. Connexes are a relatively unique feature that is easily identifiable.

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

Staff: The amendment was proposed, in part, to help ensure health, safety and welfare as Connexes or similar intermodal shipping containers used in dwellings may introduce an unsafe environment when not subjected to building codes.

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

Staff: The wording has been reviewed and no conflicts have been noted.

CITY OF HOMER
HOMER, ALASKA

Planning Commission

ORDINANCE 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING TITLE 21.03.040 DEFINITIONS USED IN ZONING CODE,
“DWELLING” OR “DWELLING UNIT,” TO EXCLUDE THE USE OF
CONNEX BOXES OR OTHER SIMILAR INTERMODAL SHIPPING
CONTAINERS.

WHEREAS, The 2018 Comprehensive Plan Chapter 4, Goal 3 states, “Encourage high-quality buildings and site development that complement Homer’s beautiful natural setting;” and

WHEREAS, The 2018 Comprehensive Plan Chapter 4, Goal 3, Objective A states: “Create a clear, coordinated regulatory framework that guides development;” and

WHEREAS, The 2018 Comprehensive Plan Chapter 4, Goal 3, Objective B states “Maintain high quality residential neighborhoods, promote housing choice by supporting a variety of dwelling options;” and

WHEREAS, The Homer Planning Commission has found that use of Connex boxes or other similar intermodal shipping container for use a dwellings is contrary to maintaining high quality residential neighborhoods.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.03.040, is hereby amended to read as follows:

“Dwelling” or “dwelling unit” means any building or portion thereof designed or arranged for residential occupancy by not more than one family and includes facilities for sleeping, cooking and sanitation. **“Dwelling” or “dwelling unit” shall not include the use of or incorporation of Connex boxes or other similar intermodal shipping containers in part or whole.**

Section 2 or the last section. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this ____ day of _____, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and Approved as to form and content:

Rob Dumouchel, City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____



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 22-17

TO: HOMER PLANNING COMMISSION
FROM: RICK ABBOUD, AICP, CITY PLANNER
DATE: 3/2/2022
SUBJECT: PUFFIN ACRES BAYWELD 2022 REPLAT

Requested Action: Approval of a preliminary Plat that moves a lot line shared by two parcels.

General Information:

Applicants:	East Road Services 33740 Jones Dr. Homer, AK 99603	Allen & Linda Engebretsen PO Box 534 Homer, AK 99603	Kenton Bloom, Seabright Survey & Design 1044 Eeast End Rd. Suite A Homer, AK 99603
Location:	3301 & 3385 East End Rd		
Parcel ID:	17419105 & 17419287		
Size of Existing Lot(s):	4.18 & 12.2 Acres		
Size of Proposed Lots(s):	5.84 & 10.143 Acres		
Zoning Designation:	East End Mixed Use District		
Existing Land Use:	Commercial/Industrial		
Surrounding Land Use:	North: Commercial South: Vacant East: Commercial West: Comerical/Boatyard		
Comprehensive Plan:	Chapter 4, Goal 4: Support development of a variety of well-defined commercial/business districts for a range of commercial purposes.		
Wetland Status:	Wetlands may be present on the southern half of current East Road Services lot (Puffin Acres SVH 2021 Replat).		
Flood Plain Status:	Zone D, flood hazards undetermined.		
BCWPD:	Not within the Bridge Creek Watershed Protection District.		
Utilities:	City water and sewer are available		
Public Notice:	Notice was sent to 36 property owners of 41 parcels as shown on the KPB tax assessor rolls.		

Analysis: This subdivision is within the East End Mixed Use District. This plat moves a common lot line between two lots.

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: Dedicate an additional 5ft. utility easement adjacent to Little Fireweed Ln. on current lot 5, Commerce Park. Dedicate a 15' utility easement adjacent to Engebretsen Ave.

- 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 in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The lots are currently served by existing water and sewer lines.

- 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: Acceptance of the plat does not infer acceptance of any 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: Expressed concerns of any future drainage alterations.

Fire Department Comments: No comments

Staff Recommendation:

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

1. Display a 15' utility easement adjacent to all rights-of-way.

Attachments:

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

NOTES

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
4. THESE LOTS ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE PARENT PLATS AND THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
5. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
6. PROPERTY OWNER SHOULD CONTACT THE ARMY CORPS OF ENGINEERS PRIOR TO ANY ON-SITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS.
7. THERE IS A RIGHT-OF-WAY EASEMENT WITH NO DEFINED LOCATION THAT AFFECTS THIS SUBDIVISION GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED BK 30 PG 32 HRD.
8. THERE IS A RIGHT-OF-WAY EASEMENT THAT AFFECTS THIS SUBDIVISION GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. RECORDED BK 119 PG 74 HRD.
9. ACCEPTANCE OF THIS PLAT BY THE KENAI PENINSULA BOROUGH DOES NOT INDICATE ACCEPTANCE OF ANY ENCROACHMENTS.
10. FOR EAST END ROAD RIGHT OF WAY INFORMATION REFER TO SHEET 21 OF ALASKA DOT & PF ROW MAP STP-0414(9), RECORDED AS PLAT 2010-32 HRD.
11. THIS SUBDIVISION MAY BE AFFECTED BY A SEPTIC SYSTEM JOINT USE AND MAINTENANCE AGREEMENT AS RECORDED ON DECEMBER 22, 1995 IN BK 249 PG 576 HRD.

