



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

City of Homer Agenda

City Council Regular Meeting

Monday, September 28, 2020 at 6:00 PM

City Hall Cowles Council Chambers via Zoom Webinar

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

Webinar ID: 205 093 973 Password: 610853

CALL TO ORDER, PLEDGE OF ALLEGIANCE

AGENDA APPROVAL (Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 2.08.040.)

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA (Items listed below will be enacted by one motion. If a separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- a. Homer City Council unapproved Regular Meeting Minutes for September 14, 2020. City Clerk. Recommend adoption.
- b. Memorandum 20-145 from Mayor Re: Reappointment of Deb Lowney to the Parks, Art, Recreation and Culture Advisory Commission. Recommend approval.
- c. Ordinance 20-64, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.76.040, Duties and Responsibilities of the Commission to Clarify the Role of the Economic Development Advisory Commission. Smith. Introduction: September 28, 2020. Public Hearing and Second Reading October 12, 2020.
- d. Ordinance 20-66, An Ordinance of the City Council of Homer, Alaska, Clarifying the Allowed Uses of the Coronavirus Relief Funds provided to the City from the Kenai Peninsula Borough. Mayor. Introduction September 28, 2020 Public Hearing and Second Reading October 12, 2020.
- e. Ordinance 20-67, An Ordinance of the City Council of Homer, Alaska, Providing for a Grant of \$225,000.00 to Homer Senior Citizens, Inc. for the Purposes of Recovery of Losses and Additional Costs Associated with Meeting the Challenges of the Novel

Coronavirus and In Support of the Continuation of their Programs and Services. Mayor. Introduction September 28, 2020 Public Hearing and Second Reading October 12, 2020.

- f. Ordinance 20-68, An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Capital Budget and Authorizing the Expenditure of \$234,105 from the Homer Accelerated Water & Sewer Program (HAWSP) Fund to Complete the Tasmania Court Water Improvement Project. City Manager/Public Works Director. Introduction September 28, 2020 Public Hearing and Second Reading October 12, 2020.

Memorandum 20-155 from Public Works Director as backup

- g. Ordinance 20-71, An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Credit the Owners of The Property Known as KPB Parcel #17718013 for the Value of their Armor Rock and Other Materials, Not to Exceed \$36,000 Against the Future Assessment Levied by the City for the Homer Seawall Revetment Project. City Manager/Public Works Director. Introduction September 28, 2020 Public Hearing and Second Reading October 12, 2020

Memorandum 20-149 from Public Works Director as backup

- h. Resolution 20-083, A Resolution of the City Council of Homer, Alaska Acknowledging the Sufficiency of the Tasmania Court Water Improvement Special Assessment and Approving the Improvement Plan, Estimated Cost of Improvement, and Assessment Methodology. City Clerk. Recommend adoption.

- i. Resolution 20-085, A Resolution of the City Council of Homer, Alaska Noting the Insufficiency of the Forrest Glen Drive Road Reconstruction and Paving Improvement Special Assessment District. City Clerk. Recommend adoption.

- j. Resolution 20-086, A Resolution of the City Council of Homer, Alaska Amending the Economic Development Advisory Commission Bylaws to Update Article I – Name and Authorization by removing Redundant Information and Renaming Article II – Object and Removing Unnecessary Information. City Clerk. Recommend adoption.

- k. Resolution 20-088, A Resolution of the City Council of Homer, Alaska Supporting Full Funding (\$14,049,988) for the State of Alaska Municipal Harbor Facility Grant Program in the FY 2022 State Capital Budget. Mayor. Recommend adoption.

- l. Resolution 20-089, A Resolution of the City Council of Homer, Alaska Extending the City Attorney Contract with Jermain, Dunnagan & Owens, P.C. of Anchorage, Alaska for the period of October 1, 2020 through September 30, 2023 with No Modifications to the Scope of Services or Rates and Authorizing the Mayor to Execute the Appropriate Documents. Mayor/City Council. Recommend adoption.

- m. Resolution 20-090, A Resolution of the City of Homer, Alaska, Authorizing the City Manager to Apply and Accept a State of Alaska, Department of Environmental Conservation (ADEC) loan from the Alaska Drinking Water Fund for the Homer Seawall

Armor Rock Improvement Project. City Manager/Public Works Director. Recommend adoption.

- [n.](#) Resolution 20-093, A Resolution of the City Council of Homer, Alaska, Establishing a Fisheries Economic Recovery Fund (FERG) and Providing for Applicant Qualifications and Other Grant Details. Mayor. Recommend adoption.

VISITORS

- a. Unified Command Report (20 Minutes)
- [b.](#) Kenai Peninsula Economic Development District Update - Tim Dillon (10 minutes)

ANNOUNCEMENTS / PRESENTATIONS / REPORTS (5 Minute limit per report)

- b. Worksession Report
- a. Committee of the Whole Report
- d. Mayor's Report
- e. Borough Report
- f. Library Advisory Board
- g. Planning Commission
- h. Economic Development Advisory Commission
- i. Parks Art Recreation and Culture Advisory Commission
- j. Port and Harbor Advisory Commission
- k. Americans with Disabilities Act Compliance Committee
- l. Economic Relief Grant Programs Report

PUBLIC HEARING(S)

- [a.](#) Alder Lane Water Improvement Special Assessment District
- [b.](#) Seawall Improvement Special Assessment District
- [c.](#) Ordinance 20-59, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code to Create Chapter 21.17 Medical Zoning District; Amending Homer City Code 21.58.030, Permission for Communications Towers, Adding the Medical Zoning District; Amending Homer City Code 21.60.060 Signs on Private Property, Adding the Medical Zoning District; Amending Homer City Code 21.10.020 Zoning Districts to Include the Medical District; and Amending the Homer City Zoning Map to Rezone a Portion of the Residential Office (RO) Zoning District to Include Medical (M) Zoning District. Planning Commission. Recommended dates Introduction September 14, 2020 Public Hearing and Second Reading September 28, 2020

Memorandum 20-143 from City Planner as backup

- [d.](#) Ordinance 20-60, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating \$2,251,058.85 in Coronavirus Relief Funds from the Kenai Peninsula Borough to the City's Economic Relief Grant Programs and Authorizing the City Manager to Execute Agreements with the Kenai Peninsula Borough for Cooperative or Joint Administration of Functions or Powers through Subgranting Coronavirus Relief Funds. City Manager. Recommended dates Introduction September 14, 2020 Public Hearing and Second Reading September 28, 2020
- [e.](#) Ordinance 20-61, An Ordinance of the City Council of Homer, Alaska Repealing Emergency Ordinance 20-58 and Amending the 2020 Capital Budget and Authorizing Expenditure of up to \$300,000 from the HART Road Fund to Design and Construct Remedial Solutions for the Horizon Court Landslide. City Manager/Public Works Director. Recommended dates Introduction September 14, 2020 Public Hearing and Second Reading September 28, 2020

Memorandum 20-141 from Public Works Director as backup

ORDINANCE(S)

- [a.](#) Ordinance 20-65, An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Budget by Appropriating Funds in the Amount of \$271,281 for Personnel Costs Associated with COVID-19 Preparation and Response. City Manager. Introduction September 28, 2020 Public Hearing and Second reading October 12, 2020

Memorandum 20-146 from Finance Director as backup

- [b.](#) Ordinance 20-72, An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Capital Budget an Authorizing the Expenditure of \$1,035,970 from the General Fund to Complete the Homer Seawall Armor Rock Improvement Project. City Manager/Public Works Director. Introduction September 28, 2020 Public Hearing and Second Reading October 12, 2020.

Memorandum 20-153 from Public Works Director as backup

CITY MANAGER'S REPORT

- [a.](#) City Manager's Report

PENDING BUSINESS

NEW BUSINESS

- [a.](#) Memorandum 20-154 from Councilmembers Aderhold and Venuti re: Letter of Support for a National Science Foundation Coastlines and People Large Hub Proposal Regarding Harmful Algal Blooms, Mariculture, and Sea Star Ecology

RESOLUTIONS

- [a.](#) Resolution 20-084, A Resolution of the City Council of Homer, Alaska Approving the 2021-2026 Capital Improvement Plan and FY 2022 Legislative Requests. City Manager.

Memorandum 20-151 from Special Projects and Communications Coordinator as backup
- [b.](#) Resolution 20-087, A Resolution of the City Council of Homer, Alaska Creating a Second Round of CARES Act Grants for Small Businesses. Mayor.
- [c.](#) Resolution 20-091, A Resolution of the City Council of Homer, Alaska, to Initiate a Special Assessment District for the Purpose of Serving the Tasmania Court Neighborhood with City Sewer Service in Conjunction with the Tasmania Court Water Improvement Special Assessment District. Smith/Public Works Director.

Memorandum 20-158 from Public Works Director as backup
- [d.](#) Resolution 20-092, A Resolution of the City Council of Homer, Alaska Acknowledging the Sufficiency of the Seawall Improvement Special Assessment District and Approving the Improvement Plan, Estimated Not-To-Exceed Cost of Improvement and Assessment Methodology. City Clerk.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

COMMENTS OF THE CITY MANAGER

COMMENTS OF THE MAYOR

COMMENTS OF THE CITY COUNCIL

ADJOURNMENT

Next Regular Meeting is Monday, October 12, 2020, at 6:00 p.m. Committee of the Whole at 5:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

Memorandum 20-145

TO: HOMER CITY COUNCIL
FROM: MAYOR CASTNER
DATE: SEPTEMBER 22, 2020
SUBJECT: RE-APPOINTMENT OF LEON DEB LOWNEY TO THE PARKS, ART, RECREATION & CULTURE ADVISORY COMMISSION

Deb Lowney is re-appointed to the Parks, Art, Recreation & Culture Advisory Commission. Term expires October 31, 2023.

Recommendation: Confirm the re-appointment of Deb Lowney to the Parks, Art, Recreation & Culture Advisory Commission.



Advisory Body Application For Reappointment to Committees, Commissions, Board & Task Forces

Office of the City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603
Phone: (907) 235-3130
Fax: (907) 235-3143
clerk@cityofhomer-ak.gov

SEP 17 2020 PM 03:26 *rk*

The Information provided on this form will provide the basic information to the Mayor and City Council on your interest in serving on the selected Advisory Body. It is considered public and will be included in the City Council meeting packet. This information will be published in the City Directory and within city web pages if you are reappointed by the Mayor and your reappointment is confirmed by the City Council.

APPLICANT INFORMATION

Full Name: Debra K Lowney
Physical Address Where you Claim Residency: 350 Woodside Ave
Homer, AK
Mailing Address: PO Box 1445 City: Homer State: AK Zip: 99603
Phone: 907-299-0344 Email: dklowney@gmail.com
Cell#: (same) Work #: (same)

ADVISORY BODY YOU ARE REQUESTING REAPPOINTMENT TO:

- ADVISORY PLANNING COMMISSION
 PARKS, ART, RECREATION & CULTURE ADVISORY COMMISSION
 PORT & HARBOR ADVISORY COMMISSION
 ECONOMIC DEVELOPMENT ADVISORY COMMISSION
 LIBRARY ADVISORY BOARD
 OTHER - PLEASE INDICATE _____

CITY OF HOMER PUBLIC OFFICIAL CONFLICT OF INTEREST DISCLOSURE STATEMENT

Do you have a current Public Official Conflict of Interest Disclosure Statement on file with the City Clerk as required by HCC 1.18.043? Yes No yes

PLEASE PROVIDE THE FOLLOWING

Do you fill a seat for a City Resident or Non Resident
Has your residency changed since your last appointment? Yes No

PLEASE PROVIDE THE FOLLOWING

How long have you served on the advisory body?

8 yrs ?

Please briefly explain why you wish to be reappointed to the Advisory Body to which you currently serve. This may include information on accomplishments or projects completed, future goals for the body, or any additional information that may assist the Mayor in the decision making process. (You may attach an additional page if needed)

I am an avid supporter of PARCAC. Throughout my tenure our accomplishments are huge. There is still work to be done. I am committed to seeing numerous projects through to completion -

- KHP - Phases 2 & 3
- Mainstreet sidewalk
- Walkable Homer, connectivity
- HERC site rejuvenation
- Wayfinding
- Art in Green spaces

to name a few.

Please list any current memberships or organizations that you belong to related to the advisory body you serve on:

None

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-64

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 2.76.040, Duties and Responsibilities of the Commission to Clarify the Role of the Economic Development Advisory Commission.

Sponsor: Smith

1. City Council Regular Meeting September 28, 2020 Introduction

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

Smith

3
4 **ORDINANCE 20-64**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 2.76.040, DUTIES AND
8 RESPONSIBILITIES OF THE COMMISSION TO CLARIFY THE ROLE
9 OF THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION.

10
11 WHEREAS, The City of Homer Comprehensive Economic Development Strategy was
12 found to be outdated and would require significant amount of time and resources to update;
13 and

14
15 WHEREAS, The Kenai Peninsula Economic Development District (KPEDD) restructured
16 their Comprehensive Economic Development Strategy (CEDs) to include all municipalities in
17 the Kenai Peninsula; and

18
19 WHEREAS, The Economic Development Advisory Commission (EDC) reviewed the
20 KPEDD CEDs and found that it would be beneficial to use that document versus updating the
21 City document; and

22
23 WHEREAS, It was determined that by using the KPEDD CEDs, the Homer City Code
24 2.76.040, Duties and Responsibilities would require updating.

25
26 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

27
28 Section 1. Homer City Code 2.76.040 Duties and Responsibilities of the Commission is
29 amended to read as follows:

30
31 **2.76.040 Duties and responsibilities of the Commission.**

32 It shall be the duty of the Commission to act in an advisory capacity to the City Manager and
33 the City Council on the overall economic development planning for the City of Homer. The
34 Comprehensive Economic Development Strategy was adopted by the City Council on April 26,
35 1993. Further duties shall include:

- 36 a. Revisions, amendments and extensions of the Comprehensive Economic Development
37 Strategy (CEDs) which may be adopted by the City Council after consideration and report by
38 the Commission.
39 b. Provide continued review and evaluation of the CEDs.
40 c. Supervise and monitor the implementation of the CEDs.

41 **a. Oversee responsibility of the City of Homer's work with KPEDD in developing a 2-page**
42 **strategic plan for the specific Homer portion of the regional CEDs that is written every 5**
43 **years.**

- 44 **1. Co host with KPEDD public meetings to collect comments on local strengths,**
45 **opportunities, weaknesses and threats especially relating to the economy to**
46 **determine the City’s needs and wants. This is done to broaden public**
47 **involvement**
48 **2. Review and comment on yearly CEDS updates.**
49 **3. Monitor the implementation of the regional CEDS in terms of the Homer**
50 **portion**

51
52 **d b.** Collect and analyze data to evaluate existing City of Homer resources.

53
54 **e c.** Formulate and develop the overall long-range economic development goals of the
55 residents of the City of Homer through public hearing process.

56
57 **f d.** Identify specific alternatives or projects to accomplish the City’s objectives.

58
59 **g e.** Recommend priorities for the projects or alternatives.

60
61 **h f.** Promote public interest in overall economic development.

62
63 **i g.** Make inquiries regarding matters related to economic development.

64
65 **j h.** Commission may take part in activities with the Chamber of Commerce, Kenai Peninsula
66 Borough Economic Development District, and Kenai Peninsula Borough Tourism Marketing
67 Council upon the approval of the Council.

68
69 **k i.** Commission should provide a representative for the KPB Economic Development District
70 Board.

71
72 **l j.** Any recommendation the Commission may have regarding economic development is to be
73 directed to the City Council through the City Manager or the recommendations of the
74 Commission concerning policy issues shall be sent directly to the Council upon request of the
75 Commission.

76
77 **m k.** The Commission shall consider any specific proposal, problem or project as directed by
78 the City Council and any report or recommendations thereon shall be made directly to the
79 Council, unless otherwise directed by the Council.

80
81 **n l.** The City Council may at a future date expand or withdraw duties and responsibilities of
82 the Commission. [Ord. 93-15(S)(A), 1993; Ord. 06-25 § 1, 1993. Code 1981 § 1.78.040].

83
84 **Section 2.** This Ordinance is of a permanent and general character and shall be
85 included in the City Code.

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ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of October, 2020.

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:

Robert Dumouchel, City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-66

An Ordinance of the City Council of Homer, Alaska, Clarifying the Allowed Uses of the Coronavirus Relief Funds provided to the City from the Kenai Peninsula Borough.

Sponsor: Mayor

1. City Council Regular Meeting September 28, 2020 Introduction

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Mayor

4 **ORDINANCE 20-66**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 CLARIFYING THE ALLOWED USES OF THE CORONAVIRUS RELIEF
8 FUNDS PROVIDED TO THE CITY FROM THE KENAI PENINSULA
9 BOROUGH.

10
11 WHEREAS, The City has received a cooperative grant from the Kenai Peninsula Borough
12 in the amount of \$2,251,058.85; and

13
14 WHEREAS, The City has, by and through Ordinance 20-60, fully appropriated the funds
15 to be added to its existing economic recovery grant programs; and

16
17 WHEREAS, The intent of the grant is to supplement or enhance the City's existing
18 programs and is specifically restricted to the expenses described in the grant agreement; and

19
20 WHEREAS, The cooperative grant agreement imposes many administrative
21 requirements, the costs of which are recoverable as grant expenses; and

22
23 WHEREAS, The cooperative agreement includes a provision to "provide funds to senior
24 citizen centers to support eligible costs for programs and services for senior citizens"; and

25
26 WHEREAS, Homer Ordinance 20-60, or existing City duties, provide appropriation
27 authority for all other required provisions of the cooperative agreement.

28
29 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

30
31 Section 1. Distributions of Coronavirus Relief Funds as provided by the cooperative
32 agreement with the Kenai Peninsula Borough, and described in Ordinance 20-60, is amended
33 to include:

- 34
35 A) An allowance of up to five percent (5%) of the funds received to cover the costs of
36 satisfying the administrative requirements as established within the cooperative
37 agreement; and
38
39 B) An allowance of up to 10% of the funds received, distributable by separate
40 appropriation, to Homer Senior Citizens, Inc., to cover eligible costs for programs
41 and services.
42

43 Section 2. This ordinance is a budget ordinance only, is not permanent in nature, and
44 shall not be codified.

45
46

47 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of ____, 2020.

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CITY OF HOMER

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KEN CASTNER, MAYOR

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56 ATTEST:

57
58

MELISSA JACOBSEN, MMC, CITY CLERK

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61 YES:

62

NO:

63

ABSTAIN:

64

ABSENT:

65

66 First Reading:

67 Public Hearing:

68 Second Reading:

69 Effective Date:

70

71 Reviewed and approved as to form:

72

73

Robert Dumouchel, City Manager

Michael Gatti, City Attorney

74
75

76 Date: _____

Date: _____

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-67

An Ordinance of the City Council of Homer, Alaska, Providing for a Grant of \$225,000.00 to Homer Senior Citizens, Inc. for the Purposes of Recovery of Losses and Additional Costs Associated with Meeting the Challenges of the Novel Coronavirus and In Support of the Continuation of their Programs and Services.

Sponsor: Mayor

1. City Council Regular Meeting September 28, 2020 Introduction

HOMER, ALASKA

Mayor

ORDINANCE 20-67

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, PROVIDING FOR A GRANT OF \$225,000.00 TO HOMER SENIOR CITIZENS, INC., FOR THE PURPOSES OF RECOVERY OF LOSSES AND ADDITIONAL COSTS ASSOCIATED WITH MEETING THE CHALLENGES OF THE NOVEL CORONAVIRUS AND IN SUPPORT OF THE CONTINUATION OF THEIR PROGRAMS AND SERVICES.

WHEREAS, On March 13, 2020 Homer Senior Citizens, Inc. (HCS) was mandated to close its cafeteria where hot healthy meals were served to the senior population; and

WHEREAS, All other activities and social programs have been suspended, further isolating seniors from exercise and mental stimulation with the loss of tai chi, strong women, and contract bridge; and

WHEREAS, The State of Alaska mandated a complete lock-down of Assisted Living to protect the vulnerable adults in HSC care; and

WHEREAS, Isolating seniors protects them from the virus, but social isolation has caused an increase in depression and other mental health concerns; and

WHEREAS, Eliminations of services have led to loss revenue and donations; and

WHEREAS, Senior Centers and Senior housing have been identified across the United States as locations of high susceptibility to rapid outbreaks of the Novel Coronavirus; and

WHEREAS, In the first months of the pandemic, HSC suffered the loss of four employees in Adult Day Services and Activities program; and

WHEREAS, HSC experienced a 56% turnover in Assisted Living staff due to the fears of the prevalent outbreaks of the COVID-19 virus in similar facilities; and

WHEREAS, Employee turnover required unexpected expenditures for replacement referral, recruitment and training; and

WHEREAS, Retention of qualified and well-trained employees necessitated increased incentives of bonuses and salary increases; and

42 WHEREAS, HSC was required to procure personal protective supplies and equipment to
43 keep residents and staff safe and make other changes necessary to prevent the airborne
44 spread of the Novel Coronavirus; and

45
46 WHEREAS, HSC has documented the increased cost and accumulated loss due to Novel
47 Coronavirus to be ~\$250,000 at this time; and

48
49 WHEREAS, Each day of the pandemic adds to those costs and losses; and

50
51 WHEREAS, The Kenai Peninsula Borough and the City of Homer have entered into a
52 cooperative agreement to provide Coronavirus Relief Funds to various entities including the
53 Homer Senior Center; and

54
55 WHEREAS, Ordinance 20-xx amends Ordinance 20-60 to comport with the use of funds
56 as described in the cooperative agreement; and

57
58 WHEREAS, Ordinance 20-xx reserved up to 10% of the Kenai Peninsula Borough funds
59 to be used for the benefit Homer Senior Citizens, Inc.

60
61 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

62
63 Section 1. Allocation of funds from Section 1 C (20-xx) is to include:
64 \$225,000 is appropriated to Homer Senior Citizens, Inc. for expenses and increased
65 costs incurred in response to the COVID-19 pandemic for program and service expenditures.

66
67 Section 2. This ordinance is a budget ordinance only, is not permanent in nature, and
68 shall not be codified.

69
70 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.

71
72 CITY OF HOMER

73
74
75
76 _____
77 KEN CASTNER, MAYOR

78
79
80 _____
81 MELISSA JACOBSEN, MMC, CITY CLERK

82
83

84

85 YES:

86 NO:

87 ABSTAIN:

88 ABSENT:

89

90

91 Introduction:

92 Public Hearing:

93 Second Reading:

94 Effective date:

95

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97 Reviewed and approved as to form:

98

99 _____

100 Robert Dumouchel, City Manager

101

102 Date: _____

103

Michael Gatti, City Attorney

Date: _____

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-68

An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Capital Budget and Authorizing the Expenditure of \$234,105 from the Homer Accelerated Water & Sewer Program (HAWSP) Fund to Complete the Tasmania Court Water Improvement Project.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting September 28, 2020 Introduction

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager/
4 Public Works Director

5 **ORDINANCE 20-68**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING THE 2020 CAPITAL BUDGET AND AUTHORIZING THE
9 EXPENDITURE OF \$234,105 FROM THE HOMER ACCELERATED
10 WATER & SEWER PROGRAM (HAWSP) FUND TO COMPLETE THE
11 TASMANIA COURT WATER IMPROVEMENT PROJECT.
12

13 WHEREAS, The City Council created the Tasmania Court Water Improvement Special
14 Assessment District (SAD); and

15 WHEREAS, The properties within this district will be assessed 75% of the costs of the
16 project and the Homer Accelerated Water and Sewer Program (HAWSP) will pay 25%; and
17

18 WHEREAS, All project costs are anticipated to be financed through the ADEC/EPA
19 Revolving Loan Program; and
20

21 WHEREAS, Public Works has estimated the cost of this project to be \$234,105 (See
22 Memorandum 20-155).
23

24 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
25

26 Section 1. The Homer City Council hereby amends the FY 2020 Capital Budget by
27 appropriating \$234,105 from the HAWSP for the construction of the Tasmania Court Water
28 Improvements.
29

<u>Account</u>	<u>Description</u>	<u>Amount</u>
205-xxxx	Tasmania Court Water Improvements	\$234,105

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31
32
33 Section 2. This is a budget amendment ordinance only, is not permanent in nature, and
34 shall not be codified.
35

36 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12th day of October, 2020.
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38 CITY OF HOMER
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41 _____
42 KEN CASTNER, MAYOR

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Rob Dumouchel, City Manager

Date: _____

Michel Gatti, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 20-155

TO: Mayor Castner and City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, Director of Public Works
DATE: September 24, 2020
SUBJECT: Tasmania Court Special Assessment District

Issue: The process to form the Tasmania Court Special Assessment District to provide the neighborhood with City water was started in May 2020. The public hearing part of the process will be held September 14, 2020. Following the public hearing, the City Council will be asked to decide whether or not to proceed with the next steps towards forming the District. If the District is formed, the City will need to provide interim financing.

Background:

If the Tasmania Court Water Assessment District is formed, we will, in all likelihood, seek financing from the Alaska Department of Environmental Conservation. The loan is a reimbursable arrangement; that is, we must incur the costs first, and then seek reimbursement for the documented costs. We need a way to provide interim financing, for the project costs. We propose to transfer funds from the City's HAWSP Fund to a project account. As we access loan proceeds, they will be used to repay the General Fund. Separate accounting will be put employed to administer loan repayments and assessment collection.

The total estimated project cost is \$234,105. Of this, \$175,579 would be paid by the property owners and \$58,526 would be paid by the City, probably with funding from the HAWSP Fund. This will be determined when the final assessment roll, payment schedules and other details related to the administration of the assessment district.

Funds are available:

As of 3-31-20, there was a balance of \$2,437,693 in the HAWSP Fund. Since then, no expenditures have been approved from this fund. The projects recently funded for repairs to various water/sewer facilities was authorized from the Water Depreciation Fund or Sewer Depreciation Fund.

Action Recommended:

- a. That the City Council pass the proposed resolution appropriating \$234,105 from the HAWSP Fund for the construction of the Tasmania Court Water Improvements.
- b. That the City Council approve the expenditure of the City's share (25%) of the project costs, from the HAWSP Fund.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-71

An Ordinance of the City Council of Homer, Alaska, Authorizing the City Manager to Credit the Owners of The Property Known as KPB Parcel #17718013 for the Value of their Armor Rock and Other Materials, Not to Exceed \$36,000 Against the Future Assessment Levied by the City for the Homer Seawall Revetment Project.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting September 28, 2020 Introduction

1 **HOMER, ALASKA**

2 City Manager/
3 Public Works Director

4 **ORDINANCE 20-71**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AUTHORIZING THE CITY MANAGER TO CREDIT THE OWNERS OF
8 THE PROPERTY KNOWN AS KPB PARCEL #17718013 FOR THE
9 VALUE OF THEIR ARMOR ROCK AND OTHER MATERIALS, NOT TO
10 EXCEED \$36,000, AGAINST THE FUTURE ASSESSMENT LEVIED BY
11 THE CITY FOR THE HOMER SEAWALL REVETMENT PROJECT.

12
13 WHEREAS, City Council has approved the formation of a Special Assessment District
14 (“District”) for the Homer Seawall Revetment Project (“Project”); and

15
16 WHEREAS, Kenai Peninsula Borough Parcel #17718013, currently owned by Heather
17 and Martin Renner, is proposed to be part of this District; and

18
19 WHEREAS, The property owners had already acquired armor rock and other materials,
20 with the intention of placing the armor rock in front of their property for erosion control; and

21
22 WHEREAS, It is in the best interest of the new District to include the subject parcel; and

23
24 WHEREAS, The property owners are amenable to being included so long as:

- 25 (1) They are compensated, as a credit against their future assessment, for the
26 value of the armor rock and materials they have already acquired; and
27 (2) The armor rock placed in front of their property as part of the Project, is
28 armor rock they acquired.

29
30 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

31
32 Section 1. The City Manager is authorized to apply a credit, equal to value of the armor
33 rock and materials purchased by the property owners but not to exceed \$36,000, to the
34 future assessment, from the subject assessment district.

35
36 Section 2. The City Manager will take measures to place armor rock in front of Parcel
37 #177-18-013, from the armor rock stockpile acquired by the property owners.

38
39 Section 3. The City of Homer Seawall Revetment Project budget is hereby amended by
40 appropriating up to \$36,000 from the materials line item for the reimbursement credit
41 to the owners of record of KPB Parcel #17718013 to be applied toward the future special
42 assessment levied on the parcel.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	Homer Seawall Revetment Project	\$36,000

Section 4. This is a budget amendment ordinance only, is not permanent in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.

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:

Robert Dumouchel, City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____



Memorandum 20-149

TO: Mayor Castner and City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, Director of Public Works
DATE: September 22, 2020
SUBJECT: Property owned by Heather and Martin Renner on Ocean Loop Drive

I. Issue:

The property owned by Heather and Martin Renner on Ocean Loop Drive has been included in the proposed Special Assessment District for the Homer Seawall Revetment Project. They have already acquired armor rock for their property and it is in the best interests of the Special Assessment District that the City acquire this rock, incorporate it into the project and compensate the Renner's accordingly.

II. Background:

Heather and Martin Renner reside at 811 Ocean Drive Loop, Homer, Alaska, aka KPB Parcel 177180013. This property has been included in the boundary for the Special Assessment District that is proposed for the Homer Seawall Revetment Project. The existing seawall fronts the Renner's property.

They recognized the danger of erosion to their property and purchased armor rock, with the goal of placing it in front of their portion of the seawall. They incurred considerable expense to do this. But, their efforts at self-help were obfuscated by the Corps of Engineers, which took the position that only the City, as the permit-holder, was authorized to take actions affecting the seawall. As a result, the armor rock the Renner's purchased was dumped in front of their property, but has not yet been properly placed. When the special assessment district was formed for the purpose of maintaining the existing seawall, the Renner's asked to be excluded from this district and the City Council accepted their arguments and did so exclude them.

It is necessary for the armor rock revetment that is placed against the seawall be consistent along its entire length. For this reason, the City asked the Renner's if they would consent to being part of the new special assessment district. The Renner's have agreed, so long as they are compensated for the value of the rock they have already purchased and the City agrees to place the rock the Renner's have purchased on the Renner property.

The City Engineer has evaluated the subject rock and found it to be suitable for the purpose of incorporating it into the new armor rock revetment. We propose to give the Renner's a credit, for the value of this rock and related materials, against the value of their assessment.

III. Action Recommended:

That the City Council pass the proposed ordinance, in which the City agrees to

(1) compensate the Renner's for the value of their rock and related materials by a credit of no more than \$36,000, against the Renner's future assessment; and

(2) require the City's contractor to place the Renner's rock on the Renner's property.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 20-083

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
ACKNOWLEDGING THE SUFFICIENCY OF THE TASMANIA COURT
WATER IMPROVEMENT SPECIAL ASSESSMENT DISTRICT AND
APPROVING THE IMPROVEMENT PLAN, ESTIMATED COST OF
IMPROVEMENT AND ASSESSMENT METHODOLOGY.

WHEREAS, A petition was initiated by property owners within Tasmania Court to form a water improvement special assessment district; and

WHEREAS, The Tasmania Court Special Assessment District boundary includes property fronting Tasmania Court and a portion of South Slope Drive; and

WHEREAS, The estimated cost of the water improvements is \$234,105 with property owners paying 75% and the Homer Accelerated Water and Sewer Program (HAWSP) paying 25% of the costs; and

WHEREAS, A Public Hearing was held on September 14, 2020 and two property owners in the district commented in support of the project; and

WHEREAS, The deadline to receive written objections was September 13, 2020 and one written objection was received; and

WHEREAS, The objecting property owner of Barnett's South Slope Subdivision Lot 1 Block 2 has an existing water service connection from South Slope; and

WHEREAS, Five property owners provided written support of an amended boundary that excludes the objecting property owner and includes one additional property that requested to be added to the originally proposed district boundary; and

WHEREAS, Council finds the petition bears sufficient support and that the water improvement is necessary and to the benefit the following eleven properties that shall be included in the Tasmania Court Water Improvement Special Assessment District:

Barnett's South Slope Subd Lot 2, Blk 2	Evans (New Owner)	KPB#17702045
Barnett's South Slope Subd Lot 4 Blk 2	Evans (New Owner)	KPB#17702044
Crandall Addn No 2 Lot 6-A-1	Crandall	KPB# 17702082
Barnett's South Slope Subd Crandall Addn No 2 Lot 5-A-1	Crandall	KPB# 17702083

Barnett's S Slope Subd Lot 11, Blk 1	Sjostedt	KPB# 17702040
Barnett's South Slope Subd Lot 12, Blk 1	Marley	KPB# 17702039
Barnett's South Slope Subd Lot 13, Blk 1	Marley	KPB# 17702038
Barnett's South Slope Subd Lot 14, Blk 1	O'Neill	KPB# 17702037
Barnett's South Slope Subd Lot 15, Blk 1	Fell	KPB# 17702036
Barnett's South Slope Subd Fell Addn Lot 16-A	Fell	KPB# 17702095
Barnett's South Slope Subd Lot 17, Blk 1	Sumption	KPB# 17702034

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WHEREAS, The eleven properties will be assessed through an equal shares methodology estimated at \$15,962 per lot.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska acknowledges the sufficiency of the Tasmania Court Water Improvement Special Assessment and approves the improvement plan, estimated cost of improvement, and assessment methodology.

PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: HAWSP \$58,526

Concept Cost Estimate
TASMANIA WATER IMPROVEMENT
9/23/2020
Construction Cost

	quantity	unit	unit price	cost
Mobilization	1	LS	\$8,500	\$8,500
Clearing/Grubbing	1	LS	\$1,750	\$1,750
8" HDPE Main	1000	LF	\$100	\$100,000
8" Valve	4	EA	\$5,000	\$20,000
Fire Hydrant	2	EA	\$7,000	\$14,000
1" water service	11	EA	\$1,750	\$19,250
Connect to Existing	1	EA	\$1,750	\$1,750
Type II Gravel	300	CY	\$30	\$9,000
Pipe Bedding	50	CY	\$27	\$1,350
Seeding	25	MSF	\$75	\$1,875
Construction Survey	1	LS	\$4,500	\$4,500
SWPP Plan	1	LS	\$2,400	\$2,400
Geotextile Fabric	600	SY	\$6	\$3,600
Utility Relocation	1	LS	\$5,500	\$5,500

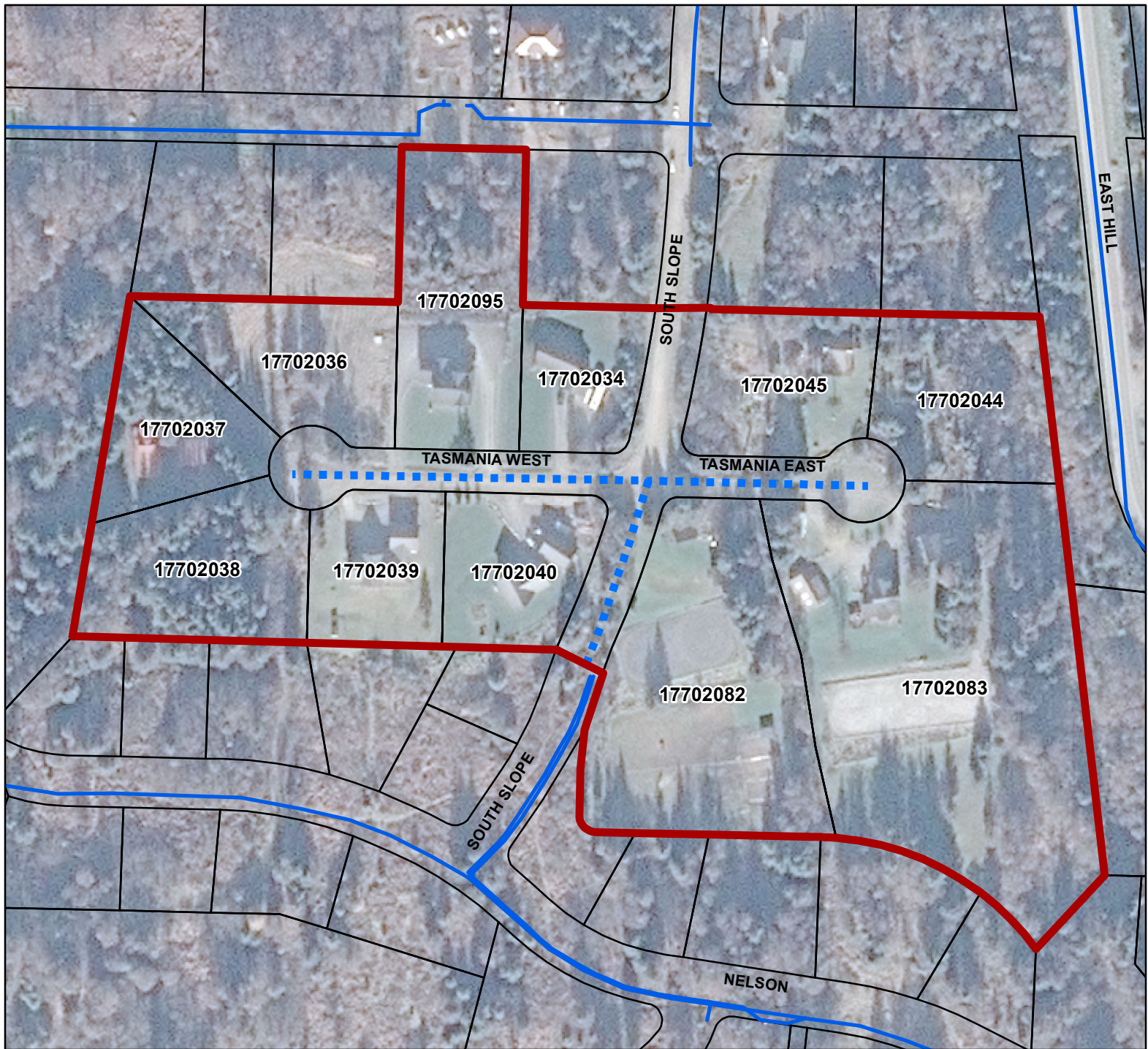
\$193,475

Construction	\$193,475
Design (12%)	\$23,217
Inspection (4%)	\$7,739
City Administration (5%)	\$9,674
Total Project Cost	\$234,105
Property Owner Share	\$175,579
City (HAWSP) Share	\$58,526

Legal Description/Owner

		Equal Share Assessment
Barnett's S Slope Subd Lot 2, Blk 2	Evans	\$ 15,962
Barnett's S Slope Subd Lot 4, Blk 2	Evans	\$ 15,962
Crandall Addn No 2 Lot 5-A-1	Crandall	\$ 15,962
Crandall Addn No 2 Lot 6-A-1	Crandall	\$ 15,962
Barnett's S Slope Subd Lot 11, Blk 1	Sjostedt	\$ 15,962
Barnett's S Slope Subd Lot 12, Blk 1	Marley	\$ 15,962
Barnett's S Slope Subd Lot 13, Blk 1	Marley	\$ 15,962
Barnett's S Slope Subd Lot 14, Blk 1	O'Neill	\$ 15,962
Barnett's S Slope Subd Lot 15, Blk 1	Fell	\$ 15,962
Fell Addn Lot 16-A	Fell	\$ 15,962
Barnett's S Slope Subd Lot 17, Blk 1	Sumption	\$ 15,962

\$ 175,579

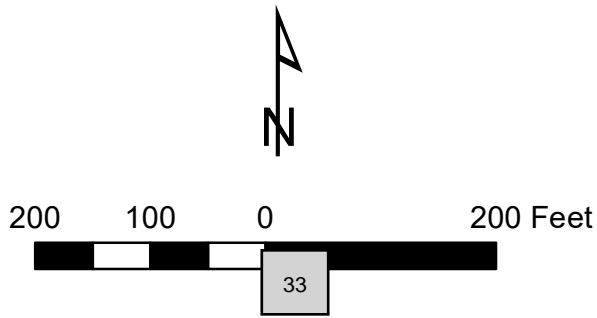


Legend

- SAD_Boundary
- Proposed Line
- Existing Waterline

Coordinate System: NAD 1983 StatePlane Alaska 4 FIPS 5004 Feet
 Projection: Transverse Mercator
 Datum: North American 1983
 False Easting: 1,640,416.6667
 False Northing: 0.0000
 Central Meridian: -150.0000
 Scale Factor: 0.9999
 Latitude Of Origin: 54.0000
 Units: Foot US

TASMANIA COURT WATERLINE EXTENSION PROPOSAL



DEPT. OF PUBLIC WORKS
 Sept 18, 2020

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
HOMER, ALASKA**

City Clerk

RESOLUTION 20-085

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
NOTING THE INSUFFICIENCY OF THE PETITION FOR FOREST
GLEN ROAD RECONSTRUCTION AND PAVING SPECIAL
ASSESSMENT DISTRICT.

WHEREAS, On June 26, 2020 an application to initiate a special assessment district for road reconstruction and paving on Forest Glen Drive was filed and a petition was created and sent by certified mail to 46 property owners of 54 parcels in the district; and

WHEREAS, Homer City Code 17.02.040 (a)(2) states a special assessment district may be initiated by a petition signed by 50 percent of the total record owners who receive notice from the City Clerk's office that they will be assessed a portion of the costs of a single capital improvement; and

WHEREAS, Twelve property owners who own 13 parcels in the proposed district signed the petition initiating the special assessment district.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, notes the insufficiency of the petition for Forest Glen Drive Road Reconstruction and Paving Improvements.

BE IT FURTHER RESOLVED this does not preclude further petitioning by property owners for road improvements for a modified area or any other type of improvement by initiating a new petition.

PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: N/A

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 20-086

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION BYLAWS TO UPDATE ARTICLE I – NAME AND AUTHORIZATION BY REMOVING REDUNDANT INFORMATION AND RENAMING ARTICLE II – OBJECT AND REMOVING UNNECESSARY INFORMATION.

WHEREAS, In review of the Economic Development Advisory Commission (EDC) bylaws it was determined that Article I – Name and Authorization contained information that was redundant and should be deleted; and

WHEREAS, Further analysis of the EDC bylaws, Article II was renamed Object and modified to remove information that was not required in a bylaws document; and

WHEREAS, The EDC introduced the amendments at their August 11, 2020 regular meeting and approved their amendments at a second meeting on September 8, 2020, in accordance with their bylaws.

NOW, THEREFORE, BE IT RESOLVED that the Homer City Council hereby amends the Economic Development Advisory Commission Bylaws to Update Article I – Name and Authorization by removing information that was redundant and renaming Article II – Object and removing unnecessary information not required in a bylaws document.

PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

**CITY OF HOMER ECONOMIC DEVELOPMENT ADVISORY COMMISSION
BYLAWS**

ARTICLE I - NAME AND AUTHORIZATION

~~This organization shall be called The Economic Development Advisory Commission **was** established October 25, 1993 with the adoption of via Ordinance 93-15(S)(A). The Commission was inactivated on ___ and reactivated February 27, 2006 by Resolution 06-20. and Resolution 06-20, existing by virtue of the provisions of Chapter 2.76 of the Homer Municipal Code, and exercising the powers and authority and assuming the responsibilities delegated under said Code. The following bylaws were adopted on May 13, 2019 and shall be in effect and govern the procedures of the Economic Development Advisory Commission.~~

ARTICLE II - ~~PURPOSE~~ OBJECT

The Economic Development Advisory Commission will act in an advisory capacity to the City Manager and the City Council on the overall economic development planning for the City of Homer in accordance with Homer City Code Chapter 2.76.

~~Section 1. Act in an advisory capacity to the City Manager and the City Council on the overall economic development planning for the City of Homer.~~

~~Section 2. Oversee responsibility of the City of Homer Comprehensive Economic Development Strategy (adopted by City Council April 26, 1993; formerly known as the Overall Economic Development Plan):~~

- ~~a. Revisions, amendments and extensions of the Comprehensive Economic Development Strategy (CEDS) which may be adopted by the City Council after consideration and report by the Commission.~~
- ~~b. Provide continued review and evaluation of the CEDS.~~
- ~~c. Supervise and monitor the implementation of the CEDS.~~

~~Section 3. Collect and analyze data relevant to economic development to evaluate existing community resources.~~

~~Section 4. Formulate and develop the overall long range economic development goals of the residents of the City of Homer through public hearing process.~~

~~Section 5. Identify specific alternatives or projects to accomplish the City's objectives and recommend priorities.~~

~~Section 6. Review recommendations of the Homer Advisory Planning Commission to encourage a business friendly environment in Homer.~~

~~Section 7. Promote public interest in overall economic development.~~

~~Section 8. Make inquiries regarding matters related to economic development.~~

~~Section 9. Collaborate with other City of Homer advisory bodies, the Homer Chamber of Commerce, Kenai Peninsula Economic Development District, and Kenai Peninsula Tourism Marketing Council in activities of mutual interest.~~

ARTICLE III - MEMBERS

Section 1. The Commission shall consist of seven members comprised of at least five (5) members that reside inside city limits and shall be registered voters in the Kenai Peninsula Borough or the City of Homer. Members shall be nominated by the Mayor and confirmed by City Council to serve for three-year terms to expire on April 1st of designated years.

Section 2. One City Council member and one Homer area high school Student Representative may be appointed by the Mayor, subject to confirmation by the City Council, as consulting, non-voting members.

Section 3. The Mayor, City Manager, City Planner, and/or the Director of the Homer Chamber of Commerce and a representative from the Homer Marine Trades Association may serve as non-voting, consulting members of the Commission.

Section 4. A commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. The Commission shall declare a vacancy when the person appointed:

- Fails to qualify to take office within 30 days after their appointment;
- Resigns and the resignation is accepted;
- Is physically or mentally unable to perform the duties of their office;
- Misses two (2) consecutive regular meetings unless excused;
- Is convicted of a felony.

Section 5. Honorary members of the Commission may be appointed by the Mayor, subject to confirmation by the City Council. Honorary members may participate in the deliberations of the Commission, but may not vote nor shall they be counted in determining the quorum of Commissioners.

ARTICLE IV - OFFICERS

Section 1. A Chairperson and Vice-Chairperson shall be elected from among the appointed commissioners at the regular April meeting of the Commission.

Section 2. Officers shall serve a term of one year from the April meeting at which they are elected, and until their successors are duly elected. Officers may be re-elected in subsequent years.

Section 3. The Chairperson shall preside at all meetings of the Commission, authorize calls for any special meetings, execute all documents authorized by the Commission, serve as ex officio/voting member of all committees, and generally perform all duties associated with that office.

Section 4. In the event of the absence, or disability of the Chairperson, the Vice-Chairperson shall assume and perform the duties of the Chair. If both the Chairperson and Vice-Chairperson are absent, and a quorum of four members are present, the senior member shall assume and perform the duties and functions of the Chair.

ARTICLE V – MEETINGS

Section 1. Regular meetings shall be open to the public and held on the second Tuesday of each month at 6:00 p.m. in the designated location and shall be posted for public information as required by Homer City Code and Alaska State Statutes.

Section 2. Meeting agenda deadline is at 5:00 p.m. the Wednesday preceding the meeting. Allowances will be made for holidays.

Section 3. The order of business for the regular meetings shall include, but not be limited to, the following items, which shall be covered in the sequence shown, as far as circumstances permit. Agenda shall be posted for public information as required by Homer City Code and Alaska State Statutes.

NAME OF BODY	DATE OF MEETING
PHYSICAL LOCATION OF MEETING	DAY OF WEEK AND TIME OF MEETING
HOMER, ALASKA	MEETING ROOM

NOTICE OF MEETING REGULAR MEETING AGENDA

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE
2. APPROVAL OF AGENDA
3. PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA. (3 MINUTE TIME LIMIT)
4. RECONSIDERATION
5. APPROVAL OF MINUTES or CONSENT AGENDA
6. VISITORS (Chair set time limit not to exceed 20 minutes) (Public may not comment on the visitor or the visitor's topic until audience comments.) No action may be taken at this time.
7. STAFF & COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS (Chair set time limit not to exceed 5 minutes.)
8. PUBLIC HEARING (3 MINUTE TIME LIMIT)
9. PLAT CONSIDERATION (Planning Commission only)
10. PENDING BUSINESS or COMMISSION BUSINESS
11. NEW BUSINESS or COMMISSION BUSINESS
12. INFORMATIONAL MATERIALS (NO ACTION MAY BE TAKEN ON THESE MATTERS, THEY MAY BE DISCUSSED ONLY).
13. COMMENTS OF THE AUDIENCE (3 MINUTE TIME LIMIT)
14. COMMENTS OF THE CITY STAFF (not required) (Staff report may be at this time in the agenda.)
15. COMMENTS OF THE COUNCILMEMBER (If one is assigned)
16. COMMENTS OF THE CHAIR (May be combined with COMMENTS OF THE COMMISSION/BOARD since the Chair is a member of the Commission/Board.)
17. COMMENTS OF THE COMMISSION
18. ADJOURNMENT/NEXT REGULAR MEETING IS SCHEDULED FOR _____ note any worksessions, special meetings, committee meetings etc. All meetings scheduled to be held in the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. (Sometimes the meeting is scheduled for the Conference Room)

Contact info for the department constructing the agenda. Example: City Clerk's Office, clerk@ci.homer.ak.us, 235-3130.

Section 4. Per Resolution of the City Council (Resolution 06-115(A)), Public Testimony shall normally be limited to three minutes per person. Exceptions may be provided for at the Chair’s discretion or by a majority vote of the members in attendance.

Section 5. Special Meetings and Worksessions may be called by the Special Projects and Communications Coordinator, Chair, or a majority of the Commission. Worksessions do not require a quorum, however, no action may be taken at a worksession; items on the agenda are for discussion only. Notice of such meetings shall be posted in the same manner as that for regular meetings.

Section 6. A quorum for the transaction of business at any meeting shall consist of four members. For purposes of determining the existence of a quorum, honorary members shall not be counted.

Section 7. Four affirmative votes are required to approve any action before the Commission and shall constitute the meaning of “majority vote”. The Chairperson may vote upon, and may move or second a proposal before the Commission.

Section 8. Recorded minutes shall be made available by the City Clerk’s Office to the Commission prior to the next meeting and a record of all voting will be included in the minutes of each meeting. Minutes shall be available to the public as required by Homer City Code and Alaska State Statutes.

Section 9. The Commission shall abide by existing Alaska State Law, Borough Code of Ordinance, where applicable, and Homer City Code, as well as Robert's Rules of Order, current edition, in so far as this treatise is consistent with Homer City Code.

ARTICLE VI - COMMITTEES

Section 1. Committees of one or more members for such specific purposes as the business of the Commission will only become active upon approval of Council. A memorandum and resolution will go before Council outlining the reason, tasks assigned and termination date. Committees shall be considered to be discharged upon completion of the purpose for which it was appointed, and after its final report is made to and approved by the Commission.

Section 2. All committees shall make a progress report to the Commission at each of the Commission’s regular meetings.

ARTICLE VII - BYLAW AMENDMENTS

Section 1. The Bylaws may be amended at any meeting of the Commission by a majority plus one of the members, provided that notice of said proposed amendment is given to each member in writing. The proposed amendment shall be introduced at one meeting and action shall be taken at the next Commission meeting.

Section 2. Any rule or resolution of the Commission, whether contained in these Bylaws or otherwise, may be suspended temporarily in connection with business at hand; and such suspension to be valid; may be taken only at a meeting at which at least four of the members of the Commission shall be present, and two-thirds of those present shall so approve.

ARTICLE VIII – TELECONFERENCING

Section 1. Teleconference meetings:

- a) The preferred procedure for a Commission meeting is that all members be physically present at the designated time and location for the meeting. However, physical presence may be waived and a member may participate in a meeting by Teleconference. This allowance is limited to two (2) meetings per year.
- b) There must be a quorum of four members physically present in addition to the telephonic member.
- c) A Commissioner participating by teleconference shall be deemed to be present at the meeting for all purposes.
- d) In the event the Chair participates telephonically, the Vice-Chair shall run the meeting.

Section 2. Teleconference procedures:

- e) A Commissioner who cannot be physically present for a regularly scheduled meeting shall notify the Clerk at least five days prior to the scheduled meeting time of their intent to participate telephonically.
- f) The Clerk shall notify the other Commissioners of the Commissioner's intent to participate by teleconference three days prior to the scheduled meeting time.
- g) The means used to facilitate a teleconference meeting must enable each Commissioner participate telephonically to clearly hear, and be heard by, all other Commissioners, and members of the public.
- h) The Clerk shall note in the attendance record all Commissioners participating telephonically.

**CITY OF HOMER
HOMER, ALASKA**

Mayor

RESOLUTION 20-088

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
SUPPORTING FULL FUNDING (\$14,049,988) FOR THE STATE OF
ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE
FY 2022 STATE CAPITAL BUDGET.

WHEREAS, The majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

WHEREAS, These harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

WHEREAS, These harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

WHEREAS, The State of Alaska over the past nearly 30 years has transferred ownership of most of these State-owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

WHEREAS, The municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

WHEREAS, Consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

WHEREAS, In response to this financial burden, the Governor and the Alaska Legislature passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Municipal Harbor Facility Grant program (AS 29.60.800); and

WHEREAS, The Department of Transportation and Public Facilities utilizes a beneficial administrative process to review, score and rank applicants to the Municipal Harbor Facility Grant Program, since state funds may be limited; and

42 WHEREAS, For each harbor facility grant application, these municipalities have
43 committed to invest 100% of the design and permitting costs and 50% of the construction cost;
44 and

45
46 WHEREAS, The municipalities of the City of Cordova, City and Borough of Sitka, City and
47 Borough of Juneau, City of Seward, and City of Sand Point have committed to contribute
48 \$14,049,988 in local match funding for FY2022 towards harbor projects of significant
49 importance locally as required in the Harbor Facility Grant Program; and

50
51 WHEREAS, Completion of these harbor facility projects is dependent on the 50% match
52 from the State of Alaska’s Municipal Harbor Facility Grant Program; and

53
54 WHEREAS, During the last ten years the Municipal Harbor Facility Grant Program has
55 only been fully funded twice; and

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57 WHEREAS, During the last ten years the backlog of projects necessary to repair and
58 replace these former State-owned harbors has increased to well over \$100,000,000.

59
60 NOW THEREFORE BE IT RESOLVED that the City Council of Homer, Alaska urges full
61 funding in the amount of \$14,049,988 by the Governor and the Alaska Legislature for the State
62 of Alaska’s Municipal Harbor Facility Grant Program in the FY 2022 State Capital Budget in
63 order to ensure enhanced safety and economic prosperity among Alaskan coastal
64 communities.

65
66 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of September, 2020.

67
68 CITY OF HOMER
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72 _____
73 KEN CASTNER, MAYOR

74 ATTEST:
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76 _____
77 MELISSA JACOBSEN, MMC, CITY CLERK
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79

**CITY OF HOMER
HOMER, ALASKA**

Mayor/City Manager

RESOLUTION 20-089

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, EXTENDING THE GENERAL COUNSEL LEGAL SERVICES CONTRACT WITH JERMAIN, DUNNAGAN & OWEN, P.C. FOR THE PERIOD OF OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2023 WITH NO MODIFICATIONS TO THE SCOPE OF SERVICES OR RATES AND AUTHORIZING THE MAYOR TO EXECUTE THE CONTRACT.

WHEREAS, Jermain, Dunnagan & Owen, P.C. have been the City of Homer's General Counsel since October 1, 2019, selected and hired by the City Council; and

WHEREAS, It is the recommendation that the contract be extended from October 1, 2020 through September 30, 2023 with no modification to the rates; and

WHEREAS, The Scope of Services and remaining details outlined in the original contract will remain the same.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, extends the contract with Jermain, Dunnagan & Owens, P.C. for the period of October 1, 2020 through September 30, 2023 with no modifications to the Scope of Services or rates and authorizing the Mayor to execute the contract.

PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Impact: Budgeted Mayor and Council Professional Services 100.0100.5210

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager/
4 Public Works Director

5 **RESOLUTION 20-090**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
8 AUTHORIZING THE CITY MANAGER TO APPLY AND ACCEPT A
9 STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL
10 CONSERVATION (ADEC) LOAN FROM THE ALASKA DRINKING
11 WATER FUND FOR THE HOMER SEAWALL ARMOR ROCK
12 IMPROVEMENT PROJECT.

13
14 WHEREAS, The Homer Seawall Armor Rock Improvement project would include the
15 following work: design and construction of armor rock erosion protection to protect private
16 property and City Infrastructure; and

17
18 WHEREAS, The City of Homer seeks to obtain the necessary financial assistance for the
19 project; and

20
21 WHEREAS, The State of Alaska, Department of Environmental Conservation (ADEC) is
22 able to offer funding through the Alaska Drinking Water Fund; and

23
24 WHEREAS, The project currently is included on an Alaska Drinking Water Fund project
25 priority list for the current fiscal year; and

26
27 WHEREAS, The loan of up to \$899,849 would be repaid over no more than a 30-year
28 term, with a finance rate calculated pursuant to 18 AAC 76.255 (for a Drinking Water loan); and

29
30 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska Authorizes
31 the City Manager to Apply and Accept a State of Alaska Department of Environmental
32 Conservation (ADEC) loan from the Alaska Drinking Water Fund for the Homer Seawall Armor
33 Rock Improvement Project.

34
35 PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

36
37 CITY OF HOMER

38
39
40 _____
41 KEN CASTNER, MAYOR
42

43 ATTEST:

44

45

46 _____

47 MELISSA JACOBSEN, MMC, CITY CLERK

48

49 Fiscal Note: HAWSP \$69,273

**CITY OF HOMER
HOMER, ALASKA**

Mayor

RESOLUTION 20-093

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ESTABLISHING A FISHERIES ECONOMIC RECOVERY FUND (FERG)
AND PROVIDING FOR APPLICANT QUALIFICATIONS AND OTHER
GRANT DETAILS.

WHEREAS, The City has entered into a cooperative grant agreement with the Kenai Peninsula Borough to distribute Coronavirus Relief Funds to entities located within the City's municipal boundaries; and

WHEREAS, The Kenai Peninsula Borough's small business grant program includes businesses engaged in commercial fishing; and

WHEREAS, The City of Homer, using Corona Relief Funds for purposes that match the Borough's standards should include commercial fishing grant opportunities under the cooperative grant agreement; and

WHEREAS, Commercial fishermen have suffered economic loss due to the softening of markets, including restaurants, public and private gatherings and the general loss of normal distribution outlets; and

WHEREAS, Commercial fishermen have suffered economic loss due to reductions or elimination of stock assessments and surveys which have led to more conservative management with reduced quotas or fishing time; and

WHEREAS, Commercial fishermen have suffered economic loss due to the added expenses of meeting quarantine, social distancing, and other restrictions that have been placed on the commercial fleets during the COVID 19 pandemic; and

WHEREAS, Commercial fishermen ultimately pay the increased operating costs to fish buyers and processors for quarantines, housing, transportation and additional food and worker safety requirements; and

WHEREAS, The City of Homer has benefited from a commercial fishing fleet based at the Homer Boat Harbor; and

WHEREAS, Vessels based in Homer pay harbor fees and rent, provide jobs, and support local marine trades and chandleries; and

43 WHEREAS, While many vessels come and go from the Homer Harbor, it is a limited fleet
44 that has made an annual or semi-annual commitment to Homer Harbor; and

45
46 WHEREAS, The Homer Harbor Master has identified the fleet as consisting of 103
47 vessels; and

48
49 WHEREAS, The fleet of 103 vessels paid \$251,461.22 in moorage to the Homer Harbor in
50 the period during the annual period of October 1, 2019 and September 30, 2020; and

51
52 WHEREAS, The Homer Harbor Master keeps complete records of vessel ownership and
53 contact information, and is best suited to administer an efficient application process.

54
55 NOW, THEREFORE BE IT RESOLVED that the City of Homer establishes a Fisheries
56 Economic Recovery Fund (FERG) that will provide economic relief to vessel owners operation
57 out of the Homer Harbor and engaged in commercial fisheries within the waters of the State of
58 Alaska; and

59
60 BE IT FURTHER RESOLVED that applicants must meet the following requirements:
61 1) Paid either annual or semi-annual moorage to the Homer Harbor between
62 October 1, 2019 and September 30, 2020; and,
63 2) Participated in a State fishery during that period; and
64 3) Met the filing requirements and certifications of the City's existing small
65 business (SBERG) grant program.

66
67 BE IT FURTHER RESOLVED, that each vessel owner shall receive a grant of up to
68 \$4,500.00.

69
70 BE IT FURTHER RESOLVED, that applications will be sent out within seven days of the
71 passage of this resolution, applications must be received no later than October 30, and grant
72 checks will be mailed by November 10; and

73
74 BE IT FURTHER RESOLVED, that following the conclusion of the program, the City
75 administration will provide a report to the Homer City Council about the status of the FERG
76 Program including information such as the number of applications received, number of
77 applications processed, and account balances of the program fund.

78
79 PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

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CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

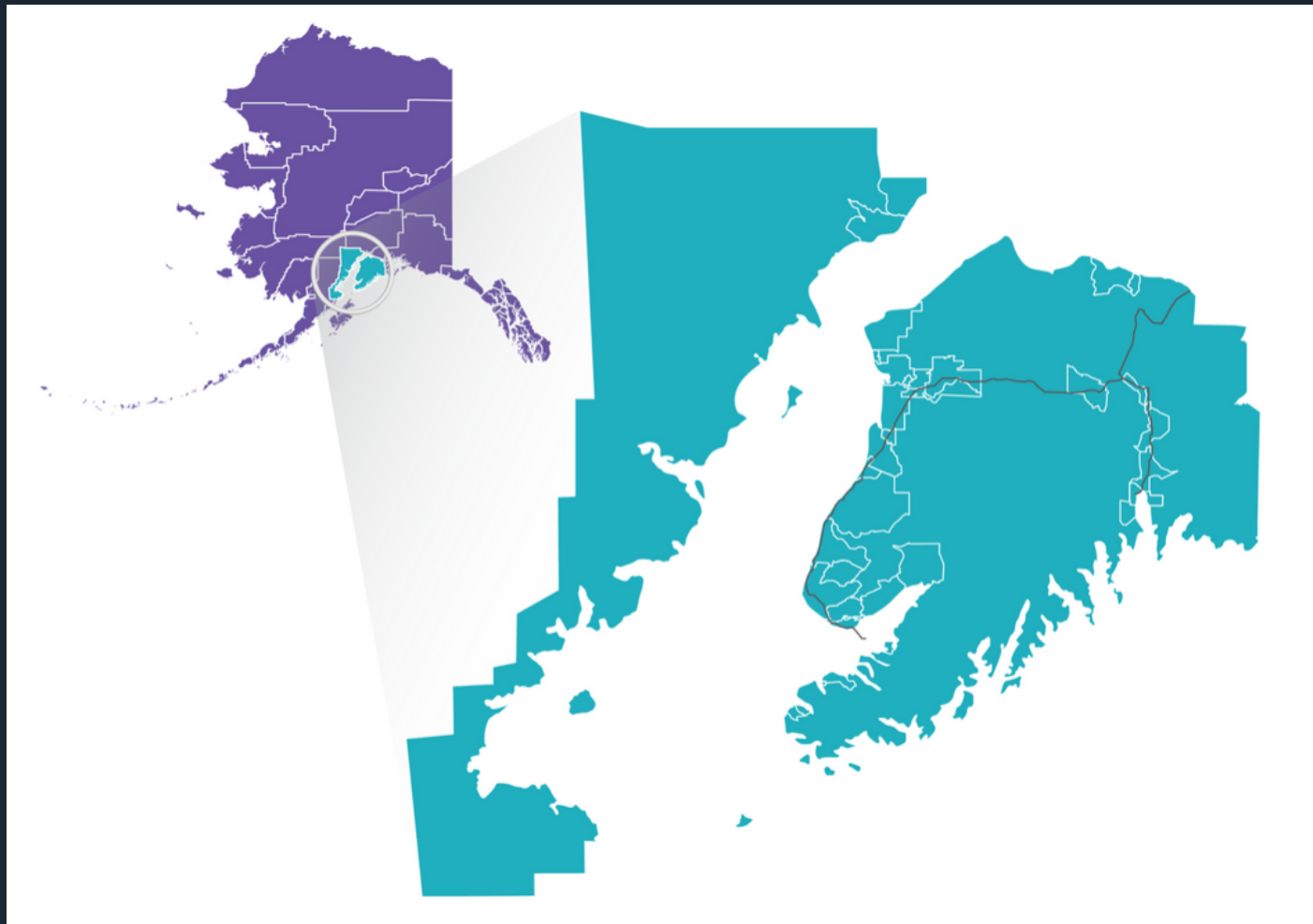
Fiscal Note: N/A



The City of Homer



Who and What is KPEDD?



- **KPEDD501 (c) 4 Regional Economic Development Organization**
- Independent 14 Seat Diverse Regional Board of Directors
- Current Contracts include EDA, Denali Commission, State of Alaska, & Kenai Peninsula Borough

General Overview:

- Strategic Planning
- Business Consultation
- Community Assistance
- Financial Resource Identification
- Grant Assistance
- Local, State, and Federal Advocacy
- Partnerships
- Economic Reporting
- Information Dissemination



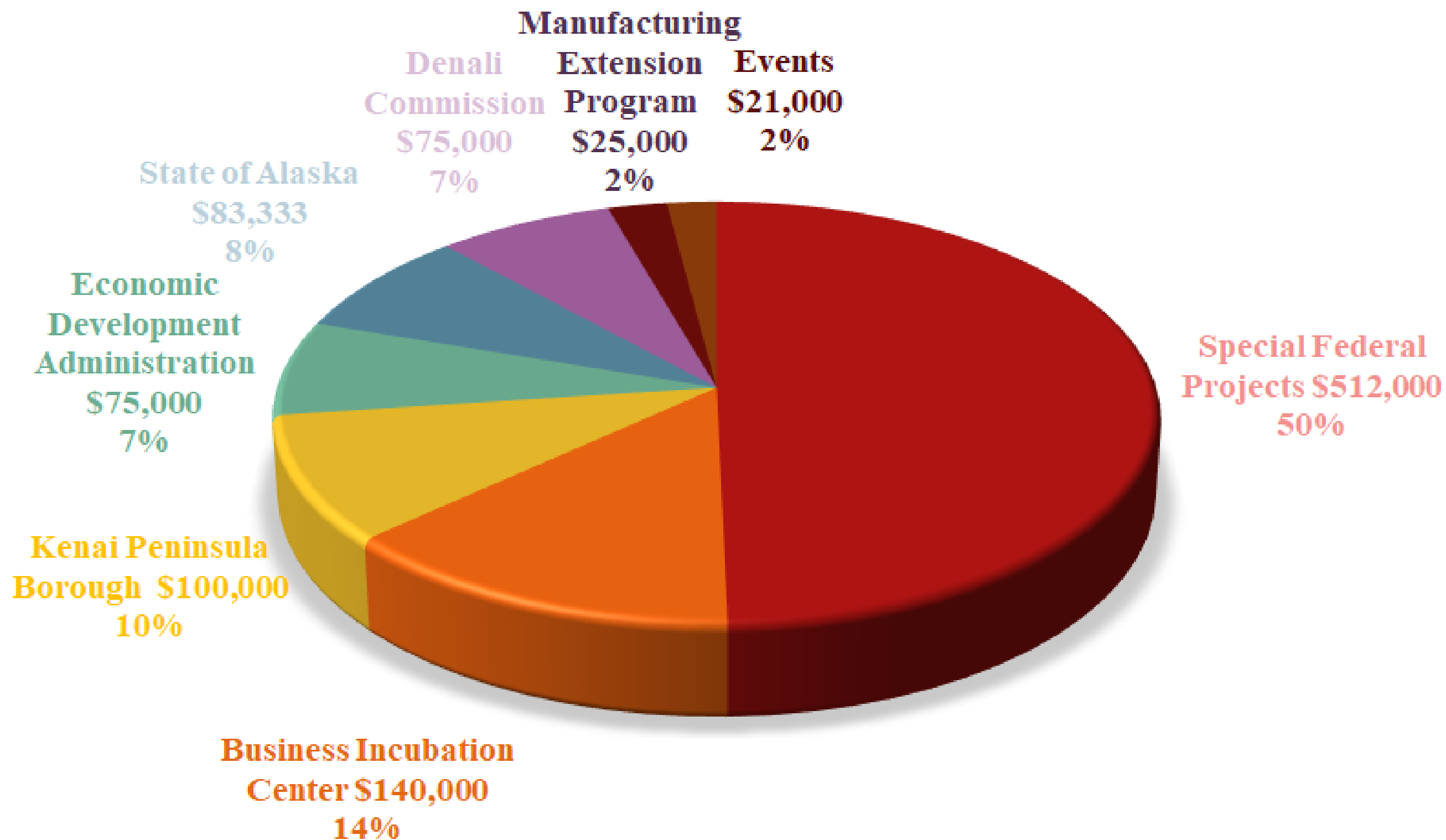
KPEDD Projects



- 2020 Census
- Workforce Development Resource Site
- Alaska Cares Grant
- Comprehensive Economic Development Strategy
- Community Infrastructure Projects
- Federal Economic Resiliency Plan
- Red Mountain Eco-Tourism
- Manufacturing Extension Program
- Situations and Prospects Report



KPEDD Funding



Alaska Counts

2020 Census

Why respond to the Census?



Schools + Childcare



Local Public Safety



Roads, Highway
Construction

Census data
affects...



Healthcare
+ Social Services



Economic
Development + Jobs



Nonprofits

10 Minutes
10 Questions
10 Years of Impact

Every Alaskan Counts
alaskacounts.org



CEDS FY 21 Update

Comprehensive Economic Development Strategy

- Regional Economic Summary
- Geographic Description
- Organizational Description
- Populational Trends & Characteristics
- SWOT Analysis
- Resiliency Analysis
- Identification of Economic Sectors
- Goals & Action Strategies
- Work Plans

- Through CEDS (The Comprehensive Economic Development Strategy) goals & objectives are developed to shape the Kenai Peninsula's Borough over the next five years



Goals & Objectives

BUSINESS CLIMATE & ENTREPRENEURSHIP

- Strengthen existing businesses through business retention and expansion
- Promote responsible development
- Develop entrepreneurial ecosystem

QUALITY OF PLACE

- Develop Kenai Peninsula "brand" for residents, visitors, and businesses
- Promote expansion of recreational amenities and public access

KNOWLEDGE CREATION AND DISSIMINATION

- Track and report economic and demographic trends
- Seek new venues to publicize findings

REGIONAL PARTNERSHIPS

- Build ties to industry associations and communities
- Coordinate region-wide economic development with communities

INFRASTRUCTURE AND TECHNOLOGY

- Industry focused infrastructure
- Transportation infrastructure
- Expanded broadband access

WORKFORCE AND HUMAN CAPITAL

- Industry partnerships and voc-tech
- Workforce attraction and retention

Alaska Cares Update



-
- Commerce- Direct Municipal Relief (\$568.6 million)
 - Commerce/AIDEA- Small Business Relief (\$290 million)
 - AHFC- Homelessness Assistance (\$10.0 million)
 - Health- Non- Profit Support (\$50.0 million)
 - Health- Related COVID-19 Costs (\$331.4 million)

(Additionally 9 Direct Agency Funding Items)



Alaska Cares: Small Businesses on the KPFB

As of
September
22nd, 2020
at 5:00pm

6
Incorporated
Communities

19
Unincorporated
Communities



Alaska Cares: Small Businesses on the KPFB

As of
September
22nd, 2020
at 5:00pm

376
APPLICATIONS
HAVE BEEN
APPROVED

\$13,835,449.17
has been disbursed
throughout the
Peninsula

58

THE AVERAGE
FUNDS
RECEIVED IS
\$36,796.40

Alaska Cares

806 ADDITIONAL
APPLICATIONS ARE
TO BE PROCESSED

This means \$48,761,830.71 has
been requested, but not yet
approved.



- **84 Applications Approved**
- **\$3,961,515.19 Disbursed**
- **\$47,160.89 Average Disbursement**

- Accommodation + Food Service
- Fishing
- Arts, Entertainment & Recreation
- Construction
- Education Services
- Health Care & Social Services
- Professional Services
- Real Estate Rental + Leasing
- Transportation + Warehousing
- Finance + Insurance

Small Business Relief

As of 9/22/2020



Alaska Cares: City of Homer



As of 9/22/2020 at 5:00pm

Alaska Cares: The City of Homer

207
Applications To
Be processed.

\$14,712,214.12
Requested

NAICS
Same as approved

Thank You!

**Tim Dillon,
Executive Director
Tim@kpedd.org
(907) 242-9709
www.kpedd.org**





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 20-152

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: SEPTEMBER 22, 2020

SUBJECT: ALDER LANE WATER IMPROVEMENT SPECIAL ASSESSMENT DISTRICT PUBLIC HEARING

The Alder Lane Water Improvement Special Assessment District (SAD) was initiated by Alex Trieweiler, a property owner in the district, on January 31, 2020. This assessment district already has city sewer.

A neighborhood meeting was held on May 19th where property owners discussed the proposed improvement plan with staff and most of the property owners agreed to the benefitted area methodology of assessment.

In accordance with Homer City Code, property owners were advised by certified mailing of the Public Hearing scheduled for September 28th and their Notice of Right to Object. Per HCC 17.02.050 (b) the right to object is not less than 60 days and expires the day before the public hearing is scheduled to be held.

As of the writing of this memorandum two objections have been received. These and any other filings will be provided for your review.

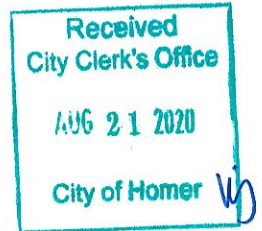
At the last Council meeting I submitted Memo 20-142 that indicated the public hearing and resolution should come to Council at the same meeting, based on code language that reads at the noticed date and time, Council shall hold a public hearing and shall adopt a resolution approving the assessment if Council finds, via resolution, that the improvement is necessary and benefits the properties that will be assessed. This language could be interpreted that the two items happen at the same meeting.

After further consideration it seems most appropriate, under normal circumstances, to follow historical process and allow any final objections be submitted by the notice deadline and hold the public hearing before making an assumption to the sufficiency of an assessment district. Both actions, the public hearing and the resolution will be addressed at their notice date and time. The public hearing, noticed for September 28th and the resolution, which will be noticed for October 14th.

RECOMMENDATION: Hold the public hearing on September 28th and a resolution regarding the sufficiency or insufficiency of the district will come forward for consideration at the October 14th.

STATEMENT OF OBJECTION

TO SPECIAL ASSESSMENT DISTRICT



SPECIAL ASSESSMENT DISTRICT: Alder Lane Water Improvement Special Assessment District

I/we affirm that I/we are the owner(s) of the following lot(s) in the Special Assessment District
(give legal description):

Lot 7: T6S R13W Seward Meridian HM
2012043 Cooper Sub Hualand ADDN Lot 7-A
KPB # 17930048

I/We object to the Alder Lane Water Improvement Special Assessment District.

Reasons/Comments: We do not believe our lot should be included in
the water improvement special assessment district. If
our lot is removed we will remove our objections.

PROPERTY OWNER'S PRINTED NAME, SIGNATURE, AND DATE:

<u>Jason Kerremann</u> (Print Name)	<u>Jason K Kerremann</u> (Signature)	<u>8/19/2020</u> (Date)
<u>Jennifer Bando</u> (Print Name)	<u>JR Bando</u> (Signature)	<u>8/19/2020</u> (Date)
_____ (Print Name)	_____ (Signature)	_____ (Date)

NOTE: PLEASE MAKE SURE THAT ALL THE PROPERTY OWNERS OF RECORD PRINT, SIGN, AND DATE THIS DOCUMENT. IF YOU HAVE MORE THAN ONE LOT PLEASE NOTE THIS ON THIS FORM WHEN YOU RETURN IT. OBJECTIONS WILL APPLY ONLY TO THOSE LOTS NAMED ON THIS FORM.

TO FILE AN OBJECTION COMPLETE THIS FORM AND RETURN IT TO THE OFFICE OF THE CITY CLERK NO LATER THAN THE DAY BEFORE THE DATE OF THE SCHEDULED PUBLIC HEARING. THE PUBLIC HEARING WILL BE HELD MONDAY, SEPTEMBER 28, 2020 AT 6:00.

City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603

Statement of objection

City of Homer property owner's Statement of objection

8/13/2020



To: Special Assessment District (SAD): Alder Lane Water Improvement Special Assessment District

We, Lexicon LLC, property owners of the following lot, T 6S R 13W SEC Seward Meridian HM 0700591 TIETJEN SUB TRACT E KPB #1792801, object to the Alder Lane Water Improvement Special Assessment District in its current form of assessment methodology "Benefitted Area Method". Of the (9) nine SAD properties who would receive (1) one service line, (13) thirteen properties directly benefit from access to the waterline for increased property values, fire hydrants, decreased insurance rates, and many more benefits. Average of the other (8) eight properties on the SAD are \$321,000 compared to our \$80,000 property value and we are set to absorb 37% cost of the project for an equal (1) single waterline needed access.

If the assessment methodology was changed to "Equal Area Method" while the projected cost for the project is still high, we would support it because in our view, benefits are the same for the (9) properties in the "Alder Lane Water Improvement Special Assessment District", so cost of getting the waterline should be the same.

Regards,

Michael A. Basargin
Manager of Lexicon LLC

A handwritten signature in black ink, appearing to read "Michael A. Basargin".

8-13-2020

CITY OF HOMER
PROPERTY OWNER'S
STATEMENT OF OBJECTION
TO SPECIAL ASSESSMENT DISTRICT

SPECIAL ASSESSMENT DISTRICT: Seawall Improvement Special Assessment District for Armor Rock Toe Improvements

I/we affirm that I/we are the owner(s) of the following lot(s) in the Special Assessment District
(give legal description):

Lot 90 and 95
KPB Parcel ID# 17717616
984 Ocean Drive Loop

I/We object to the Seawall Improvement Special Assessment District for Armor Rock Toe Improvements.

Reasons/Comments: see attachment

PROPERTY OWNER'S PRINTED NAME, SIGNATURE, AND DATE:

Ed Sotelo	Ed Sotelo	9/16/2020
(Print Name)	(Signature)	(Date)
Sheryl Sotelo	Sheryl Sotelo	9/16/2020
(Print Name)	(Signature)	(Date)
(Print Name)	(Signature)	(Date)

NOTE: PLEASE MAKE SURE THAT ALL THE PROPERTY OWNERS OF RECORD PRINT, SIGN, AND DATE THIS DOCUMENT. IF YOU HAVE MORE THAN ONE LOT PLEASE NOTE THIS ON THIS FORM WHEN YOU RETURN IT. OBJECTIONS WILL APPLY ONLY TO THOSE LOTS NAMED ON THIS FORM.

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City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603

City of Homer
Property Owner's
Statement of Objection
To Special Assessment District

Regarding Property W or Parcel ID #17717616

We object to the Seawall Improvement Special Assessment District for Armor Rock Toe Improvements.

Reasons and/or Comments:

1. We purchased this property a couple of years ago with intentions of building a retirement home. There was no mention of an additional lien or assessment. An additional lien on this property would not only keep us from building but it would also make the property difficult to sell.
2. Properties on the Seawall would be the only ones benefitting from SAD and they could actually see an increase their properties value.
3. There is a driveway or egress going in and out of the north end of Lot 95 that connects with Lake Street. The projected bluff line in 2054 will not touch that property, although if longer projections would have been used, it may have had an effect on Lot 95 (other properties not listed on the Special Assessment District would be affected as well).

CITY OF HOMER
PROPERTY OWNER'S
STATEMENT OF OBJECTION
TO SPECIAL ASSESSMENT DISTRICT

SPECIAL ASSESSMENT DISTRICT: Seawall Improvement Special Assessment District for Armor Rock Toe Improvements

I/we affirm that I/we are the owner(s) of the following lot(s) in the Special Assessment District
(give legal description):

T 6S R 13W SEC 20 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 89; KPB
17717610

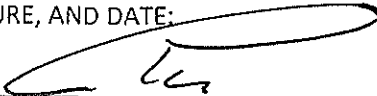
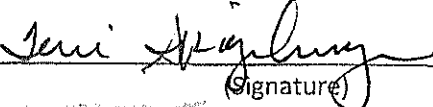
AND

T 6S R 13W SEC 20 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 88; KPB #
17717611

I/We object to the Seawall Improvement Special Assessment District for Armor Rock Toe Improvements.

- Reasons/Comments:
1. Unless the City creates an easement for the armor rock revetment, the revetment is on private property. Therefore, the proposed SAD forces private property owners off the wall to pay for an improvement to private property on the wall. Off wall owners then have an interest in the private property of wall owners.
 2. The line of benefit is arbitrary and was based on an assumption of no seawall, which is a fiction.
 3. A tiered benefit based on timelines rather than property values is inherently and grossly unfair and legally unconscionable. Erosion from a failure of the wall to a property valued at half a million vs. an unimproved lot is incomparable.

PROPERTY OWNER'S PRINTED NAME, SIGNATURE, AND DATE:

Andrew Haas		8/21/20
(Print Name)	(Signature)	(Date)
Terri Spigelmyer		8/21/20
(Print Name)	(Signature)	(Date)
(Print Name)	(Signature)	(Date)

NOTE: PLEASE MAKE SURE THAT ALL THE PROPERTY OWNERS OF RECORD PRINT, SIGN, AND DATE THIS DOCUMENT. IF YOU HAVE MORE THAN ONE LOT PLEASE NOTE THIS ON THIS FORM WHEN YOU RETURN IT. OBJECTIONS WILL APPLY ONLY TO THOSE LOTS NAMED ON THIS FORM.

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City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, Alaska 99603

CITY OF HOMER
PROPERTY OWNER'S

STATEMENT OF OBJECTION
TO SPECIAL ASSESSMENT DISTRICT

Received
City Clerk's Office
SEP 16 2020
City of Homer
Alaska RK

SPECIAL ASSESSMENT DISTRICT: Seawall Improvement Special Assessment District for Armor Rock Toe Improvements

I/we affirm that I/we are the owner(s) of the following lot(s) in the Special Assessment District
(give legal description):

KPD# 17717807

I/We object to the Seawall Improvement Special Assessment District for Armor Rock Toe Improvements.

Reasons/Comments: SEE ATTACHED

PROPERTY OWNER'S PRINTED NAME, SIGNATURE, AND DATE:

Tim Scheffel *Tim Scheffel* 9/14/20
(Print Name) (Signature) (Date)

FRANCES SCHEFFEL *Frances Scheffel* 9.14.20
(Print Name) (Signature) (Date)

(Print Name) (Signature) (Date)


NOTE: PLEASE MAKE SURE THAT ALL THE PROPERTY OWNERS OF RECORD PRINT, SIGN, AND DATE THIS DOCUMENT. IF YOU HAVE MORE THAN ONE LOT PLEASE NOTE THIS ON THIS FORM WHEN YOU RETURN IT. OBJECTIONS WILL APPLY ONLY TO THOSE LOTS NAMED ON THIS FORM.

