



**Homer City Hall**  
491 E. Pioneer Avenue  
Homer, Alaska 99603  
[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

## **City of Homer Agenda**

**City Council Regular Meeting  
Monday, July 25, 2022 at 6:00 PM**

**In Person at City Hall Cowles Council Chambers and by Zoom Webinar**

<https://cityofhomer.zoom.us/j/205093973?pwd=UmhJWEZ3ZVdvbDkxZ3Ntbld1NINXQT09>

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

**Webinar ID: 205 093 973 Passcode: 610853**

### **CALL TO ORDER, PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

### **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

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

### **RECONSIDERATION**

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

- a. Homer City Council Unapproved Regular Meeting Minutes of June 27, 2022. City Clerk. Recommend adoption.
- b. Memorandum 22-120 from Mayor Castner Re: Appointment of Mike Stark to the Planning Commission. Recommend approval.
- c. Memorandum 22-121 from Deputy City Clerk Re: New Liquor License for Swell Taco. Recommend approval.
- d. Memorandum 22-122 from City Clerk Re: Vacation of a Portion of Hough Road & Associated Utility Easements. Recommend approval.
- e. Ordinance 22-37, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget and Appropriating \$100,000 from the Water Capital Asset Repair and Maintenance Allowance Fund for a Fire Hydrant Replacement Program. City Manager/Public Works Director. Recommended Dates Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-123 from Public Works Director as backup.

- f. Ordinance 22-38, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget and Appropriating \$185,368 from the Homer Accelerated Roads and Trails Fund for the Master Transportation Plan Update. City Manager/Public Works Director. Recommended Dates Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-124 from Public Works Director as backup.

- g. Ordinance 22-39, An Ordinance of the City Council of Homer, Alaska Appropriating \$125,000 from the FY23 Capital Budget General Fund Capital Asset Repair and Maintenance Allowance Fund for Professional and Technical Assistance to Support Development and Submission of Infrastructure Investment and Jobs Act Grant Applications. City Manager. Recommended Dates Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-125 from Special Projects Coordinator as backup.

- h. Ordinance 22-40, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 11 by Adding Chapter 11.37 Prohibiting Obstructions and Encroachments in City Rights-of-Way and Easements. City Manager/Public Works Director. Recommended Dates Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-126 from Public Works Director as backup.

- i. Ordinance 22-41, An Ordinance of the City Council of Homer, Alaska Accepting the Vacation and Dedication of Parklands on Spruceview Avenue. City Manager/City Planner. Recommended Dates Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

Memorandum 22-127 from City Planner as backup.

- j. Resolution 22-058, A Resolution of the City Council of Homer, Alaska Approving Entering a Three Year Participant Membership Agreement with Alaska Municipal League Joint Insurance Association, Inc. and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

Memorandum 22-128 from City Manager as backup.

- k. Resolution 22-059, A Resolution of the City Council of Homer, Alaska Approving a Three Year Contract Extension with Homer Real Estate for Real Estate Broker Services and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Recommend adoption.

## **VISITORS**

- a. COVID-19 Agency Update Derotha Ferraro, South Peninsula Hospital Public Information Officer and Lorne Carroll, State of Alaska Public Health Nurse III (10 minutes)
- b. Legislative Update - Representative Sarah Vance (10 minutes)

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

- a. Special Meeting Report
- b. Committee of the Whole Report
- c. Mayor's Report
- d. Borough Report
- e. Planning Commission
- f. Americans with Disabilities Act Compliance Committee

**PUBLIC HEARING(S)**

- [a.](#) Ordinance 22-35, An Ordinance of the City Council of Homer, Alaska, Amending the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District in the Lower West Hill Road Area. Planning Commission. Introduction June 27, 2022 Public Hearing and Second Reading July 25, 2022.

Memorandum 22-116 from City Planner as backup.  
Memorandum 22-117 from City Manager as backup.

**ORDINANCE(S)**

- [a.](#) Ordinance 22-42, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.04.120 to Clarify that all New Streets which Serve as Public Access Corridors shall have Sidewalks. Davis/Erickson. Introduction July 25, 2022, Public Hearing and Second Reading August 8, 2022.

**CITY MANAGER'S REPORT**

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

**PENDING BUSINESS**

**NEW BUSINESS**

**RESOLUTIONS**

**COMMENTS OF THE AUDIENCE**

**COMMENTS OF THE CITY ATTORNEY**

**COMMENTS OF THE CITY CLERK**

**COMMENTS OF THE CITY MANAGER**

**COMMENTS OF THE MAYOR**

**COMMENTS OF THE CITY COUNCIL**

**ADJOURNMENT**

Next Regular Meeting is Monday, August 8, 2022 at 6:00 p.m., Worksession at 4:00 p.m. Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.



Session 22-12 a Regular Meeting of the City Council of Homer, Alaska was called to order on June 27, 2022 by Mayor Ken Castner at 6:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

**PRESENT:** COUNCILMEMBERS ADERHOLD, DAVIS, ERICKSON, HANSEN-CAVASOS, LORD, VENUTI

**STAFF:** CITY MANAGER DUMOUCHEL  
CITY CLERK JACOBSEN  
FINANCE DIRECTOR WALTON  
PUBLIC WORKS DIRECTOR KEISER  
LIBRARY DIRECTOR BERRY  
INFORMATION TECHNOLOGY ANALYST SULCZYNSKI  
CITY ATTORNEY GATTI

**AGENDA APPROVAL** (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

ADERHOLD/VENUTI MOVED TO ADOPT THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

## **MAYORAL PROCLAMATIONS AND RECOGNITIONS**

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

## **RECONSIDERATION**

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

- a. Homer City Council Unapproved Regular Meeting Minutes of June 13, 2022. Recommend adoption.
- b. Memorandum 22-112 from Mayor Castner Re: Appointment of Bradley Parsons to the ADA Compliance Committee and reappointments of Franco Venuti and Brad Conley to the Planning Commission. Recommend approval.
- c. Memorandum 22-113 from City Manager Re: Appointment to the Emergency Services Communications Advisory Board. Recommend approval.

- d. Memorandum 22-114 from Deputy City Clerk Re: Liquor License Transfer for Grog Shop, Grog Shop East End, Patels, Patels 2, Homer Liquor and Wine, and Rum Locker. Recommend approval.
- e. Resolution 22-056, A Resolution of the City Council of Homer, Alaska Approving an Amendment to the South Central Radar Lease by Adding an Additional Adjacent 1760 Square Feet of City Right-of-Way to the Leased Premises of Lot 88-1, Homer Spit Subdivision No. 2, KPB Parcel 18103431. City Manager. Recommend adoption.

Memorandum 22-115 from Harbormaster as backup.

ADERHOLD/VENUTI MOVED TO ADOPT THE RECOMMENDATIONS OF THE CONSENT AGENDA AS READ.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

### **VISITORS**

- a. COVID-19 Agency Update Derotha Ferraro, South Peninsula Hospital Public Information Officer and Lorne Carroll, State of Alaska Public Health Nurse III (10 minutes)

Lorne Carroll, Public Health Nurse III, reported on the State's COVID dashboard regarding local community case rate information, statewide hospital capacity, worldwide status, and Omicron variant status for the US and Alaska. Mr. Carroll also addressed COVID vaccine schedules for pediatric doses, youth doses, and adult doses. In closing he touched on long term COVID impacts and switched gears to address the increase in overdose deaths in Alaska last year, noting that fentanyl was involved in 74% of the opioid overdose deaths.

Derotha Ferraro, South Peninsula Hospital Public Information Officer, reported on weekly dashboard updates for hospital visits, testing and vaccinations, treatments, and hospital staff status. She announced effective July 1<sup>st</sup> testing will be available Monday through Friday, 9am to 5pm and that insurance will be billed for COVID tests or a \$50 self-pay will be charged at the time of testing or billed later. For weekends and off hours, free home tests are available at the hospital's main entrance and the Homer Chamber of Commerce.

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

- a. Committee of the Whole Report

Councilmember Aderhold provided a recap of the Committee of the Whole discussion on Ordinance 22-35 and rezoning in the lower West Hill area from rural residential to urban residential.

b. Mayor's Report

Mayor Castner reported on when it's appropriate to hold an executive session and when it's appropriate to discuss a matter in an open meeting.

c. Borough Report

d. Economic Development Advisory Commission

A laydown report was provided by Commissioner Jay Cherok. Chair Karin Marks was in attendance and added the Commission will have a final report to Council on their work on balance of quality of life, change, and community growth in September. She shared the Commission continues to keep housing and non-motorized transportation on their agenda for discussion.

e. Parks Art Recreation and Culture Advisory Commission

- i. Memorandum from Parks Art Recreation and Culture Advisory Commission Re: Dogs on Leash in Designated Areas.

Councilmembers discussed the recommendation from the Parks Art Recreation and Culture Advisory Commission to amend code to require dogs to be on leash in city campgrounds, parks, parking lots, and sensitive wildlife habitat areas. Council expressed interest in this matter and Councilmember Venuti agreed to work with the Commission on the topic.

f. Port and Harbor Advisory Commission

**PUBLIC HEARING(S)**

- a. Ordinance 22-31, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 21.93 Administrative Appeals to Clarify General Appeal Procedures and Related Matters. City Clerk. Introduction June 13, 2022 Public Hearing and Second Reading June 27, 2022.

Memorandum 22-099 from City Clerk as backup.

Memorandum 22-100 from City Planner as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-31 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 22-32, An Ordinance of the City Council of Homer, Alaska Amending Title 21.03.040 Definitions used in Zoning Code, Title 21.44 Slopes, Title 21.50.020 Site Development Standards – Level One and Title 21.50.020 Site Development Standards – Level Two. Planning Commission. Introduction June 13, 2022 Public Hearing and Second Reading June 27, 2022.

Memorandum 22-101 from City Planner as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-32 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Councilmember Aderhold shared her appreciation for the Planning Commission's work on this and noted a typographical error in the ordinance.

In response to a question from Councilmember Davis regarding building on the slope, City Planner Abboud explained there are different definitions, it depends on the slope of a lot, and there are engineering requirements for development on a slope. He noted this question relates to current code and the ordinance is related code regulations within 300 feet of the bay.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 22-33, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget and Appropriating \$11,838 from the General Fund Capital Asset Repair and Maintenance Allowance Fund to Replace Two Vending Stations at the Library. City Manager/Library Director. Introduction June 13, 2022 Public Hearing and Second Reading June 27, 2022.

Memorandum 22-102 from Library Director as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-33 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 22-34(S), An Ordinance of the City Council of Homer, Alaska Amending the FY22 Capital Budget by Appropriating ~~\$422,840~~ **\$497,900** from the Sewer Capital Asset Repair and Maintenance Allowance Fund to Implement a Solution to the Broken Clarifier Belt at the Waste Water Treatment Plant. City Manager/Public Works Director. Introduction June 13, 2022 Public Hearing and Second Reading June 27, 2022.

Memorandum 22-111 from Public Works Director as backup.

Memorandum 22-103 from Public Works Director as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-34(S) BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was brief discussion regarding the necessity of this unplanned expenditure.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

### **ORDINANCE(S)**

- a. Ordinance 22-35, An Ordinance of the City Council of Homer, Alaska, Amending the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District in the Lower West Hill Road Area. Planning Commission. Introduction June 27, 2022 Public Hearing and Second Reading July 25, 2022.

Memorandum 22-116 from City Planner as backup.

Memorandum 22-117 from City Manager as backup.

ADERHOLD/VENUTI MOVED TO INTRODUCE ORDINANCE 22-35 BY READING OF TITLE ONLY.

Councilmember Aderhold noted this ordinance was their discussion topic at Committee of the Whole where they addressed pros and cons of doing this and why it's being recommended. The Planning Commission held a public hearing and received input, particularly from property owners on the west side, and she'll be interested in hearing more as this moves forward to their next meeting.

Councilmember Lord shared there is information on the Planning Department webpage about this rezone and she confirmed the original proposal was for re-zoning the east and west sides, and the ordinance before them now is written is to re-zone the east side of West Hill only.

There was brief discussion about process if a member wanted to propose an amendment to include the west side. It was explained that if the change was proposed at the next meeting a second public hearing could be scheduled. If a substitute was provided prior to publication of the public hearing notice, a second hearing may not be necessary, but council could also decide to schedule an additional hearing.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Ordinance 22-36, An Ordinance of the City Council of Homer, Alaska, Amending the FY23 Capital Budget and Appropriating \$\_\_\_\_\_ from the Water Capital Asset Repair and Maintenance Allowance Fund to Replace Six Fire Hydrants along the West Fairview Avenue Path. City Manager/Public Works Director. Introduction June 27, 2022 Public Hearing and Second Reading July 25, 2022.

Memorandum 22-118 from Public Works Director as backup.

ADERHOLD/LORD MOVED TO INTRODUCE ORDINANCE 22-36 BY READING OF TITLE ONLY.

Councilmember Aderhold shared that Public Works received new information about the location of some of the existing utilities related to the West Fairview Path. It's been recommended that this is voted down and new legislation will come forward at a future date.

VOTE: NO: VENUTI, ERICKSON, ADERHOLD, LORD, DAVIS, HANSEN-CAVASOS

Motion failed.

### **CITY MANAGER'S REPORT**

- a. City Manager's Report

City Manager Dumouchel commented regarding the upcoming work on the Main Street Sidewalk that will begin mid-July and run through August. He recapped items in his written report and responded to questions regarding the new Special Projects Coordinators, noting he'll have more information to share about them soon.

## **PENDING BUSINESS**

## **NEW BUSINESS**

## **RESOLUTIONS**

- a. Resolution 22-057, A Resolution of the City Council of Homer, Alaska Awarding a Contract to a Firm to be Determined in an Amount to be Disclosed for the Construction of the West Fairview Path and Replacement of Fire Hydrants, and Authoring the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director.

Memorandum 22-118 from Public Works Director as backup.

ADERHOLD/VENUTI MOVED TO ADOPT RESOLUTION 22-057 BY READING OF TITLE ONLY.

Councilmember Aderhold noted this relates to Ordinance 22-36 that they just voted down because of new information related to the project.

VOTE: NO: ADERHOLD, HANSEN-CAVASOS, LORD, VENUTI, ERICKSON, DAVIS

Motion failed.

## **COMMENTS OF THE AUDIENCE**

Ted Carter, city resident, commented he lives in the area of the potential re-zone and after hearing input on where to find more information, he'll read more about the legislation for the next meeting.

Karin Marks, city resident, commented regarding Ordinance 22-35 the east side is just catch up, west side, that's looking ahead.

## **COMMENTS OF THE CITY ATTORNEY**

City Attorney Gatti shared that he was pleased with the drift fisheries decision from the Federal Court and thinks it was a prudent position on the part of the Mayor and Council to participate in that litigation. He thinks the court made a good decision, for the most part.

## **COMMENTS OF THE CITY CLERK**

City Clerk Jacobsen announced current openings on the ADA Compliance Committee and the Planning Commission, and there will be a Running for Local Office Open House on July 23<sup>rd</sup> for anyone interested in information on running for Mayor or City Council this year.

### **COMMENTS OF THE CITY MANAGER**

City Manager Dumouchel announced current full time and part time job openings.

### **COMMENTS OF THE MAYOR**

Mayor Castner joined in on the Attorneys comment on the UCIDA case. What we presented through the attorneys is the claim they had done a poor job in making an economic analysis on the economic impacts to our town. While the judge was easy on them in analysis saying they did their best they could with the information provided, in the end he said their decision was arbitrary and capricious.

### **COMMENTS OF THE CITY COUNCIL**

Councilmember Hansen-Cavasos had no comments.

Councilmember Aderhold shared 13.AAC.02.400 riding bicycles on roadways and bicycle paths, reiterating that bicycles have a place on the road and having the roadways cleared of sand and debris by DOT is important and necessary. She added that the non-motorized transportation group that is part of the Homer Drawdown is meeting regularly and there's an opportunity to do trail work on Lee Drive between Heath Street and Kachemak Way. She gave kudos to the Homer Police Officers and a State Trooper who volunteered their time to conduct a self-defense class. It was well done and well attended. She anticipates there will be another class in the future.

Councilmember Davis noted it's been a dry summer and a lot of dust in the parking lots. He's noticed the Public Works Department is doing a good job spreading calcium chloride to keep the dust down on the roads, but having a hard time finding someone who does it commercially for local businesses. He wonders if there's a way for the city to help businesses, for a fee. He also shared that a citizen has been in touch with him about the 35 acres in town that's zoned as town center. They shared an interest that's similar to what he discussed in the Council's visioning session about developing that area into a mixed-use pedestrian friendly area with workforce housing, shops, cafés and green space. Perhaps that's something the new Special Projects Coordinator could take an interest in.

Councilmember Erickson commented this July 4<sup>th</sup> weekend there will be a big celebration with 50 years of Homer High School graduates coming to town. There are a number of activities throughout the weekend ending with the parade. She also announced two showings of the



documentary 2000 Mules at a location on Bartlett Street and thanked the workers doing the improvements on East Hill Road.

Councilmember Venuti wished everyone happy July 4<sup>th</sup> and encouraged attending the parade and being safe. She reminded that fireworks are prohibited in our area and that pets don't like them. She shared about her Canadian mother becoming a US citizen on July 4<sup>th</sup> and congratulated those who are doing that this year. She had orange hawkweed in her yard, it's an invasive species and you can stop the spread by cutting the flowers off before they go to seed. Lastly she announced that college classes will be listed soon for those interested in taking classes, and she thanked the Mayor for the work on the UCIDA case.

Councilmember Lord was glad to hear about the Running for Local Office Open House coming up and shared that she's happy to talk to anyone who may be interested at any level. She knows a lot of people with COVID right now, some with mild cases and others who are really sick. It's very contagious and encouraged getting vaccinated and boosted. She thanked everyone for a good and short meeting.

#### **ADJOURNMENT**

There being no further business to come before the Council Mayor Castner adjourned the meeting at 7:15 p.m. The next Regular Meeting is Monday, July 25, 2022 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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Melissa Jacobsen, MMC, City Clerk

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



# City of Homer

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

Office of the Mayor

491 East Pioneer Avenue  
Homer, Alaska 99603

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

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 22-120

TO: HOMER CITY COUNCIL  
FROM: MAYOR CASTNER  
DATE: JULY 20, 2022  
SUBJECT: APPOINTMENT OF MIKE STARK TO THE PLANNING COMMISSION

Mike Stark is appointed to the Planning Commission to fill the seat vacated by Syverine Bentz. The term will expire July 1, 2025.

### Recommendation

Confirm the appointment of Mike Stark to the Planning Commission.

Published on *City of Homer Alaska Official Website* (<https://www.cityofhomer-ak.gov>)

[Home](#) > [Application for Appointment to an Advisory Body](#) > [Webform results](#) > Application for Appointment to an Advisory Body

#### Submission information

Form: [Application for Appointment to an Advisory Body](#) [1]

Submitted by Visitor (not verified)

Mon, 07/04/2022 - 9:07pm

162.142.118.23

#### Applicant Information

**Full Name**

Mike Stark

**Physical Address Where you Claim Residency**

64190 EasterDay Road, Homer, AK 99603

**Mailing Address**

PO Box 2804, Homer, AK 99603

**Phone Number(s)**

970-390-8288

**Email**

mike@whitetipranch.com

**Advisory Bodies**

Planning Commission – Meetings held on the 1st and 3rd Wednesday of each month at 6:30 p.m. and Worksessions at 5:30 p.m. prior to each meeting. No first meeting in July or second meetings in November and December.