GPS CONTROL DATA

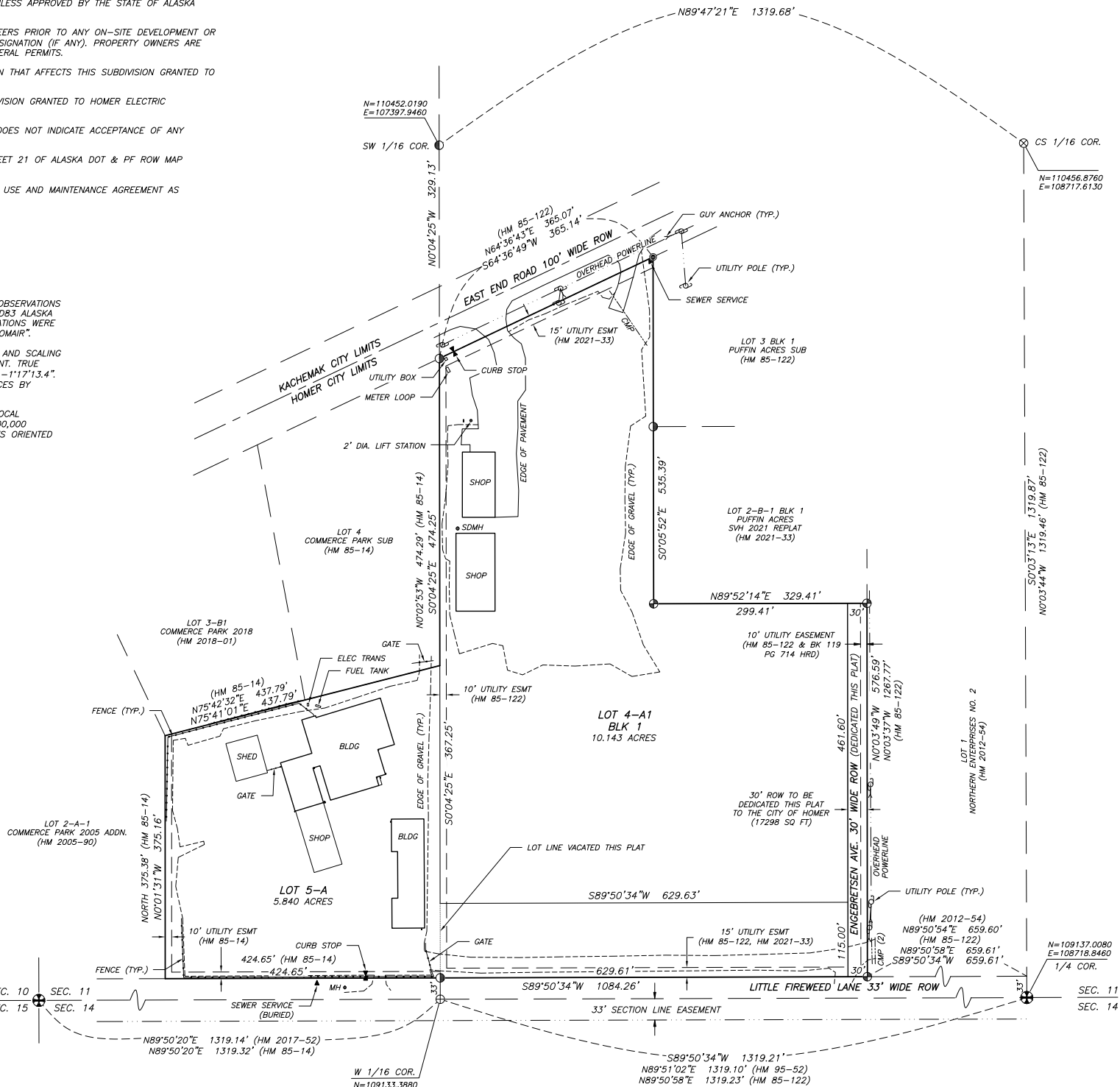
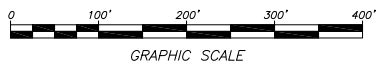
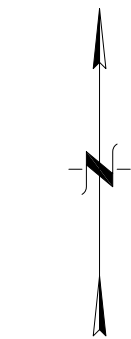
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2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING USC&GS TRISTATION "HOMAIR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS $-1^{\circ}17'13.4''$. TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON USC&GS TRISTATION "HOMAIR" $N=100,000$ $E=100,000$. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES ORIENTED TO TRUE NORTH.