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City of Homer
Office of the City Clerk
491 E. Pioneer Avenue
Homer, 99603

Objections to proposed seawall special assessment district

- 1) The maintenance of the seawall which exists on private property and which enhances the value of the owners property is the responsibility of the owners.
- 2) Forcing non-owners of the seawall to finance improvements to it would create a liability for the non-owners who would then have a legal interest in another's private property.
- 3) Placing a lien on my vacant lot to pay for a neighbors private property reduces the value of my property while increasing the value of theirs.
- 4) The projected erosion which could occur if the wall was not present is not based on fact. The data used is grossly incomplete and inadequate to make long term projections. It also presupposes that the seawall had never been built, an obvious fictitious scenario.
- 5) Creating a SAD to force neighbors to pay for improvements to another neighbors property is unprecedented.
- 6) Choosing a short timeline of roughly 30 years to calculate which properties may benefit and thus should share responsibility is also quite arbitrary. If a longer timeframe were considered a much larger impact to the city would be projected. This could include eventual destruction of the highway as the ocean finds it's way to Beluga lake and beyond.
- 7) Basing property assessments on a fictitious timeline of when a property may be affected by uncontrolled erosion without considering the relative value of properties is unfair and damaging to some property owners and a corresponding benefit to others.
- 8) The city of Homer collects significant property tax revenue from this neighborhood and has an obligation to protect said revenue. As stated by the city engineer, the city has no interest in maintaining the road or utilities if erosion were to progress because "if erosion persisted as projected, and the impacted lots disappear along with the infrastructure that serves them, there would be no reason for the "City" to construct new infrastructure. The lots that they serve would no longer exist". This seems patently untrue and cynical. The city does have an interest in protecting it's infrastructure, else why have a city?
- 9) There are solutions to the seawall issue which would make a lot more sense. The city could own up to it's assumed obligation and incorporate maintenance of necessary erosion control measures into a city wide property tax assessment. This would highlight the benefit to the city at large and promote necessary planning for other erosion districts within the city.


Frances Scheffel

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-59

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code to Create Chapter 21.17 Medical Zoning District; Amending Homer City Code 21.58.030, Permission for Communications Towers, Adding the Medical Zoning District; Amending Homer City Code 21.60.060 Signs on Private Property, Adding the Medical Zoning District; Amending Homer City Code 21.10.020 Zoning Districts to Include the Medical District; and Amending the Homer City Zoning Map to Rezone a Portion of the Residential Office (RO) Zoning District to Include Medical (M) Zoning District. Planning Commission.

Sponsor: Planning Commission

1. City Council Regular Meeting September 14, 2020 Introduction
 - a. Memorandum 20-143 from City Planner as backup

2. City Council Regular Meeting September 28, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-143 from City Planner as backup

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 20-59

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TO CREATE HOMER CITY CODE 21.17, MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.58.030, PERMISSION FOR COMMUNICATIONS TOWERS, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.10.020, ZONING DISTRICTS, TO INCLUDE THE MEDICAL DISTRICT; AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT TO MEDICAL (M) ZONING DISTRICT.

Whereas, The 2018 Homer Comprehensive Plan Goal 1 Objective B states that the zoning map be updated to support the desired pattern of growth; and

Whereas, The Comprehensive Plan Land Use Recommendations Map designated an area for consideration of a Medical District; and

Whereas, The Homer Planning Commission has worked with area residents and business owners to identify desirable characteristics and appropriate performance standards as suggested in the Homer Comprehensive Plan; and

Whereas, The Homer Planning Commission held a neighborhood meeting on February 19, 2020 and held a public hearing on June 17, 2020, as required by HCC 21.95.060(C); and

WHEREAS, The Homer Planning Commission determined there is a public need and justification for the rezone; and

WHEREAS, The Homer Planning Commission determined the rezone would not have a negative effect on the public health, safety and welfare; and

WHEREAS, The Homer Planning Commission considered the effect of the change on the district and surrounding properties; and

WHEREAS, The Homer Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

36

37 Section 1. Homer City Code 21.17 is hereby enacted as follows:

38

Chapter 21.17

39

M MEDICAL DISTRICT

40 Sections:

- 41 21.17.010 Purpose.
- 42 21.17.020 Permitted uses and structures.
- 43 21.17.030 Conditional uses and structures.
- 44 21.17.040 Dimensional requirements.
- 45 21.17.050 Site and access.
- 46 21.17.060 Traffic requirements.
- 47 21.17.070 Site development standards.
- 48 21.17.080 Nuisance standards.
- 49 21.17.090 Lighting standards.

50 **21.17.010 Purpose.**

51 The purpose of the Medical District is to provide an area near the hospital to support medical
52 facilities and other professional office and limited commercial uses. The district is meant to
53 accommodate a mixture of residential and nonresidential uses. Pedestrian-friendly designs
54 and amenities are encouraged.

55 **21.17.020 Permitted uses and structures.**

56 The following uses are permitted outright in the Medical District:

- 57 a. Single-family and duplex dwelling, excluding mobile homes;
- 58 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
59 excluding mobile homes;
- 60 c. Public parks and playgrounds;
- 61 d. Rooming house, bed and breakfast;
- 62 e. Townhouses (compliant w 21.53.010 (g) and (h));
- 63 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;
- 64 g. Professional offices and general business offices;

- 65 h. Clinics;
- 66 i. Day care facilities;
- 67 j. Day care homes;
- 68 k. Personal services;
- 69 l. Museums, libraries and similar institutions;
- 70 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 71 n. Religious, cultural and fraternal assembly;
- 72 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner
73 and separated by at least five feet from any property line as an accessory use incidental to a
74 permitted or conditionally permitted principal use;
- 75 p. Private exterior storage of the occupant's personal noncommercial equipment, including
76 noncommercial trucks, boats, campers, and not more than one recreational vehicle in a safe
77 and orderly manner and separated by at least five feet from any property line as an accessory
78 use incidental to a permitted or conditionally permitted principal use;
- 79 q. Other customary accessory uses to any of the permitted uses listed in the Medical District;
80 provided, that no separate permit shall be issued for the construction of any detached
81 accessory building prior to that of the main building;
- 82 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
83 manner consistent with the requirements of the Homer City Code and as long as such
84 animals are kept as pets and their numbers are such as not to unreasonably annoy or disturb
85 occupants of neighboring property;
- 86 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 87 t. As an accessory use, one small wind energy system per lot having a rated capacity not
88 exceeding 10 kilowatts;
- 89 u. Mobile food services;
- 90 v. Retail as an accessory use to a permitted principle use;
- 91 w. Sale of durable and non-durable medical supplies and equipment;
- 92 x. More than one building containing a permitted principal use on a lot;
- 93 y. Parking lots.

94 **21.17.030 Conditional uses and structures.**

95 The following uses may be permitted in the Medical District when authorized by conditional
96 use permit issued in accordance with Chapter 21.71 HCC:

- 97 a. Planned unit developments, excluding all industrial uses;
- 98 b. Public or private schools;
- 99 c. Hospitals;
- 100 d. Public utility facilities and structures;
- 101 e. Mortuaries;
- 102 f. Group care homes;
- 103 g. Helipads, but only as an accessory use incidental to a hospital conditional use;
- 104 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
105 that it is the only wind energy system of any capacity on the lot;
- 106 i. Other uses approved pursuant to HCC 21.04.020;
- 107 j. Parking garage.

108 **21.17.040 Dimensional requirements.**

109 The following dimensional requirements shall apply to all structures and uses in the Medical
110 District:

- 111 a. The minimum lot size is 7,500 square feet.
- 112 b. Building Setbacks.
 - 113 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.
 - 114 2. All buildings shall be set back from all other lot boundary lines according to the
115 number of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet
2 1/2 stories	8 feet

- 116 c. Building Height.

117 1. The maximum building height is 35 feet, except as provided in subsection (c)(2) of
118 this section.

119 2. If approved by conditional use permit, the maximum building height for multifamily
120 residential and commercial buildings 65 feet.

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

124 **21.17.050 Site and access.**

125 a. A zoning permit for any nonresidential use or structure shall not be issued by the City
126 without an approved site plan and an approved level two right-of-way access plan that
127 conform to the standards of Chapter 21.73 HCC.

128 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
129 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

130 **21.17.060 Traffic requirements.**

131 A conditional use permit is required for every use that:

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

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

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

138 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level
139 of service, the highway, road, street, alley or intersection.

140 **21.17.070 Site development standards.**

141 a. All single-family and duplex residential development in the Medical District shall comply
142 with the level one site development standards contained in HCC 21.50.020.

143 b. All residential development of three units or more and all nonresidential development on
144 lands in this district shall conform to the level two site development standards set forth in
145 HCC 21.50.030 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2).
146 Parking lots with a minimum of 24 spaces or more shall provide a minimum of 10%
147 landscaped area in dividers, islands or buffers or any combination thereof, adjacent or within
148 the parking area.

149 c. New non-residential construction shall be screened from existing single family or duplex
150 dwellings by a continuous fence or landscaping so as to obscure the view of the parking lot
151 and loading areas from the adjacent dwelling.

152 **21.17.080 Nuisance standards.**

153 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in
154 this zoning district.

155 **21.17.090 Lighting standards.**

156 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
157 structures in this zoning district.

158

159 Section 2. Homer City Code 21.21.58.030 Permission for communications towers is hereby
160 amended as follows:

161 a. Except as provided in subsection (b) of this section, a communications tower is permitted
162 as a principal or accessory use or structure in each zoning district.

163 b. A communications tower that exceeds the following maximum height for the zoning
164 district in which the communications tower is located is permitted only when authorized by
165 conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
MD	85
UR	60
RR	85
CONS	60
GC2	120

District	Maximum Height (feet)
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

166

167 Section 3. Homer City Code 21.60.060 Signs on private property is hereby amended as
 168 follows:

169

170 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
 171 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit
 172 approval in the zoning district represented by that column. If the letter “P” appears for a sign
 173 type in a column, such sign type is allowed only with prior permit approval in the zoning
 174 district represented by that column. Special conditions may apply in some cases. If the letter
 175 “N” appears for a sign type in a column, such sign type is not allowed in the zoning district
 176 represented by that column under any circumstances. If the letters “PH” appear for a sign
 177 type in a column, such sign type is allowed in the zoning district represented by that column
 178 only with prior approval by the Commission after a public hearing.

179 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P”
 180 in Table 1 shall be allowed only if:

181 1. The sum of the area of all building and freestanding signs on the lot does not exceed
 182 the maximum permitted sign area for the zoning district in which the lot is located as
 183 specified in Table 2; and

184 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 185 Characteristics by Zoning District, and with any additional limitations on characteristics
 186 listed in Table 1 or Table 2.

187 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1

Key to Tables 1 through 3			
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU	East End Mixed Use
		MC	Marine Commercial
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
<u>M</u>	<u>Medical District</u>	PS	Public Sign Uses Permit
A = Allowed without sign permit			
P = Allowed only with sign permit			
N = Not allowed			
PH = Allowed only upon approval by the Planning Commission after a public hearing.			
For parenthetical references, e.g., “(a),” see notes following graphical portion of table.			

188
189
190

Table 1

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Freestanding															
Residential (b)	A	A	A	A	<u>A</u>	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	<u>P</u>	P	P	P (i)	A	A	A	P	P	N	PH
Incidental (c)	N	N	A (d)	A (d)	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Parking Lot Identification					<u>A</u>	A	A	A	A	A	A	A	A		
Building															
Banner	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Identification (d)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	<u>A</u>	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	<u>P</u>		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	<u>P</u>	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Miscellaneous															
Flag (h)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	A

191

192 Notes to Table 1:

193 a. This column does not represent a zoning district. It applies to institutional uses
 194 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
 195 defined as an established organization or corporation of a public, nonprofit, or public
 196 safety/benefit nature, i.e., schools, churches, and hospitals.

197 b. No commercial message allowed on sign, except for a commercial message drawing
 198 attention to goods or services legally offered on the lot.

199 c. No commercial message of any kind allowed on sign if such message is legible from
 200 any location off the lot on which the sign is located.

201 d. Only address and name of occupant allowed on sign.

202 e. May include only building name, date of construction, or historical data on historic
 203 site; must be cut or etched into masonry, bronze, or similar material.

204 f. No commercial message of any kind allowed on sign.

205 g. The conditions of HCC 21.60.130 apply.

206 h. Flags of the United States, the State, the City, foreign nations having diplomatic
 207 relations with the United States and any other flag adopted or sanctioned by an elected
 208 legislative body of competent jurisdiction. These flags must be flown in accordance with
 209 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
 210 not meeting any one or more of these conditions shall be considered a banner sign and shall
 211 be subject to regulations as such.

212 i. The main entrance to a development in GBD may include one ground sign announcing
 213 the name of the development. Such sign shall consist of natural materials. Around the sign
 214 grass, flowers and shrubs shall be placed to provide color and visual interest. The sign must
 215 comply with applicable sign code requirements.
 216

217 **Table 2. Maximum Total Sign Area Per Lot by Zoning District**
 218

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	<u>M</u>
4	4	6	50	20	4	32	<u>50</u>

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

219 1. In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or
 220 with multiple independent businesses or occupancies in one or more buildings, the
 221 total allowed sign area may be increased beyond the maximum allowed signage as

222 shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote
223 or identify the building or complex of buildings.

224 2. In all districts covered by Table 2 Part B, freestanding Parking Lot Identification signs
225 are excluded from calculation as sign area, and are allowed in addition to the
226 freestanding sign per limitation stated in Table 2 Part B(4). One directional parking lot
227 identification sign may be erected without a sign permit if restricted to identifying a
228 parking lot with its owner, operator, or name of the business providing the lot. The sign
229 may include the logo, corporate colors or name of the business but no advertising other
230 than the name of the business shall be included. The total sign area shall not exceed six
231 square feet and shall not exceed a sign height of six feet.

232 3. In all districts covered by Table 2 Part B, special conditions for additional signage
233 allowance above 150 square feet per building. An allowance for additional signage may
234 be granted by the City Planner for either section (a) or section (b) below.

235

236 a. Multiple-Tenant Buildings which adjoin and have which have more than one
237 entrance for clients that access more than one improved street.

238 1. Secondary and tertiary entrances must be commonly used by clients and
239 must access the interior of the building and conversely the entrance must
240 access a parking lot, sidewalk or constructed public road. These entrances
241 are approved at the sole direction of the planning department. Alleys,
242 stairways to upper levels, emergency exits may not apply at the discretion
243 of the Planning Director.

244 2. Additional signage is allowed based $\frac{1}{2}$ the allowance on Table 2 part B to
245 existing for each secondary or tertiary street wall frontage. Signage must be
246 placed on the wall face of the building the allowance was based on.

247 b. Additional sign allowance for multitenant split level buildings and buildings two or
248 more businesses deep:

249 1. In a building that has one frontage, which is the only frontage that has access
250 to a public street, and is split level or is more than one business in depth.

251 2. Additional signage is allowed based on $\frac{1}{2}$ the allowance of Table 2 Part B.

252

253 4. In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed,
254 shall not exceed the following limitations:

- 255 a. Only one freestanding sign is allowed per lot, except one freestanding public
256 sign may be additionally allowed. A freestanding sign may not exceed 10 feet in
257 height.
- 258 b. The sign area on a freestanding sign (excluding a public sign) shall be included
259 in the calculation of maximum allowed sign area per lot and shall not exceed the
260 following:
- 261 i. One business or occupancy in one building – 36 sq ft
- 262 ii. Two independent businesses or occupancies or principal buildings in any
263 combination – 54 sq ft
- 264 iii. Three independent businesses or occupancies or principal buildings in any
265 combination – 63 sq ft
- 266 iv. Four or more independent businesses or occupancies or principal buildings in
267 any combination – 72 sq ft

268 Notes to Table 2, Parts A and B

- 269 a. The INS column does not represent a zoning district. It applies to institutional uses
270 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
271 defined as an established organization or corporation of a public, nonprofit, or public safety
272 or benefit nature, e.g., schools churches, and hospitals.
- 273 b. Flags of the United States, the State, the City, foreign nations having diplomatic
274 relations with the United States, and any other flag adopted or sanctioned by an elected
275 legislative body of competent jurisdiction. These flags must be flown in accordance with
276 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
277 not meeting any one or more of these conditions shall be considered a banner sign and shall
278 be subject to regulation as such.
- 279 c. Square feet of wall frontage is defined as total square footage of wall surface, under
280 the roof, that faces the major access or right-of-way of the business. In the case of a business
281 located on a corner lot, square footage of wall frontage is the total square footage of wall
282 surface, under the roof, on the side of the business with the most square footage.
- 283 d. The PS column does not represent a zoning district. It applies to public signs permitted
284 under the zoning code, in all zoning districts.
- 285 e. This RO column applies only to lots in that portion of the RO district that abuts East
286 End Road, ~~Bartlett Street~~, Hohe Street, and Pennock Street. Within this area, there is
287 allowed a maximum of 50 square feet total area of all signs (including the ground sign
288 referred to below), except incidental, building marker, and flags (see note (b) above). One
289 ground sign, with a maximum total area of 16 square feet, will be permitted per lot. Each
290 ground sign shall not exceed six feet in height, measured from the base to the highest portion
291 of any part of the sign or supporting structure.

292 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
 293 **freestanding public sign may be additionally allowed. A freestanding sign may not**
 294 **exceed 10 feet in height or 36 square feet in area.**

295
 296 **Table 3. Permitted Sign Characteristics by Zoning District**
 297

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	<u>N</u>	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	<u>N</u>	P	P	N	P	P	P	P	P	N	N

298
 299 Notes to Table 3:

- 300 a. The INS column does not represent a zoning district. It applies to institutional uses
 301 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is
 302 defined as an established organization or corporation of a public, nonprofit, or public
 303 safety/benefit nature, i.e., schools, churches, and hospitals.
- 304 b. Animated signs may not be neon or change colors or exceed three square feet in area.
- 305 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
- 306 d. Neon signs may not be flashing and may not exceed 32 square feet.
- 307 e. The PS column does not represent a zoning district. It applies to public signs permitted
 308 under the zoning code, in all zoning districts.

309
 310
 311 Section 4. HCC 21.10.020 Zoning District is hereby amended as follows:

312 a. The City is divided into zoning districts. Within each zoning district only uses and structures
 313 authorized by this title are allowed.

314
 315 b. The following zoning districts are hereby established:

Zone	Abbreviated Designation
Residential Office	RO
Rural Residential	RR
Urban Residential	UR
Central Business District	CBD
Town Center District	TCD
Gateway Business District	GBD
General Commercial 1	GC1
General Commercial 2	GC2
East End Mixed Use	EEMU
Marine Commercial	MC
Marine Industrial	MI
<u>Medical</u>	<u>M</u>
Open Space – Recreational	OSR
Conservation District	CO

316 c. The zoning district boundaries shall be as shown on the official Homer zoning map. [Ord.
317 12-10 § 2, 2012; Ord. 08-29, 2008].

318

319 Section 5. The Homer Zoning Map is amended to transfer the parcels listed on the attached
320 Exhibit A from RO zoning district to the M zoning district as shown on the attached Exhibit B.

321

322 Section 6. The City Planner is authorized to note on the Homer Zoning Map the amendments
323 enacted by this ordinance as required by Homer City Code 21.10.030(b).

324

325 Section 7. Sections 1-4 of this Ordinance are of a permanent nature and general character and
326 shall be included in the City Code. Section 5 is a non-Code ordinance of a permanent nature
327 and shall be noted in the ordinance history of Homer City Code 21.10.030.

328

329 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this XX day of XXX, 2020.

330 CITY OF HOMER

331

332

333

334

335 ATTEST:

336

337

338 _____
MELISSA JACOBSEN, MMC, CITY CLERK

339

340 YES:

341 NO:

342 ABSTAIN:

343 ABSENT:

344

345 First Reading:

346 Public Hearing:

347 Second Reading:

348 Effective Date:

349

350

351 Reviewed and approved as to form.

352

353

354 _____
Robert Dumouchel, City Manager

Michael Gatti, City Attorney

355

356 Date: _____

Date: _____

Exhibit A

Parcel ID	Legal Description
17505303	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 7
17505306	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 7
17505307	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 7 BLK 7
17505610	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 6
17505612	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2005061 FAIRVIEW SUB FLYUM ADDN LOT 2A BLK 6
17505614	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2010027 FAIRVIEW SUB NO 16 2010 REPLAT LOT 6-A2 BLOCK 6
17506106	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 10
17506205	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 5
17506504	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 4
17505304	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 7
17505305	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 7
17506102	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 2 BLK 10
17506103	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 10
17506105	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 10
17506402	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 15 BLK 4
17506403	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 14 BLK 4
17506505	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 9 BLK 4
17506512	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 2 BLK 4
17506513	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 4
17513307	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 29-A
17513311	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 26-A1
17513323	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 7-A
17513324	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 8-A
17513329	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 12-A
17513347	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2009018 BUNNELL'S SUB NO 22 LOT 22-A2
17506508	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 4
17506516	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB THE WEST 18 FT 7 IN OF LOT 7 & ALL OF LOT 8 BLK 4
17513223	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 45 THE EAST PORTION THEREOF
17513225	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780044 BUNNELL'S SUB REPLAT LOTS 27 & 28 LOT 27B
17513226	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780044 BUNNELL'S SUB REPLAT LOTS 27 & 28 LOT 28B
17513313	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 24-A1
17513314	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 23-A1
17513319	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 3-A-1

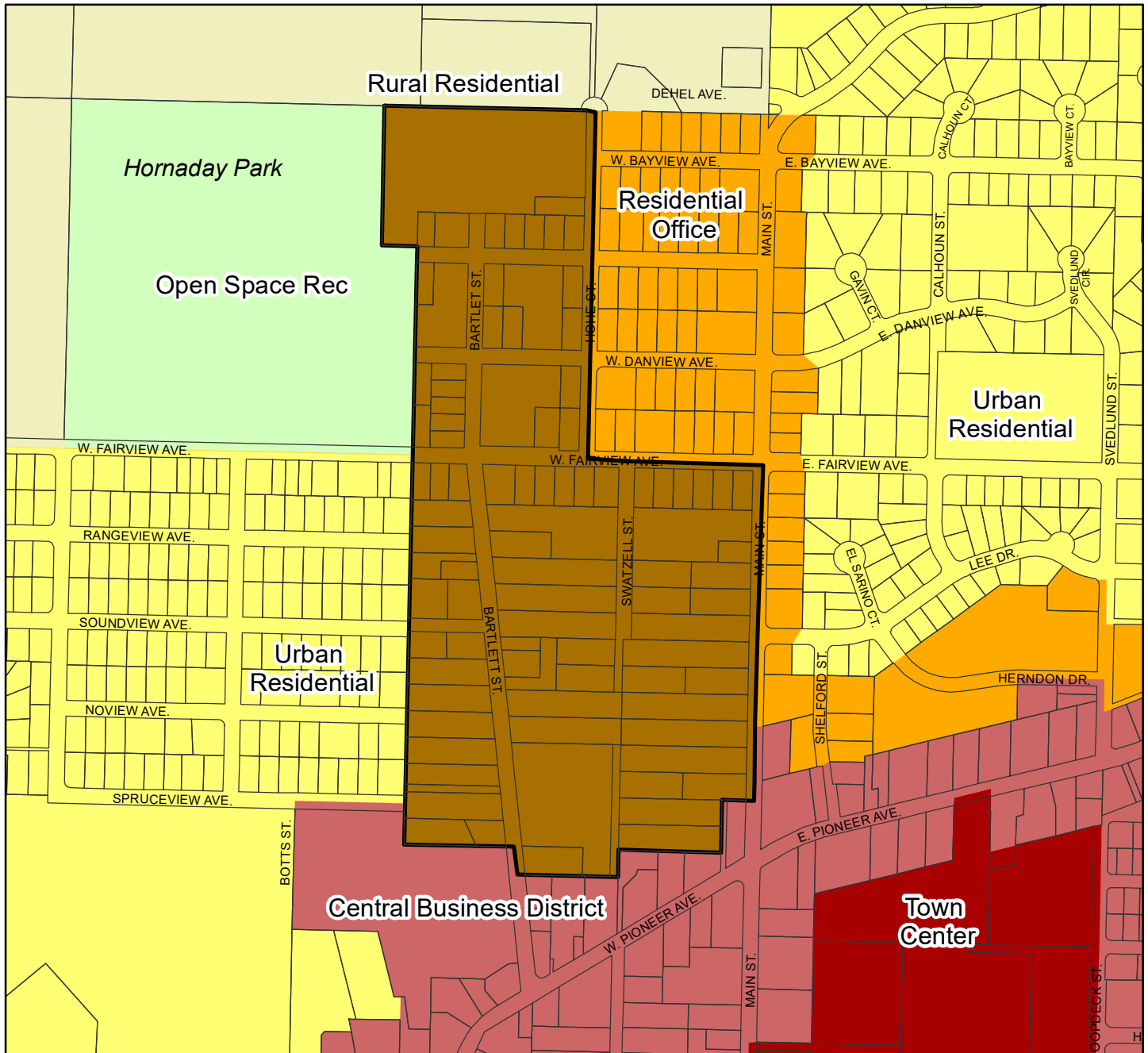
Exhibit A

Parcel ID	Legal Description
17513321	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 5-A-1
17513339	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0970075 BUNNELLS SUB MASTOLIER ADDN LOT 6-A-2
17513342	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C1
17513348	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013010 BUNNELL'S SUB NO 23 LOT A-1
17514222	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 50
17514223	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 51
17504024	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2008092 SOUTH PENINSULA HOSPITAL SUB 2008 ADDN TRACT A2
17505205	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2009043 FAIRVIEW SUB HALPIN ADDN LOT 2A BLK 8
17505509	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2004101 FAIRVIEW SUB 2003 ADDN LOT 1-A BLK 9
17505601	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 6
17505613	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2010027 FARIVIEW SUB NO 16 2010 REPLAT LOT 6-A1 BLOCK 6
17506104	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 10
17506107	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 7 BLK 10
17506212	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 2-A BLK 5
17506401	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 16 BLK 4
17506510	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 4
17506511	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 4
17513222	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 45 THE WEST PORTION THEREOF
17513312	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 25-A1
17513318	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 2-A
17513325	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 9-A
17513326	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 10-A
17513327	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 11-A
17513330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 13-B
17513338	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0970075 BUNNELLS SUB MASTOLIER ADDN LOT 6-A-1
17514122	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB PTN OF LT 13 BEGINNING @SW CORNER OF LOT; TH N100 FT; TH E230 FT TO CTR OF STREAM BED BISECTING LOT; TH SE TO POINT WHERE STREAM CTR INTERSECTS SOUTH LINE OF LOT; TH W 283 FT TO POB
17531003	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 41-B
17531005	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 43-A
17531007	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 41-A
17531021	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0790131 HARBOR RIDGE SUB LOT 5 EXCLUDING SLOPE EASEMENT
17513217	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 44

Exhibit A

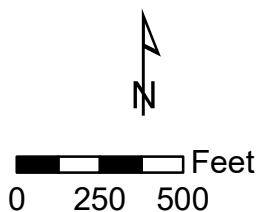
Parcel ID	Legal Description
17505202	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 8
17505302	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 7
17505501	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 9
17505605	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 6
17506101	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 10
17506210	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 5
17506211	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 9-A BLK 5
17506502	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 12 BLK 4
17506503	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 11 BLK 4
17506509	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 4
17513219	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 46
17513220	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 47
17513221	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 48 EXCLUDING SLOPE ESMT
17513306	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 30-A
17513316	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 13-C
17513317	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 1-A
17513320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 3-B-1
17513328	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 11-B
17513343	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C2
17513344	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C3
17513349	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013010 BUNNELL'S SUB NO 23 LOT A-2
17514220	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 49 THE EAST PTN THEREOF EXCL SLOPE EASEMENT
17514221	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000258 BUNNELLS SUB LOT 49 THE WEST PTN THEREOF
17513114	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780121 BUNNELLS REPLAT LOT 4 & N1/2 LOT 5 LOT 4-A
17531004	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 42-B
17531006	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 42-A
17531024	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0840094 HARBOR RIDGE SUB NO 2 LOT 1-A

Exhibit B



Legend Zoning Districts

- Central Business District
- Town Center
- Rural Residential
- Urban Residential
- Residential Office
- Open Space Rec
- Medical District



City of Homer
Planning and Zoning Department

5/20/2020

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

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(f) 907-235-3118

Memorandum 20-143

TO: MAYOR CASTNER AND THE HOMER CITY COUNCIL
THROUGH: ROB DUMOUCHEL
FROM: RICK ABBOUD, AICP, CITY PLANNER
DATE: SEPTEMBER 14, 2020
SUBJECT: ORDINANCE 20-59 PROPOSED ZONING MAP AMENDMENT, MEDICAL DISTRICT

This memo introduces the ordinance but was inadvertently missing from the packet. Additionally, the packet version of Ordinance 20-59 is missing the amended Homer Zoning Map (Exhibit B) and accompanying list of affected parcels (Exhibit A). Those exhibits are attached to this memo.

The Homer Planning Commission recommends that the City Council approve the zoning map and text amendment establishing a medical district in the vicinity of South Peninsula Hospital, as suggested for investigation by the 2018 Homer Comprehensive Plan.

The Planning Commission has recommended the rezone of a portion of the Residential Office (RO) District to create the Medical (M) District. Several comprehensive plans have called for investigating the establishment of a new district as more and more medical offices and clinics have located in proximity of the hospital. This action recognizes the changed conditions over time and the on-going demand for medical offices near the hospital.

The Commission deliberated on the subject after a moratorium was established for non-residential CUP's in the areas adjacent to the hospital. The rezone was the subject of 14 regular and worksession meetings of the Commission, this included a neighborhood meeting and two public hearings. The neighborhood meeting and the first public hearing elicited dozens of public comments and the last public hearing (as a result of reconsideration) had no public testimony.

The new district highlights include the addition of medical clinics a permitted use (previously a conditional use) and allows for structures more than 35' to 65' tall with an approved Conditional Use Permit (CUP). Developmental standards now include that non-residential construction be screened from dwellings. The district is not a complete departure from the standards found in the RO District and CUP's are triggered by a development of over 8000

square feet or that contain a building area in excess of 30%, a standard found in most other districts.

Attachments: Exhibits A & B. Note, the packet includes the text of Ordinance 20-59 beginning on page 97. Following that are all of the related Planning Commission staff reports and meeting minutes.

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Smith

4 **ORDINANCE 19-49**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 IMPOSING A TEMPORARY SIX-MONTH MORATORIUM ON
8 APPLICATIONS FOR PROFESSIONAL OFFICES AND MEDICAL
9 CLINICS IN THE RESIDENTIAL OFFICE DISTRICT AND DIRECTING
10 THE PLANNING COMMISSION TO MAKE A RECOMMENDATION TO
11 THE CITY COUNCIL FOR THE CREATION OF A MEDICAL DISTRICT
12 IN THE VICINITY OF THE SOUTH PENINSULA HOSPITAL DURING
13 THIS TIME FRAME.

14
15 WHEREAS, The 2018 Homer Comprehensive Plan Land Use Recommendations Map
16 identifies areas in the Residential Office District south of the South Peninsula Hospital be
17 considered for a future medical district; and

18
19 WHEREAS, The 2018 Homer Comprehensive Plan Land Use Chapter Goal 1, Objective B
20 recommends updating the zoning map to reflect a desired pattern of growth; and

21
22 WHEREAS, Medical District planning is part of the Homer Planning Commission's
23 current work list; and

24
25 WHEREAS, A moratorium on the permitting of professional office and medical clinics
26 will allow the area under consideration for a medical district to remain consistent during the
27 planning process; and

28
29 WHEREAS, The Planning Commission is directed to work with the neighborhood and
30 produce a recommendation regarding the creation of a medical district by June 30, 2020.

31
32 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

33
34 Section 1. That the uncodified law of the City of Homer is amended to include the
35 following:

36
37 A moratorium of the permitting of professional offices and medical clinics for the area display
38 in Attachment A shall be in effect until June 30, 2020.

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41 Section 2: This ordinance is of a temporary nature and shall not be included in the
42 City Code.

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ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS __ DAY OF _____,
2019.

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:

Katie Koester, City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Planning

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Staff Report PL 19-92

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: November 6, 2019
SUBJECT: Draft Ordinance 19-90 six-month moratorium on medical clinics and professional offices in the Residential Office District

Introduction

Councilman Smith introduced the ordinance to the City Council and recommended that the Planning Commission review and make a recommendation.

Analysis

Mr. Smith seems to be concerned that CUP applications in the area to be considered for a medical office zoning may hinder the Planning Commissions ability to make a proposal regarding formulating a recommendation for a medical district. While I do not have a memo from Councilman Smith, I do have an excerpt from the discussion of the subject at the October 14th City Council meeting.

Heath said We've seen an uptick in CUP's up there and he thinks its been high on the PC's list to get this done. He believes we need to give them an opportunity to consider that without any other CUP's presented that might slow that progress down. Its currently on hold because of another project that's being contested, all it takes is one more person to protest and it completely stops it. And so he thinks we're getting to the point that they need to be able to deliberate and holistically look at the development of that district, and it's something that's in the comp plan, and that they can do that fully and with their attention completely on that without any further distraction.

Caroline asked if PC has this on their radar and we're going to put a moratorium on cups is it legal? Gatti, yes legal and appropriate to refer to PC.

Currently, in the area of consideration for a medical district, we have had a decision on the appeal of the remand hearing of the medical clinic and the appellant has until November 15th to appeal to the Superior Court. In my opinion, it is extremely unlikely that this item will be appealed. This should allow the Planning Commission take up the subject of a medical district at their first meeting in December.

Moratoriums

Typically, a moratorium is used for one of two purposes. The first being when a local government is preparing a comprehensive plan or extensive amendment of land development codes and is trying to avoid a rush of applications that would be contrary to the proposed plan or regulations. It may also be used when there is an inadequacy or lack of capacity in public facilities to serve new development.

A defensible moratorium ordinance is expected to have several components that courts use to weight the proposal. The proposal is expected to be a response to a compelling need, typically a significant threat to public health, safety, or welfare. A qualified professional should determine threats. As an example, the City Engineer may determine that water and sewer are inadequate to serve anticipated development. The moratorium should be specific to purpose, area, and have an end date.

This proposal has several of the elements identified above, but does not meet all the criteria. It does have a specific end date and a clearly defined area of applicability. It is stated that the moratorium applies to professional offices and medical clinics, but it could be made more specific to avoid confusion. Professional office is a permitted use and medical clinic is a conditional use. The ordinance should call out the specific type of permit that is subject to moratorium. It is not clear if the proposal is to stop all permitting or that it may or may not apply to an approved CUP that has not received a zoning permit, such as the recently approved medical clinic.

Ideally, the most defensible argument for a moratorium would be found in the comprehensive plan. No planning documents of the City of Homer addresses the need for moratoriums in the planning process. A moratorium should forward a legitimate government purpose and not be arbitrary or capricious, as a moratorium is a suspension of established rights. I do not find that the threat of another professional office or medical clinic in the Residential Office District near the hospital is enough to upset the integrity of the district, process, or represents a significant threat to health, safety, or welfare.

Staff Recommendation

Due to the lack of support by the comprehensive plan, or a convincing statement of problem, or evidence cited by a professional that infrastructure is inadequate; I do not recommend that a moratorium be enacted. Discuss and make recommendation to the City Council.

Attachments

Draft ordinance with attachment

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Planning

4 **ORDINANCE 19-xx**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 IMPOSING A TEMPORARY SIX-MONTH MORATORIUM ON
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9 CLINICS IN THE RESIDENTIAL OFFICE DISTRICT AND DIRECTING
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ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS __ DAY OF _____,
2019.

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:

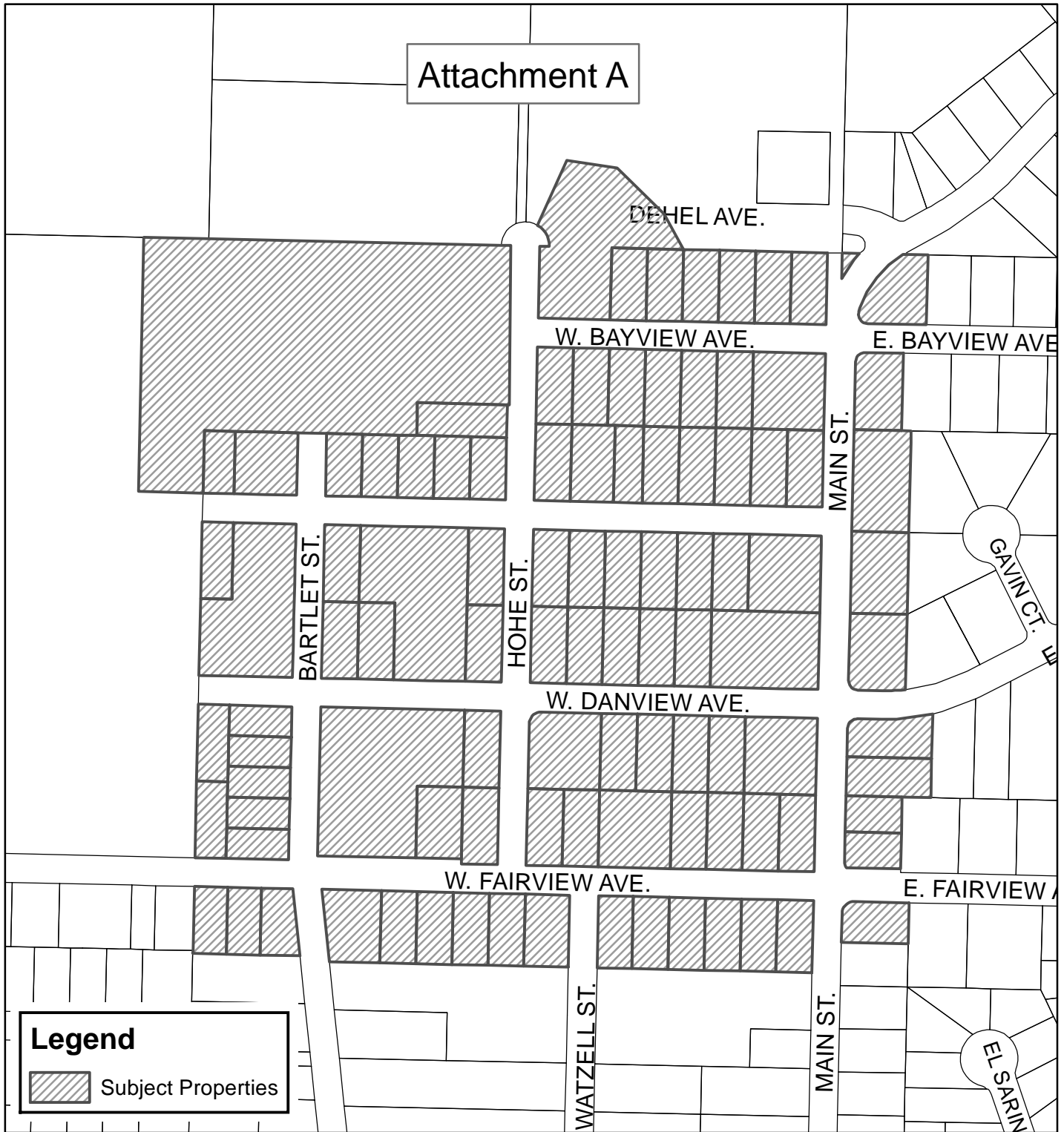
Katie Koester, City Manager

, City Attorney

Date:_____

Date:_____

Attachment A



City of Homer
Planning and Zoning Department

10/4/2019

Subject Area of Residential Office District Moratorium

0 250 500
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.*

VOTE. YES. BENTZ, VENUTI, PETSKA - RUBLACAVA, HIGHLAND.
VOTE. NO. DAVIS.

Motion carried.

B. Staff Report 19-92, Draft Ordinance 19-49 to place a six-month moratorium on professional offices and medical clinics in the Residential Office District

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

City Planner Abboud provided a summary of Staff Report 19-92 for the Commission stating that Council member Smith was present and could provide clarification. He noted his misunderstanding of the ordinance being brought forward.

Councilmember Smith provided information that this ordinance was brought forth to allow the Commission time to deliberate on how a medical district would be shaped without interruption. He stated that it is not meant to stop development only to allow the Commission time to complete the process without the possibility of applications or appeals. He further stated that it was to protect the process.

Chair Venuti opened the Public Hearing.

Scott Adams, city resident, stated that if the Commission approves the overlay of a medical district that they change the setback requirements noting the perceived diminishment of value to neighboring residences.

Chair Venuti closed the Public Hearing.

Commissioner Highland requested clarification on the six month moratorium stops applications for building from property owners in the district. She had concerns with stopping a property owner from going forward with a project acknowledging the delay caused by the appeals.

Councilmember Smith appreciated the Commissioners concerns but he wanted to assure the Commission unfettered discussion and proceed to conclusion noting that Mr. Abboud has stated that this is expected to be a fairly quick process and if that happens then the moratorium can be removed prior to the six month.

Councilmember Smith responding to Commissioner Highland's comment on "being unusual" noted that a moratorium was used when the issue of box stores came up in order to define how that building or improvements could be constructed. This is about allowing the Commission the opportunity to discuss the medical district before it is stopped.

Commissioner Bentz requested City Planner Abboud to outline the steps if the Commission does start this process of the medical district and someone submitted an application for a Conditional Use Permit, what basis or reason would the Commission stop their work on a Medical District.

City Planner Abboud provided the timeline for the application, and if an appeal was filed and if it was called into question on the very concept that the Commission was debating in creating a district may be determined by a judge as not proper.

Commissioner Bentz recounted work done on the Borough Planning Commission level recently.

City Planner Abboud was not sure an application would prevent the Commission from completing their work, he does not have a legal memorandum on this as yet.

Chair Venuti inquired if the moratorium would affect Conditional Use Permits issued.

City Planner Abboud stated that it would not and the ordinance can be cleaned up by Council to make that clearer.

Councilmember Smith assured Chari Venuti that it would not affect CUP's that have been issued but would stop any new CUP's.

Chair Venuti expressed concern regarding placing the moratorium.

Councilmember Smith responded that by being proactive and with the assurance of City Planner Abboud that this will be a fairly quick process, comments he has received by parties that said they will appeal it if it happens he believes that this will allow the Commission a window of time. He is erring to the side of caution and clear table to get this done.

Commissioner Highland stated that they could recommend a change to the ordinance that language to reflect imposing a moratorium up to six months.

City Planner Abboud agreed with that amendment would provide clarification.

Commissioner Bentz commented that dependent on how time sensitive this is, if they were considering working on the Medical District in December, her inclination was to postpone voting on the ordinance until the amendments could be written into the ordinance, such as the one just recommended by Commissioner Highland, but also clarification on if the CUP process and Medical District planning process is decoupled and doesn't affect each other that is one reason not to have a moratorium but if there is a reason that having a CUP or appeal process while they are planning the Medical District she would like to have legal justification.

Councilmember Smith responded that planning the Medical District was postponed due to the appeals that were filed at the recommendation of the City Attorney, City Planner Abboud can attest to this, due to the ramifications that may counter the work done by the Commission. He is trying to avoid that for the Commission.

Commissioner Bentz requested follow-up asking about the current appeal.

City Planner Abboud recommended that due to the tight time constraints he suggested forwarding recommendations to the Council and let them make the changes there.

Commissioner Highland believed that the Medical District will create some controversy and does not know the length of time that will take but does a resident have the ability to go to an attorney and stop the Commission from working on this.

City Planner Abboud responded that if someone had the means and wherewithal they could seek an attorney's opinion, he could not comment on what action would result from that.

Chair Venuti requested a motion seeing no further comments or questions.

BENTZ/DAVIS MOVED TO FORWARD A RECOMMENDATION OF SUPPORT FOR ORDINANCE 19-XX ESTABLISHING A SIX MONTH MORATORIUM ON APPLICATIONS FOR PROFESSIONAL OFFICES AND MEDICAL CLINICS IN THE RESIDENTIAL OFFICE DISTRICT WITH THE FOLLOWING AMENDMENTS:

1. TO CLARIFY THE SPECIFIC TYPE OF PERMIT THAT IS SUBJECT TO THE MORATORIUM
2. TO STOP ALL PERMITTING IN THE RESIDENTIAL OFFICE DISTRICT
3. DOES NOT APPLY ALREADY APPROVED PERMITS THAT HAVE NOT RECEIVED A ZONING PERMIT
4. AMEND THE TIME UP TO SIX MONTHS AS THE PLANNING COMMISSION REQUIRES

Commissioner Highland questioned stopping all permitting in the residential office district.

City Planner Abboud noted that the language should reflect "conditional use." It specifically excludes zoning permits.

Commissioner Davis requested clarification on applications would still be allowed.

City Planner Abboud responded that they would be subject to the moratorium there would be no action on them.

BENTZ/HIGHLAND – MOVED TO AMEND THE LANGUAGE IN THE SECOND RECOMMENDATION TO STOP ALL CONDITIONAL USE PERMITTING APPLICATIONS NOT ALREADY UNDERWAY IN THE RESIDENTIAL OFFICE DISTRICT.

There was discussion on zoning permits would still be allowed, up to six months would allow them to start processing applications after six months would require legal input, clarification on not including professional offices in the motion.

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

Motion failed.

Commissioner Bentz recounted the Commission action since her motion and asked Commissioner Rubalcava if she would like to make the next motion.

PETSKA-RUBALCAVA/BENTZ MOVED TO AMEND THE MOTION TO REMOVE FROM LANGUAGE THE WORDS PROFESSIONAL OFFICES.

There was no discussion.

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

Motion carried.

Commissioner Highland then requested clarification on the need to amend the motion to change all permitting.

HIGHLAND/BENTZ - MOVED TO AMEND THE LANGUAGE TO STOP ALL CONDITIONAL USE PERMITTING APPLICATIONS NOT ALREADY UNDERWAY IN THE RESIDENTIAL OFFICE DISTRICT

Commissioner Bentz stated for the record that this was the motion that was voted down previously and called for unanimous consent.

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

Motion carried.

Commissioner Bentz recommended forwarding this ordinance to Council with recommendation to consult with the City Attorney.

VOTE. (Main Motion as Amended). YES. DAVIS, HIGHLAND, BENTZ, PETSKA-RUBALCAVA.
VOTE. NO. VENUTI.

Motion carried.

Chair Venuti called for a recess at 7:52 p.m. The meeting was called back to order at 7:58 p.m.



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Staff Report PL 19-98

TO: Homer Advisory Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: December 4, 2019
SUBJECT: Medical District

Introduction

During the 2018 Comprehensive Plan Update, it was recognized that the area around the South Peninsula Hospital is changing. In the past year or so, three new conditional use permits have been granted for varying sizes of medical clinic. One large clinic in particular garnered a lot of public comments and an appeal. In light of increasing development and citizen concerns expressed over the last year, now is a good time to consider future development of this area.

Note: At Monday's Council meeting (11/25/19), Council adopted a moratorium on certain development. Several amendments were made at the meeting, so staff didn't have a final version to include in this packet. It will be provided at the meeting.

Initial Project Outline and Timeframes

Task 1: Problem/Concern identification (December, early January)

Task 2: Scoping and task break down, identify rough geographic area (January)

Task 3: Probable solutions to identified problems (by Feb 5th meeting)

Task 4: Public participation in mid/late February, seeking input on the identified problems and possible solutions. (Area mail out, schedule a meeting, website information)

As always, these timeframes could shift based on work load, but the department goal is to make good progress. Ideally this project will be substantially complete in June, with recommendations forwarded to Council for possible action. The ordinance adopted by Council includes a similar timeframe for completion.

Goal for December meeting: Brainstorm or come up with a list of Commission concerns with development in the Fairview to South Peninsula Hospital, Bartlett to Hohe, and Main Street areas. Staff has provided a list of their thoughts below, as well as written comment from area resident Rob Lund. Some of our collective ideas may not be strict zoning code concerns. For December, the goal is to identify the concerns. In January we will work together to narrow the

scope of work to things zoning can accomplish, and identify public or private means that could address non-zoning concerns.

Requested action for this meeting:

1. Look at the map for the current boundary
2. Visit the area before the meeting. Staff encourages Commissioners to visit on several different days, and time of day (light/dark), walking/biking/driving...
3. Bring your observations to the meeting to share with fellow Commissioners and staff. What is working? What is not? What concerns do you have?

Staff identified these topics when reviewing existing zoning code:

- Landscaping requirements – do we need better rules?
- General screening requirements– dumpsters, parking lots
- Concerns of immediately adjacent residential uses – i.e. should commercial uses have fences/screening?
- Parking lot lighting standards – what are they and do we need more specific rules?
- Parking lots as a land use without a structure - should this be an allowed use?
- Bulk scale density guidelines... architecture? Open space requirements?
- Code discrimination of medical clinics vs any other type of professional office for a CUP.

Paraphrasing of Mr. Lund’s comments (follows his comments on page 7 (appendix 1 of his submittal))

- Need a larger public notification area for CUP’s, beyond the 300 feet currently required
- Preservation for green areas, wildlife habitat, and increased landscaping standards for preservation or restoration of natural vegetation at building sites
- Consider rezoning the RO district west of Hohe as a medical district
- Consider rezoning the remaining area east of Hohe to Urban Residential
- Consider traffic impacts and traffic calming on Main St and adjacent residential streets
- Preserve the viability of South Peninsula Hospital

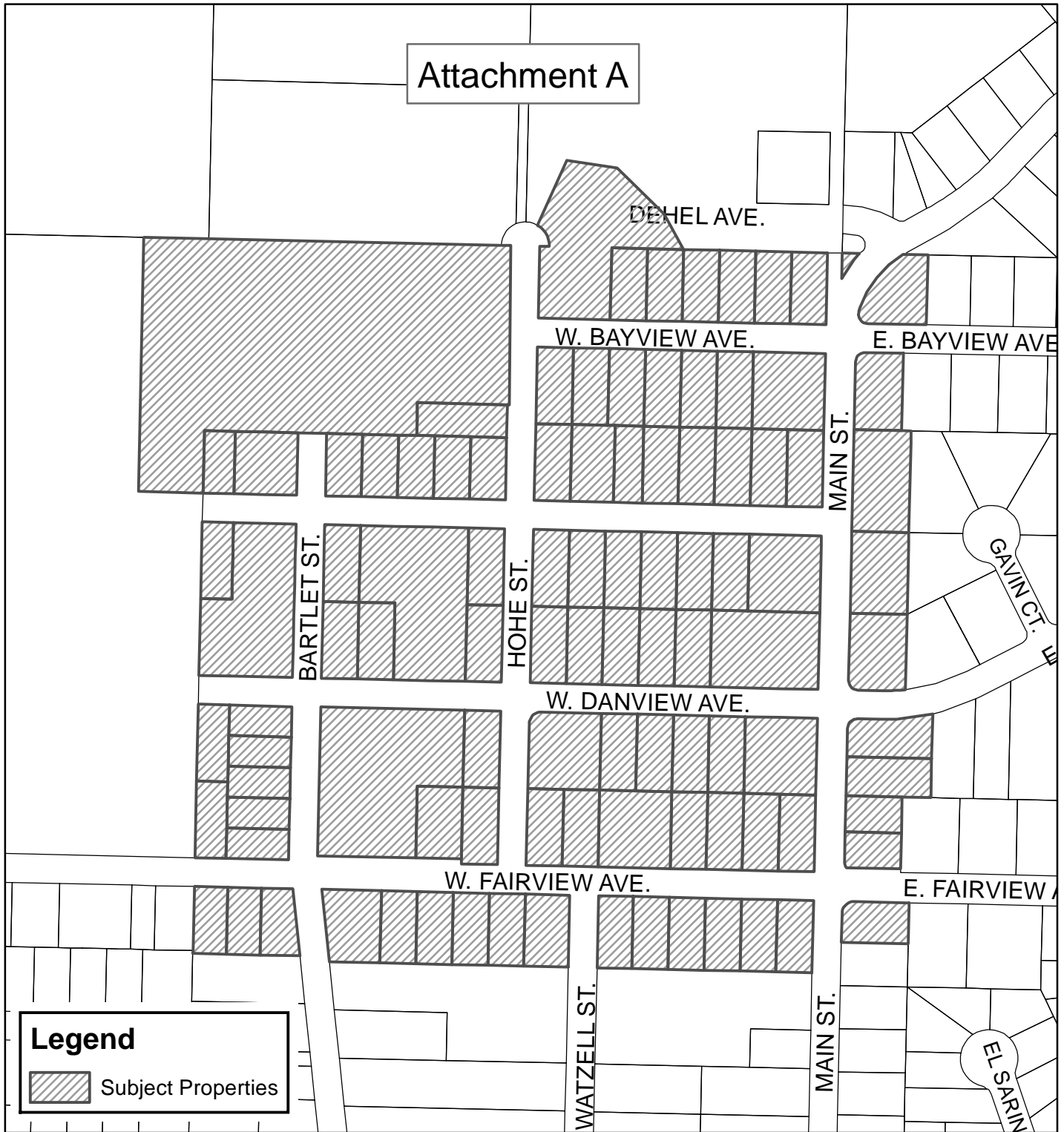
Next steps:

When we have a list of identified topics, staff and the Commission may need to narrow the scope of the conversation, or break it into tasks. When we have a handle on the scope, we will work on public outreach.

Attachments

1. Area Map – Attachment A from moratorium ordinance
2. Letter from Rob Lund, November 2019

Attachment A



Legend

 Subject Properties



City of Homer
Planning and Zoning Department

10/4/2019

Subject Area of Residential Office District Moratorium

0 250 500 Feet



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*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.*

Rob Lund
4178 Hohe St.
Homer
235-3608
November, 2019

Homer City Council,
Homer Advisory Planning Commission

Dear Members of the City Council and the Planning Commission:

In the fall of 2018, I submitted a notice of appeal in response to the Homer Advisory Planning Commission's approval of CUP 18-09. CUP 18-09 was issued in September, 2018, for the construction of a 20,000 square foot medical center with parking space for 86 vehicles at 267 Cityview. The project required a conditional use permit for two reasons—the building exceeded the 8,000 square foot limit for buildings in areas zoned Residential Office, and it was for a purpose, a medical center, which also required a conditional use permit. Due to its size, its conflict with the residential character of the neighborhood and its potential for generating disruptive if not dangerous traffic on the residential streets adjacent to the project, I felt development of this sort was inappropriate in this primarily residential area where the development was proposed, so I appealed the granting of CUP 18-09.

The appeal process culminated in a hearing before Judge Christopher Kennedy of the Office of Administrative Hearings. Judge Kennedy ruled that the Planning Commission revisit their approval of CUP 18-09. In response to the hearing officer's remanding the application to the Planning Commission, a meeting of the Commission was scheduled for June 5, 2019, to reconsider this issue. The Planning Commission made some changes in their findings regarding CUP 18-09 and granted CUP 19-01, which allowed the project at 267 Cityview to proceed. I appealed CUP 19-01; the appeal was again assigned to the Office of Administrative Hearings for a hearing, and, ultimately, in October of 2019, the second appeal was denied. Currently the status of the project at 267 Cityview seems to be undecided.

A brief review of the recent history of development in the area around my home on Hohe Street is in order. Shortly before the hearing officer's decision on the appeal of CUP 19-01 was released, I noticed that contractors were clearing land on West Fairview Avenue. This project is for a clinic being built by Todd Boling after the Planning Commission had issued CUP 18-14. Also on May 6 of this year, I received a public hearing notice on CUP 19-05, which would allow the construction of 3200 square foot aquatic physical therapy building on the northeast corner of Hohe Street and West Fairview Avenue. These two projects, in addition to the one at 267 Cityview, are part of a pattern of development in the area surrounding South Peninsula Hospital that has substantial and far-reaching consequences not only for the immediate area, but also for the entire City of Homer.

In my oral arguments before the hearing officer, I brought up what I feel is a very significant issue concerning development in the residential office zone where I live and where the three developments I mentioned in the previous paragraph are located. That issue is a process of development characterized by a lack of formal definitions, guidance, explicit policies, public scrutiny and deliberation; it is a pervasive and continuing transformation of the neighborhood that I have identified as “rezoning by conditional use permit.” Instead of facing this process of change by crafting informed decisions concerning its nature, limits, appropriate usages, boundaries and other characteristics that are inherent in thoughtful, effective zoning and planning decisions, the planning department and the Planning commission have allowed development to proceed with no apparent guidance or overall strategy. The result has been a gradual erosion of the residential character of the neighborhood in which the landscape has changed and non-residential development has encroached on and, in some areas, nearly obliterated the residential usage that prevailed in years past.

Nearly thirty years ago when my wife and I bought our home at 4178 Hohe St., the area was very different from what it is today. There were fewer buildings of any sort, residential or commercial. The two major medical developments, South Peninsula Hospital and Homer Medical Center (then Homer Medical Clinic), were much smaller than they are now. Kachemak Bay Professional building (i.e. Kachemak Bay Medical Clinic) didn’t exist at the time; the project area at 267 Cityview was a healthy stand of spruce trees, habitat for birds and other wildlife and a calving area for moose. Large, mature spruce trees were common in the area, and many currently developed lots were covered by thriving forest. Over the years, lot by lot, change crept into the neighborhood: Trees were felled; lots were clear-cut; birds and wildlife became less common, and finally, they have nearly vanished. Much of the most dramatic change has been to the west of Hohe Street, where development has been focused on expanding existing medical facilities and building new ones, a process that has culminated in the proposed medical center at 267 Cityview. To the east of Hohe Street, most of the new construction has been residential, but in the spring of 2019, the two new projects for clinics, mentioned previously, have been approved in this primarily residential area, and a new clear-cut has taken a further toll on the area’s remaining forest.

In his decision, Judge Kennedy identified this issue as “potentially a serious concern.” “As one CUP after another is approved, the area gradually loses its mixed-use character and becomes a medical district, but the change occurs without the broader review and public process that would come with formal rezoning.”¹ Judge Kennedy stated that he was unable to address this issue in his decision because I had not included the matter in my brief, and therefore it was not part of the

¹ This quote is taken from Judge Kennedy’s Decision on Remand. The entire text of his remarks on this issue are:

“In his oral argument, Mr. Lund articulated a more global concept of his appeal than the item-by-item approach he had taken in briefing. He suggested that the Planning Commission is engaging in de-facto rezoning –by-CUP. As one CUP after another is approved, the area gradually loses its mixed use character and becomes a hospital district, but the change occurs without the broader review and public process that would come with formal re-zoning.

“This is a potentially serious concern. However Mr. Lund did not raise this as a formal point on appeal, and he did not brief it. This meant that other parties were not on notice that it would be argued. It therefore cannot be considered here.”

record on appeal. I was guilty of this oversight because, in the rush and urgency of writing a cogent brief in the timeframe required by the appeal process, I failed to see the full implications of the changes taking place in this neighborhood. Thus, one of my primary goals in writing this letter is to raise this issue for your consideration and hopefully guide your thinking and decisions with input from a resident of the area who has watched it change for almost three decades.

Judge Kennedy's refusal to address the problem of rezoning by CUP was rather disappointing, but I was somewhat encouraged by rumors that the planning department and the Planning Commission are in fact considering the zoning status of the area around South Peninsula Hospital, an issue that is now being considered by the City Council. This is an issue that is mentioned in the current Comprehensive Plan and one that contemplates a change in the area that is necessary for Homer's growth and for thoughtful management of the community's health care needs. I fully endorse efforts to deal with the currently informally regulated expansion of health care facilities in the area surrounding the hospital, and in the following paragraphs, I would like to offer some suggestions on how the City of Homer might proceed.

To begin, I would like to urge the City to be completely transparent in its deliberation and to keep the public fully informed and fully involved in the planning and decision making process. This represents a bold and dramatic step in a new direction, one that will affect not only the local residents, but the entire town and many of the people who live on the Kenai Peninsula. Numerous consequences of a new zoning category and district come to mind, some of them beneficial to our community, some potentially harmful. For example: What will the impact be on South Peninsula Hospital? It is an excellent, award winning health care facility in which the people in its service area have invested considerable time, treasure and energy. It is a major employer in Homer (around 450 people work at SPH) and we depend on it for quality health care both at a technological level and as an attractor of a small army of outstanding health care professionals and specialists that were unheard when my wife and I moved into the area and were unimaginable when I was growing up in Kodiak in territorial days. South Peninsula Hospital is a priceless asset to the community—it should be protected and nurtured: We cannot afford to take it for granted.

Another aspect of creating a medical district is the potential unintended consequences of this change. Homer and the service area of South Peninsula Hospital are vitally dependent on the health care provided by SPH—any developments that would diminish the hospital's ability to function at its current level could be disastrous to the welfare of the community. Could something of the sort happen? It is in fact possible. It has happened elsewhere. It seems unlikely that it is possible to craft zoning regulations that would directly protect South Peninsula Hospital; however, I think it would serve the City and the community well to be conscious of the vulnerability of a small market (like health care in Homer, Alaska) to powerful, well financed interests from outside the community. Please refer to appendix IV for further elaboration.

Another trend that is apparent in the area around the hospital is the loss of natural vegetation and wildlife habitat as new development scalps the area one lot at a time. Despite the fact that there is no apparent requirement in the City Code that provides for the preservation of natural areas in Residential Office districts, the unintended consequences of the failure to make such provision diminish the appeal of this district and are probably contrary to the interests of the residents.

Furthermore it seems that these changes have an uneasy relationship with the Homer Comprehensive Plan. The current edition of the Plan (specifically the map on page A-10) identifies the area around South Peninsula Hospital as being a “medical district,” without offering any specifics such as boundaries and defined zoning rules. Elsewhere the Plan also extolls the virtues and benefits of Homer’s natural environment as well as affirming the friendly relationship between the City and its citizens and the plant and animal communities that share the area. In considering these parts of the Plan, a couple of questions arise: If the area around the hospital is indeed a medical district, why is it that the district is not formally declared as such, and new zoning for medical development not adopted? Presumably this would include clearly defining the types of development allowable in the new district, building standards, acceptable traffic volumes, boundaries for the new district and other issues, all of which will impact not just the neighborhood, not just the City but the entire area that South Peninsula Hospital serves. If we are to share our city with native plants and animals, why is the effect of current development so hostile to the dwindling stands of forest and to the animals who rely on that habitat for food and shelter? And finally, does development of this type contribute to the traditional ambience of Homer and to the sort of environment that much of the public likely prefers?

Only a couple of years ago in the area around my home there were healthy stands of spruce and alder that provided homes for birds and other creatures, shelter from winter winds, calving areas for moose and healthy topsoil and plant communities that controlled surface water and snow melt. Now those places compose a noticeably smaller portion of the area, and the satisfaction that many of the residents experience from living in harmony with the plants and animals that share our environment is a poignant loss. It is evident that contractors are often over-zealous in their efforts to clear a lot for subsequent construction activities, and in the process of removing trees that interfere with the planned building, they also remove vegetation that would not obstruct the builder’s work. Frequently this style of site preparation involves removing trees that are protecting steep slopes, serving as windbreaks, visual screens and performing other useful functions. It seems likely that the criteria for granting building and conditional use permits should also include a review and acceptance or rejection of a plan for the preservation, removal and/or restoration of existing vegetation.

Indiscriminately clearcutting a new development simplifies the work and lowers the costs faced by developers and contractors, but that approach is not in the best interests of residents and the environment. The Comprehensive Plan stresses development that preserves the natural areas in Homer and supports the City’s status as a home for native plants and animals as well as humans and the commercial activities that they establish.² It behooves planners to keep developers and contractors on a short leash, which would include due respect for native vegetation, birds and other animals and require them to provide for ample green areas as well as encouraging the retention of as much of the original vegetation as is practical. What this means is that the preservation natural areas should be included in new zoning and provision to replace vegetation lost in existing zoning should be required.

After completing and submitting my brief, I finally understood the pattern of change that is taking place in our neighborhood: The area *is* being rezoned, but the process is not being

² Please refer to Appendix II for specific references to the Homer Comprehensive Plan.

conducted by formal action and declared intentions. It is not available for public review and discussion, and in fact it is hardly apparent to the public at large. The only members of the public who are officially notified of these gradual changes are those who live in close proximity (300 feet) to a new development, despite the fact that the process of development, i.e. the continuing impact of numerous developments, affects the entire neighborhood and, ultimately, the entire city. This process of rezoning by conditional use permit seems to violate the spirit, if not the letter, of the Homer Comprehensive Plan and of the residential-office zoning of the neighborhood, and it is fundamentally undemocratic and disingenuous. It needs to stop, and instead of the current informal policy of rezoning by CUP, the City, the Planning Commission and the people of Homer should confront the process with carefully reasoned zoning rules, boundaries and public input. If a new zoning district for a medical district be required and accepted by the majority, then it should be recognized in the City Code and the Plan, and both the current and the new zoning districts be respected by appropriate development.

Thus I would like to offer some suggestions for the future of the area. First, I urge the Commission and the Planning Department to declare a moratorium on conditional use permits for non-residential development in the area until the issue of new zoning for medical development be addressed formally and publicly.

Second, notification for new developments requiring conditional use permits should be sent to all the residents of the district, not just the ones owning property within 300 feet of the project.

Third, I urge the Commission and Planning Department to reconsider the preservation of green areas and wildlife habitat in the area—if the current process continues unchecked, the neighborhood will be denuded of virtually all natural vegetation and wildlife habitat, an outcome that most residents probably oppose.

Fourth, building permits should be issued or denied on whether or not they conform to high standards for the preservation and/or restoration of existing vegetation.

Fifth, if a new medical zoning district be defined, I urge the Commission and the Planning Department to establish the west side of Hohe Street as the eastern boundary of the new district.

Sixth, if a new medical district is defined, I urge the City to rezone the Residential Office area to the east of Hohe Street as Urban Residential, thus protecting this predominately residential area from further encroachment by medical centers and other commercial development.

Seventh, increased traffic from the new medical district has the potential to severely impact the neighboring residential areas. The streets to the east of Hohe Street are heavily used by pedestrians, joggers, children at play, loose pets, people walking their dogs, cyclists and others using residential streets as extensions of their homes and transportation corridors to other areas. West Danview Avenue is a salient example of the way some of the residential streets are used by children, pedestrians and others. Currently the speed limit on West Danview is 25 mph. Given the number of children that use this street for recreation, this is too fast—the speed limit on West Danview between Hohe Street and Main Street should be reduced to 15 mph. These residential streets are typically without sidewalks, painted crosswalks identified by standard signs, signage

warning motorists of children and pedestrians, and adequate street lighting. This is probably OK if traffic continues to be light, serving only the residential areas. If the traffic impacts increase due to developments like the one proposed at 267 Cityview, innocent people, especially children, and pets will be put in substantial jeopardy.

A particularly egregious example of a street that is apparently in violation of the City street design standards is Main Street north of Pioneer. Fifteen years ago, Main was identified in the STIP as needing substantial upgrade—since then, nothing has changed³. Main is a major collector, a primary transportation corridor linking the residential areas north of Pioneer to the business district along Pioneer and to the south. A primary collector is required to have shoulders on both sides of the street, which Main Street lacks. It has no sidewalks, and there are few street lights. However, substantial numbers of people walk along both sides of Main travelling to and from the main parts of town. Most people wear dark clothing, frequently they walk with their backs to the traffic, often while talking on cell phones. The narrow shoulders, lack of sidewalks and snow and ice berms force them to walk in the traffic lanes.... Main Street is almost certainly the scene of a serious accident waiting to happen. It is not hard to imagine that that accident would be accompanied by a lawsuit that the City would very much prefer to avoid.

Finally, several individuals have presented cogent arguments related to CUP 18-09 concerning the impact of some types of medical development on our existing health care facilities. Certain medical uses, surgical centers, for example, could jeopardize the financial health of South Peninsula Hospital. Requirements for certificates of need are supposed to protect crucial health care facilities from unhealthy competition, but according to knowledgeable parties, it is easy to circumvent these requirements and threaten the welfare of institutions upon which the community depends. Therefore, I urge the City to carefully consider the unintended consequences of its decisions and ensure that South Peninsula Hospital and other key health care facilities enjoy unimpeded revenue streams and can continue to provide the community with the excellent service that we currently rely on.

³ Please refer to Appendix III for details about Main Street as noted in the *Homer Non Motorized Transportation and Trails Plan*, 2004.

Appendix I

Summary of Recommendations

- 1. **MORATORIUM:** Conditional use permits for non-residential development in the Residential Office zone around South Peninsula Hospital should not be granted until the issue of new zoning for medical development be addressed formally and publicly.
- 2. **NOTIFICATION OF PROPERTY OWNERS:** When a CUP is issued, all property owners in the district should be notified, not just those within 300 feet of the project.
- 3. **PRESERVATION OF GREEN AREAS AND WILDLIFE HABITAT:** Existing natural vegetation should be preserved wherever possible in future developments, and efforts should be made to restore vegetation that was lost in past developments.
- 4. **BUILDING PERMITS:** Building permits should be granted only if they include a plan that conforms to the highest standards for the preservation and/or restoration of natural vegetation at the building site.
- 5. **REZONING—MEDICAL DISTRICT BOUNDARY:** If the area around South Peninsula Hospital is rezoned as a medical district, the west side of Hohe Street should be established as the eastern boundary of the new district.
- 6. **REZONING—RO DISTRICT EAST OF HOHE STREET:** If a new medical district is defined, the City should rezone the Residential Office area to the east of Hohe Street as Urban Residential, thus protecting this predominately residential area from further encroachment by medical centers and other commercial development.
- 7. **POTENTIAL FUTURE TRAFFIC IMPACTS:** Main Street and adjacent residential streets need warning signage, sidewalks, speed limit changes and other features to protect non-motorized users of the streets from traffic hazards.
- 8. **PRESERVATION OF THE VIABILITY OF SOUTH PENINSULA HOSPITAL:** South Peninsula Hospital is a vital health care facility whose viability and standards of excellence should not be jeopardized by future developments in the area.

Appendix II

References to the Homer Comprehensive Plan

Development in Homer should conform to the Homer City Code and to the Homer Comprehensive Plan. Immediately following, in italics, are two passages from the Comprehensive Plan. The first is from Chapter 4, Land Use, p. 4-4 and p. 4-5; the second is from Chapter 5, Transportation, p. 5-7 and p. 5-8.

Chapter 4, Land Use:

Goals & Objectives for Land Use

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

Objective B: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth. The Comprehensive Plan Land Use Recommendations Map establishes the location and intent of proposed land use districts, but does not address the standards needed to guide development. Implementation Strategies

- Revise zoning map
- Encourage preservation of natural system infrastructures
- Review density objectives
- Review appropriate design standards

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

Diverse, high-quality residential neighborhoods are crucial to the stability and economic health of Homer. Growth puts pressure on housing prices as land prices increase.

Neighborhoods established decades ago with large lots face pressure as some landowners create subdivisions with smaller lots, while others would like to preserve the established neighborhood character. Housing choice is crucial to accommodate future growth as the dominant single family large lot developments clearly won't be able to meet future demand in quantity or price. Implementation Strategies

- Review code for opportunities for appropriate infill
- Support options for affordable housing

Chapter 5, Transportation:

Goals and Objectives for Transportation

GOAL 3:

Homer's transportation system and services should be developed in a manner that supports community land use, design and social goals. Homer has expressed a consistent opinion as to how the city should grow and the "look and feel" that residents want for the community. Key desires include a more focused and walkable downtown, a more walkable and bike-able community, and the development of an attractive community that mirrors the natural beauty of Homer's setting. The community roadway system is an important component of Homer's development and plays an important role in whether the community's goals will be realized. In general, all of the pedestrian improvements noted in other adopted plans and included in this plan will benefit children, the elderly, and citizens with disabilities. Homer remains a desirable location for retirement living. As the population over 65 years of age continues to grow, consideration of the transportation needs of the aging population continues to be important. Without linked sidewalks, trails, crosswalks, and pedestrian ways, it is often difficult for seniors to navigate on foot and often impossible for those with disabilities that require a wheel chair. Additionally, there is a need for community transit type services to serve less mobile populations, such as seniors and residents with disabilities.

Objective A:

The trail and sidewalk network should provide an alternative to driving, enhanced recreational opportunities, and support auto-free transportation throughout the community. The 2004 Homer Non-Motorized Transportation and Trail Plan provides a comprehensive examination of walkability and bike-ability in Homer. The plan reveals a limited number of comfortable pedestrian routes and public concern over the lack of safe places to walk. A combination of increasing traffic on through-routes, limited sidewalks, and unconnected, low-traffic-volume streets has contributed to the shortage of comfortable pedestrian routes. In a small community, it is reasonable to expect substantial non-motorized travel if the trails and sidewalks are in place to support walkers and bikers. The plan suggests a number of improvements to make Homer more walkable and bike friendly.

Implementation Strategies

- Encourage alternate transportation

Objective B:

City street design standards and cross sections should be bicycle and pedestrian friendly, and include provisions for the elderly, citizens with disabilities, and safe walking routes for children.

As quoted above on page 2 “...it is necessary examine the direction and nature of these changes, specifically how do they conform (or fail to conform) to the principles outlined in the Homer Comprehensive Plan?” With reference to the passages from the Homer Comprehensive Plan, quoted above, Goal 1:

“Guide Homer’s growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill....”

It is plain that the continuing process of rezoning by conditional use permit is decreasing the supply and diversity of housing as it buys and re-purposes existing residential buildings or uses undeveloped land for clinical uses rather than residential. Examples of the former are found in several formerly residential buildings on Bartlett that are now used for clinical purposes. Examples of the latter are the project at 267 Cityview and a medical clinic on West Fairview that is currently in the process of construction. Explaining how this creeping transformation of the neighborhood is failing to protect community character is hardly necessary—that is no less than its very nature. The development at 267 Cityview—this substantial portion of a city block—is the proposed home for a single medical center and a huge, 86 vehicle parking area. Absent is any of the original forest and animal habitat. If it had been developed for residential use, the same area could have contained at least five residential lots with perhaps as many as fifteen or twenty family units while retaining at least some of the original vegetation.

Objective B under Goal 1 begins with the following sentence:

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

This seems to be an unambiguous statement in opposition to the rezoning by CUP that currently prevails there. Development in the neighborhood of South Peninsula Hospital hardly seems to be in keeping with the principles expressed in Objective B.

It is appropriate to refer to two of the implementation strategies listed under Objective B, namely:

*“•Revise zoning map
•Encourage preservation of natural system infrastructures”*

Revision of the zoning map, versus what has occurred here, is an often repeated theme in the Comprehensive Plan. Also, the encouragement of natural system infrastructures was certainly not in evidence when the work at 267 Cityview removed all of the natural vegetation and topsoil, which had previously served as a buffer for rainfall and snow melt, and replaced it with several feet of compacted gravel, which is a pattern followed in most similar developments.

Objective C under Goal 1 states:

“Maintain high quality residential neighborhoods; promote housing choice by supporting a variety of dwelling options.”

Again, the process of development in the area being discussed is characterized by the disappearance of a high quality residential neighborhood in favor of medical uses and diminishing housing choices and a more limited variety of dwelling options. None of this follows the implementation strategy that calls for supporting options for affordable housing.

Chapter 5 of the Comprehensive Plan addresses transportation issues; it has quite a bit to say about pedestrians, children, cyclists and other non motorized uses of the streets and sidewalks. Goal 3, Chapter 5, expresses this very well:

“Homer has expressed a consistent opinion... that residents [desire]... a more walkable and bike-able community, and the development of an attractive community that mirrors the natural beauty of Homer’s setting.”

The residential areas east of Hohe certainly represent the attainment of this goal; however, if one shifts one’s attention to the recent development that has taken place on Bartlett north of West Fairview, one sees that the land use is telling a different story. That story is one of former residential areas and patches of natural vegetation that have been replaced by clinics and supporting businesses, parking lots, expanses of asphalt and compacted gravel. This is the land use that is already migrating across Hohe, the land use that is endorsed by the City’s granting of conditional use permits.

Goal 3, Chapter 5, goes on to remark:

“In general, all of the pedestrian improvements noted in other adopted plans and included in this plan will benefit children, the elderly, and citizens with disabilities.”

This is exactly the situation that currently prevails on West Danview and many other residential streets in the neighborhood, and it is exactly the situation that this appeal and this brief are attempting to protect.

The following passage from Objective A under Goal 3, Chapter 5, indicates an ongoing problem, one that has been recognized for fifteen years and is being exacerbated by current development trends:

“The 2004 Homer Non-Motorized Transportation and Trail Plan provides a comprehensive examination of walkability and bike-ability in Homer. The plan reveals a limited number of comfortable pedestrian routes and public concern over the lack of safe places to walk. A combination of increasing traffic on through-routes, limited sidewalks, and unconnected, low-traffic-volume streets has contributed to the shortage of comfortable pedestrian routes.”

Finally Objective B points toward the desired direction for development. It is particularly germane in the context of Main Street, but it speaks to all areas of Homer, not the least of which is that part of the city in the vicinity of South Peninsula Hospital.

“City street design standards and cross sections should be bicycle and pedestrian friendly, and include provisions for the elderly, citizens with disabilities, and safe walking routes for children.”

The text of the Comprehensive Plan documents Homer’s aspiration to greatness. The reality of development and the neglect of streets like Main street demonstrate how difficult it is to attain. Fortunately greatness is within reach, but it requires effort, courage and commitment to achieve it. Catering to expediency or unwillingness to do the hard work are unworthy of the City and its residents. The residents are entitled to expect that the goals of Homer Comprehensive Plan will be respected, and the important issues of streets and pedestrian friendly areas will not be ignored.

Appendix III

Recommendations for Main Street, *Homer Non Motorized Transportation and Trails Plan, 2004*

Main Street north of Pioneer is a problem area. Being a collector of traffic from the residential areas, particularly to the north and east, Main Street already has a fairly large volume of traffic. Furthermore, Main is not well equipped to handle even the existing traffic—it is very poorly served with street lights; pedestrian/bicycle paths are very narrow, and ice and snow berms in the winter restrict the meager walkways and increase pedestrian hazards while simultaneously forcing pedestrians and bikes out into the traffic lanes. In short, Main Street is also an accident waiting to happen, and this situation can only get worse if commercial traffic from a medical district the west is directed to Main.

Main Street is identified as a major collector as is Pioneer. In the Alaska Department of Transportation’s document, State of Alaska Road and Trail STIP Needs for Homer, Main was identified as having annual average daily traffic of 2,770 vehicles; Pioneer was identified as having daily traffic of 7,300 vehicles. Bartlett, a minor collector, had 1,270 vehicles (from table 1-8, State of Alaska Road and Trail STIP Needs for Homer). Predicted increases for the summer of 2021 are given in table 1-9 (*ibid.*) only for Pioneer and Bartlett; they are, respectively, 13,428 and 3,683. This indicates a 184% increase for the major collector, and a 290% increase for the minor collector. Extrapolating to Main Street, it can be expected to see the traffic to increase by a large amount; this increase could range between 5,097 and 8,033 vehicles.

Main Street is singled out in the *Homer Non Motorized Transportation and Trails Plan*. On page 15, Main Street is included in a list of streets identified by the following title: “Sidewalks should be added to the following streets:” Accompanying the list is a photograph of Main Street between Pioneer Avenue and the Sterling Highway (the view is looking south). Until this summer when construction began on the intersection of Main and the Highway, nothing had changed. The plan was written in 2004, fifteen years before the date of this writing.

Appendix IV

When the Homer Advisory Planning Commission met to consider CUP 18-09 on September 5, 2018, several individuals submitted letters and comments on the potential for negative financial impacts on South Peninsula Hospital and questioned the need for additional, large scale medical developments in the area. In this appendix I would like to further consider the significance of these concerns.

A zoning change could greatly improve the fortunes of SPH, increasing its income and prestige, expanding its facilities and attracting even more accomplished health care professionals to serve the community's needs. On the other hand, these changes could jeopardize the hospital's patient base and income and result in reduced employment, fewer and less advanced services and diminished access to quality health care. This is an important and somewhat obscure issue that deserves further elaboration. Part of the requirements spelled out in SPH's charter are that it accept indigent, medicaid and medicare patients. Since the hospital receives relatively modest reimbursement for these patients, this means that a substantial portion of the hospital's income derives from patients with good, private health insurance who can compensate for losses incurred by accepting financially insecure individuals. This puts SPH at a competitive disadvantage: If another health care facility that is not obligated to accept the financially insecure patient population were to enter the local market, it could charge lower rates and thereby siphon off many of the well insured patients upon whom SPH depends for solvency. The consequences for health care in the community could be severe. In a small market area like Homer, competition among evenly matched businesses can keep goods and services efficient and affordable; however, if the competitors are unevenly matched, the consequences can be devastating, and the result can be diminished services and higher costs.

Thus related issues ask for consideration before any final decision is made. For example: If new zoning facilitates were to enhance the development of additional medical facilities, will that attract large investments by non-local financial resources that would result in unhealthy competition and jeopardize the high level of health care that exists in Homer today? One approach to limiting unhealthy competition is by requiring certificates of need for new facilities. Unfortunately, certificates of need can be circumvented, and they do not reliably perform the way they are supposed to. So, can a new zoning district come with stricter requirements for certificates of need and other measures that can protect the community from damaging competition? These are issues that need to be approached carefully and thoughtfully—routinely granting conditional use permits is a policy that is likely to cause problems in the future.

Ultimately the question is: Is this all speculation, or does it have a real world meaning for Homer and the future of health care in the community? No one can foresee future events, but it is easy to examine the recent past and learn about the related problems that Central Peninsula Hospital in Soldotna had to deal with. The story is best told in an article published in the Peninsula Clarion, June 11, 2017.

Surgery Center of Kenai plans new operating room | Peninsula Clarion

Ben Boettger
8-10 minutes

Editor's note: This story has been changed to correct a reference to the 91 percent drop in Central Peninsula Hospital's net income, originally referred to incorrectly as a drop in revenue.

The Surgery Center of Kenai plans to add a second operating room to its facility in Kenai, potentially increasing the competition for outpatient surgery procedures between the independently-owned surgery center and Central Peninsula Hospital.

State regulators will allow the surgery center — which specializes in outpatient surgeries, also known as ambulatory surgeries, that don't require an overnight hospital stay — to add its second operating room and two observation rooms after making [a May 30 decision](#) that the clinic will not need to get a Certificate of Need before building its expansion.

President Joseph Hurley of Alaska Medical Group Management, which manages the Surgery Center and other Alaskan medical facilities, said that having a single operating room “caused a big clog in our scheduling.”

“This unclogs it, to have two ORs,” Hurley said. “It helps round out some of the things we're already doing a little bit, and it helps us expand a little bit as far as some of the things we can do with the surgeons who are there and the operations they can do with their patients.”

Central Peninsula Hospital in Soldotna — operated by the nonprofit Central Peninsula General Hospital, Inc. under lease from the Kenai Peninsula Borough, which owns the physical building and assets — has four operating rooms, the most recent added in 2012, which do both outpatient surgeries and inpatient surgeries which require longer hospital stays. In the past, [CPH officials have said independent surgery providers take patients from CPH's outpatient surgery](#), lessening its ability to remain financially self-supporting.

CPH External and Government Affairs Manager Bruce Richards wrote in an email that the surgery center's new planned operating room and observation rooms “will cause major financial damage to CPH” by creating competition for surgeries.