#### Residency

**Are you a City Resident?** Yes

**If yes, how long have you been a City Resident?** October 2021

**How long have you been a resident of the South Peninsula Area?** October 2021

#### Background Information

**Have you ever served on a similar advisory body?**

- Informally for the cities of Greeley, Fort Collins and Aspen, Colorado.

- For the Ruler of Dubai, U.A.E.
- For New Riyadh International Airport, Riyadh, Saudia Arabia; Eastern Province International Airport, Eastern Province, Saudia Arabia

### **Other memberships**

Numerous past positions. None currently.

### **Special Training & Education**

- Bachelor of Science Degree; Industrial, Community Development and Construction Management
- While a construction project manager with Hensel Phelps Construction Co., assisted the city of Greeley, CO mayor and city manager with downtown development planning, and acquiring state and federal Shared Revenue funding for same
- Performed Community Development Planning and Construction Management for Bechtel's Hydro and Community Development Division

### **Why are you interested in serving on the selected Advisory Body?**

Only to bring my extensive breadth and depth of related experience to serve the city of Homer and it's populous in the best ways possible for wise, healthy, and improved quality of life growth and development, benefitting Homer and all its occupants. Contribute to guiding Homer's most desirable growth and development in maintaining the uniqueness, wonder, benefits and magic of Homer, while avoiding undesirable growth and development mistakes experienced by similar cities and communities. Help improve the housing situation, enable supply of more affordable housing, and contribute to improved quality of life for Homer residents. Contribute to generating improved revenue to Homer without unduly burdening residents. To serve and contribute, and make a significant, positive difference.

Recommended by Chris Story and Janette Keiser

### **For Planning Commission Only: Have you ever developed real property other than a personal residence?**

Yes.

- Mason Street North Mixed-Use Complex, Fort Collins, CO
- Extensive Community Facilities (essentially small-to-medium sized cities) associated with new, large international airports.

**Source URL:** <https://www.cityofhomer-ak.gov/node/9051/submission/49525>

### **Links**

[1] <https://www.cityofhomer-ak.gov/cityclerk/application-appointment-advisory-body>



# City of Homer

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

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 22-121

TO: MAYOR CASTNER AND HOMER CITY COUNCIL  
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK II  
DATE: JULY 25, 2022  
SUBJECT: NEW LIQUOR LICENSE FOR SWELL TACO

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The City Clerk's Office has been notified by the AMCO Board of a New Liquor License Permit for a Restaurant Eating Place – Seasonal within the City of Homer, for the following license:

License Type: Restaurant Eating Place - Seasonal  
License #: 6056  
DBA Name: Swell Taco  
Service Location: 4025 Homer Spit Road #4  
Homer, AK 99603  
Licensee: Swell Taco, LLC  
Contact Person: Mili Lundgren

RECOMMENDATION: Voice non objection and approval for the New Liquor License Application. Fiscal Note: Revenues.



July 7, 2022

City of Homer, Kenai Peninsula Borough

VIA Email: [mjenkins@kpb.us](mailto:mjenkins@kpb.us); [ivanhoose@kpb.us](mailto:ivanhoose@kpb.us); [jratky@kpb.us](mailto:jratky@kpb.us); [cjackinsky@kpb.us](mailto:cjackinsky@kpb.us); [maldridge@kpb.us](mailto:maldridge@kpb.us); [ncarver@kpb.us](mailto:ncarver@kpb.us); [slopez@kpb.us](mailto:slopez@kpb.us) [jblankenship@kpb.us](mailto:jblankenship@kpb.us); [assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us); [mjacobson@ci.homer.ak.us](mailto:mjacobsen@ci.homer.ak.us); [clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

<b>License Type:</b>	Restaurant Eating Place – Seasonal	<b>License Number:</b>	6056
<b>Licensee:</b>	Swell Taco LLC		
<b>Doing Business As:</b>	Swell Taco		
<b>Premises Address</b>	4025 Homer Spit Road, #4		

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant’s proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Joan Wilson, Director

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)

Amended 5/30/22



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<http://mccw.commerce.alaska.gov/web/ami>  
 Phone: 907.268.0350

Alaska Alcoholic Beverage Control Board  
**Form AB-00: New License Application**

What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review Title 64 of Alaska Statutes and Chapter 304 of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

**Section 1 - Establishment and Contact Information**

Enter information for the business seeking to be licensed.

Licensee:	Swell Taco LLC		
License Type:	Restaurant, Eating Place - Seasonal	Statutory Reference:	AS 4.11.100
Doing Business As:	Swell Taco		
Premises Address:	4025 Homer Spit Road #4		
City:	Homer	State:	AK ZIP: 99603
Local Governing Body:	Kenai Peninsula Borough City of Homer (KPB)		
Community Council:	Homer City Council		

Mailing Address:	945 Ben Walters Ct		
City:	Homer	State:	AK ZIP: 99603

Designated Licensee:	Milli Lundgren		
Contact Phone:	907.205.0333	Business Phone:	907.205.0333
Contact Email:	swelltacohomer@gmail.com manager@swelltacook.com		

Seasonal License?  Yes  No If "Yes", write your six-month operating period: May-October

OFFICE USE ONLY			
Complete Date:	License Year:	License #:	100516
Board Meeting Date:	Transaction #:	100357503	
Issue Date:	Bill:	KPS/RTC	

AMCO Received 3/25/22





Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board  
**Form AB-00: New License Application**

**Section 2 – Premises Information**

Premises to be licensed is:

- an existing facility       a new building       a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

5.4 Miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

5.2 Miles

**Section 3 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4. If more space is needed, please attach a separate sheet with the required information. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant       affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an:  applicant       affiliate

Name:					
Address:					
City:		State:		ZIP:	



Amended 5/30/22



Alaska Alcohol Beverage Control Board

# Form AB-00: New License Application

Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
alcohol.license@alaska.gov  
<https://www.commerce.alaska.gov/enh/arc/>  
Phone: 907.269.0350

## Section 4 - Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should ship to Section 5.

If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability company, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Entity Official:	Mill Lundgren			
Title(s):	Owner/Operator Member	Phone:	907.205.0333	% Owned: 100
Address:	945 Ben Walters Ct			
City:	Homer	State:	AK	ZIP: 99603

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10186245	AK Formed Date:	2/6/2022	Home State:	AK
Registered Agent:	Mili Lundgren		Agent's Phone:	907.205.0333	
Agent's Mailing Address:	945 Ben Walters Ct				
City:	Homer	State:	AK	ZIP:	99603

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

**Section 5 - Other Licenses**

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

**Section 6 - Authorization**

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:





Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

**Alaska Alcoholic Beverage Control Board**  
**Form AB-00: New License Application**

**Section 7 – Certifications**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

ML

I certify that all proposed licensees have been listed with the Division of Corporations.

ML

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

ML

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

ML

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

ML

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

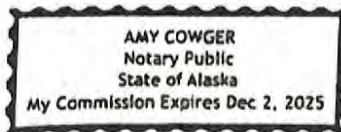
M. L.  
 Signature of licensee

Amy Cowger  
 Signature of Notary Public

MILLIE M LUNDGREN  
 Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 12/2/2025



Subscribed and sworn to before me this 28 day of February, 2022.



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/AMCO>  
 Phone: 907.269.0350

**Alaska Alcoholic Beverage Control Board**  
**Form AB-02: Premises Diagram**

**What is this form?**

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

	Yes	No
I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.	<input type="checkbox"/>	<input type="checkbox"/>

**Section 1 – Establishment Information**

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Swell Taco LLC	License Number:	
License Type:	Eatery, Take Out		
Doing Business As:	Swell Taco		
Premises Address:	4025 Homer Spit Road		
City:	Homer	State:	AK
		ZIP:	99603

AMCO Received 3/25/22





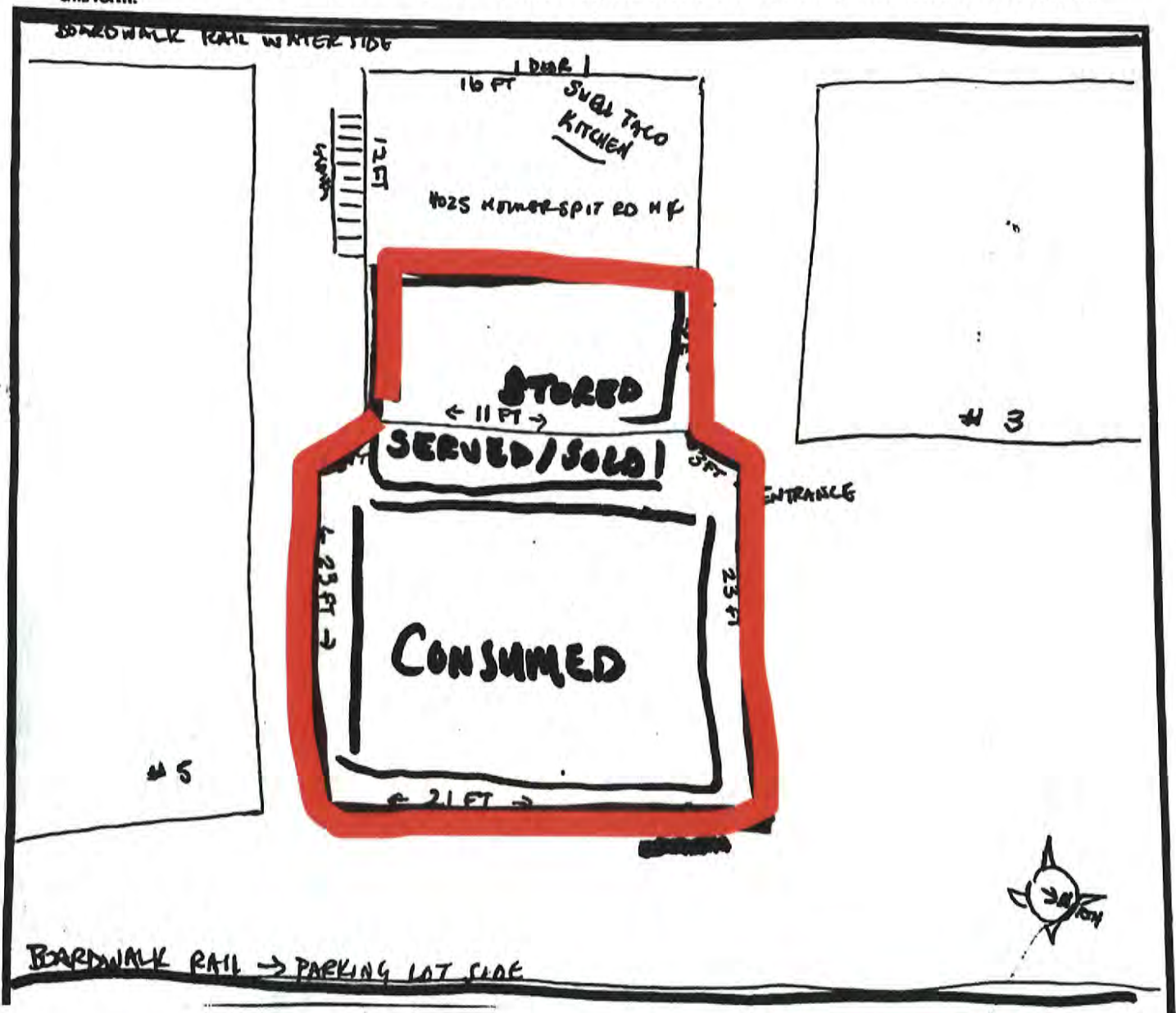
Amended

Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
alcohol.licensing@alaska.gov  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

### Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

#### Section 2 - Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

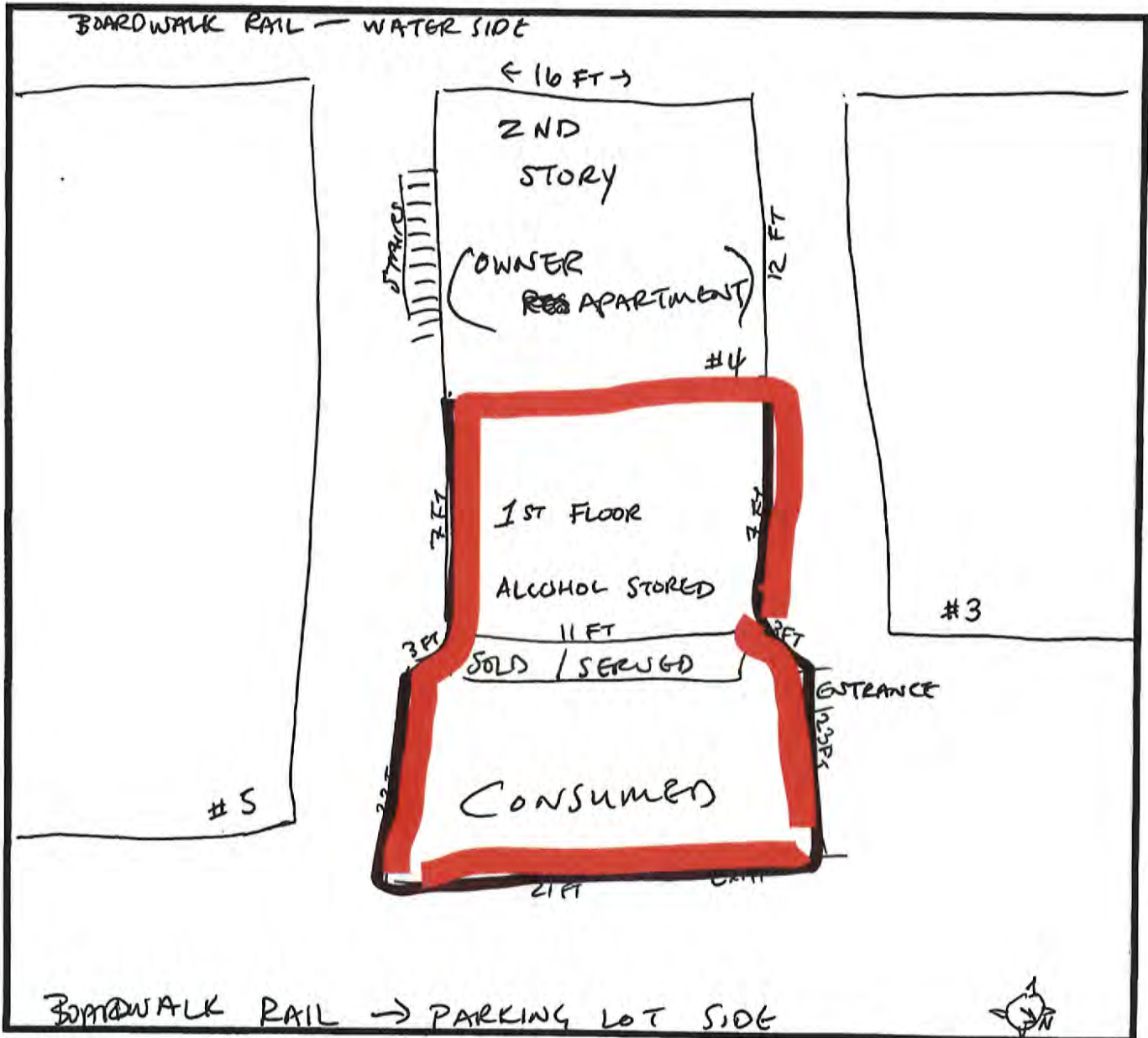




Alaska Alcoholic Beverage Control Board  
**Form AB-02: Premises Diagram**

**Section 2 – Detailed Premises Diagram**

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

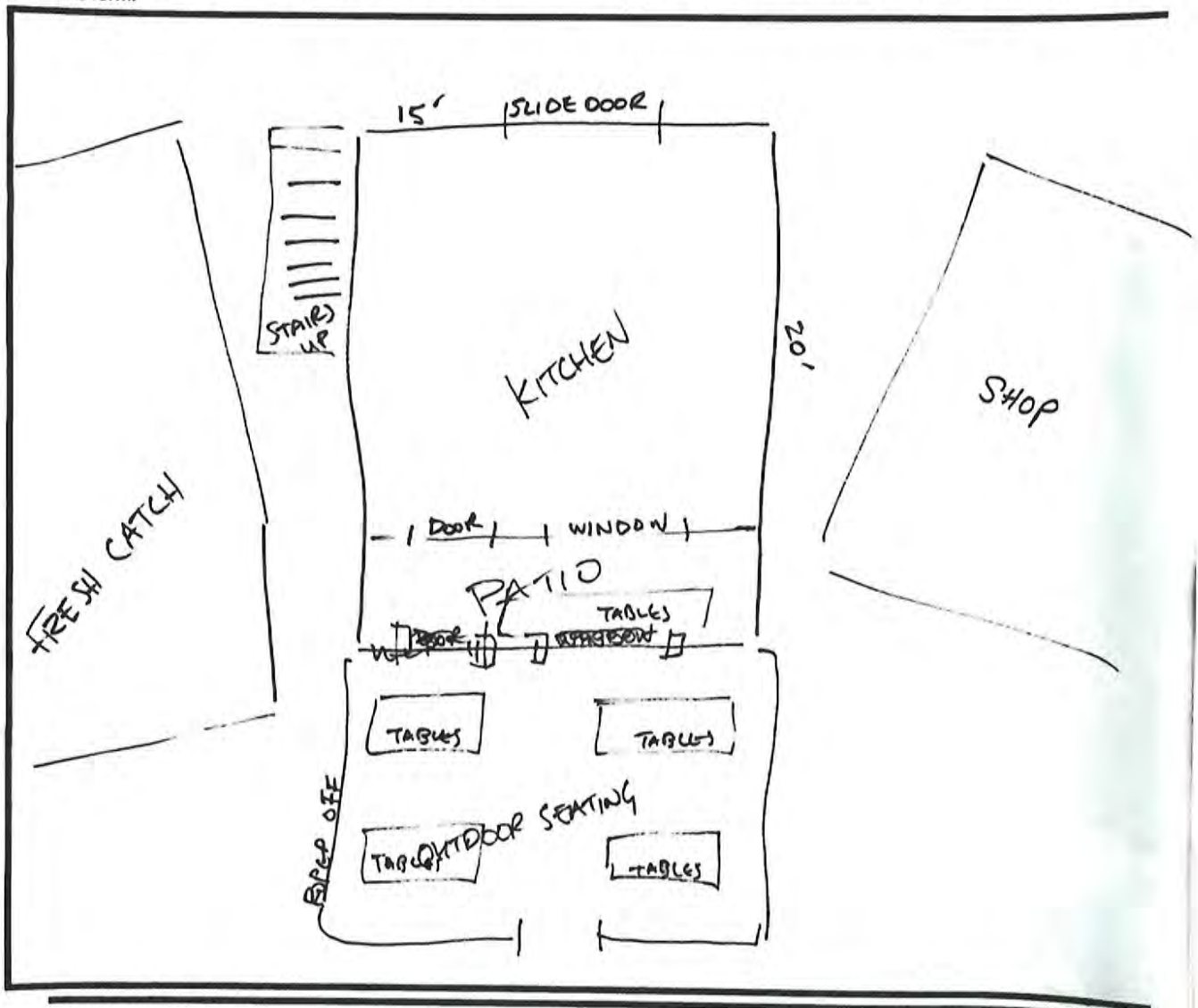




## Alaska Alcoholic Beverage Control Board Form AB-02: Premises Diagram

### Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

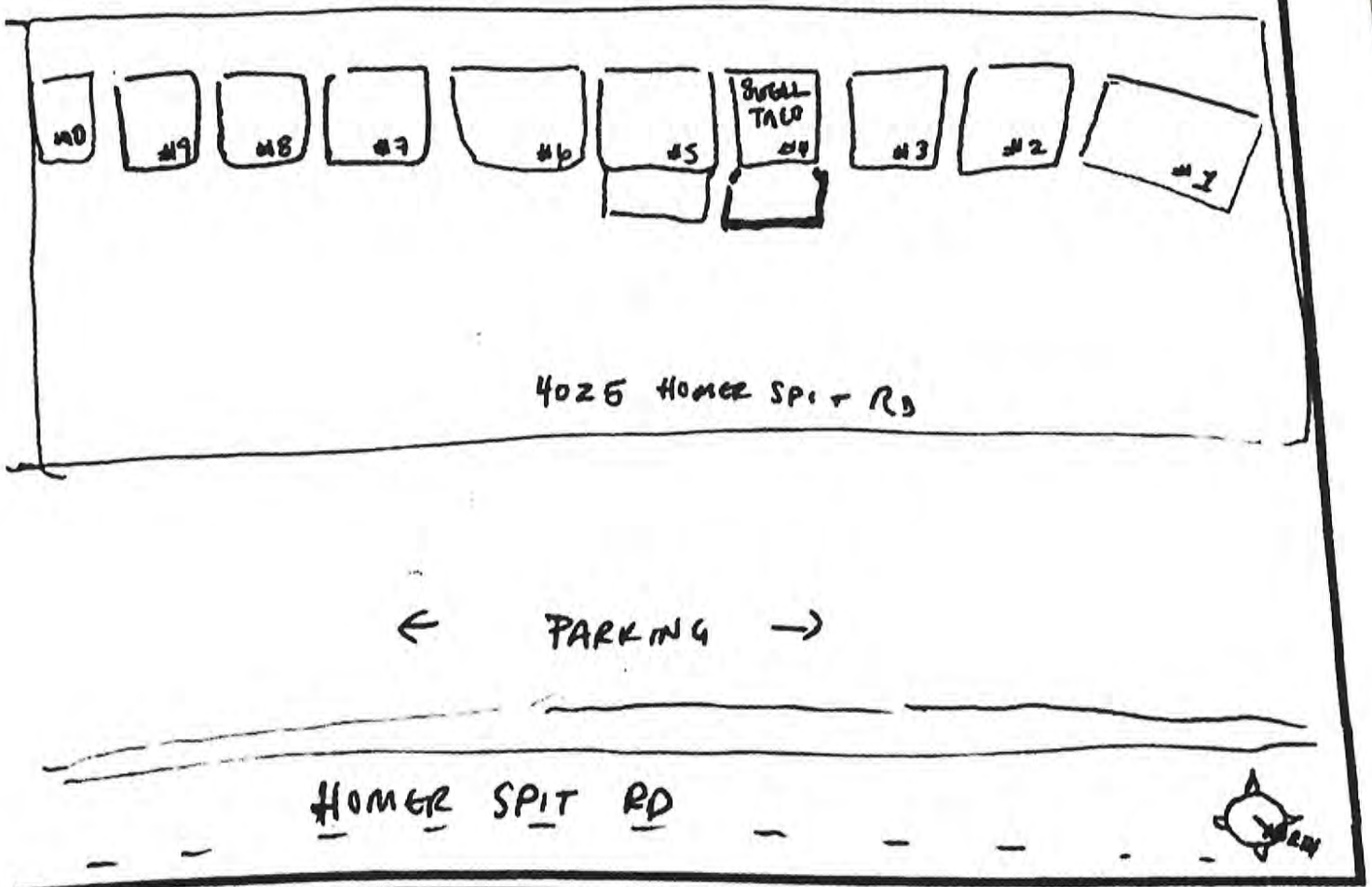




**SECTION 2 - Detailed Premises Diagram**

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

KACHEMAK BAY / BEACH





**SWELL TACO LLC**  
**Outdoor/Indoor Serving Security Plan**

1. All minors must be accompanied by an adult (age over 21) while in the restricted area when any alcohol is being served/sold/consumed.
2. All new patrons are carded upon ordering alcohol.
3. All staff is trained in the identification of fake IDs.
4. 2.5 foot tall stanchion and rope is around the outdoor servicing area.
5. Underaged persons will be monitored closely by our professionally trained alcohol servers.
6. Proper egress from the outdoor service area will always remain unobstructed.
7. ABC mandated posters as required by law are posted inside Swell Taco and at the entrances of the outdoor seating area.
8. All entrances and exits will provide clear notice that **NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.**
9. Keeping outdoor seating area viable without any increased risk to minors exposed to alcohol **WILL** continue to be a part of our training for our staff.
10. All safety related operations for our current liquor service will additionally be enforced in the new service area.
11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.
12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.
13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.
14. Servers will be present in the outdoor area to monitor consumption.



Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

Alcohol and Marijuana Control Office  
 550 W 7th Avenue, Suite 1600  
 Anchorage, AK 99501  
 alcohol.licensing@alaska.gov  
<http://www.commerce.alaska.gov/web/abcb>  
 Phone: 907.269.0350

What is this form?

A restaurant designation permit application is required for a licensee desiring designation under 3 AAC 304.715 - 3 AAC 304.795 as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049. Designation will be granted only to a holder of a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license, and only if the requirements of 3 AAC 304.305, 3 AAC 304.725, and 3 AAC 304.745, as applicable, are met. A menu or expected menu listing the meals, including entrees prepared onsite and offered to patrons, and copy of the DEC Food Service Permit (or corresponding DHS documentation for licenses located in the Municipality of Anchorage) must accompany this form. Applicants should review AS 04.16.049 - AS 04.16.052 and 3 AAC 304.715 - 3 AAC 304.795. All fields of this form must be completed. The required \$50 permit fee may be made by credit card, check, or money order.

**Section 1 - Establishment Information**

Enter information for licensed establishment

Licensee:	Swell Taco LLC		
License Type:	Eatery, Take Out Restaurant/ Eating Place - Seasonal	License Number:	
Doing Business As:	Swell Taco		
Premises Address:	4025 Homer Spit Road #4		
City:	Homer	State:	AK
		ZIP:	99603
Contact Name:	Mili Lundgren	Contact Phone:	907.205.0333

**Section 2 - Type of Designation Requested**

This application is for the request of designation as a bona fide restaurant, hotel, or eating place for purposes of AS 04.16.010(c) or AS 04.16.049, and for the request of the following designation(s) (check all that apply):

- Dining after standard closing hours: AS 04.16.010(c)
- Dining by persons 16 - 20 years of age: AS 04.16.049(a)(2)
- Dining by persons under the age of 16 years, accompanied by a person over the age of 21: AS 04.16.049(a)(3)
- Employment for persons 16 or 17 years of age: AS 04.16.049(c)  
 NOTE: Under AS 04.16.049(d), this permit is not required to employ a person 18 - 20 years of age.

OFFICE USE ONLY	
Transaction #:	Index:

AMCO Received 3/25/22

AMCO Rcvd 6/3/2022





Alaska Alcohol Beverage Control Board

### Form AB-03: Restaurant Designation Permit Application

Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Alcohol.licensing@alaska.gov  
<http://www.commerce.alaska.gov/web/abo3>  
Phone: 907.269.0350

#### Section 3 - Minor Access

Review AS 04.16.040(a)(2); AS 04.16.040(a)(3); AS 04.16.040(c)

List where within the premises minors are anticipated to have access in the course of either dining or employment as designated in Section 2. (Example: Minors will only be allowed in the dining area. OR Minors will only be employed and present in the kitchen.)

Minors with out adults over 21 will not be allowed in cordoned off area for beer or wine consumption.  
Employed Minors will have access inside restaurant, prepping and cooking area.

Describe the policies, practices and procedures that will be in place to ensure that minors do not gain access to alcohol while dining or employed at your premises.

Swell Taco will post placards stating non admittance in cordoned off area. Employees will be trained to recognize if rules are not being followed and take action.  
Adult (21+) managers will always be on site to ensure minors either dining or employed do not have access to alcohol.  
Alcohol will be stored in the kegerator or be monitored by the managers.  
All servers of alcohol have or will have a current TAPS card.

Is an owner, manager, or assistant manager who is 21 years of age or older always present on the premises during business hours?

Yes  No

#### Section 4 - DEC Food Service Permit

Per 3 AAC 304.910 for an establishment to qualify as a Bona Fide Restaurant, a Food Service Permit or (for licenses within the Municipality of Anchorage) corresponding Department of Health and Human Services documentation is required.

Please follow this link to the DEC Food Safety Website: <http://dec.alaska.gov/eh/iss/food/>

Please follow this link to the Municipality Food Safety Website: <http://www.muni.org/Departments/health/Admin/environment/FSS/Pages/issfood.aspx>

If you are unable to certify the below statement, please discuss the matter with the AMCO office:

Initials

I have attached a copy of the current food service permit for this premises OR the plan review approval.

\*Please note, if a plan review approval is submitted, a final permit will be required before finalization of any permit or license application.

AMCO Received 3/25/22

AMCO Rcvd 6/3/2022



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 5 – Hours of Operation**

Review AS 04.16.010(c).

Enter all hours that your establishment intends to be open. Include variances in weekend/weekday hours, and indicate am/pm:

11 am to 9 pm, 7 days a week

**Section 6 – Entertainment & Service**

Review AS 04.11.100(g)(2)

Are any forms of entertainment offered or available within the licensed business or within the proposed licensed premises?

Yes  No

If "Yes", describe the entertainment offered or available and the hours in which the entertainment may occur:

Food and beverage service offered or anticipated is:

table service  buffet service  counter service  other

If "other", describe the manner of food and beverage service offered or anticipated:

Customers order at window and seating is at tables out side, one cordoned off for those with beer or wine, and others in open outside area on the boardwalk.





Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-03: Restaurant Designation Permit Application**

**Section 7 – Certifications and Approvals**

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

There are tables or counters at my establishment for consuming food in a dining area on the premises.

ml

I have included with this form a menu, or an expected menu, listing the meals to be offered to patrons. This menu includes entrees that are regularly sold and prepared by the licensee at the licensed premises.

ml

I certify that the license for which I am requesting designation is either a beverage dispensary, club, recreational site, golf course, or restaurant or eating place license.

ml

I have included with this application a copy of the most recent AB-02 or AB-14 for the premises to be permitted. (AB-03 applications that accompany a new or transfer license application will not be required to submit an additional copy of their premises diagram.)

ml

I declare under penalty of perjury that this form, including all attachments and accompanying schedules and statements, is true, correct, and complete.

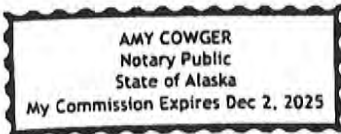
ML  
 Signature of licensee

Amy Cowger  
 Signature of Notary Public

MILLIE LUNDGREN  
 Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 12/2/2025



Subscribed and sworn to before me this 28th day of February, 20 22

Local Government Review (to be completed by an appropriate local government official):

Approved Denied

Signature of local government official Date

Printed name of local government official Title

AMCO Received 3/25/22



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

**Alaska Alcoholic Beverage Control Board**

**Form AB-03: Restaurant Designation Permit Application**

AMCO Enforcement Review: \_\_\_\_\_ Enforcement Recommendation: Approve Deny

\_\_\_\_\_  
 Signature of AMCO Enforcement Supervisor

\_\_\_\_\_  
 Printed name of AMCO Enforcement Supervisor

\_\_\_\_\_  
 Date

**Enforcement Recommendations:**

AMCO Director Review: \_\_\_\_\_ Approved Denied

\_\_\_\_\_  
 Signature of AMCO Director

\_\_\_\_\_  
 Printed name of AMCO Director

\_\_\_\_\_  
 Date

**Limitations:**

AMCO Received 3/25/22





# SWELL TACO

BRING THE GOODNESS WITH YOU.

---

CARNITAS  
\$6

CARNE ASADA  
\$6.50

WHITE FISH  
\$7

RED FISH  
\$7

CHIPS + SALSAS  
\$5, ADD GUAC \$3

CEVICHE TOSTADA\*  
\$14

BEER \$6.50  
AGUA FRESCA \$4.50

MEXICAN COKE \$3  
ROOTBEER + CREAM SODA \$2.5

*\*contains (or may contain) raw or undercooked ingredients*

AMCO Received 3/25/22



**Alaska Food Code  
2022 Establishment Permit**  
Division of Environmental Health  
Food Safety & Sanitation Program

Permit Number: 12865  
Issued to: SWELL TACO LLC  
For: Swell Taco  
For Operation of: FF-6 Deli/Takeout/Drive-in Food Service  
Located at: 4025 N Homer Spit RD UNIT 4 Homer, AK 99603

This permit, issued under the provisions of 18 AAC 31, is valid until the noted expiration date or unless suspended or revoked by the department.

This permit is not transferable for change of ownership, facility location, or type of operation. It must be posted in plain view in the establishment and is the property of the State of Alaska.

Expiration Date:  
December 31, 2022

Program Manager:

A handwritten signature in black ink, appearing to read "Annalyson", is written over the printed name of the Program Manager.

**If you have questions or concerns regarding  
safe food handling practices call toll free:**

**1-87-SAFE-FOOD**

(In Anchorage call 334-2560)



AMCO Received 3/25/22





# City of Homer

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

Police Department

4060 Heath Street  
Homer, Alaska 99603

[police@cityofhomer-ak.gov](mailto:police@cityofhomer-ak.gov)

(p) 907-235-3150

(f) 907-235-3151/ 907-226-3009

## Memorandum

TO: RENEK KRAUSE, MMC, DEPUTY CITY CLERK

CC: LISA LINEGAR, COMMUNICATIONS SUPERVISOR

FROM: LIEUTENANT RYAN BROWNING

DATE: JULY 19, 2022

SUBJECT: NEW LIQUOR LICENSE APPLICATION FOR SWELL TACO

---

The Homer Police Department has no objection to the New Liquor License Application within the City of Homer for the following business:

License Type: Restaurant Eating Place - Seasonal  
License #: 6056  
DBA Name: Swell Taco  
Service Location: 4025 Homer Spit Road #4  
Homer, AK 99603  
Licensee: Swell Taco, LLC  
Contact Person: Mili Lundgren



# Office of the Borough Clerk

144 North Binkley Street, Soldotna, Alaska 99669 • (907) 714-2160 • (907) 714-2388 Fax

Johni Blankenship, MMC  
Borough Clerk

July 12, 2022

Ms. Melissa Jacobsen  
City of Homer Clerk  
Homer City Hall  
491 E Pioneer Ave.  
Homer, AK 99603

RE: Non-Objection of New Liquor License Application  
Business Name : Swell Taco, LLC  
License Type : Liquor License  
License Location : 4025 Homer Spit Road #4 Homer, AK  
License No. : 6056

Dear Ms. Jacobsen,

This serves to advise that the Kenai Peninsula Borough Finance Department has reviewed the above referenced application and has no objection to this New Liquor Application.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Johni Blankenship, MMC  
Borough Clerk

JB/jr

Encl.

cc: manager@swelltacoak.com



# City of Homer

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

Office of the City Clerk

491 East Pioneer Avenue  
Homer, Alaska 99603

[clerk@cityofhomer-ak.gov](mailto:clerk@cityofhomer-ak.gov)

(p) 907-235-3130

(f) 907-235-3143

## Memorandum 22-122

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: JULY 15, 2022

SUBJECT: VACATION OF A PORTION OF HOUGH ROAD AND ASSOCIATED UTILITY EASEMENTS. KPB FILE 2022-076V.

---

At their June 27, 2022 regular meeting, the Kenai Peninsula Borough Planning Commission approved the vacation of a portion of Hough Road and associated utility easements. KPB File 2022-076V.

Per 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 City Council has thirty days from June 27, 2022 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

The Homer Planning Commission forwarded a recommendation for approval and Council voiced non-objection regarding this matter in 2010 with Memorandum 10-60 on April 26, 2010. The applicant has requested time extensions through the Kenia Peninsula Borough since that action took place.

### RECOMMENDATION:

Voice non objection and consent to the vacation of a portion of Hough Road and associated utility easements. KPB File 2022-076V.



# Planning Department

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

Charlie Pierce  
Borough Mayor

June 30, 2022

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

RE: Vacation of a Portion of Hough Road & Associated Utility Easements

Dear Homer City Council Members:

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 KPB Planning Commission approved the referenced right-of-way vacation during their regularly scheduled meeting of June 27, 2022. This petition is being sent to you for your consideration and action.

The City Council has 30 days from June 27, 2022 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 Planning Commission will stand.

Attached are draft, unapproved minutes of the pertinent portion of the meeting and other related material.

Sincerely,

Robert Ruffner  
Planning Director  
Kenai Peninsula Borough

Attachments:  
Unapproved 6/27/22 PC Meeting Minutes  
E2 - Meeting Packet Materials

## **E. NEW BUSINESS**

### **2. ROW Vacation: KPB File 2022-076V**

**Request: Vacate a portion of Hough Road, a 60' right-of-way and associated utility easement**

**Petitioners/Landowners: Michael & Shila Hough  
City of Homer**

**ITEM E2 - RIGHT OF WAY VACATION  
VACATE A PORTION OF HOUGH ROAD AND ASSOCIATED UTILITY EASEMENTS**

<b>KPB File No.</b>	2022-076V
<b>Planning Commission Meeting:</b>	June 27, 2022
<b>Applicant / Owner:</b>	C. Michael and Shila A. Hough of Homer Alaska
<b>Surveyor:</b>	Stephen Smith / Geovera, LLC
<b>General Location:</b>	East End Road, Hough Road, City of Homer
<b>Legal Description:</b>	Hough Road, Tract F of Stream Hill Park Unit 2, HM 2008-048 and Tract 1 of Christensen Tracts 2009 Addition, HM 2006-44, Section 16, Township 6 South, Range 13 West.

Staff report was given by Platting Specialist Julie Hindman.

Chair Martin open the item for public comment. Seeing and hearing no one wishing to comment, public comment was closed and discussion was opened among the commission.

**MOTION:** Commissioner Horton moved, seconded by Commissioner Fikes to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.65, subject to staff recommendations and compliance with borough code.

Hearing no objection or further discussion, the motion was carried by the following vote:

**MOTION PASSED BY UNANIMOUS VOTE:**

Yes - 11	Bentz, Brantley, Fikes, Hooper, Horton, Martin, Morgan, Staggs, Stutzer, Taufest, Venuti
Absent - 1	Gillham

**ITEM E3 - RIGHT OF WAY VACATION  
VACATE PORTION OF HANKS MILL ROAD (FORMALLY OLD STERLING HIGHWAY)**

<b>KPB File No.</b>	2022-077V
<b>Planning Commission Meeting:</b>	June 27, 2022
<b>Applicant / Owner:</b>	Rosemary Johnson of Anchor Point, Alaska and Cliff and Jana Johnson of Mesa, Arizona
<b>Surveyor:</b>	Jason Young, Mark Aimonetti / Edge Survey and Design, LLC
<b>General Location:</b>	Hanks Mill Road, Natascha Avenue, Sterling Highway / Happy Valley, Anchor Point, APC
<b>Legal Description:</b>	Hanks Mill Road, formally known as Old Sterling Highway, within Section 7, Township 3 South, Range 14 West.

Staff report was given by Platting Specialist Julie Hindman.