CERTIFICATE OF ACCEPTANCE

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE 30' WIDE RIGHT-OF-WAY DEDICATED THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

ROB DUMOUCHEL, CITY MANAGER
CITY OF HOMER

DATE



SEABRIGHT SURVEY + DESIGN

Kenton Bloom, PLS

1044 East Road Suite A

Homer, Alaska 99603

(907) 299-1091

seabrightz@yahoo.com

February 3, 2022

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

RE: Preliminary Plat Submittal "Puffin Acres Bayweld 2022 Replat"

Dear Planning Department:

Here is one full size & one 11x17 copy for the preliminary plat referenced above. We will submit digital copies of both sizes by email. We are also submitting the \$300 fee. Please let me know if there are any concerns or clarifications we can address.

Cordially,

Kenton Bloom

Kenton Bloom, P.L.S.
Seabright Survey + Design

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:

Puffin Acres Bayweld 2022 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, March 2, 2022 at 6:30 p.m. The meeting will be held virtually.

Anyone wishing to view the complete proposal, attend or participate in the virtual meeting may do so by visiting the Planning Commission Regular Meeting page on the City's online calendar at <https://www.cityofhomer-ak.gov/calendar>. The proposal and meeting information will be posted by 5pm on the Friday before the meeting.

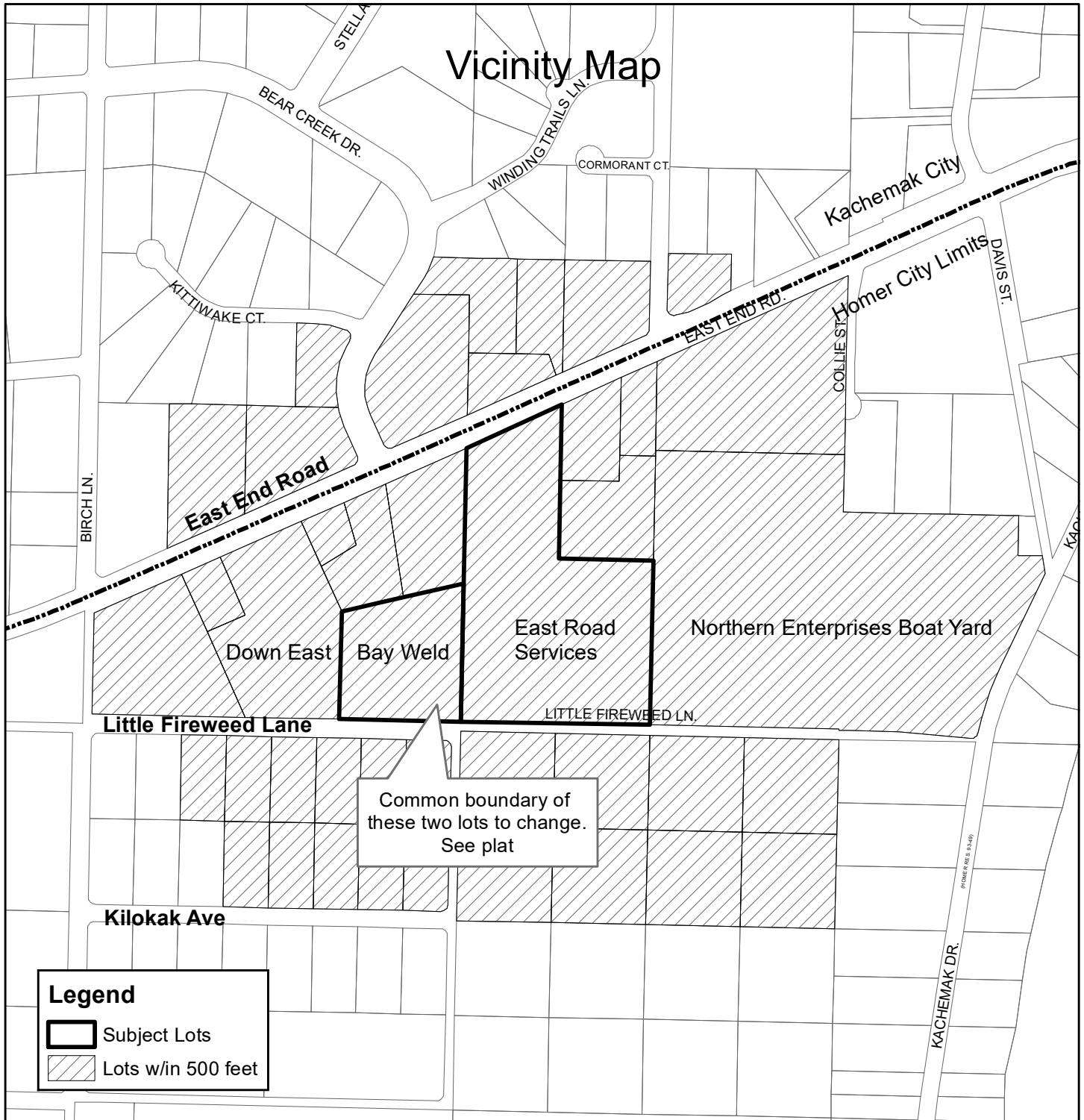
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to planning@ci.homer.ak.us or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be placed in the Homer City Hall drop box at any time. Comments must be received by 4pm on the day of the meeting.