“All outpatient surgeries completed in the surgery center since its inception are surgeries that would have been performed here at Central Peninsula Hospital,” Richards wrote. “This has had a significant impact on the financial health of our community-owned hospital.”

In 2014, CPH opposed the then-nascent Surgery Center of Kenai by declining a transfer agreement — an agreement required by the national Centers for [Medicare](#) and Medicaid Services for one medical facility to send patients to another in case of an emergency — with the surgery center, limiting the surgery center's potential customer base by making them unable to take Medicaid or [Medicare payments](#). The denial led to the surgery center “being blocked from half of our patients by Central Peninsula's unwillingness to give us a transfer agreement,” said the surgery center's vice president of outpatient surgery Harold Gear in a [July 2014 Clarion story](#).

Hurley said his business budgets for 120 surgical procedures a month in its single present operating room. For outpatient surgeries such as hernia repair, hysterectomy, ear, nose and throat procedures, Hurley said that more limited surgery centers such as his offer a better deal than hospitals.

“The hospitals are huge organizations that are very expensive, and they’re expensive because all these different pieces of it are running parts that cost money,” Hurley said. “Our Surgery Center of Kenai is not a ginormous beast. It’s a lot smaller, a lot scaled-back. That’s what helps save costs.”

Directly comparing surgery prices, Richards wrote, is difficult because of the many variables in surgical practice and billing. The surgery center’s precise impact on CPH’s finances is likewise difficult to quantify, Richards wrote.

“Health care is changing so rapidly on so many levels that it would be difficult to attribute revenue changes to one thing with any sort of accuracy due to the compression that is occurring from payers,” Richards wrote.

CPH has [experienced a 91 percent drop in net income](#) between the first three quarters of fiscal 2016 and fiscal 2017, due to factors including higher deductibles and co-pays in commercial [insurance plans](#), flat Medicaid reimbursement rates for the past two years, a decrease in commercially-insured patients caused by job losses and a lower number of elective inpatient surgeries which have been a large revenue source for the hospital in the past. Outpatient surgeries lost to the surgery center may also contribute to the drop, Richards wrote.

Hurley said he is also seeing a rise in Medicaid patients, both from increased unemployment and the state’s 2015 decision to expand Medicaid eligibility, and that the change “has dropped our volume considerably.” Though the surgery center can’t accept Medicaid payments without the CPH transfer agreement, Hurley said they are nonetheless getting a sufficient volume of patients to need a new room.

Certificate of Need

Alaska’s Department of Health and Social Services attempts to control medical costs by limiting medical groups from spending more than \$1.45 million on expanding their facilities unless DHSS judges the investment is necessary. The agency’s Office of Rate Review permits medical expansions by granting a [certificate](#) of necessity.

When the Surgery Center of Kenai began construction in January 2014, it spent roughly \$1.13 million to [install](#) one operating room and one procedure room — for smaller surgeries that can be done with local, rather than general, anaesthesia — in the medical complex at 100 Trading Bay Road in Kenai. Because this cost was below the \$1.45 million threshold, the Surgery Center was allowed to progress without a certificate of necessity, the Office of Rate review [announced in July 2013](#).

In its expansion, the surgery center is planning to add a second procedure room and two observation rooms as well as the new operating room. With the addition — expected to cost \$678,376 — the surgery center’s total construction cost since opening will be \$1.81 million. Though the total is more the threshold for the Certificate of Need, attorney Peter Deimer argued in a letter to DHSS on behalf of the surgery center that the two constructions are separate rather than two phases of one project. [DHSS concurred in a May 30 response](#).

Failure to get a Certificate of Need has ended other local independent medical initiatives, including [a previous attempt to open an independent surgery center in Kenai](#) by Kahatnu Ventures, LLC, a group of eight local surgeons who in 2011 planned to make Kenai the location of a \$9 million surgery center expected to perform 1,800 outpatient surgeries per year — more than the 1,700 annual outpatient procedures CPH performed at the time, according to previous Clarion reporting. The group [failed to get a Certificate of Need in April 2012](#) and unsuccessfully appealed the denial the following month. A DHSS

analysis made during Kahatnu’s Certificate of Need process estimated that, using different projections of population and surgery demand, the Kenai Peninsula Borough would need between 3-4 operating rooms through 2019.

With six operating rooms in the central peninsula, Richards wrote that DHSS — which considers all facilities within a service area in [its methodology for issuing Certificates of Need](#) — is unlikely to give certificates to any further operating rooms. More stringent hospital building requirements would not allow new operating rooms at CPH to be built below the expense threshold, Richards wrote.

23-hour observation rooms

The observation rooms the surgery center plans to build are described in its correspondence with DHSS as “23-hour observation rooms.” Many commercial insurers define 24 hours under medical care as the dividing line between inpatient and outpatient procedures, which are billed and paid for differently. Richards wrote that with the observation rooms, the surgery center will “be able to do surgeries that would otherwise be considered inpatient surgeries, causing further harm to the hospital.”

Hurley said the surgery center’s focus on outpatient surgery complements CPH rather than competes with it. With additional facilities offering outpatient procedures, he said, the hospital would be able to devote more resources to speciality services, such as [the catheterization lab CPH is planning to build](#).

“Everyone can be succeeding together, and nobody will have to be worried about, ‘Is one going to succeed at the cost of another?’” Hurley said.

Reach Ben Boettger at ben.boettger@peninsulaclarion.com.

B. Staff Report 19-98, Medical Zoning District

Chair Venuti introduced the item by reading of the title.

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

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

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

Further comment from the Commissioners on the following was conducted:

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

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

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



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

City of Homer Agenda

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

CALL TO ORDER, 5:30 P.M.

AGENDA APPROVAL

DISCUSSION TOPIC(S)

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

COMMENTS OF THE AUDIENCE (3 minute time limit)

COMMENTS OF THE COMMISSION

ADJOURNMENT, 6:20 P.M.



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(f) 907-235-3118

Staff Report PL 20-04

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

Introduction

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

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

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

2. (5 minutes) Storm Water:

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

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

3. (5 minutes) Traffic

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

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

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

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

Action: Does the Commission agree with this draft boundary?

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

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

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

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

6. (5 minutes) Next Steps:

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

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

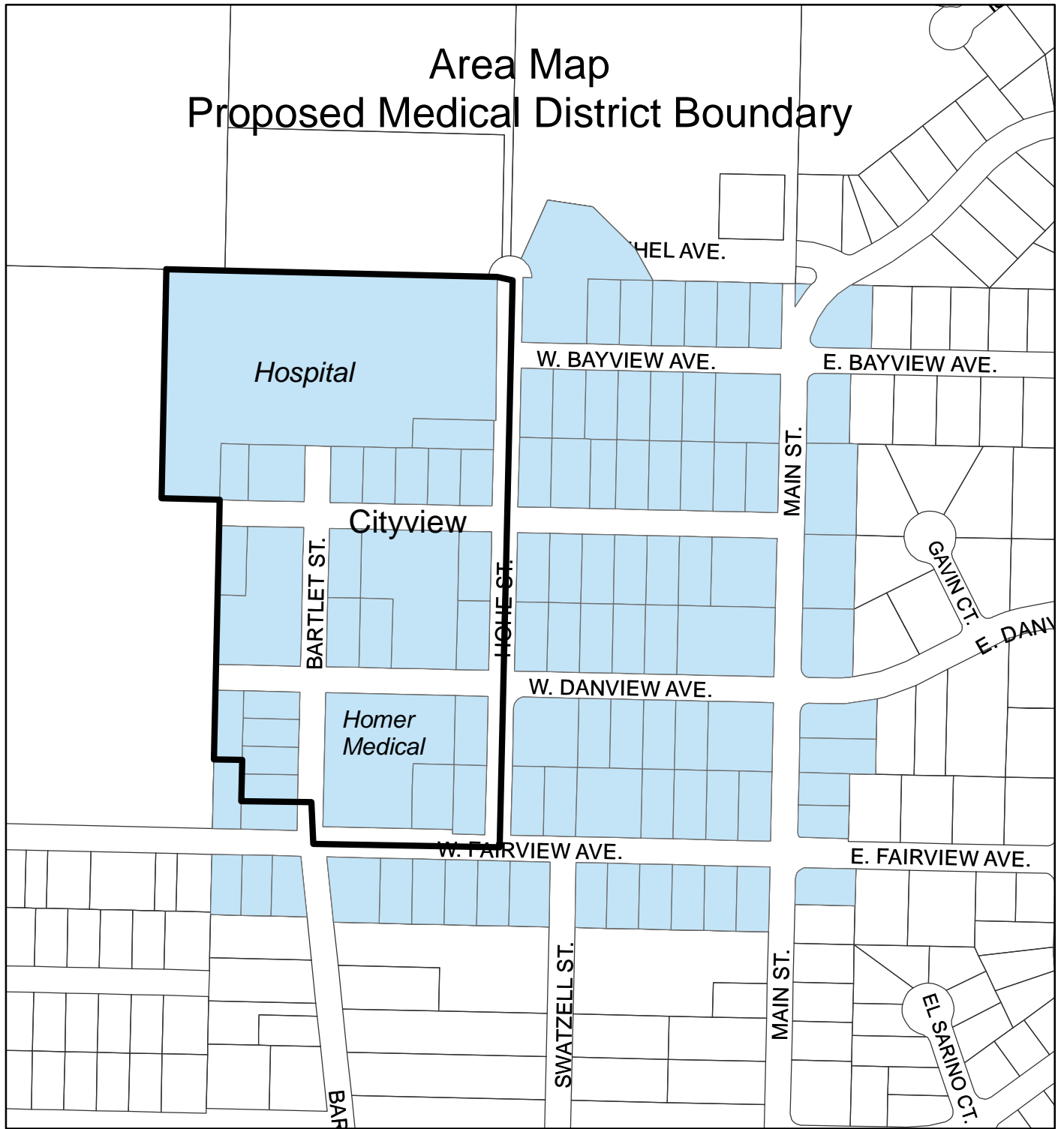
Discussion. Soldotna: Soldotna has an institutional zone for things such as hospitals, churches, schools and other government functions. The area around the Central Peninsula Hospital is zoned limited commercial, and you can find medical clinics in converted homes, much like the hospital area around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

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

Attachments

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



Area Map Proposed Medical District Boundary

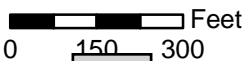


*City of Homer
Planning and Zoning Department*

12/23/2019

Legend

-  Draft Medical District
-  Moratorium Area

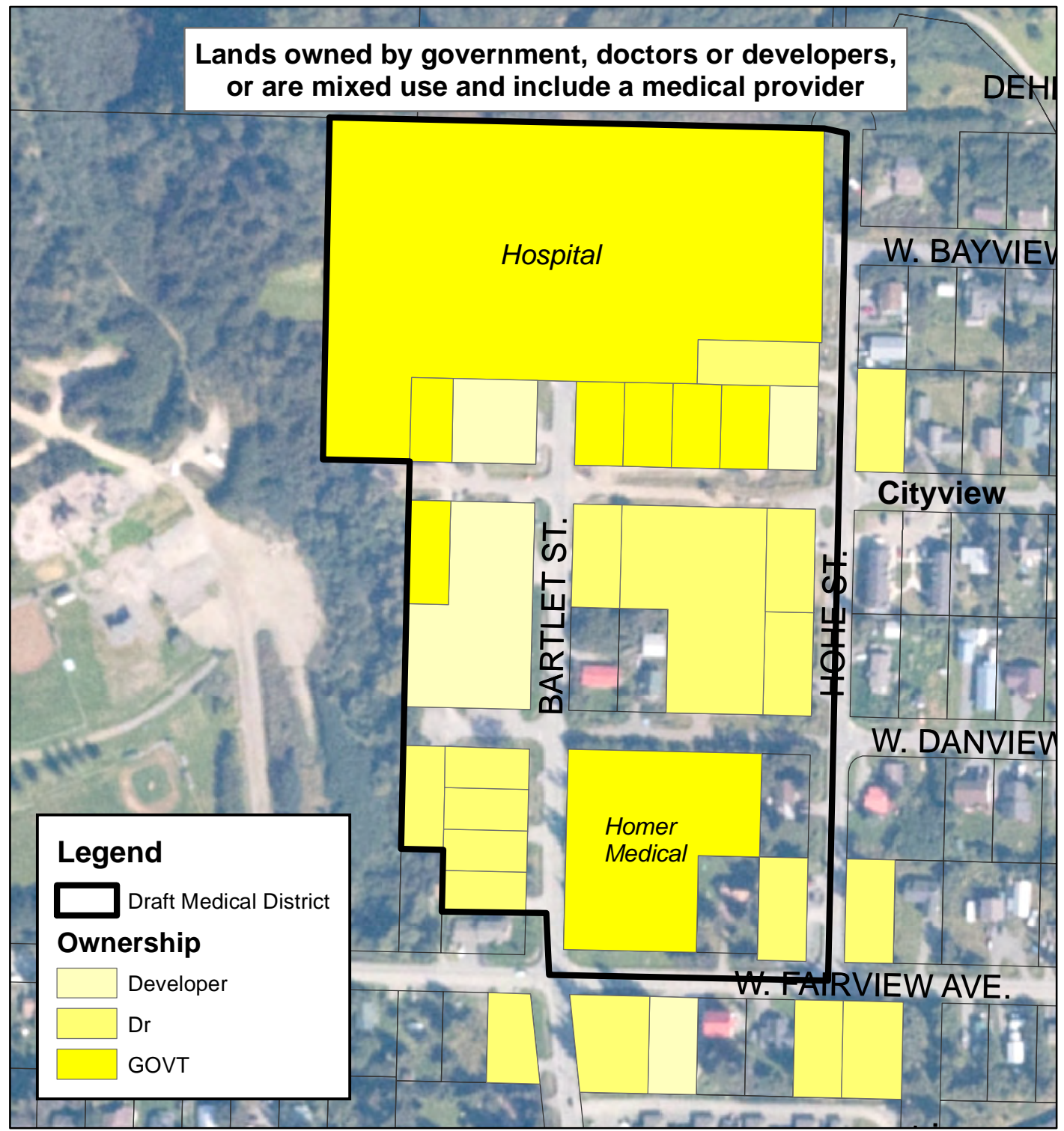


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*Disclaimer:
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Lands owned by government, doctors or developers, or are mixed use and include a medical provider



Legend

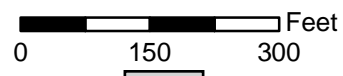
Draft Medical District

Ownership

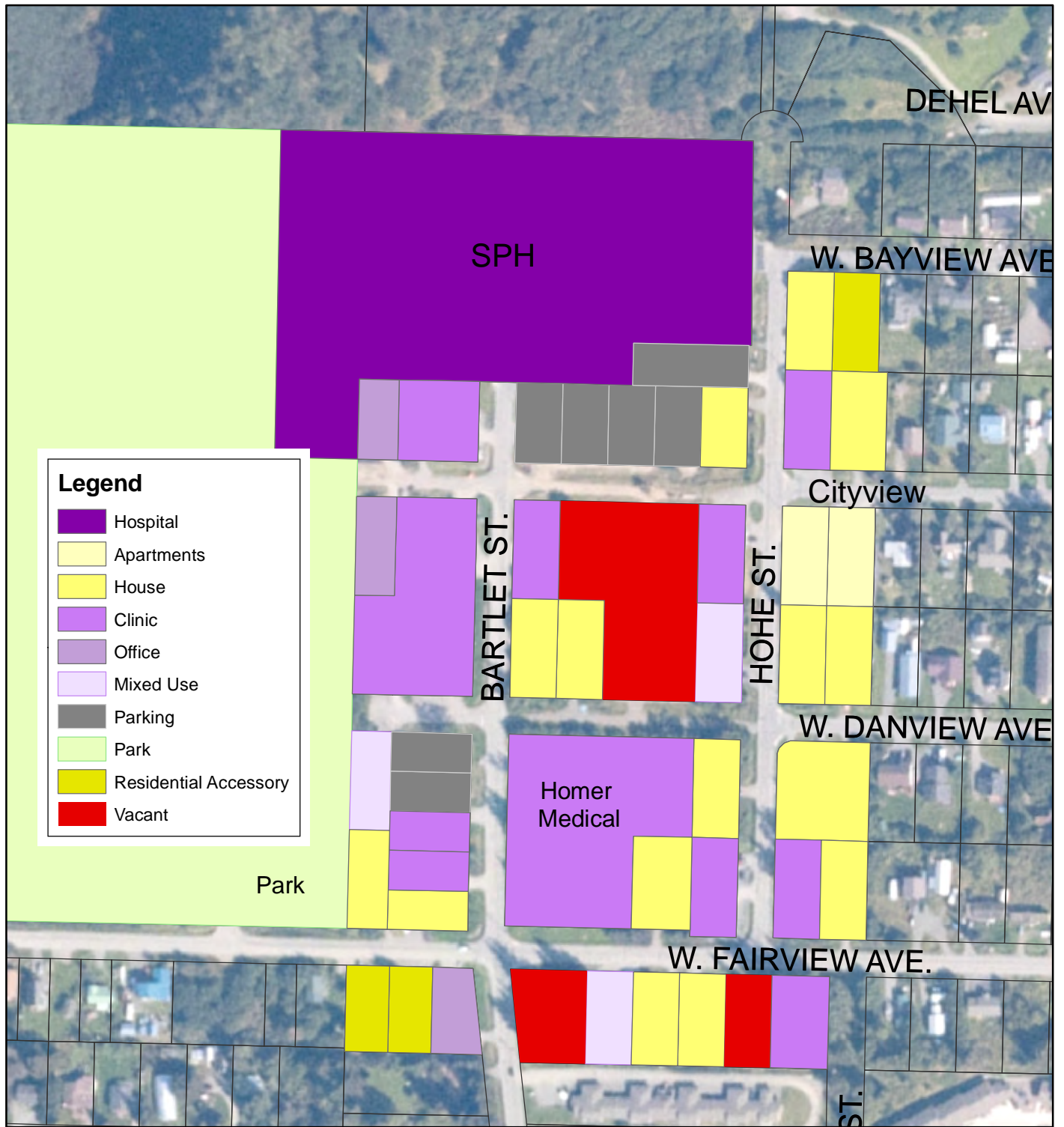
- Developer
- Dr
- GOVT



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



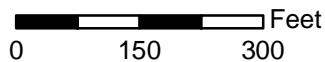
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City of Homer
 Planning and Zoning Department

12/19/2019

General Land Use Map



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SOLDOTNA

17.10.260 - Limited Commercial District (LC).

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

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

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

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

Chapter 18.20

MU MIXED USE ZONE DISTRICT

Sections:

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

18.20.010 Intent.

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

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

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

Mixed use is desirable in these areas in order to:

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

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

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

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

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

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

18.20.020 Definitions.

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

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

B. Convenient pedestrian connections.

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

18.20.030 Permitted uses.

Uses permitted in the mixed use district are as follows:

A. Professional services;

B. Retail sales;

C. General offices;

D. Support facilities;

E. Parks, open space areas and recreational facilities;

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

- Z. Attached wireless communication facilities, except that it is prohibited to attach a nonaccessory wireless communication antenna on a single-family or two-family dwelling;***
- AA. Senior housing facilities;
- BB. Electric vehicle infrastructure;
- CC. Community gardens;
- DD. Farmers markets;
- EE. Animal clinics or hospitals;
- FF. Churches;
- GG. Civic center complex;
- HH. Convalescent centers, rest homes, nursing homes;
- II. Taverns, cocktail lounges;
- JJ. Temporary expansions of schools, such as portable classrooms.

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

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

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

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

18.20.040 Accessory uses.

Accessory uses in the mixed use district are as follows:

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

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

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

18.20.050 Conditional uses.

Conditional uses in the mixed use district are as follows:

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

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

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

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

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

18.20.060 Development standards.

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

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

1. Commercial.

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

surrounding uses in the zone.

2. Residential.

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

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

C. Setbacks and Yard Area.

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

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

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

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

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

elevations is available for inspection in the community development department.

1. Minimum Conditions.

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

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

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

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

0.40 = tangent of sun altitude on December 21

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

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

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

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

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

H. Pedestrian Access.

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

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

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

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

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

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

City Telephone: (360) 754-5855

[Code Publishing Company](#)

City Planner Abboud provided a summary of Staff Report 20-03 for the Commission.

Kate Mitchell, applicant, provided historical information on the business and how it has grown throughout the years.

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

The Commissioners posed the following questions for clarification:

- An engineer has reviewed the building due to the age and that it was a wood structure and found to be structurally sound and quite capable of sustaining a second story with some modifications. The 1968 design prints showed that it was designed for two stories.
- The proposed four-plex is phase three and will bring that lot into compliance and currently is not planned for more than basic architectural finishes at this time. It will offer affordable housing for employees.

BENTZ/HIGHLAND - MOVE TO ADOPT STAFF REPORT 20-03 AND APPROVE CUP 20-01 TO ALLOW A SECOND STORY ADDITION TO THE NOMAR BUILDING AND A FOUR-PLEX AT 104 E PIONEER AVENUE WITH CONDITIONS 1-3 INCLUDED IN THE STAFF REPORT.

There was a brief discussion on the project regarding the green spaces identified in the drawings.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

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

Chair Venuti introduced the item by reading of the title. He stated that the Commission discussed this during the worksession and that he did not believe there was a need for further discussion.

City Planner Abboud noted that the Commission provided directions to staff.

NEW BUSINESS

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

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



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 PL 20-09

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: January 15, 2020
SUBJECT: Medical District Planning

Introduction

At the January 2nd work session, the Commission discussed several points. The objectives of this staff report are as follows:

1. Make motions on recommendations the Commission has discussed: storm water and traffic
2. Review the draft purpose statement for the new district. We will continue to build on this language. Let staff know if there are any big items that catch your attention.
3. Review the new maps, attached
4. Review some proposed land uses and discuss
5. Next steps for 2/5 meeting: work session presentation from South Peninsula Hospital. Finalize draft district boundary and uses, in preparation for neighborhood meeting/work session on 2/15 (tentative)

1. Storm Water and Traffic

Staff Recommendation:

- A. Move to recommend the City fund a city wide storm water plan, to include particular attention to who infill development might affect stormwater infrastructure planning
- B. Move to recommend the City update the Transportation Plan in the next three years, with attention to how increased density in this area will affect neighborhood access patterns, traffic, and emergency service access to the emergency room.

2. Draft Medical District Purpose Language

Staff Recommendation: Review the draft purpose statement for the new district. We will continue to build on this language. Let staff know if there are any big items that catch your attention. **LAST MINUTE EDIT: there will be an updated purposes statement and memo provided at the meeting.**

The purpose of the medical district is to encourage infill development and clustering of medical services near the central area of the city. The district is primarily intended for certain specified businesses and offices, which may include professional, medical, administrative and personal services, associated support uses such as parking lots, medium-density residential uses, and an overall mixture of uses that provides for greater limited commercial uses than allowed in the Residential Office District.

3. **New Maps**

Requested Action: Discuss new proposed boundary. When the Commission is ready, move to accept the proposed boundary, OR provide a new boundary. We can talk about boundaries at one more meeting if you need additional information or more time to reach consensus.

Things to keep in mind:

1. The lots between Fairview and the Central Business District are deep. Many lots with single family homes could either be completely redeveloped, subdivided or infilled. This is not true of the smaller lots north of Fairview.
2. Woodard Creek is a natural barrier to the west. Its shrubby and woody and creates a visual change between the mixed use land uses of Bartlett and the more restrictive urban residential (generally single family homes) to the west.

4. **Land uses – for discussion!**

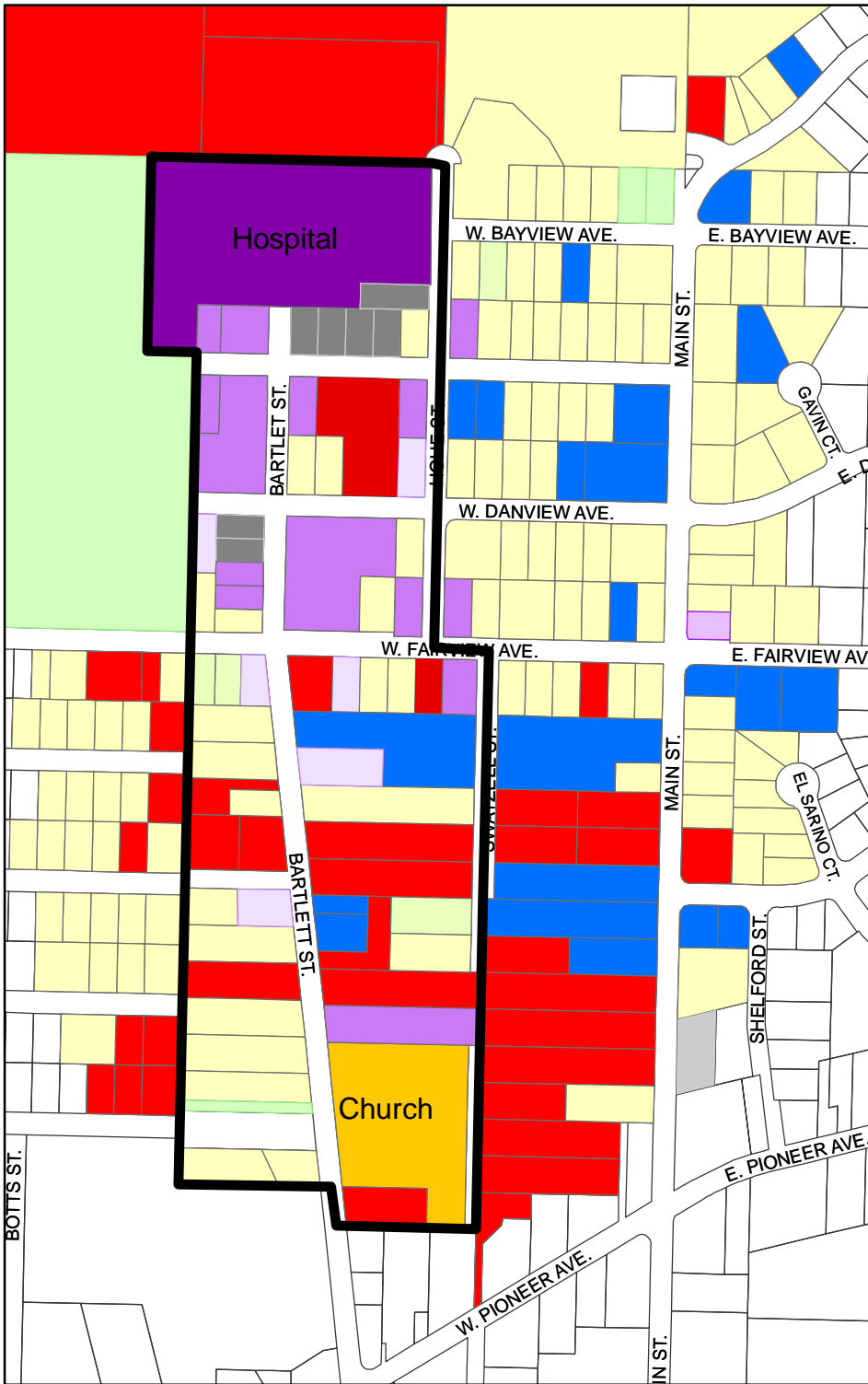
The land permitted and conditional uses of the Residential Office District would remain except Clinics would be a permitted use.

Discussion: Should the following uses be allowed the outright?

- Group care homes
- Day Care facilities
- Homeless shelter
- Mobile food (food truck, coffee kiosk)
- Some type of limited retail such as medical supply or pharmacy, eye glasses, supplements? Possibly limited in size?
- Any other ideas?

Attachments

Revised Medical Area Map 1/15/2020



Legend

Proposed District 1/15/2020

Land Uses

- Hospital
- Apartments
- Clinic
- Office
- Mixed Use
- Parking
- House
- Residential Accessory
- Park
- Vacant

City of Homer
 Planning and Zoning Department
 1/10/2020

General Land Use Map

0 150 300 Feet

148

*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.*

Vice Chair Smith closed the public hearing seeing no additional members of the audience coming forward to provide testimony and opened the floor to rebuttal from the City Planner and the Applicant.

City Planner Abboud provided input in regards to the comment on deviating from Homer City Code regarding Townhouses was outlined in Chapter 21.53.010 Standards for Townhouses. This addressed the square footage required. He commented on the single family housing versus multi or duplex housing.

Vice Chair Smith opened the floor to questions from the Commission.

City Planner Abboud responded to questions on following:

- Zero lot lines and how this process was done
- It addresses and follows all requirements of City Code regarding setbacks
- Utilities and easements
- Lot size requirement of 7500 sf does not apply since this is for a townhouse development, that specific lot size was developed for the district.

Commissioner Bos commented that was directed for the applicant that he did not think that the depth shown on the drawings provided of twenty feet was deep enough.

Vice Chair Smith requested a motion hearing no further questions from the Commission.

HIGHLAND DAVIS MOVED TO ADOPT STAFF REPORT 20-08 AND APPROVE CUP 20-03 FOR A TOWNHOUSE DEVELOPMENT AT 436 & 450 SOUNDVIEW AVENUE WITH FINDINGS 1-10 AD CONDITION 1.

There was a brief comment on the positive effects of the development for the area.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Venuti and Commissioner Petska-Rubalcava returned to the table.

Vice Chair Smith turned the meeting back to Chair Venuti.

PLAT CONSIDERATION

PENDING BUSINESS

- A. Staff Report 20-09, Medical Zoning District

Chair Venuti introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 20-09 and the objectives requested by staff for the Commission to address.

The Commission agreed by consensus to address item by item rather than the whole to limit the back and forth.

Item 1 Storm Water and Traffic

Commissioner Bos commented on information provided at a previous meeting from Public Works Director Meyer regarding the status of the existing storm water system, providing clarification that the impacts of drainage ditches being filled with debris of natural and manmade items was impacting the ability of the system and he felt that they should review that issue first.

City Planner Abboud provided clarification that the request was for the proposed medical district but that there was value in making the request for funding for a city wide storm water plan. He further explained that he views the system as a whole start to finish and would like to stop performing ad hoc planning.

Item 2 Draft Medical District Purpose Language

Chair Venuti requested a brief recess at 7:25 p.m. to allow the Commission to read the memorandum from planning staff containing a purpose statement recommendation from Commissioner Smith that was provided as a laydown. The meeting was called back to order at 7:28 p.m.

There was a brief discussion on the wordiness of the suggested purpose statement and the definitions to differentiate between a blue collar and white collar office for the general layperson and that the purpose statement could use further editing by staff.

The Commission discussed and questioned the following items with regard to the creation of the medical district:

- Differences from the Central Business District and Residential Office District regarding Professional Office terminology
- Allowing parking lots as an approved use without Conditional Use Permits, and exceptions for specific entities
- Creation and instituting design standards for the medical district

Chair Venuti requested a motion in regards to the request from Staff in the memorandum for item one.

DAVIS/HIGHLAND MOVE TO RECOMMEND CITY COUNCIL APPROPRIATE FUNDING TO CREATE A STORM WATER MASTER PLAN TO INCLUDE ATTENTION TO HOW INFILL DEVELOPMENT WILL AFFECT STORMWATER INFRASTRUCTURE PLANNING.

Discussion ensued on city wide versus district specific; clarification that the Commission is asking for a city wide storm water plan that deals with storm water from start to finish; management of storm water with green infrastructure planning, defining the limits of impervious surfaces, inclusion of verbiage that addresses green infrastructure in the storm water plan; getting away from parcel by parcel approach.

Commissioner Davis noted for the record that the motion did not request a “city wide” plan, that it was probably a typo and questioned the need to amend the motion.

Chair Venuti gavelled to suspend the rules to allow Mayor Castner to participate in the discussion.

Mayor Castner noting for the record that he was going to speak as a member of the commission, commented that it has to be a city wide plan, there are choke points to handling the water and currently the plan is to put it in a ditch and see where it goes. He then stated that the intent is to find the choke points, open them up, put pipes in the ground, sidewalks over the pipes and it will be funded by HART money.

City Planner Abboud added that the Commission has previously asked for this they are just redoubling their request.

Commissioner Highland requested clarification on the Mayor’s standing as member of the Commission.

Mayor Castner responded that in accordance with city code he is a member of a commission.

City Planner Abboud responded that Mayor Castner’s membership was as a consulting non-voting member similar to his or Public Works Director Meyer’s position.

Deputy City Clerk Krause called for a point of order going back to Commissioner Davis query that the motion can be amended to add that missing language it was overlooked.

Commissioner Highland requested permission to comment first citing previously that the Commission has gone from working on the medical district planning to requesting funding for a city wide storm water plan, they have asked for this for years but questioned if that will slow them down on the creation of the medical district.

Discussion ensued by the Commission with input from City Planner Abboud on creating commercial standards versus storm water planning and slowing down the progression of

creating the district by addressing the request for funding a city wide storm water plan. It was stated that the Residential Office district did not have requirements to have a retention pond to address storm water and if it's converted to office there is still no requirement to address storm water; and creation of the medical district is not contingent on the city wide storm water plan. Further comments were made on addressing infill in the request.

Commissioner Davis inquired if he could amend his motion on the floor.

DAVIS/SMITH MOVED TO AMEND THE MOTION TO INCLUDE THE WORDS, CITY WIDE, BEFORE THE WORDS STORMWATER.

There was no discussion.

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

Motion carried.

There was no further discussion.

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

Motion carried.

Chair Venuti then stated for the record the next request from Staff was a recommendation to Council to update the Transportation Plan.

City Planner Abboud provided input that this issue is more outside zoning code and deals with traffic controls, sides of streets that the city would like sidewalks on, streets that need improvements, traffic calming measures. This would deal with transportation solutions and make binding recommendations on transportation.

City Planner Abboud responded that it would be staying within the city so did not need to be city specific in response to a question on amending the suggested motion to include the language, "City of Homer", before the words, "Transportation Plan".

BOS/HIGHLAND MOVED TO RECOMMEND CITY COUNCIL UPDATE THE TRANSPORTATION PLAN BY 2023 INCLUDING HOW THE INCREASED DENSITY WILL AFFECT NEIGHBORHOOD ACCESS PATTERNS, TRAFFIC AND EMERGENCY SERVICE ACCESS TO SOUTH PENINSULA HOSPITAL.

Discussion ensued on the transportation plan being the responsibility of the Commission with approval by Council and submitting the recommendation that Council update the plan or should the motion state the Commission update the plan and planning staff recommends the plan be updated within the next three years.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Item 3 New Maps

Chair Venuti reviewed the next request from planning staff to review the proposed medical district boundary map.

City Planner Abboud referencing a large map depicting the proposed medical district boundary noted that this was presented as the cleanest and if the Commission had any input. He noted that if parcels outside the boundaries wanted to have medical and they kept the RO then they would need to get a CUP.

Discussion ensued on the vacant parcels that were south of Fairview Avenue and east of Swatzell over to Main Street would be appropriate to include in the proposed medical district.

City Planner Abboud was hesitant in increasing the boundaries and encouraged waiting to see if there was a demand in that area.

The Commission expressed the preference to increase the boundaries to include the areas over to Main Street and present that to the public then if the public did not agree it could be reduced.

SMITH/BOS MOVED TO AMEND THE PROPOSED MEDICAL DISTRICT EASTERN BOUNDARY LINE EAST ALONG FAIRVIEW AVENUE TO MAIN STREET SOUTH TO THE CENTRAL BUSINESS DISTRICT BORDER.

There was a brief discussion on the title of the proposed district and input received from the Clerk on the verbiage in the motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Item 4 Land Uses

Chair Venuti then reviewed the item from the memorandum.

City Planner Abboud reviewed the following uses that should be permitted outright for consideration and input from the Commission.

Commissioners commented on the following:

- Homeless Shelter has no medical basis and should require a Conditional Use Permit.
- There was some question on permitting Group Care homes and the recent experience with Set Free as an example and that this use has pros and cons as to the appropriateness of placement in or out of a medical district
- Café being a permitted use as it was in the purpose statement
- The term clinic covers uses such as therapy or pregnancy center
- Yoga Center included in the term clinic
- Size limitations for the district

City Planner Abboud inquired if the Commission would like to consider design criteria such as green spaces or open space in the district and buffering.

Commissioners then discussed their preference on including open space or green space from the road way and parking lots and those inherent maintenance requirements thereof; preservation of natural vegetation, if possible and require leaving a percentage of existing trees and vegetation on parcels.

It was suggested to add a worksession to the Commission worklist for discussion on reducing removal of existing vegetation and or clear cutting for development.

NEW BUSINESS

- A. Staff Report 20-06, Amending the Homer Planning Commission Policies & Procedures Manual to form specific procedures for deliberations of quasi-judicial actions

Chair Venuti introduced the item by reading the title into the record and invited City Planner Abboud to provide his report for the Commission.

City Planner Abboud noted the updates to the Procedures and Policies Manual and that a motion is requested.

HIGHLAND/SMITH MOVED TO FORWARD STAFF REPORT 20-06 WITH UPDATED PROCEDURE AND POLICY MANUAL FOR THE AGENDA AT THE NEXT REGULAR MEETING A PENDING BUSINESS ITEM.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS



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

City of Homer Agenda

**Planning Commission Worksession
Wednesday, February 05, 2020 at 5:30 PM
City Hall Cowles Council Chambers**

CALL TO ORDER, 5:30 P.M.

AGENDA APPROVAL

DISCUSSION TOPIC(S)

- A South Peninsula Hospital - Future Planning with guest speaker Derotha Ferraro,
Director of Public Relations & Marketing

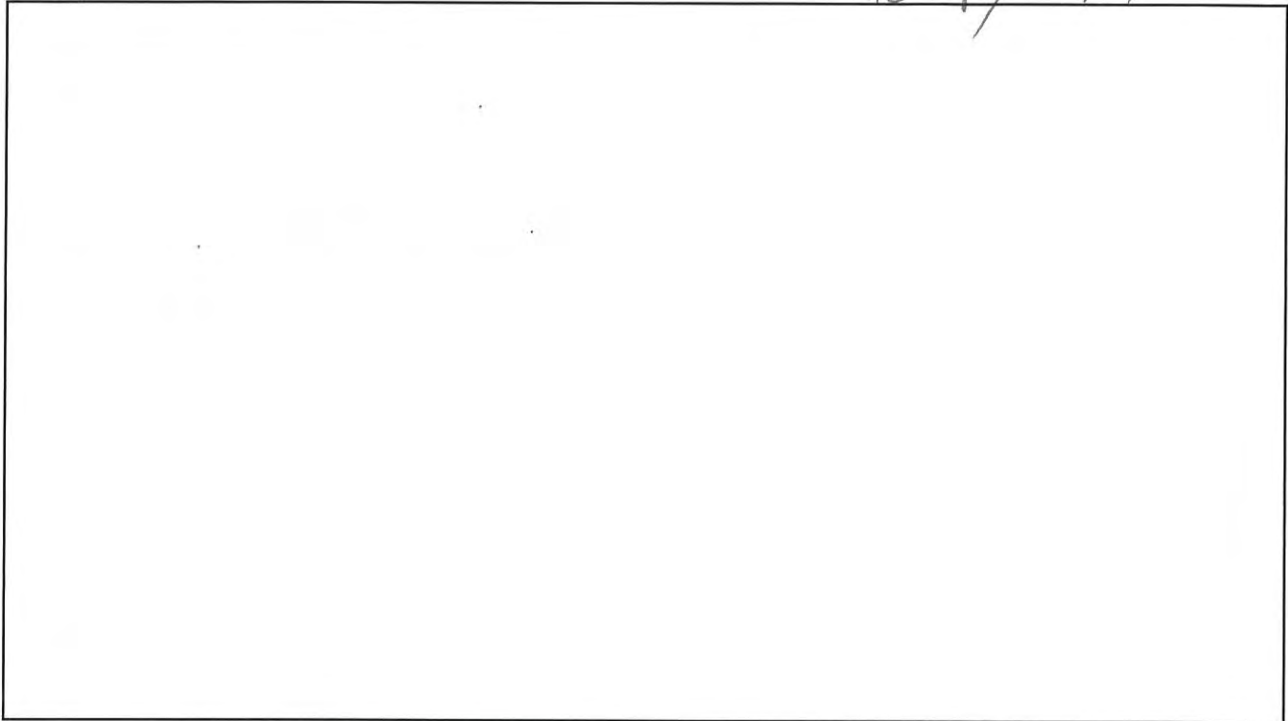
- B Discussion of regular meeting agenda items

COMMENTS OF THE AUDIENCE (3 minute time limit)

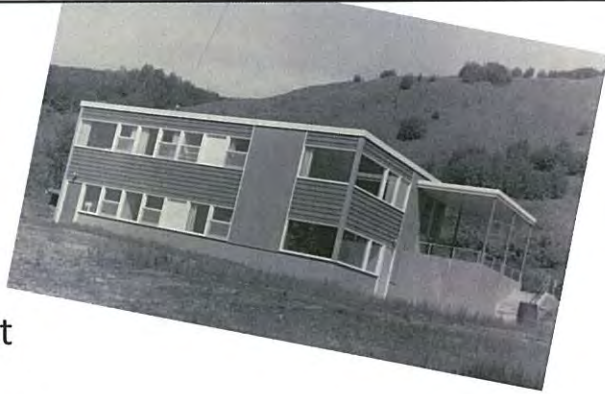
ADJOURNMENT, 6:20 PM.

The next worksession is scheduled for Wednesday, February 19 at 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.

file copy 2/5/20 WSP

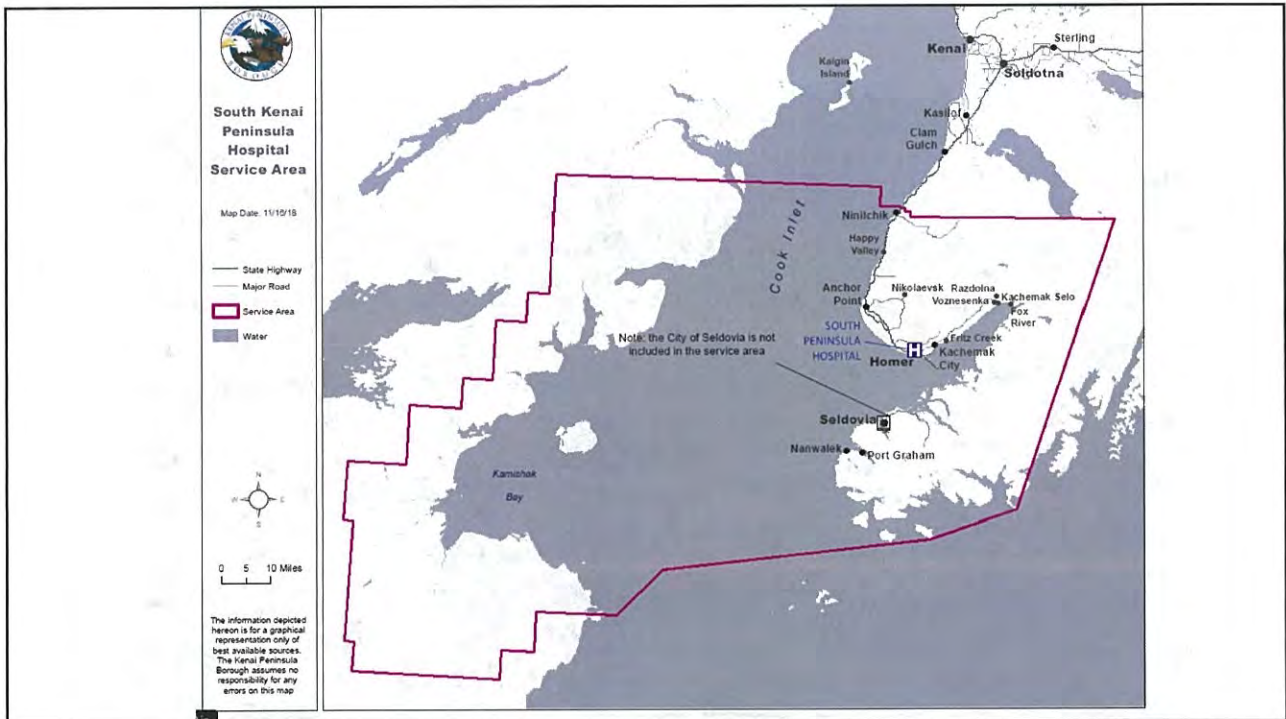


And so it began . . .



- 1956-64 Public Utility District
- 1964-1970 City of Homer
- 1969-70 Service Area Formed;
City leased land to KPB
Sublease and operating agreement

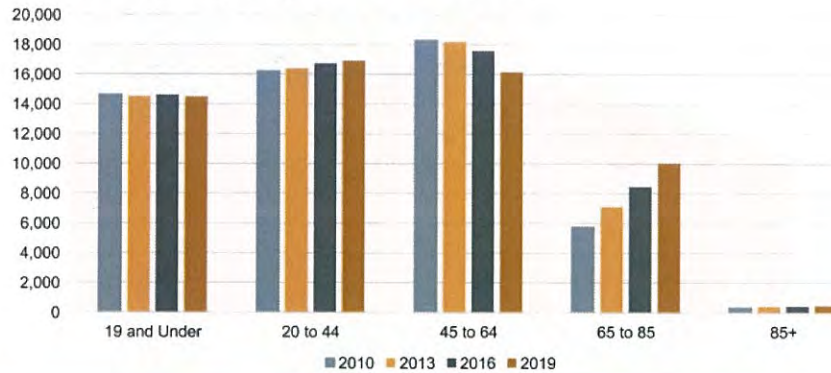
SPH is YOUR publically owned and operated community hospital



14,805 live in the service area

Community	Population	Pop %
Anchor Point	2,050	14%
Diamond Ridge	1,279	9%
Fox River CDP	678	5%
Fritz Creek	2,152	15%
Halibut Cove	83	1%
Happy Valley	608	4%
Homer	5,427	37%
Kachemak City	509	3%
Nanwalek	290	2%
Nikolaevsk	303	2%
Ninilchik	847	6%
Port Graham	179	1%
Seldovia City	219	1%
Seldovia Village CDP	181	1%
No Response		
Total	14,805	

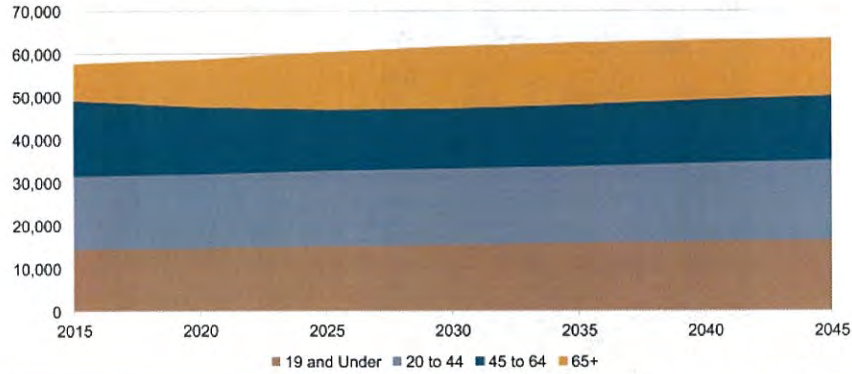
Kenai Peninsula Borough Population by Age, 2010-2019



Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	% Change 2010-2019
19 and Under	14,619	14,678	14,380	14,511	14,587	14,527	14,617	14,620	14,559	14,486	-0.9%
20 to 44	16,211	16,491	16,474	16,405	16,746	16,946	16,719	16,742	16,823	16,924	4.4%
45 to 64	18,294	18,604	18,443	18,183	17,899	17,611	17,557	17,144	16,687	16,151	-11.7%
65 to 85	5,743	6,130	6,677	7,100	7,488	7,890	8,439	8,892	9,472	10,026	74.6%
85+	330	370	383	411	405	428	422	421	450	462	40.0%

Source: Alaska Department of Labor and Workforce Development, 2019 Population Estimates.

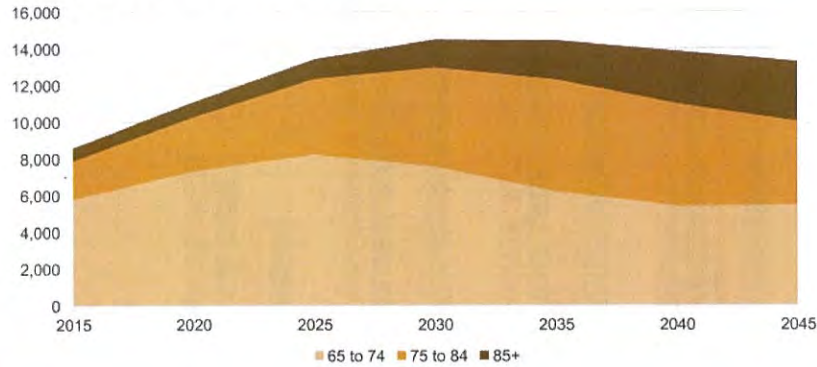
Kenai Peninsula Borough Population Projections by Age Group



Year	2015	2020	2025	2030	2035	2040	2045	% Change 2020-2030	% Change 2020-2045
19 and Under	14,527	14,802	15,223	15,521	15,990	16,361	16,653	5%	13%
20 to 44	16,946	17,128	17,569	17,727	17,763	18,145	18,515	3%	8%
45 to 64	17,611	15,680	14,210	13,978	14,416	14,801	15,033	-11%	-4%
65+	8,582	11,086	13,410	14,476	14,427	13,840	13,271	31%	20%
Total	57,666	58,696	60,412	61,702	62,586	63,147	63,472	5%	8%

Source: Alaska Department of Labor and Workforce Development, 2015-2045 Population Projections.

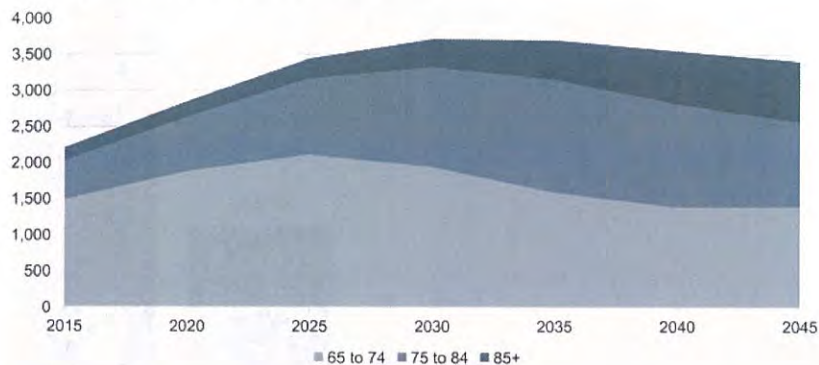
Kenai Peninsula Borough Projected Population 65+



Year	2015	2020	2025	2030	2035	2040	2045	% Change 2020-2030	% Change 2020-2045
65 to 74	5,803	7,333	8,236	7,576	6,215	5,414	5,451	3%	-26%
75 to 84	2,087	2,948	4,128	5,405	6,098	5,587	4,565	83%	55%
85+	692	805	1,046	1,495	2,114	2,839	3,255	86%	304%
Total	8,582	11,086	13,410	14,476	14,427	13,840	13,271	31%	20%

Source: Alaska Department of Labor and Workforce Development, 2015-2045 Population Projections.

Estimated Service Area Population Projected Population 65+



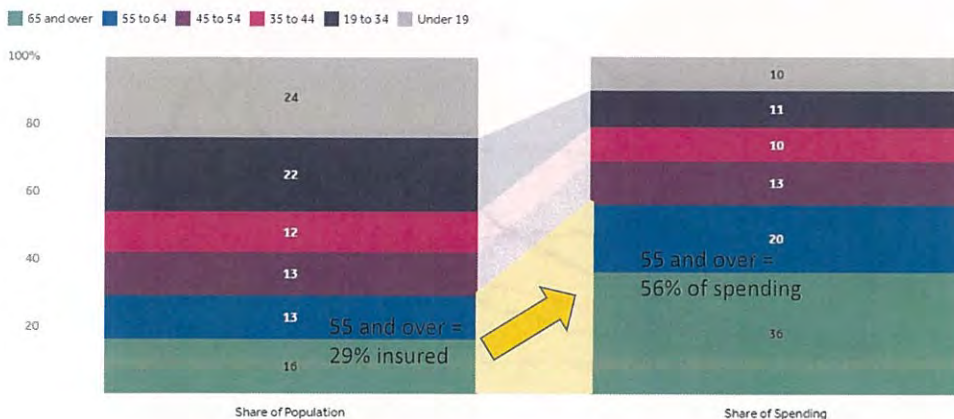
Year	2015	2020	2025	2030	2035	2040	2045	% Change 2020-2030	% Change 2020-2045
65 to 74	1,488	1,881	2,112	1,943	1,594	1,388	1,398	3%	-26%
75 to 84	535	756	1,059	1,386	1,564	1,433	1,171	83%	55%
85+	177	206	268	383	542	728	835	86%	304%
Total	2,201	2,843	3,439	3,713	3,700	3,549	3,404	31%	20%

Source: Estimates based on Alaska Department of Labor and Workforce Development, 2015-2045 Population Projections.

Aging demographics = increased reliance on health care

People age 55 and over account for over half of total health spending

Share of total health spending by age group, 2016

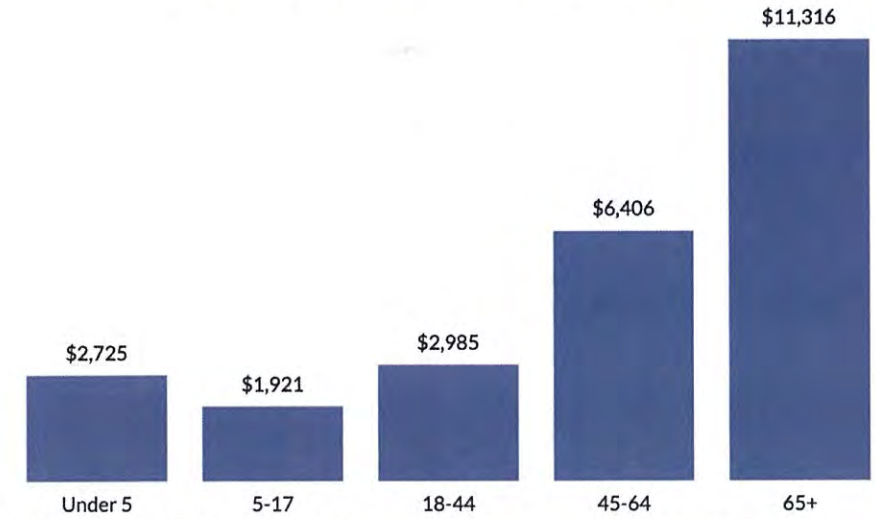


Source: Kaiser Family Foundation analysis of Medical Expenditure Panel Survey • Get the data • PNG

Peterson-KFF
Health System Tracker

Average Health Spending by Age in the United States

Spending per year based on age group (2016)

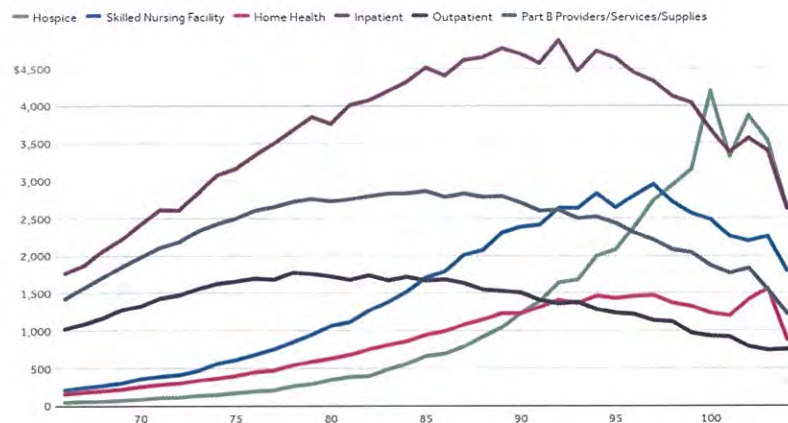


Data Source: US Department of Health & Human Services MEPS data



Medicare spending for inpatient care peaks at age 92, while hospice peaks at age 100

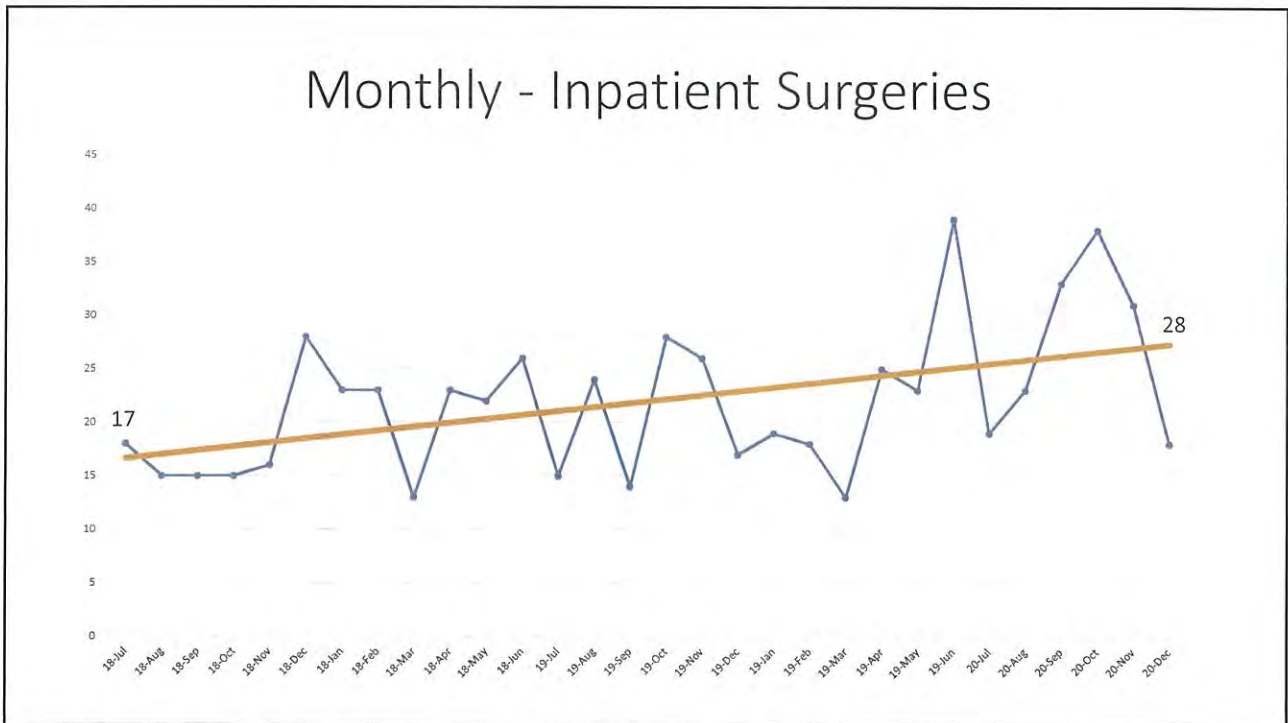
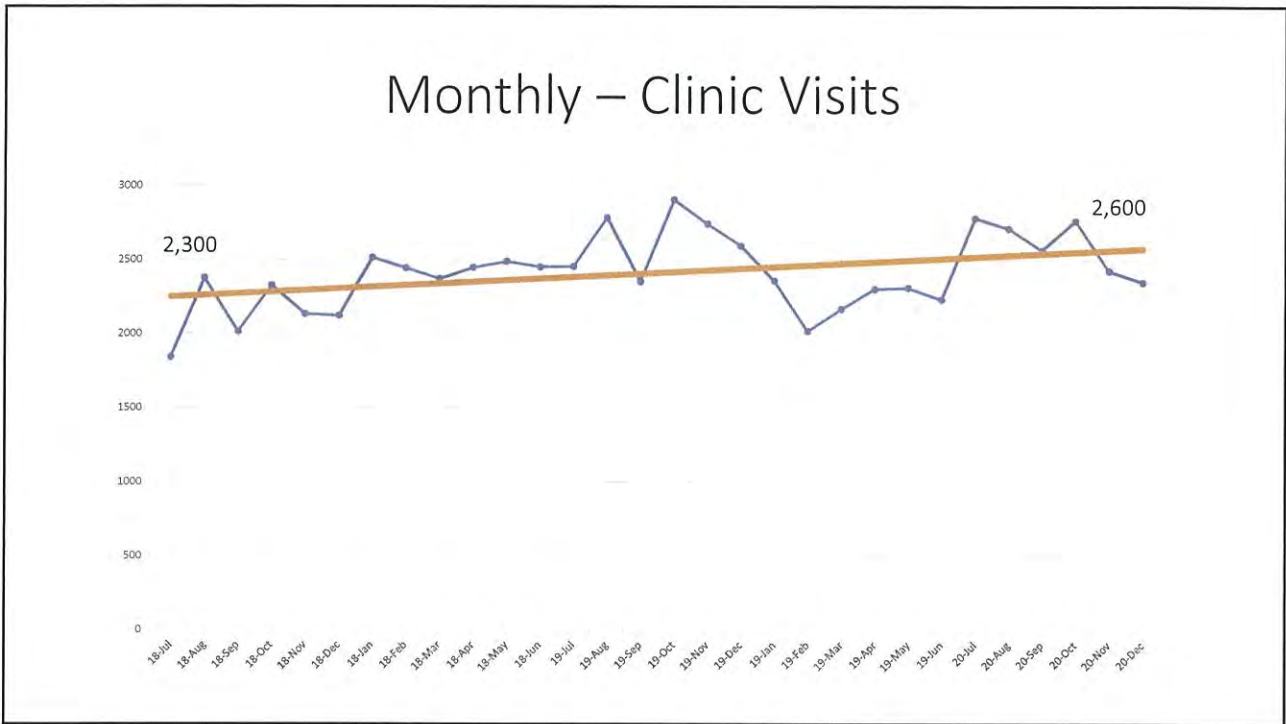
Peaks in Medicare per capita spending by type of service for traditional Medicare beneficiaries over age 65, 2014

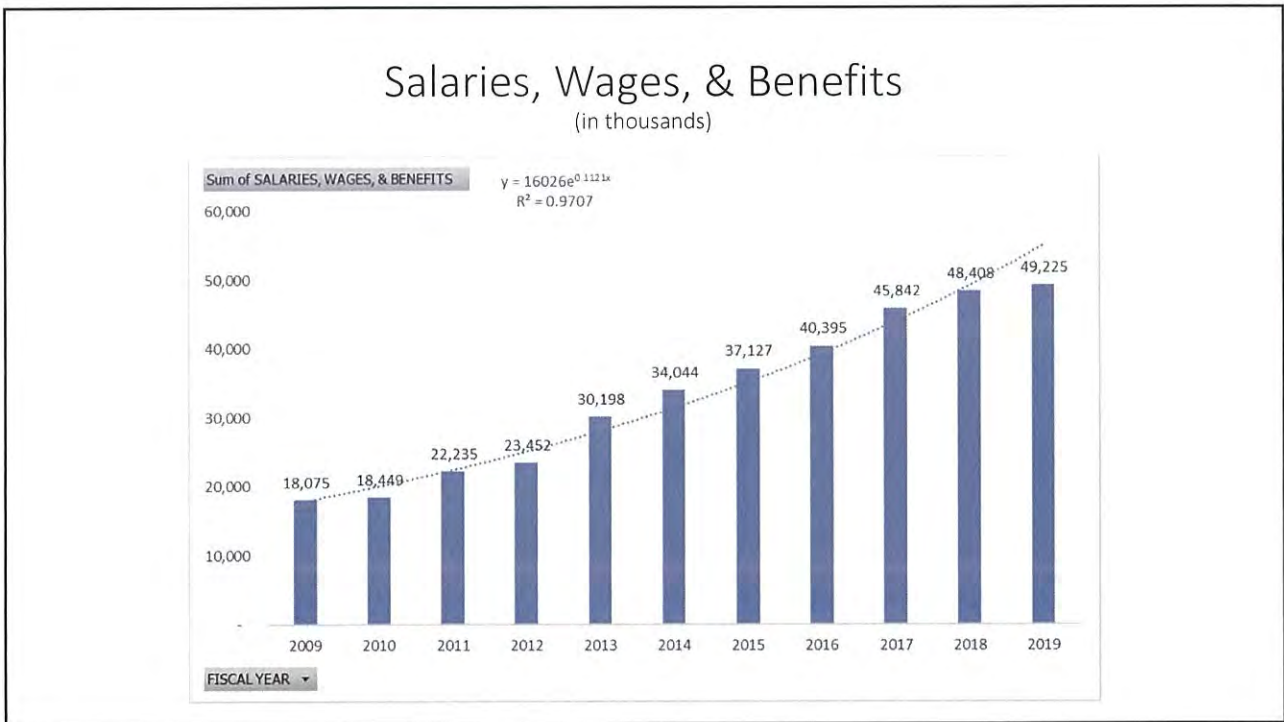
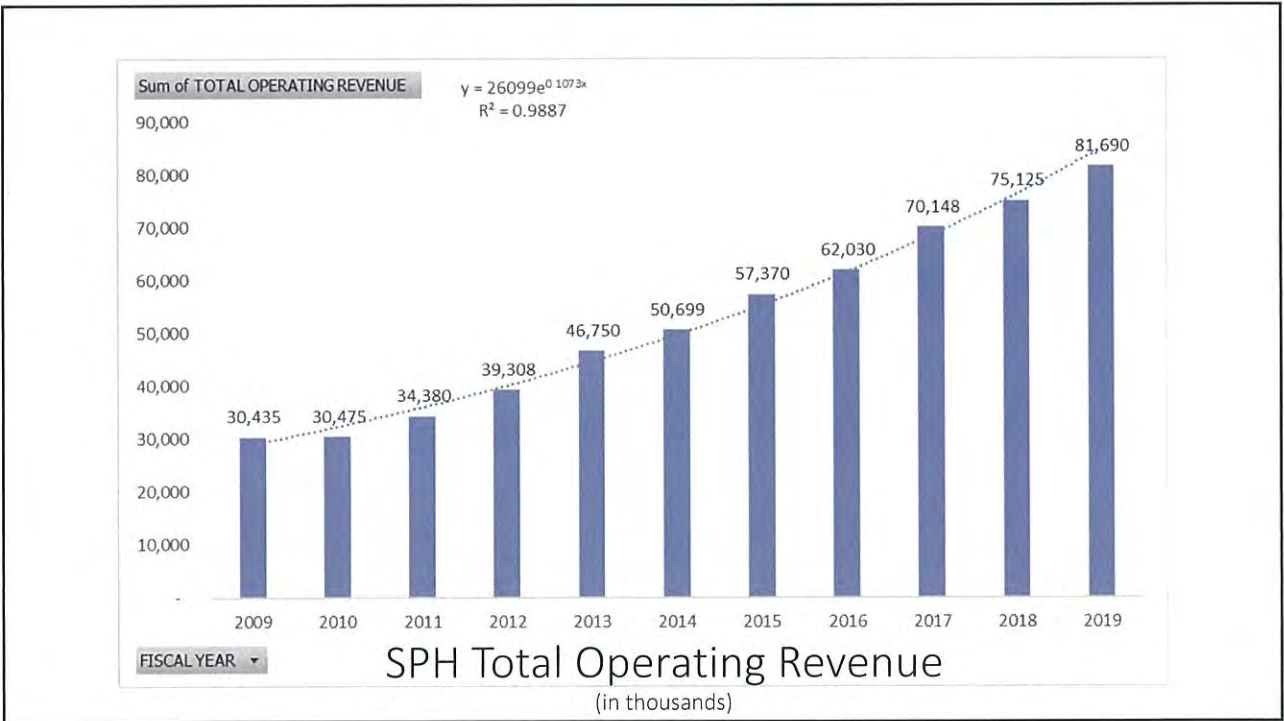


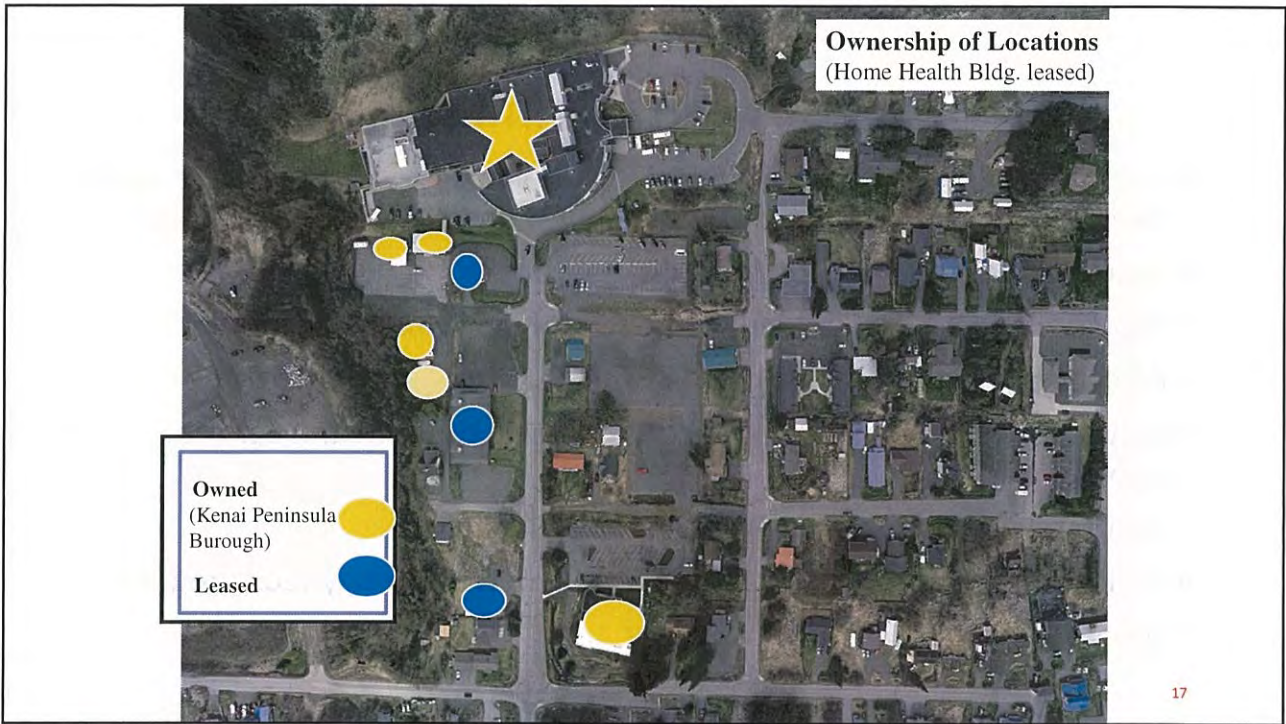
Analysis excludes beneficiaries with Medicare Advantage. *Analysis excludes people age 65 because a full calendar year of Medicare spending data is not available for everyone at this age.

Source: Kaiser Family Foundation analysis of a 5 percent sample of Medicare claims from the Chronic Conditions Data Warehouse, 2014.
 • Get the data • PNG

Peterson KFF
Health System Tracker







Air and Land Ambulances

Emergency Dept visits by ambulance – One month: 50-75

Helicopter/fixed wing Medevacs – One month: 12 E.R.; 17 in Acute Care



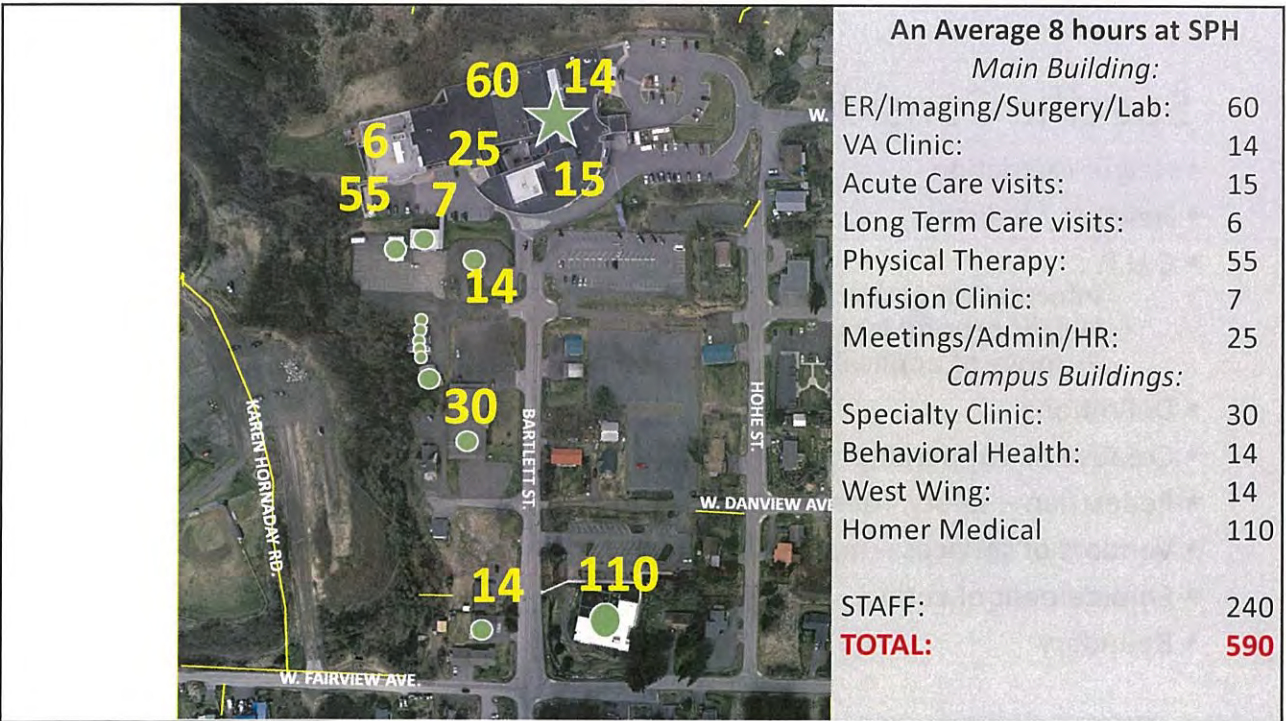
Value to the Community

- Quality of Life – Provides the care residents need to allow them to age in their hometown, keeping people in Homer and on southern peninsula
- Economic Engine – Local purchases, payroll
- 465 employees – home ownership, school enrollment
- Relocation – attraction for new investment
- Serves as an anchor for an industry – attracts other health service providers
- Brings talent to the community – spouses, family
- Enriches college (CAN, RN, Allied Health) new radiology tech program
- Greatest assets in the City of Homer

Future?

- Fully utilize 4201 Bartlett
- Master facility plan
- Respond to the needs of the aging community
- Parking





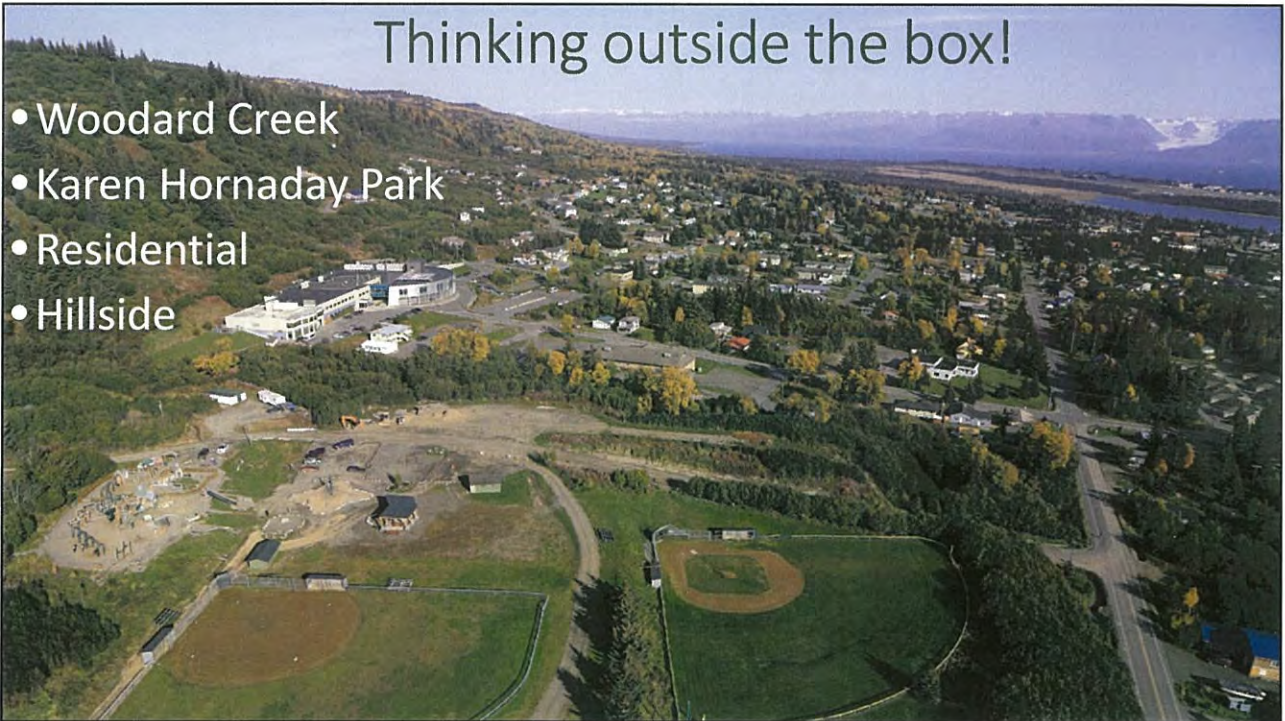
Medical District or Health Care District

- Purpose – Vision

The Medical Overlay District of the Residential Office District is primarily intended to recognize health care and wellness as a growing sector in Homer's economy and to strengthen Homer's local health care opportunities. A primary purpose of the overlay district is to provide for clustering of allied programs and businesses which will create economic synergy with the Kenai Peninsula Borough's publicly owned hospital. The overlay district provides a zone to concentrate economic activity while preserving and enhancing the residential quality of the underlying Residential Office District.

Specific Considerations:

- Height restriction
- Heliport / helistop
- C.U.P. :
 - Information gathering
 - Neighborhood input on district-level goals (lighting, traffic, etc)
 - Purpose of application – rework to be useful
- Definitions
- Creative about parking
- Pedestrian – safety, friendly, walkable, pocket parks
- Vendors of services – mobile vendors?
- Enforcement of code
- Boundary





City of Homer

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Planning

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(f) 907-235-3118

Staff Report PL 20-13

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: February 5, 2020
SUBJECT: Medical District

Introduction

At the last meeting, the Commission provided direction on proposed district boundaries and land uses. A new district map and first draft of the district are attached to this report.

Staff is working diligently to try to have a neighborhood meeting at the next planning commission work session on February 19th. To accomplish this timeframe, staff needs a few things from the Commission during this meeting (5th). At minimum to be prepared for neighborhood meeting, staff would like consensus from the Commission on the draft ordinance text and the boundaries.

Next topics: Residential screening, parking lot standards, landscaping, and building height. We may not get all the way through these topics at this meeting but some further direction for staff would be appreciated.

Discussion

Map – Please look at the draft map. Are we ready to ask the neighborhood what they think about the boundaries?

Draft District Please see the attached district language. Please make any amendments by motion. Are we ready to ask the neighborhood for feedback on this document?

Landscaping and parking lots

Please see line 105 of the draft zoning district attachment. This section sets the development requirements, topics such as landscaping, drainage, storm water plans etc – see also 21.50.020 and 21.50.030 (attached). Staff is looking for flexibility on landscaping in parking lots specifically. Under current code, parking spaces with 24 or more spaces must have a 10 foot landscaped buffer adjacent to rights of way. Staff supports this pattern of development, but in

an already developed site, it may be difficult to accommodate this specific metric. If a proposed development can't fit this buffer on a lot, or an existing parking area can't accommodate a 10 foot buffer, then additional lands must be purchased and turned into a parking lot. Staff thinks redevelopment in this area will be more successful if there is design flexibility on where the parking lot landscaping can be. Flexibility on the 10 foot buffer does not negate the requirement for a three foot landscaped buffer, where setbacks permit, HCC 21.50.030(f)(1)(a), nor does it eliminate the requirement that 10% of the parking area be landscaped. The draft code would simply allow more flexibility to accommodate the required landscaping. Please discuss minimum parking lot buffers and provide direction on any changes.

Residential Screening

Please see line 111 of the draft district. This section would require new nonresidential construction to screen parking lots and loading areas from adjacent, existing single family or duplex dwellings. Screening could be accomplished by a fence or landscaping. Please discuss and provide direction on any changes.

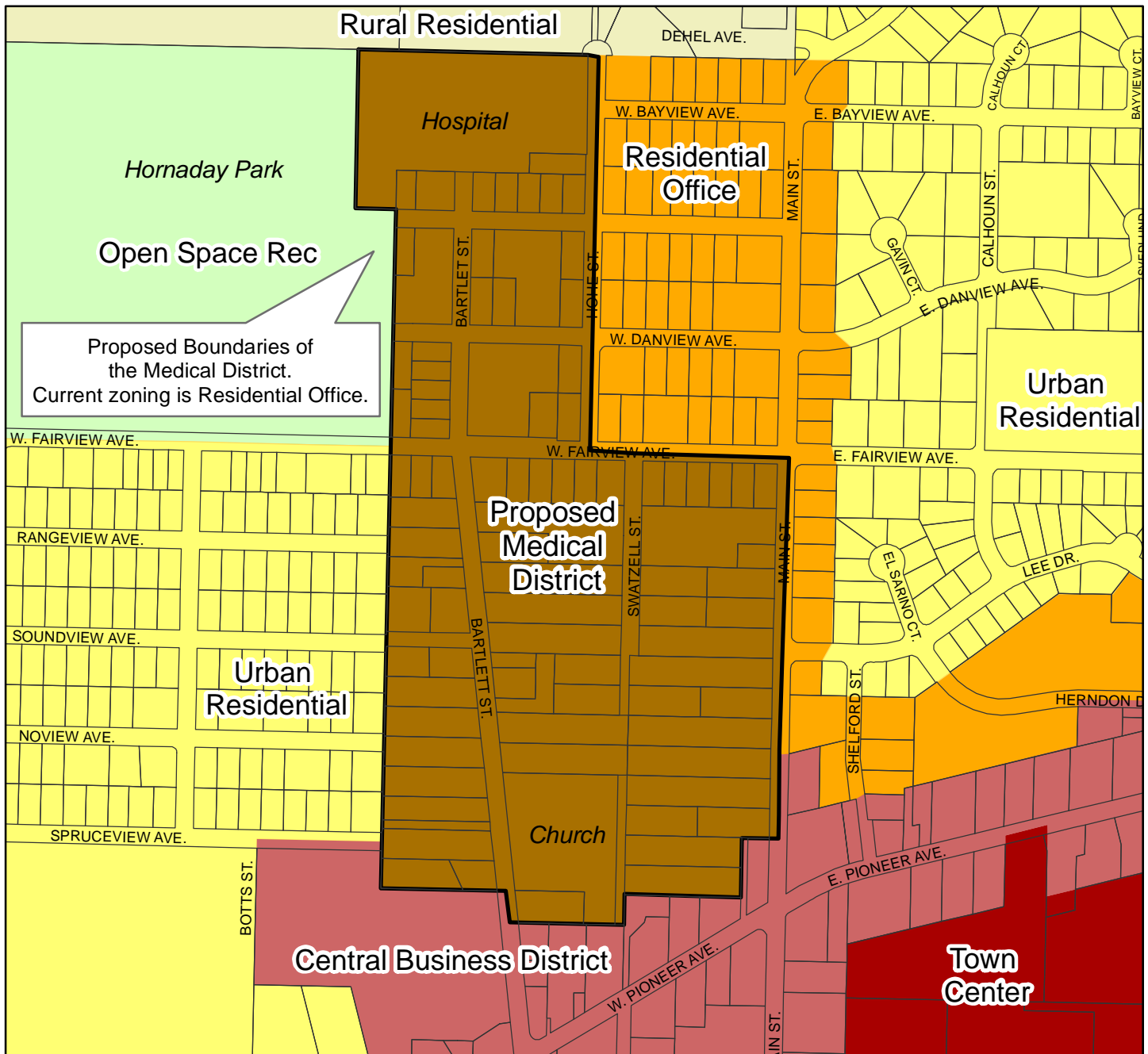
Building Height

Staff met with South Peninsula Hospital Administration to get a better idea of what the long term plans are. The current building height limitation of 35 feet was raised as a potential issue for future development. With the Commissions recent work in the East End Mixed Use district and increased building height allowance, this is a topic that deserves consideration from the Commission. Building height over 35 feet has been included as a conditional use in the draft district.