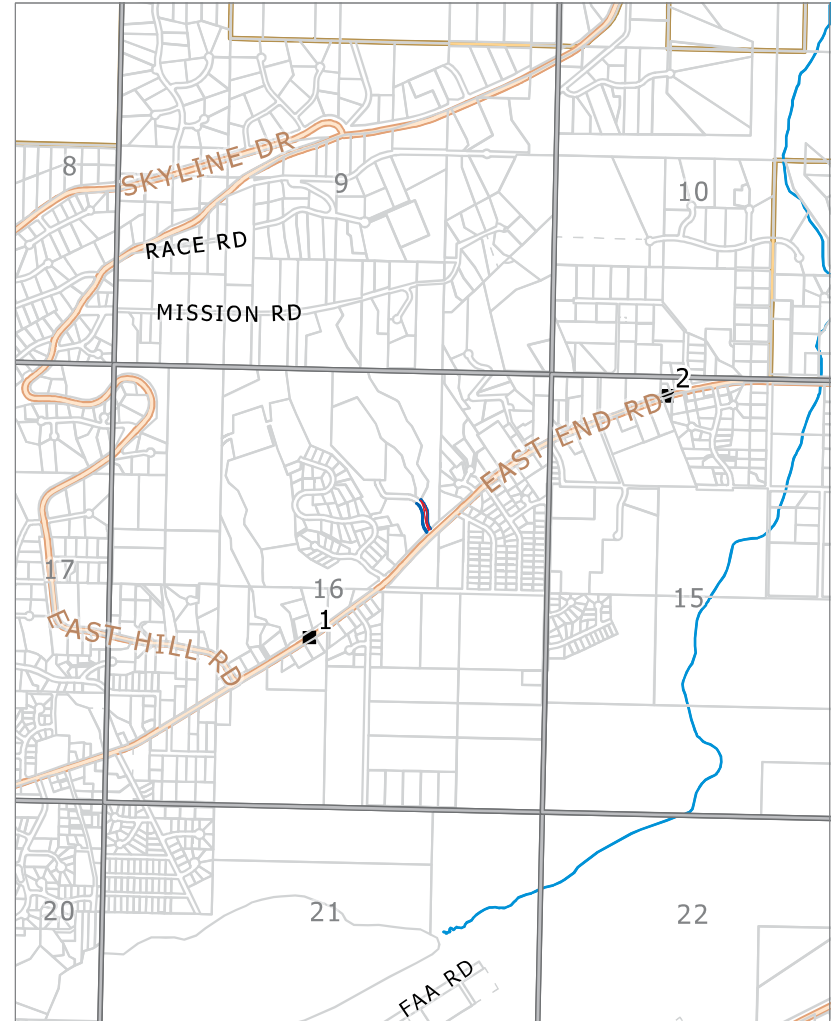
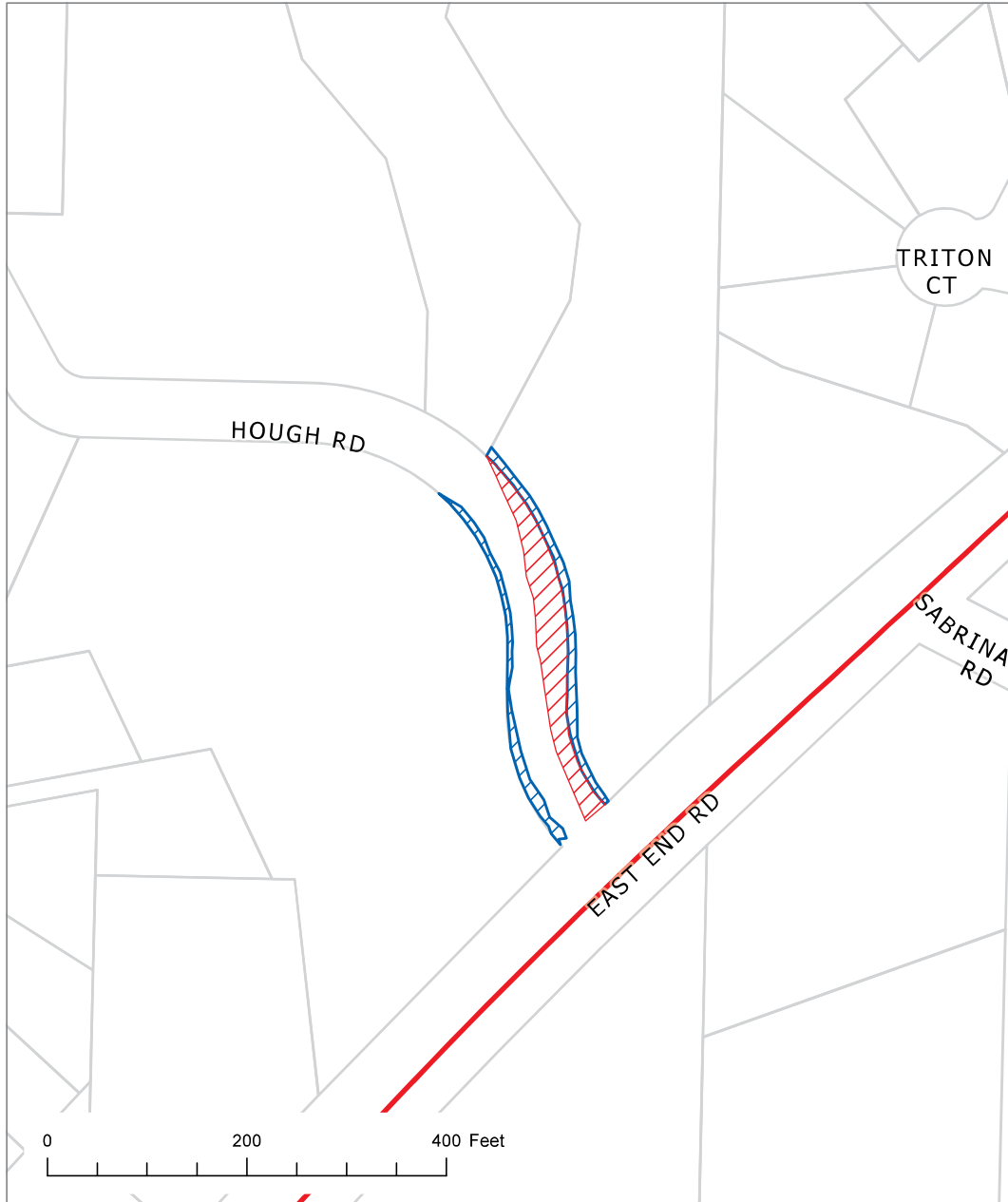
Chair Martin open the item for public comment.

Jason Young, Edge Survey & Design; P.O. Box 208, Kasilof, AK 99610: Mr. Young is the surveyor for this project. He noted this section is part of an old historic right-of-way (ROW) and is not used any more. The culverts are washed out. It drops over 50' down to the creek and is basically not safe to use. This section of Hanks Mill Road dead ends onto his client's property. There is a history of trespass related to this road. There is a waterfall on Happy Creek. The public will park on this section of road and trespass across the owner's property to get to the falls. His clients wish to vacate this section of the ROW to reduce the amount of trespass occurring on their property.

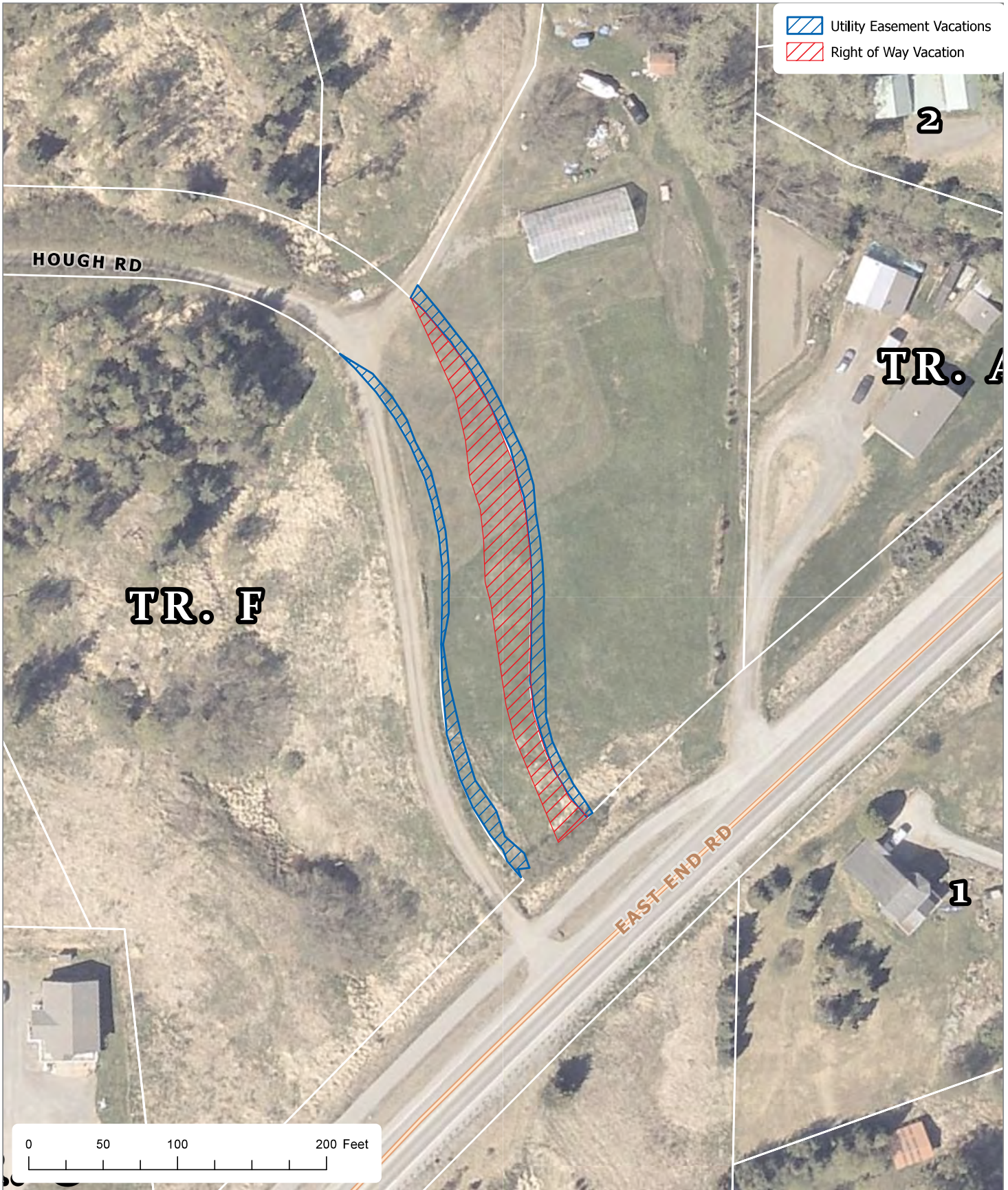
Chair Martin asked Mr. Young if he knew what year the new section of the Sterling Highway, which replaced this old section, was constructed. Mr. Young replied he thought it was sometime in the 1950s. He again noted that no one has used this section of ROW for many years.

Seeing and hearing no one else wishing to comment, public comment was closed and discussion was opened among the commission.

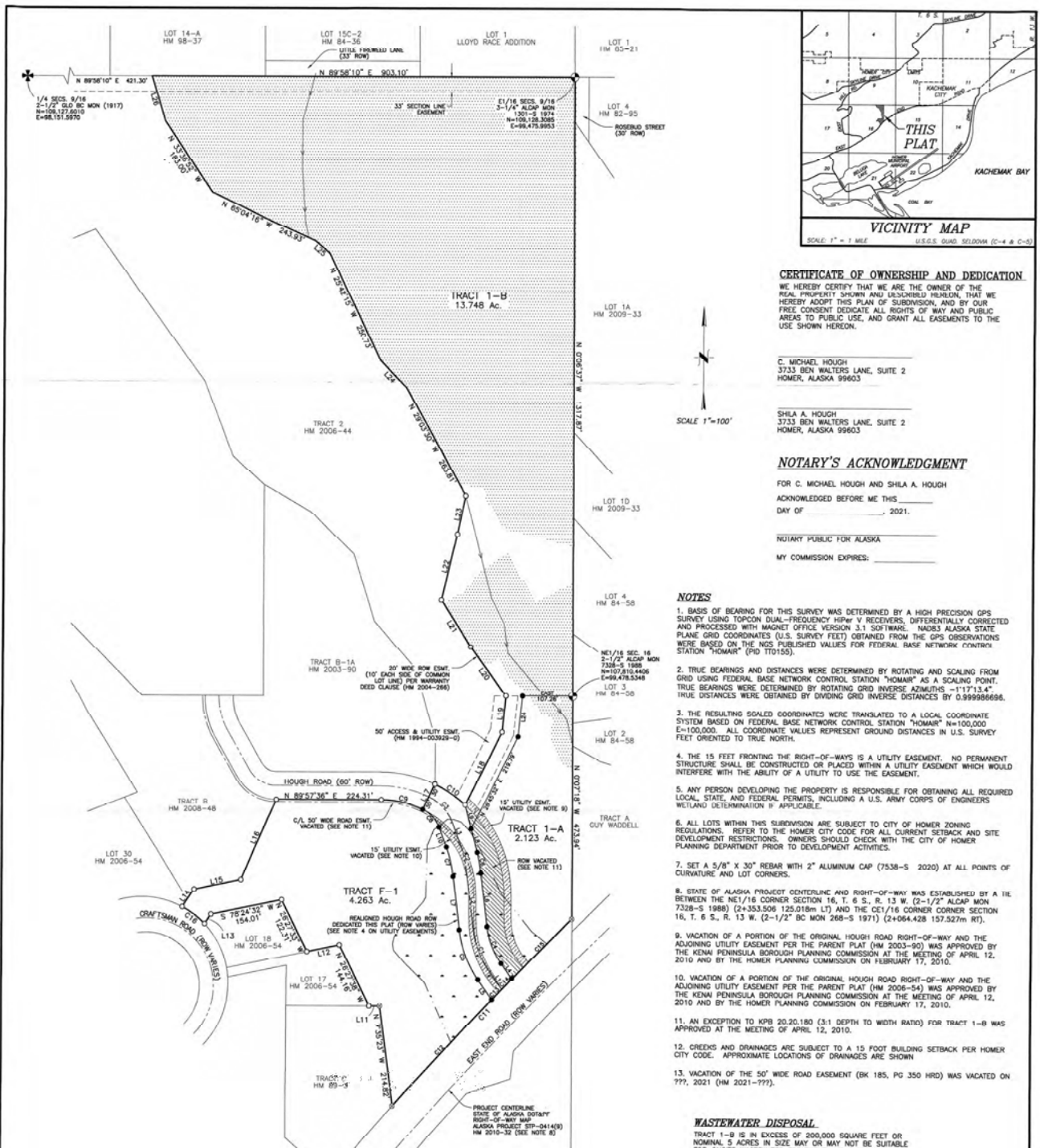




KPB File # 2022-076V  
S16 T06S R13W  
Homer







**CERTIFICATE OF OWNERSHIP AND DEDICATION**  
 WE HEREBY CERTIFY THAT WE ARE THE OWNER OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN, THAT WE HEREBY ADOPT THIS PLAN 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.

C. MICHAEL HOUGH  
 3733 BEN WALTERS LANE, SUITE 2  
 HOMER, ALASKA 99603

SHILA A. HOUGH  
 3733 BEN WALTERS LANE, SUITE 2  
 HOMER, ALASKA 99603

**NOTARY'S ACKNOWLEDGMENT**

FOR C. MICHAEL HOUGH AND SHILA A. HOUGH  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES: \_\_\_\_\_

**NOTES**

1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY GPS RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.01 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAR" (710 17055).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS -117.13.4". TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986668.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET TO TRUE NORTH.
4. THE 15 FEET FRONTING THE RIGHT-OF-WAY IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
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 LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
7. SET A 5/8" X 30" REBAR WITH 2" ALUMINUM CAP (7538-S 2020) AT ALL POINTS OF CURVATURE AND LOT CORNERS.
8. STATE OF ALASKA PROJECT CENTERLINE AND RIGHT-OF-WAY WAS ESTABLISHED BY A 1:6 BETWEEN THE NE1/4 CORNER SECTION 16, T. 6 S., R. 13 W. (2-1/2" ALCAP MON 7328-S 1988) (2+333.506 125.016m LT) AND THE CE1/4 CORNER SECTION 16, T. 6 S., R. 13 W. (2-1/2" BC MON 268-S 1971) (2+064.428 157.527m RT).
9. VACATION OF A PORTION OF THE ORIGINAL HOUGH ROAD RIGHT-OF-WAY AND THE ADJOINING UTILITY EASEMENT PER THE PARENT PLAT (HM 2003-90) WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF APRIL 12, 2010 AND BY THE HOMER PLANNING COMMISSION ON FEBRUARY 17, 2010.
10. VACATION OF A PORTION OF THE ORIGINAL HOUGH ROAD RIGHT-OF-WAY AND THE ADJOINING UTILITY EASEMENT PER THE PARENT PLAT (HM 2006-54) WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF APRIL 12, 2010 AND BY THE HOMER PLANNING COMMISSION ON FEBRUARY 17, 2010.
11. AN EXCEPTION TO KPB 20.20.180 (3:1 DEPTH TO WIDTH RATIO) FOR TRACT 1-B WAS APPROVED AT THE MEETING OF APRIL 12, 2010.
12. CREEKS AND DRAINAGES ARE SUBJECT TO A 15 FOOT BUILDING SETBACK PER HOMER CITY CODE. APPROXIMATE LOCATIONS OF DRAINAGES ARE SHOWN.
13. VACATION OF THE 50' WIDE ROAD EASEMENT (BK 185, PG 350 HRD) WAS VACATED ON ???, 2021 (HM 2021-???)

**WASTEWATER DISPOSAL**

TRACT 1-B IS IN EXCESS OF 200,000 SQUARE FEET OR NOMINAL 5 ACRES IN SIZE MAY OR MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL. ANY FUTURE SUBDIVISION OF THIS LOT INTO LESS THAN 200,000 SQUARE FEET MUST MEET THE REGULATORY REQUIREMENTS OF THE KENAI PENINSULA BOROUGH. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

TRACT 1-A AND TRACT F-1 HAVE SOIL CONDITIONS THAT HAVE BEEN FOUND UNSUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. PLANS SHOWING A SUITABLE ALTERNATE WASTEWATER DISPOSAL SYSTEM THAT COULD BE USED ON TRACTS IN THIS SUBDIVISION ARE INCLUDED IN THE ENGINEER'S SUBDIVISION AND SOILS REPORT AND ARE AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ALL ALTERNATE ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST BE DESIGNED FOR THE SPECIFIC INSTALLATION BY A QUALIFIED ENGINEER REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION PRIOR TO CONSTRUCTION.

