



Homer City Hall

491 E. Pioneer Avenue

Homer, Alaska 99603

www.cityofhomer-ak.gov

City of Homer Agenda

Planning Commission Regular Meeting

Wednesday, November 04, 2020 at 6:30 PM

Council Chambers via Zoom Webinar

Webinar ID: 955 9138 2352 Password: 976062

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

CALL TO ORDER, 6:30 P.M.

AGENDA APPROVAL

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

RECONSIDERATION

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

- A. Minutes of the October 21, 2020 Planning Commission Regular Meeting **p. 3**
- B. Utility easement vacation request at Tract E-1-A Carl Sholin Subdivision SBS 1996 Addition No. 2 **p. 11**
- C. Decisions and Findings for Conditional Use Permit 20-16 at 4424 Starboard Way **p. 17**

PRESENTATIONS / VISITORS

REPORTS

- A. Staff Report 20-68, City Planner's Report **p. 23**

PUBLIC HEARINGS

PLAT CONSIDERATION

- A. Staff Report 20-69 Wintergreen Subdivision 2020 Replat Preliminary Plat **p. 25**

PENDING BUSINESS

- [A.](#) Staff Report 20-70, Medical District Building Heights **p. 37**

NEW BUSINESS

- [A.](#) City Clerk Memorandum, Meeting Schedule for 2021 **p. 45**

- [B.](#) Staff Report 20-71, Revisions to the Community Design Manual **p. 51**

INFORMATIONAL MATERIALS

- [A.](#) City Manager's Report for the October 26, 2020 City Council Meeting **p. 61**

- [B.](#) Kenai Peninsula Borough Planning Commission Notice of Decision for Cheryl Lane Right-of-Way Vacation **p. 67**

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is Wednesday, December 2, 2020 at 6:30 p.m. All meetings scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission

Session 20-14, a Regular Meeting of the Planning Commission was called to order by Chair Smith at 6:31 p.m. on October 21, 2020 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska via Zoom Webinar.

PRESENT: COMMISSIONERS HIGHLAND, SMITH, PETSKA-RUBALCAVA, BARNWELL, VENUTI

ABSENT: COMMISSIONER BENTZ

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

The Planning Commission had a worksession at 5:30 p.m. prior to the meeting with a presentation & introduction from Public Works Director, Jan Keiser, who presented her plans and goals regarding Green Infrastructure and what comes next.

Chair Smith experienced internet connection issues throughout the meeting but Vice Chair Petska-Rubalcava was able to smoothly transition each instance to conduct the meeting.

APPROVAL OF THE AGENDA

Vice Chair Petska-Rubalcava requested a motion to approve the agenda.

HIGHLAND/VENUTI– 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. Decisions and Findings for Conditional Use Permit 20-15 to allow reconstruction of Wild Honey Bistro restaurant at 106 W Bunnell Avenue (*will be a laydown item*)
- B. Minutes of the October 7, 2020 Planning Commission Regular Meeting (*will be laydown item*)

Vice Chair Petska-Rubalcava inquired if everyone was able to review the minutes and the Decisions and Findings that were provided prior to the meeting or if additional time was desired.

Commissioner Highland requested five minutes for review.

Vice Chair Petska-Rubalcava recessed the meeting at 6:36 p.m. The meeting was called back to order at 6:45 p.m.

Vice Chair Petska-Rubalcava requested a motion to approve the consent agenda as presented.

HIGHLAND/BARNWELL – MOVED TO APPROVE THE CONSENT AGENDA.

Commissioner Highland requested a correction to the minutes on under Public Hearing, Applicant presentation, second sentence, strike the extra words “to be”.

Vice Chair Petska-Rubalcava restated the motion and requested any additional comments or changes.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Vice Chair Petska-Rubalcava turned the meeting over to Chair Smith.

Chair Smith apologized for his disappearance but he was booted from the meeting and not sure what happened. He thanked Vice Chair Petska-Rubalcava for covering for him.

VISITORS/PRESENTATIONS

Chair Smith noted that there were no Visitors or Presentations for this meeting.

Commissioner Barnwell requested additional correction to the minutes stating that during Mr. Meyer’s presentation he requested an explanation of the potential \$20 million dollar savings to the city regarding implementing Green Infrastructure and felt that there were a large number of people in the community that would be very interested in reading Mr. Meyer’s response.

Deputy City Clerk Krause explained that they provide summary minutes and that if a person was interested they could listen to the audio which was posted and available on the city webpage for the meeting.

Commissioner Barnwell advocated and opined that there was value to have that explanation reflected in the minutes.

Deputy City Clerk Krause conceded to the Commission’s request and will do her best to summarize the approximately six minute portion of Mr. Meyer’s response to Commissioner Barnwell’s question.

REPORTS

A. Staff Report 20-62, City Planner's Report

City Planner Abboud provided a summary review of Staff Report 20-62 for the Commission. He noted the following points:

- Staff changes on the EDC and PARC Advisory Commissions
- Information provided to the EDC from the City Manager
- Reviewing Permitting Software
 - o One software can be used in the field when needing to perform inspection
- Software being implemented to have city staff perform video recorded reports, instructions, etc. This option would allow people to watch at their time not be required to attend. The public will be able to comment and post questions also.

He then requested volunteers to attend and provide report at the City Council meetings advocating that a presence before Council is more effective than just submitting a written report.

A brief discussion ensued regarding volunteers reporting at Council meetings and it was determined that Vice Chair Petska-Rubalcava was able to report for the Special meeting on November 9, 2020.

Vice Chair Petska-Rubalcava took over the meeting once more as Chair Smith lost connection at 7:01 p.m.

There was further discussion on having someone report at the upcoming meetings but there were no Commissioners able to commit for the upcoming meetings on October 26th, November 23rd or December 14th at this time.

PUBLIC HEARING(S)

- ### **A. Staff Report 20-65, Conditional Use Permit 20-16 to add a single family home to a lot with an existing duplex at 4424 Starboard Way.**

Vice-Chair Petska-Rubalcava introduced the item by reading of the title into the record.

City Planner Abboud provided a summary of Staff report 20-65 for the Commission.

There was no applicant present.

Vice Chair Petska Rubalcava opened the public hearing seeing no public present to provide testimony she closed the public hearing and opened the floor to the Commission for questions or comments from the Commission

The Commission did not offer any comments or have any questions for the City Planner.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 20-65 AND APPROVE CUP 20-16 WITH FINDINGS 1-10 AND CONDITION 1 THAT OUTDOOR LIGHTING BE DOWNWARD DIRECTIONAL AND MUST NOT PRODUCE LIGHT TRESSPASS OR GLARE PER THE COMMUNITY DESIGN MANUAL AND HOMER CITY CODE 21.59.030.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 20-66, Building Height in the Medical Zoning District

Vice Chair Petska-Rubalcava introduced the item by reading of the title and invited City Planner Abboud to provide his report.

City Planner Abboud provided a summary of Staff Report 20-66 commenting on the action taken by the City Council at the meeting regarding the building height. Currently the district was approved but with the regular 35 foot height limitation.

Discussion ensued between the Commissioners and City Planner on the merits and many discussions previously entertained by the Commission on the increased height, the lack of a full quorum and that one commissioner present would not support the increased height; information received from DGS and additional information on soil stability in the district to support taller buildings; there was no indication of support for a sub area within the district; getting feedback from South Peninsula Hospital support for the taller buildings up by CUP and that it would be beneficial to continue this to a future meeting when the additional information could be obtained and presented for review and a full commission is present.

Vice Chair Petska-Rubalcava requested this item to be on the November agenda.

NEW BUSINESS

A. Staff Report 20-67, Revision of the Community Design Manual and Large Retail Standards

Vice Chair Petska-Rubalcava introduced the item by reading of the tile and invited City Planner Abboud to provide his report for the Commission.

City Planner Abboud reported that this item has been on the department radar for a while. There are many recommendations from the Community Design Manual (CDM) that have been incorporated into city code. He believes that this would be an item of interest to the EDC also.

City Planner Abboud stressed that they are not interested in changing the requirements for big box stores. He highlighted the following points:

- The CDM is a long confusing document
- New Application document that assists the applicant
- Some items are redundant
- Some are stylistic and they come and go, many options available and one of the main things people like about Homer is the eclectic appearance
- There are items that are not relevant and should be removed
- Remove those items that are codified
- Codify some items that are typically required
- Updating siding and trim materials
- Some recommendations work great for a new project but are not relevant for smaller remodels
- Landscaping parking lots in remodels and expansions

City Planner Abboud will introduce this to the EDC and get them involved too. He will try to provide some study materials for a future meeting.

Vice Chair Petska-Rubalcava thanked the City Planner commented that she enjoyed the caveat regarding box stores and that they do not have to go down that rabbit hole. She requested comments from the Commission.

Commissioner Highland commented that she has reviewed the CDM and she read a paragraph from the CDM into the record regarding the scenic beauty of Kachemak Bay as an Alaska National treasure and this design manual has been adapted in order to maintain and improve the overall quality of the built environment and the way it fits into this blended natural setting. Ms. Highland commented that is what she tries to follow, referring to her desire not to have clear cutting of trees on property. There are a few items that she is interested in so looks forward to discussing the CDM.

Commissioner Venuti recalled his arrival to Homer and how over time the necessity of additional parking at Safeway and how it is necessary for them to park refrigerated trucks in the parking lot, he would like to see a partnership developed between local businesses and expansion of that parking lot into the neighboring lot they own adjacent to the store.

City Planner Abboud responded that the Planning Department has encouraged Safeway to consider a new facility with adequate storage and parking. He has also encouraged them to consider parking for trucks with boats, RV's and noted that they only have those refrigerated

trailers because they do not have the needed space to contain the inventory required noting that in regards to parking spaces Safeway is well above the maximum parking allowance.

Mr. Abboud continue noting that those are some interesting things that were not considered when restricting the parking. There is even a line in the CDM retaining all native vegetation, then it begs the consideration does that mean retention of a lot of pushki?

Mr. Abboud explained that the Commission is the ultimate authority and it has teeth through the CUP process. That some projects were developed below the threshold so that it was not have to meet all the requirements outlined.

Further discussion included points on the following:

- Inclusion of Green infrastructure in the CDM
- Natural environment retention - limits on the requirements
- Future designation of conservation lands
- How readily available it can be applied in the Central Business District
- Establishing a future worksession for discussion

INFORMATIONAL MATERIALS

A. City Manager's Report for the August 24th City Council Meetings

Vice Chair Petska-Rubalcava commented on the poster for parking in the right of ways, made her think twice about that issue and appreciated the graders over gardens line. She also noted that she heard the New Police Station is fully operational and inhabited, she noted how the City Staff adapted during COVID and is fully operational in a seamless way.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

City Planner Abboud stated that he was looking forward to the holidays and plans to take some time off

Deputy City Clerk Krause commented it was a great meeting, very informative and interesting. She alerted the Commission that Chair Smith had found a virus on his computer and plans to come to city hall for the meeting.

COMMENTS OF THE COMMISSION

Commissioner Highland commented that she appreciated meeting Jan Keiser and her experience and background is phenomenal. She opined that Ms. Keiser would be a good source for some input on the Community Design Manual.

Commissioner Barnwell agreed with Commissioner Highland regarding the Public Works Director, noting her array of skills and experience make Homer very lucky to have her. He also finds the CDM process very interesting and looks forward to the worksession on that.

Commissioner Venuti complimented Commissioner Petska Rubalcava on conducting the meeting tonight. He noted the need for Commissioners to seek out applicants so that they can have a full commission.