Attachments

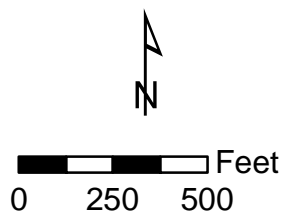
1. Draft Area Map
2. Draft Zoning District Text
3. 21.50.030 Site Development Requirements

Proposed Medical District Boundaries and Current Zoning



Legend

- Current Zones**
- Central Business District
 - Town Center
 - Rural Residential
 - Urban Residential
 - Residential Office
 - Open Space Rec
 - Medical District Draft Boundary



City of Homer
Planning and Zoning Department

1/29/2020

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.

1 **Chapter 21.XX**

2 **M MEDICAL DISTRICT**

3 Sections:

- 4 21.XX.010 Purpose.
- 5 21.XX.020 Permitted uses and structures.
- 6 21.XX.030 Conditional uses and structures.
- 7 21.XX.040 Dimensional requirements.
- 8 21.XX.050 Site and access.
- 9 21.XX.060 Traffic requirements.
- 10 21.XX.070 Site development standards.
- 11 21.XX.080 Nuisance standards.
- 12 21.XX.090 Lighting standards.

13 **21.XX.010 Purpose.**

14 The purpose of the medical district is to provide an area near the hospital to support allied
15 industries and other professional office and limited commercial uses. The district is meant to
16 accommodate a mixture of residential and nonresidential uses with conflicts being resolved in
17 favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

18 **21.XX.020 Permitted uses and structures.**

19 The following uses are permitted outright in the Medical District:

- 20 a. Single-family and duplex dwelling, excluding mobile homes;
- 21 b. (reserved)
- 22 c. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
23 excluding mobile homes;
- 24 d. Public parks and playgrounds;
- 25 e. Rooming house, bed and breakfast and hostel;
- 26 f. Townhouses; (compliant w 21.53.010 (g) and (h))
- 27 g. Home occupations; provided they conform to the requirements of HCC 21.51.010;
- 28 h. Professional offices and general business offices;
- 29 i Medical clinics
- 30 j. Day care facilities
- 31 k. Day care homes

- 32 I. Personal services;
- 33 m. Museums, libraries and similar institutions;
- 34 n. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 35 o. Religious, cultural and fraternal assembly;
- 36 p. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner and
37 separated by at least five feet from any property line as an accessory use incidental to a
38 permitted or conditionally permitted principal use;
- 39 q. Private exterior storage of the occupant's personal noncommercial equipment, including
40 noncommercial trucks, boats, campers and not more than one recreational vehicle in a safe and
41 orderly manner and separated by at least five feet from any property line as an accessory use
42 incidental to a permitted or conditionally permitted principal use;
- 43 r. Other customary accessory uses to any of the permitted uses listed in the Residential Office
44 District; provided, that no separate permit shall be issued for the construction of any detached
45 accessory building prior to that of the main building;
- 46 s. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
47 manner consistent with the requirements of the Homer City Code and as long as such animals
48 are kept as pets and their numbers are such as not to unreasonably annoy or disturb occupants
49 of neighboring property;
- 50 t. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 51 u. As an accessory use, one small wind energy system per lot having a rated capacity not
52 exceeding 10 kilowatts;
- 53 v. Mobile food services
- 54 w. Retail as an accessory use to a permitted principle use
- 55 x. Sale of durable and non-durable medical supplies and equipment
- 56 y. More than one building containing a permitted principal use on a lot;
- 57 z. Parking lots
- 58 ~~x. Apartment units located in buildings primarily devoted to business or commercial uses;~~

59 **21.XX.030 Conditional uses and structures.**

60 The following uses may be permitted in the Residential Office District when authorized by
61 conditional use permit issued in accordance with Chapter 21.71 HCC:

- 62 a. Planned unit developments, excluding all industrial uses;
- 63 b. Public or private schools;

- 64 c. Hospitals;
- 65 d. Public utility facilities and structures;
- 66 e. Mortuaries;
- 67 f. Group care homes;
- 68 g. Helipads, but only as an accessory use incidental to a hospital conditional use;
- 69 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that
- 70 it is the only wind energy system of any capacity on the lot;
- 71 i. Other uses approved pursuant to HCC 21.04.020.
- 72 j. Shelter for the homeless
- 73 k. Building height over 35 feet

74 **21.XX.040 Dimensional requirements.**

75 The following dimensional requirements shall apply to all structures and uses in the Residential
76 Office District:

77 a. The minimum lot size is 7,500 square feet.

78 b. Building Setbacks.

79 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

80 2. All buildings shall be set back from all other lot boundary lines according to the number
81 of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet
2 1/2 stories	8 feet

82

83 c. The maximum building height shall be 35 feet.

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

87 **21.XX.050 Site and access.**

88 a. A zoning permit for any nonresidential use or structure shall not be issued by the City without
89 an approved site plan and an approved level two right-of-way access plan that conform to the
90 standards of Chapter 21.73 HCC.

91 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
92 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

93 **21.XX.060 Traffic requirements.**

94 A conditional use permit is required for every use that:

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

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

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

101 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of
102 service, the highway, road, street, alley or intersection.

103 **21.XX.070 Site development standards.**

104 a. All single-family and duplex residential development in the Residential Office District shall
105 comply with the level one site development standards contained in HCC 21.50.020.

106 b. All residential development of three units or more and all nonresidential on lands in this
107 district shall conform to the level two site development standards set forth in HCC 21.50.030
108 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2). Parking lots
109 with a minimum of 24 spaces or more shall provide a minimum of 10% landscaped area in
110 dividers, islands or buffers or any combination thereof, adjacent or within the parking area.

111 c. New non-residential construction shall be screened from existing single family or duplex
112 dwellings by a fence or landscaping so as to obscure the view of the parking lot and loading
113 areas from the adjacent dwelling.

114 **21.XX.080 Nuisance standards.**

115 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in this
116 zoning district.

117 **21.XX.090 Lighting standards.**

118 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
119 structures in this zoning district.

120

21.50.020 Site development standards – Level one.

This section establishes level one site development standards.

a. Slopes. All development on a site affected by a slope of 15 percent or more, bluff, coastal bluff or ravine, as described in HCC 21.44.020, shall be subject to the requirements of Chapter 21.44 HCC in addition to the requirements of this section.

b. Drainage. All development activity on lands shall conform to the following:

1. Development shall provide a drainage system that is designed to deposit all runoff into either an engineered drainage system or into a natural drainage.

2. Where open-ditch construction is used to handle drainage within the development, a minimum of 15 feet shall be provided between any structures and the top of the bank of the defined channel of the drainage ditch.

3. When a closed system is used to handle drainage within the development, all structures shall be a minimum of 10 feet from the closed system.

c. Landscaping Requirements. All development activity on lands shall conform to the following:

1. Development activities shall not adversely impact other properties by causing damaging alteration of surface water drainage, surface water ponding, slope failure, erosion, siltation, intentional or inadvertent fill or root damage to neighboring trees, or other damaging physical impacts. The property owner and developer shall take such steps, including installation of culverts or buffers, or other methods, as necessary to comply with this requirement.

2. Upon completion of earthwork, all exposed slopes and all cleared, filled, and disturbed soils shall be protected against subsequent erosion by methods such as, but not limited to, landscaping, maintenance of native vegetative cover, or plantings to minimize invasive species.

3. All exposed, cleared, filled and disturbed soils shall be revegetated within nine months following the initiation of earthwork, or reseeded by the next August 31st. Native revegetation is acceptable if the site naturally revegetates within that nine-month period. If native revegetation is not successful within that nine-month period, the property owner and developer shall revegetate by other means no later than the end of that nine-month period.

4. Drainage can be stabilized by other means than vegetation, if approved in writing by the City Engineer.

d. A stormwater plan approved under Chapter 21.75 HCC is required for development that:

1. Creates more than 25,000 square feet of new impervious surface area on a lot;

2. Increases the total impervious surface area of a lot beyond one acre;

3. Includes grading, excavation or filling that cumulatively moves 1,000 cubic yards or more of material; or

4. Includes grading, excavation or filling that creates a permanent slope of 3:1 or more, and that has a total height, measured vertically from toe of slope to top of slope, exceeding 10 feet. [Ord. 15-08(S)(A) § 1, 2015; Ord. 13-27 § 13, 2013; Ord. 10-56 § 3, 2011; Ord. 10-54 § 1, 2011; Ord. 08-29, 2008].

21.50.030 Site development standards – Level two.

This section establishes level two site development standards.

a. Site Development.

1. Development shall not adversely impact other properties by causing damaging alteration of surface water drainage, surface water ponding, slope failure, erosion, siltation, or root damage to neighboring trees, or other adverse effects.
2. Upon completion of earthwork, all exposed slopes and all cleared, filled, and disturbed soils shall be protected against subsequent erosion by methods such as, but not limited to, landscaping, planting, and maintenance of vegetative cover.
3. All exposed, cleared, filled and disturbed soils shall be revegetated within nine months following the initiation of earthwork.

b. Slopes. All development on a site affected by a slope of 15 percent or more, bluff, coastal bluff or ravine, as described in HCC 21.44.020, shall be subject to the requirements of Chapter 21.44 HCC in addition to the requirements of this section.

c. Drainage.

1. Development shall provide a drainage system, as approved by the City, that is designed to deposit all runoff into either an engineered drainage system or into a natural drainage.
2. Where open-ditch construction is used to handle drainage within the development, a minimum of 15 feet shall be provided between any structures and the top of the bank of the defined channel of the drainage ditch.
3. When a closed system is used to handle drainage within the development, all structures shall be a minimum of 10 feet horizontally from the closed system.
4. Drainage can be stabilized by methods other than vegetation, if approved in writing by the City Engineer.

d. A development activity plan (DAP) approved by the City under Chapter 21.74 HCC is required if the project includes:

1. Land clearing or grading of 10,000 square feet or greater surface area;
2. The cumulative addition of 5,000 square feet or greater of impervious surface area from pre-development conditions;
3. Grading involving the movement of 1,000 cubic yards or more of material;

4. Grading that will result in a temporary or permanent slope having a steepness of 3:1 or greater and having a total slope height, measured vertically from toe of slope to top of slope, exceeding five feet;
5. Grading that will result in the diversion of an existing drainage course, either natural or human-made, from its existing point of entry to or exit from the grading site; or
6. Any land clearing or grading on a slope steeper than 20 percent, or within 20 feet of any wetland, watercourse, or water body.

e. A stormwater plan (SWP) approved under Chapter 21.75 HCC is required if the project includes:

1. An impervious surface coverage that is greater than 60 percent of the lot area (existing and proposed development combined);
2. The cumulative addition of 25,000 square feet or greater of impervious surface area from the pre-development conditions;
3. Land grading of one acre or greater surface area;
4. Grading involving the movement of 10,000 cubic yards or more of material;
5. Grading that will result in a temporary or permanent slope having a steepness of 3:1 or greater and having a total slope height, measured vertically from toe of slope to top of slope, exceeding 10 feet; or
6. Any land clearing or grading on a slope steeper than 25 percent, or within 10 feet of any wetland, watercourse, or water body.

f. Landscaping Requirements. All development shall conform to the following landscaping requirements:

1. Landscaping shall include the retention of native vegetation to the maximum extent possible and shall include, but is not limited to, the following:

a. Buffers.

i. A buffer of three feet minimum width along all lot lines where setbacks permit; except where a single use is contiguous across common lot lines, such as, but not limited to, shared driveways and parking areas. Whenever such contiguous uses cease the required buffers shall be installed.

ii. A buffer of 15 feet minimum width from the top of the bank of any defined drainage channel or stream.

b. Parking Lots.

i. A minimum of 10 percent of the area of parking lots with 24 spaces or more shall be landscaped in islands, dividers, or a combination of the two;

ii. Parking lots with 24 spaces or more must have a minimum 10-foot landscaped buffer adjacent to road rights-of-way;

iii. Parking lots with only one single-loaded or one double-loaded aisle that have a 15-foot minimum landscaped buffer adjacent to road rights-of-way are exempt from the requirement of subsection (f)(1)(b)(i) of this section.

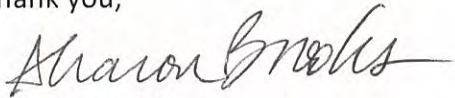
2. Topsoil addition, final grading, seeding, and all plantings of flora must be completed within nine months of substantial completion of the project, or within the first full growing season after substantial completion of the project, whichever comes first. Required landscaping will be maintained thereafter, with all shrubs, trees, and ground cover being replaced as needed. [Ord. 15-08(S)(A) § 2, 2015; Ord. 13-27 § 14, 2013; Ord. 10-56 § 4, 2011; Ord. 08-29, 2008].

February 5, 2020

To Homer's Planning Commission:

I am writing in support of creating an Eastern boundary of the proposed "medical district". I would like you to consider making Hohe St. that boundary, and the west side of Bartlett St. the western boundary. The areas to the East of Hohe St. are primarily residential and I would like to see the zoning modified to Urban Residential.

Thank you,



Sharon Brooks

Property co-owner of

196 W. Danview and

4178 Hohe St.

RECEIVED

FEB 05 2020

**CITY OF HOMER
PLANNING/ZONING**

Judith C. Lund
4178 Hohe St.
Homer, Ak. 99603
235-3608
February 3, 2020

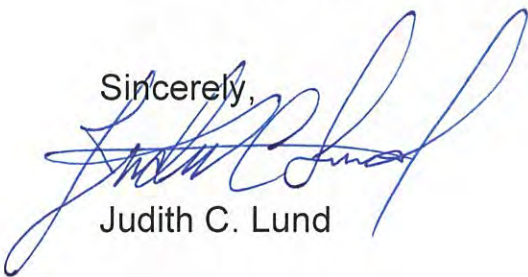
Homer Advisory Planning Commission

Dear Commissioners:

In considering a zoning change to medical for the area around the Hospital. I would like to voice my support for making Hohe Street the East boundary of the new area and having all points East of Hohe rezoned Urban Residential.

Thank you for reading my comment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Judith C. Lund", written over the typed name.

Judith C. Lund

RECEIVED

FEB 05 2020

**CITY OF HOMER
PLANNING/ZONING**

February 4, 2020

To: Homer City Planning Commission

I would like to make a comment on any plans you may be considering for a zoning change to medical for the areas around the Hospital. I would like to voice my support for making Hohe Street the East boundary of the new area and having all points East of Hohe zoned urban residential.

Thank you for considering my comment. I reside on Danview Street just east of Hohe Street. I am a long term resident who has already seen many changes in my neighborhood. I would really appreciate being able to keep my neighborhood more urban residential, especially when I consider the children who play in the streets and the dogs and people who walk in our neighborhood. I'm not anxious to have a lot of noise added to the traffic that we already have.

Jeanette Price
184 West Danview Avenue



RECEIVED

FEB 05 2020

CITY OF HOMER
PLANNING/ZONING

RECEIVED

FEB 05 2020

CITY OF HOMER
PLANNING/ZONING

Rob Lund
4178 Hohe St.
Homer, Ak. 99603
235-3608
summersong@alaska.net
February 4, 2020

Homer Advisory Planning Commission

Dear Commissioners:

I read the draft proposal for the new medical district in Homer with considerable interest, and I would like to state that I am very pleased that you are addressing this necessary change in the zoning around South Peninsula Hospital. There are several features of the proposal that I would like to comment on, and in addition, I would like to offer a few suggestions based on observations of this area that I have made over the nearly thirty years that I have lived within a couple of blocks of SPH. I think these issues are relevant to your current deliberations, and I hope you will consider them as you develop your thinking on the medical district.

My three thoughts on the proposal are:

1. The traffic requirements are too dependent on individual developments as they arise. The significance of the traffic impact on a given development is really in what it adds to the total volume of traffic in the area—the *cumulative* number of vehicles is what counts, not the number of cars contributed by any specific development (which could be insignificant by itself but quite significant when added to the total). It would be more meaningful if a traffic review were required any time the additional traffic impact of a development exceeds the total allowable increase in traffic that has been generated by *all the added traffic that has occurred due to developments that have been built since the last traffic review*.
2. The landscaping standards are meaningless. A developer could add one square foot of grass here, another over there, and so on. Thus 750 one foot square patches of grass would satisfy the landscaping requirements for a 7500 square foot lot, since that would result in 10% of the area being devoted to landscaping, which, obviously, is ridiculous. The landscaped

area should be of a specified minimum size; it should specify the type of vegetation (I vote for native trees and other plants), and the percentage amount should increase with the size of the developed *area*, i.e. all the developed lots taken together, not just each lot considered in isolation. Thus, when I look out my window and see the entire ugly block of SPH, the mini desert hewed from the forest at 267 Cityview, the treeless area along Bartlett, Homer Medical Center's parking lot, the dirt-track rights of way on Danview and Cityview, I see a place that should have at least a couple of patches of spruce trees, birches, etc., of a couple thousand square feet or so each. And why not add some picnic tables, walking paths and swings for kids in order to make it multi-purpose? I, my neighbors and the employees of SPH and the clinics would welcome that sort of landscaping. I can think of no reason why development of the medical district could not, should not be coupled with parklike landscaping to combine environmental sensitivity and beauty with the utility of modern health care facilities.

3. The building height restrictions seem a little too limiting: I think it would be appropriate to promote area-wide design standards that include underground parking areas with up to three story buildings, the idea being that vertical development should be encouraged, and sprawl and surface parking should be discouraged (this could effectively free up some space for better landscaping). Furthermore, these design standards should be coupled with much, much easier access to the hospital from the parking areas (think elevators where possible)—e.g. people going to physical therapy are sometimes forced to walk from the lower SPH parking lot up the stairs (steep and a hard or impossible climb for a disabled person) and/or along icy, snow covered sidewalks with a fairly steep grade, across Bartlett Street and across the parking lot on the south side of SPH. That requires a lot of sliding around on the ice, wading through snow and dodging cars, not an easy task for someone who isn't too fast on his or her feet to begin with. Design standards for the new medical district could rectify these problems and encourage SPH to devise its own methods to create more user friendly access for patients with limited mobility.

Development in the area should be for the benefit of the *people* after all, not the developer. That is the point of the hospital (and health care in general), is it not?

Next I would like to discuss the overwhelmingly *residential* nature of the area to the east of South Peninsula Hospital. One of the salient features of this part of Homer is the heavy usage of the streets by pedestrians, joggers, children at play, people out for a stroll, with or without pets, cyclists, dogs visiting neighboring lots, moose here and there, cranes wandering around the streets and yards... non-vehicular use is common and rather heavy, regardless of the weather, all year long. We who live here like it that way—it is in many ways a quintessentially Alaskan residential area, and the residents should not be expected to approve of threats to the non-vehicular users of the streets. Unfortunately, those threats do in fact exist in some places, and with increased development in the future, those threats will increase concomitantly, placing more people, children and animals at risk. In fact, the opening of the right of way on West Danview west of Hohe Street has already increased vehicular traffic on West Danview as vehicles exit the Homer Medical Center parking lot in order to follow the shortest route to Main Street. As noted below, this is hardly a desirable way to route vehicular traffic exiting the medical district. Here are some suggestions.

Hohe Street is a natural dividing line. Located to the west of Hohe are the hospital as well as the majority of support businesses and clinics. By far the largest square footage of these uses lie to the west of Hohe, and a large share are fairly recent developments. Development to the east of Hohe is primarily residential. There are relatively few clinics; the clinics themselves are relatively small in square footage, and most have been in existence for quite a few years if not decades. To the west, medical uses dominate, and residential uses are not well integrated in most of the area adjacent to SPH. In contrast, to the east, residential uses dominate, and the few clinics there are well integrated into the area. The bulk of the pedestrian and other non-vehicular uses of the streets are found along Hohe and to the east, while west of Hohe, parking lots abound, and the streets are filled with cars, not cyclists, children and pets. This situation suggests a couple of directions for zoning and design in the area.

First I think it would be wise to recognize Hohe Street as the eastern boundary of the medical district, since that is the existing *de facto* line separating the medical and residential areas. Second, the areas to the east of Hohe currently mix vehicular and non-vehicular traffic in ways that jeopardize the welfare of the people, children and animals that use those streets—in short, they need to be made more secure for non-vehicular users. This can be done by relative simple

and inexpensive changes like crosswalks and signs warning drivers of the presence of children. More complex and expensive approaches such as diverting traffic to collector streets like Bartlett and closing the poorly developed, unmaintained right of way on West Danview are also worthy of consideration. One change that should be discussed is lowering the speed limit on West Danview between Hohe and Main streets to 15 MPH. That is one of the areas that is most heavily used by children, especially, pets and others. A factor that increases the risk to children and pets is the presence of cars and trucks parked on one or both sides of Danview, obscuring sight lines and providing cover from which children and pets can, and often do emerge suddenly into the street. Since it is easier to change the speed limits than human behavior (particularly the behavior of young humans), changing the former would seem to be the better choice.

The third issue to consider is the fate of the residential area to the east of Hohe. In less than a year, two medical uses—a clinic on Fairview and a hydrotherapy clinic on Hohe—have been built. The inescapable pattern is that the clinics that characterize the area to the west of Hohe are encroaching on the residential area to the east. In order to protect the residential area, one obvious move would be to rezone everything from Hohe Street eastward from Residential Office to Urban Residential. I strongly support this change, and I know that many of my neighbors agree or would do so if there had been the robust public discussion that should precede zoning changes in their neighborhood.

Finally, I would like to mention the current status of Main Street and its function—or perhaps dysfunction—in the community. Main Street is a major collector that carries traffic from the medical area around SPH and from the very large residential area north of Pioneer down the hill to the main business district of Homer and onward to the Spit, East Road and the Sterling Highway. It also has a substantial amount of pedestrian and bicycle traffic; people walk to town and back along Main; school buses offload their passengers on Main, and many of those passengers walk along Main Street on their way home. Fifteen years ago, Main Street was identified as needing an upgrade, and as of this writing, nothing has changed: The lighting is poor; sidewalks are absent; the shoulders are weedy, muddy, icy in winter and narrow; in many places they are narrower than the three feet specified in the design standards, even when they are not covered by snow berms; people, often in dark clothing walk on both sides of the street, often with their backs to the traffic; everyone, school children included, is frequently forced

to walk in the traffic lanes because of accumulated snow and ice. Main Street is a disaster lurking in the winter gloom, and by its side is inevitably a smart lawyer and a very unpleasant lawsuit that the City would surely wish to avoid. I think it is urgent that the Planning Commission put a discussion of an upgrade to Main Street at the top of its to-do list.

My thanks to the Planning Commission for reading and evaluating long letters like this one and for listening to the concerns of Homer's residents.

Sincerely,
Rob Lund

Rob Lund

Session 20-03, a Regular Meeting of the Planning Commission was called to order by Chair Venuti at 6:30 p.m. on February 5, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS VENUTI, PETSKA-RUBALCAVA, HIGHLAND, SMITH

ABSENT: COMMISSIONER BENTZ (EXCUSED), DAVIS (EXCUSED), BOS

STAFF: CITY PLANNER ABOUD
DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

The Commission met in a worksession at 5:30 p.m. prior to the meeting. On the agenda was a presentation from Derotha Ferraro, Director of Public Relations and Marketing, Lane Chesley former Board member and Advisor on the issue of the Medical District and Glen Radtke, Facilities Director with South Peninsula Hospital on the Hospital, Services, Demographics for the Southern Peninsula, Facilities owned and leased, the number of emergency visits by Ambulances and Air and the average number of visits in an eight hour day. The benefits to creation of a Medical or Health Care District and offered some recommendations and/or considerations during the creation of the district.

APPROVAL OF THE AGENDA

Chair Venuti called for a motion to approve the agenda as presented.

SMITH/HIGHLAND – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

- A. Planning Commission Regular Meeting Minutes of January 15, 2020
- B. Decisions & Findings Document for CUP 20-03, to allow townhouse developments at 436 & 450 Soundview Ave.

Chair Venuti requested a motion to approve the Consent Agenda.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 20-13, Medical District Planning

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

Deputy City Planner Engebretsen reviewed Staff Report 20-13 and noted that they have received several comments on the district and copies were provided. She further stated that based on the outcome of tonight's meeting she is prepared to mail out approximately 300 notices for a Neighborhood Meeting for the next worksession. Ms. Engebretsen provided a brief outline on how she envisions the Neighborhood meeting to be conducted. Since there are no Public Hearing scheduled for the next meeting the public can comment on the record at the regular meeting.

Deputy City Planner Engebretsen then requested the Commission to review the proposed draft map and fielded comments from the Commissioners on the following:

- Boundaries/District to exclude the lots along Fairview from Swatzell to Main Street since they are smaller and residential in nature
- Keeping the lots in the district would actually increase the value to the lots
- Some lots have been improved and some are ripe for development but those lots would still remain Residential Office
- property owners being able to opt out of the district
- building heights would be later on the agenda
- waiting to see how the public reacted before changing the boundaries of the proposed district
- Property owners are not going to be interested in attending multiple meetings
- Consideration of the public comments received from the Neighborhood Meeting
- Notice will be mailed out when a Public Hearing will be conducted on the final proposed district
- Recommendation to have clean lines for the boundaries and not having a lone parcel

The Commission agreed by consensus on the draft medical district map as presented.

Deputy City Planner Engebretsen provided guidance on the parking issue in response to Commissioner Highland's question on land with regards to the parking issue at the hospital.

Commissioner Smith expressed concerns on allowing hostel, noting that he was fine with B & B's and having facilities available nearby for families of patients to stay close but was concerned with how the general public would view them.

A general discussion ensued on the differences between hostel, B & B and rooming house and that currently were permitted outright in Residential Office. Similar experiences were shared on facilities offered by Providence in Anchorage.

Deputy City Planner Engebretsen reviewed the definition of hostel for the Commission.

Concerns were expressed that if hostels were allowed then that may encourage people to jump on the Air B & B bandwagon and the intent to provide for the medical aspect would be negated.

SMITH/HIGHLAND MOVED TO STRIKE THE TERM "HOSTEL" FROM LINE 25 OF THE DRAFT ORDINANCE.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Deputy City Planner Engebretsen continued her review of the recommended permitted uses noting the following:

- retail would be allowed as an accessory use to the principle permitted use
- more than one building containing a permitted principle use on a lot, which is what triggers the most conditional use permits
- parking lots and mobile food services
- allowing small restaurants and/or cafés would be difficult due to Land Use conflicts with the residential aspects but having a Coffee Shop in the building such as Homer Medical would be allowed since it is assumed that it is providing for those personnel and clients
- towers would be addressed in another section at a future meeting
- if they were going to regulate chickens more than what is currently regulated they should address that city-wide not by district.

City Planner Abboud questioned eliminating the more than one building. Ms. Engebretsen responded that Line 56 would allow more than one building.

Hearing no further questions from the Commissioners she proceeded to review the conditionally permitted uses noting the following:

- requiring group care homes to be conditionally permitted while nursing homes, convalescent homes, homes for the aged and assisted living homes which are similar facilities are permitted outright
- Shelter for the homeless

A brief discussion ensued on the applicability of Homeless Shelters being appropriate in a professional/residential district, being allowed in two other districts, demographic requiring a homeless shelter may require medical services.

The Commission agreed by consensus to remove shelters for the homeless as a conditional permitted use.

Deputy City Planner Engebretsen then focused on the Building Height, noting that it was not the appropriate area to address this but requested input from the Commission on allowing buildings over 35 feet.

A brief discussion on changing the parameters to allow a building over 35 feet and not inclusive of the roof design, present what a five story building would look like, and the requirement of Fire Marshall review and approval.

There was consensus among the Commission on planning for the future to allow as a conditional use buildings over 35 feet.

Discussion ensued on limiting helipads/heliport and consideration of allowing Heliports in the General Commercial Two district. There are concerns on the industrial aspects with the storage of fuels, etc. There is recognition that helicopter traffic will increase over time and it is appropriate in the area of the airport which would require a zoning change.

Next the Commission discussed the landscaping and/or screening requirements shown on line 111 of the draft ordinance requiring new non-residential construction be screened from existing residential single family or duplex dwellings and obscuring the view of a parking lot from those dwellings. Deputy City Planner Engebretsen noted that it would not apply if a residential dwelling was built next to an existing commercial facility.

Deputy City Planner Engebretsen then noted that the site development standards were almost identical to the Residential Office District with the following exception:

- Parking Lots with a minimum of 24 spaces will be required to have 10% landscaped area in dividers, islands or buffers adjacent or within the parking lot

There was a brief discussion on the existing code reflected on page 73 of the packet will still apply regarding Site Development Standards – Landscaping requirements.

Deputy City Planner Engebretsen reviewed the following comments made in Mr. Lund's letter that was provided as a laydown.

- The traffic study was recommended by the Commission when the Transportation Plan was updated. Mr. Lund approved that recommendation.
- He did not approve of the landscaping requirements believing that they were too minimal
- Mr. Lund supported allowing taller buildings
- The apparently approve of the boundaries as proposed.
- He would prefer to see Danview area as residential office.
- The city is working on a traffic calming manual and sidewalks would be preferred but as a consideration for the future and the needs grow the Commission can discuss that issue.
- Since this area is the emergency route it may not be a consideration to reduce the speed limit or put speed tables, etc.

NEW BUSINESS

INFORMATIONAL MATERIALS

A. City Manager Report for January 13, 2019 City Council Meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

Commissioner Petska-Rubalcava announced that she would be absent for the March 18, 2020 meeting.

Commissioner Smith commented that it was a good meeting and he appreciated all the work that was done for the medical district. He further stated that for him with this type of development, it brings the question forward, "Is our Transportation Plan sufficient?" At some point in the near future they need to address some issues if they develop a medical district, Main Street has to change. They will need to pay attention to some things. If the medical district does promote large use resources, buildings and facilities, and things like that, then Bartlett will not be sufficient and Main Street will become more dangerous. In the future they will have to really evaluate the Transportation Plan.

Chair Venuti commented that he had nothing further to add and agreed it was an interesting meeting.



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

City of Homer Agenda

**Planning Commission Worksession
Wednesday, February 19, 2020 at 5:30 PM
City Hall Cowles Council Chambers**

CALL TO ORDER, 5:30 P.M.

AGENDA APPROVAL

DISCUSSION TOPIC(S)

- A Presentation on the Proposed Medical District **additional information on p. 19 of the regular meeting packet**
- B Neighborhood Open House
- C Discussion of regular meeting agenda items (time permitting)

COMMENTS OF THE AUDIENCE (3 minute time limit)

COMMENTS OF THE COMMISSION

ADJOURNMENT, 6:20 P.M.



City of Homer

www.cityofhomer-ak.gov

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491 East Pioneer Avenue
Homer, Alaska 99603

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

Neighborhood Meeting Sign in Sheet

Proposed Medical Zoning District

February 19, 2020

Name	Email	Physical Address
Carol + Merlin Cardes	ccmc99603@gmail.com	146 E Fairview Ave
Dean Schroeder	fatcat@alaska.net	254 W. Fairview Ave.
Wm. + Judy Marley	wmarley@mac.com	183 W. Bayview Ave.
LANE CHESLEY	lane.chesley@gmail.com	263 W. FAIRVIEW 107th
Nora Raymond	292v99@gmail.com	4129 Bartlett
Ryan Smith	rsmith@sphosp.org	4300 Bartlett
FRANK BAUER	FRANKBAUER928@GMAIL.COM	4009 Bartlett St.
Sandra Glidden	alliswellin.alaska@yahoo.com	4178 Bartlett
JAMES SALING	282 W	282 W DANVIEW AVE.
Shirley Redete	ser@sphosp.org	4300 Bartlett St.
Karin J Maules	weokar70@gmail.com	202 W Pioneer Ave #C Homer
LARRY TRIPP	AVMALE8@YAHOO.COM	502 RANGEVIEW AVE
Jim Preston	jpreston60@gmail.com	3895 Bartlett ST.
Jan Preston	" " "	" " "



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Neighborhood Meeting Sign in Sheet

Proposed Medical Zoning District

February 19, 2020

Name	Email	Physical Address
Lou Stewart	lou@homer@hatmail.com	344 NOVIEW
Scott Simons	4050 ELSAN	whatsupscott@gmail.com
Jay Marley	jaymarley@alaska.net	4252 Hohe St.
Jay Barrett	Jay@KBBI.org	KBBI
Rob Lund	summer@alaska.net	4178 Hohe St.
Sharon Brodes	homerhohe@gmail.com	4178 Hohe St.
BRIAN MCCARTHY	HOMER ALASKA@XEROX.COM	122 CITY VIEW
ANDREI SYGANZIKO		247 FAIRVIEW
Tim Haigh		3857 MAIN ST.



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Public Comment Sheet

Neighborhood Meeting of February 19, 2020

Proposed Medical Zoning District

Lots on both sides of Hohe and
Bartlett (1 house/lot deep) should be
included in this designation.

4136 Hohe owner, Carol & Merlin Cardes

Your Name (optional, but encouraged!): _____

2/19/20 MD comments
HPC

In 2019, approximately 250 patients were transported from Homer by helicopter and fixed wing aircraft to hospitals in Anchorage. This is called a Medi Vac. Most of the transports were by helicopter from the hospital helipad. Patients are transported to receive life-saving care that is not available at South Peninsula Hospital. Every minute that can be saved during transport increases a patient's potential for a more positive health outcome. Currently, in the Residential Office District, the hospital's helipad is a Conditional Use but only as an accessory use incidental to a hospital conditional use. In the proposed Medical District, a helipad is listed as a Conditional Use with the same conditions.

Patient transport volumes are anticipated to grow on an annual basis. As a result, our hospital administration was recently engaged in discussions with a Medi Vac helicopter service provider that is considering basing a helicopter in Homer. Such a move would be a tremendous win for *the residents of our hospital service area because transport times could be reduced by as much as 50 percent.* Currently helicopters are based and dispatched out of Anchorage. Once the helicopter arrives at the hospital helipad, the Medi Vac medical team enters the hospital to complete preparations with ER staff to transport the patient. During this time period, the helicopter flies to Homer airport for refueling. The helicopters cannot carry enough fuel to make a round trip from Anchorage to Homer and have the required fuel reserves on board. The refueling process adds additional overall time to the transport window.

South Peninsula Hospital requests that the new Medical District allow both helipad and heliports within the district. In such a scenario, it is possible for the hospital to work with the relevant federal, state and local regulatory agencies toward the end of providing refueling services at the hospital campus thereby saving critical time in the patient transport window.

LANE CHESLEY

299-7335

lane.chesley@smh.com



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Staff Report PL 20-15

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: February 19, 2020
SUBJECT: Medical District

Requested action: Listen to citizen comments on the draft ordinance and consider any changes to the draft map and zoning text. Time allowing, provide feedback to staff on the sign code and tall tower code amendments.

Introduction

The work session will be a neighborhood meeting. Approximately 287 letters were mailed to property owners inviting them to the meeting. A map and copy of the draft ordinance were included. Information was posted on the City main website as well as the Planning Department page. This information will be updated as the process moves forward. Staff has had a few phone calls and walk in customers with questions, but generally a low level of response.

At the work session, staff will make a presentation about the project, and will facilitate a question and answer session. If we have a large turnout (more than 30 people or so), staff will separate into groups. Toward the end of the work session, people can comment to the Commission, or they can wait and comment during the regular meeting.

Next Steps

With citizen feedback from the meeting, the Commission can decide if there are topics they would like to further refine. Beyond citizen feedback on the draft medical District, there are two other sections of code that need to be addressed; the sign code, and tall structures.

Sign code

Staff recommends using similar sign code provisions to the existing Residential Office zoning district. That district has a large sign allowance for major streets; staff recommends making this allowance district wide. The end result is that a property can have 50 square feet of signage. Additionally, external illumination should be allowed. Staff has provided a draft sign code, using a mixture of existing Residential and Central business District sign codes as a

model. The Medical District has a draft sign area of 50 square feet, which is existing code along Bartlett Street. More sign types have been allowed. Please see attachments. Amendments are proposed:

Line 19: adding the MD to the Key for Tables 1-2

Line 22: adding the MD to Table 1, Sign Types

Line 49: adding MD to Table 2 Part A, Maximum Total Sign Area Per Lot by Zoning District

Line 68: removing reference to areas that will change from RO to MD

Line 74: adding language regulating freestanding signs in MD

Line 79: adding MD to Table 3, Permitted Sign Characteristics by Zoning District

Staff recommendations: Provide any guidance on the sign code amendments.

Tall Towers

Staff recommends tall tower regulations stay the same for this area. HCC 21.58.030 would be amended as follows:

21.58.030 Permission for communications towers.

- a. Except as provided in subsection (b) of this section, a communications tower is permitted as a principal or accessory use or structure in each zoning district.
- b. A communications tower that exceeds the following maximum height for the zoning district in which the communications tower is located is permitted only when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
<u>MD</u>	<u>85</u>
UR	60
RR	85

District	Maximum Height (feet)
CONS	60
GC2	120
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

Staff Recommendation

Listen to citizen comments on the draft ordinance and consider any changes to the draft map and zoning text. Time allowing, provide feedback to staff on the sign code and tall tower code amendments.

Attachments

1. Neighborhood invitation
2. Draft sign code amendments



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(p) 907-235-3106

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February 6, 2020

Dear Landowner,

You are invited to a neighborhood meeting regarding two proposed zoning changes in your area. Attached to this letter is a map of the proposed Medical Zoning District boundaries, and a copy of the draft zoning code. The purpose of the meeting is to give residents the opportunity to learn about the potential zoning changes and have a conversation with the Planning Commission. This is not a public hearing and no final decisions will be made.

Why are changes being proposed? Homer City Council passed a six month moratorium on new professional offices and clinics and directed the Planning Commission to look at how the area around the hospital is developing. Recently, several new medical clinics have gone through the permitting process and there have been neighborhood concerns about traffic and land use. The moratorium area is north of Fairview up to the hospital, and includes properties from Bartlett east to Main Street. To date, the Planning Commission has created a draft map and zoning code. With these items on paper, the Commission is ready to fine tune the proposals with your input.

When: 5:30-6:20 pm, Wednesday February 19th. Presentation at 5:30, followed by questions and discussion

Where: 491 E Pioneer Ave, Homer City Hall Cowles Council Chambers

Who: Landowners, area residents, Homer Planning Commission and Planning Department Staff

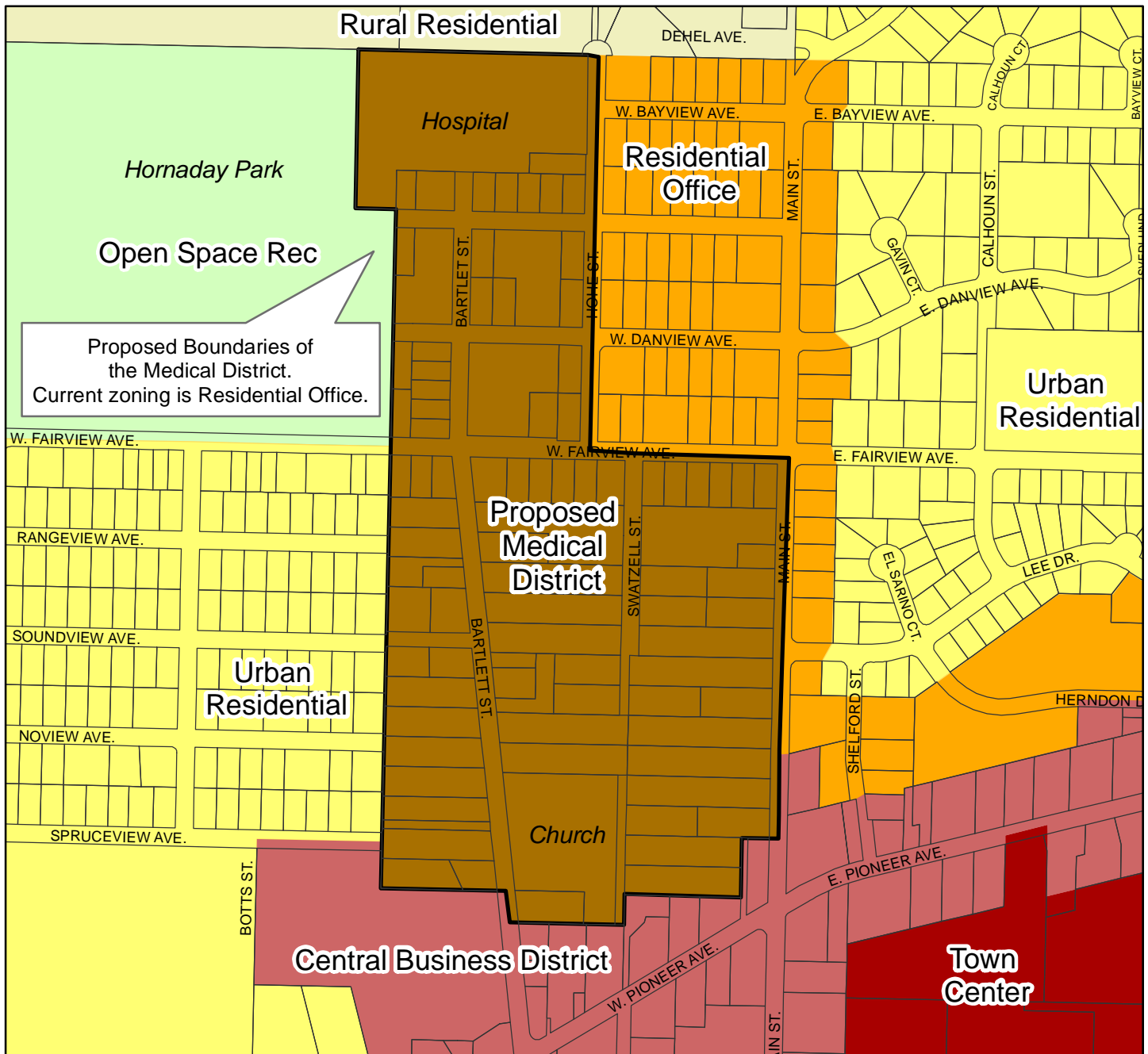
What happens next? The Council tasked the Commission to respond by June 30th. Between now and June, there is ample time to hold another neighborhood meeting if desired. There will also be formal public hearing, prior to the June 30th deadline.

For more information, call 235-3106 to speak with City Planner Rick Abboud, or Deputy City Planner Julie Engebretsen. Or visit the Planning Department website at <https://www.cityofhomer-ak.gov/planning>

Sincerely,

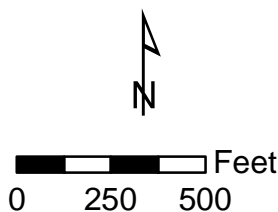
Rick Abboud, AICP
City Planner

Proposed Medical District Boundaries and Current Zoning



Legend

- Current Zones**
- Central Business District
 - Town Center
 - Rural Residential
 - Urban Residential
 - Residential Office
 - Open Space Rec
 - Medical District Draft Boundary



City of Homer
Planning and Zoning Department

1/29/2020

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.

1 **Chapter 21.XX**

2 **M MEDICAL DISTRICT**

3 Sections:

- 4 21.XX.010 Purpose.
- 5 21.XX.020 Permitted uses and structures.
- 6 21.XX.030 Conditional uses and structures.
- 7 21.XX.040 Dimensional requirements.
- 8 21.XX.050 Site and access.
- 9 21.XX.060 Traffic requirements.
- 10 21.XX.070 Site development standards.
- 11 21.XX.080 Nuisance standards.
- 12 21.XX.090 Lighting standards.

13 **21.XX.010 Purpose.**

14 The purpose of the medical district is to provide an area near the hospital to support allied
15 industries and other professional office and limited commercial uses. The district is meant to
16 accommodate a mixture of residential and nonresidential uses with conflicts being resolved in
17 favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

18 **21.XX.020 Permitted uses and structures.**

19 The following uses are permitted outright in the Medical District:

- 20 a. Single-family and duplex dwelling, excluding mobile homes;
- 21 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
22 excluding mobile homes;
- 23 c. Public parks and playgrounds;
- 24 d. Rooming house, bed and breakfast;
- 25 e. Townhouses; (compliant w 21.53.010 (g) and (h))
- 26 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;
- 27 g. Professional offices and general business offices;
- 28 i. Day care facilities
- 29 j. Day care homes
- 30 k. Personal services;
- 31 l. Museums, libraries and similar institutions;

- 32 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 33 n. Religious, cultural and fraternal assembly;
- 34 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner and
35 separated by at least five feet from any property line as an accessory use incidental to a
36 permitted or conditionally permitted principal use;
- 37 p. Private exterior storage of the occupant's personal noncommercial equipment, including
38 noncommercial trucks, boats, campers and not more than one recreational vehicle in a safe and
39 orderly manner and separated by at least five feet from any property line as an accessory use
40 incidental to a permitted or conditionally permitted principal use;
- 41 q. Other customary accessory uses to any of the permitted uses listed in the Residential Office
42 District; provided, that no separate permit shall be issued for the construction of any detached
43 accessory building prior to that of the main building;
- 44 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
45 manner consistent with the requirements of the Homer City Code and as long as such animals
46 are kept as pets and their numbers are such as not to unreasonably annoy or disturb occupants
47 of neighboring property;
- 48 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 49 t. As an accessory use, one small wind energy system per lot having a rated capacity not
50 exceeding 10 kilowatts;
- 51 u. Mobile food services
- 52 v. Retail as an accessory use to a permitted principle use
- 53 w. Sale of durable and non-durable medical supplies and equipment
- 54 x. More than one building containing a permitted principal use on a lot;
- 55 y. Parking lots

56 **21.XX.030 Conditional uses and structures.**

57 The following uses may be permitted in the Residential Office District when authorized by
58 conditional use permit issued in accordance with Chapter 21.71 HCC:

- 59 a. Planned unit developments, excluding all industrial uses;
- 60 b. Public or private schools;
- 61 c. Hospitals;
- 62 d. Public utility facilities and structures;

- 63 e. Mortuaries;
- 64 f. Group care homes;
- 65 g. Helipads, but only as an accessory use incidental to a hospital conditional use;
- 66 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that
- 67 it is the only wind energy system of any capacity on the lot;
- 68 i. Other uses approved pursuant to HCC 21.04.020.

69 **21.XX.040 Dimensional requirements.**

70 The following dimensional requirements shall apply to all structures and uses in the Medical
71 District:

72 a. The minimum lot size is 7,500 square feet.

73 b. Building Setbacks.

74 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

75 2. All buildings shall be set back from all other lot boundary lines according to the number
76 of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet
2 1/2 stories	8 feet

77

78 c. Building Height.

79 1. The maximum building height is 35 feet, except as provided in subsection (c)(2) of this
80 section.

81 2. If approved by conditional use permit, multifamily residential and commercial
82 buildings up to 85 feet in height may be allowed.

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

86 **21.XX.050 Site and access.**

87 a. A zoning permit for any nonresidential use or structure shall not be issued by the City without
88 an approved site plan and an approved level two right-of-way access plan that conform to the
89 standards of Chapter 21.73 HCC.

90 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
91 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

92 **21.XX.060 Traffic requirements.**

93 A conditional use permit is required for every use that:

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

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

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

100 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of
101 service, the highway, road, street, alley or intersection.

102 **21.XX.070 Site development standards.**

103 a. All single-family and duplex residential development in the Residential Office District shall
104 comply with the level one site development standards contained in HCC 21.50.020.

105 b. All residential development of three units or more and all nonresidential on lands in this
106 district shall conform to the level two site development standards set forth in HCC 21.50.030
107 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2). Parking lots
108 with a minimum of 24 spaces or more shall provide a minimum of 10% landscaped area in
109 dividers, islands or buffers or any combination thereof, adjacent or within the parking area.

110 c. New non-residential construction shall be screened from existing single family or duplex
111 dwellings by a fence or landscaping so as to obscure the view of the parking lot and loading
112 areas from the adjacent dwelling.

113 **21.XX.080 Nuisance standards.**

114 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in this
115 zoning district.

116 **21.XX.090 Lighting standards.**

117 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
118 structures in this zoning district.

119

1 **21.60.060 Signs on private property.**

2 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
 3 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit
 4 approval in the zoning district represented by that column. If the letter “P” appears for a sign
 5 type in a column, such sign type is allowed only with prior permit approval in the zoning district
 6 represented by that column. Special conditions may apply in some cases. If the letter “N”
 7 appears for a sign type in a column, such sign type is not allowed in the zoning district
 8 represented by that column under any circumstances. If the letters “PH” appear for a sign type in
 9 a column, such sign type is allowed in the zoning district represented by that column only with
 10 prior approval by the Commission after a public hearing.

11 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P” in
 12 Table 1 shall be allowed only if:

- 13 1. The sum of the area of all building and freestanding signs on the lot does not exceed the
 14 maximum permitted sign area for the zoning district in which the lot is located as specified
 15 in Table 2; and
- 16 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 17 Characteristics by Zoning District, and with any additional limitations on characteristics
 18 listed in Table 1 or Table 2.

19 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU	East End Mixed Use
		MC	Marine Commercial
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
MD	Medical District	PS	Public Sign Uses Permit
A = Allowed without sign permit P = Allowed only with sign permit N = Not allowed PH = Allowed only upon approval by the Planning Commission after a public hearing.			

Key to Tables 1 through 3

For parenthetical references, e.g., “(a),” see notes following graphical portion of table.

Table 1

Sign Type	R R	U R	R O	IN S (a)	<u>M</u> <u>D</u>	CB D	T C	GB D	GC 1	GC 2	EEM U	M C	M I	OS R	PS
Freestanding															
Residential (b)	A	A	A	A	<u>A</u>	A	A	A	N	N	N	N	N	A	P H
Other (b)	N	N	N	P	<u>P</u>	P	P	P (i)	A	A	A	P	P	N	P H
Incidental (c)	N	N	A (d)	A (d)	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Building															
Banner	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	<u>A</u>	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	<u>P</u>		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	<u>P</u>	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Miscellaneous															
Flag (h)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	A

20
21
22

23

24 Notes to Table 1:

- 25 a. This column does not represent a zoning district. It applies to institutional uses permitted
- 26 under the zoning code in the RR, UR and RO zoning districts. Institutional is defined as an
- 27 established organization or corporation of a public, nonprofit, or public safety/benefit nature, i.e.,
- 28 schools, churches, and hospitals.
- 29 b. No commercial message allowed on sign, except for a commercial message drawing
- 30 attention to goods or services legally offered on the lot.
- 31 c. No commercial message of any kind allowed on sign if such message is legible from any
- 32 location off the lot on which the sign is located.
- 33 d. Only address and name of occupant allowed on sign.
- 34 e. May include only building name, date of construction, or historical data on historic site;
- 35 must be cut or etched into masonry, bronze, or similar material.
- 36 f. No commercial message of any kind allowed on sign.
- 37 g. The conditions of HCC 21.60.130 apply.
- 38 h. Flags of the United States, the State, the City, foreign nations having diplomatic relations
- 39 with the United States and any other flag adopted or sanctioned by an elected legislative body of
- 40 competent jurisdiction. These flags must be flown in accordance with protocol established by the
- 41 Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of
- 42 these conditions shall be considered a banner sign and shall be subject to regulations as such.
- 43 i. The main entrance to a development in GBD may include one ground sign announcing the
- 44 name of the development. Such sign shall consist of natural materials. Around the sign grass,
- 45 flowers and shrubs shall be placed to provide color and visual interest. The sign must comply
- 46 with applicable sign code requirements.

47

48 **Table 2. Maximum Total Sign Area Per Lot by Zoning District**

49

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	MD
4	4	6	50	20	4	32	50

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or with multiple independent businesses or occupancies in one or more buildings, the total allowed sign area may be increased beyond the maximum allowed signage as shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote or identify the building or complex of buildings.

In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed, shall not exceed the following limitations:

Only one freestanding sign is allowed per lot, except one freestanding public sign may be additionally allowed. A freestanding sign may not exceed 10 feet in height. The sign area on a freestanding sign (excluding a public sign) shall be included in the calculation of maximum allowed sign area per lot and shall not exceed the following:

One business or occupancy in one building – 36 sq ft

Two independent businesses or occupancies or principal buildings in any combination – 54 sq ft

Three independent businesses or occupancies or principal buildings in any combination – 63 sq ft

Four or more independent businesses or occupancies or principal buildings in any combination – 72 sq ft

50

51 Notes to Table 2, Parts A and B

52 a. The INS column does not represent a zoning district. It applies to institutional uses
53 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined
54 as an established organization or corporation of a public, nonprofit, or public safety or benefit
55 nature, e.g., schools churches, and hospitals.

56 b. Flags of the United States, the State, the City, foreign nations having diplomatic relations
57 with the United States, and any other flag adopted or sanctioned by an elected legislative body of
58 competent jurisdiction. These flags must be flown in accordance with protocol established by the
59 Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of
60 these conditions shall be considered a banner sign and shall be subject to regulation as such.

61 c. Square feet of wall frontage is defined as total square footage of wall surface, under the
62 roof, that faces the major access or right-of-way of the business. In the case of a business located
63 on a corner lot, square footage of wall frontage is the total square footage of wall surface, under
64 the roof, on the side of the business with the most square footage.

- 65 d. The PS column does not represent a zoning district. It applies to public signs permitted
- 66 under the zoning code, in all zoning districts.
- 67 e. This RO column applies only to lots in that portion of the RO district that abuts East End
- 68 Road, **Bartlett Street, Hohe Street**, and Pennock Street. Within this area, there is allowed a
- 69 maximum of 50 square feet total area of all signs (including the ground sign referred to below),
- 70 except incidental, building marker, and flags (see note (b) above). One ground sign, with a
- 71 maximum total area of 16 square feet, will be permitted per lot. Each ground sign shall not
- 72 exceed six feet in height, measured from the base to the highest portion of any part of the sign or
- 73 supporting structure.
- 74 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
- 75 **freestanding public sign may be additionally allowed. A freestanding sign may not exceed**
- 76 **10 feet in height or 36 square feet in area.**

77
78 **Table 3. Permitted Sign Characteristics by Zoning District**
79

Sign Type	RR	UR	RO	INS (a)	MD	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	P	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	N	P	P	N	P	P	P	P	P	N	N

- 80
- 81 Notes to Table 3:
- 82 a. The INS column does not represent a zoning district. It applies to institutional uses
- 83 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is defined
- 84 as an established organization or corporation of a public, nonprofit, or public safety/benefit
- 85 nature, i.e., schools, churches, and hospitals.
- 86 b. Animated signs may not be neon or change colors or exceed three square feet in area.
- 87 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
- 88 d. Neon signs may not be flashing and may not exceed 32 square feet.
- 89 e. The PS column does not represent a zoning district. It applies to public signs permitted
- 90 under the zoning code, in all zoning districts.
- 91 [Ord. 14-34 § 1, 2014; Ord. 12-26 § 1, 2012; Ord. 12-01(S)(A) §§ 2 – 6, 2012].

Travis Brown

From: Roy Thomas <Rjaythomas@outlook.com>
Sent: Wednesday, February 19, 2020 2:58 PM
To: Department Planning
Subject: Proposed Zoning Changes - Medical District

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

Dear Mr. Abboud,

Due to the poor road conditions I will not be able to attend the meeting scheduled for 5:30 PM today at the Homer City Hall, however, please accept these comments and questions concerning the proposed zoning changes as if they were presented at the meeting.

The statement within the Purpose section of the draft zoning code that explicitly resolves conflicts in favor of nonresidential uses is vexing. This would seem that the City of Homer is quick to abandon the current residents, whom through no fault of their own, are being swept aside in favor of new, nonresidential development. Current residents, and folks like myself with intent for future residence, who have obtained proper zoning permits, planned, financed and built homes in good faith would seem to more justly warrant the favored conflict resolution that the proposed code grants to future nonresidential uses. In many cases, homes represent the single largest asset possessed within a family. The City of Homer should not be repositioning itself and plainly favoring nonresidential use in the event of "neighborhood" conflict.

The provision within Dimensional requirements that would allow buildings up to 85 feet in height with a conditional use permit is especially concerning. I would hope that there would be more sense of community wherein this new proposed zoning district would be undertaken in such a manner and with such provisions to help the new land use focus blend or meld with existing and traditional uses and values. It is almost unimaginable to consider a structure 85 feet in height being built on an adjacent property that would block out all of the beautiful Kachemak Bay view scape and ancient sustaining sunlight from reaching your place of abode, yard and garden within the City of Homer.

My questions include:

1. How many existing permits are caught-up in the temporary moratorium?
2. Your letter states that several recently permitted clinics have resulted in neighborhood concerns over traffic and land use. In response to this, should City Planning propose a zoning change, as currently written specifically in favor of nonresidential use in the event of conflicts, in lieu of requiring mitigating steps by proposed commercial and nonresidential development to fit into the existing neighborhood?
3. Where did the provision within the proposed zoning code that would allow 85 foot buildings with a conditional use permit originate? Has some developer already floated this type of interest?

Thank you for the opportunity to comment and ask questions. I trust that neighborhood input is a primary consideration shaping any action taken by the Planning Department and City of Homer.

Sincerely,

Roy Thomas
Rjaythomas@outlook.com
907-696-3649
3877 & 3895 Main Street

From: James Lavrakas <jlav@gci.net>
Sent: Saturday, February 15, 2020 8:51 AM
To: Department Planning
Subject: Proposed Medical District

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

THIS IS A REVISED VERSION WE'D LIKE FORWARDED PLEASE...JIM

Greetings,

Ruth and I are out of state until May but we received mail from the Planning Department and we want comment on the Proposed Medical District in our neighborhood. Please forward our comments to the Planning Commission.

We lived in the medical district in East Anchorage on Wesleyan Road for almost 15 years. It was zoned Residential/Office, but when we moved there our neighborhood was a residential subdivision with one side of the street 100% single family dwellings, and the other side undeveloped forest.

One year we went on vacation for two weeks and on our return the forest was gone and as development took place, to our horror, we could see that at least two office buildings were being developed. Also, about that time the 4000 square foot single family home next to us became an assisted living home.

From then on the character of our residential neighborhood changed so dramatically that we were miserable there. The office buildings were 3-story and traffic to the neighborhood increased 3-fold. (There was a 2-story building restriction in place which the builder got around by building up the ground level around three sides of the building.)

The assisted living home next door always had more vehicles parked than was legal. The noise and traffic from the people living there made it impossible to enjoy our beautifully-treed backyard. Even though we tried to be good neighbors, the owners next door were inconsiderate, so much so that my 80-year-old father, a man famous for his gentle disposition, got into a yelling argument with the owner and I had to separate them.

It was horrible. The designation of "residential/office" is the stupidest, most contrary, oxymoronic, bastardization of zoning categories that NOBODY living in a residence in one of this zones will ever be happy, or feel "at home".

I don't know what the solution in this case along Homer's proposed medical district might be. But if this is an attempt to make Paul Raymond's new surgical center align with building codes, it's doomed to make residents in this zone unhappy with where they live, forever.

Just our thoughts.

+++++++
Jim & Ruth Lavrakas

PO Box 1459
Homer, AK 99603
907-299-8393 / cell

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

REPORTS

A. Staff Report 20-14, City Planner's Report

City Planner Abboud provided a summary of Staff Report 20-14 and commented further on the following:

- Planning Department tasked with plastic bag ban enforcement
- Attendance by Commissioner Bentz and Petska-Rubalcava to the Annual Conference in Anchorage
- Presented Commissioner Bentz with the award that she was given at the conference

City Planner Abboud responded to questions on the process and how the plastic bag ban would be enforced.

PUBLIC HEARING(S)

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 20-15, Medical District Planning

Deputy City Planner Engebretsen reported on the comments received as laydowns from two concerned residents and the various attendees at the neighborhood meeting. She requested the commissioners to provide their input on the neighborhood meeting or the medical district noting that she will not be in attendance at the March 4, 2020 meeting to facilitate a discussion with the Commission but will be providing a staff report. Topics or comments made were as follows:

- Using or applying ideas from the Community Design Manual with regards to landscaping
 - o These should be incorporated into the city code to establish what is desired for the district.
- Hohe boundary or boundaries in general defined by roads or the property lines
 - o moving the Hohe boundary line 1 lot deep, mixed use of existing medical and residential, those uses are allowed in RO so it would not really be required
 - o Purpose is to have fewer applications for a conditional use permit in this district

- Nature of buildings on each side of the street supports moving the boundary 1 lot deep
 - Staff will provide a map for the next packet depicting the boundary at one lot deep
- Concerns for costs of road improvements and sidewalks
 - Main Street Sidewalk is a top priority of the City Council
 - There is no way to pre-determine the costs
 - There are many streets around the hospital that are eligible for the program and the city does pay for the costs of a sidewalk in some situations
 - There are some avenues but will not be solved in the zoning discussion
- Higher or lower assessments
 - Staff will check with the Borough Assessor on that issue
- Height of 85 feet
 - It was considered too high by some residents, make it allowable by location in the district ex: Fairview and North
 - Anything over 35 feet in height is a Conditional Use
 - Lowering the building height may increase the footprint thus developing some impacts for downslope neighbors by creating additional impermeable surfaces
 - Soil conditions and earthquakes
 - Considerations for parking, fire prevention, etc. when increasing building height
 - Viewshed over footprint
- Landscaping used as a buffer
- Traffic Study – Council has a goal to update the Transportation Plan but Planning staff has recommended waiting until the reconstruction of Pioneer & Lake Street has been completed since there will be alterations to the traffic.
 - Staff will double check on the possibility of a traffic counter installed by the State
- Setback in relation to building height of five stories – Staff will get further information on standard operating procedures for office buildings and parking garages

A brief discussion between Commissioners and staff ensued on allowing heliports in the Medical District and the previous discussion on amending city code to allow heliports in the East End Mixed Use and General Commercial 2 noting that these districts are closer to the airport where it is reasonable to assume such a use would be allowed versus allowing heliports or helipads in the Medical District to allow land use rights for one entity over another. This could be included in the recommendations to Council and included in a Staff Report at a future meeting. Additional discussion progressed on the pros and cons of having the benefit of a local service, fueling, storage of helicopters, lack of complaints on helicopters flying over the area.

Vice Chair Smith noted that there was consensus to not to allow heliports in the proposed Medical District.

SMITH/BOS MOVE TO ADDING AS A NEW BUSINESS AGENDA ITEM HELIPOINTS IN EAST END MIXED USE AND GENERAL COMMERCIAL 2 DISTRICTS AND AMENDING CITY CODE TO REFLECT THAT CHANGE.

Discussion ensued on the desire to discuss this topic at a future meeting and specific details such as speaking to the airport on availability of space, the current allowed uses at the airport and on the Spit and that there is no immediate desire to discuss.

SMITH/BOS MOVED TO AMEND THE MOTION TO INCLUDE THE VERBIAGE, "IN JUNE" AFTER THE WORDS NEW BUSINESS.

There was no further discussion.

VOTE. (Amendment) NO. HIGHLAND, BENTZ.

VOTE. (Amendment) YES. BOS, RUBALCAVA, SMITH.

Motion failed.

Vice Chair Smith called for additional discussion on the main motion.

Discussion on the reasons for objection on the timeline were cited as the number of business items on the Commission's worklist and this is not a priority and the preference not to have additional helicopter traffic flying over the community.

VOTE. (Main). YES. SMITH, RUBALCAVA, BOS.

VOTE. (Main). NO. BENTZ, HIGHLAND.

Motion failed.

Additional discussion ensued on the 85 feet height and that the Planning staff can provide some additional information on designating areas of the district for taller buildings and the availability of land to develop in those areas, how much difference does slope affect the height, view shed is not as important as the ability to construct a tall building to provide services to the community that are desired.

Commissioner Bentz offered that in the beginning there were questions on what the goal of this (Medical District) was and the question came up, "is clustering services what the community wants?" and it was determined that it was; Providers and patients are walking back and forth between services so yes there is value in clustering services. There were public comments on why they were trying to put different businesses together and she believes that they should include this as a whereas in the ordinance going forward.

Deputy City Planner Engebretsen explained briefly that for tall/cell towers staff used the existing code outlined in Residential Office District in the proposed Medical District. The sign code is similar to Residential Office but allows more signage, currently in Residential Office six feet of signage is allowed, with some exceptions, and up to 50 feet of signage will be allowed in the proposed Medical District. She continued noting the difficulty in viewing signage at the existing size currently allowed in Residential Office.

City Planner Abboud provided some clarifications on the tower code for the Commission.

Commissioner Bos advocated for inserting a number of 60 feet for the building height.

Deputy City Planner confirmed that staff will conduct additional research on building height and roof pitches.

A brief discussion ensued on the standard floor height in building construction today; planning for growth before it happens; taking the time to discuss aspects such as landscaping being beneficial; reviewing the Community Design Manual to bring back recommendations for amending the ordinance at the next meeting as far as design.

Further discussion continued on the signage requirements of 36 square feet for free standing signage; wall signage in relation to setbacks and landscaping; consideration of the residential aspects of the area; allowing illumination of signage, internal and external.

NEW BUSINESS

A. Staff Report 20-16 Resolution 20-008(S) Seafarer's Memorial

City Planner Abboud provided a summary of Staff Report 20-16 noting that City Council is proposing to allow no further improvements around the Seafarer's Memorial other than a public walkway.

Discussion and comments were made on the following:

- Clarification on the actual Seafarer's Memorial Park was only 100 feet x 100 feet area and was incorrectly stated in the Resolution as a 2.52 acres
- Parking is around the area not dedicated to the memorial
- Premature action before they have big picture analytics since a parking study and traffic study is in motion and a preference to have that information before making a decision
- The intent of the resolution is to prevent or prohibit expansion of the parking lot and a result of the public comment and to protect the open space.
- Resolutions can be changed in the future
- Parking areas are allowed in Open Space Recreational by Conditional Use and is not considered a zoning or rezoning action.



City of Homer

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Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 20-20

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: March 4, 2020
SUBJECT: Medical District

Requested action: Review any comments or testimony received.

Introduction

At the last work session, the Commission held a neighborhood meeting and heard from area property owners. Items that citizens requested more information on included building height, expanding the boundary to include the first lot on the east side of Hohe Street, and how their tax assessments might be affected by this zoning change.

Boundary

Staff created an additional map with a “Hohe Extension” that includes the first lot on the east side of Hohe. It is presented for discussion.

Tax value

Staff has emailed the Kenai Peninsula Borough Tax assessor for a response to tax questions.

Staff Question: The city is looking at changing the zoning rules around the South Peninsula Hospital. The area is currently a mixed use zone called Residential Office, which allows for homes, apartments, and certain commercial uses such as hospitals and offices. The new zoning rules would be very similar but more in favor of businesses. During a recent public meeting, home owners asked if the zoning change would increase their property values and thus their taxes. Can someone answer that question for me?

Answer from Les Crane, KPB Land Appraiser: The KPB assessing department has been monitoring this particular area of Homer, as it has been going through a transition much like the residential areas in close proximity to Central Peninsula Hospital over the last 10 – 15 years.

Currently KPB is valuing the land in the Residential Office district as a Residential Land type. Over the last several years we have noted that several of the residential properties in and

around the South Peninsula Hospital were purchased and transitioned into medical offices and clinics.

Generally speaking, commercial zoned properties do sell at a higher value when compared to the typical residential zoned lot.

If the proposed Medical District is approved, KPB Assessing Dept. will be taking a close look at sales that occur in the new zoning area and will also be looking at the highest and best use for these properties and whether they should remain valued as residential lots or if they need to be transitioned to commercial.

Building Height

Staff has done some research on roof pitch and building height. Building design to this level of detail is outside staff expertise! In looking at larger and taller buildings, it is apparent that a flat roof design is common. This makes sense; snow shed off a multi-story building is a safety hazard, and mechanical and telecommunications equipment is needed at the rooftop level – City Hall is a small scale example of that. The college buildings are also flat roof structures, but with some architectural relief to give the roofline visual interest. While flat top buildings are not generally as pleasing as say a gabled roof, they are also lower in elevation if view shed is a concern.

Example, you might fit a 5 story building in 65 feet of building height, with a flat roof. That same building with a 4:12 roof pitch would be almost 82 feet high. Please note all these calculations change based on the size of the building (building run), wall height, and roof pitch. It may be the Commission wants to have a height and number of stories above grade height regulation... such as 4 stories and a max height of 60 feet, not including elevator shafts.

Next Steps

Staff will provide more discussion of building height and landscaping at the next meeting. Tentatively, we could hold a public hearing on April 15 or May 6th.

Staff Recommendation:

Consider any new testimony or comments received about the district.

Attachments

1. Email from Jeff Murphy dated February 26, 2020
2. Draft Map 2 19 20
3. Draft Map with Hohe Extension
4. Draft Medical District Ordinance
5. Draft sign code amendments
6. Draft Tower code amendment

From: Brians Appliance <info@briansappliance.com>
Sent: Wednesday, February 26, 2020 10:51 AM
To: Travis Brown
Subject: RE: Notice from City of Homer Planning Office

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

Hi Travis,

Thank you for contacting me. I have no idea why your correspondence was returned. I have received multiple notices in the past regarding various properties that the Borough has sent to PENSCO on my behalf. I will check with them and see what is going on. Again, thanks for letting me know.

On another note, after reviewing the attached material I was concerned to see that my piece of property adjacent to the hospital was not included in the proposed Medical Zone, and fail to understand why.

I thought maybe steep slope concerns but then not only do we have in place regulations to protect steep slope development that any project would have to conform to, but in addition, there is an area of 1 to 1 ½ acres in the bottom center/right side of the piece that is not steep slope and can be developed without impacting the hillside. (While standing in the hospital parking lot it may be difficult to visualize but when I actually walked the property with professional contractors, it was easy to see.) Be that as it may, as I mentioned above, steep slope protections are already in place so it is not that, and I can see no other possible reason to exclude this property which has dedicated access, water, sewer, electricity and gas, and abuts the hospital, from the Medical Zone. If there was ever a piece that should be included, it is this one!

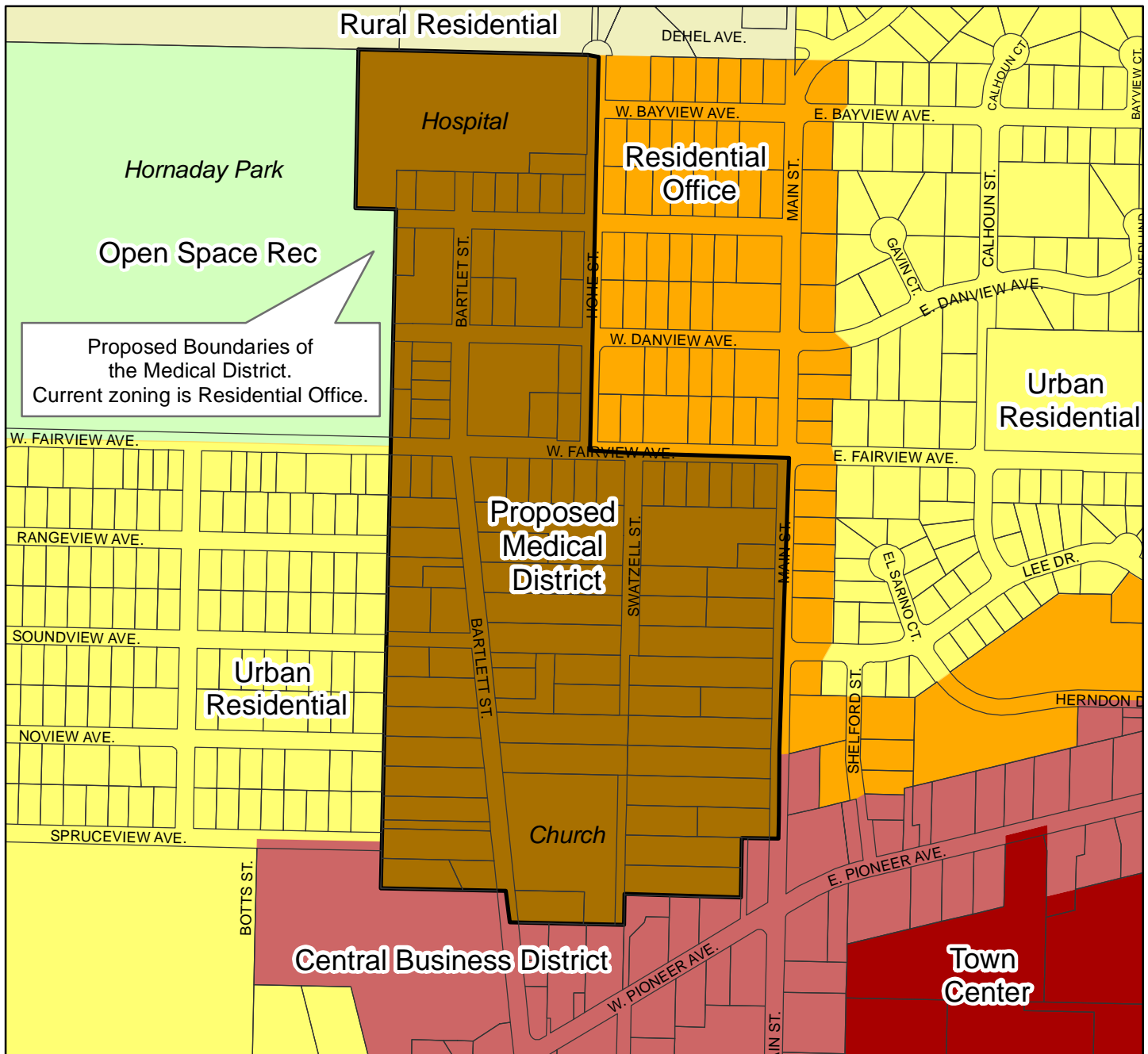
I would like it included.

Hopefully exclusion of my property was just an oversight, but if not, perhaps your office can apprise me of the logic for excluding it?

Thanks for all you help Travis.

Jeff Murphy

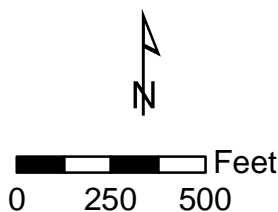
Proposed Medical District Boundaries and Current Zoning



Proposed Boundaries of the Medical District. Current zoning is Residential Office.

Legend

- Current Zones**
- Central Business District
 - Town Center
 - Rural Residential
 - Urban Residential
 - Residential Office
 - Open Space Rec
 - Medical District Draft Boundary

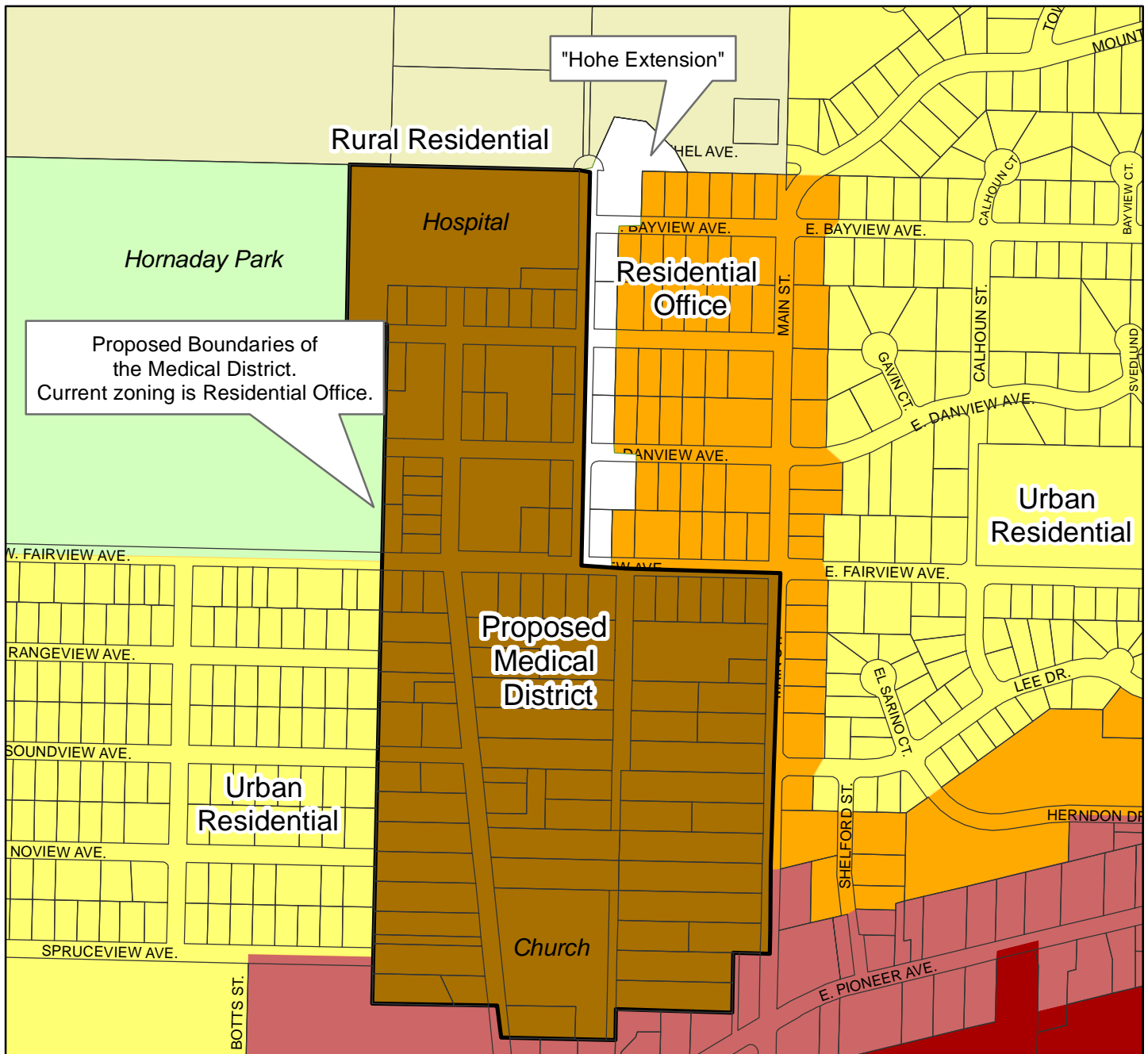


City of Homer
Planning and Zoning Department



1/29/2020

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.







Proposed Medical District Boundaries With Hohe Extension and Current Zoning



Legend

-  Medical District Draft Boundary
-  Medical Boundary Hohe Extension

Current Zones

-  Central Business District
-  Town Center
-  Rural Residential
-  Urban Residential
-  Residential Office
-  Community Space Rec



0 250 500 Feet



City of Homer
Planning and Zoning Department

2/26/2020

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.

1 **Chapter 21.XX**

2 **M MEDICAL DISTRICT**

3 **Sections:**

- 4 21.XX.010 Purpose.
- 5 21.XX.020 Permitted uses and structures.
- 6 21.XX.030 Conditional uses and structures.
- 7 21.XX.040 Dimensional requirements.
- 8 21.XX.050 Site and access.
- 9 21.XX.060 Traffic requirements.
- 10 21.XX.070 Site development standards.
- 11 21.XX.080 Nuisance standards.
- 12 21.XX.090 Lighting standards.

13 **21.XX.010 Purpose.**

14 The purpose of the medical district is to provide an area near the hospital to support allied
15 industries and other professional office and limited commercial uses. The district is meant to
16 accommodate a mixture of residential and nonresidential uses with conflicts being resolved in
17 favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

18 **21.XX.020 Permitted uses and structures.**

19 The following uses are permitted outright in the Medical District:

- 20 a. Single-family and duplex dwelling, excluding mobile homes;
- 21 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
22 excluding mobile homes;
- 23 c. Public parks and playgrounds;
- 24 d. Rooming house, bed and breakfast;
- 25 e. Townhouses; (compliant w 21.53.010 (g) and (h))
- 26 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;
- 27 g. Professional offices and general business offices;
- 28 h. Clinics
- 29 i. Day care facilities
- 30 j. Day care homes
- 31 k. Personal services;

- 32 l. Museums, libraries and similar institutions;
- 33 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 34 n. Religious, cultural and fraternal assembly;
- 35 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner and
36 separated by at least five feet from any property line as an accessory use incidental to a
37 permitted or conditionally permitted principal use;
- 38 p. Private exterior storage of the occupant's personal noncommercial equipment, including
39 noncommercial trucks, boats, campers and not more than one recreational vehicle in a safe and
40 orderly manner and separated by at least five feet from any property line as an accessory use
41 incidental to a permitted or conditionally permitted principal use;
- 42 q. Other customary accessory uses to any of the permitted uses listed in the Residential Office
43 District; provided, that no separate permit shall be issued for the construction of any detached
44 accessory building prior to that of the main building;
- 45 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
46 manner consistent with the requirements of the Homer City Code and as long as such animals
47 are kept as pets and their numbers are such as not to unreasonably annoy or disturb occupants
48 of neighboring property;
- 49 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 50 t. As an accessory use, one small wind energy system per lot having a rated capacity not
51 exceeding 10 kilowatts;
- 52 u. Mobile food services
- 53 v. Retail as an accessory use to a permitted principle use
- 54 w. Sale of durable and non-durable medical supplies and equipment
- 55 x. More than one building containing a permitted principal use on a lot;
- 56 y. Parking lots
- 57 **21.XX.030 Conditional uses and structures.**
- 58 The following uses may be permitted in the Residential Office District when authorized by
59 conditional use permit issued in accordance with Chapter 21.71 HCC:
- 60 a. Planned unit developments, excluding all industrial uses;
- 61 b. Public or private schools;
- 62 c. Hospitals;

- 63 d. Public utility facilities and structures;
- 64 e. Mortuaries;
- 65 f. Group care homes;
- 66 g. Helipads, but only as an accessory use incidental to a hospital conditional use;
- 67 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that
- 68 it is the only wind energy system of any capacity on the lot;
- 69 i. Other uses approved pursuant to HCC 21.04.020.