If you have questions or would like additional information about the proposal, please contact Rick Abboud at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City Clerk's Office at 235-3130.

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

.....

VICINITY MAP ON REVERSE



<p style="text-align: center;">City of Homer Planning and Zoning Department February 14, 2022</p>	<h2 style="margin: 0;">Request for Puffin Acres Bayweld 2022 Replat Preliminary Plat</h2> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p>Marked lots are within 500 feet and property owners notified.</p> </div> <div style="text-align: center; margin-top: 10px;"> <p>0 25 500 Feet</p> </div>	<div style="text-align: center; margin-bottom: 10px;"> <p>N</p> </div> <p><small>Disclaimer: It is expressly understood the City of Homer, its council, board, departments, employees and agents are not responsible for any errors or omissions contained herein, or deductions, interpretations or conclusions drawn therefrom.</small></p>
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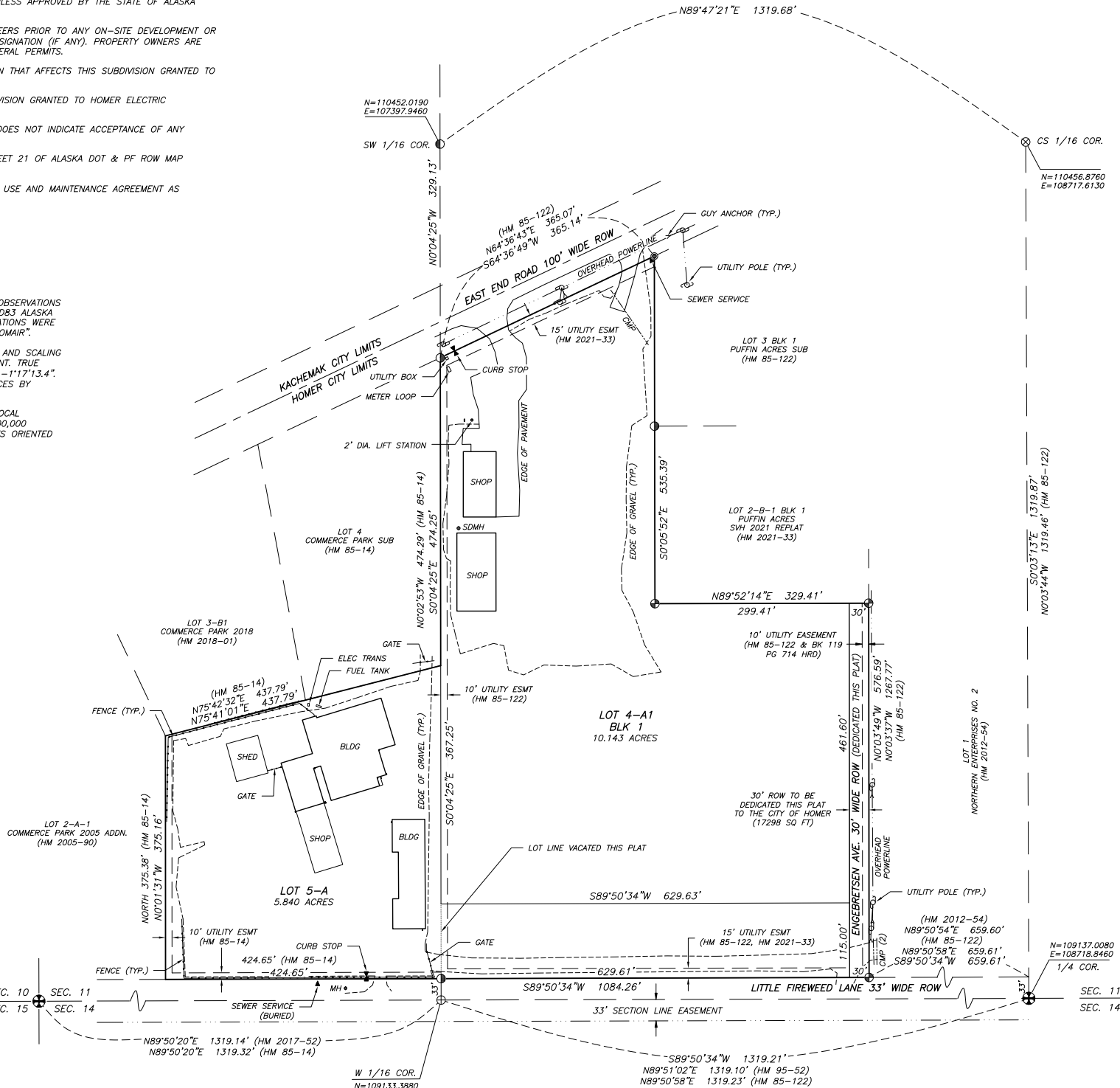
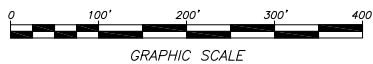
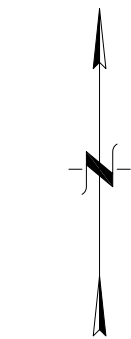
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ROB DUMOUCHEL, CITY MANAGER
CITY OF HOMER