Commissioner Petska-Rubalcava commented that she was excited to start working on the CDM and looking forward going into the holidays she hopes that everyone will have wonderful holidays.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 7:54 p.m. The next Regular Meeting is scheduled for Wednesday, November 4, 2020 at 6:30 p.m. A worksession is scheduled at 5:30 p.m. All meetings are scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska

RENEE KRAUSE, MMC, DEPUTY CITY CLERK

Approved: _____



September 28, 2020

City of Homer
c/o Travis Brown

Re: Easement Vacate – Spenard Builders Supply
Parcel #: 17706056 / HM 96-67

Dear Travis,

Acom Consulting Inc. provides site acquisition and planning services for several wireless carriers (i.e. Verizon, T-Mobile, Sprint, etc.). We are working with Spenard Builders Supply for a new site on their parcel.

After completing a survey, it was determined there is a utility easement that is not in use. It turns out the existing power route comes in from the southeast corner of the property.

Attached is an application to vacate the easement, along with supporting documents as required.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Tami Drew". The signature is written in a cursive, flowing style.

Tami Drew
Real Estate Specialist
206.331.7072
tami.drew@acomconsultinginc.com





Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

PETITION TO VACATE UTILITY EASEMENT

PUBLIC HEARING REQUIRED

Upon receipt of complete application with fees and all required attachments, a public hearing before the Planning Commission will be scheduled. The petition with all required information and attachments must be in the Planning Department at least 30 days prior to the preferred hearing date. By State Statute and Borough Code, the public hearing must be scheduled within 60 days of receipt of complete application.

SUBMITTAL REQUIREMENTS

A utility easement vacation application will be scheduled for the next available planning commission meeting after a complete application has been received.

- ☒ \$75 non-refundable fee to help defray costs of advertising public hearing.
- ☐ Utility easement requested to be vacated was granted by subdivision plat, files as Plat No. _____ in _____ Recording District. **OR**
- ☒ Utility easement requested to be vacated was granted by Carl Sholin Subdivision, filed as Plat No. 96-67 in the Homer Recording District.
- ☐ Utility easement requested to be vacated was granted by _____ (specify type of document) as recorded under _____ in _____ Recording District.
(Copy of recorded document must be submitted with petition.)
- ☒ Comments from _____ Homer _____ Electric Association attached.
- ☐ Comments from _____ Gas Company attached.
- ☐ Comments from _____ Telephone Company attached.
- ☐ Comments from _____ Cable Company attached.
- ☐ Comments from KPB Roads Department attached.
- ☒ Comments from City Advisory Planning Commission. Copy of minutes at which this item was acted on, along with a copy of City Staff Report.
- ☒ 1 copy of the plat or map showing the utility easement to be vacated. Must not exceed 11 x 17 inches in size. Area to be vacated shall be marked clearly with cross hatching or other identifiable markings.
- ☐ If an existing improvement is encroaching into the easement, an As-Built drawing showing the encroachment must be attached.
- ☐ Yes ☒ No Is the right of way/utility easement in use by any utility company? If yes, which utility?
- ☒ **REASON FOR VACATING** The petitioner must attach a statement with reasonable justification for the vacation of the section line easement.

LEGAL DESCRIPTION OF PARCEL CONTAINING THE UTILITY EASEMENT TO BE VACATED:

Carl Sholin Subdivision SBS 1996 Addition No. 2
Being a Replat of Tract E-1 Carl Sholin Subdivision SBS 1996 Addition and Tract 1 Neilson Hoffman Subdivision as shown on Record Plat No. 76-20 Situated within a portion of the NW 1/4 NE 1/4 Section 20, T6S, R13W, SM

Section, township, range

City (if applicable) Homer

General area

The petition must be signed by owners of a majority of the land affected by the section line easement proposed to be vacated. Each petitioner must include address and legal description of his/her property. Attach additional signature sheets if needed.

Submitted by: ☐ Petitioner ☒ Representative

Name (printed): Tami Drew / Acom	Signature: <u>Tami Drew</u>
e-mail: wakeen.brown@sbsalaska.com	Address: <u>5200 Sw Meadows Rd #150</u>
Owner of: Store Mgr, Spenard Builders Supply	<u>Lake Oswego, OR 97035</u>

Petitioners:

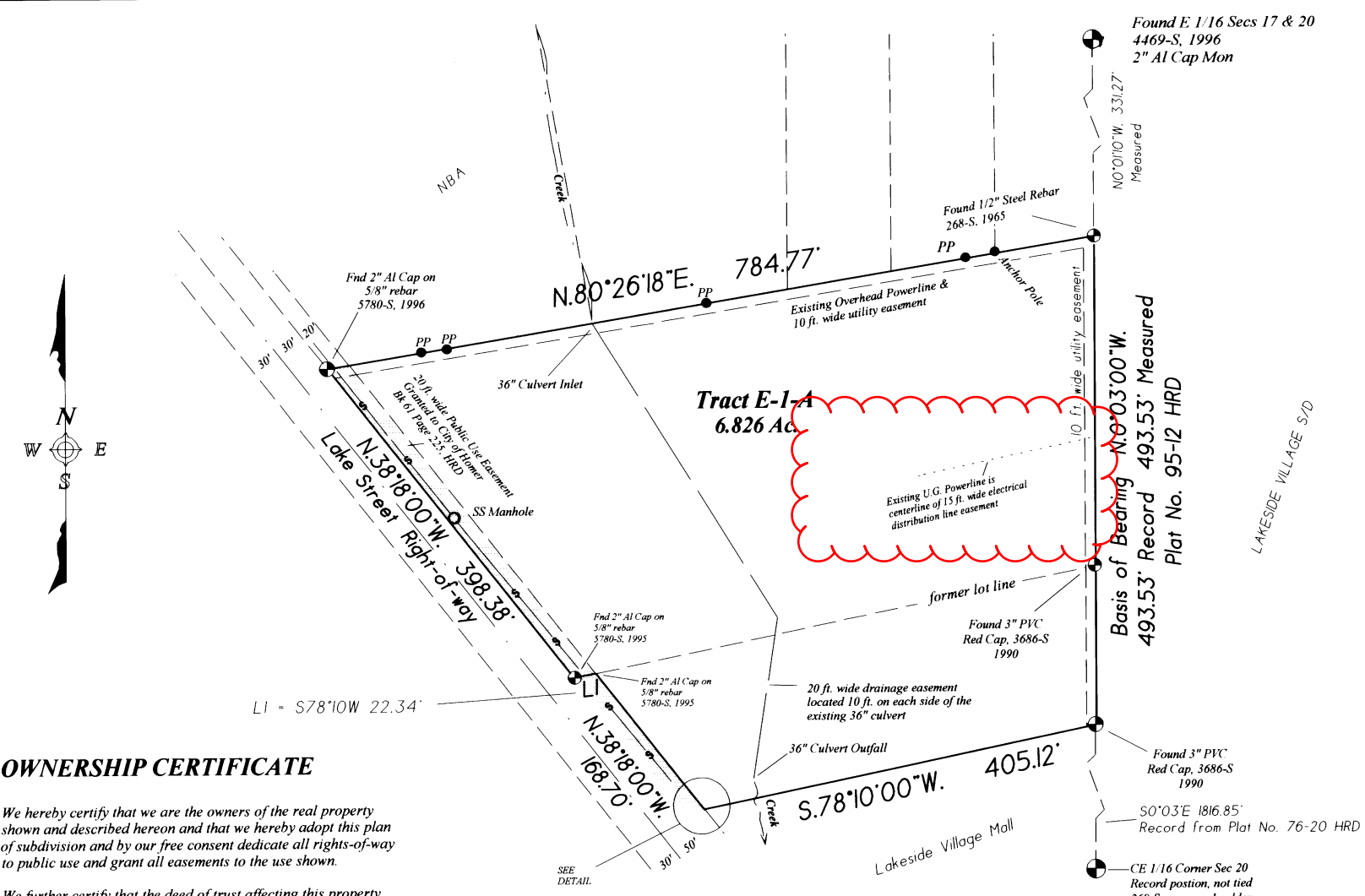
Name (printed): Wakeen Brown	Signature: <u>Wakeen Brown</u>
e-mail: wakeen.brown@sbsalaska.com	Address: <u>3978 Lake St, Homer, AK 99603</u>
Owner of: Store Mgr, Spenard Builders Supply	

FOR OFFICE USE ONLY
RECEIVED BY _____

DATE SUBMITTED _____

KPB FILE # _____

H 96-67



OWNERSHIP CERTIFICATE

We hereby certify that we are the owners of the real property shown and described hereon and that we hereby adopt this plan of subdivision and by our free consent dedicate all rights-of-way to public use and grant all easements to the use shown.

We further certify that the deed of trust affecting this property does not contain restrictions which would prohibit this subdivision; or require signature and approval of the beneficiary.

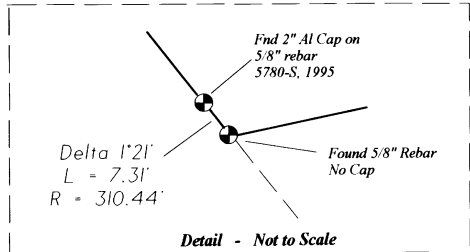
Mike Morehouse 11/12/96
Mike Morehouse, President
Spenard Builders Supply
840 "K" Street, Suite 200
Anchorage, AK 99501

Notary's Acknowledgement
Subscribed and sworn to me before me this 12th day
of November, 1996 for

Mike Morehouse
Cheryl Chan
Notary Public for Alaska
My Commission Expires 8-19-99

LEGEND

- Found Monument of Record as described
- Power Pole
- Sanitary Sewer Main

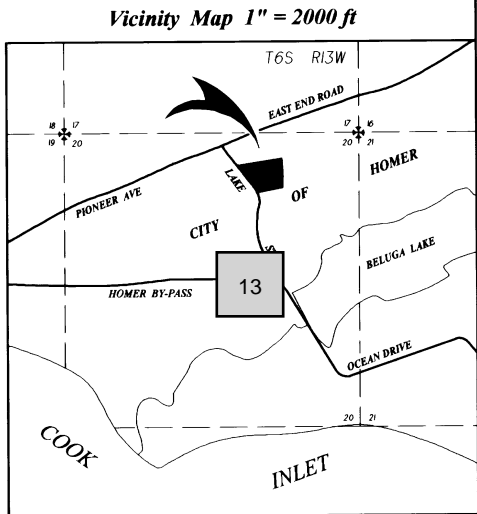
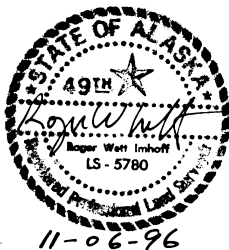


NOTES:

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- The Final Plat of Carl Sholin Subdivision SBS 1996 Addition, KPB File No. 96-037, was recorded as Plat No. 96-31 Homer Recording District.
- No access to state maintained rights-of-way permitted unless approved by the State of Alaska Department of Transportation.

WASTEWATER DISPOSAL

Plans for wastewater that meet regulatory requirements are on file at the State of Alaska Department of Environmental Conservation.



SURVEYORS CERTIFICATE

I hereby certify that I am a Registered Land Surveyor and that this plat represents a survey made by me or under my direct supervision and the monuments shown hereon actually exist as described and that the dimensions and other details are correct to the best of my knowledge.