70 **21.XX.040 Dimensional requirements.**

71 The following dimensional requirements shall apply to all structures and uses in the Medical
72 District:

73 a. The minimum lot size is 7,500 square feet.

74 b. Building Setbacks.

75 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

76 2. All buildings shall be set back from all other lot boundary lines according to the number
77 of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet
2 1/2 stories	8 feet

78 c. Building Height.

79 1. The maximum building height is 35 feet, except as provided in subsection (c)(2) of this
80 section.

81 2. If approved by conditional use permit, multifamily residential and commercial
82 buildings up to 85 (Or 60 feet, 5 stories above grade/roofpitch not to exceed/feet in
83 height may be allowed.)

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

87 **21.XX.050 Site and access.**

88 a. A zoning permit for any nonresidential use or structure shall not be issued by the City without
89 an approved site plan and an approved level two right-of-way access plan that conform to the
90 standards of Chapter 21.73 HCC.

91 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
92 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

93 **21.XX.060 Traffic requirements.**

94 A conditional use permit is required for every use that:

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

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

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

101 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of
102 service, the highway, road, street, alley or intersection.

103 **21.XX.070 Site development standards.**

104 a. All single-family and duplex residential development in the Residential Office District shall
105 comply with the level one site development standards contained in HCC 21.50.020.

106 b. All residential development of three units or more and all nonresidential development on
107 lands in this district shall conform to the level two site development standards set forth in HCC
108 21.50.030 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2).
109 Parking lots with a minimum of 24 spaces or more shall provide a minimum of 10% landscaped
110 area in dividers, islands or buffers or any combination thereof, adjacent or within the parking
111 area.

112 c. New non-residential construction shall be screened from existing single family or duplex
113 dwellings by a fence or landscaping so as to obscure the view of the parking lot and loading
114 areas from the adjacent dwelling.

115 **21.XX.080 Nuisance standards.**

116 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in this
117 zoning district.

118 **21.XX.090 Lighting standards.**

119 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
120 structures in this zoning district.

121

1 **21.60.060 Signs on private property.**

2 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
 3 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit
 4 approval in the zoning district represented by that column. If the letter “P” appears for a sign
 5 type in a column, such sign type is allowed only with prior permit approval in the zoning district
 6 represented by that column. Special conditions may apply in some cases. If the letter “N”
 7 appears for a sign type in a column, such sign type is not allowed in the zoning district
 8 represented by that column under any circumstances. If the letters “PH” appear for a sign type in
 9 a column, such sign type is allowed in the zoning district represented by that column only with
 10 prior approval by the Commission after a public hearing.

11 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P” in
 12 Table 1 shall be allowed only if:

13 1. The sum of the area of all building and freestanding signs on the lot does not exceed the
 14 maximum permitted sign area for the zoning district in which the lot is located as specified
 15 in Table 2; and

16 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 17 Characteristics by Zoning District, and with any additional limitations on characteristics
 18 listed in Table 1 or Table 2.

19 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU	East End Mixed Use
		MC	Marine Commercial
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
MD	Medical District	PS	Public Sign Uses Permit
A = Allowed without sign permit P = Allowed only with sign permit N = Not allowed PH = Allowed only upon approval by the Planning Commission after a public hearing.			

Key to Tables 1 through 3

For parenthetical references, e.g., “(a),” see notes following graphical portion of table.

Table 1

Sign Type	R R	U R	R O	IN S (a)	<u>M</u> <u>D</u>	CB D	T C	GB D	GC 1	GC 2	EEM U	M C	M I	OS R	PS
Freestanding															
Residential (b)	A	A	A	A	<u>A</u>	A	A	A	N	N	N	N	N	A	P H
Other (b)	N	N	N	P	<u>P</u>	P	P	P (i)	A	A	A	P	P	N	P H
Incidental (c)	N	N	A (d)	A (d)	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Building															
Banner	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	<u>A</u>	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	<u>P</u>		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	<u>P</u>	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Miscellaneous															
Flag (h)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	A

20
21
22

23

24 Notes to Table 1:

- 25 a. This column does not represent a zoning district. It applies to institutional uses permitted
- 26 under the zoning code in the RR, UR and RO zoning districts. Institutional is defined as an
- 27 established organization or corporation of a public, nonprofit, or public safety/benefit nature, i.e.,
- 28 schools, churches, and hospitals.
- 29 b. No commercial message allowed on sign, except for a commercial message drawing
- 30 attention to goods or services legally offered on the lot.
- 31 c. No commercial message of any kind allowed on sign if such message is legible from any
- 32 location off the lot on which the sign is located.
- 33 d. Only address and name of occupant allowed on sign.
- 34 e. May include only building name, date of construction, or historical data on historic site;
- 35 must be cut or etched into masonry, bronze, or similar material.
- 36 f. No commercial message of any kind allowed on sign.
- 37 g. The conditions of HCC 21.60.130 apply.
- 38 h. Flags of the United States, the State, the City, foreign nations having diplomatic relations
- 39 with the United States and any other flag adopted or sanctioned by an elected legislative body of
- 40 competent jurisdiction. These flags must be flown in accordance with protocol established by the
- 41 Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of
- 42 these conditions shall be considered a banner sign and shall be subject to regulations as such.
- 43 i. The main entrance to a development in GBD may include one ground sign announcing the
- 44 name of the development. Such sign shall consist of natural materials. Around the sign grass,
- 45 flowers and shrubs shall be placed to provide color and visual interest. The sign must comply
- 46 with applicable sign code requirements.

47

48 **Table 2. Maximum Total Sign Area Per Lot by Zoning District**

49

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	MD
4	4	6	50	20	4	32	50

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or with multiple independent businesses or occupancies in one or more buildings, the total allowed sign area may be increased beyond the maximum allowed signage as shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote or identify the building or complex of buildings.

In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed, shall not exceed the following limitations:

Only one freestanding sign is allowed per lot, except one freestanding public sign may be additionally allowed. A freestanding sign may not exceed 10 feet in height. The sign area on a freestanding sign (excluding a public sign) shall be included in the calculation of maximum allowed sign area per lot and shall not exceed the following:

One business or occupancy in one building – 36 sq ft

Two independent businesses or occupancies or principal buildings in any combination – 54 sq ft

Three independent businesses or occupancies or principal buildings in any combination – 63 sq ft

Four or more independent businesses or occupancies or principal buildings in any combination – 72 sq ft

50

51 Notes to Table 2, Parts A and B

52 a. The INS column does not represent a zoning district. It applies to institutional uses
 53 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined
 54 as an established organization or corporation of a public, nonprofit, or public safety or benefit
 55 nature, e.g., schools churches, and hospitals.

56 b. Flags of the United States, the State, the City, foreign nations having diplomatic relations
 57 with the United States, and any other flag adopted or sanctioned by an elected legislative body of
 58 competent jurisdiction. These flags must be flown in accordance with protocol established by the
 59 Congress of the United States for the Stars and Stripes. Any flag not meeting any one or more of
 60 these conditions shall be considered a banner sign and shall be subject to regulation as such.

61 c. Square feet of wall frontage is defined as total square footage of wall surface, under the
 62 roof, that faces the major access or right-of-way of the business. In the case of a business located
 63 on a corner lot, square footage of wall frontage is the total square footage of wall surface, under
 64 the roof, on the side of the business with the most square footage.

- 65 d. The PS column does not represent a zoning district. It applies to public signs permitted
- 66 under the zoning code, in all zoning districts.
- 67 e. This RO column applies only to lots in that portion of the RO district that abuts East End
- 68 Road, **Bartlett Street, Hohe Street**, and Pennock Street. Within this area, there is allowed a
- 69 maximum of 50 square feet total area of all signs (including the ground sign referred to below),
- 70 except incidental, building marker, and flags (see note (b) above). One ground sign, with a
- 71 maximum total area of 16 square feet, will be permitted per lot. Each ground sign shall not
- 72 exceed six feet in height, measured from the base to the highest portion of any part of the sign or
- 73 supporting structure.
- 74 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
- 75 **freestanding public sign may be additionally allowed. A freestanding sign may not exceed**
- 76 **10 feet in height or 36 square feet in area.**

77
78 **Table 3. Permitted Sign Characteristics by Zoning District**
79

Sign Type	RR	UR	RO	INS (a)	MD	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	P	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	N	P	P	N	P	P	P	P	P	N	N

- 80
- 81 Notes to Table 3:
- 82 a. The INS column does not represent a zoning district. It applies to institutional uses
- 83 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is defined
- 84 as an established organization or corporation of a public, nonprofit, or public safety/benefit
- 85 nature, i.e., schools, churches, and hospitals.
- 86 b. Animated signs may not be neon or change colors or exceed three square feet in area.
- 87 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
- 88 d. Neon signs may not be flashing and may not exceed 32 square feet.
- 89 e. The PS column does not represent a zoning district. It applies to public signs permitted
- 90 under the zoning code, in all zoning districts.
- 91 [Ord. 14-34 § 1, 2014; Ord. 12-26 § 1, 2012; Ord. 12-01(S)(A) §§ 2 – 6, 2012].

Tall Towers

Staff recommends tall tower regulations stay the same for this area. HCC 21.58.030 would be amended as follows:

21.58.030 Permission for communications towers.

a. Except as provided in subsection (b) of this section, a communications tower is permitted as a principal or accessory use or structure in each zoning district.

b. A communications tower that exceeds the following maximum height for the zoning district in which the communications tower is located is permitted only when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
<u>MD</u>	<u>85</u>
UR	60
RR	85
CONS	60
GC2	120
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

Rob Lund
4178 Hohe St.
Homer, Ak.
235-3608

Homer Advisory Planning Commission

Dear Commissioners:

As you work on the proposed medical district, please consider the following comments.

The original eastern boundary for the proposed district was Hohe Street—anything to the east of Hohe would remain in the Residential Office zone; areas to the west would be part of the medical district. It has come to my attention that there has already been a proposal to change the Hohe Street boundary, i.e. the “Hohe Extension”; I would like to express my opposition to this change. The reason for using the centerline of Hohe as the east boundary of the medical district is that it protects from development the predominately residential nature of the area to the east of Hohe. The strip of lots along Hohe that constitute the “Extension” are used exclusively for residential occupancy with two exceptions. One is Homer Dental Clinic, now owned by Dr. Jay Marley; the other is an expansion of Kenai Physical Therapy, currently under construction.

Dr. Marley’s dental practice was started by his father in , probably before zoning existed in the area. Homer Dental Clinic, which has earned grandfather rights from its long history of serving neighborhood patients, is an excellent example of the sort of business

that should be encouraged in Residential Office zoning. The expansion of Kenai Physical Therapy is an excellent example of the process of encroachment by medical uses into the residential area east of Hohe. As this process continues, it is encouraged by boundary changes like the “Hohe Extension,” thus further jeopardizing the residential area east of Hohe. Evidence that this is a reasonable concern is to be found in the comments made during the February 5 workshop conducted on the proposed medical district. Specifically one of the local property owners in the audience asked about petitioning the City to include his property on the east side of Hohe Street in the medical district. This is evidence that there are already commercial interests that are in favor of expanding the medical district to the east, beyond the boundary in the initial proposal and into the Residential Office zone east of Hohe. The east boundary of the medical district should be firmly and unalterably established at the center of Hohe Street. Lacking that fixed boundary, it would seem to be inevitable that medical usages would extend eastward across the block to Main Street, perhaps beyond.

Lane Chesley, representing the South Peninsula Hospital Operating Board, made a request at the February 5 workshop that SPH be allowed to build a heliport separate from the hospital in the medical district, a use that is explicitly prohibited in the proposed district. The argument was that it would save time in transporting patients to Anchorage for more extensive care. This is plainly a bad idea for at least two reasons: First, the nuisance level—there is no justification for the racket and other disturbances that a heliport would bring to an area that is substantially residential, is in fact currently zoned for residential uses and is surrounded by Residential Office and Urban Residential areas. Second, even more disturbing, is the presence of large quantities of avgas or jet fuel that presumably would be stored at the heliport. (And if fuel isn’t stored there, then the proposed heliport

would require an additional trip to the airport to take on fuel, further weakening the argument that the heliport is needed to save time.) We are living in the age of global warming and the increasing threat of wildfires in locations that precisely match the landscape in the medical district. Please remember last summer and the drought and fires in Alaska and California. The devastation and loss of life in California are shocking—even more shocking is the realization that we, Homer, could be next, and it is hardly reassuring that those of us living in the vicinity of the heliport could face that kind of disaster while sitting on top of thousands of gallons of aviation fuel. It would be interesting to know what the Homer Fire Department thinks about this proposal.

I and others support keeping a medevac helicopter in Homer, but at the airport—not in our backyards. The difference in travel time from a heliport in the medical district and one at the airport is insignificant—longer delays are surely incurred while picking up and dropping off EMT's and prepping the patient for the trip to Anchorage—so time constraints can hardly justify the risks and disturbances inflicted on the neighborhood, and one wonders why the hospital is willing to incur the apparently unnecessary expense of financing and maintaining duplicate infrastructure to support the heliport.

As the proposed medical district is developed, I would like to urge the Planning Commission to consider several related issues. First, the proposed zoning addresses traffic impacts as a function of each separate project. In fact, traffic impacts are cumulative, and, although any given development might not trigger the need for a review, the total effect on traffic volumes by several developments could be far beyond the increase needed for review. Consequently, the proposed requirements for the review of traffic impacts should be amended in a way that reflect the need to consider the sum of increased traffic generated by continuing development.

As development proceeds, there will be numerous opportunities to relocate utilities underground. The City should prioritize this shift, and hopefully in the future, Homer will have eliminated all above ground utilities.

As I mentioned in earlier paragraphs, the Residential Office zone to the east of Hohe Street is being transformed by the incursion of medical developments. This is potentially disastrous to a currently thriving area of residential usage, and efforts should be made to curtail this gradual process of change. One measure to achieve this would be to re-zone the area east of Hohe Street as Urban Residential. I hope the Planning Department will in the future consider this suggestion as a way to protect the neighborhood's residential character.

Finally, Rick Abboud deserves to be commended for Staff Report 20-21 on tree preservation. The Community Design Manual's recommendations seem ideal for the proposed medical district and indeed for the entire City of Homer. I hope the Planning Commission endorses them without reservation.

Sincerely,



Rob Lund



VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioners Venuti and Petska-Rubalcava returned to the table and Vice Chair Smith returned the gavel to Chair Venuti.

PENDING BUSINESS

A. Staff Report 20-20, Medical District Planning

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

City Planner Abboud provided a summary of Staff Report 20-20 to the Commission.

A discussion ensued between the Commissioners and City Planner Abboud on the following:

- Response on valuation assessments from the Kenai Peninsula Borough Tax Assessor
- Moving the Hohe boundary line
 - o Would not affect the current businesses already there
 - o Uses are allowed in Residential Office District
 - o Property Taxes/Assessments may increase due to change to commercial from residential but this could increase the “value” of property for resale purposes making it more desirable to be in the Medical District
 - o Property owners can petition to be included in the district
- Public Comment received on proposed boundaries
- Inclusion of a parcel that is zoned Rural Residential and is thus outside the Residential Office
 - o Integrity of the hillside
 - o Access to that parcel due to location
 - o Possible risk to the hospital
 - No conclusive/tangible reports on the stability of the bluff has been presented
 - There has not been a reported slough on the bluff in 2200 years according to the report presented a few meetings back
 - Require the science to back up the Commission comments
 - Instances in other locations of steep slope that were disturbed that ended badly
- Storm water Drainage from above/behind the hospital

HIGHLAND/BENTZ MOVED TO LEAVE THE EASTERN BOUNDARY IN THE CENTER OF HOHE STREET FOR THE MEDICAL DISTRICT.

A brief discussion ensued on the pros and cons to leave the boundary down Hohe street or move it to one lot in along Hohe, defining that property owners can petition to be included in the district; expanding the boundary one lot in will include property that is already being used

as a medical service, the traffic impacts and uses that exist are also reason to leave the boundary at one lot in not the center line.

VOTE. YES. HIGHLAND, BOS, PETSKA-RUBALCAVA

VOTE. NO. BENTZ, VENUTI, SMITH.

Motion failed.

City Planner Abboud requested a parliamentary opinion on this motion. Noting that this will delay the decision on this topic at this time.

Deputy City Clerk Krause provided some input on the parliamentary aspects of the motion being voted down.¹

Discussion then ensued on building heights and roof pitch. The following comments and points were made by Commissioners and City Planner Abboud:

- Pitched roofs are not used on commercial buildings due to inherent danger with snow sloughing off endangering people.
- Opposition to tall buildings
- Height of the South Peninsula Hospital
- Taller buildings/high-rises should be planned for if they want to grow Homer
- Tall buildings with flat roof and architectural features should be allowed north of Fairview Avenue in the district

SMITH/BENTZ MOVED TO LIMIT THE BUILDING HEIGHT TO 65 FEET IN THE PROPOSED MEDICAL DISTRICT WITH EXCEPTIONS FOR ELEVATIONS SUCH AS ELEVATOR SHAFTS OR MECHANICAL ESSENTIALS.

There was a brief discussion on tall buildings over 35 feet being granted by Conditional Use Permit in the proposed district and defining that this limits a building to actually 4 stories, noting that it could contain two floors of parking and two for offices; a typical floor is 14 feet.

VOTE. YES. SMITH, VENUTI, BENTZ, PETSKA-RUBALCAVA, BOS

VOTE. NO. HIGHLAND.

Motion carried.

¹ The vote resulted in a tie. Four votes are needed to forward a decision. The original proposed eastern boundary of the center of Hohe Street is still on the table for consideration. The Commission requested to see the alternate eastern boundary as one lot in but no motion was offered to make that the eastern boundary.

City Planner Abboud requested comment and discussion on landscaping options for screening parking lots in the district referencing some of the information provided in the packet for the Tree Preservation item.

Commissioners and City Planner Abboud commented and discussed the following with regards to the draft ordinance on landscaping and parking lots in particular:

- Suggestion to implement a “landscape credit” program for natural or undisturbed vegetation instead of removing all existing natural vegetation
- Recommended inserting the above recommendation in lines 106-112 using specific language requirements for landscaping
- Screening requirements, line 113, could state “continuous” which would better block the view of parking lots from residential lots
- Inclusion of green infrastructure in the proposed Medical District at this time since Staff has not been able to approach the subject with a more informed entity on best practices
- Storm water requirements and interpretations are dependent upon the amount of impervious surface and insert dimensional requirements on parking lots, places in the area
- Considering dimensional requirements, when talking about impervious surfaces, building, and parking lot areas and identification of areas on the property that were of high value as natural infrastructure versus better suited for building and there is language included in the dimensional requirements for buildings but it is not apparent for parking lots.
- Desire to implement landscape and green infrastructure requirements in creating a new district from the start that could actually be used to complement infrastructure in general and could result in reducing costs to the municipality for water and storm water treatment. There is uncertainty on implementation strategies in arctic conditions. Example was providing using the total impervious areas and the different runoff rates are for each area such as ditches, rooftops, parking lots, etc. then based on those figures would be the amount of green infrastructure required from simple things to bio-engineered rain gardens which is believed to be needed in this area due to the soil conditions.
- Storm water requirements are determined per location and based on the amount of proposed impervious surface. Staff would like to have studies conducted to determine best practices.
- Consideration of the existing soil conditions when making decisions, existing storm water controls, slope, drainage, etc.
- Staff will provide information and examples of landscaping at the next meeting
- Requirements for parking which would be allowed outright in the district
 - o Requirements should be outlined in development standards if you want to be more descriptive or restrictive
 - o Parking Garages would be considered under structures and by conditional use permit
- Consideration to increase the percentage of the building area since the majority of lots in the proposed district are smaller and would trigger a Conditional Use Permit



City of Homer

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Planning

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Staff Report PL 20-38

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: June 17, 2020
SUBJECT: Medical Zoning District Draft Ordinance

Requested action: Conduct a public hearing and make a recommendation to the City Council.

Introduction

The Commission was tasked by the City Council in Resolution 19-49(S)(A) to make a recommendation to Council by June 30th on a new medical zoning district. The Commission response was to include a draft ordinance and memo explaining the recommendations and the process used to arrive at them.

Where we have been

The Commission has discussed this proposed zoning district at four work sessions and six regular meetings to date. At the end of this staff report is a list of meeting dates, and staff reports. All of these items are available on the City website under the meeting date, if you need a refresher! A neighborhood meeting was held on February 20, 2020.

Analysis of code and map amendments

There are three main code amendments:

1. Creation of the text and zoning map for the new district
2. Inclusion of the medical district in tall tower regulations
3. Inclusion of the medical district in the sign code

1. Creation for the text and zoning map for the new district

HCC 21.17, Medical District would be enacted by this ordinance. The area included in the new district would be an upzoning of a portion of the Residential Office District, roughly bounded by Main, Hohe and Bartlett Streets, the hospital to the north, and the Central Business district to the south, just shy of Pioneer Ave. The new zone is a commercial zoning district that allows mixed land uses, ranging from single family homes to professional offices and the hospital. The Medical District differs from the Residential Office District in that it allows for parking lots, medical clinics, retail sales of medical supplies and equipment, and allows for taller buildings with an approved

conditional use permit. There are enhanced landscaping and screening requirements for new, nonresidential construction when there is an existing home next door.

2. Inclusion of the medical district in tall tower regulations

Medical district tower heights would be the same as the current Residential Office standard of 85 feet. Taller towers require a conditional use permit.

3. Inclusion of the medical district in the sign code

This amendment includes the new district in the sign code. The signage is similar to what is currently allowed in the Residential Office District along Bartlett Street.

Staff Recommendation:

Consider any new testimony or comments received about the district. Recommend adoption of the draft ordinance to the City Council.

Attachments

1. Planning Department review of text and zoning map amendments
2. Draft Medical District Ordinance REVISED with Exhibit A and B
3. Public Notice
4. Aerial Map

List of PC meeting dates

12/2/2019	SR 19-98
1/2/20	SR 20-04
1/15/20	SR 20-09
2/5/20	SR 20-13
2/19/20	SR 20-15* neighborhood meeting and regular HPC meeting
3/4/20	SR 20-20



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MEMORANDUM PL-07

TO: Homer Planning Commission
FROM: Rick Abboud, City Planner
DATE: June 17, 2020
SUBJECT: Planning Staff review of text and zoning map amendments

Planning Staff review per 21.95.040

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 response: The general area for consideration of the district is represented on the 2018 Homer Comprehensive Plan Land Use Recommendation Map. Guidance for the district is found in the Appendix of the plan and has been followed by the Planning Commission. Goal 1 Objective B supports revising the zoning map according to the recommendations found in the Land Use Recommendation Map.

b. Will be reasonable to implement and enforce.

Staff response: The proposed district expands some options of the current district, while being in the same format as existing zoning districts. The draft ordinance will be reasonable to implement and enforce

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

Staff response: This amendment promotes health, safety and welfare by allowing planned limited commercial growth around the hospital and increase in the mixture of land uses in the area.

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

Staff response: This amendment has been reviewed by the City Attorney and is consistent with the intent, wording and purpose of HCC Title 21.

21.95.050 Planning Department review of zoning map amendment. The Planning Department shall evaluate each amendment to the official zoning map that is initiated in accordance with HCC 21.95.020 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 response: The general area of the area to be rezoned is represented on the 2018 Homer Comprehensive Plan Land Use Recommendation Map. The zoning map change is consistent with the Comprehensive Plan.

b. Applies a zoning district or districts that are better suited to the area that is the subject of the amendment than the district or districts that the amendment would replace, because either conditions have changed since the adoption of the current district or districts, or the current district or districts were not appropriate to the area initially.

Staff response: Conditions have changed since the current zoning of Residential office was applied to the area. The changing nature of the area with larger medical clinics and more commercial activity was recognized in the 2018 Comprehensive Plan. The new zoning district takes into account the growing health care industry in Homer and the changing land use needs of the area to be rezoned.

c. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

Analysis: Commercial site development in both the Residential Office and Medical districts is largely regulated by the same section of city code: HCC 21.50.030. Bartlett and Main Streets are classified as collectors in the 2005 Homer Area Transportation Plan, part of the adopted comprehensive plan. Land use patterns in either district require a conditional use permit for uses over 8,000 square feet.

Direct impacts on adjacent lands are analyzed if a proposed development requires a conditional use permit.

Staff response: The rezoning of this area is in the best interests of the public as it supports the concentration of limited commercial land uses within the core area of the community and in proximity to the existing hospital. The environment, transportation, public services, and land use patterns will not be more greatly affected by the development permitted in the Medical District vs the Residential Office District.

STAFF COMMENTS/RECOMMENDATIONS:

Planning staff has reviewed the ordinance per 21.95.040 and 21.95.050 and recommends the Planning Commission conduct a public hearing, and recommend approval to the City Council.

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TO CREATE HOMER CITY CODE 21.17, MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.58.030, PERMISSION FOR COMMUNICATIONS TOWERS, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.10.020, ZONING DISTRICTS, TO INLCUDE THE MEDICAL DISTRICT; AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT TO MEDICAL (M) ZONING DISTRICT.

Whereas, The 2018 Homer Comprehensive Plan Goal 1 Objective B states that the zoning map be updated to support the desired pattern of growth; and

Whereas, The Comprehensive Plan Land Use Recommendations Map designated an area for consideration of a Medical District; and

Whereas, The Homer Planning Commission has worked with area residents and business owners to identify desirable characteristics and appropriate performance standards as suggested in the Homer Comprehensive Plan; and

Whereas, The Homer Planning Commission held a neighborhood meeting on February 19, 2020 and held a public hearing on June 17, 2020, as required by HCC 21.95.060(C); and

WHEREAS, The Homer Planning Commission determined there is a public need and justification for the rezone; and

WHEREAS, The Homer Planning Commission determined the rezone would not have a negative effect on the public health, safety and welfare; and

WHEREAS, The Homer Planning Commission considered the effect of the change on the district and surrounding properties; and

WHEREAS, The Homer Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

35

36 Section 1. Homer City Code 21.17 is hereby enacted as follows:

37

Chapter 21.17

38

M MEDICAL DISTRICT

39 Sections:

- 40 21.17.010 Purpose.
- 41 21.17.020 Permitted uses and structures.
- 42 21.17.030 Conditional uses and structures.
- 43 21.17.040 Dimensional requirements.
- 44 21.17.050 Site and access.
- 45 21.17.060 Traffic requirements.
- 46 21.17.070 Site development standards.
- 47 21.17.080 Nuisance standards.
- 48 21.17.090 Lighting standards.

49 **21.17.010 Purpose.**

50 The purpose of the Medical District is to provide an area near the hospital to support medical
51 facilities and other professional office and limited commercial uses. The district is meant to
52 accommodate a mixture of residential and nonresidential uses with conflicts being resolved in
53 favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

54 **21.17.020 Permitted uses and structures.**

55 The following uses are permitted outright in the Medical District:

- 56 a. Single-family and duplex dwelling, excluding mobile homes;
- 57 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
58 excluding mobile homes;
- 59 c. Public parks and playgrounds;
- 60 d. Rooming house, bed and breakfast;
- 61 e. Townhouses (compliant w 21.53.010 (g) and (h));
- 62 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;
- 63 g. Professional offices and general business offices;
- 64 h. Clinics;

- 65 i. Day care facilities;
- 66 j. Day care homes;
- 67 k. Personal services;
- 68 l. Museums, libraries and similar institutions;
- 69 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 70 n. Religious, cultural and fraternal assembly;
- 71 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner
72 and separated by at least five feet from any property line as an accessory use incidental to a
73 permitted or conditionally permitted principal use;
- 74 p. Private exterior storage of the occupant's personal noncommercial equipment, including
75 noncommercial trucks, boats, campers, and not more than one recreational vehicle in a safe
76 and orderly manner and separated by at least five feet from any property line as an accessory
77 use incidental to a permitted or conditionally permitted principal use;
- 78 q. Other customary accessory uses to any of the permitted uses listed in the Medical District;
79 provided, that no separate permit shall be issued for the construction of any detached
80 accessory building prior to that of the main building;
- 81 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
82 manner consistent with the requirements of the Homer City Code and as long as such animals
83 are kept as pets and their numbers are such as not to unreasonably annoy or disturb occupants
84 of neighboring property;
- 85 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 86 t. As an accessory use, one small wind energy system per lot having a rated capacity not
87 exceeding 10 kilowatts;
- 88 u. Mobile food services;
- 89 v. Retail as an accessory use to a permitted principle use;
- 90 w. Sale of durable and non-durable medical supplies and equipment;
- 91 x. More than one building containing a permitted principal use on a lot;
- 92 y. Parking lots.

93 **21.17.030 Conditional uses and structures.**

94 The following uses may be permitted in the Medical District when authorized by conditional
95 use permit issued in accordance with Chapter 21.71 HCC:

- 96 a. Planned unit developments, excluding all industrial uses;
- 97 b. Public or private schools;
- 98 c. Hospitals;
- 99 d. Public utility facilities and structures;
- 100 e. Mortuaries;
- 101 f. Group care homes;
- 102 g. Helipads, but only as an accessory use incidental to a hospital conditional use;
- 103 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
- 104 that it is the only wind energy system of any capacity on the lot;
- 105 i. Other uses approved pursuant to HCC 21.04.020;
- 106 j. Parking garage.

107 **21.17.040 Dimensional requirements.**

108 The following dimensional requirements shall apply to all structures and uses in the Medical
 109 District:

- 110 a. The minimum lot size is 7,500 square feet.
- 111 b. Building Setbacks.
 - 112 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.
 - 113 2. All buildings shall be set back from all other lot boundary lines according to the number
 - 114 of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet
2 1/2 stories	8 feet

- 115 c. Building Height.
 - 116 1. The maximum building height is 35 feet, except as provided in subsection (c)(2) of
 - 117 this section.
 - 118 2. If approved by conditional use permit, the maximum building height for multifamily
 - 119 residential and commercial buildings 65 feet.

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

123 **21.17.050 Site and access.**

124 a. A zoning permit for any nonresidential use or structure shall not be issued by the City
 125 without an approved site plan and an approved level two right-of-way access plan that
 126 conform to the standards of Chapter 21.73 HCC.

127 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
 128 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

129 **21.17.060 Traffic requirements.**

130 A conditional use permit is required for every use that:

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

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

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

137 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of
 138 service, the highway, road, street, alley or intersection.

139 **21.17.070 Site development standards.**

140 a. All single-family and duplex residential development in the Medical District shall comply
 141 with the level one site development standards contained in HCC 21.50.020.

142 b. All residential development of three units or more and all nonresidential development on
 143 lands in this district shall conform to the level two site development standards set forth in HCC
 144 21.50.030 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2).
 145 Parking lots with a minimum of 24 spaces or more shall provide a minimum of 10% landscaped
 146 area in dividers, islands or buffers or any combination thereof, adjacent or within the parking
 147 area.

148 c. New non-residential construction shall be screened from existing single family or duplex
 149 dwellings by a continuous fence or landscaping so as to obscure the view of the parking lot and
 150 loading areas from the adjacent dwelling.

151 **21.17.080 Nuisance standards.**

152 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in this
 153 zoning district.

154 **21.17.090 Lighting standards.**

155 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
 156 structures in this zoning district.

157

158 Section 2. Homer City Code 21.21.58.030 Permission for communications towers is hereby
 159 amended as follows:

160 a. Except as provided in subsection (b) of this section, a communications tower is permitted as
 161 a principal or accessory use or structure in each zoning district.

162 b. A communications tower that exceeds the following maximum height for the zoning district
 163 in which the communications tower is located is permitted only when authorized by
 164 conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
MD	85
UR	60
RR	85
CONS	60
GC2	120
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

165

166 Section 3. Homer City Code 21.60.060 Signs on private property is hereby amended as follows:

167

168 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
 169 letter "A" appears for a sign type in a column, such sign type is allowed without prior permit
 170 approval in the zoning district represented by that column. If the letter "P" appears for a sign
 171 type in a column, such sign type is allowed only with prior permit approval in the zoning district
 172 represented by that column. Special conditions may apply in some cases. If the letter "N"
 173 appears for a sign type in a column, such sign type is not allowed in the zoning district
 174 represented by that column under any circumstances. If the letters "PH" appear for a sign type
 175 in a column, such sign type is allowed in the zoning district represented by that column only
 176 with prior approval by the Commission after a public hearing.

177 b. Although permitted under subsection (a) of this section, a sign designated by an "A" or "P" in
 178 Table 1 shall be allowed only if:

179 1. The sum of the area of all building and freestanding signs on the lot does not exceed the
 180 maximum permitted sign area for the zoning district in which the lot is located as specified
 181 in Table 2; and

182 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 183 Characteristics by Zoning District, and with any additional limitations on characteristics
 184 listed in Table 1 or Table 2.

185 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU	East End Mixed Use
		MC	Marine Commercial
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
MD	Medical District	PS	Public Sign Uses Permit

Key to Tables 1 through 3															
A = Allowed without sign permit															
P = Allowed only with sign permit															
N = Not allowed															
PH = Allowed only upon approval by the Planning Commission after a public hearing.															
For parenthetical references, e.g., "(a)," see notes following graphical portion of table.															

186
187
188

Table 1

Sign Type	RR	UR	RO	INS (a)	MD	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Freestanding															
Residential (b)	A	A	A	A	<u>A</u>	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	<u>P</u>	P	P	P (i)	A	A	A	P	P	N	PH
Incidental (c)	N	N	A (d)	A (d)	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Building															
Banner	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	<u>A</u>	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	<u>P</u>		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	<u>P</u>	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N

Sign Type	RR	UR	RO	INS (a)	MD	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Miscellaneous															
Flag (h)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

189

190 Notes to Table 1:

- 191 a. This column does not represent a zoning district. It applies to institutional uses
- 192 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined
- 193 as an established organization or corporation of a public, nonprofit, or public safety/benefit
- 194 nature, i.e., schools, churches, and hospitals.
- 195 b. No commercial message allowed on sign, except for a commercial message drawing
- 196 attention to goods or services legally offered on the lot.
- 197 c. No commercial message of any kind allowed on sign if such message is legible from any
- 198 location off the lot on which the sign is located.
- 199 d. Only address and name of occupant allowed on sign.
- 200 e. May include only building name, date of construction, or historical data on historic site;
- 201 must be cut or etched into masonry, bronze, or similar material.
- 202 f. No commercial message of any kind allowed on sign.
- 203 g. The conditions of HCC 21.60.130 apply.
- 204 h. Flags of the United States, the State, the City, foreign nations having diplomatic
- 205 relations with the United States and any other flag adopted or sanctioned by an elected
- 206 legislative body of competent jurisdiction. These flags must be flown in accordance with
- 207 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
- 208 not meeting any one or more of these conditions shall be considered a banner sign and shall be
- 209 subject to regulations as such.
- 210 i. The main entrance to a development in GBD may include one ground sign announcing
- 211 the name of the development. Such sign shall consist of natural materials. Around the sign
- 212 grass, flowers and shrubs shall be placed to provide color and visual interest. The sign must
- 213 comply with applicable sign code requirements.

214

Table 2. Maximum Total Sign Area Per Lot by Zoning District

215

216

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	MD
4	4	6	50	20	4	32	50

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or with multiple independent businesses or occupancies in one or more buildings, the total allowed sign area may be increased beyond the maximum allowed signage as shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote or identify the building or complex of buildings.

In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed, shall not exceed the following limitations:

Only one freestanding sign is allowed per lot, except one freestanding public sign may be additionally allowed. A freestanding sign may not exceed 10 feet in height. The sign area on a freestanding sign (excluding a public sign) shall be included in the calculation of maximum allowed sign area per lot and shall not exceed the following:

One business or occupancy in one building – 36 sq ft.

Two independent businesses or occupancies or principal buildings in any combination – 54 sq ft.

Three independent businesses or occupancies or principal buildings in any combination – 63 sq ft.

Four or more independent businesses or occupancies or principal buildings in any combination – 72 sq ft.

217

218 Notes to Table 2, Parts A and B

- 219 a. The INS column does not represent a zoning district. It applies to institutional uses
- 220 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is defined
- 221 as an established organization or corporation of a public, nonprofit, or public safety or benefit
- 222 nature, e.g., schools churches, and hospitals.
- 223 b. Flags of the United States, the State, the City, foreign nations having diplomatic
- 224 relations with the United States, and any other flag adopted or sanctioned by an elected
- 225 legislative body of competent jurisdiction. These flags must be flown in accordance with
- 226 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
- 227 not meeting any one or more of these conditions shall be considered a banner sign and shall be
- 228 subject to regulation as such.
- 229 c. Square feet of wall frontage is defined as total square footage of wall surface, under the
- 230 roof, that faces the major access or right-of-way of the business. In the case of a business
- 231 located on a corner lot, square footage of wall frontage is the total square footage of wall
- 232 surface, under the roof, on the side of the business with the most square footage.
- 233 d. The PS column does not represent a zoning district. It applies to public signs permitted
- 234 under the zoning code, in all zoning districts.
- 235 e. This RO column applies only to lots in that portion of the RO district that abuts East End
- 236 Road, **Bartlett Street**, Hohe Street, and Pennock Street. Within this area, there is allowed a
- 237 maximum of 50 square feet total area of all signs (including the ground sign referred to below),
- 238 except incidental, building marker, and flags (see note (b) above). One ground sign, with a
- 239 maximum total area of 16 square feet, will be permitted per lot. Each ground sign shall not
- 240 exceed six feet in height, measured from the base to the highest portion of any part of the sign
- 241 or supporting structure.
- 242 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
- 243 **freestanding public sign may be additionally allowed. A freestanding sign may not exceed**
- 244 **10 feet in height or 36 square feet in area.**

Table 3. Permitted Sign Characteristics by Zoning District

Sign Type	RR	UR	RO	INS (a)	MD	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	P	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	N	P	P	N	P	P	P	P	P	N	N

248
249 Notes to Table 3:

- 250 a. The INS column does not represent a zoning district. It applies to institutional uses
- 251 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is defined
- 252 as an established organization or corporation of a public, nonprofit, or public safety/benefit
- 253 nature, i.e., schools, churches, and hospitals.
- 254 b. Animated signs may not be neon or change colors or exceed three square feet in area.
- 255 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
- 256 d. Neon signs may not be flashing and may not exceed 32 square feet.
- 257 e. The PS column does not represent a zoning district. It applies to public signs permitted
- 258 under the zoning code, in all zoning districts.
- 259

260

261 Section 4. HCC 21.10.020 Zoning District is hereby amended as follows:

- 262 a. The City is divided into zoning districts. Within each zoning district only uses and structures
- 263 authorized by this title are allowed.

264

- 265 b. The following zoning districts are hereby established:

Zone	Abbreviated Designation
Residential Office	RO
Rural Residential	RR
Urban Residential	UR
Central Business District	CBD
Town Center District	TCD
Gateway Business District	GBD
General Commercial 1	GC1
General Commercial 2	GC2
East End Mixed Use	EEMU
Marine Commercial	MC
Marine Industrial	MI
Medical	M
Open Space – Recreational	OSR

Zone	Abbreviated Designation
Conservation District	CO

266 c. The zoning district boundaries shall be as shown on the official Homer zoning map. [Ord. 12-
267 10 § 2, 2012; Ord. 08-29, 2008].

268

269 Section 5. The Homer Zoning Map is amended to transfer the parcels listed on the attached
270 Exhibit A from RO zoning district to the M zoning district as shown on the attached Exhibit B.

271

272 Section 6. The City Planner is authorized to note on the Homer Zoning Map the amendments
273 enacted by this ordinance as required by Homer City Code 21.10.030(b).

274

275 Section 7. Sections 1-4 of this Ordinance are of a permanent nature and general character and
276 shall be included in the City Code. Section 5 is a non-Code ordinance of a permanent nature and
277 shall be noted in the ordinance history of Homer City Code 21.10.030.

278

279 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this XX day of XXX, 2020.

280

CITY OF HOMER

281

282

283

KEN CASTNER, MAYOR

284

285 ATTEST:

286

287

MELISSA JACOBSEN, MMC, CITY CLERK

289

290 YES:

291 NO:

292 ABSTAIN:

293 ABSENT:

294

295 First Reading:

296 Public Hearing:
297 Second Reading:
298 Effective Date:

299
300

301 Reviewed and approved as to form.

302

303 _____

City Manager

Michael Gatti, City Attorney

304
305 Date: _____

Date: _____

306

Exhibit A

Parcel ID	Legal Description
17505303	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 7
17505306	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 7
17505307	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 7 BLK 7
17505610	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 6
17505612	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2005061 FAIRVIEW SUB FLYUM ADDN LOT 2A BLK 6
17505614	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2010027 FAIRVIEW SUB NO 16 2010 REPLAT LOT 6-A2 BLOCK 6
17506106	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 10
17506205	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 5
17506504	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 4
17505304	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 7
17505305	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 7
17506102	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 2 BLK 10
17506103	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 10
17506105	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 10
17506402	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 15 BLK 4
17506403	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 14 BLK 4
17506505	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 9 BLK 4
17506512	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 2 BLK 4
17506513	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 4
17513307	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 29-A
17513311	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 26-A1
17513323	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 7-A
17513324	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 8-A
17513329	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 12-A
17513347	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2009018 BUNNELL'S SUB NO 22 LOT 22-A2
17506508	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 4
17506516	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB THE WEST 18 FT 7 IN OF LOT 7 & ALL OF LOT 8 BLK 4
17513223	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 45 THE EAST PORTION THEREOF
17513225	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780044 BUNNELL'S SUB REPLAT LOTS 27 & 28 LOT 27B
17513226	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780044 BUNNELL'S SUB REPLAT LOTS 27 & 28 LOT 28B
17513313	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 24-A1
17513314	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 23-A1
17513319	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 3-A-1

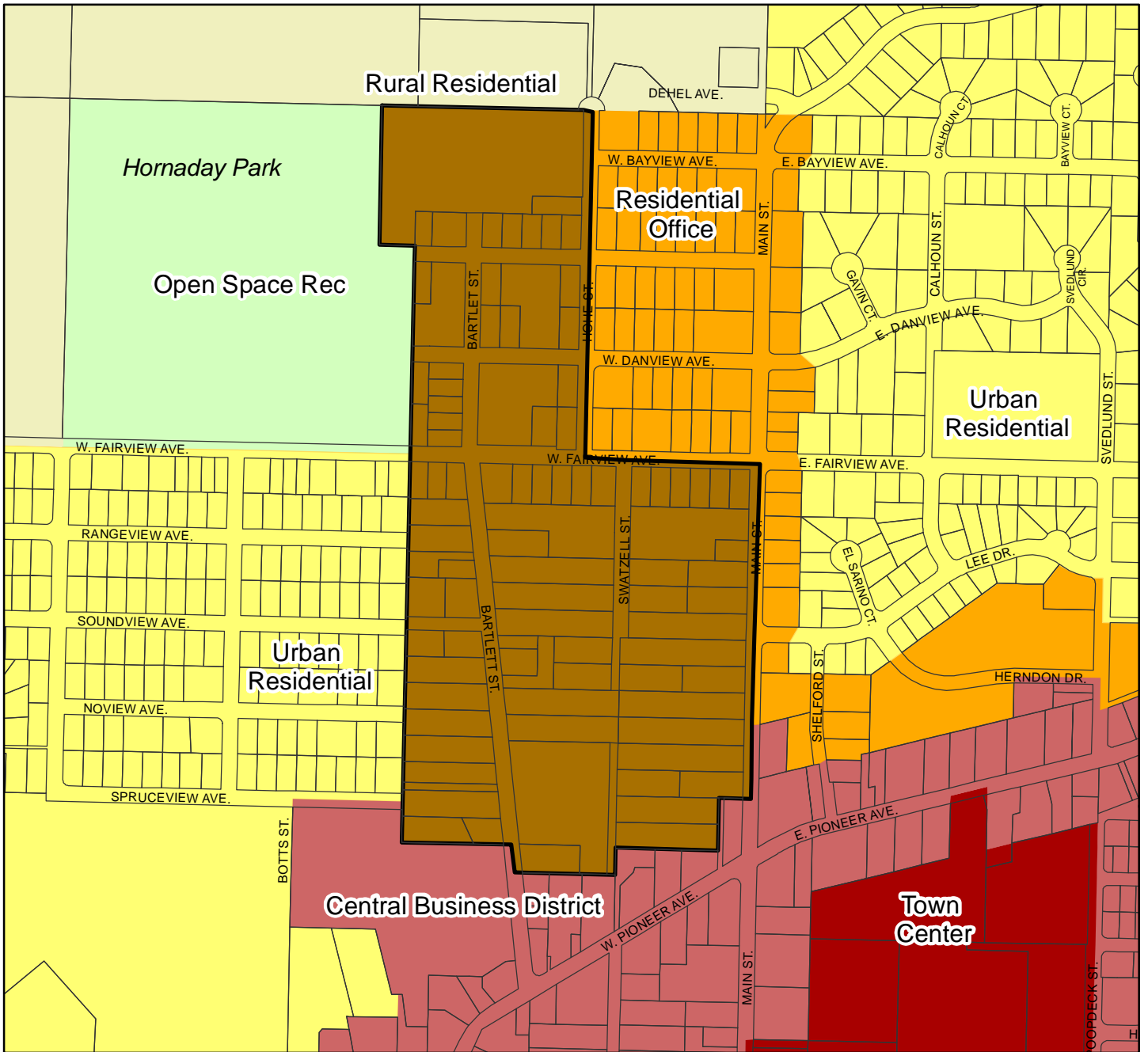
Exhibit A

Parcel ID	Legal Description
17513321	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 5-A-1
17513339	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0970075 BUNNELLS SUB MASTOLIER ADDN LOT 6-A-2
17513342	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C1
17513348	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013010 BUNNELL'S SUB NO 23 LOT A-1
17514222	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 50
17514223	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 51
17504024	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2008092 SOUTH PENINSULA HOSPITAL SUB 2008 ADDN TRACT A2
17505205	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2009043 FAIRVIEW SUB HALPIN ADDN LOT 2A BLK 8
17505509	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2004101 FAIRVIEW SUB 2003 ADDN LOT 1-A BLK 9
17505601	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 6
17505613	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2010027 FARIVIEW SUB NO 16 2010 REPLAT LOT 6-A1 BLOCK 6
17506104	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 10
17506107	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 7 BLK 10
17506212	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 2-A BLK 5
17506401	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 16 BLK 4
17506510	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 4
17506511	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 4
17513222	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 45 THE WEST PORTION THEREOF
17513312	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 25-A1
17513318	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 2-A
17513325	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 9-A
17513326	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 10-A
17513327	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 11-A
17513330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 13-B
17513338	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0970075 BUNNELLS SUB MASTOLIER ADDN LOT 6-A-1
17514122	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB PTN OF LT 13 BEGINNING @SW CORNER OF LOT; TH N100 FT; TH E230 FT TO CTR OF STREAM BED BISECTING LOT; TH SE TO POINT WHERE STREAM CTR INTERSECTS SOUTH LINE OF LOT; TH W 283 FT TO POB
17531003	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 41-B
17531005	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 43-A
17531007	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 41-A
17531021	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0790131 HARBOR RIDGE SUB LOT 5 EXCLUDING SLOPE EASEMENT
17513217	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 44

Exhibit A

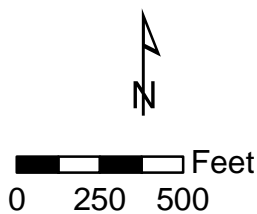
Parcel ID	Legal Description
17505202	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 8
17505302	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 7
17505501	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 9
17505605	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 6
17506101	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 10
17506210	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 5
17506211	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 9-A BLK 5
17506502	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 12 BLK 4
17506503	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 11 BLK 4
17506509	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 4
17513219	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 46
17513220	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 47
17513221	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 48 EXCLUDING SLOPE ESMT
17513306	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 30-A
17513316	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 13-C
17513317	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 1-A
17513320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 3-B-1
17513328	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 11-B
17513343	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C2
17513344	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C3
17513349	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013010 BUNNELL'S SUB NO 23 LOT A-2
17514220	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 49 THE EAST PTN THEREOF EXCL SLOPE EASEMENT
17514221	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000258 BUNNELLS SUB LOT 49 THE WEST PTN THEREOF
17513114	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780121 BUNNELLS REPLAT LOT 4 & N1/2 LOT 5 LOT 4-A
17531004	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 42-B
17531006	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 42-A
17531024	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0840094 HARBOR RIDGE SUB NO 2 LOT 1-A

Exhibit B



Legend Zoning Districts

- Central Business District
- Town Center
- Rural Residential
- Urban Residential
- Residential Office
- Open Space Rec
- Medical District



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City of Homer
Planning and Zoning Department

5/20/2020

*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.*

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, June 17, 2020 at 6:30 p.m. via a virtual meeting webinar, on the following matters:

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TO CREATE HOMER CITY CODE 21.17, MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.58.030, PERMISSION FOR COMMUNICATIONS TOWERS, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.10.020, ZONING DISTRICTS, TO INCLUDE THE MEDICAL DISTRICT; AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT TO MEDICAL (M) ZONING DISTRICT.

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.05.030, MEASURING HEIGHTS, TO EXCLUDE ELEVATOR SHAFTS WHEN MEASURING THE HEIGHT OF A BUILDING.

The proposed ordinances are available for review at the Planning and Zoning Office webpage: www.cityofhomer-ak.gov/planning/medical-district-planning.

The virtual public hearing can be viewed online by visiting the Planning Commission Regular Meeting page on the City's online calendar: www.cityofhomer-ak.gov/calendar.

To provide verbal testimony during the public hearing, you may submit an online form by visiting the Planning Commission Regular Meeting page at the link above OR by calling the City Clerk's Office at the number below, prior to 4:30 p.m. on the day of the meeting.

To provide written testimony, you may: 1) submit it via email to planning@ci.homer.ak.us, 2) slip it in the 24/7 drop box at the upstairs entrance to Homer City Hall, or 3) mail it to Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603, (must be received) prior to 4 p.m. on the day of the meeting.

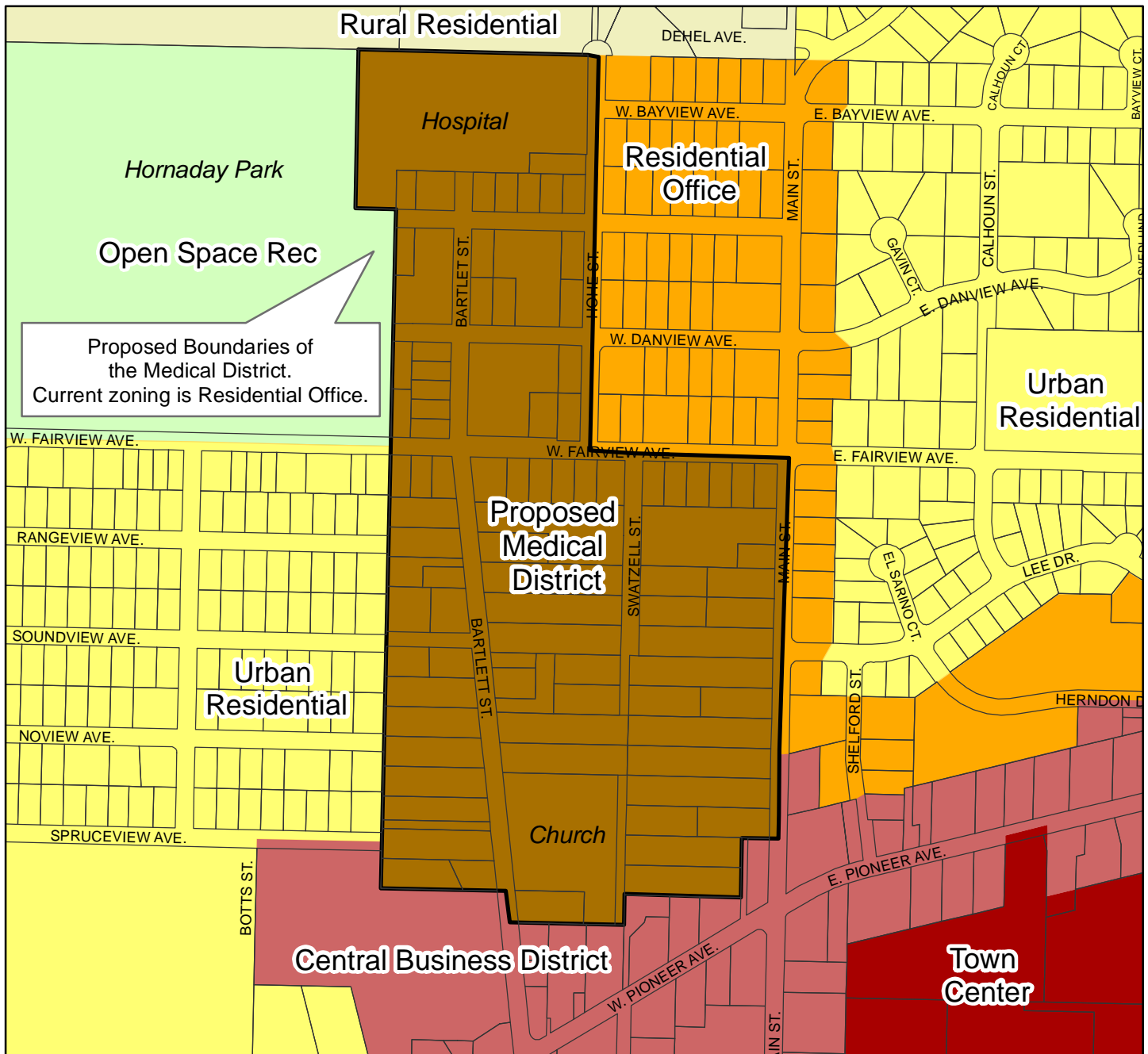
If you have questions about the ordinances, need additional information, or have questions about how to participate in the virtual public hearing, please contact the Planning and Zoning Office at 235-3106 or the Clerk's Office at 235-3130.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF THE PROPOSED MEDICAL DISTRICT BOUNDARIES & PROPERTIES WITHIN 300 FEET OF MAIN STREET

.....

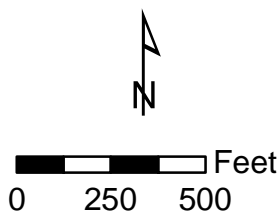
MAP OF PROPOSED MEDICAL DISTRICT BOUNDARIES AND CURRENT ZONING ON REVERSE

Proposed Medical District Boundaries and Current Zoning



Legend

- Current Zones**
- Central Business District
 - Town Center
 - Rural Residential
 - Urban Residential
 - Residential Office
 - Open Space Rec
 - Medical District Boundary (up for public hearing)

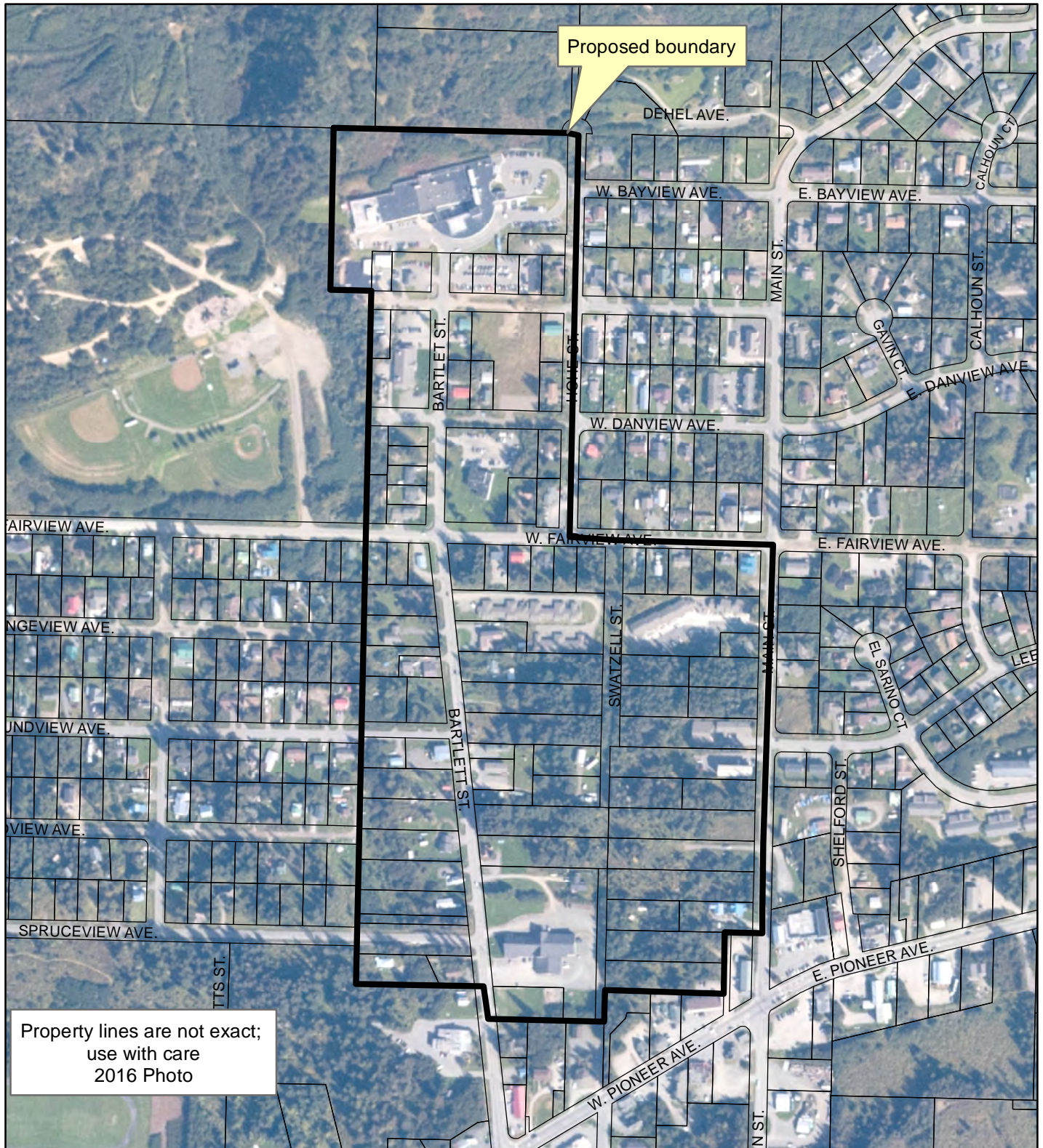


City of Homer
Planning and Zoning Department

6/3/20

Disclaimer:
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Aerial Map



City of Homer
Planning and Zoning Department

6/10/2020

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*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.*

From: todd aksteiners.com <todd@aksteiners.com>
Sent: Saturday, June 13, 2020 10:58 AM
To: Department Planning
Cc: Department Clerk
Subject: Proposed medical district zone

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

I live on Bartlett in the area which is currently under consideration of becoming re-zoned as a medical district as opposed to residential office. I have lived on Bartlett for ten years.

I have read the proposed ordinance and there is one item in particular that I am asking you to reconsider. Item 204 regarding the use of flags as signage.

I can understand flags being considered a sign if they are hung from two points horizontally as opposed to the traditional method of two points vertically. I can also understand a flag being used as a sign if it was strung up from four points as a banner.

It is a stretch to consider a traditional style flag pole or flag pole off of one's porch as a sign. I am assuming that the planning commission means well and did not intend to interfere with individual property rights or rights of free speech through a flag as a symbol. However I believe that the ordinance as written is just that. If my neighbor who has invested their time, money, and years into their home wants to fly a rainbow flag, or a Trump flag, or a Jolly Roger flag, or a Hello Kitty flag on their own property that is their business. It certainly isn't my business or any of yours either. I do not intend to sound rude or too forward but personal property rights are important and I am trying to make a point.

I am not personally the kind of person who fly's a flag at my house, I never have. Having said that I have noticed that many people do, at both their homes and businesses. I do not believe it is fair for the city to dictate that they can only fly the American, Alaskan, of any nationally "approved" flag. (I am paraphrasing a bit here).

Many people invest their life's work into their homes. It is their single largest investment. They deserve the freedom to fly a symbolic flag on their property if they should choose to do so.

I am respectfully asking that you reconsider the language in the proposed ordinance regarding the use of flags as signs. We have all invested into our neighborhood, please remember that it is currently "Residential Office" and to most of us here it is our residence. It is not purely a business district.

Thanks for your consideration and feel free to contact if you would like.
Todd Steiner
907-299-1992

From: Andrei <andrei_t10@yahoo.com>
Sent: Wednesday, June 17, 2020 12:40 PM
To: Department Planning
Subject: Medical zoning Public testimony

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

I reside in "Office Residential" zone, that part being proposed to be re-zoned "Medical". I would like to raise an objection to the verbiage utilized in the proposed paragraph 21.17.020(r), line 81-84, referencing permitted harboring of <...>, fowl but only "as long as such animals are kept as pets". It is not unheard of to treat chicken as "... animal kept for companionship or pleasure", which appears to be the prevalent definition of the word pet. However, so far I am predominantly interested in eating their eggs. I may even end up eating the above mentioned chicken. This can only be interpreted as I would be eating my pets and I find that weirdly offensive. While this is an established formulation in HCC for other zones, I would like to propose a change for this paragraph to be composed as significantly more appropriate "... as long as such animals are kept for non-commercial purposes". Otherwise, I would like to find guidance on how much companionship shall be accomplished and what kind of pleasure should be extracted from these pet chickens to avoid running afoul of HCC.

Respectfully,
Andrei Tsyganenko

From: Roy Thomas <Rjaythomas@outlook.com>
Sent: Monday, June 15, 2020 7:48 PM
To: Department Planning
Cc: ltdawn@live.com
Subject: Proposed Medical District Zoning

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

The comments included herein are submitted as written testimony for the public hearing by the Homer Planning Department scheduled for Wednesday, June 17, 2020.

1. The proposed ordinance states, in part, whereas, the Homer Planning Commission considered the effect of the change on the district and surrounding properties.

What effects were considered by the Planning Department and how were negative effects mitigated for existing uses with particular emphasis on existing residential uses? I don't see any of this discussion in the public documents. I submitted written comments to the prior public hearing notice (several months ago) and received no reply from the Planning Department.

2. The proposed ordinance states that conflicts created by this zoning change will be resolved in favor of non-residential use. A person's home is normally their single largest financial asset, it is where they spend most of their time, where they raise families, and residential land use forms a property tax base that supports schools, utilities and government functions. Residences are the backbone of any community.

This ordinance, for example, could result in a helipad constructed adjacent to an existing family residence. Deference should be given to current and existing use. The burden of conflict resolution should bear on the proposed new uses which will result from this ordinance.

3. A number of additional requirements should be incorporated directly into the ordinance that protect existing uses from future conditionally permitted buildings with a maximum height of 65 feet. Please consider transition heights with greater separation distances, greater property boundary setbacks, the effect of sunlight shading, loss of privacy and loss of viewshed. These are all important to neighborhood wellness, resident quality of life and character of the City of Homer.

Sincerely,

Roy Thomas
3895 Main Street
Rjaythomas@outlook.com

6/15/2020

Deputy City Planner Engebretsen provided brief updates on the status of the planning staff work schedules including City Planner Abboud taking on the role of Acting City Manager until one is hired; COVID 19 department brief update.

PUBLIC HEARING(S)

- A. Staff Report 20-38, Proposed Ordinance to create the Medical Zoning District by rezoning a portion of the Residential Office Zoning District and adding the Medical Zoning District to HCC 21.58.030 permission for communications towers and HCC 21.60.060 signs on private property

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

Deputy City Planner Engebretsen provided a summary review of Staff Report 20-38 for the Commission.

Deputy City Clerk Krause clarified the process for the public testimony submitted in the Supplemental Packet.

Chair Venuti opened the Public Hearing. He inquired if there were any members of the Public who signed up to testify.

Deputy City Clerk Krause noted that there were no requests to provide testimony. She provided some clarification for the Commission on the public presence at the meeting.

Chair Venuti closed the Public Hearing and opened the floor to questions of the Commission.

Commissioner Highland requested clarification on the single letter “m” on line 38.

Deputy City Planner Engebretsen responded that it is but will double check and if not the City Clerk will be able to make that typographical error correction.

There was a brief inquiry on discussing the public comments received regarding helipads in a Medical District and transition in building height.

BENTZ/BOS MOVED TO ADOPT STAFF REPORT 20-38 AND FORWARD A RECOMMENDATION TO CITY COUNCIL TO ADOPT THE PROPOSED ORDINANCE TO CREATE A MEDICAL ZONING DISTRICT BY REZONING A PORTION OF THE RESIDENTIAL OFFICE DISTRICT AND FURTHER AMENDING HOMER CITY CODE 21.58.030 PERMISSION FOR COMMUNICATION TOWERS AND HOMER CITY CODE 21.60.060 SIGNS ON PRIVATE PROPERTY BY ADDING MEDICAL ZONING DISTRICT

A discussion ensued on the public comments received on building height, transition, view shed impediments and display of the flag, non-residential uses preferred over residential, setbacks

increased for taller buildings would cover the concerns for transitions, clarification on non-residential being preferred over residential or vice versa.

Deputy City Planner Engebretsen provided clarification outlined in Homer City Code conditional use process with provisions of one property not negatively impacting another and provided examples from Anchorage where a 4 story newer building is next to a 1950's residence. She further noted that it is quite common to have this scenario in transitional districts.

Continued discussion on the number of feet for setback for a 65 foot tall building and why it was not included specifically in the Ordinance; noting that there is no zoning requirement currently and it would be site specific, this could possibly come up in the conditional use permit process. It was determined that if the Commission wants to implement increased setbacks for taller buildings that is something that needs to be addressed.

Commissioner Davis encountered technical difficulties and could not participate in the discussion. A brief recess was called at 7:05 p.m. while staff determined what the problem was and offered assistance to Commissioner Davis. The issue was resolved at 7:18 p.m. and the meeting called back to order.

Commissioner Davis commented that while missing the meeting when the discussion was held by the Commission, he opined that a resident should be able to have the option to stop a project if it blocks their view shed of an existing residence.

Commissioners Highland, Smith, Bentz provided some background on the previous discussion on building height.

Chair Venuti inquired if the Commission would like to make an amendment.

Deputy City Planner Engebretsen reminded the Commission on the minutes reflecting the actions of the commission and that motions should be made to reflect changes.

Chair Venuti requested the Clerk to read the motion on the floor.

Deputy City Clerk Krause read the motion on the floor.

Commissioner Bentz reiterated where they stand and then queried staff on the location within the ordinance on placement to add an additional setback requirement for taller buildings and what would be the distance would be appropriate.

A discussion ensued on addressing that specifically in the city code at a separate meeting. Points of discussion included the existing setbacks, increasing the setbacks should specifically focus on taller buildings; this is outside the code for Homer and really applies towards building

codes; this would apply to high rise buildings; a 65 foot building could be considered a high rise dependent on an individual viewpoint compared to a establish standard or policy.

Deputy City Planner Engebretsen recommended that the Commission make a motion on amending the setback.

Chair Venuti requested the Clerk to call the vote hearing no motion for amending the setback from the Commission after several separate requests.

VOTE. YES. BENTZ, SMITH, BOS, PETSKA-RUBALCAVA, HIGHLAND

VOTE. NO. DAVIS

Motion carried.

- B. Staff Report 20-40, Proposed Ordinance amending HCC 21.05.030 to exclude elevator shafts when measuring the height of a building

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

Deputy City Planner Engebretsen provided a summary of Staff Report 20-40 for the Commission.

Chair Venuti opened the Public Hearing and confirming with the Clerk that there were no members of the public attending to provide testimony, he closed the public hearing and opened the floor to questions or comments of the Commission.

BENTZ/SMITH MOVED TO ADOPT STAFF REPORT 20-40 AND RECOMMEND CITY COUNCIL ADOPT THE ORDINANCE TO AMEND CITY CODE 21.05.030 TO EXCLUDE ELEVATOR SHAFTS WHEN MEASURING THE HEIGHT OF A BUILDING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

- A. Staff Report 20-41, Jack Gist Subdivision No. 3 Preliminary Plat

Chair Venuti introduced the item by reading of the title into the record. He then requested if there were any Commissioners who would like to declare a conflict.



City of Homer

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Memorandum PL 20-07

TO: Homer Planning Commission

FROM: Julie Engebretsen, Acting City Planner

DATE: 7/15/20

SUBJECT: Reconsideration of motion to forward a draft ordinance creating the Medical Zoning District to City Council.

On June 18th, Commissioner Highland notified the City Clerk's Office of her reconsideration of a motion to forward a draft ordinance creating the Medical Zoning District to City Council.

Process: A commissioner will move to reconsider, followed by a second. The maker of the motion and then the second, will list their reasons as to why the Commission should revisit the ordinance. Then the Commission will briefly discuss if they should revisit their previous action. (Recall under Robert's Rules, a commissioner typically may speak twice on the issue, and then the item is voted on. This is not a casual work session discussion). A vote will be held. If the motion fails, the action stands and there is no further discussion of the ordinance at the Commission.

If the Commission votes to reconsider the motion, the ordinance will be placed on the agenda under New Business. This allows the Commission to restart working on the ordinance.

July 13, 2020

Planning Commission
City of Homer

Members of the Commission,

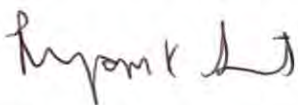
South Peninsula Hospital has appreciated the opportunity to participate in the commission's development of the city's medical zoning district over the last six months. We welcome this additional opportunity to provide input based on prior meeting discussion as you reconsider its adoption.

As currently adopted, *"the district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses."* We recommend this preference be used only in an overlay district that covers the area around the already highly developed hospital and clinic area.

From single-family, duplex and multiple family dwelling, to parks, playgrounds, churches and daycares, it is clear that this area is for people to dwell and enjoy regularly. Defining this to an overlay area would allow us to honor the decades-old neighborhood in which we are a member. The pedestrian friendly, residential feel of the neighborhood adds quality to us as an employer and healthcare provider. Offering pedestrian friendly amenities and a non-commercial environment is very much a value for our 450+ employees, and thousands of residents seeking care here.

Additionally, a more medical-specific definition of helipad in this zoning would clarify intended use of permitted helipads and ensure greater support and flexibility for the specific needs of a helistop used for emergency medical response. Consider this definition: *"Medical Services Helipad – any surface where a medi-vac medical helicopter takes off or lands for the transport of medical patients and/or medical personnel. Allowed support facilities restricted to medi-vac medical helicopters only are fueling, limited servicing and sheltering from weather. Such support facilities must meet federal, state and local regulations."* Currently the inbound helicopters land, drop their crew and head to the airport to refuel. We all know that minutes are critical in emergency response, so allowing for the potential of fueling, limited servicing and sheltering might provide improved outcomes for patients needing critical care fast. Allowing the helipad to include fueling, limited servicing or sheltering might make a difference in the future of healthcare for the community.

Thank you again for the many hours you have devoted to establishing a medical district to support the growing and future healthcare needs for the residents we serve.



Ryan Smith, CEO



Engineering/Support Services
4300 Bartlett Street
P.O. Box 1017
Homer, AK 99603
907-235-8101 ~ Fax 907-235-0279

Homer Planning Commission,

Re: Medical District Communications Tower Table stating 85 feet.

This height creates obstruction concerns for helicopter approaches and departures. Safety considerations for flight paths leading to and from the hospital helipad which is at 384 feet above sea level. Depending where a tower of this height is placed within the proposed Medical District would create an increased probability of a disaster. Propose a tower of this height cannot be constructed on a site no further up Bartlett Street than that of Noview Ave.

Respectfully submitted,

Glenn Radeke
Facilities Director
South Peninsula Hospital

Chapter 21.17 M Medical District

21-17.010 Purpose: Line 52 & 53: "...with conflicts being resolved in favor of nonresidential uses..."

Comment: The proposed medical district is in the heart of one of Homer's longest established residential areas. Preserving residential living quality of life and pedestrian safety should be of high importance in developing the stated PURPOSE of this new district. The stated preference for resolving conflicts to the benefit of nonresidential uses over residential sets up WIN/LOSE situations where quality of residential life and pedestrian safety can be diminished. We should seek WIN/WIN situations and give equal weight to both non-residential and residential uses.

Suggest adding the following language from the GC1 Statement of Purpose:

"It is also intended to minimize the congestion and adverse effects on adjacent residential districts and on the appearance of the community."

21.17.040 Dimensional Requirements: Lines 118 & 119: "...maximum building height for multifamily residential and commercial buildings 65 feet."

Comment: Suggest removing 65 feet as the maximum building height for commercial buildings. Instead suggest proposing no new fixed height number but instead allow a conditional use for commercial buildings over 2-1/2 stories if the buildings contain mixed uses and provides a parking garage within the building. The hospital has an interest in building a multi story structure that would include a multilevel parking garage, medical offices and medical clinics.

Further suggest a boundary for commercial buildings above 2-1/2 stories East of Bartlett Street, West of Hohe Street and above West Fairview Street. This would focus the development of multi-story commercial buildings nearest the hospital and limit interference with the view scape for residential properties below West Fairview. Traffic generated by such a building should be directed to Bartlett Street.

Current Definition of Helipad:

"Helipad" means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

Suggest a new definition for Medical Services Helipad:

"Medical Services Helipad" means any surface where a medi-vac medical helicopter takes off or lands for the transport of medical patients and medical personnel. Allowed support facilities restricted to medi-vac medical helicopters only are fueling, limited servicing and sheltering from weather. Such support facilities must meet federal, state and local regulations.

Comments by Lane Chesley.

July 15, 2020

Homer Advisory Planning Commission

Following are excerpts from an email exchange among myself, Lane Chesley, Julie Engelbretson, Derotha Ferraro, Glen Radeke and Ryan Smith. I hope you will take the various comments under consideration as you consider PL-20-07.

Lane began the series of emails by informing us of his comments on PL-20-07, which I assume he has passed on to the Planning Commission. I responded as follows:

Lane—Thanks for sending me a copy of the new proposal. By and large, your amendments look pretty good. I can't say I'm enthused about 2 ½ + stories of construction on the block next to our home, but it seems like an acceptable compromise, one that respects the character and values of the neighborhood, and one that is consistent with the future well-being of SPH. My sole significant complaint is with the helipad. I really don't understand what is to be gained by having fuel storage, service capability and storage facilities for helicopters in the area—even on a limited basis. The airport already has fuel storage, service areas and hangars available in an area dedicated to those uses with much more extensive infrastructure and technical expertise than ever will be on hand in a limited heliport in our neighborhood. All those features currently exist in an area where the infrastructure and technicians are concentrated only a couple of minutes flight time from SPH. Duplicating helicopter support facilities closer to

the hospital seems like a large and wasteful expenditure to accomplish something that is inadequate when compared to the existing facilities. For each patient pickup, the helicopters come and go a couple of times from the hospital, and typically they are parked on the roof of the building for twenty minutes or so, meaning that the delays between the helicopter's dropping off a couple of EMT's and its departure are attributable to the time necessary to prep the patient, not to flight times, refueling, etc. In short, I can sign off on the new medical district proposal with the exception of the helipad. I would like to hear your argument for building a helipad in the medical district, and, absent compelling reasons of which I am unaware, I hope you will rethink your position on this issue.

Please keep me posted.

Later.... Rob

After thinking about the issue, I sent my response to the others in this email exchange. Julie responded to the entire group as follows:

I should amend a bit... I recognize that the medical district is more a commercial than residential district, but part of RO and UR would be affected as well and clearly there are many residences in the area. I don't believe a heliport is an appropriate land use for the area. If there is a land use constraint (ie, not enough hangar space with a demonstrated need for more) then that is the problem to work on... more appropriate areas for hangars.

Hope that makes sense 😊

Julie

She also sent me the following remarks in a separate email:

Hi Rob,

I'm limiting my comments to you since everyone is working hard and I have had this conversation with hospital staff. When we chatted months ago, the issue was lack of hangar space for the helicopter. Our community's ability to have a life flight stationed here was hampered by no available leases at the airport. I have heard this from other people with airplanes. So in effect, the airport is currently full. (we do now have a helicopter here for several hours a day but it doesn't 'live' here, I think it flies in for a period of time?)

As a planner, my solution to the full airport issue, is to allow helicopter facilities in other zoning districts around the airport. This would likely mean in the GC2 heavy industrial area along Kachemak Drive, and possibly in the East End Mixed Use district. This idea may have been brought up at a work session with the Commission but it didn't go anywhere. While the hospital is a worthy applicant for a heliport, the land use would be allowed for anyone who wanted a heliport. Zoning can't be used to discriminate or give special privileges to one party over another. So my planner response to a lack of airport space, is to allow that land use in another appropriate industrial district....not a residential zone. These decisions are ultimately made by the Commission and Council, but that is my planner opinion.

Julie

I sent Julie a lengthy response that mostly reflect my own values and (I think and hope) the values of the neighborhood:

Julie—Thanks for a very reasonable and well reasoned opinion. I think it's a bit alarming that, if approved, anyone could build a heliport there (I didn't know that until I read your email, so thanks, again). My feelings about land use planning are to err on the side of caution and take extra efforts to protect the defined uses of an area, which is to say to make it as difficult as possible for a developer to subvert the original purpose of a given zoning ordinance. The logic being that you can always change the rules for development in an area if there is a proven need, but once a developer exploits a loophole to build inappropriately, the damage is done. Paul Raymond's aborted construction project on Cityview is a good example: He transformed one of the last patches of forest in the neighborhood into a sterile construction site made of several feet of compacted gravel. It will take thousands of years for those trees to return. Maybe that patch of forest was doomed—I don't believe that, but it's possible—however, its fate should not have been sealed without public deliberation over how the project should proceed, its scale and whether or not it should proceed at all. Specifically: Was that patch of forest of greater value than Paul Raymond's financial interest and the community need for a 20 K square foot medical center? I think it is essential to keep in mind the fact that *all* terrestrial life (which includes us humans) depends for its existence on a couple of feet of topsoil, and that topsoil accumulates at the rate of about an inch per *century*.

The history of development in the U.S. is the history of building stuff mostly without considering the need, the options or the consequences. More often than not, it seems, we look back and say, "Well, I guess we shouldn't have done that." And then we do

it again. When I think about these issues, it occurs to me that a lot of these mistakes are rooted in the fallacy of the excluded middle, the developers' rhetoric that this is what we have to build; this is the place; the time is now, and we can't let a bunch of wild-eyed, head-in-the-clouds liberals stop progress. The logical error, of course, is that it's perfectly possible to build what is needed and to do so in a way that preserves a healthy and pleasing environment. Progress does not demand the unnecessary destruction of communities and the environment that are cherished by values other than the financial gain of those who command the backhoes and dump trucks. In fact, if that destruction is a necessary component of progress, it is hard to justify calling it progress.

Well... I guess I should apologize for standing on my soap box, waving my arms and offering unsolicited opinions, but I guess it's all my way of thanking you for your thoughtful email.

Later.... Rob

PS I'm surprised that the airport is full, and, I assume, there is no further space for building another hangar. Is this so? It seems that building a hangar would be a lot cheaper and easier than building an entire heliport outside of the airport itself. Also, it seems proper to keep in mind the fact that the times they are a changin'. Specifically, due to the pandemic and the associated financial strain on small businesses and individuals, I would hardly be surprised that hangar space will become available in the coming months. Everything that I have been able to learn about

the pandemic and its effect on the economy is that we are moving into a radically different world, and perhaps it would be well to plan cautiously until we have a clearer view of the future.

I have two more thoughts on this issue. First, it seems way to risky to open the entire medical district to the construction of heliports. Julie is entirely correct in stating: “ I don’t believe a heliport is an appropriate land use for the area.” This is certainly true of a (relatively modest) heliport for the hospital’s use. It is far more inappropriate if a commercial heliport were built in the area. Second, if the airport has run out of the space it needs to function efficiently, it’s logical to approach the deficiency by expanding the airport, not by co-opting other areas as locations for airport-like uses.

Please refuse to allow heliports in the new medical district.

Thank you.

Rob Lund

Session 20-09, a Regular Meeting of the Planning Commission was called to order by Chair Venuti at 6:33 p.m. on July 15, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska via Zoom Webinar.

PRESENT: COMMISSIONERS HIGHLAND, PETSKA-RUBALCAVA, BARNWELL DAVIS AND VENUTI AND BENTZ

ABSENT: COMMISSIONER SMITH (EXCUSED)

STAFF: DEPUTY CITY PLANNER ENGEBRETSEN
DEPUTY CITY CLERK KRAUSE

There was a delay in starting the meeting due to technical difficulties. Commissioner Barnwell was intermittent during various times of the meeting due to internet connection loss.

APPROVAL OF THE AGENDA

Chair Venuti requested a motion to approve the agenda.

HIGHLAND/BENTZ – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Deputy City Clerk Krause provided clarification on the ability of the public to comment on the reconsideration.

PUBLIC COMMENT ON ITEMS ALREADY ON THE AGENDA

Derotha Ferraro, Public Relations Officer South Peninsula Hospital, commented on the reconsideration of the Medical District ordinance noting the following points of conflict resolution to an overlay area within the district; changing the definition of Helipad to address the future needs of the district; towers and towers height with regards to impacts referenced in a separate written comment.

Lane Chesley, resident, commented on the reconsideration encouraging the Commission to continue their work on this district. He noted that in his review of each the districts in regards to non-residential over residential the preference is only listed in CBD, Gateway Mixed Use and Marine Industrial. He encouraged finding win/win situations. On building height he commented on the visionary statement at the last meeting by the Chair on creating building

height standards; he encouraged not setting a height limit and addressing it with the CUP process; the Helipad he asked respectfully that the Chair bring that before the Commission and Staff for further analysis due to the increased benefits to the community.

RECONSIDERATION

- A. Memorandum PL 20-47 from Deputy City Planner re: Reconsideration of motion to Forward a Draft Ordinance Creating the Medical Zoning District to City Council

Chair Venuti requested a motion to reconsider.

HIGHLAND/DAVIS MOVED TO RECONSIDER THE MOTION TO ADOPT STAFF REPORT 20-38 AND FORWARD THE DRAFT ORDINANCE CREATING A MEDICAL ZONING DISTRICT TO CITY COUNCIL.

Discussion points on the reconsideration were as follows:

- Creating a new zoning district is important and comments submitted by the public should be considered appropriately by the Commission
 - o Not setting a fixed maximum building height
 - o Multi-family residential should not be considered commercial
 - o Conflicts resolved in favor of commercial versus residential uses
 - o Helipad Use should be considered
 - o Tower Height impacting air travel in the district

VOTE. YES, HIGHLAND, BENTZ, VENUTI, DAVIS, PETSKA-RUBALCAVA, BARNWELL

Motion carried.

This will be discussed under New Business Item A.

ADOPTION OF CONSENT AGENDA

- A. Minutes of the June 17, 2020 Planning Commission Regular Meeting

Chair Venuti requested a motion to approve the Consent Agenda.