**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	CHORD	BRNG	CHORD DIST
C1	28.3044°	200.00'	99.53'	N 21.0727° W	98.50'	98.50'
C2	13.2713°	300.00'	70.44'	N 13.3841° W	70.29'	70.29'
C3	4.3110°	1000.00'	22.81'	N 4.3110° W	22.81'	22.81'
C4	28.3044°	170.00'	84.60'	N 21.0727° W	83.73'	83.73'
C5	28.3044°	170.00'	84.60'	N 21.0727° W	83.73'	83.73'
C6	28.3044°	170.00'	84.60'	N 21.0727° W	83.73'	83.73'
C7	28.3044°	170.00'	84.60'	N 21.0727° W	83.73'	83.73'
C8	13.2713°	300.00'	70.44'	N 13.3841° W	70.29'	70.29'
C9	28.3044°	170.00'	84.60'	N 21.0727° W	83.73'	83.73'
C10	17.6818°	203.78'	91.51'	N 7.7103° W	90.74'	90.74'
C11	3.2840°	8254.80'	592.18'	N 3.2840° W	592.05'	592.05'
C12	0.1718°	8524.80'	30.50'	N 0.1718° W	30.50'	30.50'
C13	0.1718°	8524.80'	30.50'	N 0.1718° W	30.50'	30.50'
C14	0.1718°	8524.80'	30.50'	N 0.1718° W	30.50'	30.50'
C15	1.1270°	8524.80'	180.60'	N 1.1270° W	180.60'	180.60'
C16	18.4142°	185.00'	60.38'	N 52.9112° W	60.10'	60.10'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 89.5810° E	45.62'
L2	N 89.5810° E	45.62'
L3	N 89.5810° E	45.62'
L4	N 89.5810° E	45.62'
L5	N 89.5810° E	45.62'
L6	N 89.5810° E	45.62'
L7	N 89.5810° E	45.62'
L8	N 89.5810° E	45.62'
L9	N 89.5810° E	45.62'
L10	N 89.5810° E	45.62'
L11	N 89.5810° E	45.62'
L12	N 89.5810° E	45.62'
L13	N 89.5810° E	45.62'
L14	N 89.5810° E	45.62'
L15	N 89.5810° E	45.62'
L16	N 89.5810° E	45.62'
L17	N 89.5810° E	45.62'
L18	N 89.5810° E	45.62'
L19	N 89.5810° E	45.62'
L20	N 89.5810° E	45.62'
L21	N 89.5810° E	45.62'
L22	N 89.5810° E	45.62'
L23	N 89.5810° E	45.62'
L24	N 89.5810° E	45.62'
L25	N 89.5810° E	45.62'
L26	N 89.5810° E	45.62'

- LEGEND**
- INDICATES 1917 2-1/2" BC GLO PRIMARY MONUMENT RECOVERED THIS SURVEY
  - INDICATES PRIMARY MONUMENT RECOVERED OR SET AS SHOWN
  - INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (5780-S, 2008) RECOVERED THIS SURVEY
  - INDICATES 1/2" REBAR RECOVERED THIS SURVEY
  - INDICATES 5/8" X 30" REBAR WITH 2" ALCAP (7538-S, 2021) SET THIS SURVEY
  - INDICATES DISCHARGE SLOPE PER KENAI WATERSHED FORUM 2013 COOK INLET WETLANDS MAPPING
  - INDICATES CENTERLINE OF DRAINAGE
  - INDICATES AREAS WITH SLOPES GREATER THAN 20%

**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF APRIL 12, 2010



BY: \_\_\_\_\_ AUTHORIZED OFFICIAL KENAI PENINSULA BOROUGH DATE: 45



**KPB 2022-076V**

HOMER RECORDING DISTRICT KPB FILE NO. 2010-024

**CHRISTENSEN TRACTS 2009 ADDITION**

THE SUBDIVISION OF  
 TRACT 1, CHRISTENSEN TRACT NO. 4 (HM 2006-44)  
 AND TRACT F, STREAM HILL PARK UNIT 2 (HM 2006-48)  
 AND  
 THE VACATION OF A PORTION OF THE HOUGH ROAD RIGHT-OF-WAY INCLUDING ASSOCIATED ADJOINING UTILITY EASEMENTS  
 LOCATED WITHIN THE NE1/4, NE1/4 SECTION 16, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
 CONTAINING 20.775 ACRES

OWNERS:  
 C. MICHAEL HOUGH AND SHILA A. HOUGH  
 3733 BEN WALTERS LANE, SUITE 2, HOMER, ALASKA 99603

**GEOVERA, L.L.C.**  
 PO BOX 3235  
 HOMER ALASKA 99603  
 (907) 399-4345  
 EMAIL: scsmith@gcl.net

DRAWN BY: SC5 DATE: MARCH 2021 SCALE: 1" = 100'  
 CHK BY: SC5 JOB #2021-10 SHEET 1 OF 1

AGENDA ITEM E. NEW BUSINESS

**ITEM 2 - RIGHT OF WAY VACATION  
VACATE A PORTION OF HOUGH ROAD AND ASSOCIATED UTILITY EASEMENTS**

<b>KPB File No.</b>	2022-076V
<b>Planning Commission Meeting:</b>	June 27, 2022
<b>Applicant / Owner:</b>	C. Michael and Shila A. Hough of Homer Alaska
<b>Surveyor:</b>	Stephen Smith / Geovera, LLC
<b>General Location:</b>	East End Road, Hough Road, City of Homer
<b>Legal Description:</b>	Hough Road, Tract F of Stream Hill Park Unit 2, HM 2008-048 and Tract 1 of Christensen Tracts 2009 Addition, HM 2006-44, Section 16, Township 6 South, Range 13 West.

**STAFF REPORT**

**Specific Request / Purpose as stated in the petition:** The existing road was not constructed within the existing ROW. The ROW is being re-aligned so that it is centered on the existing road. Only a portion of the existing ROW is being vacated, along with the adjoining 15 foot utility easements. New 15 foot utility easements are being dedicated adjoining both sides of the re-aligned ROW.

**Notification:** Public notice appeared in the June 16, 2022 issue of the Homer News as a separate ad. The public hearing notice was published in the June 23, 2022 issue of the Homer News as part of the Commission’s tentative agenda.

The public notice was posted on the Planning Commission bulletin board at the Kenai Peninsula Borough George A. Navarre Administration building. Additional notices were mailed to the following with the request to be posted for public viewing.

Library of Homer

Post Office of Homer

Thirty-nine certified mailings were sent to owners of property within 300 feet of the proposed vacation. Twenty-three receipts had been returned when the staff report was prepared.

Public hearing notices were sent by regular mail to twenty-three owners within 600 feet of the proposed vacation.

Fifteen public hearing notices were emailed to agencies and interested parties as shown below;

State of Alaska Dept. of Fish and Game  
 State of Alaska DNR  
 State of Alaska DOT  
 State of Alaska DNR Forestry  
 City of Homer  
 Emergency Services of Homer

Ninilchik Traditional Council  
 Alaska Communication Systems (ACS)  
 ENSTAR Natural Gas  
 General Communications Inc, (GCI)  
 Homer Electric Association (HEA)

**Legal Access (existing and proposed):** The access will remain as Hough Road. The right-of-way is not constructed within the dedication. The owners are proposing to vacate portions of the right-of-way and then dedicate new portions to provide a realignment that will allow the existing right-of-way to be within the dedication.

KPB Roads Dept. comments	Out of Jurisdiction: Yes Roads Director: Uhlin, Dil Comments: No comments
SOA DOT comments	

**Site Investigation:** There are some wetlands associated with the right-of-way. The roadway is already constructed and has been for some time. There is sloping terrain in the area but the portion to be vacated is consistent with the slopes for the proposed realignment.

KPB River Center review	<p>A. Floodplain            Reviewer: Carver, Nancy            Floodplain Status: Within City of Homer            Comments: Located in an unregulated D Zone</p> <p>B. Habitat Protection            Reviewer: Aldridge, Morgan            Habitat Protection District Status: Is NOT within HPD            Comments: No comments</p> <p>C. State Parks            Reviewer: Russell, Pam            Comments: No Comments</p>
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**Staff Analysis:** The proposed vacation is to remedy the alignment issues of Hough Road, a 60 foot right-of-way. The proposal is to vacate approximately a half width of Hough Road for 390 feet including the adjoining 15 foot utility easements. If approved, a dedication of additional right-of-way atop the constructed road, including 15 foot utility easements along each side of the new dedication, will be completed by recording a new plat.

The original access is depicted on Christensen Tracts Amended, HM 89-3 as a 50 foot private access easement (HRD Book 185 Page 349). The access easement was also shown on plat Christensen Tracts No. 4, HM 2006-44.

Christensen Tract No. 3, HM 2003-90, dedicated the eastern 30 foot of Hough Road right-of-way. Stream Hill Park Unit 1, HM 2006-54, dedicated the western 30 feet of Hough Road right-of-way.

Vacation of the dedicated right-of-way will not remove the private access easement. If they owners wish to remove the private access easement it will need to be done by separate documents and recorded with the Homer Recording District. If this is completed prior to the recording of the plat, add a plat note with the recording information that terminated the private access easement.

There are some gas lines within the associated utility easements. The final plat has been reviewed and an agreement from ENSTAR is required to make sure all their easement needs are being met.

This vacation and the associated plat were originally heard under KPB old code in 2010. The KPB Planning Commission heard the vacation on April 12, 2010. The Planning Commission approved the vacation by unanimous consent. The Homer City Council upheld the Planning Commission decision at their April 26, 2010 meeting. The plat finalizing the vacation was not recorded within one year.

The KPB Plat Committee approved the preliminary plat on April 12, 2010. Various time extensions have been granted for the preliminary plat. The last time extension was granted in 2020, with the consent of the City of Homer Planning Commission. The time extension was granted through June 8, 2022, subject to the plat being recorded prior to April 13, 2021 to be reviewed under old code. The original surveyor retired and a new surveyor has been hired.

Due to design changes, and the requirement to comply with current subdivision standards, the plat was brought back before the Plat Committee to receive new approval including exceptions requests. The Plat Committee heard the plat at the May 10, 2021 meeting and granted approval. The right-of-way vacation was heard and approved by the Planning Commission on April 26, 2021. The Homer City Council consented to the vacation on May 10, 2021. The right-of-way vacation must have been finalized by May 10, 2022. The owners were still working out other

details of the project and did not finalize in time. They have submitted a new petition and are requesting approval of the vacation.

If approved, plat Christensen Tract 2021 Addition will finalize the proposed right of way vacations. The plat received its approval on May 10, 2021 and the approval is valid until May 10, 2023. No time extensions have been required at this time but may be issued in accordance with KPB 20.25.110. A final was submitted for review on January 31, 2022 with a review letter being sent to the owner and surveyor on February 9, 2022. If the vacation is approved, there will need to be some revisions to plat notes to include new meeting dates.

The other petitions and applications had been reviewed by the City of Homer Planning and Zoning Commission. The surveyor was notified that we would require documentation from the City of Homer that was either minutes from the P&Z Commission or a memo stating that a new hearing was not required. Staff had not received any communication when the staff report was prepared. If information is provided to staff it will be included in the desk packet. Staff will not finalize the vacation until a letter of consent from the City of Homer Planning Department has been received that shows all their concerns have been addressed. The approval will require consent from the City of Homer City Council.

### 20.65.050 – Action on vacation application

- D. The planning commission shall consider the merits of each vacation request and in all cases the planning commission shall deem the area being vacated to be of value to the public. It shall be incumbent upon the applicant to show that the area proposed for vacation is no longer practical for the uses or purposes authorized, or that other provisions have been made which are more beneficial to the public. In evaluating the merits of the proposed vacation, the planning commission shall consider whether:
1. The right-of-way or public easement to be vacated is being used;  
**Staff comments:** The right-of-way is in use but not constructed in the dedication.
  2. A road is impossible or impractical to construct, and alternative access has been provided;  
**Staff comments:** Already constructed
  3. The surrounding area is fully developed and all planned or needed rights-of-way and utilities are constructed;  
**Staff comments:** New easements will be granted along the new dedication
  4. The vacation of a public right-of-way provides access to a lake, river, or other area with public interest or value, and if so, whether equal or superior access is provided;  
**Staff comments:** N/A
  5. The proposed vacation would limit opportunities for interconnectivity with adjacent parcels, whether developed or undeveloped;  
**Staff comments:** Will not limit, will only realign with constructed right-of-way
  6. Other public access, other than general road use, exist or are feasible for the right-of-way;  
**Staff comments:** None of been requested or appear needed
  7. All existing and future utility requirements are met. Rights-of-way which are utilized by a utility, or which logically would be required by a utility, shall not be vacated, unless it can be demonstrated that equal or superior access is or will be available. Where an easement would satisfactorily serve the utility interests, and no other public need for the right-of-way exists, the commission may approve the vacation and require that a utility easement be granted in place of the right-of-way.  
**Staff comments:** If any utility easements are requested by providers shall be reviewed and unless the owner works out a resolution shall be granted.
  8. Any other factors that are relevant to the vacation application or the area proposed to be vacated.



**Staff comments:** This is a road realignment.

A KPB Planning Commission decision denying a vacation application is final. A KPB Planning Commission decision to approve the vacation application is subject to consent or veto by the KPB Assembly, or City Council if located within City boundaries. The KPB Assembly, or City Council must hear the vacation within thirty days of the Planning Commission decision.

The Homer City Council will hear the vacation within 30 days.

**KPB department / agency review:**

Planner	Reviewer: Raidmae, Ryan There are not any Local Option Zoning District issues with this proposed plat.  Material Site Comments: There are not any material site issues with this proposed plat. Review Not Required
Code Compliance	Reviewer: Ogren, Eric Comments: No comments
Addressing	Reviewer: Haws, Derek Affected Addresses: 4580 CRAFTSMAN RD 4630 HOUGH RD  Existing Street Names are Correct: Yes  List of Correct Street Names: CRAFTSMAN RD HOUGH RD EAST END RD  Existing Street Name Corrections Needed:  All New Street Names are Approved: No  List of Approved Street Names:  List of Street Names Denied:  Comments: City of Homer will advise on affected addresses.
Assessing	Reviewer: Wilcox, Adeena Comments: No comment

**Utility provider review:**

HEA	No comments
ENSTAR	
ACS	No objections
GCI	

**RECOMMENDATION:**

Based on consideration of the merits as per KPB 20.65.050(D) as outlined by Staff comments, Staff recommends APPROVAL as petitioned, 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).
- 

**KPB 20.65.050 – Action on vacation application**

- H. **A planning commission decision to approve a vacation is not effective without the consent of the city council, if the vacated area to be vacated is within a city, or by the assembly in all other cases. The council or assembly shall have 30 days from the date of the planning commission approval to either consent to or veto the vacation. Notice of veto of the vacation shall be immediately given to the planning commission. Failure to act on the vacation within 30 days shall be considered to be consent to the vacation. This provision does not apply to alterations of utility easements under KPB 20.65.070 which do not require the consent of the assembly or city council unless city code specifically provides otherwise.**
- I. **Upon approval of the vacation request by the planning commission and no veto by the city council or assembly, where applicable, the applicant shall have a surveyor prepare and submit a plat including the entire area approved for vacation in conformance with KPB 20.10.080. Only the area approved for vacation by the assembly or council may be included on the plat. The final plat must be recorded within one year of the vacation consent.**
- J. **A planning commission decision denying a vacation application is final. No reapplication or petition concerning the same vacation may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed.**
- K. **An appeal of the planning commission, city council or assembly vacation action under this chapter must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

The 2019 Kenai Peninsula Borough Comprehensive Plan adopted November, 2019 by Ordinance No. 2019-25. The relevant objectives are listed.

*Goal 3. Preserve and improve quality of life on the Kenai Peninsula Borough through increased access to local and regional facilities, activities, programs and services.*

- *Focus Area: Energy and Utilities*
  - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
    - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
    - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
    - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*
- *Housing*
  - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
    - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas*

*that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

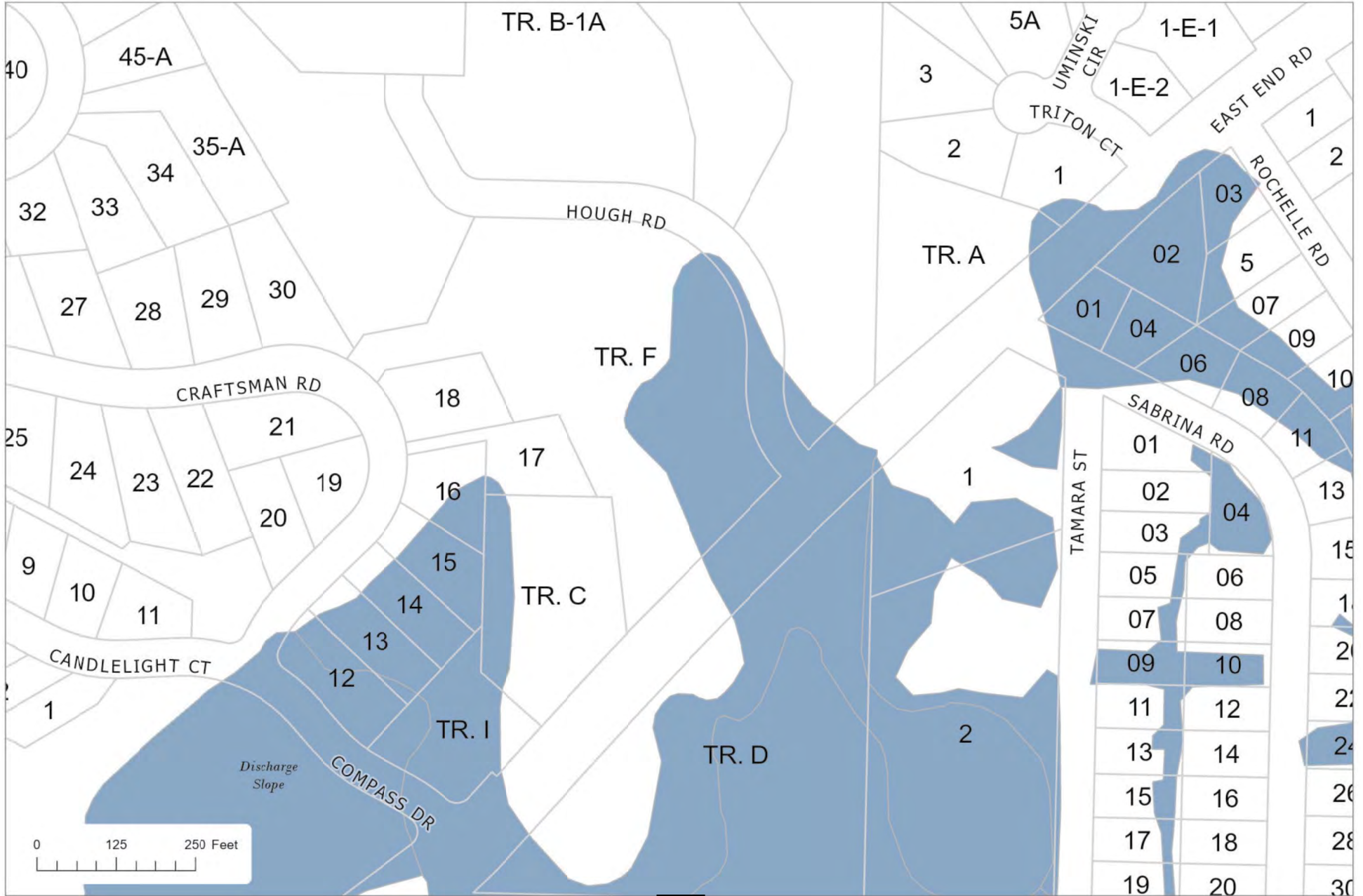
*Goal 4. Improve access to, from and connectivity within the Kenai Peninsula Borough*

*- Focus Area: Transportation*

- o Objective B. Ensure new roads are developed in alignment with existing and planned growth and development.*
  - Strategy 2. Near – Term: Establish subdivision codes that dictate road construction standards to accommodate future interconnectivity and/or public safety.*
  - Strategy 3. Near – Term: Identify areas of anticipated growth to determine future access needs.*

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**END OF STAFF REPORT**







The information depicted hereon is for a graphical representation only of best available information. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.