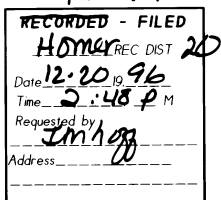
11-06-96 Roger W. Imhoff
Date Roger W. Imhoff LS 5780

PLAT APPROVAL

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of

Sept. 9, 1996
KENAI PENINSULA BOROUGH

By: Mark A. Best
Authorized Official



Carl Sholin Subdivision
SBS 1996 Addition No. 2

Being a Replat of Tract E-1
Carl Sholin Subdivision SBS 1996 Addition
and
Tract 1 Neilson Hoffman Subdivision
as shown on Record Plat No. 76-20
Situated within a portion of the
NW 1/4 NE 1/4 Section 20, T6S, R13W, SM

Homer Recording District
Third Judicial District, Alaska

Contains 6.826 Acres, more or less

Client: Spenard Builders Supply, Inc 3978 Lake Street Homer Ak 99603	Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer AK 99603
FB: 96-1	File: sbs.vcd
Drawn: RWI	July 12, 1996
Scale 1" = 100 ft.	KPB File No. 96-175

RE: AK2 Pennock - utility easement question > Inbox x



Neuendorf, Cody

to me ▾

Sep 25, 2020, 10:00 AM (3 days ago)



Hi Tami,

You can just use this email for comments to accompany the application.

[HEA has no objection to vacation of a 15 ft. wide electrical distribution line easement as shown on Tract E-1-A Carl Sholin Sub. SBS 1996 Addn. No. 2 \(Plat # 96-67 HRD\).](#)

For your reference I have attached a copy of the HEA easement that authorized the actual location of HEA underground powerline. There is no need for the landowner to grant an additional easement to HEA after the utility easement vacation is approved since the easement at Book 263 Page 209 HRD covers the underground cable and HEA transformer on the subject property.

Thank you for the opportunity to review.

Cody Neuendorf, SR/WA

Land Management Officer
Homer Electric Association, Inc.
280 Airport Way
Kenai, AK 99611
907.335.6209- Office
907.398.6170- Mobile
cneuendorf@homerslectric.com

HOMER PLANNING COMMISSION

Approved CUP 2020-16 at the Meeting of October 21, 2020

RE: Conditional Use Permit (CUP) 20-16
Address: 4424 Starboard Way

Legal Description: T 06S R 13W SEC 16 SEWARD MERIDIAN HM 2018045 MARINER VILLAGE SUB FRALEY REPLAT LOT 5-A BLK 2

DECISION

CUP 20-16

Introduction

Landowner Jake Ketelle (the “Applicant”) and his representative Scott Switzer applied to the Homer Planning Commission (the “Commission”) for a conditional use permit under Homer City Code HCC per HCC 21.12.030(m), more than one building containing a permitted principal use on a lot in the Rural Residential District.

The applicant proposes to construct a dwelling unit in addition to an existing duplex.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on October 21, 2020. Notice of the public hearing was published in the local newspaper and sent to 22 property owners of 27 parcels.

At the October 21, 2020 meeting of the Commission, the Commission voted to approve the request with four Commissioners present. The Commission approved CUP 20-16 with unanimous consent.

Evidence Presented

City Planner Abboud reviewed the staff report. The applicant was not present at the hearing. There was no public testimony.

Commissioner Bentz was absent, Commissioner Davis resigned before the meeting, and Chair Smith lost connection prior to the hearing and did not participate.

Findings of Fact

After careful review of the record, the Commission approves Condition Use Permit 20-16 to build an additional single-family dwelling on the lot.

The criteria for granting a Conditional Use Permit is set forth in HCC 21.71.030 and 21.71.040.

a. The applicable code authorizes each proposed use and structure by conditional use permit in that zoning district.

Finding 1: Homer City Code authorizes the proposed use and structures with an approved Conditional Use Permit.

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

Finding 2: The proposed use and structures are compatible with the purpose of the district.

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

Finding 3: A dwelling in addition to an existing duplex is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

d. The proposal is compatible with existing uses of surrounding land.

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

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

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

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

Finding 6: The Commission finds the proposal will not cause undue harmful effect upon desirable neighborhood character as described in the purpose statement of the district.

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

Finding 7: The proposal will not be unduly detrimental to the health, safety or welfare of the surrounding area and the city as a whole when all applicable standards are met as required by city code.

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

Finding 8: The proposal does or will comply with applicable regulations and conditions specified in Title 21.

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

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

j. The proposal will comply with all applicable provisions of the Community Design Manual.

Condition 1: Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

Finding 10: Condition 1 will assure that the proposal complies with level one lighting standards and the Community Design Manual

In approving a conditional use, the Commission may impose such conditions on the use as may be deemed necessary to ensure the proposal does and will continue to satisfy the applicable review criteria. Such conditions may include, but are not limited to, one or more of the following:

- 1. Special yards and spaces.**
- 2. Fences, walls and screening.**
- 3. Surfacing of vehicular ways and parking areas.**
- 4. Street and road dedications and improvements (or bonds).**
- 5. Control of points of vehicular ingress and egress.**
- 6. Special restrictions on signs.**

7. Landscaping.
8. Maintenance of the grounds, buildings, or structures.
9. Control of noise, vibration, odors, lighting or other similar nuisances.
10. Limitation of time for certain activities.
11. A time period within which the proposed use shall be developed and commence operation.
12. A limit on total duration of use or on the term of the permit, or both.
13. More stringent dimensional requirements, such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit.
14. Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot.

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2020-16 is hereby approved, with Findings 1-10 and Condition 1.

Condition 1: Outdoor lighting must be downward directional and must not produce light trespass or glare per the CDM and HCC 21.59.030.

Date	Chair, Scott Smith
Date	City Planner, Rick Abboud, AICP

NOTICE OF APPEAL RIGHTS

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

CERTIFICATION OF DISTRIBUTION

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

Date

Travis Brown, Planning Technician

Scott Switzer
PO Box 2491
Homer, AK 99603

Jake Ketelle
PO Box 2469
Homer, AK 99603

Michael Gatti
Jermain, Dunnagan & Owens
3000 A Street, Suite 300
Anchorage, AK 99503

Rob Dumouchel, City Manager
491 E Pioneer Avenue
Homer, AK 99603



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: November 4, 2020
SUBJECT: Staff Report 20-68 City Planner's Report

City Council

10.12.20

No planning legislation was noted. The purchase of a lot next to Bishop's Beach has been approved.

City entering code orange

We will be tightening up some policies regarding city activities in regards to uptick in Covid case counts. Nothing will change in our planning operation, but the library will go to curb side pickup only, community recreation will stop hosting activities, and the harbor office will be closed to walk-ins, but an intercom system will be back up for those who do stop by.

Only one more meeting this year

It seems to have snuck up on us again, another year is almost complete. The last meeting of the year will be December 2nd.

Staffing

We have full staffing currently. This means it's time for my leave time. I plan to take time off before our next meeting, likely Thanksgiving week.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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

Staff Report 20-69

TO: Homer Planning Commission
FROM: Rick Abboud, City Planner, AICP
DATE: 11/4/2020
SUBJECT: Wintergreen Subdivision 2020 Replat Preliminary Plat

Requested Action: Approval of a preliminary plat top create two lots from one existing lot.

General Information:

Applicants:	Atz Kilcher & Bonnie Dupree 841 Goldberry Court Homer, AK 99603	Kenton Bloom 1044 East End Road Suite A Homer. AK 99603
Location:	Located on the Goldberry Court Cul De Sac off West Hill Rd.	
Parcel ID:	17324168	
Size of Existing Lot(s):	5.6 acres	
Size of Proposed Lots(s):	2.768 and 2.69 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Residential South: Residential East: residential/vacant West: vacant	
Comprehensive Plan:	Goal 1 Objective A: Promote pattern of growth characterized by a concentrated mixed-use center, and a surrounding ring of moderate-to-high density residential and mixed-use areas with lower densities in outlying areas.	
Wetland Status:	Wetlands may be present. An approved Army Corps Jurisdictional Determination indicated no wetlands present for the placement of driveway and dwelling, but it expired in 2015. A new determination will be necessary for future improvements.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are not available at this time.	

Public Notice:	Notice was sent to 27 property owners of 26 parcels as shown on the KPB tax assessor rolls.
----------------	---

Analysis: This subdivision is within the Rural Residential District. This plat creates two lots from one.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

- C. The subdivider shall dedicate easements or rights-of-way for sidewalks, bicycle paths or other non-motorized transportation facilities in areas identified as public access corridors in the Homer Non-Motorized Transportation and Trail Plan, other plans adopted by the City Council, or as required by the Kenai Peninsula Borough Code.

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments: No Comments

Fire Department Comments: No Comments

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat:

Attachments:

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

LEGEND

- PRIMARY MON. OF RECORD
- 15' UTILITY EASEMENT
- WETLAND AREAS
- FIND 2" AC 7968-S

WASTEWATER DISPOSAL

THE PARENT SUBDIVISION FOR THE LOT RESULTING FROM THIS PLATTING ACTION WAS APPROVED BY THE KENAI PENINSULA BOROUGH ON MAY 8, 2006. WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

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

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

DATE _____

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2021.

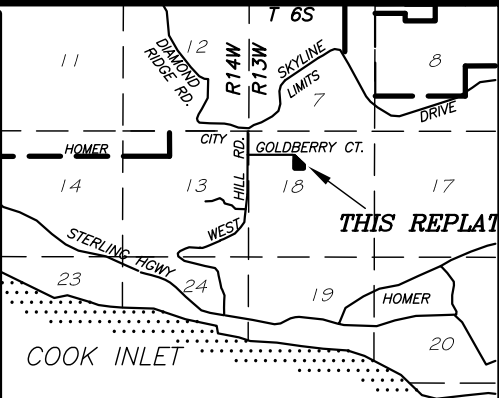
FOR: _____

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

NOTES

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. THIS LOT IS SERVED BY ONSITE WATER AND SEWER SERVICES.
3. THE FRONT 15' ALONG THE EXISTING RIGHTS-OF-WAY AND 20 FEET WITHIN 5 FEET OF SIDE LOT LINES IS A UTILITY EASEMENT.
4. DEVELOPMENT OF THESE LOTS ARE SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS.
5. ANY PERSON DEVELOPING THE PROPERTY IS RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE, AND FEDERAL PERMITS, INCLUDING A U.S. ARMY CORPS OF ENGINEERS WETLAND DETERMINATION, IF APPLICABLE.
6. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATE AS SHOWN ON PLAT #2013-047 (HRD).
7. COVENANTS FILED IN BOOK 308 PAGE 730 HRD.
8. FURTHER SUBDIVISION OF LOT 5-A-1 MAY BE LIMITED BASED ON ACCESS ISSUES, DEVELOPMENT TRENDS IN THE AREA OR TOPOGRAPHY.



VICINITY MAP

CERTIFICATE OF OWNERSHIP

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

ATZ K. KILCHER AKA ATZ KILCHER
841 GOLDBERRY CT.
HOMER, ALASKA 99603

BONNIE DUPREE
841 GOLDBERRY CT.
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2013.