HIGHLAND/BENTZ – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS REPORTS

Commissioner Highland noted her service on the Transportation Advisory Committee with Mr. Smith and working on the Transportation Plan which requires updating, she acknowledged the additional traffic that will result from connecting Eric Lane to West Fairview and the impending disgruntled residents on that but the question and concern posed by Mr. Faulkner was the Linstrang Way intersection with West Hill Road and she assumed that it was already addressed with the State.

Acting City Planner Engebretsen interpolated that West Hill Road is a state road and those intersections are not on the table for consideration or action by the Commission. The comments are well intentioned but the current road connections are not for the Commission to address with this action.

Commissioner Highland then noted a grammatical error on page 119, Staff Recommendation #5 needed the word "of" inserted between right and way.

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

BENTZ/HIGHLAND MOVED TO ADOPT STAFF REPORT 20-48 AND RECOMMEND APPROVAL OF FOOTHILLS SUBDIVISION SUNSET VIEW PRELIMINARY PLAT WITH COMMENTS 1 -11 AS STATED IN THE STAFF REPORT.

There was no discussion.

VOTE. YES. BENTZ, VENUTI, PETSKA-RUBALCAVA, DAVIS, HIGHLAND¹

Motion carried.

PENDING BUSINESS

NEW BUSINESS

- A. (if reconsidered) Memorandum PL 20-07, Reconsideration of motion to forward a draft ordinance creating the Medical Zoning District to City Council.

Chair Venuti introduced the item by reading of the title.

Commissioner Bentz requested clarification on the intent of the reconsideration for the Commission to come up with a new motion tonight or to have further discussion and recommendations to be brought back by staff for a new hearing later.

Acting City Planner Engebretsen confirmed that if the Commission made recommendations to change the content of the draft ordinance they would have to hold another public hearing.

¹ Commissioner Barnwell lost internet connectivity and was not present for the vote.

Chair Venuti then opened the floor for discussion.

Commissioner Highland was concerned that the ordinance was not included in this packet to work from but hoped that they all had it from the prior meeting packet to work from tonight.

Acting City Planner Engebretsen recommended that the Commission could review the previous packet for information but she would like to get the extent if the changes that the Commission would like to make before really diving into the draft ordinance.

The Commission then proceeded to go through the following points to consider amending in the ordinance:

- Commercial versus residential regarding conflicts giving equal weight to both
- No fixed building height but require CUP for commercial buildings over 2.5 stories and setting boundaries for those buildings between Bartlett and Main Street North of Fairview Avenue
- Multi-family residential
- Towers in the district presenting a danger
- Helipads is allowed currently at the hospital only

Acting City Planner Engebretsen remarked on the comments received on towers was very informative; that ordinance on towers was forwarded to City Council; the limit is 85 feet and the only change was to include this district in the existing code. She then reviewed the topics that Commissioner Highland wanted to address:

- Redefining the purpose statement of the Medical Zoning District
- Boundaries
- Multi-family, needing more direction on this issue
- Towers
- No Fixed building height stated, CUP for buildings over 35 feet

Commissioner Bentz did not want to allow expanded heliports/helipads in the district, believes they should be kept in the area of the airport and since there are no immediate plans she does not see the benefit to reopen a discussion on this issue. As far as an overlay zone and the boundaries as selected, it would appear more of spot zoning if they addressed as an overlay and they chose the boundaries as they did since there was already growth in the area. Commissioner Bentz further added that the purpose statement reflects why they are creating this district and choosing commercial over residential reflects that decision.

Commissioner Davis stated that his initial concern was the allowance of 65 foot tall buildings throughout the district, selecting commercial over residential in conflict resolution and having an existing residential property owners viewshed impacted by a 65 foot tall building. He further noted the comments and input from Mr. Chesley and Ms. Ferraro on solutions. He supported the no specific heights and limiting the tall buildings to be constructed up by the hospital. Limiting the area to where there is already medical offices.

Commissioner Petska-Rubalcava agreed with the removal of a set building height and addressing the conflict resolution on a case by case basis.

Chair Venuti commented on prohibiting tall buildings south of Fairview Avenue but overall he is very satisfied in what they have produced so far.

There was further discussion on the following points:

- Multi-family as option to provide housing or care facilities
 - o Clarification that Multi-family housing is apartments and if this option is banned then that reduces most of the affordable housing in Homer if not allowed in this district
 - o Further clarification on addressing line 118-119 of the draft ordinance
- Redefining the boundaries a previously established by the Commission instead of setting limits to where buildings over 35 feet could be constructed
 - o Concrete action was to remove lines 118-119

Acting City Planner Engebretsen requested the Commission to bring forward their actions by motion. She stated that there have been several reiterations and from this point forward if the Commission is not satisfied with what staff has provided then they are requested to bring the draft language to the next meeting and make a motion so the Commission as a body can vote on it. She offered to work with Commissioners outside the meeting to facilitate the language for the proposed amendments to the ordinance. There is a diversity of views within the Commission on various sections of the ordinance.

Further discussion and comments were made on the following:

- commercial buildings allowed over 35 feet by conditional use permit;
- establishing north of Fairview only for those buildings over 35 feet;
- restricting the construction of tall buildings to limit impact on the viewshed;
- limiting the specific area within the district to construct buildings over 35 feet negates creating the district boundaries as the commission did from staff recommendations;
- there is no definition in Borough or city code on viewshed and the commission should be careful on not defining so specifically;
- the view may be very important in Homer but you do not buy the view;
- removal of the sentence in lines 51-53 regarding conflicts being resolved in favor of commercial uses;
 - o removing that sentence from the purpose statement would remove the clarifying purpose of clustering non-residential facilities related to medical in this district;
 - o resolving conflicts in favor of non-residential uses and the basis to keep that in place in regards to land development;
- striking lines 118-119 to obtain objective
- requiring CUP for structures over 35 feet exacerbates the issue

Commissioner Petska-Rubalcava requested that they postpone further discussion until the next meeting to allow each Commissioner to fully consider the language for the areas of concern and lines 118-119 especially lines 51-53 in dealing with the commercial over residential.

Chair Venuti requested input from Acting City Planner Engebretsen.

Acting City Planner Engebretsen provided overview on the items discussed by the Commission.

Deputy City Clerk Krause responded to Chair Venuti that this will be on the next agenda under pending business.

INFORMATIONAL MATERIALS

- A. Appointments to the Planning Commission
- B. City Manager's Report for the June 22 & July 1 City Council Meetings
- C. Kenai Peninsula Borough Notice of Decision - Nedosik 1998 Tract C Jack Hamilton Replat No. 2 Preliminary Plat
- D. U.S. Army Corps of Engineers Public Notice for City Seawall Project

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

Deputy City Planner Engebretsen asked if there is a Commissioner who would like to spear head a conversation on heliports at the request from the hospital and Mr. Chesley since they did not address that issue during the meeting please let her know as she will not have the time to do that and will not address it.

Deputy City Clerk Krause thanked the Commissioners for patiently dealing with all the technical issues tonight. It was a good meeting.

COMMENTS OF THE COMMISSION

Commissioner Bentz commented that it was a good time to adjourn the meeting as the sun is swinging around and shining in her face. She noted that the meeting was almost the same length as the KPB meeting on Monday; it was a good substantive meeting; it is good to see that they can still get things accomplished meeting in this manner and that there is a lot be done in Homer during this time.

Commissioner Davis commented it was a good meeting, and asked if they were going to be able to meet the newest Commissioner at some point.

Commissioner Barnwell provided his take away from the meeting tonight on the medical district that the Commissioners were to bring back carefully worded motions for the next



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Staff Report PL 20-52

TO: Homer Planning Commission
FROM: Julie Engebretsen, Acting City Planner
DATE: August 5, 2020
SUBJECT: Medical Zoning District Draft Ordinance

Introduction

At the last meeting, the Planning Commission reconsidered the motion to recommend approval of the ordinance to City Council. Discussion topics and public comment included building height, the purpose statement of the district, tall tower height, and allowing heliports by conditional use permit. The Commission can discuss these topics at the work session, and make motions during the regular meeting. Please bring your prepared motions for the regular meeting.

Next steps:

1. Discuss any changes to the existing ordinance at the work session.
2. At the regular meeting, make motions on any proposed changes.
3. Move the ordinance to public hearing in September, OR move to postpone to the next meeting for further revisions.

Analysis

Building Height

In the ordinance any building height over 35 feet would require a conditional use permit. Commission discussion has ranged from a height of 85 feet, down to the current 65 feet, to an unlimited height in a specific area around the hospital. If the Commission decides to allow buildings of unlimited height, please discuss the conditions under which you would approve or deny an application.

Purpose statement of the district

There was discussion at the last meeting that the purpose statement pits residential interests against commercial interests. Please bring your amendments to the meeting so they may be voted on.

Medical District:

The purpose of the Medical District is to provide an area near the hospital to support medical facilities and other professional office and limited commercial uses. The district is meant to accommodate a mixture of residential and nonresidential uses with conflicts being resolved in favor of nonresidential uses. Pedestrian-friendly designs and amenities are encouraged.

Tall Towers

The Commission received comment expressing concern that towers could impact helicopter flight paths. Staff doesn't have technical knowledge in this area, but here is info on current and proposed codes, and existing tower regulation.

The current RO tower height is 85 feet. The proposed Medical district height is the same. The tower code does already include the following, HCC 21.58.040 Application requirements: 9. A determination of no hazard to air navigation for the communications tower issued by the Federal Aviation Administration.

Bentz emailed staff with a recommendation of 60 feet. Due to the size of the Medical district and overall change in elevation, staff does not recommend a blanket reduction in height across the whole district.

Heliports

HCC 21.03 contains the following definitions:

“Helipad” means any surface where a helicopter takes off or lands, but excludes permanent facilities for loading or unloading goods or passengers, or for fueling, servicing or storing helicopters.

“Heliports” means any place including airports, fields, rooftops, etc., where helicopters regularly land and take off, and where helicopters may be serviced or stored.

In the RO district and proposed M district, Helipads are a conditional use, limited in scope to an accessory use to a hospital conditional use. (I.e., there should be a hospital with a CUP, in conjunction with the heliport, which must also be approved by CUP. A private residence couldn't have a heliport.) If the Commission wants to add Heliports, the following language could be an option:

g. Helipads, **and heliports** but only as an accessory use incidental to a hospital conditional use;

The Commission should be aware this would only allow the facility on the same lot as the hospital, as accessory use is also defined in code:

“Accessory use” means a use or activity that is customary to the principal use on the same lot, and which is subordinate and clearly incidental to the principal use.

If the Commission wants to have a broader conversation about helicopter activities, I suggest talking about that separate from this ordinance, as it could involve a greater area of the city than this proposed district. Heliports could be added to the work list or placed on a near future agenda, along with concerns about tower heights.

Staff Recommendation

1. Work through the topics in this staff report
2. Make motions at the regular meeting
3. Either move to public hearing in September, or postpone for further discussion at the next meeting.

Attachments

Staff Report 20-38 dated June 17, 2020, including draft ordinance & zoning map
PC supplemental packet June 17, 2020 (other topic pages excluded)
PC Minutes of June 17, 2020 excerpt
PC supplemental packet July 15, 2020 (other topic pages excluded)
PC Minutes of July 15, 2020 excerpt



Administration
4300 Bartlett Street
Homer, AK 99603
907-235-0325~ 907-235-0253 fax

July 31, 2020

Julie Engebretsen
Deputy City Planner
City of Homer

Julie,

For your information as the Planning Commission and staff review information in regards to helipads in the proposed medical district. The recent annual volume of “medical evacuations” or helicopter transports from South Peninsula Hospital is:

2018=**167**

2019=**196**

2020 through July 28: **102**

Let me know if you have any other informational needs and thank you for all the thoughtful work in the development of the proposed medical district.

Sincerely,

Derotha Ferraro
Public Information Officer
South Peninsula Hospital
(907) 399-6212

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report 20-52, Medical Zoning District Draft Ordinance

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

Acting City Planner Engebretsen provided a summary of the worksession discussion noting that the Commission discussed the following:

- Allowing buildings up to 65 feet in a limited area north of Fairview Avenue, SOUTH OF Fairview would remain at 35 feet height limit
- Amending the purpose statement to strike language that conflicts would be resolved in favor of non-residential uses
- Tall towers and impacts to air travel, which was determined to be a worthy topic for a separate discussion and not as a blanket change for the district due to topography, they would also need to look at Residential Office
- Heliports and helipads in the district

Acting City Planner Engebretsen reminded the Commission that any changes are to be made by motion and then an additional public hearing would be required which would likely be the first meeting in September.

Commissioner Highland stated that she would start with page 86 of the packet, line 52
HIGHLAND/ MOVED TO STRIKE ON LINE 52, RESIDENTIAL AND NONRESIDENTIAL USES WITH CONFLICTS BEING RESOLVED IN FAVOR OF NONRESIDENTIAL.

Commissioner Highland then stated that Line 52 would read, “The district is meant to accommodate a mixture of uses.

Chair Venuti asked for a second. There was no second immediately forthcoming.

Commissioner Barnwell seconded.

Discussion ensued on the following by Commission and Staff:

- Removing the language on conflict resolution in this section are there other sections that detail how conflicts would be resolved or is this the only location
- This is the only area where conflicts are called out

- Section 21.17.070 c does address Site development standards regarding non-residential construction should be screened from existing residential
- Concern was expressed for limiting the planning department by removing this language
- This could possibly weaken the commercial aspects of the district if the purpose is supposed to be commercial or mixed use then they would like to have it stated
- The purpose of the district is not to push out the residential uses but provide an area for a mixed use and they can

HIGHLAND/DAVIS MOVED TO AMEND THE MOTION TO STATE ACCOMMODATE RESIDENTIAL AND NON RESIDENTIAL USES AND STRIKE WITH CONFLICTS BEING RESOLVED IN FAVOR OF NONRESIDENTIAL USES.

There was no further discussion.

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

Motion carried.

Commissioner Smith called for a point of order to vote on the original motion.

Deputy City Clerk Krause noted that the Commission is required to vote on the main motion as amended, and the commission voted on the amendment.

Acting City Planner Engebretsen read the motion as amended, "The district is meant to accommodate a mixture of residential and nonresidential uses. Striking with conflicts being resolved in favor of nonresidential uses."

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

Motion carried.

Tall Towers:

Acting City Planner Engebretsen reviewed the discussion and the Commission can have this on a later agenda as there are multiple aspects to consider and research to be done by staff for helicopter operations at or near the hospital. It should be done separately and more comprehensively.

No action is required by the Commission at this time.

Heliports and Helipads

The Commission discussed this and it was determined that it would keep the helipad use and that the residential use and fuel storage was not compatible and recommended no action.

HIGHLAND/BENTZ MOVED THAT LINE 119 BE AMENDED TO READ RESIDENTIAL AND COMMERCIAL BUILDINGS 65 FEET NORTH OF FAIRVIEW.

Discussion ensued by Staff and Commissioners on the following:

- Creating an overlay district presenting more liability for the city
- Limited area allows only two property owners
- Opens the door for property owners south of Fairview to request a code amendment
- The view shed is not defensible since you cannot own the view
- There would have to be parameters on how regulating for the viewshed and existing residential properties which is outside the scope of the town.
- Planning Department would advise on process and clarification of city code.
- Case dependent as the town grows in the future.
- Addressing the slope difference in regards to the height limitations on buildings
- If the goal is to encourage development they are not quite there since the goal in modern planning is to encourage more dense development

Commissioner Smith lost connection at 7:00 p.m. He re-joined the meeting at 7:04 p.m. He was provided the motion currently on the floor for discussion.

Continued discussion ensued by the Commission and Staff with the following points:

- Maximum height in the district is 35 feet and a CUP can be applied for to build up to 65 feet and limiting the area to north of Fairview Avenue does preclude the ability to build a tall building due to the limited suitable property to construct a tall building
- Review of reducing the conditional uses in the district to reduce the need for a CUP
- Strike lines 118 and 119 from the ordinance and keep the building height at 35 feet
- Limiting the area for constructing tall buildings defeats the original purpose to create the district to encourage development
- Clarification on the property currently available for construction of tall buildings north of Fairview

VOTE. (Amendment). YES. HIGHLAND, DAVIS

NO. SMITH, VENUTI, BENTZ, BARNWELL, PETSKA-RUBALCAVA

Motion failed.

BENTZ/SMITH MOVED TO FORWARD THE DRAFT ORDINANCE AS AMENDED TO PUBLIC HEARING.

Brief statement clarifying the amendment to the ordinance was made by Commissioner Bentz.

VOTE. (Main)YES. HIGHLAND, BENTZ, BARNWELL, DAVIS, SMITH, VENUTI, PETSKA- RUBALCAVA

Motion carried.



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Staff Report PL 20-60

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: September 2, 2020
SUBJECT: Draft ordinance creating the Medical District

Requested Action: Conduct a public hearing and forward a recommendation to the City Council.

Timeline

- June 17, 2020 PC meeting, a motion passed to recommend approval of the draft ordinance to the City Council. Notice of reconsideration was issued shortly thereafter.
- At the July 15, 2020 meeting the Planning Commission voted to reconsider the motion. Discussion topics and public comment included building height, the purpose statement of the district, tall tower height, and allowing heliports by conditional use permit.
- At the August 5, 2020 meeting, the Commission discussed the above issues. The only item that was amended by motion was a portion of the purpose statement. The ordinance was moved to a new public hearing.

New Public Hearing -9/2/2020

A portion of the purpose statement of the district has been amended. This is a fairly minor amendment, but this change does trigger a new public hearing. This hearing has been advertised in the local newspaper, and a courtesy copy mailed to area land owners.

The staff analysis per HCC 21.94.040 and 21.95.050 from the June 17th meeting is still relevant and the staff findings remain unchanged.

Staff Recommendation

Conduct a public hearing and forward a recommendation to the City Council.

Attachments

1. Revised draft ordinance
2. Public Notice

Please see 8/5/2020 packets for all other staff reports and public comments.

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 20-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TO CREATE HOMER CITY CODE 21.17, MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.58.030, PERMISSION FOR COMMUNICATIONS TOWERS, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.10.020, ZONING DISTRICTS, TO INLCUDE THE MEDICAL DISTRICT; AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT TO MEDICAL (M) ZONING DISTRICT.

Whereas, The 2018 Homer Comprehensive Plan Goal 1 Objective B states that the zoning map be updated to support the desired pattern of growth; and

Whereas, The Comprehensive Plan Land Use Recommendations Map designated an area for consideration of a Medical District; and

Whereas, The Homer Planning Commission has worked with area residents and business owners to identify desirable characteristics and appropriate performance standards as suggested in the Homer Comprehensive Plan; and

Whereas, The Homer Planning Commission held a neighborhood meeting on February 19, 2020 and held a public hearing on June 17, 2020, as required by HCC 21.95.060(C); and

WHEREAS, The Homer Planning Commission determined there is a public need and justification for the rezone; and

WHEREAS, The Homer Planning Commission determined the rezone would not have a negative effect on the public health, safety and welfare; and

WHEREAS, The Homer Planning Commission considered the effect of the change on the district and surrounding properties; and

WHEREAS, The Homer Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

34

35 Section 1. Homer City Code 21.17 is hereby enacted as follows:

36

Chapter 21.17

37

M MEDICAL DISTRICT

38 Sections:

- 39 21.17.010 Purpose.
- 40 21.17.020 Permitted uses and structures.
- 41 21.17.030 Conditional uses and structures.
- 42 21.17.040 Dimensional requirements.
- 43 21.17.050 Site and access.
- 44 21.17.060 Traffic requirements.
- 45 21.17.070 Site development standards.
- 46 21.17.080 Nuisance standards.
- 47 21.17.090 Lighting standards.

48 **21.17.010 Purpose.**

49 The purpose of the Medical District is to provide an area near the hospital to support medical
50 facilities and other professional office and limited commercial uses. The district is meant to
51 accommodate a mixture of residential and nonresidential uses. Pedestrian-friendly designs
52 and amenities are encouraged.

53 **21.17.020 Permitted uses and structures.**

54 The following uses are permitted outright in the Medical District:

- 55 a. Single-family and duplex dwelling, excluding mobile homes;
- 56 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
57 excluding mobile homes;
- 58 c. Public parks and playgrounds;
- 59 d. Rooming house, bed and breakfast;
- 60 e. Townhouses (compliant w 21.53.010 (g) and (h));
- 61 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;
- 62 g. Professional offices and general business offices;

- 63 h. Clinics;
- 64 i. Day care facilities;
- 65 j. Day care homes;
- 66 k. Personal services;
- 67 l. Museums, libraries and similar institutions;
- 68 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 69 n. Religious, cultural and fraternal assembly;
- 70 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner
71 and separated by at least five feet from any property line as an accessory use incidental to a
72 permitted or conditionally permitted principal use;
- 73 p. Private exterior storage of the occupant's personal noncommercial equipment, including
74 noncommercial trucks, boats, campers, and not more than one recreational vehicle in a safe
75 and orderly manner and separated by at least five feet from any property line as an accessory
76 use incidental to a permitted or conditionally permitted principal use;
- 77 q. Other customary accessory uses to any of the permitted uses listed in the Medical District;
78 provided, that no separate permit shall be issued for the construction of any detached
79 accessory building prior to that of the main building;
- 80 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
81 manner consistent with the requirements of the Homer City Code and as long as such
82 animals are kept as pets and their numbers are such as not to unreasonably annoy or disturb
83 occupants of neighboring property;
- 84 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 85 t. As an accessory use, one small wind energy system per lot having a rated capacity not
86 exceeding 10 kilowatts;
- 87 u. Mobile food services;
- 88 v. Retail as an accessory use to a permitted principle use;
- 89 w. Sale of durable and non-durable medical supplies and equipment;
- 90 x. More than one building containing a permitted principal use on a lot;
- 91 y. Parking lots.

92 **21.17.030 Conditional uses and structures.**

93 The following uses may be permitted in the Medical District when authorized by conditional
94 use permit issued in accordance with Chapter 21.71 HCC:

95 a. Planned unit developments, excluding all industrial uses;

96 b. Public or private schools;

97 c. Hospitals;

98 d. Public utility facilities and structures;

99 e. Mortuaries;

100 f. Group care homes;

101 g. Helipads, but only as an accessory use incidental to a hospital conditional use;

102 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
103 that it is the only wind energy system of any capacity on the lot;

104 i. Other uses approved pursuant to HCC 21.04.020;

105 j. Parking garage.

106 **21.17.040 Dimensional requirements.**

107 The following dimensional requirements shall apply to all structures and uses in the Medical
108 District:

109 a. The minimum lot size is 7,500 square feet.

110 b. Building Setbacks.

111 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

112 2. All buildings shall be set back from all other lot boundary lines according to the
113 number of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet
2 1/2 stories	8 feet

114 c. Building Height.

115 1. The maximum building height is 35 feet, except as provided in subsection (c)(2) of
116 this section.

117 2. If approved by conditional use permit, the maximum building height for multifamily
118 residential and commercial buildings 65 feet.

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

122 **21.17.050 Site and access.**

123 a. A zoning permit for any nonresidential use or structure shall not be issued by the City
124 without an approved site plan and an approved level two right-of-way access plan that
125 conform to the standards of Chapter 21.73 HCC.

126 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
127 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

128 **21.17.060 Traffic requirements.**

129 A conditional use permit is required for every use that:

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

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

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

136 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level
137 of service, the highway, road, street, alley or intersection.

138 **21.17.070 Site development standards.**

139 a. All single-family and duplex residential development in the Medical District shall comply
140 with the level one site development standards contained in HCC 21.50.020.

141 b. All residential development of three units or more and all nonresidential development on
142 lands in this district shall conform to the level two site development standards set forth in
143 HCC 21.50.030 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2).
144 Parking lots with a minimum of 24 spaces or more shall provide a minimum of 10%
145 landscaped area in dividers, islands or buffers or any combination thereof, adjacent or within
146 the parking area.

147 c. New non-residential construction shall be screened from existing single family or duplex
148 dwellings by a continuous fence or landscaping so as to obscure the view of the parking lot
149 and loading areas from the adjacent dwelling.

150 **21.17.080 Nuisance standards.**

151 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in
 152 this zoning district.

153 **21.17.090 Lighting standards.**

154 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
 155 structures in this zoning district.

156

157 Section 2. Homer City Code 21.21.58.030 Permission for communications towers is hereby
 158 amended as follows:

159 a. Except as provided in subsection (b) of this section, a communications tower is permitted
 160 as a principal or accessory use or structure in each zoning district.

161 b. A communications tower that exceeds the following maximum height for the zoning
 162 district in which the communications tower is located is permitted only when authorized by
 163 conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
MD	85
UR	60
RR	85
CONS	60
GC2	120
EEMU	120
MI	120

District	Maximum Height (feet)
MC	120
OSR	60
BCWPD	120

164

165 Section 3. Homer City Code 21.60.060 Signs on private property is hereby amended as
 166 follows:

167

168 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
 169 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit
 170 approval in the zoning district represented by that column. If the letter “P” appears for a sign
 171 type in a column, such sign type is allowed only with prior permit approval in the zoning
 172 district represented by that column. Special conditions may apply in some cases. If the letter
 173 “N” appears for a sign type in a column, such sign type is not allowed in the zoning district
 174 represented by that column under any circumstances. If the letters “PH” appear for a sign
 175 type in a column, such sign type is allowed in the zoning district represented by that column
 176 only with prior approval by the Commission after a public hearing.

177 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P”
 178 in Table 1 shall be allowed only if:

179 1. The sum of the area of all building and freestanding signs on the lot does not exceed
 180 the maximum permitted sign area for the zoning district in which the lot is located as
 181 specified in Table 2; and

182 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 183 Characteristics by Zoning District, and with any additional limitations on characteristics
 184 listed in Table 1 or Table 2.

185 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in	EEMU	East End Mixed Use
		MC	Marine Commercial

Key to Tables 1 through 3			
	Residential Zoning Districts (a)		
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
M	Medical District	PS	Public Sign Uses Permit
A = Allowed without sign permit			
P = Allowed only with sign permit			
N = Not allowed			
PH = Allowed only upon approval by the Planning Commission after a public hearing.			
For parenthetical references, e.g., “(a),” see notes following graphical portion of table.			

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188

Table 1

Sign Type	RR	UR	RO	INS (a)	M	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Freestanding															
Residential (b)	A	A	A	A	A	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	P	P	P	P (i)	A	A	A	P	P	N	PH
Incidental (c)	N	N	A (d)	A (d)	A	A	A	A	A	A	A	A	A	N	N
Parking Lot Identification					A	A	A	A	A	A	A	A	A		
Building															
Banner	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A	A	A	A	A	A	A	A	A	A	A	N	N

Sign Type	RR	UR	RO	INS (a)	M	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
			(f)												
Marquee	N	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	P	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	A	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	P	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	P	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	P		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	P	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	P	P	P	P	P	P	P	P	P	N	N
Miscellaneous															
Flag (h)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

189

190 Notes to Table 1:

- 191 a. This column does not represent a zoning district. It applies to institutional uses
- 192 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
- 193 defined as an established organization or corporation of a public, nonprofit, or public
- 194 safety/benefit nature, i.e., schools, churches, and hospitals.
- 195 b. No commercial message allowed on sign, except for a commercial message drawing
- 196 attention to goods or services legally offered on the lot.
- 197 c. No commercial message of any kind allowed on sign if such message is legible from any
- 198 location off the lot on which the sign is located.
- 199 d. Only address and name of occupant allowed on sign.
- 200 e. May include only building name, date of construction, or historical data on historic site;
- 201 must be cut or etched into masonry, bronze, or similar material.
- 202 f. No commercial message of any kind allowed on sign.
- 203 g. The conditions of HCC 21.60.130 apply.
- 204 h. Flags of the United States, the State, the City, foreign nations having diplomatic
- 205 relations with the United States and any other flag adopted or sanctioned by an elected
- 206 legislative body of competent jurisdiction. These flags must be flown in accordance with
- 207 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
- 208 not meeting any one or more of these conditions shall be considered a banner sign and shall
- 209 be subject to regulations as such.
- 210 i. The main entrance to a development in GBD may include one ground sign announcing
- 211 the name of the development. Such sign shall consist of natural materials. Around the sign
- 212 grass, flowers and shrubs shall be placed to provide color and visual interest. The sign must
- 213 comply with applicable sign code requirements.

214
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Table 2. Maximum Total Sign Area Per Lot by Zoning District

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	M
4	4	6	50	20	4	32	50

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

- 217 1. In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or
218 with multiple independent businesses or occupancies in one or more buildings, the
219 total allowed sign area may be increased beyond the maximum allowed signage as
220 shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote
221 or identify the building or complex of buildings.
- 222 2. In all districts covered by Table 2 Part B, freestanding Parking Lot Identification signs
223 are excluded from calculation as sign area, and are allowed in addition to the
224 freestanding sign per limitation stated in Table 2 Part B(4). One directional parking lot

225 identification sign may be erected without a sign permit if restricted to identifying a
226 parking lot with its owner, operator, or name of the business providing the lot. The sign
227 may include the logo, corporate colors or name of the business but no advertising other
228 than the name of the business shall be included. The total sign area shall not exceed six
229 square feet and shall not exceed a sign height of six feet.

230 3. In all districts covered by Table 2 Part B, special conditions for additional signage
231 allowance above 150 square feet per building. An allowance for additional signage may
232 be granted by the City Planner for either section (a) or section (b) below.

233

234 a. Multiple-Tenant Buildings which adjoin and have which have more than one
235 entrance for clients that access more than one improved street.

236 1. Secondary and tertiary entrances must be commonly used by clients and
237 must access the interior of the building and conversely the entrance must
238 access a parking lot, sidewalk or constructed public road. These entrances
239 are approved at the sole direction of the planning department. Alleys,
240 stairways to upper levels, emergency exits may not apply at the discretion
241 of the Planning Director.

242 2. Additional signage is allowed based $\frac{1}{2}$ the allowance on Table 2 part B to
243 existing for each secondary or tertiary street wall frontage. Signage must be
244 placed on the wall face of the building the allowance was based on.

245 b. Additional sign allowance for multitenant split level buildings and buildings two or
246 more businesses deep:

247 1. In a building that has one frontage, which is the only frontage that has access
248 to a public street, and is split level or is more than one business in depth.

249 2. Additional signage is allowed based on $\frac{1}{2}$ the allowance of Table 2 Part B.

250

251 4. In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed,
252 shall not exceed the following limitations:

253 a. Only one freestanding sign is allowed per lot, except one freestanding public
254 sign may be additionally allowed. A freestanding sign may not exceed 10 feet in
255 height.

- 256 b. The sign area on a freestanding sign (excluding a public sign) shall be included
 257 in the calculation of maximum allowed sign area per lot and shall not exceed the
 258 following:
- 259 i. One business or occupancy in one building – 36 sq ft
- 260 ii. Two independent businesses or occupancies or principal buildings in any
 261 combination – 54 sq ft
- 262 iii. Three independent businesses or occupancies or principal buildings in any
 263 combination – 63 sq ft
- 264 iv. Four or more independent businesses or occupancies or principal buildings in
 265 any combination – 72 sq ft

266 Notes to Table 2, Parts A and B

- 267 a. The INS column does not represent a zoning district. It applies to institutional uses
 268 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
 269 defined as an established organization or corporation of a public, nonprofit, or public safety
 270 or benefit nature, e.g., schools churches, and hospitals.
- 271 b. Flags of the United States, the State, the City, foreign nations having diplomatic
 272 relations with the United States, and any other flag adopted or sanctioned by an elected
 273 legislative body of competent jurisdiction. These flags must be flown in accordance with
 274 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
 275 not meeting any one or more of these conditions shall be considered a banner sign and shall
 276 be subject to regulation as such.
- 277 c. Square feet of wall frontage is defined as total square footage of wall surface, under the
 278 roof, that faces the major access or right-of-way of the business. In the case of a business
 279 located on a corner lot, square footage of wall frontage is the total square footage of wall
 280 surface, under the roof, on the side of the business with the most square footage.
- 281 d. The PS column does not represent a zoning district. It applies to public signs permitted
 282 under the zoning code, in all zoning districts.
- 283 e. This RO column applies only to lots in that portion of the RO district that abuts East
 284 End Road, **Bartlett Street**, Hohe Street, and Pennock Street. Within this area, there is
 285 allowed a maximum of 50 square feet total area of all signs (including the ground sign
 286 referred to below), except incidental, building marker, and flags (see note (b) above). One
 287 ground sign, with a maximum total area of 16 square feet, will be permitted per lot. Each
 288 ground sign shall not exceed six feet in height, measured from the base to the highest portion
 289 of any part of the sign or supporting structure.
- 290 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
 291 **freestanding public sign may be additionally allowed. A freestanding sign may not**
 292 **exceed 10 feet in height or 36 square feet in area.**
- 293

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Table 3. Permitted Sign Characteristics by Zoning District

Sign Type	RR	UR	RO	INS (a)	M	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	N	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	P	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	P	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	N	P	P	N	P	P	P	P	P	N	N

296

297 Notes to Table 3:

- 298 a. The INS column does not represent a zoning district. It applies to institutional uses
- 299 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is
- 300 defined as an established organization or corporation of a public, nonprofit, or public
- 301 safety/benefit nature, i.e., schools, churches, and hospitals.
- 302 b. Animated signs may not be neon or change colors or exceed three square feet in area.
- 303 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
- 304 d. Neon signs may not be flashing and may not exceed 32 square feet.
- 305 e. The PS column does not represent a zoning district. It applies to public signs permitted
- 306 under the zoning code, in all zoning districts.

307

308

309 Section 4. HCC 21.10.020 Zoning District is hereby amended as follows:

310 a. The City is divided into zoning districts. Within each zoning district only uses and structures

311 authorized by this title are allowed.

312

313 b. The following zoning districts are hereby established:

Zone	Abbreviated Designation
Residential Office	RO

Zone	Abbreviated Designation
Rural Residential	RR
Urban Residential	UR
Central Business District	CBD
Town Center District	TCD
Gateway Business District	GBD
General Commercial 1	GC1
General Commercial 2	GC2
East End Mixed Use	EEMU
Marine Commercial	MC
Marine Industrial	MI
Medical	M
Open Space – Recreational	OSR
Conservation District	CO

314 c. The zoning district boundaries shall be as shown on the official Homer zoning map. [Ord.
 315 12-10 § 2, 2012; Ord. 08-29, 2008].

316

317 Section 5. The Homer Zoning Map is amended to transfer the parcels listed on the attached
 318 Exhibit A from RO zoning district to the M zoning district as shown on the attached Exhibit B.

319

320 Section 6. The City Planner is authorized to note on the Homer Zoning Map the amendments
 321 enacted by this ordinance as required by Homer City Code 21.10.030(b).

322

323 Section 7. Sections 1-4 of this Ordinance are of a permanent nature and general character and
 324 shall be included in the City Code. Section 5 is a non-Code ordinance of a permanent nature
 325 and shall be noted in the ordinance history of Homer City Code 21.10.030.

326

327 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this XX day of XXX, 2020.

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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.

City Manager

Michael Gatti, City Attorney

Date: _____

Date: _____

Exhibit A

Parcel ID	Legal Description
17505303	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 7
17505306	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 7
17505307	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 7 BLK 7
17505610	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 6
17505612	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2005061 FAIRVIEW SUB FLYUM ADDN LOT 2A BLK 6
17505614	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2010027 FAIRVIEW SUB NO 16 2010 REPLAT LOT 6-A2 BLOCK 6
17506106	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 10
17506205	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 5
17506504	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 4
17505304	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 7
17505305	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 7
17506102	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 2 BLK 10
17506103	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 10
17506105	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 10
17506402	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 15 BLK 4
17506403	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 14 BLK 4
17506505	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 9 BLK 4
17506512	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 2 BLK 4
17506513	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 4
17513307	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 29-A
17513311	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 26-A1
17513323	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 7-A
17513324	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 8-A
17513329	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 12-A
17513347	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2009018 BUNNELL'S SUB NO 22 LOT 22-A2
17506508	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 4
17506516	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB THE WEST 18 FT 7 IN OF LOT 7 & ALL OF LOT 8 BLK 4
17513223	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 45 THE EAST PORTION THEREOF
17513225	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780044 BUNNELL'S SUB REPLAT LOTS 27 & 28 LOT 27B
17513226	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780044 BUNNELL'S SUB REPLAT LOTS 27 & 28 LOT 28B
17513313	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 24-A1
17513314	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 23-A1
17513319	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 3-A-1

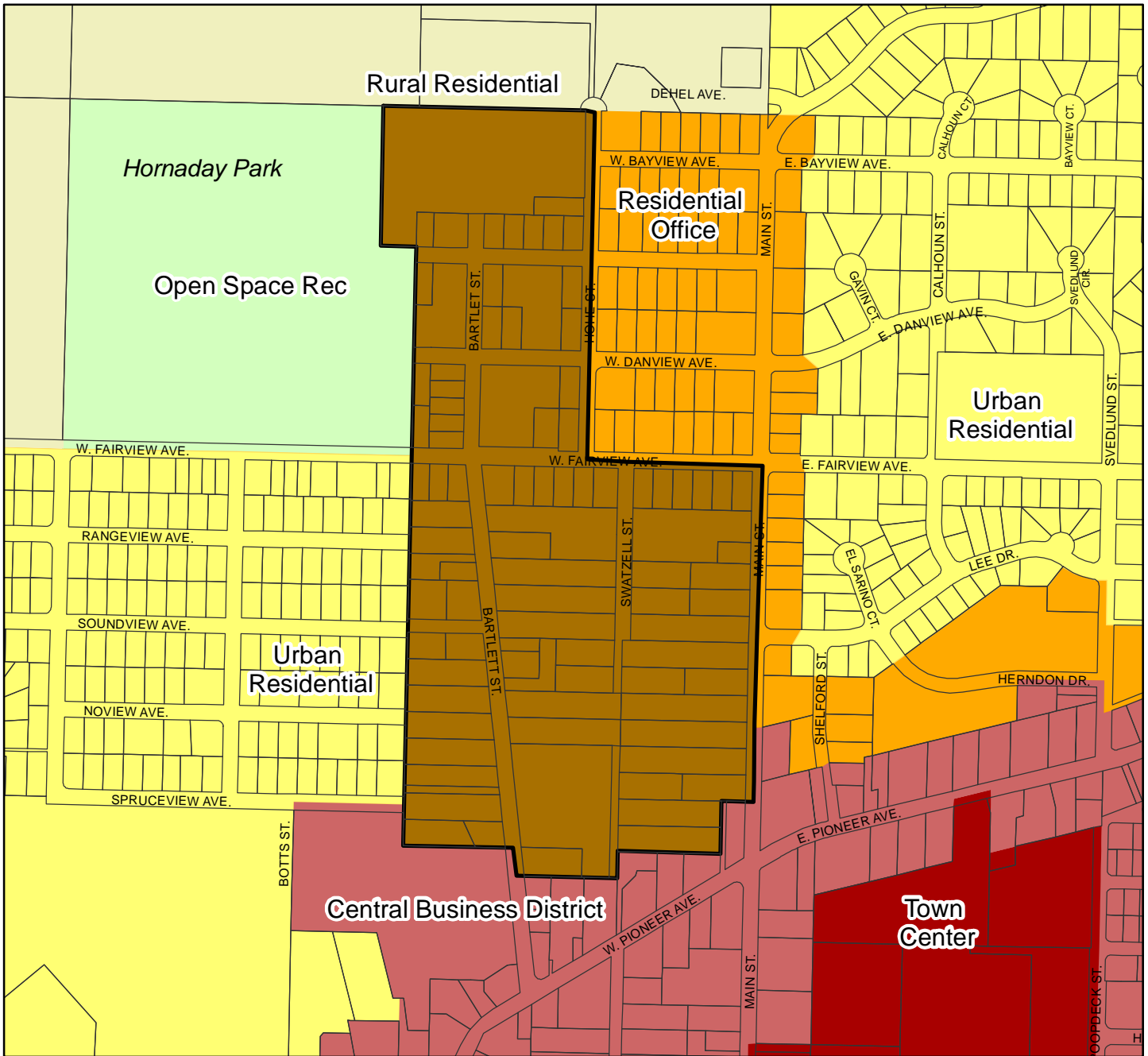
Exhibit A

Parcel ID	Legal Description
17513321	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 5-A-1
17513339	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0970075 BUNNELLS SUB MASTOLIER ADDN LOT 6-A-2
17513342	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C1
17513348	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013010 BUNNELL'S SUB NO 23 LOT A-1
17514222	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 50
17514223	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 51
17504024	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2008092 SOUTH PENINSULA HOSPITAL SUB 2008 ADDN TRACT A2
17505205	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2009043 FAIRVIEW SUB HALPIN ADDN LOT 2A BLK 8
17505509	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2004101 FAIRVIEW SUB 2003 ADDN LOT 1-A BLK 9
17505601	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 6
17505613	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 2010027 FARIVIEW SUB NO 16 2010 REPLAT LOT 6-A1 BLOCK 6
17506104	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 10
17506107	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 7 BLK 10
17506212	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 2-A BLK 5
17506401	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 16 BLK 4
17506510	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 4
17506511	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 3 BLK 4
17513222	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 45 THE WEST PORTION THEREOF
17513312	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 25-A1
17513318	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 2-A
17513325	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 9-A
17513326	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 10-A
17513327	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 11-A
17513330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 13-B
17513338	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0970075 BUNNELLS SUB MASTOLIER ADDN LOT 6-A-1
17514122	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB PTN OF LT 13 BEGINNING @SW CORNER OF LOT; TH N100 FT; TH E230 FT TO CTR OF STREAM BED BISECTING LOT; TH SE TO POINT WHERE STREAM CTR INTERSECTS SOUTH LINE OF LOT; TH W 283 FT TO POB
17531003	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 41-B
17531005	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 43-A
17531007	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 41-A
17531021	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0790131 HARBOR RIDGE SUB LOT 5 EXCLUDING SLOPE EASEMENT
17513217	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 44

Exhibit A

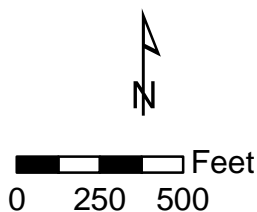
Parcel ID	Legal Description
17505202	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 4 BLK 8
17505302	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 7
17505501	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 6 BLK 9
17505605	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 6
17506101	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 1 BLK 10
17506210	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 10 BLK 5
17506211	T 6S R 13W SEC 18 SEWARD MERIDIAN HM 0850028 FAIRVIEW SUB NO 11 LOT 9-A BLK 5
17506502	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 12 BLK 4
17506503	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 11 BLK 4
17506509	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0562936 FAIRVIEW SUB LOT 5 BLK 4
17513219	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 46
17513220	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 47
17513221	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 48 EXCLUDING SLOPE ESMT
17513306	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 30-A
17513316	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 13-C
17513317	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 1-A
17513320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 3-B-1
17513328	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860044 BUNNELL'S SUB NO 17 LOT 11-B
17513343	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C2
17513344	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2006065 BUNNELL'S SUB FORTIN REPLAT LOT 27-C3
17513349	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2013010 BUNNELL'S SUB NO 23 LOT A-2
17514220	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000049 BUNNELLS SUB LOT 49 THE EAST PTN THEREOF EXCL SLOPE EASEMENT
17514221	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0000258 BUNNELLS SUB LOT 49 THE WEST PTN THEREOF
17513114	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0780121 BUNNELLS REPLAT LOT 4 & N1/2 LOT 5 LOT 4-A
17531004	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 42-B
17531006	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0830122 FAIRNELL SUB AMD LOT 42-A
17531024	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0840094 HARBOR RIDGE SUB NO 2 LOT 1-A

Exhibit B



Legend Zoning Districts

- Central Business District
- Town Center
- Rural Residential
- Urban Residential
- Residential Office
- Open Space Rec
- Medical District



City of Homer
 Planning and Zoning Department

5/20/2020

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.

PUBLIC HEARING NOTICE

Public notice is hereby given that the City of Homer will hold a public hearing by the Homer Planning Commission on Wednesday, September 2nd, 2020 at 6:30 p.m. via a virtual meeting webinar, on the following matter:

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TO CREATE HOMER CITY CODE 21.17, MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.58.030, PERMISSION FOR COMMUNICATIONS TOWERS, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.10.020, ZONING DISTRICTS, TO INLCUDE THE MEDICAL DISTRICT; AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT TO MEDICAL (M) ZONING DISTRICT.

The Planning Commission held a public hearing on this ordinance in June. Over the summer, the Commission continued to discuss the ordinance and made one additional change in the purpose statement of the district. A public hearing is being held on the ordinance and then it will be forwarded to the City Council for final action.

Anyone wishing to view the complete ordinance, 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 meeting information and packet materials will be available 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.

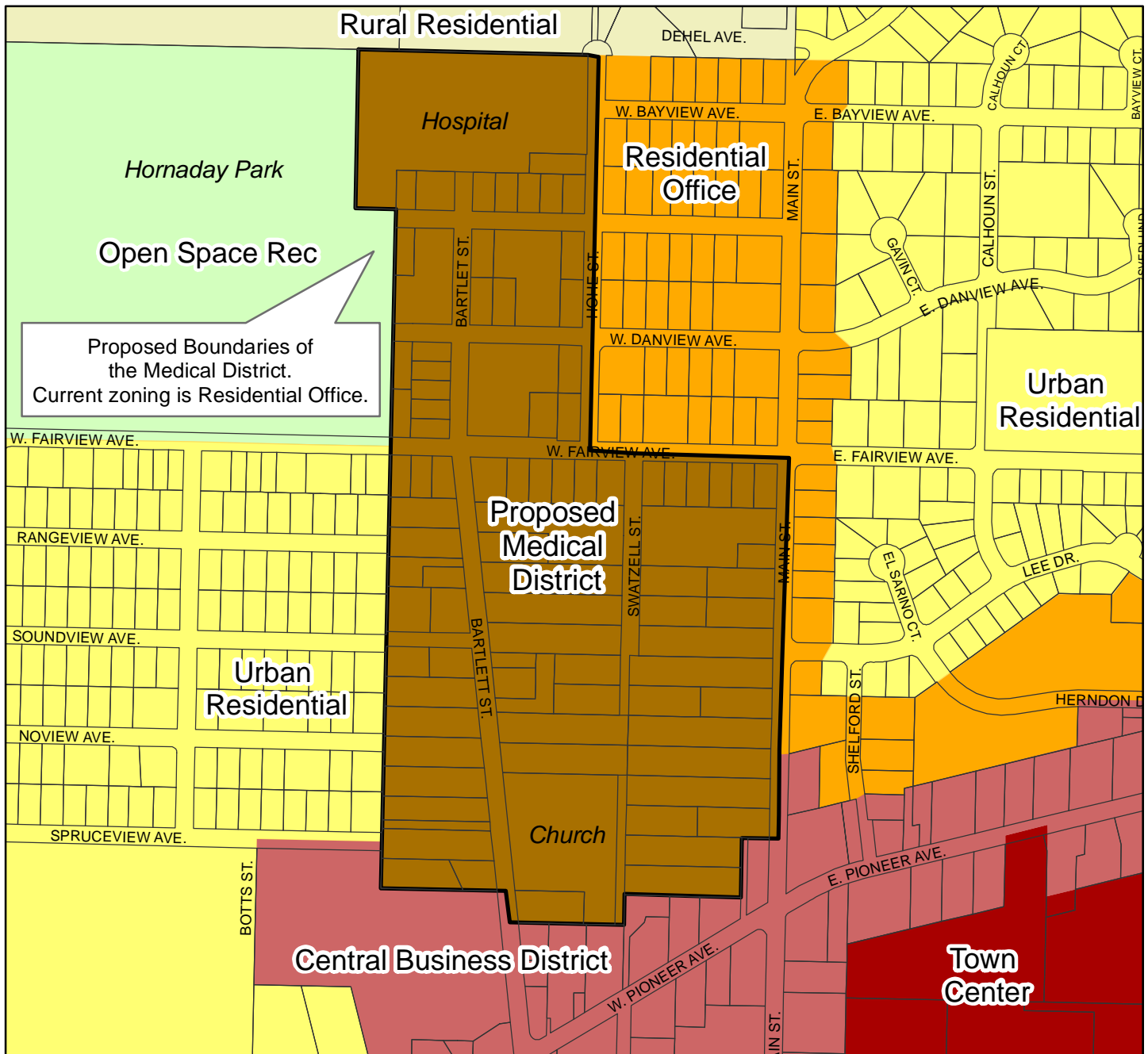
If you have questions or would like additional information about the proposal, please contact Travis Brown with the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact Renee Krause with the City Clerk's Office at 235-3130.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF THE PROPOSED MEDICAL DISTRICT BOUNDARIES & PROPERTIES WITHIN 300 FEET OF MAIN STREET

.....

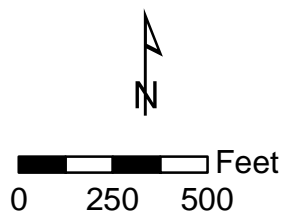
MAP OF PROPOSED MEDICAL DISTRICT BOUNDARIES AND CURRENT ZONING ON REVERSE

Proposed Medical District Boundaries and Current Zoning



Legend

- Current Zones**
- Central Business District
 - Town Center
 - Rural Residential
 - Urban Residential
 - Residential Office
 - Open Space Rec
 - Medical District Boundary (up for public hearing)



City of Homer
Planning and Zoning Department

6/3/20

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.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-60

An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating \$2,251,058.85 in Coronavirus Relief Funds from the Kenai Peninsula Borough to the City's Economic Relief Grant Programs and Authorizing the City Manager to Execute Agreements with the Kenai Peninsula Borough for Cooperative or Joint Administration of Functions or Powers through Subgranting Coronavirus Relief Funds.

Sponsor: City Manager

1. City Council Regular Meeting September 14, 2020 Introduction

2. City Council Regular Meeting September 28, 2020 Public Hearing and Second Reading

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager

4 **ORDINANCE 20-60**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 ACCEPTING AND APPROPRIATING \$2,251,058.85 IN
8 CORONAVIRUS RELIEF FUNDS FROM THE KENAI PENINSULA
9 BOROUGH TO THE CITY'S ECONOMIC RELIEF GRANT PROGRAMS
10 AND AUTHORIZING THE CITY MANAGER TO EXECUTE
11 AGREEMENTS WITH THE KENAI PENINSULA BOROUGH FOR
12 COOPERATIVE OR JOINT ADMINISTRATION OF FUNCTIONS OR
13 POWERS THROUGH SUBGRANTING CORONAVIRUS RELIEF
14 FUNDS.

15
16 WHEREAS, Through Resolution 20-074(A) the City of Homer is poised to receive
17 Coronavirus Relief Funds (CRF) from the Kenai Peninsula Borough; and

18
19 WHEREAS, The City needs to provide the Borough with a specific budget and budget
20 narrative regarding how the CRF will be allocated to address and respond to the pandemic in
21 Homer; and

22
23 WHEREAS, A specific budget and budget narrative is required per the US Treasury
24 reporting and record keeping guidance which states grants \geq \$50,000 must include reporting
25 requirements that tracks eligible expenditures; and

26
27 WHEREAS, Through Resolution 20-057 and 20-071 the City established the Small
28 Business Economic Relief Grant (SBERG) Program, Nonprofit Economic Relief Grant Program
29 (NERG), Household Economic Relief Grant Program (HERG), Social Services Economic Relief
30 Grant Program (SoSERG), and Childcare Business Economic Relief Grant Program (CBERG) in
31 response to the economic downfall caused by measures taken to assure public safety in the
32 face of the Covid-19 pandemic; and

33
34 WHEREAS, These economic relief grant (ERG) programs were established to assist
35 critical parts of the Homer community; and

36
37 WHEREAS, All expenses associated with the ERG programs are necessary expenditures
38 incurred due to the public health emergency with respect to the coronavirus disease 2019;
39 were not accounted for in the budget most recently approved as of March 27, 2020 by the City;
40 and were incurred during the performance period of March 1, 2020 through November 30, 2020;
41 and
42

43 WHEREAS, AS 29.35.010(13) authorizes all municipalities to enter into agreements for
44 cooperative administration of any function or power with another municipality subject to
45 other provisions of law; and
46

47 WHEREAS, The cooperative agreements, which may be included in the subgrant
48 agreements with the cities, shall include a provision for the cooperative or joint administration
49 of powers between the borough and each city as necessary to subgrant some of the CRF
50 granted to the borough to assist in the response and recovery from the COVID-19 pandemic
51 emergency.
52

53 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
54

55 Section 1. The Homer City Council hereby accepts and appropriates \$2,251,058.85 in
56 Coronavirus Relief Funds from the Kenai Peninsula Borough, to be used as follows:
57

58 A) \$2,251,058.85 is appropriated to pay for expenses associated with the Small
59 Business Economic Relief Grant (SBERG) Program, Nonprofit Economic Relief Grant
60 Program (NERG), Household Economic Relief Grant Program (HERG), Social
61 Services Economic Relief Grant Program (SoSERG), and Childcare Business
62 Economic Relief Grant Program (CBERG).
63

64 Revenue:

<u>Description</u>	<u>Amount</u>
FY 2020 KPB CARES Relief Fund	\$2,251,058.85

69 Section 2. The Homer City Council hereby authorizes the City Manager to execute
70 agreements with the Kenai Peninsula Borough for cooperative or joint administration of
71 functions or powers through subgranting Coronavirus Relief Funds.
72

73 Section 3. This ordinance is a budget ordinance only, is not permanent in nature and
74 shall not be codified.
75

76 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.
77

78 CITY OF HOMER
79
80

81
82 _____
83 KEN CASTNER, MAYOR
84

85 ATTEST:

86

87

88 _____

89 MELISSA JACOBSEN, MMC, CITY CLERK

90

91 YES:

92 NO:

93 ABSTAIN:

94 ABSENT:

95

96 First Reading:

97 Public Hearing:

98 Second Reading:

99 Effective Date:

100

101 Reviewed and approved as to form.

102

103 _____

104 Rob Dumouchel, City Manager

105

106 Date: _____

Michael Gatti, City Attorney

Date: _____



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Ms. Brenda Ahlberg

Community & Fiscal Projects Manager

Kenai Peninsula Borough

Submitted electronically: bahlberg@kpb.us

September 10, 2020

Ms. Ahlberg,

On August 13th, you contacted the City of Homer with the good news that the Borough Assembly approved funding allocations of Coronavirus Relief Funds (CRF) to Kenai Peninsula Cities through Resolution 2020-056. In order to issue this sub-recipient grant award to the City of Homer, you requested a letter detailing the budget and budget narrative for how the grant funds are to be used; I have included this information below.

Available Budget: \$2,251,058.85

Qualifying Expenses: Small Business Economic Relief Grant (SBERG) Program, Nonprofit Economic Relief Grant Program (NERG), Household Economic Relief Grant Program (HERG), Social Services Economic Relief Grant Program (SoSERG), and Childcare Business Economic Relief Grant Program (CBERG).

Narrative:

The City of Homer created the Small Business Economic Relief Grant (SBERG) Program, Nonprofit Economic Relief Grant Program (NERG), Household Economic Relief Grant Program (HERG), Social Services Economic Relief Grant Program (SoSERG), and Childcare Business Economic Relief Grant Program (CBERG) in response to the economic downfall caused by measures taken to assure public safety in the face of the Covid-19 pandemic. These economic relief grant (ERG) programs were established to assist critical parts of the Homer community. Under these programs, an applicant experiencing hardships as a result of COVID-19 is allowed to apply for up to a certain dollar amount and agrees they qualify for the funds when they submit their application. The City has hired temporary staff responsible for implementing the programs and ensuring compliance from grantees to follow the conditions associated with the grant funds. All expenses for these programs are tracked and reported out by the City's Finance Department.

Best regards,

Rob Dumouchel

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-61

An Ordinance of the City Council of Homer, Alaska Repealing Emergency Ordinance 20-58 and Amending the 2020 Capital Budget and Authorizing Expenditure of up to \$300,000 from the HART Road Fund to Design and Construct Remedial Solutions for the Horizon Court Landslide.

Sponsor: City Manager/Public Works Director.

1. City Council Regular Meeting September 14, 2020 Introduction
 - a. Memorandum 20-141 from Public Works Director as backup

2. City Council Regular Meeting September 28, 2020 Public Hearing and Second Reading
 - a. Memorandum 20-141 from Public Works Director as backup

1 **HOMER, ALASKA**

2 City Manager/
3 Public Works Director

4 **ORDINANCE 20-61**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 REPEALING EMERGENCY ORDINANCE 20-58 AND AMENDING THE
8 2020- CAPITAL BUDGET AND AUTHORIZING EXPENDITURE OF UP
9 TO \$300,000 FROM THE HART-ROAD FUND TO DESIGN AND
10 CONSTRUCT REMEDIAL SOLUTIONS FOR THE HORIZON COURT
11 LANDSLIDE.

12
13 WHEREAS, On August 24, 2020 the Homer City Council approved Emergency Ordinance
14 20-58, declaring the landside and potentially imminent road failure at Horizon Court
15 constitutes an emergency; and

16
17 WHEREAS, Pursuant to Homer City Code 1.08.040, emergency ordinances are effective
18 for 60 days; and

19
20 WHEREAS, Repealing Emergency Ordinance 20-58 and enacting Ordinance 20-61 allows
21 the City’s notice and public hearing and extends the project beyond 60 days; and

22
23 WHEREAS, Horizon Court is a road that was not built to City standards, but was
24 accepted for City maintenance as part of the statutory annexation process; and

25
26 WHEREAS, A portion of the road has sloughed off, creating a landslide into a water-
27 soaked ravine, thereby creating a hazard to the traveling public and putting the road at high
28 risk of complete failure resulting in a continuing emergency situation until the project
29 remediation can be completed; and

30
31 WHEREAS, The City will make emergency repairs to the road, these repairs are a short-
32 term solution, to keep the road from immediate failure, while a long term solution is
33 engineered and constructed; and

34
35 WHEREAS, The City needs to be positioned to take immediate action in the event the
36 earth continues to move and complete road failure occurs or when the engineered solution is
37 ready for implementation; and

38
39 WHEREAS, The City Council adopted Resolution 17-038, on April 24, 2017, amending the
40 Homer Accelerated Roads and Trails Program (HART) Policy Manual; and

41
42 WHEREAS, The HART Manual identify various criteria for projects that may be
43 considered for HART funding; and

44
45 WHEREAS, The criteria, which would be met by repairing Horizon Court, include
46 protecting “life, safety and traffic flow”.

47 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

48
49 Section 1. The Homer City Council of Homer, Alaska, hereby repeals Emergency
50 Ordinance 20-62 upon the effective date of this ordinance.

51
52 Section 2. The City Council directs the City Manager and staff to execute a short-term
53 solution, while a long term solution is designed and constructed.

54
55 Section 3. The City Council declares the landside and potentially imminent road failure
56 at Horizon Court constitutes a continuing emergency and authorizes the City Manager, per HCC
57 3.16.060, to execute exemptions to the procurement procedures set forth in Homer City Code
58 Chapter 3.16, to expedite the procurement of contracts necessary to remediate the continuing
59 emergency with short term and long term solutions.

60
61 Section 4. The City of Homer’s 2020 Capital Budget is hereby amended by appropriating
62 up to \$300,000 from the HART-Roads Fund for the Horizon Court Road Repair Project.

63

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	HART Roads	\$300,000

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66

67 Section 5. This ordinance reaffirms the \$300,000 appropriation approved by Emergency
68 Ordinance 20-58. Any additional funding for this project must be appropriated by the City
69 Council.

70
71 Section 6. This is a budget amendment ordinance, is not permanent in nature, and shall
72 not be codified.

73
74 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ___ day of _____, 2020.

75
76 CITY OF HOMER

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78 _____
79 KEN CASTNER, MAYOR

80 ATTEST:

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82 _____
83 MELISSA JACOBSEN, MMC, CITY CLERK

84
85 YES:

86 NO:

87 ABSTAIN:

88 ABSENT:

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91 Reviewed and approved as to form:

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93 _____

94 Robert Dumouchel, City Manager

95

96 Date: _____

97

Michael Gatti, City Attorney

Date: _____



Memorandum 20-141

TO: City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, Director of Public Works
DATE: September 3, 2020
SUBJECT: Update on Horizon Court repair

- I. **Issue:** We need more time than the existing emergency declaration allows to implement a long-term solution to the mini-landslide at Horizon Court, which is putting a City-maintained road at risk.

- II. **Background:** At their August 24, 2020, meeting, the Homer City Council passed Emergency Ordinance 20-58, declaring the earth movement at Horizon Court to constitute an emergency, a designation that lasts 60 days. We are in the process of enacting short-term repairs to the road and have commissioned the design of long-term repairs, which will involve supporting the ravine with some kind of earth retaining structure. In all likelihood, we will not be able to enact the long-term repairs within the 60 days allowed under the existing emergency declaration.

In the event the situation deteriorates, we may need to take immediate action so local residents could continue to access their homes. An extension of the emergency declaration would allow us to deploy exemptions to the Homer Procurement Code, in exigent circumstances. We will not exercise such exemptions unless it became necessary.

III. Actions Recommended:

That the City Council pass an ordinance allowing for additional time to address repairs needed for the continuing emergency situation on Horizon Court.

44 Section 3. The City Manager is authorized, per HCC 3.16.060, to execute exemptions to
45 the procurement procedures set forth in Homer City Code Chapter 3.16, to expedite the
46 procurement of contracts necessary to remediate the emergency, with short term and long
47 term solutions.

48
49 Section 4. The City of Homer's 2020 Capital Budget is hereby amended by appropriating
50 up to \$300,000 from the HART-Roads Fund for the Horizon Court Road Repair Project.

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
	HART Roads	\$300,000

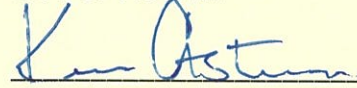
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55 Section 5. This is a budget amendment ordinance, is not permanent in nature, and
56 shall not be codified.

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58 Section 6. That no action taken herewith precludes the City Council from taking any
59 later action that may cause a local improvement district to be formed.

60
61 Section 7. This is an emergency ordinance of general character and will be effective for
62 60 days in accordance with HCC 1.08.040.


63
64 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 24 day of August, 2020.

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66 CITY OF HOMER

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69 KEN CASTNER, MAYOR


70 ATTEST:

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73 MELISSA JACOBSEN, MMC, CITY CLERK



74
75 YES: 6
76 NO: 0
77 ABSTAIN: 0
78 ABSENT: 0

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80 Reviewed and approved as to form:

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83 Robert Dumouchel, City Manager

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85 Michael Gatti, City Attorney

86 Date: 28 AUG 20

87 Date: _____



Memorandum 20-127

TO: City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Jan Keiser, PE, JD, Director of Public Works
DATE: August 20, 2020
SUBJECT: Request for Emergency Declaration Related to Horizon Court (road)

- I. **Issue:** A portion of the side slope of Horizon Court has failed, creating a small landslide into an adjacent ravine which is placing the road at imminent risk of substantial damage.. Public Works is currently responding to this emergency with short term remediation but the establishment of immediate permanent repairs are necessary -- --:Consequently the City Council hereby declares the following:
- That an emergency to repair Horizon Drive exists;
 - That the City Manager authorized to use HCC 3.16.060 Emergency Procurements and the provisions of the procurement manual contained titled Emergency Procurement Policy, to retain contractors to perform required repairs to Horizon Court.-
 - Funding from the HART-Roads Fund.

II. **Background:**

Horizon Court is located in outer edge of the northwest corner of the City Limits. (This road was part of the area that was annexed into the City some years ago. The road was accepted for City maintenance, though it was not built to City standards-.

The downhill side slope of Horizon Court has dramatically moved – a combination of geography, bad soils, percolating ground water and poor construction, causing a mini-landslide into a steep, water-soaked ravine. The landslide creates a high risk for the traveling public – there are 6-8 homes beyond the ravine. Left to normal natural causes, the water-soaked earth will continue to move, potentially taking the whole road out. You can already see cracks in the earth at the top of the road “shoulder”.

Public Works is working on a short-term and long-term solution. The short-term solution will be to move the traveled way as far from the edge of the slope as possible and put some concrete Jersey barriers in place to keep people from falling into the ravine. We think we can do this in 1-2 days, starting as soon as we can notify neighbors, get utility locates, etc. This

will buy us some time, hopefully getting us through the winter, while we work on the longer term solution. We will need to watch it and be very careful when plowing snow.

The longer term solution will require (1) some geotechnical engineering to design some kind of retaining wall and (2) a construction contractor with the know-how and equipment to install whatever retaining system is developed.

I request that we ask the Council to declare the Horizon Drive landslide an emergency and authorize an exemption from traditional procurement processes so the City can secure remedial services as needs arise. Public Works would appreciate it if this could be done as soon as possible. If it starts to rain the Horizon Drive problem could be exacerbated with resultant increased costs and impacts to the public..

III. Funding is available. The City Council, on April 24, 2017, passed Resolution 17-038, which adopted the Homer Accelerated Roads and Trails Program (“HART”) Manual. The HART Manual identified a set of criteria for projects that may be considered for HART funding. The criteria that would be addressed by the Horizon Court Repair Project include protecting “life, safety and traffic flow”.

There is currently over \$5 million in the HART-Roads Fund that could be used to fund this project. I propose a budget of \$300,000. As we get more information about what the long term solution will be, we can update this budget accordingly. Funds that are not expended from this budget will remain in the HART Fund.

Further, the Council may wish to consider initiating a local improvement district so the property owners benefitting from the project could share in the costs.

IV. Actions Recommended:

- a. That the City Council pass the proposed ordinance (1) declaring the landslide on Horizon Court to constitute an emergency; (2) authorizing staff to employ exemptions to the Procurement Manual; and (3) authorizing expenditure of \$300,000 from the HART-Roads Fund for the Horizon Court Road Repair
- b. That the City Council be invited to consider whether it wants to fund the road repairs 100% with City monies or initiate a local improvement district to recover some of the costs from benefiting property owners.

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-65

An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Budget by Appropriating Funds in the Amount of \$271,281 for Personnel Costs Associated with COVID-19 Preparation and Response.

Sponsor: City Manager

1. City Council Regular Meeting September 28, 2020 Introduction

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager

4 **ORDINANCE 20-65**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING THE 2020 BUDGET BY APPROPRIATING FUNDS IN THE
8 AMOUNT OF \$271,281 FOR PERSONNEL COSTS ASSOCIATED
9 WITH COVID-19 PREPARATION AND RESPONSE.

10
11 WHEREAS, On March 11, 2020, the Governor of the State of Alaska issued a Public Health
12 Disaster Emergency Declaration for COVID-19; and

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14 WHEREAS, On March 13, 2020, the President of the United States of America declared a
15 national emergency due to COVID-19; and

16
17 WHEREAS, On March 18, 2020, the Mayor of the City of Homer declared a Local Health
18 Emergency due to COVID-19 which has been extended through October 27, 2020 with the
19 passage of Resolution 20-069; and

20
21 WHEREAS, Preparing and responding to COVID-19 requires available funding as the City
22 did not anticipate these expenditures; and

23
24 WHEREAS, The City Manager will present Council with an ordinance to reappropriate
25 CARES Act dollars to ensure expenses incurred from the COVID-19 pandemic are reimbursed
26 by this funding mechanism.

27
28 NOW, THEREFORE, The City of Homer Ordains:

29
30 Section 1: The FY 2020 budget is hereby amended by appropriating funds in the amount
31 of \$271,281 from the General Fund Fund Balance for the purpose of personnel costs associated
32 with COVID-19 preparation and response:

Account No.	Description:	Amount:
100-0100	COVID-19 Response	\$271,281

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37 Section 2: The Finance Department will continue to manage the project account for
38 COVID-19 Response in order to track all project related expenses with the intent for their full
39 reimbursement being sought from State, Federal, and Borough assistance.

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41 Section 3: This is a budget amendment ordinance, is not permanent in nature, and shall
42 not be codified.

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ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of September, 2020.

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.

Rob Dumouchel, City Manager

Michel Gatti, City Attorney

Date: _____

Date: _____



City of Homer

www.cityofhomer-ak.gov

Finance Department

491 East Pioneer Avenue
Homer, Alaska 99603

finance@cityofhomer-ak.gov

(p) 907-235-8121

(f) 907-235-3140

Memorandum 20-146

TO: Mayor Castner and Homer City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Elizabeth Walton, Finance Director
DATE: September 24, 2020
SUBJECT: COVID-19 Related Personnel Costs

The purpose of this memo is to provide an update on the City's existing appropriation for COVID-19 related personnel costs, a summary of projected personnel costs through December 30, 2020, and discussion concerning the inclusion of budgeted personnel costs for reimbursement with the City's Cares Act funds.

Existing Appropriation

Total appropriation to date for personnel costs associated with COVID-19 preparation and response is up to \$553,312. This appropriation total includes the following:

- Ordinance 20-25(S) appropriated \$445,000 for approved staffing expenses associated with COVID-19 response. This appropriation included expenses approved in Emergency Ordinance 20-24 (Memo 20-065 provides detail), totaling \$255,000 and "regular budgeted" personnel costs presented in a memorandum in council's laydown packet for the meeting on May 26th totaling just shy of \$190,000. Together these two estimations equate to the \$445,000 appropriated in Ordinance 20-25(S).
 - Ord.20-25(S) also set aside \$90,000 to pay for administrative costs including personnel (hired an SBERG Program Manager) for the SBERG Program. Later, Ord. 20-41 reappropriated \$50,000 of the \$90,000 to pay for administrative costs including personnel (hiring an Economic Relief Grant Program Manager) to assist with the City's expanded CARES Act grant funding programs. This dollar amount is not factored into the above total as it is only to be used for these two new positions and their programs' admin costs.
- Ordinance 20-45(S) appropriated \$108,312 for approved staffing expenses associated with COVID-19 response. This appropriation was broken out in accompanying memo 20-113 from the Finance Director.

Projected Personnel Expenses

The requested appropriation detailed below is intended to account for the City's personnel costs associated with COVID-19 through December 30, 2020. The appropriation

includes regular, budgeted employee time. According to past US Treasury guidance for the use of CARES Act Funds, “statute requires that [CARES funds] be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020.” On September 2nd, Treasury updated guidance on the inclusion of budgeted employee regular time. Discussion of that is provided below.

Update of the appropriations set forth in Ord 20-25(S) and Ord 20-45(S):

Combined Appropriation	\$553,312
Unbudgeted Personnel thru PPE 9/13	(\$265,691)
Budgeted Personnel thru PPE 9/13	(\$235,719)
Remaining after PPE 9/13	\$51,902

There was a summation error reported in Memo 20-144 regarding the breakdown between unbudgeted and budgeted personnel thru PPE 8/30. The costs associated with emergency hires was included in the budgeted total, however it was supposed to be tallied in the unbudgeted total. The error has been corrected in this memo and emergency hires are now properly included in the unbudgeted category.

Breakdown of projected unbudgeted personnel costs through December 30, 2020:

Standby	\$ 0
Overtime	\$49,677
<u>Emergency Hires</u>	<u>\$187,866</u>
Total Projection	\$237,543

Breakdown of projected budgeted personnel costs through December 30, 2020:

Full Time Regular	\$85,640
<u>Part Time Regular</u>	<u>\$ 0</u>
Total Projection	\$85,640

Total Projected Personnel Costs:	\$323,184
Appropriation Remaining:	\$51,902
Additional Funding Requested:	\$271,281

Budgeted Personnel Costs

Throughout the COVID-19 response, the City of Homer has documented COVID-19-related hourly personnel costs and considered these eligible, reimbursable expenses under the CARES Act. On September 2nd, US Treasury updated their guidelines to state that “payroll expenses allocated on an hourly basis to employees’ time dedicated to mitigating or responding to the COVID-19 public health emergency” would qualify as reimbursable

expenses. This confirms the City's position of applying both substantially dedicated employees' time and hourly regular budgeted personnel expenses to CARES.

Recommendation:

Approve additional appropriation of \$271,281 to fund COVID-19 related personnel costs for the remainder of the CARES Act eligibility period (ends December 30, 2020).

Enclosures:

Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments-
Updated September 2, 2020

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
Updated September 2, 2020¹

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.²

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

¹ On June 30, 2020, the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020” was updated. On September 2, 2020, the “Supplemental Guidance on Use of Funds to Cover Payroll and Benefits of Public Employees” and “Supplemental Guidance on Use of Funds to Cover Administrative Costs” sections were added.

² See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020,

will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient's control.

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.
 - Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures³

The following is a list of examples of costs that would not be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.⁴
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

³ In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

⁴ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

Supplemental Guidance on Use of Funds to Cover Payroll and Benefits of Public Employees

As discussed in the Guidance above, the CARES Act provides that payments from the Fund must be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As reflected in the Guidance and FAQs, Treasury has not interpreted this provision to limit eligible costs to those that are incremental increases above amounts previously budgeted. Rather, Treasury has interpreted this provision to exclude items that were already covered for their original use (or a substantially similar use). This guidance reflects the intent behind the Fund, which was not to provide general fiscal assistance to state governments but rather to assist them with COVID-19-related necessary expenditures. With respect to personnel expenses, though the Fund was not intended to be used to cover government payroll expenses generally, the Fund was intended to provide assistance to address increased expenses, such as the expense of hiring new personnel as needed to assist with the government's response to the public health emergency and to allow recipients facing budget pressures not to have to lay off or furlough employees who would be needed to assist with that purpose.

Substantially different use

As stated in the Guidance above, Treasury considers the requirement that payments from the Fund be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020, to be met if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a *substantially different use* from any expected use of funds in such a line item, allotment, or allocation.

Treasury has provided examples as to what would constitute a substantially different use. Treasury provided (in FAQ A.3) that costs incurred for a substantially different use would include, for example, the costs of redeploying educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

Substantially dedicated

Within this category of substantially different uses, as stated in the Guidance above, Treasury has included payroll and benefits expenses for public safety, public health, health care, human services, and similar employees whose services are *substantially dedicated* to mitigating or responding to the COVID-19 public health emergency. The *full amount* of payroll and benefits expenses of substantially dedicated employees may be covered using payments from the Fund. Treasury has not developed a precise definition of what "substantially dedicated" means given that there is not a precise way to define this term

across different employment types. The relevant unit of government should maintain documentation of the “substantially dedicated” conclusion with respect to its employees.

If an employee is not substantially dedicated to mitigating or responding to the COVID-19 public health emergency, his or her payroll and benefits expenses may not be covered *in full* with payments from the Fund. A *portion* of such expenses may be able to be covered, however, as discussed below.

Public health and public safety

In recognition of the particular importance of public health and public safety workers to State, local, and tribal government responses to the public health emergency, Treasury has provided, as an administrative accommodation, that a State, local, or tribal government may presume that public health and public safety employees meet the substantially dedicated test, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise. This means that, if this presumption applies, work performed by such employees is considered to be a substantially different use than accounted for in the most recently approved budget as of March 27, 2020. All costs of such employees may be covered using payments from the Fund for services provided during the period that begins on March 1, 2020, and ends on December 30, 2020.

In response to questions regarding which employees are within the scope of this accommodation, Treasury is supplementing this guidance to clarify that public safety employees would include police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel. Public health employees would include employees involved in providing medical and other health services to patients and supervisory personnel, including medical staff assigned to schools, prisons, and other such institutions, and other support services essential for patient care (*e.g.*, laboratory technicians) as well as employees of public health departments directly engaged in matters related to public health and related supervisory personnel.

Not substantially dedicated

As provided in FAQ A.47, a State, local, or tribal government may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department. This means, for example, that a government could cover payroll expenses allocated on an hourly basis to employees’ time dedicated to mitigating or responding to the COVID-19 public health emergency. This result provides equitable treatment to governments that, for example, instead of having a few employees who are substantially dedicated to the public health emergency, have many employees who have a minority of their time dedicated to the public health emergency.

Covered benefits

Payroll and benefits of a substantially dedicated employee may be covered using payments from the Fund to the extent incurred between March 1 and December 30, 2020.

Payroll includes certain hazard pay and overtime, but not workforce bonuses. As discussed in FAQ A.29, hazard pay may be covered using payments from the Fund if it is provided for performing hazardous duty or work involving physical hardship that in each case is related to COVID-19. This means that, whereas payroll and benefits of an employee who is substantially dedicated to mitigating or responding to the COVID-19 public health emergency may generally be covered in full using payments from the Fund, hazard pay specifically may only be covered to the extent it is related to COVID-19. For example, a recipient may use payments from the Fund to cover hazard pay for a police officer coming in close

contact with members of the public to enforce public health or public safety orders, but across-the-board hazard pay for all members of a police department regardless of their duties would not be able to be covered with payments from the Fund. This position reflects the statutory intent discussed above: the Fund was intended to be used to help governments address the public health emergency both by providing funds for incremental expenses (such as hazard pay related to COVID-19) and to allow governments not to have to furlough or lay off employees needed to address the public health emergency but was not intended to provide across-the-board budget support (as would be the case if hazard pay regardless of its relation to COVID-19 or workforce bonuses were permitted to be covered using payments from the Fund).

Relatedly, both hazard pay and overtime pay for employees that are not substantially dedicated may only be covered using the Fund if the hazard pay and overtime pay is for COVID-19-related duties. As discussed above, governments may allocate payroll and benefits of such employees with respect to time worked on COVID-19-related matters.

Covered benefits include, but are not limited to, the costs of all types of leave (vacation, family-related, sick, military, bereavement, sabbatical, jury duty), employee insurance (health, life, dental, vision), retirement (pensions, 401(k)), unemployment benefit plans (federal and state), workers compensation insurance, and Federal Insurance Contributions Act (FICA) taxes (which includes Social Security and Medicare taxes).

Supplemental Guidance on Use of Funds to Cover Administrative Costs

General

Payments from the Fund are not administered as part of a traditional grant program and the provisions of the Uniform Guidance, 2 C.F.R. Part 200, that are applicable to indirect costs do not apply. Recipients may not apply their indirect costs rates to payments received from the Fund.

Recipients may, if they meet the conditions specified in the guidance for tracking time consistently across a department, use payments from the Fund to cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency. (In other words, such costs would be eligible direct costs of the recipient). This includes, but is not limited to, costs related to disbursing payments from the Fund and managing new grant programs established using payments from the Fund.

As with any other costs to be covered using payments from the Fund, any such administrative costs must be incurred by December 30, 2020, with an exception for certain compliance costs as discussed below. Furthermore, as discussed in the Guidance above, as with any other cost, an administrative cost that has been or will be reimbursed under any federal program may not be covered with the Fund. For example, if an administrative cost is already being covered as a direct or indirect cost pursuant to another federal grant, the Fund may not be used to cover that cost.

Compliance costs related to the Fund

As previously stated in FAQ B.11, recipients are permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act, subject to the limitations set forth in 2 C.F.R. § 200.425. Pursuant to that provision of the Uniform Guidance, recipients and subrecipients subject to the Single Audit Act may use payments from the Fund to cover a reasonably proportionate share of the costs of audits attributable to the Fund.

To the extent a cost is incurred by December 30, 2020, for an eligible use consistent with section 601 of the Social Security Act and Treasury's guidance, a necessary administrative compliance expense that relates to such underlying cost may be incurred after December 30, 2020. Such an expense would include, for example, expenses incurred to comply with the Single Audit Act and reporting and recordkeeping requirements imposed by the Office of Inspector General. A recipient with such necessary administrative expenses, such as an ongoing audit continuing past December 30, 2020, that relates to Fund expenditures incurred during the covered period, must report to the Treasury Office of Inspector General by the quarter ending September 2021 an estimate of the amount of such necessary administrative expenses.

Hall, Carolyn H.

From: Bockenstedt, Jason R.
Sent: Thursday, August 20, 2020 11:25 AM
To: Hall, Carolyn H.
Subject: Fwd: Thank you and follow-up

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]@treasury.gov" <[REDACTED]@treasury.gov>
Date: August 20, 2020 at 10:51:43 AM AKDT
To: "Bockenstedt, Jason R." <jason.bockenstedt@anchorageak.gov>, "[REDACTED]@treasury.gov" <[REDACTED]@treasury.gov>
Cc: "Vogel, Kathryn R." <kathryn.vogel@anchorageak.gov>
Subject: RE: Thank you and follow-up

Apologies for the delay. I agree with the summary of our conversation as provided in (1) and (2).

Best,
Dan

From: Bockenstedt, Jason R. <jason.bockenstedt@anchorageak.gov>
Sent: Tuesday, August 18, 2020 4:29 AM
To: Kowalski, Daniel <[REDACTED]@treasury.gov>; Milligan, Stephen <[REDACTED]@treasury.gov>
Cc: Vogel, Kathryn R. <kathryn.vogel@anchorageak.gov>
Subject: Thank you and follow-up

**** Caution:** External email. Pay attention to suspicious links and attachments. Send suspicious email to suspect@treasury.gov **

Dan and Stephen -

Thank you for today's productive and positive conversation. We appreciated the opportunity to ask questions regarding use of Coronavirus Relief Funds (CRF) for property acquisitions and other items approved by our assembly. As we explained, COVID-19 physical distancing requirements resulted in an immediate and lasting loss of over 300 permanent shelter beds in Anchorage, and our assembly has determined that purchasing buildings to house and provide services to our homeless population is

necessary because we lack suitable alternatives. We have kept our Congressional delegation engaged on our plan to use CRF for the buildings and other plans and have committed to providing an update to them on this issue, but first wanted to ensure we have memorialized our conversation accurately.

You confirmed your office has the responsibility of making the policy determinations that Treasury's IG's office will be tasked with monitoring and implementing, and as such, your answers are greatly helpful to us as we move forward in disbursing CRF.

We particularly appreciated learning from you:

- 1) If necessary due to a lack of other suitable alternatives, governments may purchase buildings with CRF to provide housing and services to the homeless displaced by COVID-19 public health measures. As we discussed, many jurisdictions are doing this across the nation, including California, which is spending \$550 million of CRF to purchase buildings. The governments may keep the buildings after the end of the funding period. As part of demonstrating that the buildings are a necessary COVID-19 expenditure we should be providing services to homeless individuals inside the buildings by December 30, 2020. [Although this was not mentioned in the call, we assume if the spending deadline were changed by a subsequent act of Congress, we might have more time to accomplish the purchases and bring homeless individuals into the buildings.]
- 2) A simpler option for local governments like ours is to spend CRF on first responder payroll, as a presumptively eligible expense detailed in FAQ A.2. While you anticipate issuing additional FAQ language on this presumption (possibly in the next two weeks), you do not anticipate it will result in rolling back of the previously issued presumption. Spending on payroll for front-line and public-facing public safety and public health department employees is permitted; and such use of CRF may have the side effect of freeing up municipal general funds that would otherwise have paid those salaries. In other words, the legal presumption allows governments to use CRF on this payroll even if the government had previously budgeted to pay those same individuals with municipal funds. Any municipal general funds freed up by being replaced with federal dollars may then be spent under ordinary rules for spending local money without the risk the IG's office will subsequently determine that the money missed a deadline or was spent incorrectly.

We also understand you have not issued any "private rulings" to jurisdictions and you may address the issue of the purchase of buildings by issuing an updated FAQ providing guidance on when CRF may be used to purchase buildings.

Is this an accurate summary of the conversation? We want to make sure our notes from the conversation are accurate, so our summary is relayed correctly to the delegation, especially on the above two points.