DATE



NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2022

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

WASTEWATER DISPOSAL

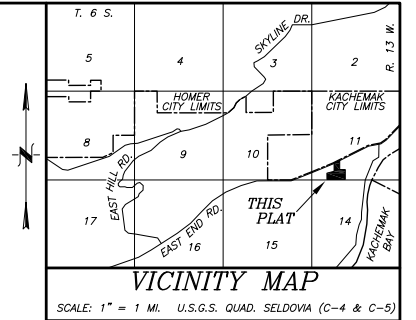
PLANS FOR WASTEWATER DISPOSAL THAT MEET REGULATORY REQUIREMENTS ARE ON FILE AT THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____ AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____



CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTIES SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAT OF SUBDIVISION, AND BY OUR FREE CONSENT DEDICATE ALL RIGHTS OF WAY AND PUBLIC AREAS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE USE SHOWN HEREON.

ALLEN ENGBRETTSEN FORMER LOT 5
P.O. BOX 534 (HM 85-14)
HOMER, AK 99603

LINDA ENGBRETTSEN FORMER LOT 5
P.O. BOX 534 (HM 85-14)
HOMER, AK 99603

CERTIFICATE OF OWNERSHIP

I HEREBY CERTIFY THAT EAST ROAD SERVICES, INC. IS THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT ON BEHALF OF EAST ROAD SERVICES, INC. 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 HEREON.

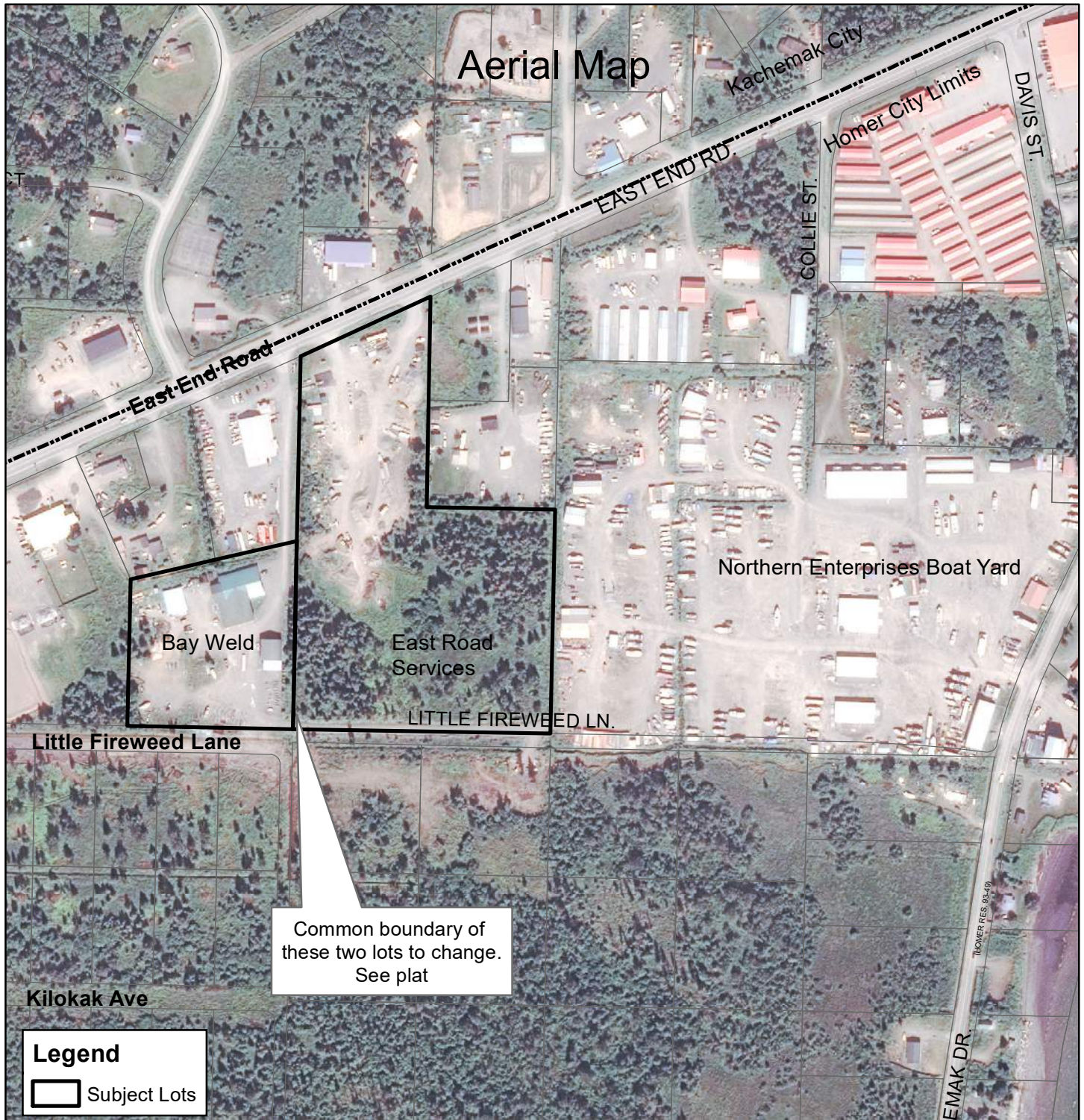
TROY A. JONES, PRESIDENT & AUTHORIZED SIGNATORY FOR: FORMER LOT 4A BLK 1
EAST ROAD SERVICES, INC. (HM 2021-33)
33740 JONES DR.
HOMER, AK 99603