FOR: _____

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT KPB FILE No. 2020-XXX

WINTERGREEN SUBDIVISION
2020 REPLAT

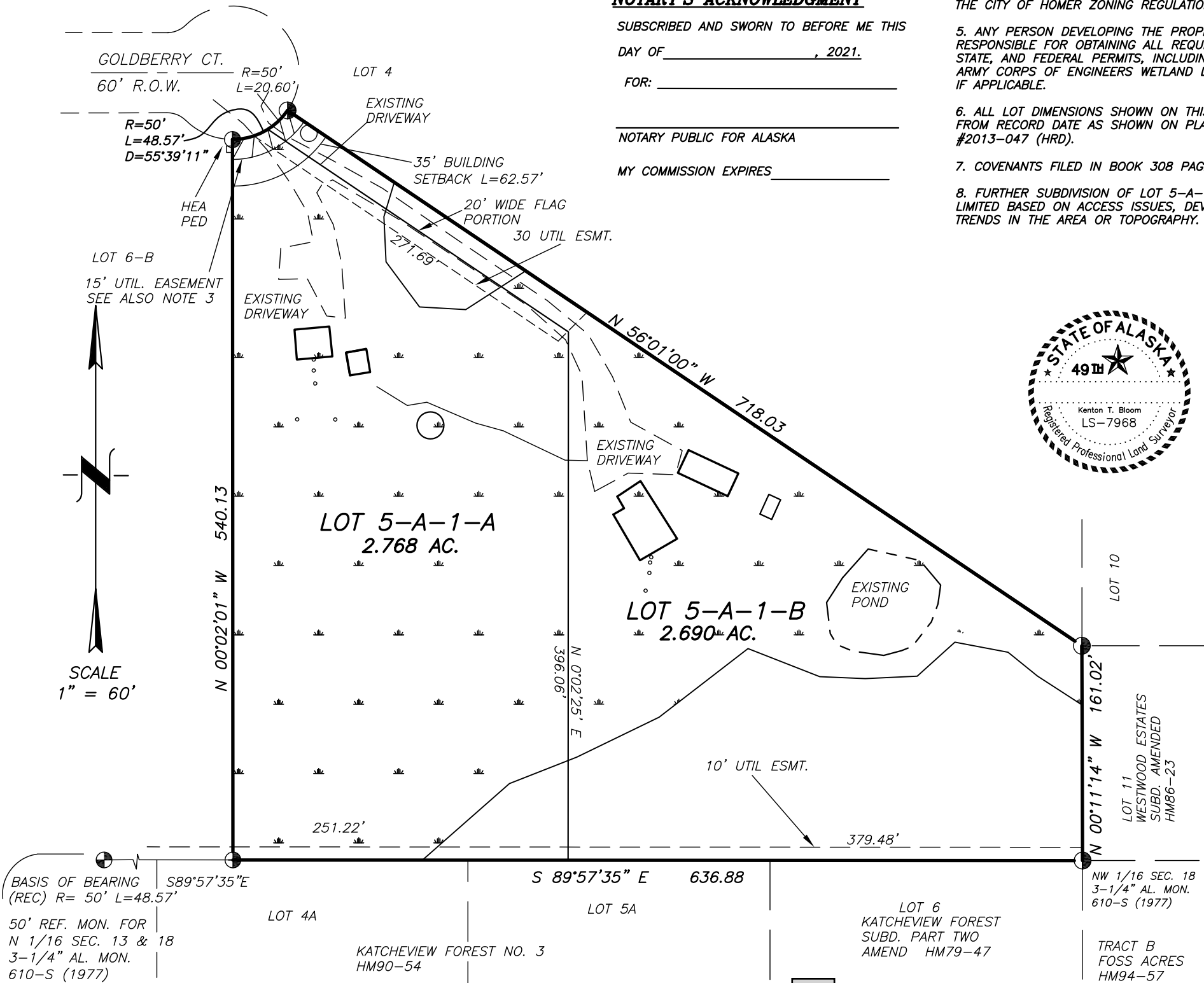
LOT 5-A-1
A REPLAT OF LOT 5-A-1 WINTERGREEN SUBD., (HM 2013-047), LOCATED WITHIN THE NW1/4, SEC 18, T6S, R13W, S. M., KENAI PENINSULA BOROUGH, THIRD DISTRICT, STATE OF ALASKA, HOMER RECORDING DISTRICT, WITHIN THE CITY OF HOMER, CONTAINING 5.458 ACRES

SEABRIGHT SURVEY + DESIGN
KENTON T. BLOOM, P.L.S.

1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: AS CHKD BY: KB JOB #13-31

DATE: 9/2013 SCALE: 1"=30' SHEET #1 OF 1



SEABRIGHT SURVEY + DESIGN

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

October 14, 2020

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

RE: Preliminary Plat Submittal "Wintergreen Subd. Lot 5-A-1 2020 Replat"

Dear Planning Department:

Here are the two full size copies for the preliminary plat referenced above. We will submit an 11"x17" pdf copy by email. We are also submitting the \$300 fee. Please let me know if there are any concerns or clarifications I can address.

Cordially,

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

NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Wintergreen Subdivision 2020 Replat Preliminary Plat

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

A public meeting will be held by the Homer Planning Commission on Wednesday, November 4, 2020 at 6:30 p.m. The meeting will be held virtually.

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

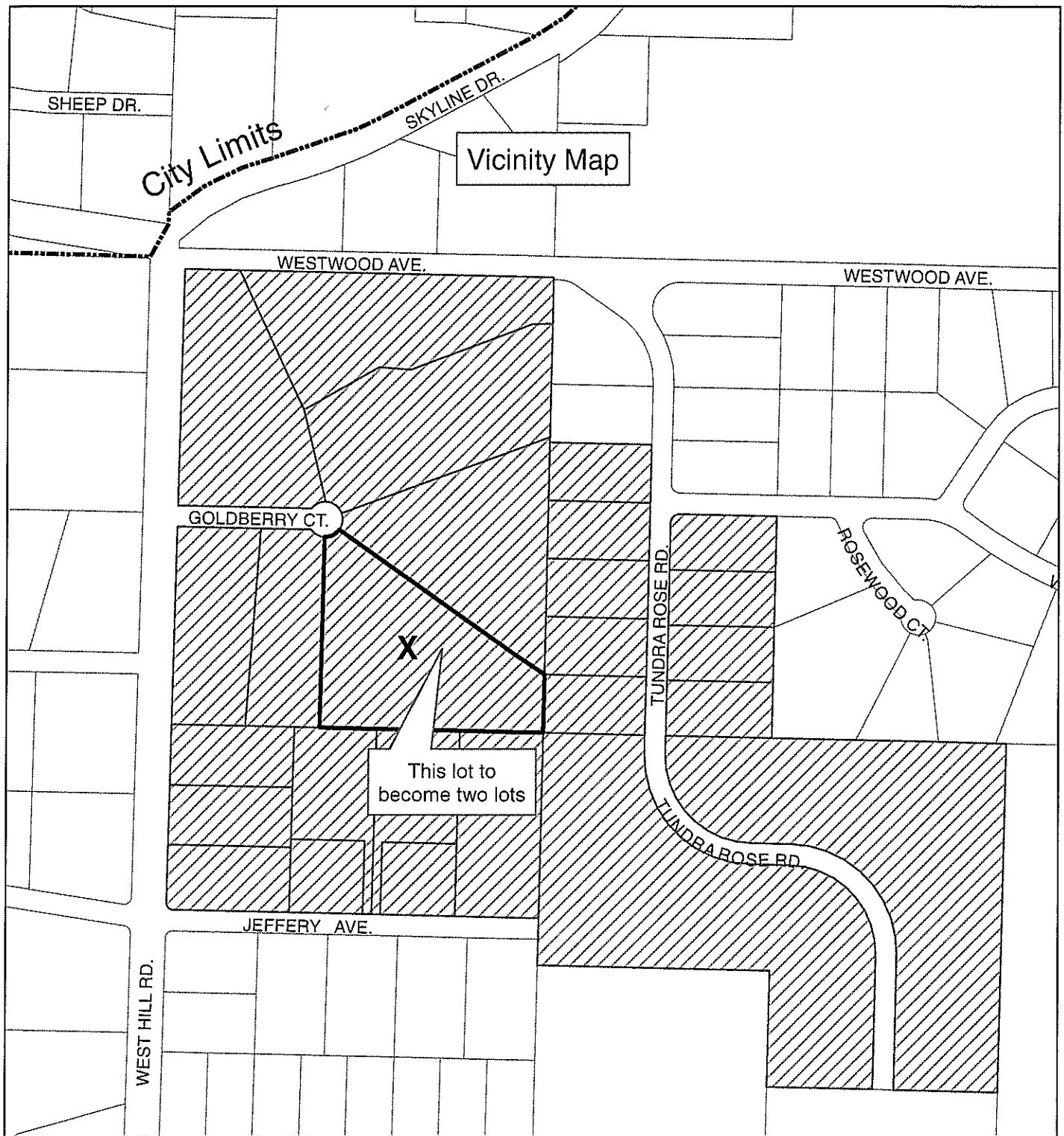
Visit the link above or call the City Clerk's Office to learn how to provide verbal testimony during the meeting via telephone or the Zoom online platform. Written comments can be emailed to planning@ci.homer.ak.us or mailed to Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603. They may also be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

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

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

.....

VICINITY MAP ON REVERSE



City of Homer
Planning and Zoning Department

10/22/2020

Request for Wintergreen Sub 2020 Replat Preliminary Plat

Marked lots are within 500 feet and
property owners notified.

0 150 300 34 600 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.*

LEGEND

- PRIMARY MON. OF RECORD
- 15' UTILITY EASEMENT
- WETLAND AREAS
- FINO 2" AC 7988-S

WASTEWATER DISPOSAL

FOR THE LOT RESULTING FROM THE PLATTING ACTION BY THE KENAI PENINSULA BOROUGH ON MAY 8, 2008, WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

PLAT APPROVAL

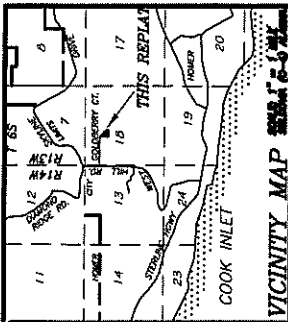
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

AUTHORIZED OFFICIAL _____ DATE _____
KENAI PENINSULA BOROUGH

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2021.
FOR _____

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



VICINITY MAP

CERTIFICATE OF OWNERSHIP

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADVERTISE THIS PLAT OF SUBDIVISION, AND BY OUR FREE CONSENT DEEDS ALL RIGHTS OF WAY AND PUBLIC EASEMENTS TO THE USE SHOWN HEREON.