LINE	BEARING	DISTANCE
L1	N 282° 25' 00" W (N 278° 22')	11.000
L2	N 282° 25' 00" W (N 278° 22')	0.180
L3	N 279° 01' 00" W (N 275° 58')	11.000
L4	N 89° 51' 15" E (S 89° 51')	11.000
L5	S 28° 59' 04" E (S 30° 00')	11.000
L6	N 89° 51' 15" E (S 89° 51')	11.000
L7	S 04° 24' 30" W (S 04° 24')	11.000
L8	N 7° 02' 31" W (N 7° 03')	1215.337
L9	S 89° 51' 15" E (S 89° 51')	11.000
L10	N 26° 27' 38" W (N 26° 28')	11.000
L11	S 26° 27' 38" W (S 26° 28')	11.000
L12	N 26° 27' 38" W (N 26° 28')	11.000
L13	S 26° 27' 38" W (S 26° 28')	11.000
L14	N 26° 27' 38" W (N 26° 28')	11.000
L15	N 38° 25' 27" E (N 38° 25')	11.000
L16	N 38° 25' 27" E (N 38° 25')	11.000
L17	S 64° 44' 40" W (S 64° 45')	11.000
L18	N 21° 05' 01" W (N 21° 05')	11.000
L19	S 64° 44' 40" W (S 64° 45')	11.000
L20	S 20° 58' 14" E (S 21° 00')	11.000
L21	S 04° 24' 30" W (S 04° 24')	11.000
L22	S 04° 24' 30" W (S 04° 24')	11.000
L23	S 64° 04' 13" E (S 64° 06')	11.000
L24	S 64° 04' 13" E (S 64° 06')	11.000
L25	N 48° 31' 41" E (N 48° 32')	11.000
L26	S 89° 51' 15" E (S 89° 51')	11.000
L27	N 69° 04' 01" E (N 69° 04')	11.000
L28	S 21° 58' 59" E (S 21° 59')	11.000
L29	N 04° 18' 12" E (N 04° 18')	11.000
L30	N 63° 02' 37" E (N 63° 03')	11.000

**DRAINAGE EASEMENTS**

OWNER AND BANK MAINTENANCE DOCUMENTS OWNED BY CITY OF HOMER THIS PLAT ARE HEREBY APPROVED BY THE CITY OF HOMER



**CURVE TABLE**

CURVE	DATA	FACTORS	LENGTH	CHORD BEARING	CHORD DIST
1	...	...	...	...	...
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**LINK TABLE**

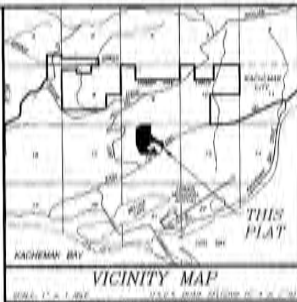
LINK	BEARING	DISTANCE
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- NOTES**
1. BASIS OF BEARING FOR THIS SURVEY IS FROM THE STATE OBSERVATIONS TAKEN ON THE MONUMENT POINTS AT STATION ON THIS PLAT. MAJOR ALASKA STATE PLANNING COMMISSION'S OBTAINED FROM THE GPS OBSERVATIONS WERE TRANSFERRED TO THE PUBLISHED VALUES FOR USGCS TRANSIT TOWNSHIP.
  2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY INITIATING AND SCALING FROM GRID USING USGCS TRANSIT TOWNSHIP AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY INITIATING GRID INVERSE AZIMUTHS -117°13'. TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.9999999999.
  3. THE RESULTING SCALED COORDINATES WERE TRANSFERRED TO A LOCAL COORDINATE SYSTEM BASED ON UTM/US TRANSIT TOWNSHIP N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES ORIENTED TO TRUE NORTH.
  4. ALL WASTEWATER DISPOSAL SYSTEM SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
  5. THE 15' FRONTING INTERIOR RIGHT-OF-WAY IS SUBJECT TO AN UNDERGROUND UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF THE UTILITY TO USE THE EASEMENT.
  6. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SIGN REGULATIONS. INTERESTED OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
  7. THE DASHED LINE ADJACENT TO THE EXISTING 80' WIDE BRUSH ROAD RIGHT-OF-WAY IS THE CENTERLINE OF A 100' WIDE PRIVATE ROAD EASEMENT RECORDED IN BOOK 188, PAGE 303 AND ALSO REFERENCED ON PLAT 89-3 (HRD).
  8. NO NEW DIRECT ACCESS TO EAST ROAD IS PERMITTED WITHOUT APPROVAL OF THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES.
  9. AS PER PLAT 89-3 (HRD) THERE IS A 10' UTILITY EASEMENT ALONG THE RIGHT-OF-WAY AND A 20' UTILITY EASEMENT CENTERED ON EXISTING POWER LINE.
  10. RESPONSIBILITY FOR THE BANK MAINTENANCE EASEMENTS AS DESCRIBED IN HRD 89-03 IS BEING ASSUMED BY THE CITY OF HOMER. A 20' BANK MAINTENANCE EASEMENT IS DERIVED ON THE DRAINAGES SHOWN ON THIS PLAT.
  11. SEWER AND WATER EASEMENTS ARE CENTERED ON THE MAIN.
  12. DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO THE CONDITIONS CONTAINED WITHIN US ARMY CORPS OF ENGINEERS PERMIT NO. FGA 2006-219.
  13. STATE RIGHT-OF-WAY IS FROM THE STATE OF ALASKA TOWNSHIP RIGHT-OF-WAY MAP ALASKA PROJECT NO. 011-01419.
  14. NO STRUCTURES ARE PERMITTED WITHIN THE BARRIÈRE PORTION OF TRACT 'G', AND LOTS 35 AND 36.
  15. WASTEWATER DISPOSAL: TRACTS B, C, E, F, H, J & K ARE AT LEAST 200,000 SQUARE FEET OF DRAINAGE AREA. LOTS 35 AND 36 ARE AT LEAST 100,000 SQUARE FEET OF DRAINAGE AREA. TREATMENT AND DISPOSAL: ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
  16. WASTEWATER DISPOSAL TRACTS D & G: NO WASTEWATER WILL BE GENERATED OR DISPOSED OF ON THESE LOTS. CONDITIONS MAY NOT BE SUITABLE FOR ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. ANY WASTEWATER TREATMENT OR DISPOSAL SYSTEM MUST MEET THE REGULATORY REQUIREMENTS OF THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
  17. MASTER DECLARATION AND OTHER GOVERNING DOCUMENTS RECORDED AS 2006-05066-D STREAM HILL PARK SUBDIVISION 309-NMR.

- LEGEND**
- INDICATES 2-1/2" GLO BRASS CAP ON 1" IRON PIPE (1917) RECOVERED THIS SURVEY
  - INDICATES PRIMARY MONUMENT OF RECORD RECOVERED THIS SURVEY AS SHOWN
  - INDICATES 5/8" X 30" REBAR WITH #1 ALCAP (3780-S, 1986) RECOVERED THIS SURVEY
  - INDICATES 5/8" X 30" REBAR WITH #1 ALCAP (3780-S, 2006) RECOVERED THIS SURVEY
  - INDICATES PROPERTY OWNER OF RECORD RECOVERED THIS SURVEY AS SHOWN
  - INDICATES 5/8" X 30" REBAR WITH #1 ALCAP (3780-S, 2008) SET THIS SURVEY
  - INDICATES EXISTING DRAINAGE

**WASTEWATER DISPOSAL LOTS 31-50**

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



**CERTIFICATE OF OWNERSHIP**  
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREIN, THAT WE HAVE ADEQUATE TITLE AND INTEREST IN SAID PROPERTY, THAT WE HAVE FULLY CONSIDERED ALL RIGHTS OF WAY AND PUBLIC RIGHTS TO PUBLIC USE, AND GRANT ALL EASEMENTS TO THE LAND SHOWN HEREON.

*George J. L...*  
 GEORGE J. L...  
 170 BOX 306  
 HOMER, ALASKA 99603

*Thomas M. Tapp...*  
 THOMAS M. TAPPE  
 170 BOX 306  
 HOMER, ALASKA 99603

**NOTARY'S ACKNOWLEDGMENT**  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 2ND DAY OF July, 2008.  
 FOR: *George J. L...*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 10-5-2009

**NOTARY'S ACKNOWLEDGMENT**  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 2ND DAY OF July, 2008.  
 FOR: *Thomas M. Tapp...*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 10-5-2009

**PLAT APPROVAL**  
 THIS PLAT WAS APPROVED BY THE HOMER PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF October 01, 2006.  
 PENNA PENINSULA BOROUGH  
 BY: *Thomas M. Tapp...*  
 AUTHORIZED OFFICIAL

HOMER RECORDING DISTRICT RPD FILE NO. 2008-048

**STREAM HILL PARK UNIT 2**  
 A REPLAT OF TRACT B-2-A, STREAM HILL PARK UNIT 1 (2006-84-003)  
 LOCATED BETWEEN THE NW 1/4 AND NE 1/4, SEC. 16, T. 5, S. 11, R. 11 W. (SEWARD MERIDIAN, CITY OF HOMER PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA) CONTAINING 89.863 ACRES

**SEABRIGHT SURVEY & DESIGN**  
 1044 EAST ROAD, SUITE A  
 HOMER ALASKA 99603  
 (907) 231-4242  
 EMAIL: seabright@alaska.net

DATE: JUNE 2008 SCALE: 1" = 160'  
 SHEET 1 OF 2

**CURVE TABLE**

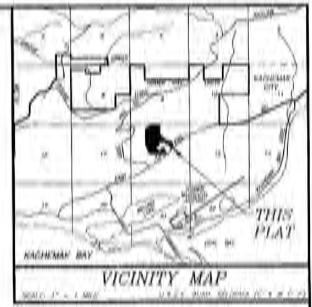
CURVE	DELTA	RADIUS	CHORD	CHORD DIST
C1	3°36'09"	500'		
C2	1°29'05"	150'		
C3	159°45'01"	150'		
C4	14°38'00"	200'		
C5	2°27'19"	425'		
C6	18°01'31"	180'		
C7	32°19'50"	180'		
C8	3°36'09"	430'		
C9	1°29'05"	120'		
C10	35°19'14"	180'		
C11	30°34'13"	180'		
C12	16°06'49"	180'		
C13	3°11'05"	180'		
C14	40°43'54"	180'		
C15	17°55'01"	180'		
C16	11°29'26"	180'		
C17	10°03'17"	180'		
C18	24°09'20"	180'		
C19	27°50'14"	180'		
C20	29°51'23"	180'		
C21	1°59'17"	180'		
C22	21°08'31"	120'		
C23	128°49'04"	120'		
C24	6°42'24"	120'		
C25	2°33'08"	230'		
C26	11°44'54"	230'		

**LINE TABLE**

LINE	BEARING	LENGTH
L1	N 83°47'36" E	100.00
L2	S 21°05'01" E	100.00
L3	S 2°27'39" E	100.00
L4	S 3°18'47" E	100.00
L5	S 22°51'01" E	100.00
L6	S 63°02'51" W	100.00
L7	S 3°21'58" E	100.00
L8	S 2°38'43" E	100.00
L9	S 24°17'57" E	100.00

**LEGEND**

- INDICATES 5/8" x 30" REBAR WITH 3" CLEAR (5760-S, 20MM) RECOVERED THIS SURVEY
- INDICATES PROPERTY CORNER OF RECORD RECOVERED THIS SURVEY AS SHOWN
- INDICATES 5/8" x 30" REBAR WITH 3" CLEAR (7060-S, 20MM) SET THIS SURVEY
- ↘ INDICATES EXISTING DRAINAGE



2006-418  
HOMER, ALASKA  
FILE NO. 2006-54  
DATE 3/31/06  
DESIGNED BY LEINER  
DRAWN BY R.R.

HOMER RECREATION DISTRICT RFD FILE No. 2006-043  
**STREAM HILL PARK UNIT 2**  
A REPLAT OF TRACT B-2-A, STREAM HILL PARK UNIT 1  
(2006-54 NWD)  
LOCATED WITHIN THE NW 1/4 AND DE 1/4, SEC 16,  
T 5 S, R. 11 W, SEWARD MERIDIAN, CITY OF HOMER STAMP  
PENINSULA BOROUGH, THIRD CENSUS DISTRICT, ALASKA  
CONTAINING 80,323 ACRES  
**SEABRIGHT SURVEY + DESIGN**  
1044 EAST ROAD, SUITE A  
HOMER ALASKA 99603  
(907) 235-4247  
EMAIL: seabright@alaska.net

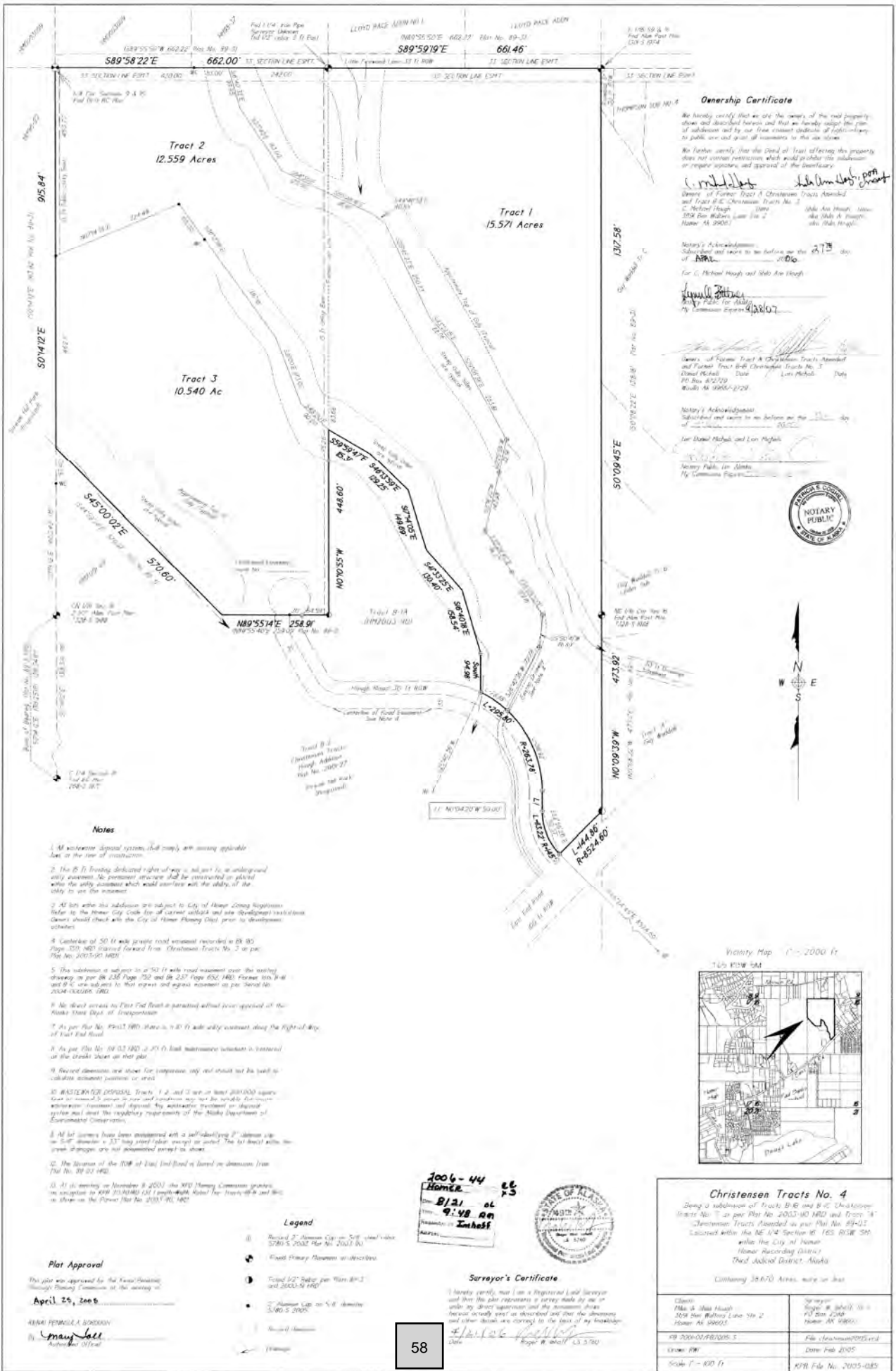
DATE: FEB 20, 2006	DATE: FEBRUARY 2006	SCALE: 1" = 80'
FILE NO: R.R.	JOB NO: 42	SHEET 2 OF 3











**Ownership Certificate**

We hereby certify that we are the owners of the real property shown and described herein and that we hereby release the claim of subdivision and by our true consent declare all rights relating to public use and grant of easements to the abutments.

No further action by the Clerk of Trust offering this property does not constitute permission which would prohibit the subdivision or require approval and approval of the boundary.

*[Signatures]*

Owners of Former Tract A Christensen Tracts Assessed and Tract B & C Christensen Tracts No. 2  
 C. Michael Hough 2004 Shilo Ann Hough, owner  
 3524 Ben Walker Lane Str 2 Shilo Ann Hough  
 Homer AK 99603 Shilo Ann Hough

Notary's Acknowledgment:  
 Subscribed and sworn to me before me on the 07th day of April, 2005.

For C. Michael Hough and Shilo Ann Hough  
*[Signature]*  
 My Commission Expires 4/30/07

Owners of Former Tract A Christensen Tracts Assessed and Tract B & C Christensen Tracts No. 2  
 Daniel McNeil Date Lori McNeil Date  
 PO Box 452729  
 Honolulu HI 96846-2729

Notary's Acknowledgment:  
 Subscribed and sworn to me before me on the 07th day of April, 2005.

For Daniel McNeil and Lori McNeil  
*[Signature]*  
 My Commission Expires 4/30/07



- Notes**
- All waterways disposal systems shall comply with existing applicable laws at the time of construction.
  - The B.F. Trusting dedicated right-of-way is subject to an underlying utility easement. No permanent easement shall be constructed or placed within the utility easement which would interfere with the ability of the utility to use the easement.
  - All lots within the subdivision are subject to City of Homer Zoning Regulations Refer to the Homer City Code for all current setbacks and site development regulations. Owners should check with the City of Homer Planning Dept prior to development activities.
  - Centerline of SD 14 wide private road easement recorded in ER 80, Page 150, N60°00'00"E 570.00' (Christensen Tracts No. 2 or plat Plat No. 2003-001 MHD).
  - The subdivision is subject to a 50 ft wide road easement over the existing driveway as per SR 236 Page 750 and SR 237 Page 650, 140'. Former lots B-1 and B-2 are subject to that right-of-way and easement as per Plat No. 2004-000208 MHD.
  - No street access to Trust End Beach is permitted without prior approval of the Alaska State Dept. of Transportation.
  - As per Plat No. 19403 MHD there is a 30 ft wide utility easement along the right-of-way of Trust End Road.
  - As per Plat No. 19403 MHD a 20 ft wide easement easement is reserved at the creek drain on that plat.
  - Revised dimensions and notes for easements only and should not be used to calculate easement positions or areas.
  - WASTEWATER DISPOSAL Tracts 1, 2 and 3 are in total 200,000 square feet or more 25 acres in area and easement may be available for water treatment treatment and disposal by wastewater treatment or disposal system that meet the regulatory requirements of the Alaska Department of Environmental Conservation.
  - All lot corners have been monumented with a galvanized pipe 2" diameter and 5'-0" diameter or 3" 1/2" diameter except as noted. The lot lines with the creek easements are not monumented except as shown.
  - The location of the 100 ft lot line (indicated) is based on dimensions from Plat No. 19403 MHD.
  - All lots were approved by the NFD Planning Commission (previously through Planning Commission) at the meeting of April 25, 2005.