LEGEND

- FND 2" AC 7968-S 2021
- FND 2" AC LS 10771 2005
- FND 2" AC 5780-S 200-
- FND 2" AC 5780-S 2005
- FND 5/8" REBAR
- ⊕ FND 2.5" BC MON 1301-S 1971
- ⊗ FND 2.5" BC MON 3686-S 1983
- ⊕ FND 1" CONC. FILLED IRON PIPE (BROKEN)

HOMER RECORDING DISTRICT KPB FILE NO. 2022-XXX

PUFFIN ACRES BAYWELD 2022 REPLAT		
A REPLAT OF LOT 4-A BLK 1 PUFFIN ACRES SVH 2021 REPLAT (HM 2021-33) & LOT 5 COMMERCE PARK (HM 1985-14), LOCATED WITHIN THE SW 1/4 SEC 11, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA		
CONTAINING 16.380 ACRES		
SEABRIGHT SURVEY + DESIGN		
KENTON T. BLOOM, P.L.S. 1044 EAST ROAD, SUITE A HOMER, ALASKA 99603 (907) 299-1091		
CLIENTS: EAST ROAD SERVICES INC. 33740 JONES DR HOMER, AK 99603 ALLEN ENGBRETTSEN & LINDA ENGBRETTSEN P.O. BOX 534 HOMER, AK 99603		
DRAWN BY: KK	CHKD BY: KB	JOB #2021-75
DATE: 02/2022	SCALE: 1"=100'	SHEET #1 OF 1



**Request for
Puffin Acres Bayweld 2022 Replat
Preliminary Plat**

City of Homer
Planning and Zoning Department
February 14, 2022

Marked lots are within 500 feet and
property owners notified.

0 200 400 Feet



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



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 22-18

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: MARCH 3, 2022
SUBJECT: CONTAINER DWELLINGS

Introduction

The Planning Commission has requested their desire for the adoption of building codes in Homer

Analysis

Homer is an anomaly for cities of its size to not have adopted building codes. The Commission continues to make recommendations regarding building and site development that are traditionally administered by a building department. These amendments have had to be fit into zoning code, which is not the recommended tool for these regulations.

Issues continue to present themselves in support of building codes, such as the uneven regulation of structures in Homer. In the name of ensuring equal levels of safety and to address local circumstances, it is time to adopt building codes.

The creation and administration of Building Codes will be found outside of Title 21. The City Administration will have the duty to propose a Building Department and present its structure and budget for approval of the City Council.

A communication to the Administration and City Council has been drafted for your review. It is based on the many conversations that have taken place at the Commission.

Staff Recommendation

Please review the draft memo and suggest edits, if any, and recommend that it be forwarded to the Administration and City Council.

Attachments

Draft memo



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum PL 22-02

TO: CITY MANAGER DUMOUCHEL, MAYOR CASTNER, AND HOMER CITY COUNCIL

FROM: HOMER PLANNING COMMISSION

THRU: RICK ABOUD, AICP, CITY PLANNER

DATE: MARCH 3, 2022

SUBJECT: BUILDING CODES

The Homer Planning Commission recommends that City Administration and the Homer City Council start a process to give all due consideration for the adoption of local building codes in Homer. The recommendation to adopt building codes is found in Homer's Comprehensive Plan and fills gaps in the regulatory environment.