ATTY. K. RECHER
1411 CALDWELL CT.
HOMER, ALASKA 99603

DAVIDE DUBRE
1411 CALDWELL CT.
HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF _____, 2013.
FOR _____
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT
HOMER FILE NO. 2020-002

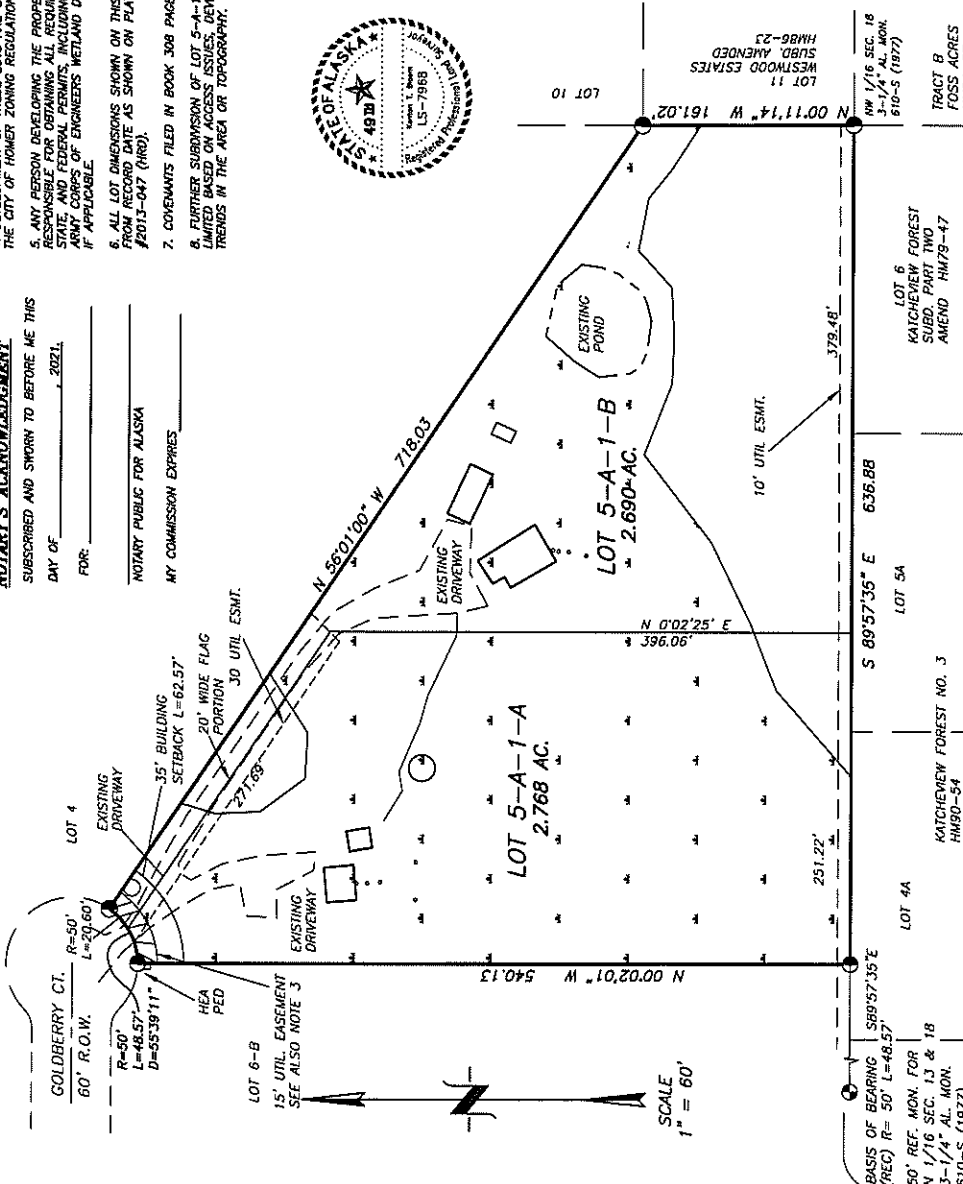
WINTERGREEN SUBDIVISION 2020 REPLAT

A REPLAT OF LOT 5-A-1 WINTERGREEN SUBD., (HOMER 2013-047), LOCATED WITHIN THE 1/16 SEC. 13 & 18, T. 13 N., R. 13 E., S. 13 E., KENAI PENINSULA BOROUGH, PLANNING DISTRICT, STATE OF ALASKA, HOMER RECORDING DISTRICT, WITHIN THE CITY OF HOMER, CONTAINING 5.458 ACRES.

SEABRIGHT SURVEY & DESIGN

KENTON T. BLOOM, P.L.S.
1044 EAST ROAD, SUITE A
HOMER, ALASKA 99603
(907) 235-4247

DRAWN BY: AS
DATE: 9/2013
CHECKED BY: KG
JOB #13-31
SCALE: 1"=30'
SHEET #1 OF 1





City of Homer
Planning and Zoning Department
10/22/2020

Request for

Wintergreen Sub 2020 Replat Preliminary Plat

0 150 300 Feet



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City of Homer

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Planning

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Homer, Alaska 99603

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(f) 907-235-3118

Staff Report PL 20-70

TO: Homer Planning Commission
FROM: Julie Engebretsen, Deputy City Planner
THROUGH: Rick Abboud, City Planner
DATE: November 4, 2020
SUBJECT: Medical District Building Heights

Introduction

At the last meeting, the Commission reviewed Staff Report 20-66 on maximum building height in the Medical District. Council has asked the Commission to revisit the allowance of buildings up to 65 feet, possibly within a smaller portion of the district. Not all the Commissioners were present, and it was clear the group would not reach consensus to pass a motion that evening.

Moving forward, staff recommends the Commission send a memo to the Council covering the highlights of your building heights concerns and discussions over the last 11 months. Staff has attached a draft memo for your edits. Please feel free to add comments by emailing staff before the meeting, or amending the memo at the meeting. (Memos to Council should generally be 1-2 pages in length; if someone wanted the whole record, this information is readily available on-line or by request.)

Staff Recommendation

1. Review the attached memo and make any changes
2. Make a motion to forward the memo to council

Attachments

1. Staff Report 20-66 and minutes from the 10/21/20 PC meeting
2. Draft Memo



City of Homer

www.cityofhomer-ak.gov

Planning

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Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report PL 20-66

TO: Homer Planning Commission
THROUGH: Rick Abboud, AICP, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: October 21, 2020
SUBJECT: Building Height in the Medical District

Introduction

The City Council adopted Ordinance 20-59(A) Medical District on September 28th, 2020. Council voiced concern over the building height and struck the allowance for taller buildings. The maximum building height in the final ordinance is 35 feet. Council asks the Commission to revisit the 65 foot height limit. Council was concerned about view shed, and negative effects on property values. They would like the Commission to discuss the idea of a sub area that would define a smaller area where taller buildings would be allowed, and whether buildings over 35 feet are needed at all. Staff expects some input from South Peninsula Hospital but possibly not in time for the written packet.

Analysis and Staff Recommendation

The Commission spent a lot of time discussing height. Staff recommends two actions:

1. Each commissioner speak on a few points on why they support (don't support):
 - a. The 65 foot height limit
 - b. A sub area for allowing these buildings and where you would allow it
 - c. How view shed and property values would be impacted and your thoughts on that
2. If there is consensus, make a motion to amend the building height, or create a sub area for taller buildings.

Your comments will be provided back to Council along with any tentative recommendations. If a code amendment is desired, it will come back to the Commission in ordinance format.

Attachments

1. Council minutes of 9/28/20

There were no further comments and the hearing was closed. Mayor Castner announced no action is needed tonight and that a resolution regarding the district will come up under resolutions.

Mayor Castner called for a recess at 7:48 p.m. and called the meeting back to order at 7:58 p.m.

- 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

Mayor Castner opened the Public Hearing. There were no public comments and the hearing was closed.

LORD/ADERHOLD MOVED TO ADOPT ORDINANCE 20-59 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Evensen noted the written comments from Brenda Hayes opposing the allowance for a 65 foot building height allowance in the district.

Councilmember Aderhold noted another email they received with the same concerns and asked if the City Planner could share regarding the Commission's discussion regarding the topic. City Planner Abboud comment there is limited space in the district and they were looking at how to best utilize the smaller lots. An example discussed was an option to put a parking garage under a building, which may not be accommodated with a 35 foot restrictions. It's something the hospital was interested in and it would take a conditional use permit (CUP), which requires a public hearing, to allow anything over 35 feet, so a CUP could be denied.

Councilmembers Smith and Evensen shared reservations about the 65 foot height allowance.

EVENSEN/LORD MOVED TO MAKE AN AMENDMENT TO DELETE LINES 119 AND 120 FROM THIS ORDINANCE.

Councilmember Aderhold questioned if there are additional conditions that could be put on the allowance for a 65 foot building such as lot size or building purpose. There may be instances where it could be appropriate depending on circumstances.

City Planner Abboud explained the through the CUP process when there is a lot of public feedback the Commission will listen to them and consider negative impacts to immediate neighbors and so forth. A consideration for going higher is we have infill goals and to be more earth friendly because if we don't go up, we spread out. The lots in the district that could accommodate a 65 foot building are very limited.

Councilmember Smith noted his understanding that if our code supports the ability to do something, then they don't have any reason to deny the permit, regardless of how many people complain.

ADERHOLD/LORD MOVED TO AMEND THE AMENDMENT TO INCLUDE LINE 116 TO SAY "C BUILDING HEIGHT. THE MAXIMUM IS 35 FEET."

There was no discussion.

VOTE (secondary amendment): NON OBJECTION: UNANIMOUS CONSENT

There was no further discussion on the amendment as amended.

VOTE (amendment): VOTE NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was brief discussion regarding the lot behind the hospital not be included. The Commission did discuss it and there's question regarding the slope and the ability to develop it. The district could be expanded in the future to include its viable.

Question was also raised regarding radio towers and that they should be located up by the hospital only. It's something that's still on the table for the Planning Commission and they have a request in to the tower consultant about tower heights that might interfere with any flight path to the hospital, but haven't received a response yet.

Councilmember Aderhold said she's very impressed with the Planning Commission and the work they did on this ordinance and also with the level of detail that was provided by the public comments.

VOTE (main motion as amended): NON OBJECTION: UNANIMOUS CONSENT



Motion carried.

- 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

Mayor Castner opened the Public Hearing. There were no public comments and the hearing was closed.

LORD/VENUTI MOVED TO ADOPT ORDINANCE 20-60 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Lord noted later in the agenda there is Ordinance 20-67 that states it's clarifying the intention of these funds. This ordinance is already addressing using these funds for these things, she's interested in broadening this to encompass the pieces in 20-67.

LORD/ADERHOLD MOVED TO DELETE LINES 58-62, AND ON LINES 56 TO BE USED AS FOLLOWS AND REPLACE IT WITH IN ACCORDANCE WITH THE GRANT AGREEMENT ATTACHMENT A USE OF FUNDS TO THE CITY'S ECONOMIC RECOVERY GRANT PROGRAMS, THE HOMER SENIOR CENTER, LLC AND NO MORE THAN 5% OF GRANT FUND FOR ADMINISTRATIVE COSTS AND SUBJECT TO FURTHER COUNCIL APPROPRIATIONS WITHIN THESE APPROVED USE OF FUNDS.

Mayor Castner commented this is a substantive change to the original ordinance and may likely require a second public hearing. City Attorney Gatti concurred.

Councilmember Lord understood and shared her frustration in that this is generally saying the funds will generally be used for economic recovery grant programs which is not making a full appropriation by Council. She added 20-67 is not doing that either so we're still several meetings out from fully appropriating these funds. She withdrew the motion.

LORD/ADERHOLD MOVED TO AMEND LINES 40 TO READ "AND SHALL BE INCURRED DURING THE PERFORMANCE PERIOD" AND CHANGE NOVEMBER 30, 2020 TO DECEMBER 30, 2020.

There was no discussion.

VOTE (amendment): NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

The Commission did not offer any comments or have any questions for the City Planner.

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 20-65 AND APPROVE CUP 20-16 WITH FINDINGS 1-10 AND CONDITION 1 THAT OUTDOOR LIGHTING BE DOWNWARD DIRECTIONAL AND MUST NOT PRODUCE LIGHT TRESSPASS OR GLARE PER THE COMMUNITY DESIGN MANUAL AND HOMER CITY CODE 21.59.030.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 20-66, Building Height in the Medical Zoning District

Vice Chair Petska-Rubalcava introduced the item by reading of the title and invited City Planner Abboud to provide his report.

City Planner Abboud provided a summary of Staff Report 20-66 commenting on the action taken by the City Council at the meeting regarding the building height. Currently the district was approved but with the regular 35 foot height limitation.

Discussion ensued between the Commissioners and City Planner on the merits and many discussions previously entertained by the Commission on the increased height, the lack of a full quorum and that one commissioner present would not support the increased height; information received from DGS and additional information on soil stability in the district to support taller buildings; there was no indication of support for a sub area within the district; getting feedback from South Peninsula Hospital support for the taller buildings up by CUP and that it would be beneficial to continue this to a future meeting when the additional information could be obtained and presented for review and a full commission is present.