Thank you again for your time and attention to this matter. It was nice to connect with you and we appreciate everything you are doing.

Thanks,
Jason (and Kate)



Jason Bockenstedt

Chief of Staff

Municipality of Anchorage

632 W. 6th Avenue, Suite 840 Anchorage, AK 99501

(907) 343-7105

Jason.Bockenstedt@anchorageak.gov

www.muni.org/Mayor/

ORDINANCE REFERENCE SHEET
2020 ORDINANCE
ORDINANCE 20-72

An Ordinance of the City Council of Homer, Alaska, Amending the 2020 Capital Budget and Authorizing the Expenditure of 1,035,970 from the General Fund to Complete the Homer Seawall Armor Rock Improvement Project.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting September 28, 2020 Introduction

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 City Manager/
4 Public Works Director

5 **ORDINANCE 20-72**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING THE 2020 CAPITAL BUDGET AND AUTHORIZING THE
9 EXPENDITURE OF \$1,035,970 FROM THE GENERAL FUND TO
10 COMPLETE THE HOMER SEAWALL ARMOR ROCK IMPROVEMENT
11 PROJECT.

12
13 WHEREAS, The City Council created the Homer Seawall Armor Rock Improvement
14 Special Assessment District (SAD); and

15 WHEREAS, The properties within this district will be assessed 100% of the costs of the
16 project; and

17
18 WHEREAS, The project will be financed through the ADEC/EPA Revolving Loan Program;
19 and

20
21 WHEREAS, Public Works has estimated the cost of this project to be \$1,035,970 (See
22 Memorandum 20-153).

23
24 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

25
26 Section 1. The Homer City Council hereby amends the FY 2020 Capital Budget by
27 appropriating \$899,849 from the General Fund for the construction of the Homer Seawall
28 Armor Rock Improvements.

<u>Account</u>	<u>Description</u>	<u>Amount</u>
	Homer Seawall Armor Rock Improvements	\$1,035,970

29
30
31
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33 Section 2. This is a budget amendment ordinance only, is not permanent in nature, and
34 shall not be codified.

35
36 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12th day of October, 2020.

37
38 CITY OF HOMER

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41 _____
42 KEN CASTNER, MAYOR

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ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Rob Dumouchel, City Manager

Date: _____

Michel Gatti, City Attorney

Date: _____



Memorandum 20-153

TO: Mayor Castner and City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, Director of Public Works
DATE: September 24, 2020
SUBJECT: Proposed Homer Seawall Revetment Project – Interim Financing

I. Issue: We are in the middle of the process to form a Special Assessment District for the Homer Seawall Revetment Project. It is our intent that this project will be financed by a loan from the Alaska Department of Environmental Conservation Drinking Water Revolving Loan Fund, which will be repaid by the property owners through assessments. The City needs a way to pay for the projects costs first and subsequently seek reimbursement from the loan funds.

II. Background:

The public hearing regarding the formation of a Special Assessment District for the Homer Seawall Revetment Project will be held at the regular Council meeting of September 28. At this same meeting, the Council will be asked to approve a loan from the Alaska Department of Environmental Conservation, which will be used to finance the project. The loan is a reimbursable arrangement; that is, we must incur the costs first, and then seek reimbursement for the documented costs. Thus, we need a way to provide interim financing, for the project costs. We propose to transfer funds from the City’s General Fund to a project account. As we access loan proceeds, they will be used to repay the General Fund. Separate accounting will be put in place to administer loan repayments and assessment collection.

III. Project Costs:

Attached is a Project Budget. Here are some explanatory notes.

- a. Engineering – This is the design contract executed with HDR for the design work.
- b. Design survey – This is for the survey services, which supported the design work.
- c. Construction Contract. The low bid was \$570,518.00. However, this is a Unit Price contract; that is, the bid is based on a set of assumed quantities and unit prices. The actual price

paid to the contractor will be based on actual quantities, which will differ from the assumed quantities set forth in the bid documents. For example, the estimated quantities in the bid were based on the “Neat Line” design cross-section; that is, it assumes the contractor is able to place the armor rock precisely within the dimensions shown on the plan sheets; the quantity of armor rock using this measure is 3,500 CY.

While the actual rock thickness is not allowed to be less than the dimensions shown on the plans, it can be more. There is a tolerance – in our case, the tolerance is 1 foot. This means the contractor can place rock as much a foot beyond the dimensions shown on the plans and still be paid for it. If you compute the total value of the rock within the tolerance, there is a total possible volume of 6,036 cubic yards (“CY”), or 2,448 CY more than the design neat line. This extra volume of rock, at the unit price offered by the apparent low bidder of \$114 per CY, would mean an extra \$279,072 could be spent for armor rock. If we spent all of this, the total construction contract would come to \$849,590. I have used this number as the basis of our Total Project Budget.

- d. Construction Survey & Inspection. This is for surveys during construction, which will be used to compute the volumes of rock placed. It is also for 3rd party inspection services.
- e. Backfill of existing wall. There are some sinkholes behind the existing wall. These need to be backfilled and stabilized.
- f. SAD City Administrative Fee. This is a standard fee charged by the City to administer assessment districts.
- g. Contingency. We believe a modest contingency is appropriate.

IV. Action Recommendation. That a transfer be made from the General Fund to a Capital Project Account to provide interim financing for the Homer Seawall Revetment Project, in the amount of \$1,035,970.

Total Project Budget

- a. Engineering \$38,596
- b. Design Survey \$ 3,975

Total Preconstruction Costs \$42,571

- c. Construction Contract \$849,590
- d. Inspection \$ 28,500
- e. Backfill existing wall \$ 25,000

Total Construction Costs \$903,090

- f. City Admin. Fee
(5% Construction Cost) \$45,154.50

- g. Project Contingency
(5% Construction Cost) \$45,154.50

Total Estimated Project Costs \$1,035,970



City of Homer

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Homer, Alaska 99603

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(f) 907-235-3148

MEMORANDUM

TO: Mayor Castner and Homer City Council

FROM: Rob Dumouchel, City Manager

DATE: September 24, 2020

SUBJECT: City Manager's Report for September 28th Council Meeting

RAVN Update

Immediately after Council approved an emergency ordinance allowing the City Manager's office to pursue a lease agreement with the "new" RAVN, we began to move that process forward. Rachel Friedlander has been working diligently with the future tenant to get a lease drafted and required paperwork in order. The lease is contingent upon the approval of the State of Alaska and the official rejection of the lease held by the "old" RAVN. At the time of this report, a draft lease has been sent to the State of Alaska for approval and bankruptcy attorney, Gary Sleeper from JDO, has also been assisting our efforts as they relate to the lease held by the "old" RAVN. I expect we will be able to complete this process in very short order.

Flying Whale Update

Flying Whale lease was terminated at the special meeting on September 14th. Staff is coordinating with the tenants to vacate their space at the airport. We anticipate that they will complete their exit by the end of September. Staff will begin to consider options to remarket that space shortly thereafter.

CARES Act Funds Dashboard

With help from Finance Director Walton, we have been creating some basic data visualizations of the City's CARES Act funding. We're still dialing in the format and the types of graphs involved. The goal is to have information available in a format that allows Councilmembers and the public to see at a glance what funds have been granted to the city, what appropriations have been made, and how much has actually been spent. We are also collaborating with Engineering/GIS Technician Aaron Yeaton to see if we can develop useful visualization tools using ArcGIS StoryMaps. I will provide updates as this experiment continues. If we find a format that really works for the Council and the public we will attempt to replicate the effort with other funds.

HERG Program

The Household Economic Relief Grant (HERG) program is important to helping Homer residents who are experiencing economic hardship due to lost wages and extra expenses from COVID-19. It will help pay for essentials goods and services to stabilize families in their homes. We anticipate this program will launch September 28th with an application deadline of Friday, October 16th. This opportunity will be widely advertised through radio PSA, press releases, Facebook, and newspaper ads. Applications can be submitted online with paper copies available at the City Clerk's office.

Food for Kids and Teens

The Food for Kids and Teens program at the Library will continue through the winter. Free bags of food are available Monday through Friday, 10am-6pm. Anyone in need is welcome to collect a bag from the plastic tote outside the library, near the book drop. Thank you to the Homer Food Pantry for their generous support of the community!

Vehicles in the Right-of-Way

With winter almost upon us, staff is ramping up efforts to discourage parking vehicles and storing personal property in the City's rights of way. This will be particularly important when snow begins to fall and our plows hit the streets. Staff from my office, Public Works, and Homer Police Department have been discussing ways to increase public awareness of this issue, how we can change behaviors, and how to enforce regulations when all other avenues have failed.

Water Level Sensor at the Harbor

Earlier in the summer, the Alaska Division of Geological & Geophysical Surveys Coastal Hazards program installed a water level sensor in the Harbor. The sensor measures how high the water is every hours and sends the data to a website for public viewing: <https://stilltek.com/stlwtr/iGage7/>. Some of the benefits of this program include: knowing the height and timing of the tide within one hour of the time it is checked; identifying whether the predicted high and low tides of the day are correct or not; measuring the height of storm surges and other high water events; updating models of tides, surges, and other water levels to improve predictions. More information about the Alaska Water Level Watch program can be found here: <https://aoot.org/alaska-water-level-watch/>.

Halloween

Halloween is fast approaching and COVID-19 is still here. This is uncharted territory for everybody. In past years we have received special permit applications for Halloween events from the community. I don't know if we will this year or not. Prior event organizers have reached out to staff to ask questions while they consider their options. Staff has also received general questions from the public regarding the holiday and trick or treating. We're watching what innovations are being proposed in other communities and reaching out to local partners to see if any of them are working on COVID-safe events.

Homer Recreation Manager to be President of Alaska Recreation and Parks Association

Mike Illg, Recreation Manager, is president-elect to the [Alaska Recreation and Parks Association \(ARPA\)](#). ARPA's mission is to provide a forum for interchange of ideas and information among parks, recreation and wildland professionals and supporters; promote the personal, environmental, social and economic benefits of parks, recreation and wildlands; coordinate, organize and promote quality educational opportunities; and prepare and provide educational information relating to parks, recreation and wildlands. Mike's term as president begins in October.

Analysis of 2nd Quarter Sales Tax

In a previous manager's report it was stated that staff would bring forth an analysis of the 2nd quarter sales tax for discussion with Council. I would like to make this the topic of an October 12th work session if the Council is amenable to that suggestion.

Plastic Bag Ban Update

At the previous Council meeting there was discussion revolving around the suspension of the plastic bag ban which was tied to the COVID disaster declaration. At the meeting I reached out to Public Health and have

done some research into the use of plastic bags in the context of the current pandemic. I expect that staff will be able to prepare materials in order to discuss this issue in October.

Enclosures:

1. Food for Kids & Teens Program Instagram Flyer



Homer
Food
Pantry

Food for Kids & Teens

Are you hungry?

Free

grab & go bags

of non-perishable food for
hungry and/or homeless

kids & teens

are available!



@ Homer Public Library

(near the bookdrop, on side of building)

Mondays - Fridays

10am - 6pm

**Food DONATIONS should be taken to the
Homer Food Pantry**

Homer Public Library 907-235-3180

358

www.cityofhomer-ak.gov/library || 500 Hazel Ave.



Memorandum 20-154

TO: Mayor Castner and Homer City Council
FROM: Councilmembers Aderhold and Venuti
DATE: September 24, 2020
SUBJECT: Letter of Support for a National Science Foundation Coastlines and People Large Hub Proposal Regarding Harmful Algal Blooms, Mariculture, and Sea Star Ecology

A consortium of research and community-based organizations (University of Alaska Fairbanks (UAF), University of Alaska Anchorage, University of Alaska Southeast, National Oceanic and Atmospheric Administration (NOAA), Kachemak Bay National Estuarine Research Reserve (KBNERR), Center for Alaskan Coastal Studies, SeaGrant's Marine Advisory Program and Ecosystem Conservation Office) is submitting a 5-year proposal to the National Science Foundation (NSF) under a call associated with coastlines and people intended to engage communities with science. The proposal will have three research disciplines (mariculture, harmful algal blooms (HABs), and sea star ecology) and is titled "How is climate change impacting the well-being of ecosystems, communities, and economies?" The proposal is due at the end of October.

The group is seeking letters of support from key communities and we encourage Homer City Council to approve the mayor submitting the attached letter. The letter follows a strict NSF form that we cannot modify. The letter is intended to indicate that the council believes the project is worthwhile and relevant to Homer. The letter is not committing any specific resources. Once the proposal is more fully developed the group will share it with council.

The attached Letter of Intent the consortium submitted to NSF provides a bit more information about the proposal in development.

Mariculture, HABs, and sea star ecology are all highly relevant to Homer residents and Homer's economy. Oyster and mussel mariculture are important to Homer's economy and HABs have a potential impact on the ability of growers to sell their products. HABs also affect native shellfish, with some plankton able to cause human death through paralytic shellfish poisoning and other harmful reactions. KBNERR and NOAA (Kasitsna Bay Lab) monitor HABs in Kachemak Bay and this program would expand that work and provide important citizen science and education opportunities for Kachemak Bay and other coastal regions of the state. Sea stars are considered a keystone species in intertidal ecosystems and research and monitoring by UAF and other organizations has documented that sea star wasting disease has drastically reduced sea stars in Kachemak Bay and other areas in recent years. Community science associated with the NSF proposal will expand the ability to understand sea star ecology across the state.

Recommendation: approve the letter of support for the NSF proposal.

Enc:

-Support letter

-Letter of intent submitted by the consortium to NSF



City of Homer

www.cityofhomer-ak.gov

Office of the Mayor

491 East Pioneer Avenue
Homer, Alaska 99603

mayor@ci.homer.ak.us

(p) 907-235-3130

(f) 907-235-3143

September 28, 2020

Dear NSF Proposal Review Committee:

If the proposal submitted by Dr. Brenda Konar entitled “Large-scale CoPe: Collaboration for Coastal Lives and Livelihood (C2L2)” is selected for funding by the NSF, it is the City of Homer’s intent to collaborate and/or commit resources as detailed in the Project Description in the Facilities, Equipment and Other Resources section of the proposal.

Sincerely,

Ken Castner, Mayor

Large-scale CoPe: Collaboration for Coastal Lives and Livelihood (C2L2)

The Collaboration for Coastal Lives and Livelihood (C2L2) is a large-scale CoPe hub proposal whose mission is to bring communities and scientists together in diverse ways to enhance coastal lives and livelihoods. C2L2 overarching question is “**How is climate change impacting the well-being of ecosystems, communities, and economies?**”

The proposed research focuses on three areas: mariculture, harmful algal blooms (HABs), and sea star ecology. These focus areas are intrinsically linked for the continued well-being of ecosystems, communities, and economies in Alaska’s coasts, at the forefront of climate change. Mariculture operations which provide a burgeoning economy for coastal communities are threatened with warming temperatures and ocean acidification. Engaging community members through mariculture lessons and hands-on training will strengthen ties between communities and scientists and increase a qualified workforce. HABs have been observed at higher latitudes, increasing the risk of shellfish poisoning. Alaskan communities need a new framework to assess risk and develop forecasting capabilities for HABs. Additionally, sea star wasting has decimated sea stars across the North Pacific but in Alaska, statewide monitoring of sea stars and their role in the ecosystem has been spatially and temporally limited. Community members can assist existing research programs to enlarge the spatial and temporal research efforts of sea stars and their impacts.

Scientists and communities must develop a shared understanding of how vulnerable mariculture operations, HABs, and sea stars are to environmental changes and how changes will impact people’s lives and livelihood. The C2L2 will institutionalize new modes of operation using Team Science for data-intensive research activities, social science, and community participation. This will enable science across multiple organizations, geographic locations, and research disciplines in a rapidly changing environment. C2L2 will include a public-private co-learning environment through internships, which will develop critical expertise in processing and integrating complex datasets and working with communities to answer scientific questions. Empowered by a convergent science framework, C2L2 positions students, communities, researchers, and data science experts to collaboratively support observing systems and research projects in multiple science disciplines and to advance the boundaries of our current knowledge and capabilities.

1
2 **CITY OF HOMER**
3 **HOMER, ALASKA**

4 Mayor/City Council

5 **RESOLUTION 20-084**

6
7 A RESOLUTION OF THE HOMER CITY COUNCIL ADOPTING THE 2021-2026
8 CAPITAL IMPROVEMENT PLAN AND ESTABLISHING CAPITAL PROJECT
9 LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2022.

10
11 WHEREAS, Duly published hearings were held on September 28 and October 12, 2020 to
12 introduce the final draft of the 2021-2026 CIP and to obtain public comments on capital
13 improvement projects and legislative priorities; and

14
15 WHEREAS, The Council received comments from all of the City of Homer Advisory
16 Commissions and held a CIP worksession on September 14, 2020; and

17
18 WHEREAS, It is the intent of the City Council to provide the Governor, the State Legislature,
19 State agencies, the Alaska Congressional Delegation, and other potential funding sources with
20 adequate information regarding the City's capital project funding needs.

21
22 NOW, THEREFORE BE IT RESOLVED by the City Council of Homer, Alaska, that the "City of
23 Homer Capital Improvement Plan 2021-2026" is hereby adopted as the official 6-year capital
24 improvement plan for the City of Homer.

25
26 BE IT FURTHER RESOLVED that the following capital improvement projects are identified
27 as priorities for the FY2022 State Legislative Request:

- 28
29 1. Port of Homer: New Large Vessel Harbor
30 2. Storm Water Master Plan
31 3. Main Street Sidewalk North
32 4. Multi-Use Community Center, Phase 1
33 5. Homer Barge Mooring & Large Vessel Haul Out Repair Facility

34
35 BE IT FURTHER RESOLVED that projects for the FY2022 Federal Legislative Request
36 will be:

- 37
38 1. Port of Homer: New Large Vessel Harbor
39 2. Storm Water Master Plan

40
41 BE IT FINALLY RESOLVED that the City Manager is hereby instructed to advise
42 appropriate State and Federal representatives and personnel of the City's FY 2022 capital

43 project priorities and take appropriate steps to provide necessary background
44 information.

45

46 PASSED AND ADOPTED by a duly constituted quorum of the City Council for the
47 City of Homer on this 12th day of October 2020.

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CITY OF HOMER

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KEN CASTNER, MAYOR

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54 ATTEST:

55

56

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58 _____
MELISSA JACOBSEN, CITY CLERK

59

60 Fiscal Note: N/A



City of Homer

www.cityofhomer-ak.gov

Administration
491 East Pioneer Avenue
Homer, Alaska 99603
(p) 907-235-8121 x2222
(f) 907-235-3148

MEMORANDUM 20-151

TO: Mayor Ken Castner and Homer City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Jenny Carroll, Special Projects and Communications Coordinator
DATE: September 23, 2020
SUBJECT: 2021-2026 CIP Amendments, Final Draft and FY21 Legislative Request Project Selections

Thank you for taking the time to review the CIP projects during your September 14, 2020 worksession.

At present, the CIP is still in a draft form. To bring the CIP to its final form, the following changes require Council consideration and formal action:

- ▶ At the worksession, Councilmembers discussed and generally agreed to staff recommendation to remove the *Seafarer's Memorial Parking Expansion* project (a mid-range project) from the CIP.

By Motion: Make a motion to remove the Seafarer's Memorial Parking Expansion project from the CIP.

- ▶ One new project, *Ben Walters Lane Sidewalk project* was proposed for inclusion in the CIP. Adoption into the final draft requires a formal motion. New proposed projects are not added to the CIP until Council approval. The project description is contained in the New Proposed Project attachment.

By Motion: Propose inclusion of the Ben Walters Lane Sidewalk project in the 2021-2026 CIP and recommended section to place it in: mid-range or long-range.

3. FY 2020 Legislative Request Project Selections

- ▶ After the September 14th CIP worksession, Councilmembers communicated their Legislative and Federal Priority project selections. I compiled your recommendations to determine a proposed priority ranking and provide them in the draft resolution for your consideration.

By Motion: establish City Council's prioritized list of the five Legislative Request projects.

By Motion: establish the two projects that will be the City's Federal Priority projects.

After you approve changes to the CIP and finalize the Legislative Priorities, I will produce a final CIP and adoption resolution for you to formally adopt at the October 12th City Council Meeting. This gives the public an additional opportunity to comment and any additional changes to be made.

After adoption, the CIP will be distributed to our State delegation, posted on the City's website, and used as a guiding document to pursue capital funding opportunities. The Federal Priorities will be submitted to Alaska's Federal delegation.



Ben Walters Lane Sidewalk Facility

Project Description & Benefit: This project will provide approximately 6,150 feet of ADA-compliant sidewalks, curb and gutter on Ben Walters Lane. The need for sidewalks on Ben Walters Lane was first articulated in Homer’s 2004 Non-Motorized Transportation and Trail Plan. This project also aligns with transportation goals articulated in the City’s Comprehensive Plan.

Ben Walters Lane is a busy mixed-use collector street, collecting traffic from adjacent neighborhoods and connecting it to two of Homer’s main thoroughfares: East End Road and Lake Street. Ben Walters provides these residential neighborhoods vehicular and pedestrian access to City parks, businesses and health care facilities located on Ben Walters Lane, as well as schools located on East End Road and businesses located on Lake Street.

Ben Walters traffic is not just leisure neighborhood traffic; motorists travel Ben Walters at times to bypass the East End Road and Lake Street intersection, hoping to move more quickly to the Sterling Highway, and on their way to and from work places located on Ben Walters Lane.

Because Ben Walters Lane has no sidewalks, pedestrians travel along the side of the road which is unpleasant and hazardous. Sidewalks on this busy street creates a safe environment for pedestrians and children biking to school, fills a missing section of sidewalk to provide interconnected accessibility between East Road and lower Lake Street and generally enhances the quality of life for residents and visitors alike.

Plans & Progress: The overall project is conceived as ADA accessible sidewalks located within the operational right of way on both sides of Ben Walters Lane from East End Road to Lake Street. Some drainage work within the right-of-way is required to construct the sidewalk and properly direct storm water runoff to catchment basins and adjacent roadside ditches. An engineer’s conceptual cost estimate for the project has been developed.

Total Project Cost: \$360,583

Schedule: 2023-2024

Priority Level: 2

Photo forthcoming

FY 2022 - Proposed New Project



FINAL DRAFT

City of Homer

2021-2026 Capital Improvement Plan



Homer's Port & Harbor is a regional asset serving commercial fishing vessels from nearly every fishery in the State, the US Coast Guard and industry support vessels whose delivery of supplies to industries and remote communities is foundational to Alaskan commerce at all levels.

Developing a new large vessel harbor is the City's top priority project. It will alleviate navigational safety concerns in Homer's overcrowded small boat harbor and support emerging regional and national economic opportunities vital to Alaska's future.





City of Homer

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September 23, 2020

To The Honorable Mayor and Homer City Council:

This document presents the City of Homer 2021 through 2026 Capital Improvement Plan. The CIP provides information on capital projects identified as priorities for the Homer community. Descriptions of City projects include cost and schedule information and a designation of Priority Level 1 (highest), 2 or 3. Projects to be undertaken by the State of Alaska and other non-City organizations are included in the CIP in separate sections. An overview of the financial assumptions can be found in the Appendix.

The projects included in the City of Homer's 2021-2026 CIP were compiled with input from the public, area-wide agencies, and City staff, as well as various advisory commissions serving the City of Homer.

It is the City of Homer's intent to update the CIP annually to ensure the long-range capital improvement planning stays current, as well as to determine annual legislative priorities and assist with budget development. Your assistance in the effort is much appreciated.

Sincerely,

Rob Dumouchel
City Manager



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Funded Projects from the 2020-2025 Capital Improvement Plan

The City of Homer is pleased to report that the following projects have been completed and/or funding procured:

- **Emergency Radio Communication System**
The Homer Volunteer Fire Department secured FY2017 reallocation grant funds from the AK Division of Homeland Security and Emergency Management to upgrade a portion of the Department’s mobile radios. The City’s systematic upgrade of its Emergency Radio Communication System will continue as other components of the project remain to be upgraded.
- **Pratt Museum New Facility and Site Redesign**
This project has been completed.



Introduction: The Capital Improvement Program

A capital improvement plan (CIP) is a long-term guide for capital project expenditures. The CIP includes a list of capital projects the community envisions for the future, and a plan that integrates timing of expenditures with the City's annual budget. The plan identifies ways a project will benefit the community, indicates the priorities assigned to different projects, and presents a very general target construction schedule.

A carefully prepared capital improvement plan has many uses. It can assist a community to:

- Anticipate community needs in advance, before needs become critical.
- Rank capital improvement needs in order to ensure the most important projects are given consideration for funding before less critical projects.
- Plan for maintenance and operating costs so expenses are budgeted in advance to help avoid projects that the community cannot afford.
- Provide a written description and justification for projects submitted for state funding so the legislature, governor and appropriate agencies have the information necessary to make decisions about funding capital projects.
- Provide the basis for capital projects as part of the annual budget.

A capital improvement project is one that warrants special attention in the municipal budget. Normally, public funds are not expended if the project is not listed in the CIP. A capital expenditure should be a major, nonrecurring budget item that results in a fixed asset with an anticipated life of at least three years. Projects eligible for inclusion in the City of Homer CIP have a lower cost limit of \$50,000 for City projects and \$25,000 for those proposed by non-profit organizations. Projects proposed by non-profit organizations and other non-City groups may be included in the CIP with City Council approval, but such inclusion does not indicate that the City intends to provide funding for the project.

The municipality's capital improvement plan is prepared in accordance with a planning schedule, usually adopted by City Council at the onset of the CIP process. A copy of the City of Homer CIP schedule appears in the appendix of this document.

The number of years over which capital projects are scheduled is called the capital programming period. The City of Homer's capital programming period coincides with the State's, which is a six year period. The CIP is updated annually, due to some of the projects being funded and completed within the year.

A capital improvement plan is not complete without public input. The public should be involved throughout the CIP process, including the nomination and adoption stages of the process. The City of Homer solicits input from City advisory bodies, advertises for public input during the CIP public hearing, and invites the public to participate throughout the entire process.

The City's capital improvement program integrates the City's annual budget with planning for larger projects that meet community goals. Though the CIP is a product of the City Council, administration provides important technical support and ideas with suggestions from the public incorporated through the entire process.

Determining project priorities: City of Homer CIP projects are assigned a priority level of 1, 2, or 3, with 1 being the highest priority. To determine priority, City Council considers such questions as:

- Will the project correct a problem that poses a clear danger to human health and safety?
- Will the project significantly enhance City revenues or prevent significant financial loss?
- Is the project widely supported within the community?
- Has the project already been partially funded?
- Is it likely that the project will be funded only if it is identified as being of highest priority?
- Has the project been in the CIP for a long time?
- Is the project specifically recommended in other City of Homer long-range plans?
- Is the project strongly supported by one or more City of Homer advisory bodies?



Integration of the CIP With Comprehensive Plan Goals

Each project listed in the CIP document has been evaluated for consistency with the City's goals as outlined in the Comprehensive Plan. The following goals were taken into account in project evaluation:

Land Use: Guide the amount and location of Homer's growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

Transportation: Address future transportation needs while considering land use, economics and aesthetics, and increasing community connectivity for vehicles, pedestrians and cyclists.

Public Service & Facilities: Provide public services and facilities that meet current needs while planning for the future. Develop strategies to work with community partners that provide beneficial community services outside of the scope of City government.

Parks, Recreation & Culture: Encourage a wide range of health-promoting recreation services and facilities, provide ready access to open space, parks, and recreation, and take pride in supporting the arts.

Economic Vitality: Promote strength and continued growth of Homer's economic industries including marine trades, commercial fishing, tourism, education, arts, and culture. Support development of a variety of well-defined commercial/business districts for a range of commercial purposes. Preserve quality of life while supporting the creation of more year-round living wage jobs.

Energy: Promote energy conservation, wise use of environmental resources, and development of renewable energy through the actions of local government as well as the private sector.

Homer Spit: Manage the land and other resources of the Spit to accommodate its natural processes, while allowing fishing, tourism, other marine-related development, and open space/recreational uses.

Town Center: Create a community focal point to provide for business development, instill a greater sense of pride in the downtown area, enhance mobility for all forms of transportation, and contribute to a higher quality of life.



State Legislative Request FY2022

City of Homer FY2022 State Legislative Priorities
approved by the Homer City Council
via Resolution 20-**xxx**

- 1. Port of Homer: New Large Vessel Harbor Phase 2**
- 2. Storm Water Master Plan**
- 3. Main Street Sidewalk Facility: Pioneer Avenue North**
- 4. Multi-Use Community Center, Phase 1**
- 5. Barge Mooring & Large Vessel Haul Out Repair Facility**

FY 2022 - DRAFT Document



1. Port of Homer: New Large Vessel Harbor

FY 2022 - DRAFT Document

Project Description & Benefit: This project will construct a new large vessel harbor to the north of Homer’s existing Port and Harbor. It will enhance port capabilities by:

- Accommodating large commercial vessels (fishing vessels, work boats, landing craft, tugs, etc.) outside the small boat harbor. Currently, large vessels are moored at System 4 and System 5 transient floats. Due to shortage of moorage space, large vessels are rafted two and three abreast constricting passage lanes, creating traffic congestion and overstressing the floats. The new facility will address overcrowding and associated navigational safety concerns and high maintenance costs in Homer’s small boat harbor,
- Enabling Homer to moor an additional 40 to 60 large commercial vessels that potentially would use Homer Port & Harbor as a home port, but have been turned away due to their overall size, draft, or that the systems are working beyond capacity and we simply lack the space;
- Positioning Homer’s Port and Harbor to meet the demands of emerging regional and national economic opportunities such as the Cook Inlet Oil & Gas industry, a possible LNG export plant in Nikiski, the opening of the Arctic for research, transportation and resource development and the US Coast Guard’s long-term mooring needs. Currently, the USCGC *Hickory* moors at the Pioneer Dock which provides inadequate protection from northeasterly storm surges. The large vessel harbor will be built to provide protected and secure moorage suitable to accommodate USCG assets.

Centrally located in the Gulf of Alaska, Homer’s Port & Harbor is the region’s only ice-free gateway to Cook Inlet, the port of refuge for large vessels transiting the Gulf of Alaska, Cook Inlet, and Kennedy Entrance, and is the marine industrial and transportation system hub for central and Western Alaska. The new moorage facility will fill the unmet needs of large commercial vessels operating in the maritime industrial, marine transportation and commercial fishing industries.

Plans & Progress: The City, State of Alaska DOT, and Army Corps of Engineers (ACOE) partnered on a port expansion feasibility study in 2004, which was put on hold because preliminary results indicated the project’s Benefit to Cost ratio would be non-competitive for Federal funding. High demand and favorable changes in cost drivers since then prompted the City and the ACOE to reexamine feasibility utilizing a Section 22 Planning Assistance to States Program Study grant in 2018. The study’s positive results led to a recommendation by the ACOE to resume work on the Navigational Improvement Feasibility Study. ACOE listed the project on their FY21 workplan for a budget allocation in FY22. The City has formally expressed its intent to work with the ACOE on the Study and to renew our partnership with the State of Alaska for technical expertise and funding, with cost sharing (50% Federal, 25% State, 25% City) over three years.

Total Project Cost Estimate: \$124,233,000

Phase 2: General Investigation Study \$3,000,000

- Federal: \$1.5M
- State: \$750,000 (\$250,000 annually for three years)
- City: \$750,000 (\$250,000 annually for three years)

FY2022 State Request: \$250,000

(City of Homer Match: \$250,000)



The large vessel port expansion adds a new basin with its own entrance adjacent to the existing Small Boat Harbor. It will relieve large vessel congestion in the small boat harbor and will provide secure moorage compatible with the USCG’s assets .



2. Storm Water Master Plan

FY 2022 - DRAFT Document

Project Description & Benefit: The City of Homer has an outdated storm water master plan. The current plan was prepared in the 1980's, projecting only basin runoff flows. The existing storm drainage system is expanding and a comprehensive storm water plan is needed to more effectively plan and construct storm water infrastructure, including sedimentation/detention facilities, snow storage and water quality improvements.

A new master plan will outline how the City can:

- Identify current and future storm runoff flows from individual drainage basins within the community.
- Identify infrastructure needed to effectively collect, transmit, treat, and discharge surface water runoff to Kachemak Bay.
- Provide a staged approach to constructing needed infrastructure to serve an expanding/developing community.
- Establish pipe sizing, detention basin volumes, and cost estimates.
- Mitigate storm water runoff through the use of a wide variety of gray and green infrastructure practices and technologies that improve the quality and reduce the quantity of runoff discharging directly to receiving waters.
- Develop public education programs targeting specific stream degradation from storm water runoff.
- Provide storm water management systems and practices including collection, storage, conveyance and treatment structures that are components of a comprehensive plan to preserve or restore natural/stable in-stream hydrology.
- Identify projects that incorporate green infrastructure to manage, treat or reduce storm water discharges and urban non-point source runoff to the critical wildlife habitat of Kachemak Bay.

Plans & Progress: In 2019, the Department of Environmental Conservation awarded the City an Alaska Clean Water Action stewardship grant to begin work on the Stormwater Master Plan. Grant funds were used to produce baseline stormwater collection and treatment to minimize the ecological, economic and community impacts of runoff. Local planners, engineers and the public will use this information as a tool in the development of the Master Plan. Funds also constructed green infrastructure features at the new Homer Police Station with interpretive signage that teaches the public about the value of green infrastructure for our community.

Total Project Cost: \$320,000

2019 ACWA Grant: \$70,000

FY2022 State Request: \$225,000
(City of Homer 10% Match: \$25,000)



A master plan is needed to address storm water management issues.



3. Main Street Sidewalk Facility: Pioneer Avenue North

Project Description and Benefit: This project will provide ADA-compliant sidewalks, curb and gutter on Main Street from Pioneer Avenue north to Bayview Park.

Main Street is Homer’s primary north-south corridor extending from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop’s Beach); it crosses Homer’s primary east-west thoroughfares, Pioneer Avenue and the Sterling Highway. It provides access to residential neighborhoods, South Peninsula Hospital and Bayview Park, yet has no sidewalks, making pedestrian travel unpleasant and hazardous. Sidewalks on this busy street will provide pedestrian safety, accessibility and enhance the quality of life for residents and visitors alike.

Plans and Progress: The need for Main Street sidewalks was first articulated in Homer’s 2004 Non-Motorized Transportation and Trail Plan. Main Street sidewalk improvements for the State-owned portion of Main Street (from Pioneer Avenue south) have long been a project in the CIP. Completing a sidewalk facility on the City-owned portion from Pioneer Avenue northward would provide a continuous, safe pedestrian route through the heart of Homer.

The overall project is conceived as sidewalks on both sides of Main Street from Pioneer Avenue to Bayview Park. A phased approach is suggested, beginning with sidewalk on the west side of Main Street only, first to Fairview Avenue, then to Bayview Park.

Plans & Progress: A engineer’s conceptual cost estimate for both phases of the project has been developed. In 2020, City Council authorized \$98,000 from the HART-Roads Fund to complete project design, permitting and a formal cost estimate to bring the project to a shovel-ready status.

Total Project Cost: \$943,055

Phase I: \$422,604

Phase II: \$520,451

FY2022 State Request: \$848,750
(City of Homer 10% Match: \$94,305)



Pedestrian safety along Main Street, one of Homer’s primary north-south roads, would benefit from a sidewalk facility.

FY 2022 - DRAFT Document



4. Multi-Use Community Center, Phase 1

FY 2022 - DRAFT Document

Project Description & Benefit: This project is the first phase in designing and constructing a multi-use Community Center to adequately serve the social, recreation, cultural, and educational needs of the Homer community. Years of growing numbers of requests to Parks and Recreation for access to indoor facilities highlights the need for this project. A 2015 City of Homer Parks, Art, Recreation and Culture (PARC) Needs Assessment validated this perceived need. Incorporating an extensive public input process, the PARC Needs Assessment reflects the community’s high priority on community access to public recreational and educational spaces and identifies a community center as a significant future investment for the community.

The PARC Needs Assessment included a statistically valid survey question asking the community’s interest for constructing and funding an \$18 million facility. 30% of respondents agreed with the statement that this facility is a priority in the next five years; an additional 27% placed it as a priority in the next five to ten years. The success of this project requires sources for capital funding and a sound feasibility study to determine how ongoing operations would be funded.

Public input identified a general-purpose gymnasium and a multi-purpose space for safe walking/running, dance, martial arts, performing arts, community meetings and events, and dedicated space for youth as priority features. The PARC Needs Assessment describes the community center as a comprehensive multi-generational facility that offers something for people of all ages; an important part of the feasibility study will be to help avoid overbuilding, building without considering other area amenities, or underestimating operations and maintenance costs to create a vibrant, sustainable multi-purpose public space.

Plans & Progress: In 2017, community members completed construction on the South Peninsula Athletic and Recreation Center (SPARC) on Kenai Peninsula Borough School District property located adjacent to the Homer Middle School. SPARC offers indoor recreation and event space for activities such as indoor soccer, walking, and running; parent/child play groups; roller skating and roller derby; pickleball (with a non-regulation ball); and open gym.

In 2018 the Homer Education and Recreation Complex (HERC) Task Force completed several months of study and provided recommendations to the City Council regarding the future of HERC1. Based on Task Force recommendations the City Council requested letters of interest for use of the facility and issued a request for proposals to upgrade and manage HERC1 in spring 2019. No proposals were received and the City Council initiated steps to evaluate HERC1 demolition.

A reconnaissance or preliminary feasibility study will evaluate the size and type of facility, recommend functional spaces based on community need and not duplicating services, develop conceptual floor plans and site plans, estimate total construction cost, project ongoing operational costs and identify funding mechanisms.

Total Project Cost: \$500,000

FY2022 State Request: \$500,000
(City of Homer 10% Match: \$50,000)



The City of Unalaska’s Community Center is the hub of community activities. Centrally located, the Community Center is widely used by both residents and visitors. It has everything from a cardio and weight room to music and art areas.



5. Homer Barge Mooring & Large Vessel Haul Out Repair Facility

FY 2022 - DRAFT Document

Project Description & Benefit: This project provides safe moorage and an associated uplands haul out repair facility for large shallow draft vessels. This improvement supports the marine transportation needs of central and western Alaska. Because of the lack of facilities, these vessels currently have to travel to perform annually required maintenance and repairs which could otherwise be completed here in Homer. The facility benefits the local fleet of larger vessels as well as local marine trades businesses, and can accommodate the growing freight needs of existing Homer businesses.

The mooring facility, proposed along the beach front of Lot TR-1-A (between the Nick Dudiak Fishing Lagoon and Freight Dock Road on the west side of the harbor) will stage barges in the tidal zone with the bow end pulled tight to the beach for accessing a haul out ramp. A dead-man anchoring system will be provided for winching vessels up the ramp above the high tide line for maintenance and minor repairs. Upland improvements will include a large vessel wash down pad (which can also be used by recreational/sport boats), electrical pedestals, lighting, security fencing and a drainage/water management system to facilitate local, efficient and environmentally sound vessel repairs. This site has accommodated approximately six to eight vessels (depending on size) with ample workspace; it will offer barges the ability to complete their required annual maintenance at the uplands repair facility while wintering over.

Plans & Progress: Project development is being carried out in phases. Phase 1, initiated in 2014, consisted of forming a Large Vessel Haul Out Task Force to assist with site selection and completion of Best Management Practices, vessel owner use agreements, and vendor use agreements. Staff additionally completed a Stormwater Pollution Prevention Plan (SWPPP) with the Alaska Department of Environmental Conservation for a portion of lot TR-1-A. Since completing these basic requirements, the haul out area has become a popular repair site option for some of our large vessel owners. This further justifies additional investments to improve our ability to serve these customers and bring more of these customers to Homer.

Phase 2 is the design and construction of the barge mooring stations. Design and permitting for Phase 2 was initiated with \$255,000 in State Legislative Grant funds and is being completed with \$42,626 in additional City of Homer funds. Phase 3 will design and construct the upland improvements.

The project earned top ranking among four Kenai Peninsula projects that were ultimately submitted to the Alaska Office of the Economic Development Administration for inclusion on a list for potential federal infrastructure funding.



Three vessels hauled out for repairs on Homer Spit Lot TR 1 A.

Total Project Cost: \$4,932,526

- 2019:** Phase 2 Barge Mooring Engineering/Permitting/Geotechnical/Design: \$297,626 (Funding Completed.)
- 2021:** Phase 2 Barge Mooring Construction: \$1,255,000
- 2022:** Phase 3 Haul Out Repair Facility Design: \$178,400
- Haul Out Repair Facility Construction: \$3,201,500

FY2021 State Request for Phase 2: \$1,129,136
(City of Homer 10% Match: \$125,500)



Mid-Range Projects

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FY 2022 - DRAFT Document



ADA Transition Projects

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- **Self-Evaluation & Transition Plan for City Parks, Trails and Campgrounds13**

FY 2022 - DRAFT Document



City Hall Access Barrier Removal

FY 2022 - DRAFT Document

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by, people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. From 2017-2019, the City of Homer ADA Compliance Committee and City Staff evaluated City Facilities to identify accessibility barriers. The results were compiled into the City’s Transition Plan, in accordance with Title II of the ADA regulations. City Hall is one of the most used city buildings throughout the year and this project corrects access barriers (ADA Priority Level 1 issues) to get into the building.

City Hall access barriers include:

- Cross slopes that exceed 1:48 ratio for all designated accessible parking spaces;
- absence of van accessible parking;
- incorrect dimensions of accessible parking spaces;
- improperly located signage;
- absence of a level landing at the top of the curb ramp below the front entrance ramp;
- handrails on ramp protrude into the path of travel and reduces the width to less than 36” width requirement;
- push bar on main entrance door protrudes into the doorway and reduces the width of the opening to less than 32” width requirement; and
- front door entrance threshold height.

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together with Port and Harbor staff helped develop solutions and remedies included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project could potentially be addressed in conjunction with DOT&PF’s Lake Street Repaving Project (currently scheduled for 2021) to take advantage of the paving equipment and contractors which will be mobilized locally.

Total Project Cost: \$400,000

Schedule: 2021

Priority Level: 1



The cross slope of the accessible parking spaces at the lower entrance to City Hall exceeds the maximum allowed 1:48 under ADA standards.



Nick Dudiak Fishing Lagoon Accessible Ramp and Retaining Wall

FY 2022 - DRAFT Document

Project Description & Benefit: The Nick Dudiak Fishing Lagoon located on the Homer Spit (also known as the “Fishing Hole”) is a man-made marine embayment approximately 5 acres in size that is annually stocked with king and silver salmon smolts to provide sport fishing opportunity. Salmon fishing at the Nick Dudiak Fishing Lagoon brings visitors to Homer throughout the summer and is also popular with city residents. This outdoor recreation activity provides a local, road accessible, shore-based salmon fishery that attracts a wide array of sport anglers, including handicapped accessible and youth-only fishing opportunities. This outdoor recreational activity helps stimulate and diversify local businesses and the economy. During the summer when salmon are returning, up to 250 bank anglers have been present at any one time between 7 a.m. and 10 p.m. The parking area, shoreline and tide line 17 feet above mean high water are owned by the City of Homer. Below mean high water, the tidelands and water are owned by the State of Alaska.

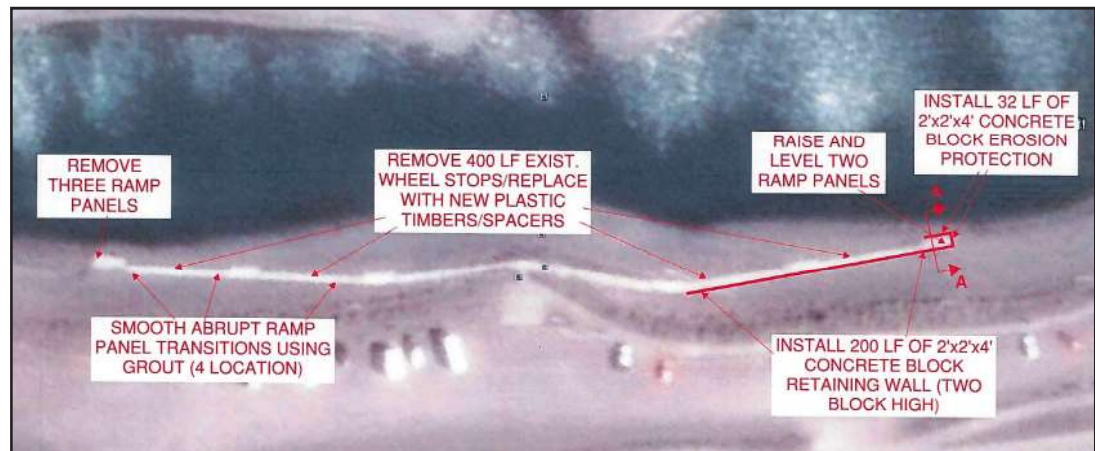
Over the years the accessible ramp has fallen into major disrepair and is no longer complaint or usable by anglers with mobility challenges. In 2018 the Alaska Department of Fish and Game attempted to provide funding for improvements to the accessible ramp, however funding was pulled.

Plans & Progress: The City of Homer ADA Compliance Committee has identified this improvement as a significant benefit and ADF&G has submitted a request for Fiscal Year 2021 to replace the South ADA ramp.

Total Project Cost: \$59,300

Schedule: 2022

Priority Level: 2



Homer Harbor and Public Works personnel working with the Alaska Department of Fish & Game developed this plan to make the Nick Dudiak Fishing Lagoon ramp accessible.



Public Restroom Accessibility Barrier Removal

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. From 2017-2019, the City of Homer ADA Compliance Committee and City Staff evaluated City Facilities to identify accessibility barriers. The results were compiled into the City's Transition Plan, in accordance with Title II of the ADA regulations. This project corrects barriers at City public restroom facilities. A clear path of travel to a bathroom and clearance for entry, maneuverability inside, and access to water closets, toilet paper, soap and hand towel dispensers or dryers, are just some of the key requirements of the ADA. These accessible features are required for public restrooms whether they are restrooms with stalls in a City building or individual bathrooms that are located on the spit and in town. Correcting these issues are a benefit the entire community.

Barrier removal in existing bathrooms include:

- Relocation of grab bars, toilet paper dispensers, coat hooks, and mirrors;
- moving tactical signage to the appropriate location on the left side of the entrance;
- adjusting the entrance threshold height;
- replacing toilets that are too high or have flush lever to the open side of the water closet;
- covering pipes below lavatories;
- replacing hardware on stall doors and bathroom doors;
- removing obstacles to clear floor space for wheelchair maneuverability, and;
- complete bathroom facility replacement.

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together with Port and Harbor staff helped develop solutions and remedies included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project could proceed in phases. Phase 1 would remove accessibility barriers in existing City restrooms, bringing them into ADA compliance. Many of the barriers exist in several restrooms and could be addressed through one project. ADA improvements to the Karen Hornaday Park restroom is not recommended due to the buildings advanced age and poor condition. Phase 2 is to remove and replace the bathroom at Karen Hornaday Park.

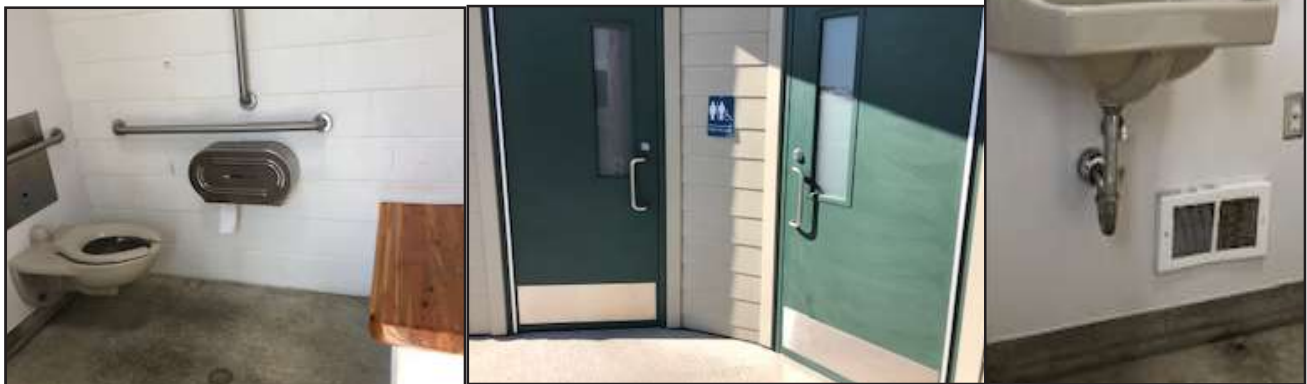
Total Project Cost: 400,000

Schedule:

2021-2022: Phase 1 Barrier removal in existing bathrooms \$75,000

2023-2024: Phase 2 Demo and replace existing bathroom at Karen Hornaday Park \$325,000

Priority Level: 1



This project will correct accessibility issues at City of Homer public restrooms. Some depicted here include improperly placed dispensers and grab bars, lack of wheel chair space from bench, incorrect door swing and lack of cover on the lower pipes



Removing Parking and Pavement Accessibility Barriers at City Facilities

FY 2022 - DRAFT Document

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by, people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. From 2017-2019, the City of Homer ADA Compliance Committee and City Staff evaluated City Facilities to identify accessibility barriers. The results were compiled into the City’s Transition Plan, in accordance with Title II of the ADA regulations. This project corrects parking and pavement barriers (ADA Priority Level 1 issues) at City facilities to aid the entire community in accessing and participating in programs, services or activities provided by the City of Homer.

ADA regulations standardize the size and number of marked accessible parking spaces in a lot and appropriate signage placed such that it cannot be obscured by a vehicle parked in the space. Accessibility standards also require firm, stable and slip resistant surfaces. Many City of Homer facilities do not meet these standards.

This project will correct the following parking barriers in the vicinity of the Homer Harbor, and at Public Works, Homer Public Library, the Animal Shelter, Baycrest pullout bathroom facility and the Fire Hall:

- Absence of accessible parking;
- absence of van accessible parking;
- incorrect dimensions of accessible parking spaces;
- improperly located signage;
- accessible parking spaces where water pools and snow melt creates icy conditions that become hazardous in the winter;
- parking space identified in gravel lots that fail to provide a path of travel to a sidewalk or facilities; and
- cross slopes that exceed 1:48 ratio on paved lots.

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together with Port and Harbor staff helped develop solutions and remedies included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project proposes to proceed in two phases. Phase 1 is currently being worked on and will be going back out to bid. It includes at least eight paved accessible parking spaces and at least two van accessible spaces in the vicinity of Harbor Ramps 3, 4 and 5 and at public restrooms and resolving non-compliant signage and pavement marking. Phase 2 includes resolving non-compliant parking lot cross slopes and non-compliant signage and pavement marking at the remaining city facilities listed above. If not already completed, this project could potentially address cross slope corrections at City Hall (included in a separate CIP project) to take advantage of mobilized paving equipment and crews.

Total Project Cost: \$400,000

Schedule:

2021-2022: Phase 1 Harbor Accessible Parking,
\$50,000

2022-2023: Phase 2 City Facility Parking Lot Cross
Slopes & Signage, \$350,000

Priority Level: 1



Accessible parking spaces at Ramp 4 in the Port & Harbor provide an example of where spaces need to be paved and a path of travel provided to the sidewalk.



Self-Evaluation and Transition Plan for City Parks, Trails & Campgrounds

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by, people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. The Self-Evaluation is a comprehensive report that outlines the barriers for people with disabilities as they seek to use local government services and programs. It is drafted by the state or local government in collaboration with and review by a sample user group of people with disabilities. It includes a transition plan of architectural and administrative barriers to programs that need to be removed in order to make the program accessible. Completion of this project will be a significant step meeting the requirements of Title II of the ADA, by having a full Self-Evaluation and Transition Plan for the City of Homer.

A completed Self Evaluation and Transition Plan will:

- Acknowledge the City's obligation to comply with ADA Title 2 Subpart D- Program Accessibility § 35.149 Discrimination prohibited;
- meet the requirement of ADA Title 2 Subpart D- Program Accessibility § 35.150 Existing Facilities, (d) Transition Plan;
- identify barriers to be resolved and establish a timeline for completion; and
- bring the City of Homer closer to its goal of being a Universally Accessible City as identified in Resolution 17-075(A).

Plans & Progress: In 2017, the City of Homer ADA Compliance Committee and City Staff began evaluating City facilities to identify accessibility barriers and prepared a Transition Plan, which City Council approved in 2019. Evaluating and preparing a plan for City Parks, Trails and Campgrounds exceeds the ability and time allowance of City staff and ADA Compliance Committee members. This project entails hiring a consulting firm that specializes in preparing ADA Transition Plans to evaluate City parks, trails and campground facilities for inclusion in the City's Transition Plan.

Total Project Cost: \$60,000

Schedule: 2021

Priority Level: 1



Accessibility improvements to trails, parks and campgrounds allows everyone to receive full benefits of Homer's park & recreation amenities.

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Parks, Art, Recreation & Culture

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Bayview Park Restoration

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Project Description & Benefit: Bayview Park is a small, relatively quiet fenced neighborhood park at the top of Main Street. The goal of this project is to improve the accessibility and safety of the Park and its playground elements with a focus on making the park more user-friendly to young children (infant-toddler-preschool age) and for children and parents/caregivers with disabilities or mobility issues.

A dedicated group of volunteers in Homer’s Early Childhood Coalition have adopted the park, created a park Master Plan and completed some improvements to the park: an embankment slide, log steps, and an alder fort and boulders. Homer’s Early Childhood Coalition continues to work to complete elements included in the Park’s Master Plan. In 2014, they completed an ADA accessible pathway and made temporary repairs to the perimeter fence. They are currently working to replace the fence, add new play equipment and extend accessible pathway to all play features.

- Summer 2022: Replace existing white picket fence with a wood frame-chain link fence to improve the stability and durability of the fence (current fence is in constant need of repair). Parents and caregivers appreciate having a fence as it provides a level of safety for young children around the busy roads and ditches surrounding the park.
- Summer 2023: Upgrade ground cover to playground standards, replace jungle gym, add additional swing port, and extend ADA trail to new elements as needed. The goal is to provide new playground elements that are designed for younger/toddler age and to have some accessible for children with disabilities.

Plans & Progress: In 2011 Homer Early Childhood Coalition raised money and funded a new slide and boulders that were installed by the City of Homer. Several parents built and installed stepping logs and 2 small “bridges”. In 2013 Homer Early Childhood Coalition coordinated with Corvus Design to meet with local families and children for project ideas and create a master plan with cost estimates. \$5,347.76 was raised to pay for design costs and install new play elements. ADA parking and access trail improvements were completed in 2014 utilizing in-kind donations of equipment and labor and an additional \$5,118 in fundraising dollars.

Total Project Cost: \$189,974

Schedule: 2022-2023

Priority Level: 2



Though charming, the white picket fence that surrounds Bayview Park is in need of constant repair. A more practical chain length fence is needed to keep young children out of roads and ditches.



Homer Spit Trailhead Restroom

FY 2022 - DRAFT Document

Project Description & Benefit: The parking lot at the intersection of the Ocean Drive bike path and Homer Spit Trail gets heavy use year round. The Spit trail is a popular staging area for biking, running, walking, and roller blading. Parents bring their young children to ride bikes because the trail is relatively flat and has few dangerous intersections. An ADA accessible restroom would be used by recreationalists and commuters using both trails.

Total Project Cost: \$295,000

Schedule: 2023

Priority Level: 3



The parking lot at the Spit trail head full of cars on a sunny day.



Jack Gist Park Improvements, Phase 2

FY 2022 - DRAFT Document

Project Description & Benefit: Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel has been developed primarily for softball fields. It also features a disc golf course.

The proposed project will complete Phase 2 by improving drainage around the upper ball field, constructing a concession stand/equipment storage building adjacent to the softball fields, and developing an irrigation system utilizing a stream on the property in conjunction with a cistern. Phase 3 will provide potable water (water main extension), construct a plumbed restroom, and acquire land for soccer fields.

Plans & Progress: Phase 1 of this project was completed in 2011 after a five year period of incremental improvements. In 2005-2006, a road was constructed to Jack Gist Park from East End Road, a 70-space gravel parking area was created, and three softball fields were constructed including fencing, dugouts, and backstops. In 2008, bleachers were installed at all three softball fields. In 2009, three infields were resurfaced. In 2010, with volunteer help, topsoil was spread and seeded on two of the three fields and the parking area was improved and expanded. 2011 saw improvements to the third ball field: drainage improvements on the outside perimeter (right and left field lines), imported material to improve the infield and topsoil and seeding to improve the outfield.

Total Project Cost: \$160,000

Drainage: \$50,000

Concession Stand and Equipment Storage: \$75,000

Irrigation System: \$35,000

Schedule: 2021-2022

Priority Level: 2



One of the softball fields at Jack Gist Park.



Karen Hornaday Park Improvements

FY 2022 - DRAFT Document

Project Description & Benefit: Homer’s popular Karen Hornaday Park encompasses baseball fields, a day use/ picnic area, a playground, a campground, and a creek on almost 40 acres. It also hosts community events such as the Highland Games. The Karen Hornaday Park Master Plan, updated and approved in 2009, sets forth goals and objectives to be accomplished over a 10-year period.

Presently, Phase 2 improvements providing safe and inclusive access to the park and its essential facilities are underway. Thanks to volunteer efforts and HART Program funding, significant trail access improvements were completed in 2018: (1) an access trail along Fairview Avenue on the southern border of the park that extends up into the park along the park access road, and (2) the Woodard Creek Nature Trail provides pedestrian access from Danview Avenue and allows people to enjoy and appreciate Woodard Creek. In 2019, the City plans to adjust the road alignment entering the park, and better delineate the eastern overflow parking area. This will increase pedestrian safety from the parking areas to the main portion of the park.

Phase 3, is the replacement of the central restrooms for the park, and increasing ADA accessibility to the restrooms, parking area and main picnic facility. The current restrooms are well past their useful life and will need total replacement in the near future. The travel surface from the parking area to the restrooms and the main picnic shelter is too steep and uneven for universal access. This phase includes rebuilding ADA compliant restrooms, parking spaces, path to restrooms, path to the picnic shelter, and paved area around the BBQ’s and fire pit area.

Plans & Progress: Phase 1 of park improvements were accomplished through an Alaska Legislature appropriation of \$250,000 in FY 2011. This money, together with City funds and fundraising by HoPP (an independent group organized to make playground improvements), helped complete Phase 1: drainage improvements, ballfield improvements, new playground, new day use area and northern parking lot improvements. The City received a Land and Water Conservation Fund (LWCF) grant for campground improvements and development of a new day use area between the two ball fields which was completed in 2014. For 2019, the City budgeted funds for minor road alignment work, speed bumps and parking lot reconfiguration.

Phase 3: The City has conducted a site visit with the local independent living center to access the access problems and potential solutions. Additionally, the City has an adopted ADA Transition Plan that prioritizes upgrades to parking, access routes, equitable access, and restrooms.

Total Project Cost: \$1,970,750

Schedule: 2021 - 2024

Priority Level: 1



Upper Woodard Creek Nature Trail and an access trail along Fairview Avenue were completed in 2017 with volunteer labor and a small amount of City funds.



The road into Karen Hornaday Park is between the park and the parking lot, requiring children to have to cross traffic to get to the park’s attractions. Traffic calming features are scheduled to be completed in 2019.



Port and Harbor

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Deep Water/Cruise Ship Dock Expansion, Phase 1

FY 2022 - DRAFT Document

Project Description & Benefit: Upgrades to the Deep Water/Cruise Ship Dock are necessary to provide a facility that can accommodate multiple industry groups and provide the greatest economic benefit to the area. A feasibility study of expanding and strengthening the dock (with later phases including a terminal building and other upland improvements) is nearing completion. Expansion increases the Port & Harbor's capability to support regional resource development initiatives with moorage and a staging area for freight service to the Lake and Peninsula Borough (via the Williamsport-Pile Bay Road) and to potential future Cook Inlet region resource development projects. There is current demand for modifications to the existing dock to accommodate long-term moorage of large resource development vessels such as timber, mining and oil and gas barges, and as designed, the dock will be able to handle icebreakers, of particular importance given Alaska's strategic arctic location.

The facility will boost cargo capability. The City has a 30-acre industrial site at the base of the dock which can support freight transfer operations and serve as a staging area for shipping to and from the Alaska Peninsula, the Aleutians, and Bristol Bay. Handling containerized freight delivery to the Kenai Peninsula would reduce the cost of delivering materials and supplies to much of the Peninsula. The dock expansion will also enhance cruise ship-based tourism in Homer by providing moorage at the dock for two ships (a cruise ship and a smaller ship) at the same time, reducing scheduling conflicts.

Finally, improvements to the dock will fulfill a contingency planning requirement under Homeland Security provisions. The Port of Anchorage, through which 90% of the cargo for the Alaska Railbelt areas and the Kenai Peninsula passes, is vulnerable. If the Port of Anchorage were to be shut down and/or incapacitated for any reason, Homer's port would become even more important as an unloading, staging, and trans-shipping port.

Plans & Progress: In 2005 the City of Homer spent \$550,000 for cathodic protection of the existing dock and conceptual design of an expanded dock. \$2 million in federal transportation earmark funds were appropriated in FY2006 to prepare preliminary design and conduct further economic analysis. The Alaska Legislature appropriated an additional \$1 million for FY2011. Homer City Council has authorized the sale of \$2 million in bonds to help fund the construction of this project. The City started on project design and feasibility with R&M consulting to begin design and feasibility. To date, the team completed an extensive conditions survey of the existing infrastructure, bottom condition survey, soils core drilling, and a very detailed tide/current profile for the dock. The feasibility study helped identify the best option for expansion to improve freight and cargo handling capabilities. Some uplands improvements have been completed to benefit cargo movement and storage on land close to the deep water dock: paving outer dock truck bypass road, removing the old wooden fence around the concrete storage yard and replacing it with a chain link fence, stormwater runoff handling, lighting and security cameras.

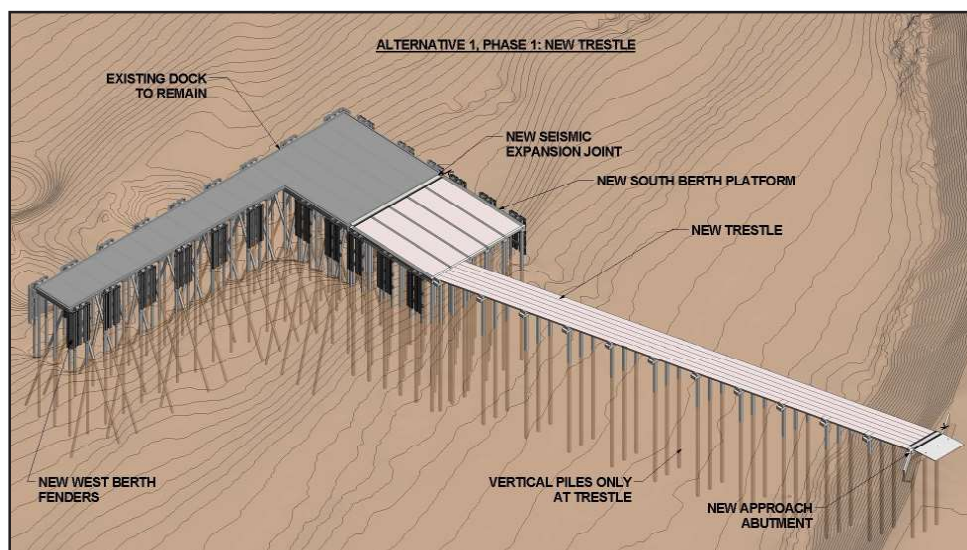
Total Project Cost: \$35,000,000

Feasibility: \$1,250,000
(Completed September 2016)

Design: \$1,750,000

Construction: \$32,000,000

Priority: 2



Deep Water Dock Expansion proposed design.



Harbor Ramp 8 Public Restroom

Project Description & Benefit: Ramp 8 serves System 5, the large vessel mooring system. Previously, restroom facilities for Ramp 8 consisted of an outhouse. This outdated restroom brought many complaints to the Harbormaster's office. Sanitary restroom facilities are expected in modern, competitive harbors along with potable water and adequate shore power. The Ramp 8 outhouse was removed in 2015. A new public restroom in this location is needed to serve the crew members of large vessels when they come to port.

Plans & Progress: Design costs for this project would be minimal as the City has standard public restroom plans engineered that can be easily modified for this location.

Total Project Cost: \$295,000

Schedule: 2025

Priority Level: 3



Ramp 8 sees heavy use from crews of large vessels moored in System 5. Since this outhouse was removed in 2015, crews either use a porta potty provided by the Port & Harbor, or walk 1.5 blocks to use the nearest restroom facility.



Homer Harbor Cathodic Protection

FY 2022 - DRAFT Document

Project Description & Benefit: Homer Harbor’s float system is comprised of 161,000 square feet of concrete and wood floats supported by over 500 steel pilings. Steel has a number of characteristics that make it desirable for structural use in harbors, including the ability to last almost indefinitely if properly protected from the destructive effect of electrolysis. Corrosion stemming from electrolysis, however, dramatically shortens the useful life of the pilings.

Most of the float system piling in Homer Harbor predates the 1999 ownership exchange from the State to the City of Homer. When originally installed, a hot-dipped galvanized coating protected the piling. This coating is typically effective between 15 and 20 years. Harbor pilings range in age from 34 to 26 years old.

Over time, electrolysis has depleted this original protective coating to the point where it is no longer protecting the pilings. The potential readings obtained in a cathodic protection half-cell survey in 2018 were -0.60, a reading that indicates freely corroding steel according to National Association of Corrosion Engineers (NACE) Standards.

This project proposes to install a passive cathodic protection system to fully protect the saltwater and soil submerged harbor pilings from corrosion. The method selected provides zinc anodes attached externally to the pile as a “sacrificial” source of positively charged ions. The anode material oxidizes preferentially to the steel, greatly reducing or eliminating the rusting of the steel piles.

The long-term benefit is to extend the remaining safe and usable service life of the harbor float system, at least an additional 20 years and perhaps indefinitely, avoiding the high costs of limiting allowable loads on corroded load-bearing piles and eventually repairing or replacing structurally disabled piling.

Plans & Progress: The City began the process of installing cathodic protection in 2018. As part of that project, R&M Engineering designed a cathodic protection program for the entire harbor float system. The sacrificial anode system was selected as it has the advantage of being relatively simple to install, is suitable for localized protection, and less liable to cause interaction on neighboring structures.

Utilizing \$200,000 in Port and Harbor reserve funds, the City contracted a firm to install zinc anodes on 139 of the 500 harbor piles. Test results from a post-construction cathodic protection survey verified that the system is providing adequate levels of cathodic protection to the piles as defined by the applicable NACE International Standards SP0176-2007.

It is our goal to get this work done as quickly as possible to preserve the integrity of the foundation of the float system harbor-wide.

Total Project Cost: \$914,240

Cathodic Protection 2018: \$200,000
(139 pilings completed with City of Homer Port & Harbor Reserve funds)

Cathodic Protection 2019 \$714,240
(protect remaining pilings)



Example of the damage electrolysis causes to harbor pilings. This broken piling in 2012 caused the R & S floats in the harbor to be condemned until it could be repaired.

Schedule: 2021

Priority Level: 1



Ice Plant Upgrade

FY 2022 - DRAFT Document

Project Description & Benefit: The ice plant at the Fish Dock is a critical component of the overall Port and Harbor enterprise, providing more than 3,500 tons of flake ice each year to preserve the quality of more than 20 million pounds of salmon, halibut, sablefish, and pacific cod landed at the Port of Homer.

Although the Ice Plant has been maintained very well since being built in 1983, efficiencies may be gained by upgrading certain key components of the plant with current technologies, which may include replacing the refrigeration compressors, integrating natural gas into the process, and/or upgrading the control systems to increase the plant's efficiency and reduce operating costs.

Plans & Progress: This project is proceeding in a three-phase approach. Phase 1 initiated in 2019 with the City contracting Coffman Engineering from Anchorage assess Homer's Ice Plant and prepare a list of recommendations/options for upgrading the facility to optimize energy savings, plant maintenance, equipment longevity and return on investment. The study also considered the possibility of creating a year-round cold storage refrigeration system as an upgrade to the original plan. The study is complete and staff are creating recommendations for how to move forward with upgrades.

Total Project Cost:

Phase 1: \$40,000

Phase 2: TBD based on consultant recommendations and upgrade plan adopted.

Schedule:

- 2019-2020: Phase 1 study completed; staff review and findings/recommendations being developed;
- 2021: Design and engineering for upgrades;
- 2022: Upgrade ice plant.

Priority: 1



Four of the Ice Plant's aging compressors are shown here.



Large Vessel Sling Lift, Phase 1

FY 2022 - DRAFT Document

Project Description & Benefit: During the investigation conducted in 2014 by the Large Vessel Haulout Task Force, the Task Force quickly recognized a need to provide haulout services to all vessels that moor in the harbor. As a first step in filling this need, the Port & Harbor developed an airbag haul-out system on available tidelands within the harbor. This system has proved successful.

However, it works only for part of the fleet: large, flat-bottomed, shallow draft vessels. Much of the fleet in the harbor is not able to use this system because of the vessel's deep draft hull configuration.. A lift in a local commercial yard is being expanded to accommodate vessels up to 150 tons, which will accommodate most limit seiners and many of our larger boats. Homer will still lack haulout services for deep draft vessels larger than 150 tons.

A sling lift has been proposed as a possible haulout solution for vessels that are not currently being served in Homer. The lift, coupled with an on-site repair yard would provide these vessel owners the option to perform their annually required maintenance and repairs locally without having to travel, similar to how large shallow draft vessels currently utilize the airbag system. Haul outs ease the burden of travel for the vessel owners during the winter season and, as an added bonus, generate business to help sustain local marine trades.

The sling lift facility is proposed for the old chip pad to provide an on-site repair yard.

Plans & Progress: Project development will have two phases. The first phase will be a comprehensive study about how to best build and operate this new service at the Port of Homer. It will address if the proposed location is compatible, and include engineering and design options and a cost-benefit analysis. The study will also research options for operating this new service, providing an analysis of various ownership and operating models such as privately owned and operated with a lease to the Enterprise, a public private partnership, or alternatively, municipally owned and operated by the City using Enterprise employees. It will also work on regulatory requirements such as a Stormwater Pollution Prevention Plan (SWPPP) with the Alaska Department of Environmental Conservation.

Phase 2 will be acquisition of the sling lift and construction of the support infrastructure after considering the results of the phase one study.

Total Project Cost: \$65,000 (Phase 1)

Schedule: 2022

Priority Level: 2



An example of a sling lift and adjacent repair yard area.



Old Main Dock Removal and Disposal

Project Description & Benefit: This project will remove the old Main Dock from inside the Pioneer Dock facility and dispose of or salvage all associated materials. The old Main Dock was the original ocean dock in Homer, built in 1965 at the time of the first dredging for the Homer Harbor. When the Main dock was no longer safe to be used as a commercial pier in 2001, the City built the new Pioneer Dock around it, leaving the Main Dock in place.

The Main Dock has become a safety hazard and potential liability for the City. It has deteriorated to the point that it is unsafe even for an individual to walk on.

Plans & Progress: Identifying this project in the Capital Improvement Plan aids in the project's first step, which is to search and solicit sources of financial aid for the project. For instance, it is possible it would qualify under a State or Federal initiative for waterfront renewal or rehabilitation. Removal of the Main Dock can be achieved using a variety of heavy equipment and disposal methods that satisfy safety, environmental and building requirements.

Total Project Cost: Unknown. Methods for removal presented by interested contractors at a later date will help hone the scope of work and cost requirements for this project.

Priority Level: 3

Schedule: 2024



The former Main Dock in Homer's Port & Harbor is over fifty years old, defunct and deteriorated to the point that it is a hazard and a liability.

FY 2022 - DRAFT Document



System 4 Vessel Mooring Float System

FY 2022 - DRAFT Document

Project Description & Benefit: System 4 is made up mostly of floats that were relocated from the original harbor construction in 1964. In the 2002 Transfer of Responsibility Agreement (TORA) project, System 4 was completed by moving the old floats into place. Within two years it was filled to maximum capacity. System 4 floats are over 20 years beyond their engineered life expectancy and are showing their age. This project can be done in phases.

Plans & Progress: Phase 1 floats HH, JJ, and headwalk float AA between those floats were replaced in fall of 2014. Power and water was extended from ramp 7 to JJ and HH as part of the same project. A new landing float was installed for Ramp 7 in the spring of 2014. Phase 2 floats CC, DD, EE, GG will be replaced next.

Total Project Cost: \$5,600,000

Schedule:

2022 Design: \$600,000

2023-2026 Construction: \$5,000,000

Priority Level: 3



System 4 ramps to be replaced next.

Detail of aging Float DD, at right.





Truck Loading Facility Upgrades at Fish Dock

Project Description & Benefit: Approximately 22 million pounds of fish are landed at the Homer Fish Dock each year and loaded onto trucks. The resulting truck, fork lift, and human traffic creates considerable congestion as fish buyers jockey for space to set up portable loading ramps. Lack of adequate drainage in the area creates further problems as the vehicles must maneuver in soft and often muddy conditions.

This project will construct a loading dock to facilitate the loading of fish onto trucks. In addition, it will provide for paving of Lot 12-B and other improvements to address the drainage problems that impact the area.

Total Project Cost: \$300,000

Schedule: 2023

Priority: 3



Currently at the Fish Dock, fish buyers have to contend with a muddy lot and lack of a loading dock to facilitate the transfer of fish to trucks.

FY 2022 - DRAFT Document



Wood Grid Replacement

FY 2022 - DRAFT Document

Project Description & Benefit: The Wood Grid is a series of benches (in this case wooden beams) laid out on intertidal land that can support a boat for hull repairs during low tides. Vessels float over the grid at high tide and then set down on the grid as the tide recedes. Vessel owners are able to do minor repairs and inspections to their vessels hulls while “dry” on the grid and refloat with the incoming tide.

The Wood Grid is one of two tidal grids that the Port and Harbor operates. Because of our large tidal exchange in Kachemak bay, Homer’s tidal grids are likely one of the most useful vessel grid systems in the world. They utilize the tides to our advantage to provide an inexpensive way for vessel owners to maintain their vessels’ hulls.

Homer’s Wood Grid was originally built 40 years ago and accommodates vessels up to 59 feet with a 50-ton limit. Other than the walkway replacement that occurred in 2001, the wood grid has seen very little in terms of upgrades since.

Three particular issues would likely be addressed in an upgrade. Gravel has migrated downhill and filled in between the benches, making it increasingly difficult for people to actually get under the vessels on the grid to perform repairs. A second issue is with the Wood Grid’s retaining walls. Due to age, the upper wall is no longer retaining infill from the bank above and the lower submerged wall has degraded to the point that staff are not able to repair it. Another concern is that the benches and the buried pile that support them have deteriorated to the point that staff is unable to repair them. At a minimum the piles and benches will need to be replaced.

Plans & Progress: This project would consist of two phases. The first phase is preliminary engineering and design to ascertain the scope and cost of the improvement, including what permitting is required. The second phase would be construction.

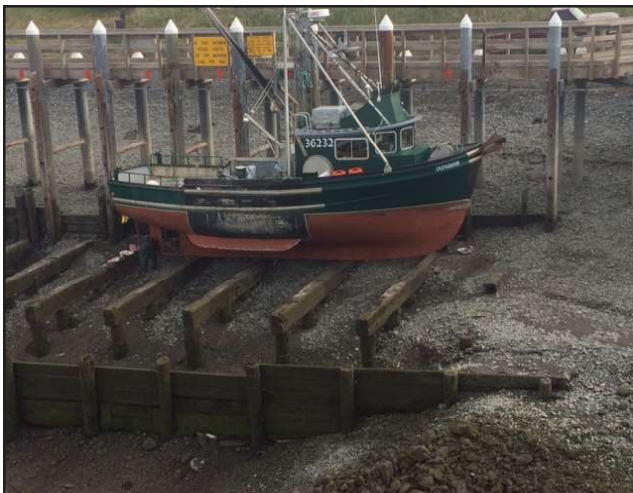
Total Project Cost:

Phase 1: Engineering and design: \$25,000

Phase 2: Construction: to be determined in Phase 1.

Schedule: Phase I: 2021

Priority Level: 1



The Wood Grid in Homer’s Port and Harbor was originally built 40 years ago and accommodates vessels up to 59 feet with a 50 ton limit. Other than replacing the walkway in 2001, the wood grid has seen very little in terms of upgrades since.



Public Safety

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City of Homer Radio Communication System Upgrades

FY 2022 - DRAFT Document

Project Description & Benefit: The City’s radio communication system is a complex, high-tech, multi-component communication infrastructure that serves the daily needs of the Homer Police, Fire, Port & Harbor and Public Works Departments and is critical for effective emergency response to natural disasters and man-made incidents. Communication system technology has changed tremendously during the last thirty years of the digital age. It is now completely digital, can carry encrypted data in addition to voice communications and must comply with FCC bandwidth requirements.

Homer’s communication system (consisting of the Public Safety Radio System, the Port and Harbor Radio System and the Public Works Radio system) needs upgrading to keep up with technological advances, comply with new FCC bandwidth requirements, maintain interoperability with all local, borough and state agencies utilizing the ALMR system and maintain software updates and other manufacturer product support.

The goal of this project is to upgrade the entire radio communication system by 2020 to stay within FCC compliance.

Plans and Progress: Progress on this project has been incremental with assistance from Alaska State Homeland Security grant funds. To date, the main dispatch consoles, two City of Homer repeaters, two emergency backup dispatch radios and all Police Department radio units have been upgraded. Components still needing upgrades are listed under the Total Project Cost section below.

Total Project Cost: \$850,362 - \$950,362

(\$560,362 of total project cost has been funded through State Homeland Security and Emergency Management grant awards.)

Public safety repeater relocation on Homer Spit:	\$ 35,271 (completed)
Dispatch consoles and associated equipment:	\$ 296,000 (completed)
Public Safety repeater upgrade:	\$ 63,430 (completed)
HPD Public Safety radios:	\$ 165,661 (completed)
HVFD Public Safety radios	\$ 53,325 (completed of 100,000 - \$120,000)
Port & Harbor radios and possible repeater:	\$ 40,000 - \$ 70,000
Public Works radios:	\$ 100,000 - \$120,000
Public Works data radio system:	\$ 50,000 - \$ 80,000

Schedule: 2019-2022

Priority: 1



City-wide radio system upgrades are needed to maintain full communication operability.



Fire Department Fleet Management

FY 2022 - DRAFT Document

Project Description & Benefit: To meet the community's fire protection needs and Insurance Services Office (ISO) requirements, Homer requires two Tankers for off-hydrant operations, three front-line Fire Engines and one Reserve Fire Engine. National Fire Protection Agency codes recommend maintaining apparatus with the latest safety features and operating capabilities to maximize firefighting capabilities while minimizing the risk of injuries. Apparatus in first-line service should not be more than 15 years old; apparatus over 25-years old and properly maintained should be placed in reserve status.

Many of the apparatus and specialized vehicles in the Homer Volunteer Fire Department fleet are 15 years to over 30 years old and at the end of their functional life. Functional capabilities and safety features of fire apparatus has greatly improved in the last 10-15 years. Current apparatus have fully enclosed cabs, modern seat belt configurations, improved roll-over stability, significantly improved braking systems, better roadability, and many other safety improvements. Apparatus over 25 years old also become unreliable. Systems fail, putting both firefighters and the public at risk. Extending the life to 30 years may be marginally acceptable with the volume of HVFD runs, but anything beyond that poses an unacceptable level of risk.

The HVFD fleet is in need of a number of vehicle replacements to safely and efficiently protect the lives and property of Homer residents. The Department has developed a strategic, cost saving approach to meeting Homer's fire protection needs with the following top-prioritized replacements:

Tanker-2 is a 31-year old Tanker/Pumper. Tanker/Pumpers combine the capabilities of a Fire Engine and a Tanker, fulfilling response vehicle requirements with four vehicles rather than six at a huge savings of two fewer apparatus and reduction of the number Fire Station Bays needed. This project replaces Homer's Tanker-2 while Kachemak City simultaneously replaces its 34-year old Tanker-1. This will require coordinating the acquisition of the two apparatus to potentially reduce the unit cost and to assure matching Apparatus for interoperability. \$650,000

Brush-1. Brush-1 is a 1990 Ford F-350 Crew Cab Pickup with a forestry firefighting slip-in unit. It is HVFD's single front-line wildland firefighting apparatus and is 15 years past its useful life. The entire City of Homer is in the Wildland-Urban Interface (with the exception of most of the Spit) and at significant risk from wildfire. The City is also often called to provide mutual aid in wildland fires in neighboring Anchor Point and KESA districts. Brush Trucks are designed to provide a rapid response to wildfires and to provide access to areas that will not support the weight or dimensions of larger fire trucks. Brush-1 is overloaded with a crew of four firefighters, a slip on firefighting unit with 200 gallons of water and the required firefighting tools and hoses. It has none of the safety systems on current vehicles, including airbags for the front seat occupants. \$95,000

Command-1, a 2006 Ford is as a rolling command post that sets up at incidents to provide for incident command especially at complex or lengthy incidents. At 15-years old, Command-1 lacks a command module used for properly providing scene control and tactical decision-making and lacks effective communication capabilities, which is a key component to incident command and a safety priority. \$75,000

Plans and Progress: HVFD developed a fleet replacement plan that places apparatus on standard replacement cycles consistent with NFPA requirements and community needs. These three pieces of equipment are the highest priority.

Total Project Cost: \$820,000

Schedule: 2021-2022

Priority Level: 1



At 31 years old, HVFD's Tanker 2 has aged out of its function life. Newer models, like the one above, have greatly improved functionality and safety features.



Fire Hall Expansion, Phase 1

FY 2022 - DRAFT Document

Project Description & Benefit: In 2014, in response to aging and crowded conditions, the City assessed Homer’s emergency services space needs. Initial plans to correct building and space inadequacies was to co-locate the Police and Fire stations within a new Public Safety facility. However, ultimately, the decision was made to build a stand-alone Police Station and defer expansion of the Fire Hall. For the interim, the City addressed much needed deferred maintenance at the Fire Hall, which included conversion to natural gas, improved air handling, fixing floor drainage issues in Bays 2 and 3, and general refurbishing of wall and floor finishes and kitchen cabinets. While the plan initially called for adding 2,000 square feet to meet minimum space needs, in the end, nothing was done to address inadequate facility space.

This project resumes the process to expand the Fire Hall, either through enlarging and extending at the current site or replacement. The current site, centrally located with access to Pioneer Avenue and Lake Street is an optimum location, but expansion is required to meet minimum space requirements for firefighting apparatus, provide an adequate number of offices and bunk rooms and sufficient storage, parking and drill training spaces.

Plans & Progress: This project can progress in phases. Phase 1 includes pre-development work: updating the needs assessment to reflect current departmental conditions/needs and a stand-alone Fire Station facility, determining site feasibility, the potential to include the old Police Station into the design and preliminary design drawings.