Building codes contribute to implementing the 2018 Homer Comprehensive Plan. The plan calls to "consider the regional and global impacts of development in Homer" (Chapter 4, Goal 1, Objective D) and to "Encourage high-quality site design and buildings" (Chapter 4, Goal 3, Objective B). Implementation items include the adoption of Building Codes for energy efficiency (1-D-4) and in relation to desired high quality development (3-B-1).

The discussion of local building codes has been a prevalent reoccurring concern of the Planning Department and Planning Commission for many years. Currently, no inspections are required for single family dwellings or multi-family dwellings consisting of 3 or more units and they are not required to obtain a Certificate of Occupancy. While Alaska Housing Finance Corporation does have a requirement for private inspection of dwellings they finance, not all homes are built using these loans.

Structures supporting commercial use and multi-family dwelling supporting 4 or more units are required to have a plan review by the State Fire Marshal. The process of Fire Marshal plan review can take quite a bit of time, no inspections are performed during construction, and no occupancy certificates are issued while review is limited to that which is necessary to confirm fire and life safety. Fire Marshal inspections in Homer very limited. Inspectors do not have a local presence and may be unfamiliar with activities and structures may be in use prior to their completion.

The Commission feels it is time to ensure the measures of safety gained by the adoption of building codes, which are found in other First Class communities on the Kenai Peninsula such as the cities of Seward, Soldotna, and Kenai. The Commission also wishes to express their concerns for the efficient implementation of local building codes to avoid an undue burden to property developers or the citizens of Homer. All due considerations should be given to methods of implementation including weighing the benefits of private contractors verses public employees for the maximization of savings and efficiency.



City of Homer

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Office of the City Manager

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(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: February 24, 2022
SUBJECT: City Manager's Report for February 28, 2022 Council Meeting

Winter AML Conference and Lobbying Trip

During the week of February 14th, I was joined by Special Project Coordinator Jenny Carroll, Mayor Castner, and Councilmembers Lord, Erickson, and Davis to attend the Alaska Municipal League's winter legislative conference in Juneau. Harbormaster Bryan Hawkins was also in Juneau with the Alaska Association of Harbormasters and Port Administrators. While in Juneau, we were able to engage in quite a bit of lobbying on behalf of the City of Homer. Our lobbyists, J&H Consulting, set up meetings for us which included many legislators, Rear Admiral Moore, and the State Commissioner of Transportation & Public Facilities. The feedback we received in Juneau was positive and I believe we made a strong case for funding the State's share of the large vessel harbor expansion project's new start general investigation.



Top left: Jenny Carroll, Rear Admiral Moore, Bryan Hawkins, Rob Dumouchel; Top Right: Rachel Lord, Representative Sarah Vance, Jason Davis, Shelly Erickson, Bryan Hawkins; Bottom: Shelly Erickson, Commissioner Anderson, Bryan Hawkins, Jenny Carroll, Deputy Commissioner Carpenter

Homer's Former Dais Finds New Life in Seldovia

In August of 2021, the City Council endorsed a donation of the dais formerly in Council Chambers to the City of Seldovia (see Memorandum 21-144). We held the dais in storage at the HERC until Seldovia was able to make the arrangements to ship it across the bay. The dais is now in use for in-person meetings at Seldovia City Hall.



Seldovia City Council at the repurposed Homer dais

TsunamiReady Community Status Renewed

The City of Homer recently renewed its status as a TsunamiReady Community. TsunamiReady is a voluntary community recognition program administered by NOAA and the National Weather Service. The goal of the program is to improve public safety before, during and after tsunami emergencies. The designation recognizes that Homer meets a standard level of response capability, participates in public awareness and education about tsunami hazards, and is engaged in improving community pre-planning for tsunami emergencies. Meeting TsunamiReady standards also makes the City of Homer eligible for additional ISO community rating system points, which provides discounts on flood insurance.

As part of the City's ongoing efforts to improve tsunami preparedness and response, we will be hosting Elena Suliemani from UAF's Geophysical Institute and Logan Stolpe, the Geologic Hazards Mitigation Coordinator at the Alaska Division of Homeland Security and Emergency Management on Monday, Feb 28th. Their visit includes meeting with City and Borough staff to review tsunami evacuation lines and procedures and finalize a Homer tsunami brochure design. Afterwards, they will share recommendations with Council at a 4 pm work session. While in Homer, Elena and Logan will also be presenting tsunami information at local schools and at a public lecture hosted by the Homer Public Library.

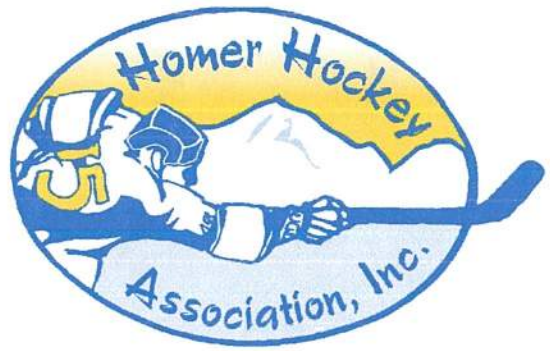
Traffic Complaints

We recently received a complaint related to vehicle safety concerns within a specific residential area. These complaints are infrequent, but we do take them seriously when received. The Police Department will be

increasing their presence in subdivisions and residential areas. I expect that we will deploy speed monitoring units later in the year when road and weather conditions improve.