Vice Chair Petska-Rubalcava requested this item to be on the November agenda.

NEW BUSINESS

A. Staff Report 20-67, Revision of the Community Design Manual and Large Retail Standards

Vice Chair Petska-Rubalcava introduced the item by reading of the tile and invited City Planner Abboud to provide his report for the Commission.



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(p) 907-235-3106

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Memorandum PL 20-XX

TO: Mayor Castner and Homer City Council
THROUGH: Rick Abboud, City Planner
FROM: Homer Planning Commission
DATE: November 4, 2020
SUBJECT: Revisiting Medical District Building Heights

City Council recently adopted the new Medical Zoning District. In that ordinance, the Planning Commission had recommended allowing a building height limit of 65 feet through the conditional use permit process. Council expressed concern over the allowance of buildings that tall, and amended the ordinance to a maximum of 35 feet. Council asked the Commission to revisit the 65 foot height and consider whether a smaller portion of the Medical District would more appropriate for allowing taller buildings.

The Commission has spent nearly eleven months discussing the district, and building height was addressed several times through the process. The Commission never reached unanimous agreement about height, and is unlikely to at this time. The Commission also did not come to agreement to limit the location of taller buildings to a sub area within the district.

The Commissions comments are as follows:

In support of taller buildings:

1. Allows for more efficient land use and density by building up rather than spreading structures over more land area
2. This is an area of the city where more density is desirable based on the comprehensive plan as it is served by full city services and is within the core area of the community
3. The hospital has voiced a concern over lack of parking as a hindrance to their operations and service expansion. Taller buildings may allow for parking structures to be included in future projects.
4.

Cons of taller buildings:

5. Tall buildings may block views for other properties, including homes
6. Concern over the scale of buildings - potential for too tall a structure next to shorter buildings

7. Concern over soil properties and if the area is suitable for tall buildings

8.

Commission Recommendation: Building Height in the Medical District could be revisited in the future if development warrants. Taller buildings in general and density within the core area of the community are comprehensive plan goals, whether they are appropriate and timely for adoption now or in the future. Commission stands by their earlier recommendation to allow buildings up to 65 feet by conditional use in the whole district. (OR, if you pass a new motion, it will be included here and the last sentence struck)



City of Homer

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Office of the City Clerk

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Memorandum

TO: ADVISORY BODIES
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: OCTOBER 21, 2020
SUBJECT: MEETING SCHEDULE FOR 2021

Please review the draft resolution that establishes your meetings for 2021 and make any changes by way of motion.

Requests for meeting schedule changes will then go to City Council, who will be setting the 2021 meeting schedule for Council and Advisory Bodies via resolution no later than their December 14, 2020 meeting.

Recommendation

Review the attached draft resolution; make a motion to approve the resolution either as-is or with amendments and recommend adoption by City Council.

**CITY OF HOMER
HOMER, ALASKA**

City Clerk

RESOLUTION 20-0XX

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
ESTABLISHING THE 2021 REGULAR MEETING SCHEDULE FOR CITY
COUNCIL, ECONOMIC DEVELOPMENT ADVISORY COMMISSION,
LIBRARY ADVISORY BOARD, PARKS ART RECREATION AND
CULTURE ADVISORY COMMISSION, PLANNING COMMISSION,
PORT AND HARBOR ADVISORY COMMISSION, AND AMERICANS
WITH DISABILITIES ACT (ADA) COMPLIANCE COMMITTEE.

WHEREAS, Pursuant to Homer City Code (HCC) Section 1.14.020, the City Council annually sets the schedule for regular and some special meetings, noting the dates, times and places of the City Council, Planning Commission, Advisory Commissions and Boards, and Standing Committee meetings; and

WHEREAS, The public is informed of such meetings through notices located at the City Clerk's Office, Clerk's Calendar on KBBI, the City Clerk's Website, and postings at the Public Library; and

WHEREAS, HCC 1.14.020 - 040 states that meetings may be advertised in a local paper of general circulation at least three days before the date of the meeting and that special meetings should be advertised in the same manner or may be broadcast by local radio at least twice a day for three consecutive days or two consecutive days before the day of the meeting plus the day of the meeting; and

WHEREAS, HCC 1.14.010 notes that the notice of meetings applies to the City Council and all commissions, boards, committees, subcommittees, task forces and any sub-unit of the foregoing public bodies of the City, whether meeting in a formal or informal meeting; that the failure to give the notice provided for under this chapter does not invalidate or otherwise affect any action or decision of a public body of the City; however, this sentence does not change the consequences of failing to give the minimum notice required under State Statute; that notice will ordinarily be given by the City Clerk; and that the presiding officer or the person or persons calling a meeting are responsible for notifying the City Clerk of meetings in sufficient time for the Clerk to publish notice in a newspaper of general circulation in the City; and

WHEREAS, This Resolution does not preclude additional meetings such as emergency meetings, special meetings, worksessions, and the like; and

WHEREAS, Council adopted Resolution 06-144 on October 9, 2006 establishing the Regular Meeting site for all bodies to be the City Hall Cowles Council Chambers.

NOW, THEREFORE, BE IT RESOLVED by the Homer City Council, that the 2021 meeting schedule is established for the City Council, Economic Development Advisory Commission, Library Advisory Board, Parks Art Recreation and Culture Advisory Commission, Planning Commission, Port and Harbor Advisory Commission, and the American with Disabilities Act (ADA) Compliance Committee of the City of Homer, Alaska, as follows:

HOLIDAYS – City Offices closed:

January 1, New Year's Day, Friday	February 15, Presidents' Day, third Monday	March 29, Seward's Day, last Monday	May 31, Memorial Day, last Monday	July 4*, Independence Day, Monday	September 6, Labor Day, first Monday
October 18, Alaska Day, Monday	November 11, Veterans Day, Thursday	November 25 Thanksgiving Day, Thursday	November 26, Friday, the day after Thanksgiving	December 25, Christmas, Friday*	

*If on a Sunday, the following Monday is observed as the legal holiday; if on a Saturday, the preceding Friday is observed as the legal holiday pursuant to the City of Homer Personnel Rules and Regulations.

CITY COUNCIL (CC)

January 11, 25	February 8, 22	March 8, 22	April 12, 26	May 10, 25*	June 14, 28
July 26**	August 9, 23	September 13, 27	October 5 Election	October 11, 25 Oath of Office October 11	Canvass Board October 8
November 2 Runoff Election	November 22**	December 13***	December 20*** if needed		

*Tuesday meeting due to Memorial Day.

**There will be no First Regular Meeting in July or November.

*** The City Council traditionally cancels the last regular meeting in December and holds the first regular meeting and one to two Special Meetings as needed; the second Special Meeting the third week of December will not be held.

City Council's Regular Committee of the Whole Meetings at 5:00 p.m. to no later than 5:50 p.m. prior to every Regular Meeting which are held the second and fourth Monday of each month at 6:00 p.m. Council will not conduct a First Regular Meeting in July or November.

ECONOMIC DEVELOPMENT ADVISORY COMMISSION (EDC)

January 12	February 9	March 9	April 13	May 10	June 8
July 13	August 10	September 7	October 12	November 9	December 14

Economic Development Advisory Commission Regular Meetings are held on the second Tuesday of each month at 6:00 p.m.

LIBRARY ADVISORY BOARD (LAB)

February 2	March 2	April 6	May 4	August 3
September 7	October 5	November 2	December 7	

Library Advisory Board Regular Meetings are held on the first Tuesday of the following months: February, March, April, May, August, September, October, November, and December at 5:30 p.m.

PARKS ART RECREATION AND CULTURE ADVISORY COMMISSION (PARCAC)

February 18	March 18	April 15	May 20	June 17
August 19	September 16	October 21	November 18	

Parks Art Recreation and Culture Advisory Commission Regular Meetings are held on the third Thursday February through June and August through November at 5:30 p.m.

PLANNING COMMISSION (PC)

January 6, 20	February 3, 17	March 3, 17	April 7, 21	May 5, 19	June 2, 16
July 21*	August 4, 18	September 1, 15	October 6, 20	November 3*	December 1*

*There will be no First Regular Meeting in July or Second Regular Meetings in November and December.

Planning Commission Regular Meetings are held on the first and third Wednesday of each month at 6:30 p.m.

PORT AND HARBOR ADVISORY COMMISSION (PHC)

January 27	February 24	March 24	April 28	May 26	June 23
July 28	August 25	September 22	October 27	December 22	

Port and Harbor Advisory Commission Regular Meetings are held on the fourth Wednesday of the following months: January, February, March, April, September, October, and December at 5:00 p.m.; and May, June, July, and August at 6:00 p.m.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE COMMITTEE (ADA)

January 22	February 26	March 25	April 22	May 27	June 24
July 22	August 26	September 23	October 28	December 9	

The Americans with Disabilities Act (ADA) Compliance Committee are held on the second Thursday in the months of April, May, June, July, October, November, and may call additional meetings as needed.

PASSED AND ADOPTED by the Homer City Council this 14th day of December, 2020.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Impact: Advertizing of meetings in regular weekly meeting ad and advertising of any additional meetings.



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Staff Report PL 20-71

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: November 4, 2020
SUBJECT: Revisions to the Community Design Manual

Introduction

Revising the Community Design Manual has begun! Staff will be working with the Economic Development Commission as well as the Planning Commission on this topic.

This CDM originated in Gig Harbor Washington, in the early to mid-2000's. Homer adopted it as part of a larger community conversation about box store standards. Today, Gig Harbor's Design Manual is even more developed and they adopted many ideas into their city code. For some context, Gig Harbor has grown from a town of 6,500 in 2000, to almost 11,000 today. But the county/metro area has grown by 200,000 people in the past 20 years, and is not far from Seattle, one of the fastest growing cities in the country over the past decade. So while as an incorporated community Gig Harbor is similar to Homer, the region they are in is home to over 900,000 people and has seen sustained growth. I would anticipate that all of their conditional use applications involve representation by state regulated professionals and attorneys.... A far cry from most of the applications the Homer Planning Commission receives.

The CDM has a lot of information, but it's important to recall who the information is for. This is not an educational document for citizens interested in urban design. It's a regulatory document for developers, architects and engineers when applying for permits in Homer. The language needs to be clear and reflect what the community wants to see in development. This document should not repeat or conflict with code. (We can change code if we want to add something).

Process

The CDM is about 39 pages long. Staff will provide it in 5-10 page chunks to the Commission, so we can hopefully get through whole the document in 4-5 meetings. When the manual is revised, we will turn to code amendments for HCC 21.57, large retail. We may find other parts of the CDM that should be reflected in code.

For our first meeting, we will review items at the end of the CDM, which is in the Site Design section. This part of the CDM is more straight forward than other sections, and there are duplicates of the same information. This is the section I, as staff, use the most. When I work with an architect, I can't really say when a door or window or mechanical apparatus should move, but usually the site design has latitude.

Requested actions:

- Read the attached portion of the CDM and comments.
- Call or email any questions to staff ahead of time
- Be prepared to discuss these items at the work session, particularly if you disagree with staff comments.

Over view of changes

Fence recommendations:

- ~ Discuss chain link fencing
- ~ Discuss fence heights

Parking section:

Staff recommends removing most of the language as it is duplicate with code or other sections of the CDM. Staff recommends cutting as noted.

Outdoor lighting:

Staff recommends keeping most of this section as is. It seems to be useful for staff and developers. A lot of lighting regulations get really technical and the CDM is user friendly.