- Legend**
- Boundary of adjacent lots with bearings and distances
  - Fixed Primary Features as described
  - Traced 1/2" Refer per Plat No. 2 and 2003-0 MHD
  - 2" diameter pipe or 2" diameter 5.00 S 2005
  - Boundary of adjacent
  - Waterway

**Plat Approval**

This plat was approved by the NFD Planning Commission (previously through Planning Commission) at the meeting of April 25, 2005.

REAR: PENNELL A. BOSSOROV  
 By *[Signature]*  
 Notary Public Official

1006-44  
 Home  
 B/A  
 9.18 AM  
 Zahoff



**Surveyor's Certificate**

I hereby certify that I am a Registered Land Surveyor and that the plan represents a survey made by me or under my direct supervision and the dimensions thereon are correct and approved and that the dimensions and other data are correct to the best of my knowledge.

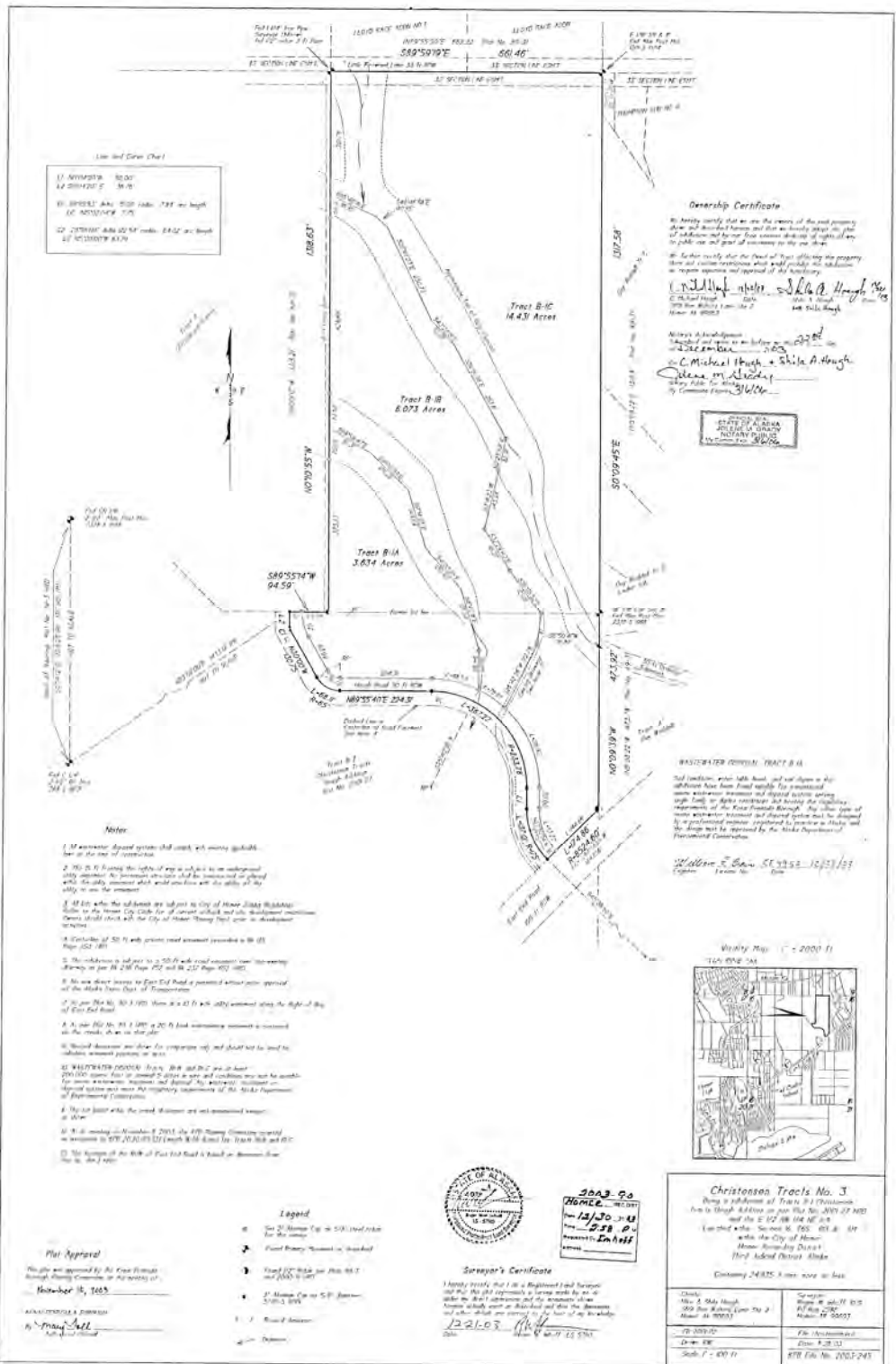
*[Signature]*  
 Date: April 25, 2005

**Christensen Tracts No. 4**

Being a subdivision of Tracts B & C and B & C Christensen Tracts No. 2 as per Plat No. 2003-001 MHD and Tract A Christensen Tracts Assessed as per Plat No. 19403 MHD located within the NE 1/4 Section 05, T6S, R35E, S04 within the City of Homer, Homer Recording District Third Judicial District, Alaska.

Containing 38,670 Acres, more or less.

Client: Ma & Shilo Hough 3524 Ben Walker Lane Str 2 Homer AK 99603	Surveyor: Roger A. Zahoff, SLS 412 5th Street Homer AK 99603
FB 2003-01/18/05-3	File # 2003-01/18/05-3
Owner: HW	Date: Feb 2005
Scale: 1" = 600 ft	KPR File No. 2005-085



- Site and Data Chart**
1. APPROXIMATE TOPO
  2. SURVEYED TO THE
  3. SURVEYED AND FOUND TO BE AS SHOWN ON THIS PLAN
  4. SURVEYED AND FOUND TO BE AS SHOWN ON THIS PLAN

**Ownership Certificate**

I hereby certify that in the return of the said property to the public use and that the said property is not subject to any other claim or interest of any person or persons other than the said owner or owners of the said property.

I, William A. Hough and Shirley A. Hough  
 of the County of Idaho and State of Idaho  
 do hereby certify that the said property is not subject to any other claim or interest of any person or persons other than the said owner or owners of the said property.

Witness my hand and seal of office this 12th day of October 2012.

William A. Hough County Clerk  
Shirley A. Hough County Clerk

**WASTEWATER POTENTIAL TRACT A & B**

This condition, when taken into account, shall not be construed to mean that the applicant has been found suitable for a residential water treatment system and should not be construed to mean that the applicant is not subject to the requirements of the State Pollution Control Act or any other laws or regulations relating to water pollution control or wastewater treatment and disposal systems that may be imposed by or enforced by the State Department of Environmental Conservation.

- Notes:**
1. If wastewater disposal system shall comply with various guidelines set by the state of Idaho.
  2. This is a preliminary plan and is subject to change without notice. The applicant is advised that the location of the proposed system shall be subject to change without notice.
  3. All lots within the subject area are subject to the City of Boise Zoning Ordinance. The applicant is advised that the City of Boise may require the applicant to obtain a zoning change for the proposed system.
  4. The applicant shall provide a site plan showing the location of the proposed system and the location of the proposed system.
  5. The applicant shall provide a site plan showing the location of the proposed system and the location of the proposed system.
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  19. The applicant shall provide a site plan showing the location of the proposed system and the location of the proposed system.
  20. The applicant shall provide a site plan showing the location of the proposed system and the location of the proposed system.



**2013-20**  
**Home**  
**12/10/12**  
**12/10/12**

**Surveyor's Certificate**

I hereby certify that I am a Registered Land Surveyor and that the above described land is the same as shown on the attached plan and that the same is not subject to any other claim or interest of any person or persons other than the said owner or owners of the said property.

12/10/12  
12/10/12

**Christenson Tracts No. 3**

Being a subdivision of Tract No. 3 Christenson  
 as to the location of the same see the plat of said  
 and the E 1/2 of the NE 1/4 of  
 Section 16, T20S, R10E, S1W  
 within the County of Idaho  
 Boise, Idaho

Containing 24.835 Acres more or less

Check Name: <u>William A. Hough</u> Address: <u>1000 S. 10th St. Boise, ID 83702</u> Phone: <u>408-233-1111</u>	Surveyor Name: <u>William A. Hough</u> Address: <u>1000 S. 10th St. Boise, ID 83702</u> Phone: <u>408-233-1111</u>
Date: <u>12/10/12</u>	File No.: <u>121012</u>
Scale: <u>1" = 400'</u>	File No.: <u>2012-243</u>

**Plan Approved**

Approved by the City of Boise Planning and Community Development Department on November 14, 2012

William A. Hough  
 City Clerk

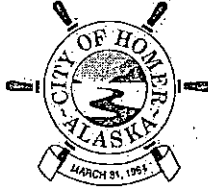






# Office of the City Clerk


Jo Johnson, CMC, City Clerk  
Melissa Jacobsen, CMC, Deputy City Clerk II  
Renee Krause, Deputy City Clerk I



491 E. Pioneer Avenue  
Homer, Alaska 99603  
(907) 235-3130  
(907) 235-8121  
ext: 2224, 2226, or 2227  
Fax: (907) 235-3143  
Email: clerk@ci.homer.ak.us

## MEMORANDUM 10-60

TO: MAYOR AND CITY COUNCIL

FROM: JO JOHNSON, CMC, CITY CLERK 

DATE: APRIL 19, 2010

SUBJECT: VACATE A PORTION OF HOUGH ROAD AND ASSOCIATED UTILITY EASEMENT ADJACENT TO TRACT B-1C, DEDICATED BY CHRISTENSEN TRACTS NO. 3 (PLAT HM 2003-90); AND VACATE A PORTION OF HOUGH ROAD ADJACENT TO TRACT B-2-A, DEDICATED BY STREAM HILL PARK UNIT 1 (PLAT HM 2006-54); WITHIN SECTION 16, TOWNSHIP 6 SOUTH, RANGE 13 WEST; SEWARD MERIDIAN, ALASKA, WITHIN THE CITY OF HOMER AND THE KENAI PENINSULA BOROUGH; KPB FILE NO. 2010-025.

At their April 12, 2010 meeting the Kenai Peninsula Borough Planning Commission approved the vacation of a portion of Hough Road and associated utility easement adjacent to Tract B-1C, dedicated by Christensen Tracts No. 3 (Plat HM 2003-90); and vacate a Portion of Hough Road adjacent to Tract B-2-A, dedicated by Stream Hill Park Unit 1 (Plat HM 2006-54); within Section 16, Township 6 South, Range 13 West; Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2010-025.

Notice of vacation was received on April 16, 2010 by mail. Per 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 City Council has thirty days from April 12, 2010 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

The Homer Advisory Planning Commission has no objection to granting this vacation as is reflected in the minutes of February 17, 2010, Staff Report PL 10-18, Christensen Tracts 2009 Addition Preliminary Plat Petition to vacate an easement.

### RECOMMENDATION:

Voice non objection and consent to the vacation of a portion of Hough Road and associated utility easement adjacent to Tract B-1C, dedicated by Christensen Tracts No. 3 (Plat HM 2003-90); and vacate a Portion of Hough Road adjacent to Tract B-2-A, dedicated by Stream Hill Park Unit 1 (Plat HM 2006-54); within Section 16, Township 6 South, Range 13 West; Seward Meridian, Alaska, within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2010-025.

Fiscal Note: N/A

City Mgrs  
Report

which is mostly public land to include Borough, City, and University land. The Borough is proposing to complete logging in the fall and winter for the least impact. In the past the Nordic Ski Club was opposed to mitigation work; they are now favorable to the idea. A heavy snow load was cause for the collapse of the roof on the old water treatment plant. It was the building that we had been thinking about turning into the Skyline Drive fire station. The cave-in caused significant damage, but the shop is still in good shape. Other parts of the building may have to be knocked down. City Manager Wrede will draft a letter to the Governor in support of Homer's projects. Projects that were not mentioned earlier in Representative Seaton's report include Pratt Museum, Community Schools, and re-appropriation of money for City Hall. Additionally, there was \$1M for Tutka Bay Hatchery. Council passed a resolution authorizing the appropriation of \$163,000 in stimulus funds to three projects: \$75,000 to the Fire Hall, \$55 to the Fishing Hole, and the remainder to Jack Gist Park. There are immediate needs for dredging at the Fishing Hole, which is an important economic engine for the city. Mr. Wrede suggested that some of the money be shifted from the Fire Hall to Karen Hornaday Park. It will provide more for a match for the Land and Water Conservation Fund Grant for Karen Hornaday Park. This will provide for Phase I improvements to include: ballfields, drainage, parking areas, and for the engineering and design phase for road removal and trails along Woodard Creek, a later project. He suggested \$55,000 for the Fishing Hole, take \$55 from the Fire Hall and move to Karen Hornaday Park, and take the remainder from the Fire Hall and move to Jack Gist Park for the ballfields. In the State Capital budget \$50M is included in the alternative energy program. It will fund the City's tidal power feasibility study.

Asked by Councilmember Hogan if he was able to advocate for the Maritime Academy, Mr. Wrede answered was not, but he hopes to follow up in the Anchorage office with the Governor.

### COMMITTEE REPORT

- Committee  
Reports
- A. Public Arts Committee
  - B. Transportation Advisory Committee
  - C. Permanent Fund Committee
  - D. Lease Committee

### PENDING BUSINESS

#### NEW BUSINESS

- Pending  
Business
- A. **Memorandum 10-60**, from City Clerk, Re: Vacate a Portion of Hough Road and Associated Utility Easement Adjacent to Tract B-1C, Dedicated by Christensen Tracts No. 3 (Plat HM 2003-90); and Vacate a Portion of Hough Road Adjacent to Tract B-2-A, Dedicated by Stream Hill Park Unit 1 (Plat HM 2006-54); Within Section 16, Township 6 South, Range 13 West; Seward Meridian, Alaska, Within the City of Homer and the Kenai Peninsula Borough; KPB File No. 2010-025.

Memo  
10-60  
Vacate  
Easement

Councilmember Hogan declared a conflict of interest as the owner of abutting property to the easement. He does not believe it would affect the value of his property.

Pending  
Business  
Memo  
10-60  
Vacate  
Easement  
Hough Rd.

Mayor Pro Tempore Wythe ruled Councilmember Hogan had no conflict of interest.

There was no objection from the City Council or staff.

Mayor Pro Tempore Wythe called for a motion for the approval of the recommendations of Memorandum 10-60.

ROBERTS/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**RESOLUTIONS**

A. **Resolution 10-37**, A Resolution of the City Council of Homer, Alaska, Approving the Amendments to the Cooperative Participation Agreement and Bylaws of the Alaska Municipal League Joint Insurance Association, Inc. Effective July 1, 2010. City Manager.

Reso  
10-37  
Bylaws  
Amend  
AML JIA

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 10-37 by reading of title only.

LEWIS/ROBERTS - SO MOVED.

Asked by Councilmember Hogan if the City Attorney had reviewed the agreement, City Manager Wrede answered it had not, but all the municipalities in the state need to vote on it.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. **Resolution 10-38**, A Resolution of the City Council of Homer, Alaska, Awarding the Contract for Investment of the Permanent Fund to the Firm of U.S. Bank of Seattle, Washington, at the Rate of .75 percent (3/4 of 1%) on the Total Market Value of Assets Managed and Authorizing the City Manager to Execute the Appropriate Documents. City Clerk.

Reso 10-38  
Award PF fund  
to US Bank

Mayor Pro Tempore Wythe called for a motion for the adoption of Resolution 10-38 by reading of title only.

HOWARD/ROBERTS - SO MOVED.

**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-37**

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget and Appropriating \$100,000 from the Water Capital Asset Repair and Maintenance Allowance Fund for a Fire Hydrant Replacement Program.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting July 25, 2022 Introduction

Memorandum 22-123 from Public Works Director as backup.



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

3 City Manager/  
4 Public Works Director

5 **ORDINANCE 22-37**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
8 AMENDING THE FY23 CAPITAL BUDGET AND APPROPRIATING  
9 \$100,000 FROM THE WATER CAPITAL ASSET REPAIR AND  
10 MAINTENANCE ALLOWANCE (CARMA) FUND FOR A FIRE HYDRANT  
11 REPLACEMENT PROGRAM.

12  
13 WHEREAS, Approximately 100 of the City’s fire hydrants are old and obsolete and as a  
14 result parts are no longer available to do repairs when they malfunction, break or leak; and

15  
16 WHEREAS, Fire hydrants must be functional if we are to maintain the City’s ISO fire  
17 insurance rating; and

18  
19 WHEREAS, A Hydrant Replacement Program should be created within the Water Capital  
20 Improvement Plan; and

21  
22 WHEREAS, Public Works strategy will be to purchase an inventory of hydrants and do  
23 replacements each year until all obsolete hydrants are replaced; and

24  
25 WHEREAS, The cost to furnish and install a new fire hydrant is approximately \$10,000.

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

28  
29 Section 1. The Homer City Council hereby amends the FY23 Capital Budget by  
30 appropriating \$100,000 from the Water CARMA Fund as follows:

31

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
	Water CARMA	\$100,000

32  
33  
34

35 Section 2. This ordinance is a budget amendment only, is not of a permanent nature  
36 and shall not be codified.

37  
38 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this \_\_\_\_ day of \_\_\_\_\_,  
39 2022.

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41 CITY OF HOMER  
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ATTEST:

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MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

Introduction:

Public Hearing:

Second Reading:

Effective Date:

---

KEN CASTNER, MAYOR



## **Memorandum 22-123**

TO: Mayor Castner and City Council  
THROUGH: Rob Dumouchel, City Manager  
FROM: Janette Keiser, PE, Director of Public Works  
DATE: July 13, 2022  
SUBJECT: Fire Hydrant Replacement

---

**I. Issue:** The purpose of this Memorandum is to request funding to replace obsolete or broken fire hydrants.

**II. Background:**

About 100 of Homer’s fire hydrants are old and obsolete; that is, when they malfunction, break or leak, we cannot get parts to repair them so we need to replace the entire hydrant assembly. We’ve experienced this twice in the last month! These hydrants must be functional if we are to maintain the City’s ISO fire insurance rating. We have developed a strategy to address this – we’ll do some hydrant replacements every year. For example, if one of the old hydrants needs to be relocated or otherwise adjusted as part of a capital project, we will replace that hydrant with a modern one.

We will be incorporating a Hydrant Replacement Program in the Water Capital Improvement Program, to be funded by the Water CARMA Account. We have three of these old hydrants on Main Street, where we are building the sidewalk. The original plan was to adjust the hydrants to a new vertical alignment, but we need to replace them. We will also encounter multiple old hydrants when we built the W. Fairview Avenue path. It costs approximately \$10,000 to furnish and install a new fire hydrant. We would by a small inventory of hydrants so we would have them on hand when we needed them.