Total Project Cost: Design phase \$350,000

Schedule: 2021

Priority Level: 1



Two examples illustrating the department’s need for additional space: parking area in the equipment bay does not meet minimum space requirements for firefighting apparatus and insufficient storage capacity .



Public Works Projects

- **New Public Works Facility34**
- **Raw Water Transmission Main Replacement35**
- **Water Storage/Distribution Improvements36**

FY 2022 - DRAFT Document



New Public Works Facility

FY 2022 - DRAFT Document

Project Description & Benefit: The Public Works Department, located at the bottom of Heath Street, has outgrown its facilities. Additionally, the new Tsunami Inundation map shows the potential for a 30' high wave moving through the complex. The Public Works facility and associated heavy equipment is critical infrastructure for response and recovery activities before, during and after a disaster. To be best prepared to safeguard public health and safety, a new site and administrative/maintenance support infrastructure for Public Works should be developed. Building maintenance (located in HERC 2) may soon need a new location as well.

Based on an evaluation of current and future needs (see table), it is expected that a new site containing all Public Works maintenance facilities would require 4.6 acres. Ideally, this site would be located outside the tsunami inundation zone, within or close to the Central Business District, and compatible with adjacent land uses. The facility will be sized to provide for current and future administrative and customer support personnel; road, drainage, building, water, sewer, motor pool maintenance activities; and equipment/materials storage

The existing Public Works site could be converted into public summer use open space (adjacent to the animal shelter, Beluga Slough, and conservation land) and provide space for environmentally sensitive snow storage in the winter.

Plans & Progress: This project will most likely be completed in three phases consisting of concept design and property acquisition, full design and construction. The proposed timeframe is to prepare a concept design in 2020/2021; purchase property in 2025; design facility in 2026/2027; begin construction in 2029, with a new facility ready in 2030. Availability of funding would change these time periods.

Total Project Cost: \$12,027,750

2021-2022 (Concept Design):	\$ 100,000
2026 (Purchase Property):	\$1,150,000
2027-2028 (Facility Design):	\$ 828,500
2030-2031 (Construction):	\$9,949,250

Priority Level: 1



City of Homer existing Public Works facility.

Future Public Works Footprint/Cost Estimates

Use	SF	Constr. Cost
Building - Office	3,000	\$ 1,200,000
Building - Motor Pool	4,500	\$ 2,250,000
Building - Water/Sewer	3,000	\$ 1,275,000
Building - Building Maintenance	2,500	\$ 937,500
Building - Parks	1,500	\$ 562,500
Building - Heated Vehicle Storage	3,000	\$ 750,000
Total Building	17,500	\$ 6,975,000

Parking - Customer & Employee	30,000	\$ 450,000
Large Equipment Storage	20,000	\$ 400,000
Small Equipment Storage	10,000	\$ 250,000
Gravel Storage	7,500	\$ 10,000
Sand Barn	5,000	\$ 875,000
Material Storage	7,500	\$ 75,000
Access Corridors	5,000	\$ 150,000
Watering Point	1,000	\$ 100,000
Total Parking/Storage/Misc	86,000	\$ 2,310,000

Construction	\$ 9,285,000
Design	\$ 928,500
Inspection	\$ 371,400
Furnishings	\$ 200,000
1% for Art	\$ 92,850

Total Design/Construction	\$ 10,877,750
Land Purchase 4.6 acres	\$ 1,150,000
Total Project Cost Estimate	\$ 12,027,750



Raw Water Transmission Main Replacement

FY 2022 - DRAFT Document

Project Description & Benefit: This project replaces the two 45-year old cast iron raw water transmission mains that transfer raw water from Bridge Creek Reservoir to the treatment plant. These aging cast iron transmission mains are susceptible to earthquake damage. Multiple repairs have already been made to these mains. The last two repairs made were in response to earthquake damage. Major damage to the raw water transmission mains would make it impossible to serve the town with treated drinking water for domestic use and would reduce the City’s ability to provide adequate water pressure for fire protection. Both mains will be replaced with High Density Polyethylene (HDPE) pipe, which is extremely durable and is less susceptible to damage by earthquakes or other natural disasters.

One of water mains, at 8 inches, is under-sized to meet the maximum capacity of the Water Treatment Plant. The other main, a 10-inch line, is at capacity now. The Water Treatment Plant produces 2 million gallons a day. However, the capacity of the treatment can be increased to 2.9 million gallons a day to meet increased demand in the future. The 10-inch transmission main would not be able to provide the plant with enough water to serve the City’s needs at this higher rate.

Plans & Progress: The plan is to replace both lines with larger 12-inch HDPE pipe. HDPE pipe is more resilient to damage by earthquakes or other natural disasters; larger pipes provide system redundancy and will be able to transport an adequate amount of raw water to the treatment plant for plant maximum daily flow both now and for future expansion of the treatment facility.

The City applied for a FEMA FY19 Hazard Mitigation Grant. The proposal ranked fifth out of 51 eligible projects by the State and was submitted to FEMA for review and requests for information prior to funding authorization.

Total Project Cost: \$1,988,650

Schedule: 2021

Priority Level: 1



HDPE pipes do not rust, rot or corrode and are more resilient to earthquakes than the cast iron pipes currently in use.



Water Storage/Distribution Improvements, Phase 3

FY 2022 - DRAFT Document

Project Description & Benefit: This project replaces aging water storage/distribution system components and makes other system improvements to increase water storage capabilities and drinking water quality, improve water system distribution and water transmission effectiveness and safeguard public health. A dependable water system ensures public safety and contributes to Homer’s growth and economic vitality. First identified during the formation of the 2006-2025 Homer Water & Sewer Master Plan, these critical infrastructure improvements have been designed and partially completed:

- **Phase 1:** was completed in 2016. 2,600 linear feet of 10” and 12” water distribution main was installed across Shellfish Avenue and a new pressure reducing vault (PRV) was constructed to provide water supply to a new tank site; 4,500 linear feet of 12” water main was extended on Kachemak Drive, both connecting isolated sections of town and eliminating dead end mains. The City removed an old redwood tank and purchased property on which the new tank will be constructed.
- **Phase 2:** consists of installing water transmission main in support of a future new water storage tank, rehabilitation of the existing A-Frame existing storage tank, and demolition of the A-Frame pressure reducing vault (PRV).
- **Phase 3:** consists of the construction of a new 0.75 million gallon water storage tank on the east side and a 0.25 million gallon tank on the west side to provide increased capacity for domestic use, fire flow and future micro hydro power generation, modifying/replacing three PRV station and the installation of micro-hydro turbines that can efficiently produce power back onto the grid, reducing the City’s electricity costs and creating green power.

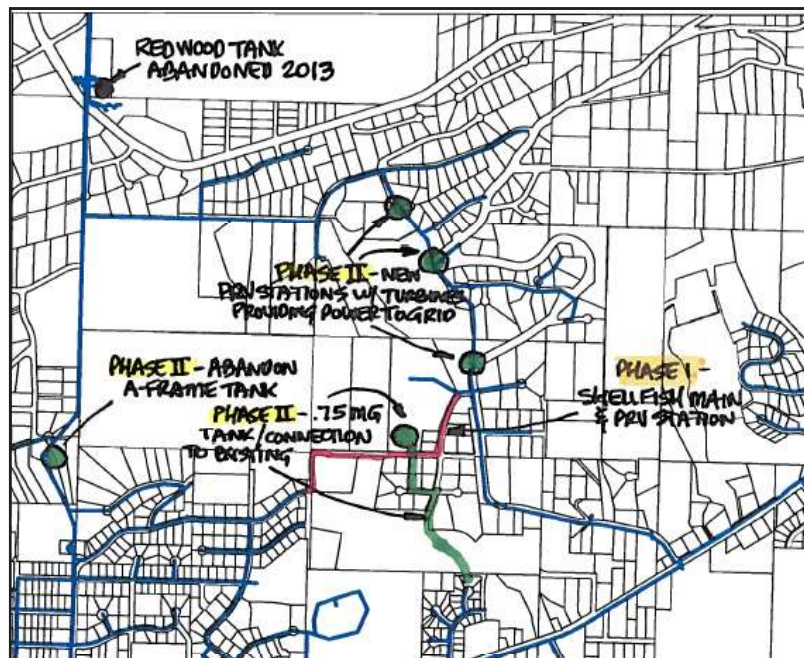
Plans & Progress: Project design was completed in 2014 utilizing \$485,000 in Special Appropriation project grant funds from the Environmental Protection Agency and \$399,214 (45%) in matching funds from the City . Phase 1 construction was completed in 2016 utilizing \$1,980,254 in FY16 State of Alaska Municipal Matching Grant program funds, \$848,680 City of Homer funds and benefitted property owner’s assessments. Phase 2 construction work will be completed in 2019 using ADEC grant monies and water reserve funds using State of Alaska Municipal Matching Grant program funds and City of Homer water reserve account funds.

Phase 3 construction can be completed after phase 2 is finished and funding has been identified.

Total Project Cost: \$10,438,214
 2014 (Design, Completed): \$884,214
 2016 Phase 1 Construction (Funded, Completed): \$1,980,000
 2018-2019 Phase 2 Construction: \$1,600,000
 2020 Phase 3 Construction: \$5,974,000

FY2016 State Capital Allocation: \$1,980,254
 (City of Homer 30% Match: \$848,680)

Priority Level: 1



Phase 1, Shellfish Subdivision Main and PRV Station (indicated by red line) was completed in 2016. Phase 2 (green line) will be completed in 2018 - 2019.



State Projects

The City of Homer supports the following state projects which, if completed, will bring significant benefits to Homer residents.

Transportation projects within City limits:

- **Baycrest Overlook Gateway Improvements, Phase 3 ..38**
- **Homer Intersection Improvements.....39**
- **Kachemak Drive Rehabilitation/Pathway 40**
- **Main Street Reconstruction..... 41**
- **Sterling Highway Milepost 172:
Drainage Improvements42**

Transportation projects outside City limits:

- **Sterling Highway Reconstruction,
Anchor Point to Baycrest Hill.....43**

FY 2022 - DRAFT Document



Baycrest Overlook Gateway Improvements Phase 3

FY 2022 - DRAFT Document

Project Description & Benefit: When you drive to Homer on the Sterling Highway, it is hard to resist pulling over at the Baycrest Hill Overlook, even if you have been there before. The overlook (constructed in the 1990's by visionaries at Alaska Department of Transportation and Public Facilities during a Sterling Highway reconstruction project) has become the primary entrance to Homer. The first experience of that Baycrest view is cited by many residents as the primary reason for deciding to settle in Homer.

Baycrest Overlook is one of three gateways into Homer and is part of Homer's Gateway Project, which entails enhancing visitor and resident experiences at the entrances to Homer.

This project requests that the State Department of Transportation complete Phase 3 of the Baycrest Overlook Interpretive Plan -- paving the parking lot near the Welcome to Homer sign and upgrading the restroom facility -- as part of the Sterling Highway Reconstruction project Anchor Point to Baycrest Hill.

The City of Homer's ADA Transition Plan identified immediate needs to bring the site into ADA compliance, making the site accommodating for all visitors. The Van Accessible parking space needs clear demarcation with new painted lines and a "Van Accessible" sign. Public restroom improvements include relocating the grab bars to meet all location requirements, specifically addressing objects below the grab bar, and marking the restroom for the visually impaired.

Plans & Progress: The Gateway Project began in 2009 when a collaborative effort (involving the City of Homer, Alaska State Parks, National Park Service, Kachemak Research Reserve and U.S. Fish and Wildlife Service) created a beautiful diorama in Homer's airport terminal highlighting the wealth of public and private lands available to everyone who comes to Kachemak Bay.

In 2013, the City and State of Alaska DOT continued the focus on Homer's gateway sites by collaboratively producing the Baycrest Overlook Interpretive Plan which outlines three phases for improving the overlook. Many of the goals of the first two phases have been achieved, including making the site more welcoming, orienting visitors to the natural landscape and community, helping encourage commerce and allowing travelers a comfortable place to linger, rest and enjoy the spectacular setting.

To address the immediate accessibility issues, the City of Homer Public Works Department will evaluate the options of scheduling repairs in house as time and budget allow, and preparing cost estimates and requesting funds for a contractor to correct many accessibility barriers cited in the ADA Transition plan at once.



Baycrest Overlook is often the first stop and introduction to Homer for many visitors.



Homer Intersection Improvements

FY 2022 - DRAFT Document

Project Description & Benefit: This project implements recommendations of the 2005 Homer Intersections Planning Study commissioned by the Alaska Department of Transportation and Public Facilities. The study analyzed the needs of twelve intersections according to traffic forecasts, intersection safety records, pedestrian concerns and intersection options. The benefit of the improvements will be to enhance traffic safety and quality of driving and pedestrian experiences, particularly as the community continues to grow.

The study noted six Homer intersections needing traffic controls to 1) provide gaps for turning vehicles and 2) provide safer crossings for pedestrians on Homer’s main thoroughfares where traffic volumes are increasing and worsening in the summer months. DOT/PF have improved some of the intersections ; the two remaining include Sterling Highway at Pioneer Avenue and Sterling Highway at Heath Street.

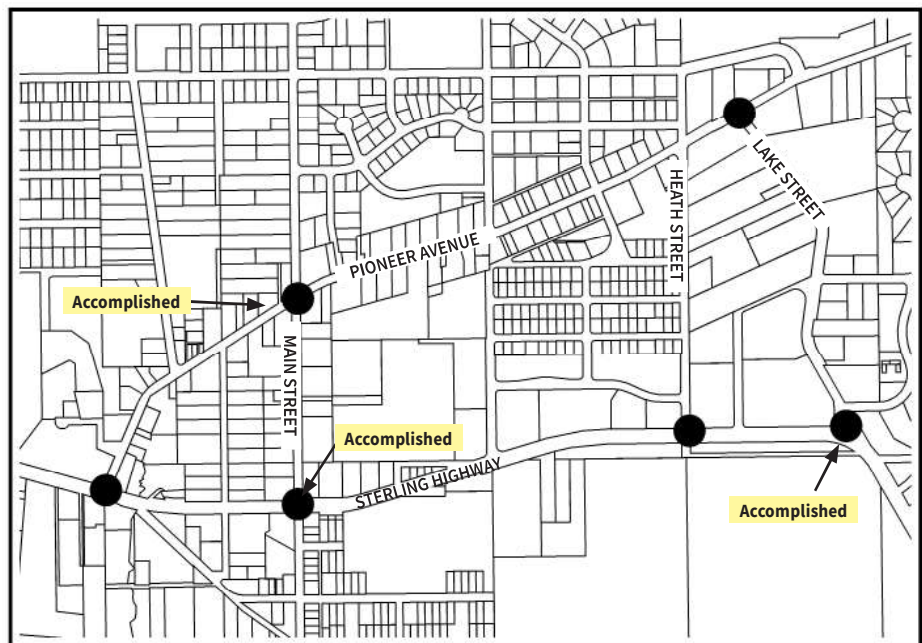
The intersection study also analyzed areas with poor or non-existent lane and crosswalk pavement markings, missing or inadequate crosswalk signage and heavy traffic volumes. City Council passed two resolutions formally requesting DOT&PF Include additional enhanced pedestrian safety measures in two area road improvement projects: Pioneer Avenue and Lake Street. Resolution 18-034 asked DOT&PF to install a pedestrian crosswalk across Lake Street at Grubstake when DOT&PF installs sidewalks and repaves Lake Street. Resolution 19-029 requests DOT&PF include crosswalks with lighting features across Pioneer Avenue at intersections in the Pioneer Avenue Pavement Preservation Project.

The City also expects the State of Alaska to adhere to 2010 ADA standards when constructing, altering or repaving streets and intersections, including mandated curb ramps or other sloped areas at intersection having curbs or other barriers to entry from a street level pedestrian walkway. Further, while not mandated, the City’s ADA Committee endorses upgrading Homer’s four traffic signals to audible pedestrian signals and evaluating potential additional traffic control/pedestrian crosswalk installation in areas where there are major pedestrian traffic generators or where multi-use trails crosses the roadway.

Plans & Progress: DOT/PF installed a four-way stop with flashing overhead beacon at the Pioneer Avenue and Main Street intersection in 2016. They installed a traffic signal at the Main Street and Sterling Highway intersection in 2019.

During the 2020 Pioneer Avenue Pavement Preservation Project, all curb ramps were updated to current ADA requirements, crosswalk markings that were agreed to between DOT&PF and the City (at Bartlett, Main, Svedlund, Kachemak, and Heath) were replaced with grooved-in thermoplastic; the crosswalk at Svedlund was relocated to make pedestrians more visible to drivers; the crosswalk at Main Street was relocated to align with the path on the south side; and portions of the existing pathway which had significant cracking, making them difficult for wheelchairs to use, were replaced.

DOT/PF completed design work for Lake Street Rehabilitation in 2020. While the design does not include a pedestrian crosswalk at Grubstake, it does include curb ramps, warning signs, and electric conduits for a potential crosswalk system in a future project.



Alaska DOT/PF’s traffic study recommended traffic control signals at four central Homer intersections shown above.



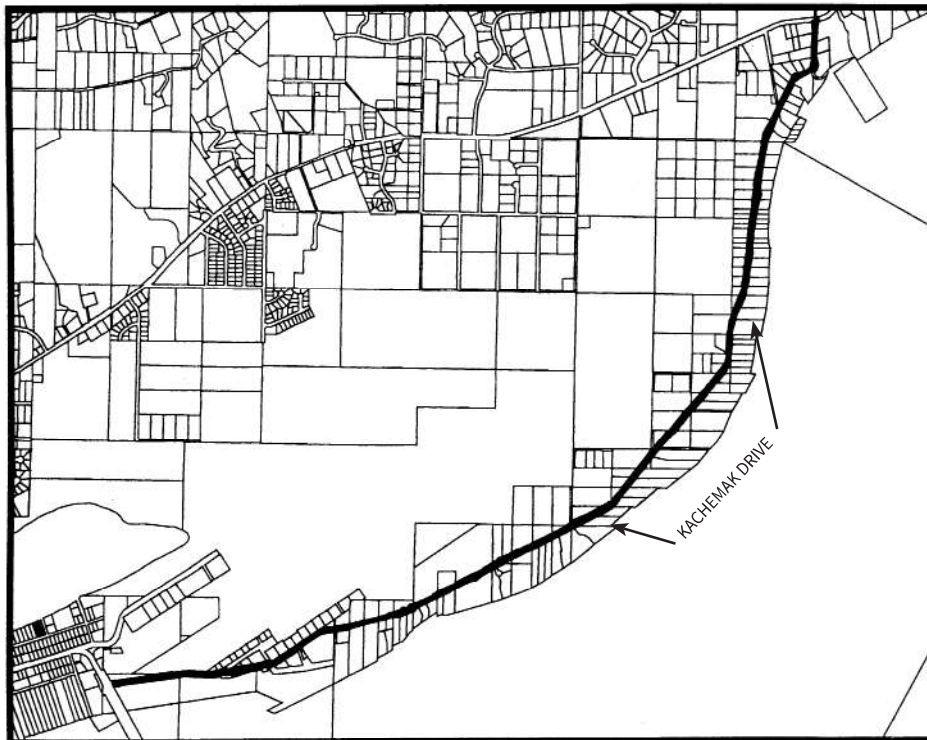
Kachemak Drive Rehabilitation/Pathway

FY 2022 - DRAFT Document

Project Description & Benefit: Kachemak Drive connects Homer Harbor with Homer’s industrial boat yards, serves drivers as a connector from the Homer Spit to East End Road, has a residential community, and serves as an alternate route to the airport. Truck, boat trailer, residential and commuter traffic are often heavy, with an approximate daily traffic of 1,500 vehicles. The road needs rehabilitation including raising the embankment, resurfacing, widening the road, and drainage improvements.

Bicyclists, pedestrians and occasional moms with strollers use Kachemak Drive to connect to the Spit, Ocean Drive, and East End Road bike paths. Kachemak Drive has narrow to non-existent shoulders, forcing cyclists to the left of the fog line. Motorists typically slow down behind bicyclists, wait until there is no oncoming traffic, then pass by crossing the center line. This procedure is dangerous to motorists and cyclists, especially on the hill leading up from the base of the Spit to the airport, where visibility is low. Bicycle traffic has increased in the past couple of years due to the advent of wide-tire winter bicycles and Homer’s increasing popularity as a bicycle friendly town. Construction of a separated pathway along East End Road will increase recreational and commuter bicycle and pedestrian traffic on Kachemak Drive and will improve driver, bicycle, and pedestrian safety. Because of the significant right-of-way acquisition involved, this project will likely take several years to complete.

Plans & Progress: The Kachemak Drive Path Committee has worked with the City of Homer Advisory Parks and Recreation Commission and Transportation Advisory Committee to explore potential alternatives. The City performed preliminary engineering in 2012 on a portion of the trail and found significant grade and easement challenges to the project.



Project location for Kachemak Drive pathway.



Main Street Reconstruction

Project Description & Benefit: This project will provide curb and gutter, sidewalks, storm drainage, and paving for Main Street from Pioneer Avenue to Bunnell Street.

Homer’s Main Street is a primary north-south corridor running from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop’s Beach). In the process, it connects Homer’s primary downtown street, Pioneer Avenue, with the Sterling Highway and provides the most direct access to the Old Town district. It also provides the western border to Homer’s undeveloped Town Center district.

Despite its proximity to the hospital, businesses and residential neighborhoods, Main Street has no sidewalks, making pedestrian travel unpleasant and hazardous. Sidewalks on this busy street will enhance the quality of life for residents and visitors alike and provide economic benefits to local businesses and the community as a whole.

Plans & Progress: Main Street is a City street from Pioneer Avenue northward, and a State street from Pioneer Avenue south. The Homer Non-Motorized Transportation and Trail Plan, adopted by the City Council in 2004, calls for construction of sidewalks on both sides of Main Street to provide a safe means for pedestrians to travel between Old Town and Pioneer Avenue, and stresses that this should be regarded as a “near term improvement” to be accomplished in the next two years. The Homer City Council passed Resolution 06-70 in June 2006 requesting that Alaska Department of Transportation and Public Facilities (DOT/PF) “rebuild and upgrade Main Street from Pioneer Avenue to Bunnell Avenue as soon as possible in exchange for the City assuming ultimate ownership, maintenance, and operations responsibility.”

State of Alaska DOT/PF has obtained \$2.8 million to make safety improvements to Main Street Intersections. In 2016, they installed a four-way stop and flashing overhead beacon at the Pioneer and Main Street intersection. They will be moving ahead with the preferred alternative of installing a traffic signal at the Sterling Highway and Main Street intersection (2019). However, much work remains to be done to improve and reconstruct of the entire section of Main Street from Pioneer Avenue to Bunnell Street.



A mother pushes a stroller along Main Street between the Sterling Highway and Bunnell Street, while another pedestrian walks on the other side of the road.



Sterling Highway Milepost 172 Drainage Improvements

FY 2022 - DRAFT Document

Project Description & Benefit: The Baycrest Subdivision neighborhood (downslope from a beehive collector installed at milepost 172 on the Sterling Highway by the Alaska Department of Transportation (ADOT)) is built on sloping terrain of unconsolidated soils containing blue clay with a high water table and incidental springs. Properties in this subdivision experience unusually high levels of flooding, runoff and erosion.

Some Judy Rebecca Court properties in this neighborhood in particular have suffered damage due to water saturation including cracked windows and shifting foundations. The property damage is related to the amount of water in the soil and every effort needs to be extended to control the amount of water introduced into the soil, including water runoff from the Sterling Highway. These homes are located 750 linear feet distant and 125 feet vertical downslope from the beehive collector outfall. While certainly not all the problematic water is coming from the outfall, attention to drainage in the area is important to reduce the potential for slope failure and possible loss of property and life.

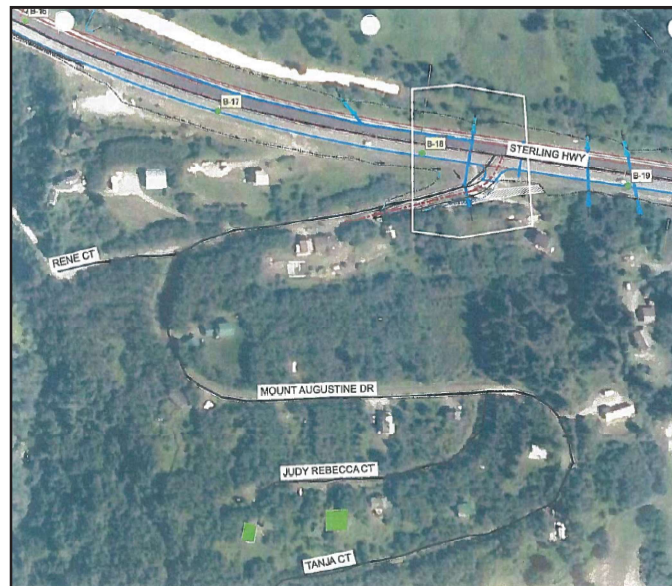
Water flow volume measurements from the beehive collector over time indicate that the outfall is directing a concentrated discharge of water onto the Baycrest neighborhood slope, adding to an already precarious water saturated soil condition. The City of Homer requests that ADOT divert the beehive collector outfall off the slope and into a natural drainage similar to the one that exists below the next Sterling Highway concrete encased cross-drain some 80 paces east of the Mt. Augustine Drive intersection with the Sterling Highway.

Keeping water off this slope where possible helps mitigate the potential for catastrophic slope failure; discharging the beehive collector outfall into a naturally occurring drainage mitigates the potential for impacting other area properties with the additional runoff.

Plans & Progress: At the request of affected home owners and Homer City Council members, a local retired geologist studied and provided mitigation recommendations to the City of Homer and ADOT. Additionally, Newton Bingham, a PE with ADOT evaluated the situation in November of 2017. In recognition of the potential hazard to property and life, Homer City Council passed Resolution 17-082 in September 2017 directing the Homer Advisory Planning Commission to consider a Natural Hazards Overlay District or other appropriate zoning regulation on and around Baycrest Subdivision. In line with an Alaska Administrative Order 175 under Order item 1 which states, "To the maximum extent possible consistent with existing law, all state agencies with construction ...shall encourage a broad and united effort to lessen the risk of flood and erosion losses in connection with State lands and installations and state-financed or supported improvements..."; City Council passed Resolution 18-008 in January 2018 requesting ADOT fix Sterling Highway drainage effecting the Baycrest Subdivision.

In February 2018, a group from Homer met with ADOT Deputy Commissioner Amanda Holland and telephonically with Central Region Director Dave Kemp about Homer's request.

A February 2019 letter from ADOT refutes that the highway and culvert are altering the drainage pattern as the highway and culvert predates development of the Baycrest Subdivision by twenty years. The letter also states that no engineering analysis would suggest that moving the culvert to a new location would improve conditions in the subdivision. On the contrary, it would (rightly) result in claims that ADOT is altering drainage patterns and then would be held responsible for any and all erosion in the area downhill.



Aerial photo of the area downslope of the outfall from a Sterling Highway beehive collector.



Sterling Highway Reconstruction Anchor Point to Baycrest Hill

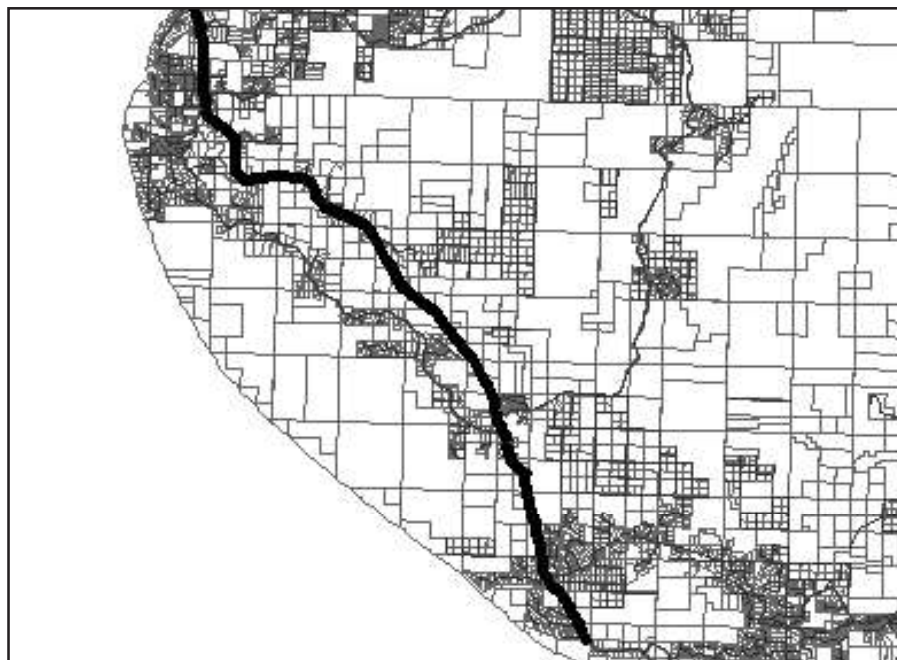
FY 2022 - DRAFT Document

Project Description & Benefit: This project will reconstruct 12 miles of the Sterling Highway between Anchor Point (MP 157) and the top of Baycrest Hill in Homer (MP 169) to address severe safety issues resulting from curves, hills and blind spots on the existing road. The project has been identified as a high priority of the Kenai Peninsula Borough.

Many major side road intersections, gravel hauling operations, and school bus stops contribute to dangerous conditions on the 12-mile section of highway, which has been the scene of several serious accidents, many with fatalities, over the past several years. Continued population growth has led to more subdivisions with intersecting roads and more traffic on the highway, exacerbating the problem. School buses must stop in some locations with blind corners and hills.

According to the 2018-2021 Statewide Transportation Improvement Plan, the project will provide passing lanes, widening and realignment to address safety and passing opportunities, and pavement resurfacing between Anchor Point and the top of Homer Hill. The South Fork Anchor River Bridge (deemed structurally deficient by DOT&PF) will be replaced and a new bridge is proposed to replace culverts that currently carry the North Fork Anchor River under the Sterling Highway.

Plans & Progress: \$2.5 million dollars was included in the FY2013 capital budget for design and right of way phases of this project. Preliminary engineering and environmental assessment services began in the summer of 2014. DOT&PF is still working on project plans. As a full rehabilitation project, it has a high level of environmental work. \$1.7 million dollars was in the FY19 budget for Right of Way funding. DOT does not expect to go into construction on it for several years. \$80.8 is currently budgeted after 2021.



Location of DOT&PF's Sterling Highway Reconstruction Project.



Projects Submitted by Other Organizations

The City of Homer supports the following projects for which local non-profit organizations are seeking funding and recognizes them as being of significant value to the Homer community:

- **Beluga Slough Trail Extension 45**
- **Homer Hockey Association:
Kevin Bell Ice Arena Acquisition..... 46**
- **Homer Senior Citizens Inc.:
Alzheimer’s Unit 47**
- **Kachemak Heritage Land Trust:
Poopdeck Platt Trail 48**
- **Kachemak Shellfish Growers Association:
Kachemak Shellfish Hatchery 49**
- **Kachemak Ski Club:
Homer Rope Tow Access & Equipment Upgrades 50**
- **South Peninsula Behavioral Health Services
The Annex Upgrade 51**

FY 2022 - DRAFT Document



Beluga Slough Trail Extension

FY 2022 - DRAFT Document

Project Description and Benefit: The goal of this project is to extend the existing Beluga Slough Trail around the northern perimeter of Beluga Slough to expand recreational and educational opportunities for the Homer community and its visitors. Beluga Slough is a unique environment which has been the focus of environmental education activities for decades. Naturalists from federal, state and non-governmental agencies bring local families and visitors to the existing trail to share the rich natural history of the slough's vegetation, wildlife and invertebrates. The 0.5 mile extension provides greater viewing opportunities for shorebirds, salt marsh habitats and intertidal flats. The extension would create a quiet, non-motorized trail away from the Sterling Highway with connections to Bishop's Beach, Homer's Old Town District and Ben Walters Park.

Plans and Progress: This trail concept is included in the 2004 Homer Non-Motorized Transportation and Trail Plan. A community-based project team has formed to honor Carmen Field, who taught so many about Beluga Slough through her work at the Kachemak Bay National Estuarine Research Reserve and Alaska Department of Fish and Game. This trail extension would allow Carmen's memory and her love for bringing people out into the natural world to live on.

The proposed trail (see map below) would be on City of Homer property. Owners of the new Aspen Suites Hotel, which opened in May 2019, anticipate re-platting their private parcel and donating the lower portion to the city (indicated by yellow star). Planning for the project and discussions with the private landowner is under way. Construction of Phase 1 is anticipated to start in fall of 2021.

Project proponents have discussed potential project sponsorship and/or trail coalition membership with The Homer Foundation and other area organizations. Discussions with City of Homer Park, Arts, Recreation & Culture Advisory Commission and City staff, yielded the following issues that will need to be addressed and budgeted for as the project moves forward:

- security vulnerability of the Public Works complex and sewer treatment facility;
- places recreational feature in floodplain, which is inconsistent with AK Department of Transportation & Public Facilities emergency response plan in the event of potential Beluga Slough Dam failure;
- mitigation of illegal use of lands newly accessed by the trail and the added security measures (landscaping/patrol time) it requires to insure public safety; and
- environmental permitting /land use authorizations.

Total Project Cost: The project will be accomplished in three phases with significant community-based labor and supplies anticipated.

Phase 1: negotiation with private land owner for donation or easement, project design work, and construction of 375 feet of the western-most part of the trail (backcountry – recreational trail design): \$25,000 - 75,000

Phase 2: construction of 1,200 feet of the eastern part of the trail (backcountry - recreational trail design): \$150,000 - 250,000

Phase 3: construction of 1,000 feet of the middle and wettest section requiring a semi-improved trail design: \$300,000 - 450,000



Proposed extension of the Beluga Slough Trail indicated by white dashed line.



Homer Hockey Association Kevin Bell Ice Arena Acquisition

FY 2022 - DRAFT Document

Project Description & Benefit: The Kevin Bell Arena was constructed in 2005, with initial funding from grants associated with the 2006 Arctic Winter Games combined with a loan from English Bay Corporation /Homer Spit Properties. Homer Hockey Association (HHA) has successfully operated the Arena since its opening. HHA has met operating and capital acquisition costs within a yearly budget of \$300,000 to \$350,000. HHA is seeking financial support to retire the remaining debt of \$2,087,000 million dollars from purchasing the Arena.

HHA's mission is to cultivate on-ice recreation of all kinds, for all ages, on the Lower Kenai Peninsula. HHA has been accomplishing this mission for more than a decade as one of the few non-profit, volunteer run ice rinks in the United States. Volunteers contribute an estimated 14,000 hours annually, representing a huge commitment of time and effort by our community. Over the years, programs have been expanded to include activities for all: figure skating, hockey at all age and skill levels, broomball, curling and numerous community and school open skate events. The public and open skate events bring up to 1000 additional users during the busiest months. These efforts earned HHA the 2012 Alaska Recreation and Parks Association Outstanding Organization award and more recent recognition from the USA Hockey Association.

The Kevin Bell Arena hosts numerous games, tournaments and events that bring commerce to the City of Homer. This is especially important during the winter when tourism and occupancy rates are low. HHA hosts several separate youth and adult hockey tournaments totaling approximately 150 games each year. In 2015-2016 these games brought over 1,160 out of town players to Homer, accompanied by family and fans that contributed an estimated \$646,187 to the local economy through lodging, transportation, dining and merchandise purchases. KBA has hosted several consecutive youth State Hockey Championship Tournaments which are widely attended by families from all over the State.

Plans and Progress: HHA has an active and committed Board of Directors and membership. The volunteer hours are leveraged by several successful fundraisers, sponsor and advertising campaigns, grant awards and donations each year. This covers approximately one third of the annual operating and capital expenses. The remaining expenses are covered by user fees.

The purchase of the building would provide HHA the opportunity to open more programs and expand existing programs to include more of the community. The high user fees are a barrier for many families but necessary just to meet annual expenses. The building purchase would allow HHA to adequately fund and plan for the replacement of the major mechanical components of the ice arena. It would also allow for major building maintenance projects to be funded. It could allow for heating and additional seating to accommodate the spectators. Major projects that could increase revenue such as permanent year-round flooring could become feasible. The building purchase would allow this important community resource to grow and prosper into the future.

Total Project Cost: \$2, 087,000



Christmas Eve public skate at Kevin Bell Arena is well attended.



Homer Senior Citizens Inc. Alzheimer's Unit

FY 2022 - DRAFT Document

Project Description & Benefit: Seniors are the fastest growing population for the State of Alaska. Homer is projected as the second city in the State which will see the most significant growth in this demographic. Homer Senior Citizens (HSC) operates a 40 bed assisted living facility. We have sent four seniors from our community due to Alzheimer’s disease in the past four years. Losing one senior a year is unacceptable as it tears away the fabric of our community. All of the seniors have families remaining in the Homer community.

In order to maintain the health of our senior population, a full continuum of care is required. Maintaining physical, mental and social capacity supports the dignity of our most vulnerable adults. An Alzheimer’s Unit has been a strategic priority for the HSC’s Board of Directors to keep our seniors home in the community.

The Alzheimer’s Unit will include sixteen beds. Homer Senior Citizens, Inc. has contracted with an architecture firm to produce designs and engineering recommendations. The unit will include a memory care unit to help maintain residents’ existing cognitive capacity. Specific features of the facility (therapy pool and activities room) will be open to all seniors 55 years of age and older. The therapy pool and activities room will be Phase 2 of the project and will incorporate low-impact exercise equipment to maintain seniors’ physical capacity. This also opens the possibility to contract with South Peninsula Hospital for use of the therapy pool for other age groups, benefiting the entire population of Homer.

Operating funds will be secured from “fees for service;” room and board; billing for Physical Therapy in both the therapy pool and the exercise program in the activities room (once Phase 2 has been completed) and fees for contracted use of therapy equipment and the pool. Projected five year profit will be approximately \$1,508,600. This does not include contractual arrangements with third party vendors.

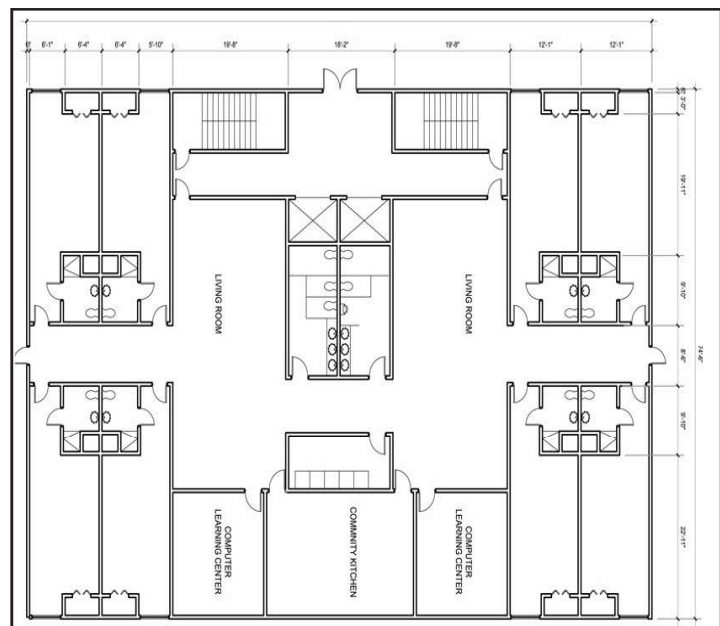
Plans & Progress: Currently HSC staff is completing the State of Alaska Certificate of Need. Design work continues; HSC has met with HydroWorx to incorporate the Therapy Pool with the Alzheimer’s Unit.

HSC is in the initial stages of fundraising for the Alzheimer’s Unit. Three foundations that fund this type of project have been identified. HSC sponsors annual fundraising events to secure the match for foundation grants.

Total Project Cost: \$7,000,000



Example of a HydroWorx Therapy Pool Room .





Kachemak Heritage Land Trust Poopdeck Platt Trail

FY 2022 - DRAFT Document

Project Description & Benefit: Kachemak Heritage Land Trust (KHLT) owns the 3.47-acre Poopdeck Platt property at the end of Klondike in Homer. Over the years, KHLT has worked with the National Park Service Rivers, Trails, Conservation Assistance Program, architects, Alaska State Parks, the City, the Independent Living Center (ILC) and community members to plan a community park and Americans with Disabilities Act (ADA) accessible trail on this property.

Most of the trail is on KHLT land (KPB Parcel #17719234). Part of the trail is situated on adjacent City of Homer land (KPB Parcel #17719231) to minimize the crossing of delineated wetlands in the southern portion of the property. An added advantage is to provide potential ADA connectivity between Pioneer Avenue and Bishop’s Beach. This project will benefit the Homer community by providing a universally accessible trail in the town center area, open to use by all people.

Plans & Progress: KHLT, working with a design consultant, completed the trail design and cost estimate in 2018. Homer City Council expressed its support for the project by passing Resolution 18-29 and authorizing expenditure of up to \$5,200 from the Homer Accelerated Roads and Trails Program for trail design. Design was completed with \$1,200 funds donated by community businesses and individuals and \$4,000 from the City of Homer.

Phase I of the trail construction was completed in 2019 after receipt of a Recreations Trails Program grant of \$45,921 from the State of Alaska and an additional 10% (\$5,103) match from the City of Homer. The interpretative and kiosk sign design were completed in 2020. The City resurfaced the Poopdeck Trail from Grubstake Avenue to Hazel Avenue and ADA parking spaces were installed at KHLT trailhead and on the City of Homer land in 2020.

KHLT is currently coordinating with the City of Homer and local volunteers to complete Phase II of trail construction that includes trail and drainage improvements in select locations, ordering and installing interpretive signs and kiosks, ADA accessible benches, dog waste receptacles and dog leash lending stations.

Total Project Cost: \$87,673

Phase I: Trail Design & Construction: \$56,223

Phase ii: Upgrade City of Homer Trail: \$6,185

ADA Parking: \$13,395

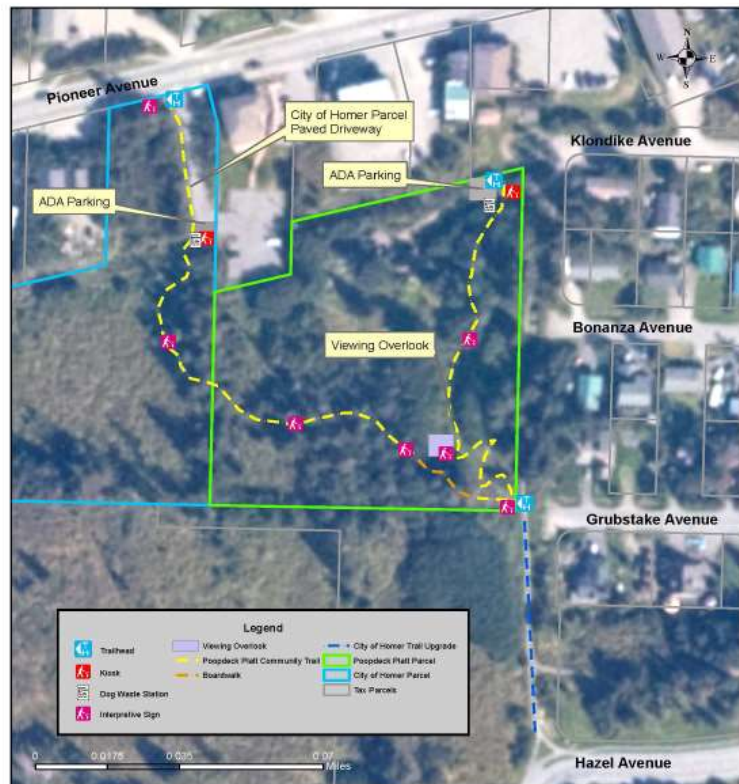
Trail & Kiosk Signs: \$8,500

Dog Waste Disposal & Leash Lending: \$1,870

ADA Benches: \$1,500



Community members and representatives of KHLT, the Homer Independent Living Center and City of Homer worked with Ptarmigan PTrails consultant to design the Poopdeck Platt trail.





KACHEMAK HERITAGE LAND TRUST

315 Klondike Ave., Homer, AK 99603
(907) 235-5263, www.KachemakLandTrust.org

**Poopdeck Platt
Community Trail
Site Plan**

NACI 1963 State Plan Alaska #FPCS 0004 Final
Threatened Species Act (ESA) 2018 Amendment
Created 04/19/2019. This information developed
on this project is a public improvement of land available sources
KHLT assumes no responsibility for any errors on this map.



Kachemak Shellfish Mariculture Association Kachemak Shellfish Hatchery

FY 2022 - DRAFT Document

Project Description and Benefit: Since 1994 Kachemak Mariculture Association (KSMA), a 501c5 organization, has steadfastly upheld its primary mission of assisting shellfish growers in Kachemak Bay to establish an economically sustainable oyster industry. Today through its close partnership with the Kachemak Shellfish Growers' Coop (KSGC), eleven aquatic farms are providing jobs for processing, marketing, and shipping half-shell oysters. For the last seven years the processing facility on the Spit is also culturing, marketing, and shipping oyster seed to the eleven member farms and to farms outside of Kachemak Bay.

Seven years ago KSGC farms were severely impacted by an oyster seed shortage affecting the entire Pacific Coast. The farmers wrestled with the financial realities of unpredictable seed shortages. KSMA farmers had to be in charge of their own seed production. It was decided to build a small experimental seed hatchery / setting facility at the KSMA building to address the seed needs of the growers. This experimental hatchery has consistently set millions of spat seed every year thanks due to the nutrient rich waters, dedication of two KSMA employees, and the growers volunteerism. The local nursery has been undermanned and underfunded, but the resulting seed has proven to out perform all other seed—it grows faster and mortality rates are significantly better than all previous seed grown outside of Alaska. However, this past year, severe tides and storms have hastened the degeneration of a critical piece of nursery equipment.

The piece of equipment is called a FLUPSY — a Floating UPwelling System. Microscopic spat cannot go directly from the hatchery to the farm sites. The spat must spend six months to a year in appropriately graded bins, at great labor expense of cleaning and grading, in salt water that is constantly being moved by an electrically-driven paddle wheel. At 18 years old, the FLUPSY lacks AK DEC compliant floatation, and is showing the wear-and-tear of the harsh maritime climate coupled with winter storm damage. The present FLUPSY is also unsecured making it a vandalism target. The project includes new safety equipment and covered, lockable dry storage for tools and laborer's needs.

The economic benefits of this oyster industry in Homer are great. Oysters have become a sparkling year-round addition to Homer's seafood options for locals and tourists alike. Every cooler of oysters delivered to the dock represents approximately \$150 to the grower. By the time the end user receives those oysters, the economic ripple effect becomes approximately \$725. Excess seed is sold to other growers in and out of state helping to fulfill an economic development priority in Alaska's Comprehensive Economic Development Strategy.

Our local hatchery and a new, safe state-of-the-art FLUPSY can also provide a viable educational lab for high school and university students, who currently have to travel to Seward for mariculture studies. Mariculture courses could easily be developed around aquatic farming opportunities including the raising of sea vegetables and kelp.

Plans and Progress: The new FLUPSY is being developed in two phases. The design phase is complete. With the help of the Kenai Peninsula Economic Development District, KSMA is pursuing grant funds to assist with the construction phase. Should funds be secured, KSMA will be seeking grant matching funds.

Total Project Cost: \$247,500



Left: Oyster spat ready to sell to growers. Right: FLUPSY bins taken out of the water. Spat in the right bin has been cleaned, sorted, graded and counted.



Kachemak Ski Club Homer Rope Tow Access & Equipment Upgrades

FY 2022 - DRAFT Document

Project Description & Benefit: The Kachemak Ski Club was founded more than sixty years ago to operate a rope tow on Ohlson Mountain near Homer. Our founders wanted to get Homer kids out of the house on the weekends and it is no different today. Over the years, this historic public recreational treasure has hosted thousands downhill sports enthusiasts as well as family and social gatherings.

This project improves access to the base of the ski hill from Ohlson Mountain Road, making the lodge and slopes more welcoming for youngsters and newcomers. It relocates and refurbishes the hill's aging bullwheel at the top of the slopes and includes grade work to the upper slope's towpath to lower the rope's haul angle. It also includes purchase of equipment used to prep the slopes as well as terrain park devices to challenge the skills of today's skiers and snow boarders.

Plans and Progress: The Homer Rope Tow recreation area is separated from Ohlson Mountain Road by private land, but has legal access via a section line easement. A circuitous quarter mile long trail connects the road to the hill, avoiding several structures that encroach into the easement. To make access safer and quicker, Kachemak Ski Club plans to purchase easement that would halve the walk-in distance from the road and construct a new Ohlson Mountain Road turnout with a widened parking area. These upgrades will make access shorter and more manageable for parents juggling both gear and young children and minimize the need for double parking on Ohlson Mountain Road during crowded weekends.

In addition to the above-described relocation of the electric motor bullwheel house and grade work to the upper slope, Kachemak Ski Club plans to acquire grooming equipment such as a tracked 4 wheeler vehicle capable of towing the Club's existing slope grass mowing device and snow groomer, and some limited freestyle terrain park features (such as a rails, boxes or table tops).

Total Project Cost: \$91,000

Equipment: \$44,500

Access Trail & Right of Way: \$46,500



Youth enjoying Homer's own downhill ski area.



South Peninsula Behavioral Health Services: The Annex Upgrade

FY 2022 - DRAFT Document

Project Description & Benefit: South Peninsula Behavioral Health Services provides services at multiple sites throughout Homer. Our customers include children, adults and families that may be struggling with mental illness, development disabilities, substance use disease, or combinations of all three. One of our older facilities, 948 Hillfair Court, also known as The Annex, houses several of our important programs serving over 140 individual customers annually. Programs include:

- *Journeys*, day treatment and adult rehab.
- *Souply*, our vocational training soup delivery program.
- *Individual Placement and Support (IPS)*, our vocational training program that partners with local business to provide vocational experience for those struggling with a variety of issues;
- As well as treatment and case management support for our customers in need.

The building is old and annual repairs to plumbing, painting, the Souply kitchen, and the treatment rooms often exceeds our maintenance budget for our entire agency. We are in the initial planning stages of rebuilding and redeveloping this property to better accommodate the needs of our clients, our staff and the community.

The updated building will include a revitalized commercial kitchen; treatment rooms that are private and secured; group and community rooms that are designed to meet the needs of our population; updated electric, plumbing and network services; and expanded services to meet the health needs of the community.

Plans and Progress: SPBHS has completed phase one of the project with a \$50,000 dollar grant to improve the foundation and address structural issues. This also included clearing space next to the building and addressing drainage issues created by neighboring properties. SPBHS also received a grant to assist in upgrading the Souply kitchen equipment.

The SPBHS Board of directors Facilities Committee and the Client Council have been reviewing possible next steps for updating/ expanding the building. This has included developing plans to remodel the current footprint while expanding internal square footage to better meet the needs of the program. It has also included proposals to build an additional building immediately adjacent to meet the needs of the clients and the community.

Upon finalizing the next steps the agency will begin moving forward with a three-year project to remodel The Annex. This will include fundraising from foundations and other charitable organizations, determining the full scope of services to implement in the new building, and developing a three-year work plan. SPBHS has included in its budget for the coming year an effort to end the year with a \$250,000 surplus earmarked for the project.

Total Project Cost: \$500,000-\$750,000.



Annual maintenance to the Annex, an older, former residential building that houses several SPBHS programs, often exceeds SPBHS' entire agency maintenance budget.



The Annex's group treatment space needs remodeling to make the space more private and separate from a public entrance, public bathroom and stairway to offices..



Capital Improvement Long-Range Projects

FY 2022 - DRAFT Document

The following projects have been identified as long-range capital needs but have not been included in the Capital Improvement Plan because it is not anticipated that they will be undertaken within the six-year period covered by the CIP. As existing CIP projects are funded or as other circumstances change, projects in the long-range list may be moved to the six-year CIP.

Local Roads

Fairview Avenue – Main Street to East End Road: This project provides for the design and construction of Fairview Avenue from Main Street to East End Road. The road is approximately 3,000 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. The project extends from the intersection of Main Street to the Homer High School, and finally to East End Road, and will provide an alternative to Pioneer Avenue for collector street access east/west across town. This roadway would benefit the entire community by reducing congestion on Pioneer Avenue, the major through-town road, and would provide a second means of access to the high school. It would also allow for development of areas not currently serviced by municipal water and sewer.

This improvement is recommended by the 2005 Homer Area Transportation Plan. Necessary right of way has already been dedicated by the Kenai Peninsula Borough across the High School property.

Cost: \$1.75 million Priority Level 3

Fairview Avenue – Main Street to West Hill Road: This project provides for the design and construction of Fairview Avenue from Main Street to West Hill Road. The road is approximately 4,200 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. In conjunction with the Fairview to East End Road project, this project will benefit the entire community by providing an alternative to Pioneer Avenue for collector street access east/west across town, thereby reducing congestion on Pioneer Avenue and developing alternative access for emergency vehicle response. The need for the road extension has increased markedly with the development of three major residential subdivisions in the area.

This improvement is recommended in the 2005 Homer Area Transportation Plan.

Cost: \$3 million Priority Level 3

Parks And Recreation

Beach Access from Main: This project will provide residents and visitors with coastal viewing stations and access to the beach at the southern end of Main Street, utilizing City-owned land. The project will enhance connectivity in Homer's developing trails and park system, providing additional access so that beach-goers can walk onto the beach at one point and off at another, on a loop through Old Town, Town Center, etc. For those not physically able to walk all the way to the beach, platforms near the roads will provide nice views and benches on which to relax. Interpretive signage could provide information on Homer history, beach formation, and other topics.

The Main Street beach access point is envisioned to have a small parking area, a viewing platform with a bench, and stairs with landings.

Cost: \$250,000 Priority Level 3



Capital Improvement Long-Range Projects

East Trunk/Beluga Lake Trail System: This project will create two connecting trails:

- The Beluga Lake Trail will partially encircle Beluga Lake with a raised platform trail that includes a wildlife observation site. The trail will connect neighborhoods and business districts on the north and south sides of the lake.
- The East Trunk Trail will provide a wide gravel pathway from Ben Walters Park east along the City sewer easement, along the north side of Beluga Lake (connecting with the Beluga Lake Trail), and eventually reaching East End Road near Kachemak City.

The completed trail system will connect Paul Banks Elementary School, the Meadowood Subdivision, and other subdivisions and residential areas to Ben Walters Park. It will additionally provide hiking, biking, and wildlife viewing opportunities around Beluga Lake. In addition, it will provide an important non-motorized transportation route.

The Beluga Lake Trail, a trail connection to Paul Banks Elementary School and East End Road are included in the 2004 City of Homer Non-Motorized Transportation and Trail Plan.

Cost: Beluga Lake Trail—\$1.5 M East Trunk Trail—\$2 M Priority Level 3

Horizon Loop Trail, Phase 1: The Homer Horizon Loop Trail is proposed as a four to five mile route that would run clockwise from Karen Hornaday Park up around the top of Woodard Creek Canyon, traverse the bluff eastward, and then drop down to Homer High School. The parking lots of Karen Hornaday Park and Homer High School would provide trailhead parking. Those wishing to complete the loop will easily be able to walk from the high school to Karen Hornaday Park or vice versa via Fairview Avenue. A later stage of trail development will connect the Horizon Loop Trail with the Homestead Trail at Bridge Creek Reservoir.

Cost: Staff Time Priority Level 3

Jack Gist Park Improvements, Phases 3: Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel was developed primarily for softball fields. The long-term goal is to acquire adjacent properties that will provide space for soccer fields. Phase 3 development will construct a plumbed restroom at the park and develop soccer fields.

Cost: \$400,000 Priority Level 3

Karen Hornaday Park Improvements, Phase 4: Phase 4 park improvements will include building a concession stand, shed, landscaping, signage, and revegetating Woodard Creek.

Cost: \$860,000 Priority Level 2

Mariner Park Improvements: This project will provide significant improvements to Mariner Park as called for in the park's master plan: Construct a bike trail from the "Lighthouse Village" to Mariner Park (\$325,000); Construct a pavilion, additional campsites, and interpretive kiosk (\$150,000); and improve the appearance of the park with landscaping (\$75,000).

Total: \$500,000 Priority Level 3

FY 2022 - DRAFT Document



Capital Improvement Long-Range Projects

FY 2022 - DRAFT Document

UTILITIES

Water Storage/Distribution Improvements Phase 4 - Spit Water Line: The existing Homer Spit water line is 40 years old and is constructed of 10-inch cast iron. In recent years it has experienced an increasing number of leaks due to corrosion. The condition has been aggravated by development on the Spit resulting in increased load from fill material on an already strained system. This project consists of slip lining approximately 1,500 linear feet of water main to the end of the Spit. Slip lining the Homer Spit waterline, versus replacing, will reduce cost while ensuring an uninterrupted water supply for public health, fire/life safety needs, and expanding economic activities on the Spit. Grant funds from the EPA allowed the City to complete project design in 2014.

Cost: \$400,000 Priority Level 3

Bridge Creek Watershed Acquisition: Currently, the Bridge Creek watershed is the sole source of water for Homer. To protect the watershed from development that could threaten the water supply and to ensure the availability of land for possible future expansion of water treatment operations within the watershed, the City seeks to acquire additional acreage and/or utilize conservation easements to restrict development that is incompatible with clean water.

Cost: \$1,000,000 Priority Level 3

Alternative Water Source: Currently Bridge Creek Reservoir is Homer's sole water source. Population growth within the City, increased demands for city water from residents outside City limits, increasing numbers of tourists and summer residents, and climate change that has reduced surface water availability are all factors in the need for a new water source to augment the existing reservoir. An alternative water source also builds redundancy into this essential life/safety municipal infrastructure, making it possible to serve town with treated drinking water and adequate fire protection in the event of contamination or earthquake damage to Bridge Creek Reservoir.

Cost: \$16,750,000 Priority Level 3

West Hill Water Transmission Main and Water Storage Tank: Currently, water from the Skyline treatment plant is delivered to Homer via two transmission mains. One main (12-inch) is located along East Hill Road and delivers water to the east side of town. The other (8-inch) runs directly down to the center of town. A third transmission main is needed to deliver water to the west side of town, provide water to the upper West Hill area, and provide backup support to the two existing transmission mains. A new water storage facility is also needed to meet the demands of a rapidly growing community.

The addition of a third water transmission main has been identified in comprehensive water plans for over 20 years.

Cost: Design—\$500,000 Construction—\$4.5 M Priority Level 2

STATE PROJECTS

Ocean Drive Reconstruction with Turn Lane: Ocean Drive, which is a segment of the Sterling Highway (a State road) connecting Lake Street with the Homer Spit Road, sees a great deal of traffic, particularly in the summer, and has become a source of concern for drivers, bicyclists, pedestrians, and tour bus operators. This project will improve traffic flow on Ocean Drive and reduce risks to drivers, bicyclists, and pedestrians by creating a center turn lane, providing well-marked crosswalks, and constructing a separated bike path. The project will also enhance the appearance of the Ocean Drive corridor by moving utilities underground and providing some landscaping and other amenities.

Currently, a bicycle lane runs on the south side of Ocean Drive. However, it is common for cars and trucks to use the bicycle lane to get around vehicles which have stopped in the east-bound traffic lane in order to make a left turn. Some frustrated drivers swing around at fairly high speeds, presenting a significant risk to bicyclists and pedestrians who may be using the bike lane. In recent years, the Homer Farmers Market has become a popular attraction on the south side of Ocean Drive during the summer season, contributing to traffic congestion in the area. In addition, Homer is seeing more cruise ship activity which also translates into more traffic on Ocean Drive. All of these factors have led to increased risk of accidents.



Capital Improvement Appendices

- **CIP Development Schedule56**
- **Resolution 19-06157**
- **City of Homer Financing Assumptions58**



Capital Improvement Appendices

**CITY OF HOMER
2021-2026 CAPITAL IMPROVEMENT PLANNING PROCESS
FY 2022 LEGISLATIVE REQUEST DEVELOPMENT SCHEDULE**

ACTION	TIME FRAME
City Council Approval of CIP Planning Schedule	May 26, 2020
Solicit new/revised project information from City Departments, local agencies and non-profits	June 1
Input for New Draft Requested By	June 12
Prepare and Distribute Draft CIP to City Advisory Groups for Review and Input:	
Planning Commission	July 15, August 19
Park, Arts, Recreation and Culture Advisory Commission	June 18, August 20
Port and Harbor Advisory Commission	July 22
Economic Development Advisory Commission	August 11
ADA Committee	August 27
Administrative Review and Compilation	August 15- August 31
City Council Worksession to Review Proposed Projects	September 14
Introduction of Resolution on CIP/Legislative Request	September 28
Public Hearing on CIP/Legislative Request	September 28
Public Hearing on CIP/Legislative Request	October 12
Adoption of Resolution by City Council	October 12
Administration Forwards Requests for Governor’s Budget	October 16
Distribution of CIP and State Legislative Request	October 17
Compilation/Distribution of Federal Request	October 2021 & January 2022



Capital Improvement Appendices

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**CITY OF HOMER
HOMER, ALASKA**

Mayor/City Council

RESOLUTION 19-061

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, ADOPTING THE 2020-2025 CAPITAL IMPROVEMENT PLAN AND ESTABLISHING CAPITAL PROJECT LEGISLATIVE PRIORITIES FOR FISCAL YEAR 2021.

WHEREAS, Duly published hearings were held on September 9 and September 23, 2019 to introduce the final draft of the 2020-2025 CIP and to obtain public comments on capital improvement projects and legislative priorities; and

WHEREAS, The Council received comments from all of the City of Homer Advisory Commissions and held a CIP worksession on August 26, 2019; and

WHEREAS, It is the intent of the City Council to provide the Governor, the State Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding sources with adequate information regarding the City's capital project funding needs.

NOW, THEREFORE BE IT RESOLVED by the City Council of Homer, Alaska, that the "City of Homer Capital Improvement Plan 2020-2025" is hereby adopted as the official 6-year capital improvement plan for the City of Homer.

BE IT FURTHER RESOLVED that the following capital improvement projects are identified as priorities for the FY2021 State Legislative Request:

1. Homer Barge Mooring & Large Vessel Haul Out Repair Facility
2. Large Vessel Port Expansion
3. Storm Water Master Plan
4. Main Street Sidewalk North
5. Multi-Use Community Center, Phase 1

BE IT FURTHER RESOLVED that projects for the FY2021 Federal Legislative Request will be:

1. Homer Barge Mooring & Large Vessel Haul Out Repair Facility
2. Large Vessel Port Expansion

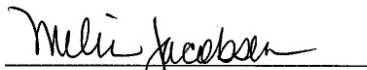
BE IT FURTHER RESOLVED that the City Manager is hereby instructed to advise appropriate State and Federal representatives and personnel of the City's FY 2021 capital project priorities and take appropriate steps to provide necessary background information.

PASSED AND ADOPTED by a duly constituted quorum of the City Council for the City of Homer on this 23rd day of September, 2019.

CITY OF HOMER


KEN CASTNER, MAYOR

ATTEST:


MELISSA JACOBSEN, CITY CLERK





Capital Improvement Appendices

City of Homer Financing Assumptions: Capital Improvement Program

Implementation of the City of Homer Capital Improvement Plan requires utilization of various financing mechanisms. Financing mechanisms available to the City of Homer include:

- Federal grants or loans
- State grants or loans
- General obligation bonds
- Limited obligation bonds
- Revenue bonds
- Special assessment bonds
- Bank loans
- Pay as you go
- Private sector development agreements
- Property owner contributions
- Lease or lease–purchase agreements

The use of any of the financing mechanisms listed above must be based upon the financial capability of the City as well as the specific capital improvement project. In this regard, financing the CIP should take into consideration the following assumptions:

1. The property tax cap of six-mill (at which point sales tax goes away) precludes use of this revenue source for major capital improvements. Available revenue should be utilized to fund operation and maintenance activities.
2. The operating revenue of enterprise funds (Port & Harbor, Water & Sewer) will be limited and as such, currently only fund operation and maintenance activities.
3. The utilization of Federal and State grants will continue to be significant funding mechanisms. Grants will be pursued whenever possible.
4. The 1½ percent sales tax approved by voters of Homer for debt service and CIP projects is dedicated at ¾ percent to sewer treatment plant debt retirement, with the remaining balance to be used in water and sewer system improvement projects, and ¾ percent to the Homer Accelerated Roads and Trails (HART) Program for building, improving and maintaining Homer’s roads and trails. The annual budget will transfer a minimum of \$550,000 of the ¾ percent dedicated sales tax exclusively for road and trail capital improvements and construction. The HART Program will require property owner contributions of \$30 per front foot for road reconstruction, with an additional \$17 per front foot for paving.
5. The Accelerated Water and Sewer Program will only be considered if the fund has a debt service of 1.25 or greater.
6. The private sector will be encouraged to finance, construct, and operate certain nonessential capital improvements (e.g., overslope development).
7. The utilization of bonds will be determined on a project-by-project basis.
8. The lease and/or lease–purchase of capital improvements will be determined on a project-by-project basis.

**CITY OF HOMER
HOMER, ALASKA**

Mayor

RESOLUTION 20-087

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
CREATING A SECOUND ROUND OF CARES ACT GRANTS FOR
SMALL BUSINESSES.

WHEREAS, Ordinance 20-25(S) appropriated \$3,000,000.00 from the City’s CARES Act grant for the purpose of providing grants to cover eligible expenses incurred by small businesses that have suffered economic harm from the economic slowdown due to the novel Coronavirus ; and

WHEREAS, Resolution 20-57 established the Small Business Economic Relief Grant program (SBERG), which established the eligibility requirements and duration of the program; and

WHEREAS, The existing SBERG program expired on September 25, 2020; and

WHEREAS, The funding that was set aside for the SBERG program has a substantial balance remaining; and

WHEREAS, The Kenai Peninsula Borough has funded businesses that are located outside of the City’s boundaries at a much higher level than the original SBERG program; and

WHEREAS, Ordinance 20-60 appropriated additional CARES Act funds from the Kenai Peninsula Borough that recognizes and corrects the disparity between the original SBERG program and the Borough’s small business grant program; and

WHEREAS, Businesses in Homer that began after March 14, 2020 were not eligible for SBERG grants, but can now demonstrate economic losses from the continuing COVID 19 pandemic, and should be included in any additional economic relief grant programs; and

WHEREAS, The COVID 19 pandemic is now in its seventh month and the City’s businesses are still suffering the strain of lost revenue due to actions taken to protect public health.

NOW, THEREFORE BE IT RESOLVED that the City of Homer establishes a Round 2 Small Business Economic Relief Grant (SBERG) Program to respond to the continued economic hardships for businesses in the City of Homer as a matter of necessity as a result of the COVID-19 pandemic and associated health mandates.

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BE IT FURTHER RESOLVED that the parameters of the SBERG Round 2 Program are adopted as the SBERG Round 2 Program Policy under this resolution.

BE IT FURTHER RESOLVED that the City of Homer will exercise best efforts to communicate the opportunity for this program throughout the community and provide technical assistance to those working to submit successful applications to the grant program.

BE IT FURTHER RESOLVED that City administration will provide regular reports to the Homer City Council about the status of the SBERG Program including information such as the number of applications received, number of applications processed, and account balances of the program fund.

PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: N/A



**CITY OF HOMER COVID-19 SBERG2 PROGRAM POLICY
SMALL BUSINESS ECONOMIC RELIEF GRANT ROUND 2
GRANT PROCEDURES AND CRITERIA**

1 **Purpose**
2

3 Round 2 of the Small Business Economic Relief Grant (SBERG2) Program is designed to respond
4 to the continued economic hardships City of Homer businesses are suffering due to lost
5 revenue a result of the Covid-19 pandemic and associated health mandates. The City of Homer,
6 using Coronavirus Aid, Relief, and Economic Security (CARES) Act funding, has allocated
7 \$2,000,000 to be distributed through this program in grants up to \$50,000 based on eligible
8 expenses not to exceed percentage of revenue loss in 2020 relative to 2019.

9
10 **Eligibility Criteria**
11

- 12 1. Must either have a physical place of business situated within the City of Homer (this
13 may include an office, home-based business, restaurant, store, or other space that
14 depends on foot traffic) or primary business activity must occur within the City limits.
- 15 2. Must be considered a small business by the State of Alaska.
- 16 3. Must have filed a sales tax report with the Kenai Peninsula Borough within the last two
17 quarters of 2019 and/or within one of the first two quarters of 2020 that indicates City
18 of Homer taxable sales. Compliance for businesses who do not collect City of Homer
19 sales tax will be reviewed based on licensing and/or sales tax filings (for business who
20 work for non-profit, government or provide service as sub-contractors, or businesses
21 with a physical presence in Homer city limits that only file sales tax with the Kenai
22 Peninsula Borough.)
- 23 4. Must be in good standing on payments and filed returns with the Kenai Peninsula
24 Borough Tax Department.
- 25 5. All applicants must certify and provide a brief explanation as to how the business
26 suffered a loss of revenue as a result of the Covid-19 pandemic.
- 27 6. Grantees of the prior City of Homer SBERG program are presumptively qualified
28 provided they
 - 29 a. certify additional financial need for eligible Covid-19 emergency related
30 expenses that have not been or are not expected to be reimbursed through any
31 other loan/grant program, and/or
 - 32 b. provide supplemental financial documents for grant requests over \$4,500.
- 33 7. The City reserves the right to interpret the terms of this program.

34
35 **Grant funds are eligible for:**
36

- 37 1. Payment of rent or required monthly loan payments
- 38 2. Payments of essential wages, taxes, and normal benefits to employees essential to
39 maintain business

- 40 3. Normal operating costs that are included in "cost of goods sold" on business's income
41 statement (raw materials for manufacturers, component pieces for assemblers, items
42 for resale for retailers, food for restaurants, etc.)
43 4. Normal operating expenses that are included in "operating expenses" on businesses'
44 income statement (utilities, insurance, professional services, etc.)
45 5. Normal draw or wages on a weekly or monthly basis to owner

46

47 **Grant funds ineligible for:**

48

- 49 1. Any expense that would not be considered an eligible business expense by IRS rules
50 2. Political contributions
51 3. Bonuses to owners or employees
52 4. Wages to any member of owner's family who is not a bona fide employee
53 5. Charitable contributions
54 6. Gifts or parties
55 7. Draw or salary to owner that exceed the amount that they were paid on a weekly or
56 monthly basis for the same period in 2019
57 8. Pay down or pay off debt by more than required in underlying debt instrument
58 9. Any expense considered ineligible under the State of Alaska CARES Act grant program
59 10. Expenses that have been or are expected to be reimbursed through any other
60 loan/grant program

61

62 **Grant amounts:**

63

64 All grant awards are based on financial need and according to an itemized list of eligible
65 expenditures provided by the applicant.

66

67 **Option 1: Award based on percentage loss.**

68 SBERG2 grant award is based on eligible expenses and percentage of loss when comparing
69 gross income reported on KPB sales tax reports for 2019 and the first three quarters of 2020.
70 The 4th quarter of 2020 will be averaged to populate a total gross income for 2020. Award is
71 capped at an amount not to exceed 2019 earnings, or \$50,000 whichever is less. Businesses
72 who are tax exempt will provide IRS filings for 2019 and current profit/loss statement for 2020.
73

74 Grant award will not allow business to exceed earnings of 2019 and must be itemized with
75 eligible expenses. (Example – if reported gross earnings for 2019 totals \$100,000 and estimated
76 income for 2020 is \$80,000, grant award would not exceed \$20,000.)
77

78 **Option 2: Standard SBERG award.**

79 First time SBERG applicants who choose not to submit annual income reports can request up
80 to \$4,500 based on eligible expenses; SBERG1 award recipients who choose not to submit

81 annual income reports can request an additional \$1,500 through the SBERG2 program based
82 on eligible expenses.

83

84 Businesses started in 2nd quarter 2020:

85 SBERG2 grants up to \$4,500 will be available for new businesses who opened during the 2nd
86 Quarter of 2020 based on eligible expenses.

87

88 **Application Process:**

89

- 90 1. The business owner must fill out the application available online at the City of Homer
91 website or paper application available from the City Clerk's office. Applications must be
92 submitted within the advertised application period.
- 93 2. If not submitted with a previous City of Homer SBERG application, applicant must
94 submit a signed IRS W-9 form with their application.
- 95 3. The applicant's 2019 third or fourth quarter or 2020 first quarter business sales tax filing
96 must have been timely made, and the business must be in good standing with the Kenai
97 Peninsula Borough Tax Department, not have any outstanding unpaid sales tax
98 balance, or missed filings.
- 99 4. All applications received by the deadline will go through a review and verification
100 process to insure applicants meet the eligibility requirements.
- 101 5. Applicants who submit incomplete applications will be notified by email. Applications
102 may be amended before the deadline.
- 103 6. Applicants whose requests are denied will be notified via email. A grantee who is
104 denied may appeal in writing to the City Manager no later than 5 PM the 10th calendar
105 day after the applicant receives notice from the City.
- 106 7. Once all applications have been reviewed and verified, grant payments covering
107 eligible, documented expenses may be dispersed to eligible applicants. In the unlikely
108 event more funds are requested than is allocated to SBERG2, standard and new
109 business awards will be dispersed first, followed by awards based upon percentage of
110 loss, with businesses with highest percentage of loss ranking highest. Grantees will be
111 notified via email once their grant award has been approved.
- 112 8. Information provided in the SBERG2 application will be kept confidential to the extent
113 authorized by law.
- 114 9. Grant funds received must be fully expended by December 30, 2020. If funds have not
115 been expended, they must be returned to the City. Funds must be used in accordance
116 with the guidelines of this program.
- 117 10. An IRS 1099 Misc. income form will be issued by January 31, 2021.
- 118 11. It is incumbent upon the applicant to determine whether:
119 a. Proceeds from the grant are taxable, or

120 b. The receipt of a grant under this program might preclude eligibility for any
121 other grant or aid programs.

122

123 **Reporting**

124 Grantees are required to expend grant funds in accordance to the budget they provide as part
125 of the SBERG2 application itemizing how grant funds are to be used to reimburse eligible
126 expenses associated with COVID-19 and incurred or reasonably expected to be incurred from
127 March 1, 2020 to December 30, 2020. Grant funds must be either fully expended or any unused
128 portion returned to the City of Homer by December 30, 2020.

129 Grants received under this program are subject to audit and may be randomly selected to
130 produce documentation for program evaluation. This may include the completion of a
131 reporting form provided by the City documenting how the funds were used. Grantees are
132 required to maintain records and receipts for grant expenditures for a period of six years and
133 make them available upon request.

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Smith /
4 Public Works Director

5 **RESOLUTION 20-091**
6

7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, TO
8 INITIATE A SPECIAL ASSESSMENT DISTRICT FOR THE PURPOSE
9 OF SERVING THE TASMANIA COURT NEIGHBORHOOD WITH CITY
10 SEWER SERVICE, IN CONJUNCTION WITH THE TASMANIA COURT
11 WATER SPECIAL ASSESSMENT DISTRICT.
12

13 WHEREAS, Property owners on Tasmania Court filed an application to form a Special
14 Assessment District to get City water lines extended to their neighborhood; and
15

16 WHEREAS, The City processed this application, following the process specified in City
17 Code, including holding a public hearing on September 14, 2020; and
18

19 WHEREAS, The number of subject property owners who did not object, is sufficient to
20 allow the proposed Water Assessment District to be formed; and
21

22 WHEREAS, The City Council, at its regular meeting of September 28, 2020, adopted an
23 ordinance forming the Water Special Assessment District; and
24

25 WHEREAS, The subject properties are not currently served by City sewer; and
26

27 WHEREAS, There is evidence that properties, which are served by City water, use more
28 water and are at a higher risk of experiencing problems with on-site sewage systems, which
29 could put the public health and safety at risk; and
30

31 WHEREAS, It is more cost effective to install City sewer lines at the same time that water
32 lines are being installed.
33

34 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska:
35

36 1. That the process of creating a Special Assessment District for the purpose of
37 extending City sewer service to the Tasmania Court neighborhood is hereby initiated; and
38

39 2. The City Manager is authorized to conduct the next steps of the Special
40 Assessment District formation process.
41

42 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of September, 2020.

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CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 20-158

TO: Mayor Castner and City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, Director of Public Works
DATE: September 23, 2020
SUBJECT: Tasmania Court Special Assessment District – for Sewer

Issue: The City Council is expected to authorize the Tasmania Court Water Improvement Special Assessment District to provide the neighborhood with City water. This neighborhood is not currently served by City sewer. We propose the Council initiate a Special Assessment District for the purpose of extending City sewer service to this neighborhood in conjunction with the project to extend City water service.

Background:

The properties involved in the Tasmania Court Special Assessment District currently rely on on-site sewage disposal systems. These systems must be permitted by the Alaska Department of Environmental Conservation when they are installed. At one time, this agency conducted regular inspections of such systems. However, due to budget cutbacks, this is no longer the case. On-site septic systems are challenging in Homer because of bad soils, high ground water and copious quantities of surface water from rainfall, open springs and storm water runoff. We know at least one property owner in the Tasmania Court neighborhood had to replace their septic leach field in the past year, at the cost of about \$11,000. Plus, people connected to City water usually use more water than those who rely on hauled water; typical household water use for City water is 150 gallons per day, instead of 25 or fewer gallons per day for households using hauled water. It is reasonable to expect that access to City water will exacerbate the challenges related to septic systems in the neighborhood and the City has little means to address this.

A City sewer main is relatively close. Our estimated costs to install a sewer line are just slightly higher than the costs of the proposed water line. Certainly, installing the two lines at the same time would achieve some economies of scale. The City Code authorizes the Council to initiate the formation of a Special Assessment District for the purposes of extending the sewer line. Once the process is started, we will investigate the engineering, estimate the costs and talk with the property owners about the concept of a sewer project. This would be done over the winter, as the process of designing and planning for the water line takes place. Then, if the sewer element goes forward, the two utilities, water and sewer, can be extended at the same time.

Action Recommended:

That the City Council pass the proposed resolution initiating the Special Assessment District process for the Tasmania Court neighborhood for the purpose of extending City sewer service to the Tasmania Court neighborhood.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 20-092

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
ACKNOWLEDGING THE SUFFICIENCY OF THE SEAWALL
IMPROVEMENT SPECIAL ASSESSMENT DISTRICT AND APPROVING
THE IMPROVEMENT PLAN, ESTIMATED COST OF IMPROVEMENT
AND ASSESSMENT METHODOLOGY.

WHEREAS, A petition was initiated by the Homer City Council by Resolution 20-062; and

WHEREAS, The Seawall Improvement Special Assessment District boundary includes property fronting the existing seawall that would be impacted in the future by bluff erosion without a functioning seawall; and

WHEREAS, The estimated cost of the seawall improvements is \$1,035,970 with property owners paying 100% of the costs; and

WHEREAS, A Public Hearing was held on September 28, 2020 and _____ property owners in the district commented in support of the project; and

WHEREAS, The deadline to receive written objections was September 27, 2020 and _____ written objection(s) were received; and

WHEREAS, City Council finds that the seawall improvement is necessary and to the benefit of the following 17 properties that shall be included in the Seawall Improvement Special Assessment District:

T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 34	Renner, Martin	17718013
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 35 & 36	Newby Revocable Trust	17718019
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 37	Szajkowski, John J & Janet J	17718016
	City of Homer - Easement	
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 38	Heuper, Marilyn & Paul	17717701
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 39	Norman S Schumacher Trust	17717702
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 40	Irwin, Patrick L & Sarns -Irwin Kathleen	17717703

T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 41	Green Man Trust	17717704
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 42	Abbott, Finlay	17717705
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 43	City of Homer	17717706
T 6S R 13W SEC 29 Seward Meridian HM 0003415 OSCAR MUNSON SUB LOT 44	City of Homer	17717707
	City of Homer - Easement	
T 6S R 13W SEC 20 & 29 Seward Meridian HM 0850114 OSCAR MUNSON SUB NO 18 LOT 45-A	Jump, Charlene A	17717904
T 6S R 13W SEC 20 & 29 Seward Meridian HM 0850114 OSCAR MUNSON SUB NO 18 LOT 45B	Goode Larry Jack Living Trust Bourgeois, Sunny Dee	17717903
T 6S R 13W SEC 21 Seward Meridian HM BEGINNING AT CORNER OF SEC 20 21 28 & 29 T HENCE N 64 DEG 10 MIN E 50.00 FT TH S 64 DEG 10 MIN E 50.00 FT TH EAST 35.00 FT TH N 0 DEG 05 MIN W 450.00 FT TH WEST 125.00 FT TH S 0 DEG 05 MIN E 450.00 FT TO THE POB	King, Lawrence A & Sharon S	17923036
T 6S R 13W SEC 21 Seward Meridian HM 0860087 TAMIAN SUB LOT 1	Winne-Wilson, Victoria Winne, Clark	17923026
T 6S R 13W SEC 21 Seward Meridian HM 0860098 SEABREEZE SUB LOT 5	Lawer, David A & Roxanna E	17923028

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WHEREAS, The 17 properties will be assessed through an Direct Wall Frontage Lineal Foot methodology.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska acknowledges the sufficiency of the Seawall Improvement Special Assessment and approves the improvement plan, estimated cost of improvement, and assessment methodology.

PASSED AND ADOPTED by the Homer City Council this 28th day of September, 2020.

CITY OF HOMER

 KEN CASTNER, MAYOR

49 ATTEST:

50

51

52 _____

53 MELISSA JACOBSEN, MMC, CITY CLERK

54

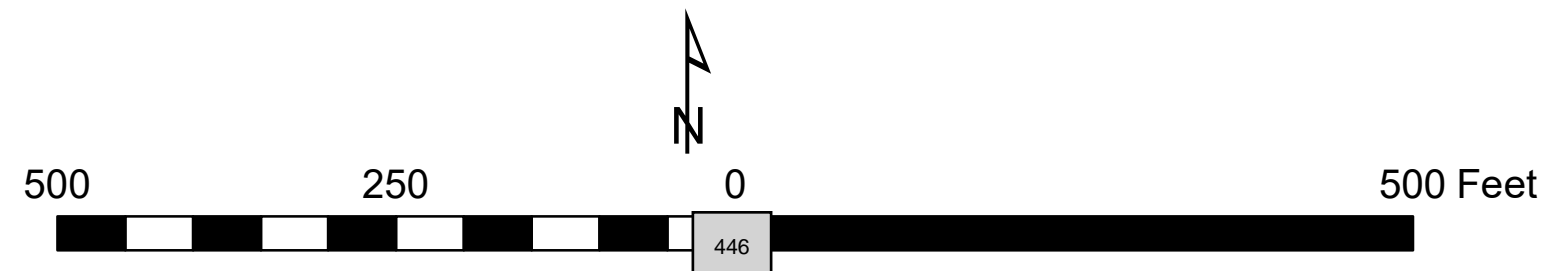
55 Fiscal Note: City of Homer share \$171,151.00




Seawall Improvement Special Assessment District for Armored Toe Improvement Proposal

Legend

- Seawall - Sheet Pile
- Potential SAD District Boundary





City of Homer Alaska
Dept of Public Works
9/21/2020

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.