Outdoor furnishings and connections:

Staff recommends cutting these sections as they have never been completed. They would also likely be implemented through the Public Works Department as part of a larger plan, not on a case by case basis via those few developments that are required to apply for a conditional use permit.

Attachments

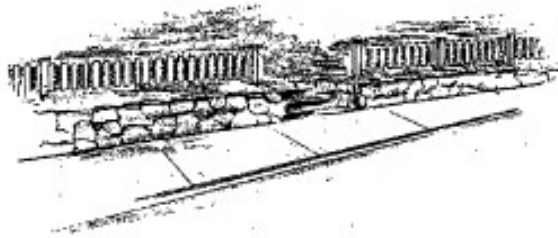
1. Meeting 1 CDM section Fences to end

COMMUNITY DESIGN MANUAL
for the
CITY OF HOMER

FENCES

Fences are useful for defining space, providing security, and visually enhancing outdoor settings. The degree that these qualities are considered depends on the intended purpose of the fence and where it will be located. The design of the fence may not be important if the fence is strictly for security reasons, (e.g., a mini-storage yard), but if the fence is visible to the public right-of-way, design takes on added significance. Fence height will be measured from the natural grade.

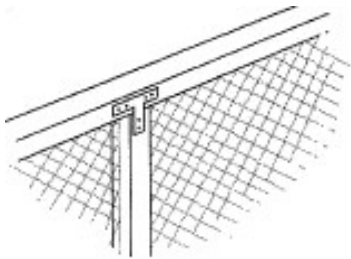
Fences must be designed to reflect traditional building materials and styles. The wood posts and rails over the rock retaining wall are appropriate.



9

1. **Choose fence materials carefully.** Fences shall be constructed of wood, wrought iron, brick, stone or cinder block. Smooth-faced cinder block must have a veneer finish on the side visible to the public's view. Coated chain link attached to wood posts and rails is permitted. Chain link with slats that color coordinate with the main building color scheme are also permitted. Other materials which have the general appearance and visual quality of approved fence materials may be approved by the Planning Director, ~~however, the use of plywood or composition sheeting as a fence material is not permitted.~~

Commented [JE1]: Need to differentiate between prominent facades/streets, and back areas where chain link is OK. For example, Homer Electric and the police station both have chain link fences.



Coated chain link fencing over wood posts and rails may be acceptable in some areas.

2. **Limit chain link** ~~along prominent facades and arterials. to non-visible areas. In areas not visible from any public right of way, or designated public space, standard chain link fencing including steel posts and rails is permitted.~~

Commented [JE2]: Not allowing chain link to be visible from any public right of way is too restrictive. It should be limited from the front of the building with a prominent façade.

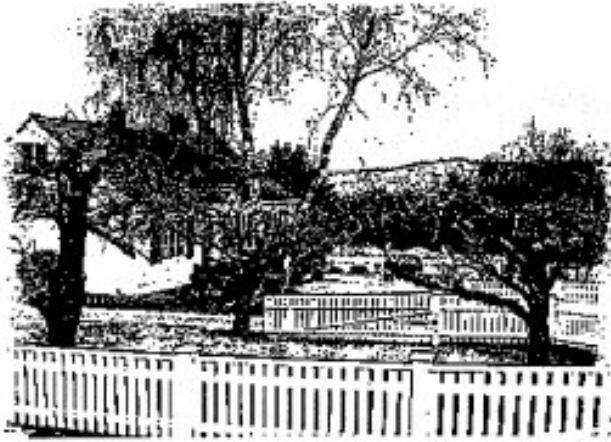
3. **Limit height of fences.** Unless otherwise required by Homer City Code, fences are limited to a height

COMMUNITY DESIGN MANUAL
for the
CITY OF HOMER

of 3-4 feet from the natural grade along arterial frontages and in the front yard (4 feet for open rail fences) and 6 feet in the rear yard, provided that clear vision is retained for adjacent driveways and intersections (see sight triangle provisions in Homer City Code).

Commented [JE3]: This is quite a bit different than code. Is there a reason that conditional use permits are held to a tougher standard? Staff recommends 4 foot fences for constancy with other parts of code and no regulation elsewhere.

This wood picket fence serves to define the private yard while enhancing the design of the house and the streetscape. Similar types of fences are encouraged.



Parking lots and parking structures may not visually dominate Homer's urban setting. Parking facilities shall be designed with increased emphasis on pedestrian ways and human enclosure. The following requirements are intended to mitigate the visual impacts of parking by screening parking lots from public rights-of-way and by making parking garages a secondary element in building designs.

Parking Lots:

- ~~1. All off street parking and loading areas will be provided with safe and convenient~~

COMMUNITY DESIGN MANUAL

for the CITY OF HOMER

~~access. Access locations should be designed to encourage unimpeded traffic flow, with controlled turning movements and to minimize hazards to pedestrians, bicyclists, and vehicular traffic.~~

Commented [JE4]: All curb cuts are regulated by either DOT or city of Homer standards, as well as clear sight triangle rules in the zoning code. This section should be cut.

2. **Use landscaping to screen parking lots and service areas.** Parking lots and other expansive pavement areas shall include a wall, solid hedge or landscape berm at least 3 feet high (conforming to clear vision requirements at driveway entrance) parallel to the right-of-way to soften the visual impact of the lot from the street.

Commented [JE5]: This is where the fence conversation comes back in; if fences are limited to 3 feet in height, but the parking lot screening must be at least 3 feet in height, what's a developer to do? Solution: fix fence heights above.

3. **Limit the number of curb cuts.** To maximize landscaping at the street face, curb cuts for driveways shall be limited to one cut per parcel frontage or one cut per 200 feet of parcel frontage, subject to Public Works Standards driveway separation requirements. An additional cut is allowed if the driveway is one way. Where available, side streets or alleys should be used for additional access needs. Collector routes, frontage roads and joint parking areas are encouraged.

Commented [JE6]: Frontage roads, like Kenai has, are not a route our community has chosen. Collector routes would be determined by a future transportation plan. To some degree this is already regulated by DOT on the sterling highway. Additionally, HCC 21.73.120 minimizes driveways on arterials and collectors, and requires shared driveway when possible. (and we had an appeal on this and prevailed. Code is good.)

4. **Screen or enhance parking lots visible from the Sterling Highway, Lake Street, Heath Street, Main Street, or Pioneer Avenue.** Parking lots designed for more than 16 cars and which are visible from these Rights of way shall either be partially screened or meet the following landscape standards:

Commented [JE7]: HCC 21.50.030(f)(b) addresses parking lots of 24 or more spaces and is more prescriptive. Staff recommends relying on code

5. **Provide tree areas throughout parking lot.** Parking lots must include areas for trees.

- 6.4. **Incorporate pedestrian ways into parking lot.** Pedestrian ways, including walkways and crosswalks, shall conform to the on-site walkway requirements on page 18.

Commented [JE8]: This should move to page 18.

8. **Limit parking in front of buildings.** No more than 50 percent required parking may be located in front of the building. In this context, the front shall be the building side facing the street providing primary access to a site.

Commented [JE9]: Duplicate (will retain in the commercial streetscape section for further discussion)

9. **Provide trees within larger parking lots.** Parking lots designed for 24 or more vehicles must include tree areas, which shall be spaced a maximum of 100 feet apart, among parking rows.

Commented [JE10]: Rely on city code. The 100 foot spacing is about every 10 cars, and has been waived by the PC in the past based on development comments about difficulty snow plowing etc. A percentage of the parking lot is still required to be landscaped, but the placement of that landscaping is flexible.

10. **Avoid parking in front of building entrance.** Parking spaces in front of the main building entrance interfere with entrance visibility and access. These shall be avoided.

Commented [JE11]: Duplicate. Also to be retained in the streetscape section.

11. **To minimize turning movements onto adjacent public roads, developers are encouraged to provide internal circulation systems that continue to adjacent developments.** Site design should continue internal vehicular ways in order to reduce the number of curb cuts and driveways onto the Sterling Highway.

Commented [JE12]: To some degree this is already regulated by DOT on the sterling highway. Additionally, HCC 21.73.120 minimizes driveways on arterials and collectors, and requires shared driveway when possible. (and we had an appeal on this and prevailed. Code is good.)

COMMUNITY DESIGN MANUAL
for the
CITY OF HOMER

Parking Garages:

- ~~1. **Recess vehicle entries in main facade.** Garage doors and open vehicle entries must be recessed at least 6 feet from the front facade plane.~~
- ~~2. **Screen parking garage facade.** The front parking garage facade which is visible from the street shall conform to one or a combination of the following options:~~
 - ~~a. **A landscaped screen.** Screening may be trees, shrubs or wall clinging plantings on a trellis.~~
 - ~~b. **Store fronts.** The parking garage may be faced with storefronts or display windows.~~
 - ~~c. **Simulated store front.** The openings of the garage may be designed to reflect or simulate the window pattern and material choice of the primary structure on the site.~~
- ~~3. **Receive Commission approval for parking garages over one story or which enclose 20 or more vehicles.**~~

Commented [JE13]: This entire section is duplicate from page 13 under Architecture.

OUTDOOR LIGHTING

Applicable Areas

Within Areas Zoned CBD, RR, UR, RO, GBD, SGCOL and the portion of GC1 lying south of Beluga Lake:

All uses

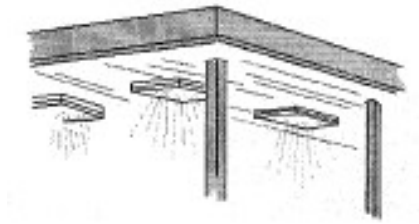
The primary purpose of outdoor lighting is to improve visibility and safety within outdoor spaces. However, light can also enhance a setting if the intensity and source of the light corresponds to the visual character of the surroundings.

- 1. Keep light source hidden from public view.** Except for streetlights installed in rights-of-way, all light sources, whether on public or private property, shall be hidden or conform to light standards specified herein. Light sources (e.g., light bulbs) shall not be visible except on approved decorator lights. Sources of high intensity light, whether behind a lens or not, shall not be visible to the public.

Commented [JE14]: The lighting section is handy; few changes recommended. Eventually we will create a table of what parts of the CDM apply to which zoning districts.

COMMUNITY DESIGN MANUAL
for the
CITY OF HOMER

High intensity light sources may not be visible to the public. Fixture designs of an industrial or utility appearance shall be avoided.



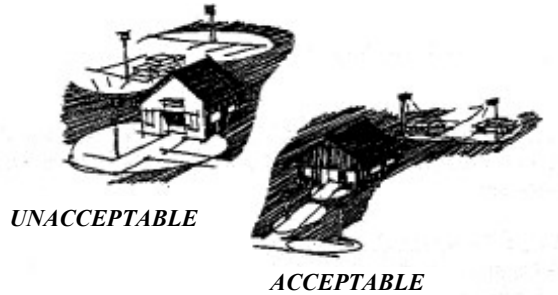
Indirect lighting keeps light source hidden from the public's view. Recessed spot lighting may supplement indirect lighting where more direct lighting is desired.



2. **Use downward directional lighting.** All lights more than 7 feet above the ground shall be downward directional lighting.

Commented [JE15]: Code is not the same. Code says lights over 15 feet must be cut off luminaries. Change this or keep as is?