Enclosures:

1. Letter from Homer Hockey Association
2. Letter from Bunnell Street Arts Center



P.O. Box 2703, Homer, Alaska 99603 - (907) 235-2647
www.kevinbellarena.org

January 17, 2022

Homer City Council
491 E. Pioneer Avenue
Homer, Alaska 99603

Dear Members of the City Council,

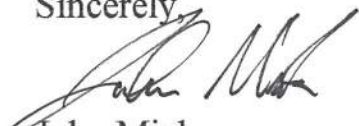
I would like to thank the Homer City Council on behalf of the Homer Hockey Association for providing funding to the City of Homer Grants Program administered by the Homer Foundation.

The Kevin Bell Arena provides recreational opportunities from September to April. These activities provide an opportunity for those in our community, who represent a diverse population, to interact with acceptance and respect for each other's differences while sharing a common interest.

Some of the programs offered include USA hockey, high school hockey, men's and women's adult hockey, figure skating, broomball, curling, Learn to Skate programs, and recreational programs.

In addition to the varied recreational opportunities listed above, the KBA has brought thousands to our community since opening in 2005. We again want to thank the Homer City Council for their continued support of the Homer Hockey Association and the Kevin Bell Arena.

Sincerely,


John Mink
HHA President



106 W Bunnell Ave | Homer, AK 99603
907-235-2662 | info@bunnellarts.org
www.bunnellarts.org

*sparkling artistic inquiry, innovation, and equity to
strengthen the physical, social, and economic fabric of
Alaska*

February 22, 2022

Dear Homer City Council and staff,

The City of Homer's Grants Program through the Homer Foundation provides critical support and recognition of Homer's non-profit sector. Homer's non-profit sector provides the educational, recreational, cultural, social and civic programs that make our community a great place to live.

Bunnell Street Arts Center is grateful City of Homer Grants Program support. City recognition allowed Bunnell to leverage over \$500 for every \$1 of City funding through other grants, contributions, art sales and program revenue. Bunnell's mission is *to spark artistic inquiry, innovation, and equity to strengthen the physical, social, and economic fabric of Alaska*. Bunnell remained a steady, safe and vibrant place to visit in-person or connect online throughout 2021. We worked to raise standards for artist compensation and to provide opportunities for artists and audiences all year long.

Pandemic adaptations like Artist Talks, Bunnell Arts by Air KBBI concerts, and virtual exhibit tours used technology to create greater accessibility. Bunnell's core programs like Artist-in-Schools, residencies, exhibits, performances and workshops helped create an abundance of creative opportunities despite the stresses imposed by the pandemic. We continued efforts like the ArtMap, supporting the Homer Pottery Tour, partnering with the Peony Festival and working on an incredible public art project, *Tuyanitun: Tuggeht* to be installed in 2022. These arts-based strategies help meet the vision and goals of our City. The City Grants Program helped leverage these efforts and we sincerely thank the City of Homer and the Homer Foundation for the support.

Sincerely,

A handwritten signature in blue ink that reads "Adele Person".

Adele Person, Executive Director
Bunnell Street Arts Center

PLANNING COMMISSION ANNUAL CALENDAR
FOR THE 2022 MEETING SCHEDULE

<u>MEETING DATE</u>	<u>SCHEDULED EVENTS OR AGENDA ITEM</u>
JANUARY 2022	
FEBRUARY 2022	PC training: legislative vs quasi-judicial decisions; decisions and findings
MARCH 2022	Guest speaker and training: KPB Platting/Planning AK APA Conference
APRIL 2022	2018 Comprehensive Plan Review / HNMTP
MAY 2022	Transportation work session with Public Works
JUNE 2022	Reappointment Applications Deadline
JULY 2022	Reappointments Spit Plan Review / Transportation Plan (One meeting this month)
AUGUST 2022	Election of Officers (Chair, Vice Chair) PC training: Roberts rules, OMA Capital Improvement Plan Review
SEPTEMBER 2022	Economic Development speaker (such as KPEDD, chamber, SBA,)
OCTOBER 2022	Floodplain or other hazard regulations overview...connect dots between comp plan and our current regs
NOVEMBER 2022	(One meeting this month) Review and Approve the 2022 Meeting Schedule
DECEMBER 2022	(One meeting this month) Review Bylaws, and Policies and Procedures / Town Center Plan

Semi Annually: PW project update

Odd Years: 2018 Comprehensive Plan (April) Homer Spit Plan, (July), Review Bylaws, and Policies
and Procedures (December)

Even Years: HNMTP (April), Transportation Plan (July), Town Center Plan (December)