COMMUNITY DESIGN MANUAL
for the
CITY OF HOMER



3. **Avoid lighting large areas with a single source.** Large areas may be lit with a number of low intensity sources close to the area requiring illumination; illumination of a large area with a remote single source of light shall be avoided.
4. **Avoid excessive light throw.** Lighting shall not be cast beyond the premises and shall be limited to illumination of surfaces intended for pedestrians or vehicles. Illumination of landscaped areas shall be avoided unless lighting is part of the landscape design or the area is intended for recreational use.
5. **Choose approved outdoor light designs.** The following lighting types are approved:
 - a. **"Shoe box" style pole lamps** to be approved as appropriate for district (downward directional).
 - b. **Ornamental pole lamps** - to be approved as appropriate in color and style for district.
 - c. **Bollard lights** - to be approved as appropriate in color and style for district.
6. **Avoid light fixture designs which have an industrial appearance.** Designs of an industrial or utility appearance shall be avoided on all fixtures visible to the public, e.g., mercury vapor lights, cobra lights, etc.

COMMUNITY DESIGN MANUAL
for the
CITY OF HOMER



NO!

NO!

NO!

YES!

Except for the "shoe-box" style light on the right (which is downward directional), these other lights are too industrial in their appearance and are designed for illuminating large areas with a single light source.

OUTDOOR FURNISHINGS

Encouraged in Central Business District, Marine Zoning Areas, and adjacent to Ocean Drive.

Outdoor furnishings are as important to the visual quality of the City as indoor furnishings are to a room. The choice of furnishings determine how casual or formal a setting may be and reveal a great deal about the preferences of the people the setting is designed to serve. Outdoor furnishings in public and quasi-public spaces contribute to a community image. The following requirements will assure consistency in outdoor furnishing design in public rights-of-way and are recommended guidelines for private common areas:

1. Use City approved furniture designs on public rights-of-way. All furniture on rights-of-way shall be approved by the Public Works Department and the Planning Department as to its type, style, manufacturer, series, and color. Outdoor furnishing shall be of a commercial grade designed for heavy public use.

CONNECTIONS

INTENT: The intent of connections standards is to extend design consideration beyond individual parcels and emphasize (a) visual links between districts, (b) functional links between parcels, (c) transitions between dissimilar uses and (d) right of way and common area improvements which will

Commented [JE16]: There are no city approved furnishings. Public Works would permit any items within the right of way. (a process may happen as part of the future wayfinding/street scape project).

Commented [JE17]: This section has never been completed

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201 ~~create a cohesive community image.~~
202
203 ~~This section will be developed further at a later date.~~
204



City of Homer

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Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: October 22, 2020
SUBJECT: City Manager's Report for October 26th Council Meeting

Tsunami Warning

On October 19th, there was a large earthquake near Sand Point, AK which resulted in a tsunami warning that had potential to impact the Spit and other coastal areas of the City. City staff with emergency response responsibilities assembled at the EOC to prepare and monitor the situation. The public was encouraged to evacuate from the Spit and other low lying areas for a short period of time. A tsunami wave was generated but it was relatively small and did not make it as far as Homer.

While emergencies like this can be viewed as a hassle, each one does provide an important opportunity for staff to evaluate our processes and find any broken linkages between ourselves and other agencies. Between writing this report and the October 26th Council Meeting, I will have met with staff to discuss the event and potential improvements to our process. Chief Kirko and I will have also met with Kenai Peninsula Borough emergency management officials to discuss opportunities for improvement in regards to their interface with tsunami warning events in Homer. The goal is continuous improvement so that when we do have a large scale disaster we are prepared, efficient, and effective in protecting the City.

Police Station Virtual Tour

Because of COVID restrictions, in-person tours of the new police station were not practical at the time of the ribbon cutting. Instead, the Homer Police Department has provided a video virtual tour of the facility so that the public can see the inside of our newest City building. The video is available on HPD's Facebook page (<https://www.facebook.com/homerakpolice/videos/698384224430670/>) and features an appearance from City Engineer Carey Meyer discussing the green infrastructure outside of the building.

Bears on City Property

I received a letter from an Alaska Department of Fish & Game (ADF&G) biologist related to concerns with bears on city managed property, mainly Karen Hornaday Park. The concerns revolve around food attracting bears to the park and the potential for unsafe situations for both bears and humans. The suggestion is to install bear-proof trashcans and food storage containers for campers. Municipal-grade bear-proof equipment is not inexpensive, but I am working with Parks Maintenance Coordinator Matt Steffy to attempt to identify ways we can reduce the cost of this equipment and seek grant funding to defray the expenses of upgrading our camp facility over time. In the meantime, we will work to improve messaging to campground users which includes education on best practices related to bear safety.

Climate Action Plan (CAP)

Staff have been working on energy use and emissions calculations while also working on a building a pathway to an update to our 2007 CAP (a 2020 Council-Initiated Priority) underway. Related to this item, staff, in conjunction with Councilmember Aderhold, collaborated on a questionnaire which provided data to a climate cohort group with which the City is aligned. The questionnaire will help them figure out ways to support communities like ours who are working on climate change initiatives and climate action plans.

GFOA Budget Award

As I was finishing this report, Finance Director Walton received a congratulatory note from the Government Finance Officers Association notifying the City that we have been awarded the Distinguished Budget Presentation Award. Per their website, “GFOA established the Distinguished Budget Presentation Awards Program (Budget Awards Program) in 1984 to encourage and assist state and local governments to prepare budget documents of the very highest quality that reflect both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's best practices on budgeting and then to recognize individual governments that succeed in achieving that goal. Over 1600 governments, including states, cities, counties, special districts, school districts, and more have been recognized for transparency in budgeting. To earn recognition, budget documents must meet program criteria and excel as a policy document, financial plan, operations guide, and communication tool.” GFOA’s review also provides instruction on how the City’s budget can include additional modifications to completely adhere to the organization’s standards. The Finance Department works very hard to keep up with all the demands from COVID response and all of our regular City business, I would like to congratulate them for this accomplishment.

COVID-Related Updates

Council Chambers COVID Remodel

Staff prepared a plan and design for a remodel of the Council Chambers to allow for more distancing and an improved integration with digital means of public participation. I fielded comments and design ideas in writing and in person from Councilmembers which resulted in some modifications, but the general layout remained the same as originally proposed. We are moving forward with a large semi-circle/horseshoe shape because it allows for Councilmembers to see each other when speaking, expands their available space, allows for easier wiring of electronics, and works well with the existing seating area for the public. Personnel from Public Works, IT, and the Clerk’s Office are all engaged in getting this project moving forward within the CARES Act timeline.

State of Alaska Community Engagement Team

During the October 22 DHSS/State Unified Command meeting, Deputy Public Information Officer Tussey made note of an opportunity for community leaders and elected officials to reach out to the state through a community engagement team made available to meet with local communities. The team consists of Commissioner Crum, Director Paul Nelson from State Emergency Management, Eliza Muse from DHSS, and Brian Fisher. Please let me know if this opportunity is of interest and what topics the body would request a presentation/discussion on.

Library Services (update provided by Director Berry)

On June 12, the library applied for federal grant money to fund four major upgrades to the library’s technology. The Institute of Museum and Library Services (IMLS) received more than 1,700 requests for grant funding, and the funding announcement was significantly delayed. Facing delays in implementing urgent

projects, the Homer City Council has provided funding out of CARES Act monies for these projects. In July, boosting the library's wi-fi signal was given the nod to move forward. On Sept. 14 the Council passed Ordinance 20-63(A) to fund the remaining projects in the original grant application. On Sept. 16 the library withdrew its application to the IMLS and work on the remaining projects began at once.

One of the four projects (upgrading the library's wi-fi network to cover the parking lot) is now complete, and the signal has been up and running since September. The replacement of the library's print management software is in progress: a server has been set up and the company is working on code development for the features we requested. We expect the new print-management system to go live in December, allowing patrons to submit print jobs over the internet from their phones, laptops or home computers. The library currently uses magnetic strips and barcodes for tracking its collection, a technology that is increasingly obsolete. We're in the process of replacing it with radio-frequency ID (RFID) tags. All the RFID equipment has been ordered and is now being configured. Tags should begin arriving in early November, the computer stations, checkout pads and other tools should arrive in mid-November, and the security gates should be set up in mid-December. The new system will allow for self-checkout terminals and low-contact checkout at the front desk, as well as much faster and more accurate processing of materials.

We're also acquiring more laptops for checkout. The charging locker has arrived and is set up at the front desk. IT has solicited quotes for the computers themselves and expects those quotes to be complete within the next couple of days. All equipment should be delivered by December 30.

CARES Act Funds Update

I expect to provide updated stats and graphs as part of a supplemental packet. Checks for ERG programs are typically cut on Fridays and delaying this part of my report allows for a more accurate accounting of CARES Act expenditures at the Council meeting.

Enclosures:

1. GFOA press release

FOR IMMEDIATE RELEASE

October 14, 2020

For more information, contact:

Technical Services Center

Phone: (312) 977-9700

Fax: (312) 977-4806

E-mail: budgetawards@gfoa.org

(Chicago, Illinois)--Government Finance Officers Association is pleased to announce that **City of Homer, Alaska**, has received GFOA's Distinguished Budget Presentation Award for its budget.

The award represents a significant achievement by the entity. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting. In order to receive the budget award, the entity had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as:

- n a policy document
- n a financial plan
- n an operations guide
- n a communications device

Budget documents must be rated "proficient" in all four categories, and in the fourteen mandatory criteria within those categories, to receive the award.

When a Distinguished Budget Presentation Award is granted to an entity, a Certificate of Recognition for Budget Presentation is also presented to the individual(s) or department designated as being primarily responsible for having achieved the award. This has been presented to **Finance Department**.

There are over 1,600 participants in the Budget Awards Program. The most recent Budget Award recipients, along with their corresponding budget documents, are posted quarterly on GFOA's website. Award recipients have pioneered efforts to improve the quality of budgeting and provide an excellent example for other governments throughout North America.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources and practical research for more than 20,500 members and the communities they serve.



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished
Budget Presentation
Award*

PRESENTED TO

**City of Homer
Alaska**

For the Biennium Beginning

January 1, 2020

Christopher P. Morill

Executive Director



Planning Department

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 714-2200 • (907) 714-2378 Fax

Charlie Pierce
Borough Mayor

October 28, 2020

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
NOTICE OF DECISION
MEETING OF OCTOBER 26, 2020**

RE: Vacate Cheryl Lane a 60 foot right-of-way approximately 951 feet more or less in length dedicated per Lillian Walli Estate Plat HM 88-16 and Vacate the associated utility easements described as the front 10 feet of Cheryl Lane right-of-way and the full 20 feet within 5 feet of the side lot lines adjoining Cheryl Lane as dedicated per Lillian Walli Estate Plat HM 88-16. The right-of-way being vacated is unconstructed and located within the NE1/4 NE1/4 of Section 24, Township 6S, Range 14W, Seward Meridian, Alaska, within the Kenai Peninsula Borough. KPB File 2020-119V.

By unanimous consent the Kenai Peninsula Borough Planning Commission approved the proposed right-of-way and associated utility easement vacations during their regularly scheduled meeting of October 26, 2020 based on the means of evaluating public necessity established by KPB 20.70.

Subject to:

1. Consent by Homer City Council.
2. Compliance with the requirements for preliminary plats per Chapter 20 of the KPB Code.
3. Grant utility easements requested by the Homer City Council and utility providers.
4. Submittal of a final plat within a timeframe such that the plat can be recorded within one year of vacation consent (KPB 20.70.130).

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The proposed vacation has been forwarded to the Homer City Council. The City Council has 30 days from October 26, 2020 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Commission will stand.

Please contact the Homer City Office to verify the date the subject vacation will be reviewed by the Council.

Please contact the Kenai Peninsula Borough's Planning Department at (907) 714-2200 if you have any questions.