**III. Recommendation:**

That the City Council authorize funding from the Water CARMA in the amount of \$100,000 for a Hydrant Replacement Program. Our plan would be to request this funding each year until all the obsolete hydrants are repaced.

CITY OF HOMER  
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Fire Hydrant Replacement Program</u>	DATE	<u>07/21/2022</u>
DEPARTMENT	<u>Public Works</u>	SPONSOR	<u>City Manager/PW Director</u>
REQUESTED AMOUNT	<u>\$ 100,000</u>		

DESCRIPTION	Approximately 100 of the City's fire hydrants are old and obsolete and as a result parts are no longer available to do repairs when they malfunction, break or leak. Fire hydrants must be functional if we are to maintain the City's ISO fire insurance rating. A Hydrant Replacement Program should be created within the Water Capital Improvement Plan. Public Works strategy will be to purchase an inventory of hydrants and do replacements each year until all obsolete hydrants are replaced. The cost to furnish and install a new fire hydrant is approximately \$10,000.
-------------	---

FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	100%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: WATER CARMA	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 1,859,836</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 805,835</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 100,000</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 954,001</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____



**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-38**

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget and Appropriating \$185,368 from the Homer Accelerated Roads and Trails Fund for the Master Transportation Plan Update.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting July 25, 2022 Introduction

Memorandum 22-124 from Public Works Director as backup.

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

3 City Manager/  
4 Public Works Director

5 **ORDINANCE 22-38**

6  
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
8 AMENDING THE FY23 CAPITAL BUDGET AND APPROPRIATING  
9 \$185,368 FROM THE HOMER ACCELERATED ROADS AND TRAILS  
10 (HART) ROADS FUND FOR THE MASTER TRANSPORTATION PLAN  
11 UPDATE.

12  
13 WHEREAS, The Homer Area Transportation Plan, developed in 2001 and adopted in  
14 2005, was intended to be a 20-year transportation planning tool for the City to “*identify needs,*  
15 *Guide planning and aid funding efforts for roads and trails capital improvement projects*” and it  
16 is time for an update; and

17  
18 WHEREAS, An updated transportation plan is needed to inform the new Comprehensive  
19 Plan that is being proposed so the City’s vision for land use planning can be correlated with the  
20 City’s vision for transportation planning; and

21  
22 WHEREAS, The transportation engineering element of the 2001 plan and the 2005  
23 Homer Intersections Planning Study, another Homer transportation study, were developed by  
24 Kinney Engineering, LLC, giving Kinney deep history with the City of Homer’s transportation  
25 issues; and

26  
27 WHEREAS, The lion’s share of the transportation analysis work for the transportation  
28 plan update will be done by Randy Kinney, PE, one of Alaska’s most well-known and  
29 experienced transportation engineers, who has a talent for explaining highly technical matters  
30 in language that makes sense; and

31  
32 WHEREAS, Kinney Engineering LLC submitted a proposal for the transportation  
33 planning work for the estimated cost of \$185,367.50, which is a reasonable price considering  
34 the work involved, which will take place over a 12-month period, or as needed to support the  
35 Comprehensive Plan.

36  
37 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

38  
39 Section 1. The FY 23 Capital Budget is hereby amended to appropriate \$185,368 from  
40 the HART Roads Fund for the development of a Master Transportation Plan Update as  
41 follows:

42

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
160	HART Roads	\$185,368

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

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF HOMER

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

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

YES:  
NO:  
ABSTAIN:  
ABSENT:  
  
First Reading:  
Public Reading:  
Second Reading:  
Effective Date:



## Memorandum 22-124

TO: Mayor Castner and Homer City Council  
THROUGH: Rob Dumouchel, City Manager  
FROM: Janette Keiser, PE, Director of Public Works  
DATE: July 12, 2022  
SUBJECT: Master Transportation Plan

---

- I. **Issue:** The purpose of this memorandum is to request funding for the Master Transportation Plan.
  
- II. **History of Homer's Transportation Plan:** The Homer Area Transportation Plan, developed in 2001 and adopted in 2005, was intended to be a 20-year transportation planning tool for the City to *"identify needs, Guide planning and aid funding efforts for roads and trails capital improvement projects."* It is time for an update. Not only because we have moved beyond the planning horizon of the 2001 plan in terms of pure transportation planning, but because the City needs an updated plan to inform the new Comprehensive Plan that is being proposed. The City's vision for land use planning must be correlated with the City's vision for transportation planning.
  
- III. **The Transportation Plan Update.** The Transportation Update will address the following topics, with a 20-year planning horizon.
  - a. **Identify Network Deficiencies.** Identify deficiencies in connectivity in transportation network, such as intersections, corridors, connections, and extensions.
  - b. **Evaluate options for improvement.** Identify alternatives for mitigating deficiencies.
  - c. **Review Needs of Central Business District (CBD).** Address special issues related to the CBD, such as parking, circulation and multi-modal enhancement.
  - d. **Review needs of Seniors and People with Disabilities.** Address special issues related this population, such as expected population growth, special transportation needs, existing services and recommendations.
  - e. **Address Non-Motorized Transportation.** Conduct an inventory of existing resources, evaluate needs and make recommendations. This will be largely informed by the Trails Symposium, currently being planned by Homer Drawdown.
  - f. **Review Traffic Calming issues.** Identify various measure that could be used to "calm traffic" and explain how the "warrant" system works to inform decisions about when such measure should be used.

- g. **Address freight mobility.** Identify existing truck routes, issues related to such routes and recommendations for mitigation.
- h. **Incorporate public involvement.** Coordinate with AK DOT/PF and Kenai Peninsula Borough. Participate in two public open houses. Utilize multiple tools for collecting public comment.
- i. **Evaluate State Routes.** Evaluate twelve AK DOT routes located within the City limits, focusing on ways to improve mobility and access for City residents, visitors, and businesses. The deliverable will be a Technical Memorandum we can use as a tool for discussion with the State.
- j. **Support new Comprehensive Plan.** This will include, among other things, an inventory of motorized and non-motorized transportation routes, crash history, and roadway network mapping, as needed to support the development of the new Comprehensive Plan.

**IV. Consultant Support.** The transportation engineering element of the 2001 plan was prepared by Kinney Engineering LLC. Kinney also helped prepare the 2005 Homer Intersections Planning Study, another Homer transportation study, funded by the AK DOT/PF, which evaluated twelve existing intersections in Homer for crash experience, future control requirements and future operational performance. Not only does Kinney have this history with the City of Homer's transportation issues, two of Kinney's employees, Leon Galbraith, PE, and Charlie Barnwell, are deeply embedded within the Homer community. Leon is a member of the City's PARCAC and Charlie is a founding member of the Homer Trails Alliance. Both gentlemen will be able to inform the transportation planning team about Homer's needs, desires and visions for both motorized and non-motorized transportation routes and opportunities. The lion's share of the transportation analysis work will be done by Randy Kinney, PE, one of Alaska's most well-known and experienced transportation engineers, who has a talent for explaining highly technical matters in language that makes sense. Randy will also serve as project manager and Homer's key point of contact with City staff/ officials as well as spokesmodel with the public.

We asked Kinney to submit a proposal for the transportation planning work. Kinney proposes to do this work for the estimated cost of \$185,367.50. I analyzed their projected level of effort and billing rates. I've concluded this is a reasonable price considering the work involved, which will take place over a 12-month period, or as needed to support the Comprehensive Plan.

**V. Recommendations.**

- a. I recommend funding the Transportation Plan Update from the HART Fund. I have adjusted the Road Financial Plan to reflect this expense and it still shows a healthy balance going forward to support other obligations we've committed to.
- b. I recommend awarding the contract for the Transportation Plan Update to Kinney Engineering LLC.





**COST ESTIMATE PER TASK**

<b>FIRM:</b> Kinney Engineering, LLC				<b>PROJECT TITLE:</b> 2022 Homer Transportation Plan										
<b>TASK NO:</b> 1.00	<b>TASK DESCRIPTION:</b> State Route Planning Needs and Alternatives Element										<b>DATE:</b> 7/8/2022			
<b>GROUP:</b> A	<b>METHOD OF PAYMENT:</b>				FP <input type="checkbox"/>	FPPE <input type="checkbox"/>	T&E <input checked="" type="checkbox"/>	CPF <input type="checkbox"/>	<b>PREPARED BY:</b> Randy Kinney					
SUB-TASK NO.	SUB-TASK DESCRIPTION	LABOR HOURS PER JOB CLASSIFICATION												
		Princ. Eng. / Project Mgr. & Transportation Analyst (Kinney)	Princ. Eng. / Transportation Analyst (Bowie)	Senior PE 1 / Senior Travel Demand Forecast Modeling (Smith)	Senior PE 1 / Engineering (Galbraith)	PE / Travel Demand Forecasting Modeling (Miguel)	EIT Sr. / Transportation Analyst (Giraldo)	Tech. Sr. / CAD Graphics (Paddock)	GIS Analyst 2 / GIS and Graphics Mapping (Arneson)	Princ. Eng. / Public Involvement Leader (Mitchell)	Admin Asst. / Public Involvement (Raile)			
1.01	Project Setup and Coordination	2.00												
1.02	Collect and Summarize Data on 12 Roads	1.00												
	<i>Most recent AADT</i>					2.00	8.00							
	<i>Planning Level Operational Measures (v/c ratios for links)</i>					4.00	4.00							
	<i>Crash</i>													
	<i>Pavement Condition (DOT&amp;PF data)</i>													
	<i>Design Standards</i>													
	<i>Functional Class</i>				8.00		16.00		8.00					
1.03	Stip Status	4.00												
1.04	Develop Needs with COH Staff	4.00												
1.05	Corridinate with DOT&PF Planning													
	<i>Identify Process for STIP</i>	2.00												
	<i>Identify Other Funding Sources (Grants)</i>	2.00												
1.06	Alternatives that address needs, meet State Processes, secure funding or STIP Status													
	<i>Address COH Needs</i>	8.00				8.00								
	<i>Meet State Processes for Funding and STIP place</i>	8.00				8.00								
1.07	Draft Tech Memo	12.00				8.00	2.00	2.00	16.00	16.00				
1.08	Meeting with COH	4.00				4.00								
1.09	Final Tech Memo	2.00				2.00	2.00	2.00	2.00	2.00				
<b>TOTAL LABOR HOURS</b>		49.00	0.00	0.00	38.00	10.00	32.00	18.00	26.00	0.00	0.00	0.00		
<b>* LABOR RATES (\$/HR)</b>		\$ 245.00	\$ 245.00	\$ 170.00	\$ 170.00	\$ 135.00	\$ 115.00	\$ 125.00	\$ 125.00	\$ 245.00	115.00			
<b>LABOR COSTS (\$)</b>		12005.00	0.00	0.00	6460.00	1350.00	3680.00	2250.00	3250.00	0.00	0.00	0.00		
SUB-TASK NO.		ITEM(S)				QUANTITY	UNIT PRICE	TOTAL PRICE	COMMENTS:					
		Misc Expenses1				1.00	100.00	100.00	This task focuses on State routes within COH and proximity. Establish needs, COH priorities, and alternatives that will be presented to Alaska DOT&PF. Focus is on mobility and access improvements, not safety issues.					
1.03,1.08		Air Travel ANC HOM ANC				2.00	325.00	650.00						
									Deliverables will be Technical Memorandum (Draft and Final) that will guide COH planning and Public works in					
									This task will be included in the Homer Transportation Plan as a chapter.  12 State Routes In Homer Area: Sterling Highway, East End Road, Rogers Loop, Diamond Ridge Road, West Hill Road, Skyline Drive West, Skyline Drive East, East Hill Road, Main Street, Pioneer Avenue, Lake Street, Ohlson Mountain Road					
							<b>FIRM'S TOTAL COST OF LABOR (or Fixed Price):</b>	\$ 28,995.00						
							<i>IF CPFF, TOTAL INDIRECT COST @</i>	0.00	\$ -					
							<b>TOTAL EXPENSES:</b>	750.00	<b>FIRM'S TOTAL EXPENSES + 5% Markup:</b>	\$ 787.50				
<b>SUB-CONTRACTORS: Firm Initials and Price Per Task</b>							<b>FIRM'S TOTAL COST (no Subcontracts or Fee)</b>		\$ 29,782.50					
<b>FIRM:</b>							<b>TOTAL SUBCONTRACTOR PRICES +5% Markup:</b>					\$ -		
<b>AMOUNT:</b>												\$ -		

**COST ESTIMATE PER TASK**

FIRM: Kinney Engineering, LLC				PROJECT TITLE: 2022 Homer Transportation Plan							
TASK NO: 2	TASK DESCRIPTION: Comprehensive Plan Transportation Elements									DATE: 8-Jul-22	
GROUP: A	METHOD OF PAYMENT: FP <input type="checkbox"/> FPPE <input type="checkbox"/> T&E <input checked="" type="checkbox"/> CPFF <input type="checkbox"/>				PREPARED BY: Randy Kinney						
SUB-TASK NO.	SUB-TASK DESCRIPTION	LABOR HOURS PER JOB CLASSIFICATION									
		Princ. Eng. / Project Mgr. & Transportation Analyst (Kinney)	Princ. Eng. / Transportation Analyst (Bowie)	Senior PE 1 / Senior Travel Demand Forecast Modeling (Smith)	Senior PE 1 / Engineering (Galbraith)	PE / Travel Demand Forecasting Modeling (Miguel)	EIT Sr. / Transportation Analyst (Giraldo)	Tech. Sr. / CAD Graphics (Paddock)	GIS Analyst 2 / GIS and Graphics Mapping (Arneson)	Princ. Eng. / Public Involvement Leader (Mitchell)	Admin Asst. / Public Involvement (Raile)
2.01	Setup and Coordination	4.00									
2.02	Prepare Transportation Inventory to support Comp Plan	2.00			8.00			8.00	40.00		
	<i>Roadway Network Mapping</i>						8.00	8.00	8.00		
	<i>Functional Class, Ownership, AADT</i>						8.00	8.00	8.00		
	<i>Crashes</i>						8.00	40.00			
	<i>Planning Level Operations (v/c ratios)</i>						8.00	8.00	8.00		
	<i>Pedestrian and Bicycle Elements</i>						8.00	8.00	8.00		
2.03	Report on Transportation Improvements to support Comp Plan	8.00					8.00	8.00	8.00		
<b>TOTAL LABOR HOURS</b>		14	0	0	8	40	72	40	40	0	0
<b>* LABOR RATES (\$/HR)</b>		\$245.00	\$245.00	\$170.00	\$170.00	\$135.00	\$115.00	\$125.00	\$125.00	\$245.00	
<b>LABOR COSTS (\$)</b>		\$3,430.00	\$0.00	\$0.00	\$1,360.00	\$5,400.00	\$8,280.00	\$5,000.00	\$5,000.00	\$0.00	\$0.00
SUB-TASK NO.		ITEM(S)	QUANTITY	UNIT PRICE	TOTAL PRICE	COMMENTS:					
		Misc Costs	1	\$100.00	\$100.00	This is an "as-needed" task. Sub-Tasks shown above may be adjusted during comp plan execution to support COH needs.					
					\$0.00						
					\$0.00						
					\$0.00						
					\$0.00						
					\$0.00						
<b>TOTAL EXPENSES:</b>					<b>\$100</b>	<b>FIRM'S TOTAL COST OF LABOR (or Fixed Price):</b>					
<b>SUB-CONTRACTORS: Firm Initials and Price Per Task</b>						<b>IF CPFF, TOTAL INDIRECT COST @ 0.00%</b>					
						<b>FIRM'S TOTAL EXPENSES + 5% Markup:</b>					
						<b>FIRM'S TOTAL COST (no Subcontracts or Fee)</b>					
						<b>TOTAL SUBCONTRACTOR PRICES +5% Markup:</b>					
						<b>\$0</b>					

COST ESTIMATE PER TASK

FIRM: Kinney Engineering, LLC		PROJECT TITLE: 2022 Homer Transportation Plan							
TASK NO: 3	TASK DESCRIPTION: 2022 Homer Transportation Plan Update							DATE: 7/8/2022	
GROUP: A	METHOD OF PAYMENT: FP <input type="checkbox"/> FPPE <input type="checkbox"/> T&E <input checked="" type="checkbox"/> CPFF <input type="checkbox"/>			PREPARED BY: Randy Kinney					

SUB-TASK NO.	SUB-TASK DESCRIPTION	LABOR HOURS PER JOB CLASSIFICATION										
		Princ. Eng. / Project Mgr. & Transportation Analyst (Kinney)	Princ. Eng. / Transportation Analyst (Bowie)	Senior PE 1 / Senior Travel Demand Forecast Modeling (Smith)	Senior PE 1 / Engineering (Galbraith)	PE / Travel Demand Forecasting Modeling (Miguel)	EIT Sr. / Transportation Analyst (Giraldo)	Tech. Sr. / CAD Graphics (Paddock)	GIS Analyst 2 / GIS and Graphics Mapping (Arneson)	Princ. Eng. / Public Involvement Leader (Mitchell)	Admin Asst. / Public Involvement (Raile)	
3.01	Setup and Coordination	4.00										
3.02	Plan Chapters (effort shown is both form analyses and plan writing and graphics):											
a	INTRODUCTION	2.00				2.00	2.00	2.00				
b	BACKGROUND FOR PLANNING											
	Community Description	2.00				4.00	4.00	2.00				
	City of Homer Government	2.00				2.00	2.00	2.00				
	Population	2.00				2.00	2.00					
	Population Forecasts	6.00				6.00						
	Local Economy	4.00				4.00						
	Land Use	2.00				2.00		8.00	8.00			
c	TRANSPORTATION FUNDING SOURCES AND FEASIBILITIES											
	Local Funding	4.00				4.00						
	State of Alaska	4.00				4.00						
d	GOALS AND OBJECTIVES											
	Issues	4.00				4.00	4.00			4.00		
	Goals	4.00				4.00	4.00			4.00		
	Objectives	4.00				4.00	4.00			4.00		
e	EXISTING STREET CLASSIFICATION (Most work in Task 1 and 2)	4.00				4.00		4.00				
f	TRAFFIC MODELING AND FORECASTS											
	Past Forecasts	4.00				4.00						
	Methods (Regression using SEE factors)	16.00				16.00						
	Results	8.00				8.00		16.00				
g	NETWORK DEFICIENCIES	8.00				8.00		18.00				
h	IMPROVEMENT ALTERNATIVES											
	Intersection Alternatives	6.00			6.00	8.00	8.00	8.00				
	Corridor Improvements	4.00			4.00	6.00	6.00	6.00				
	New Streets or Extension of Streets	4.00			4.00	6.00	6.00	6.00				
	Active Transportation (in conjunction with NMT element in 3.12)	2.00			2.00	2.00	2.00	2.00				
i	CENTRAL BUSINESS DISTRICT (CBD)											
	Circulation and Congestion Improvements	2.00				4.00	2.00	2.00				
	Parking	4.00				6.00	4.00	4.00				
	Multi-modal enhancement opportunities (walk and bike)	2.00				4.00	2.00	2.00				
j	SENIORS AND PEOPLE WITH DISABILITIES											
	Seniors and People With Disabilities	2.00				2.00	2.00					
	Expected Change During Next 20 Years	1.00				1.00	1.00					
	Transportation Needs of Seniors and People With Disabilities	1.00				1.00	1.00					
	Existing Services	1.00				1.00	1.00					
	Transportation Recommendations for Seniors and People With Disabilities	1.00				1.00	1.00					
k	NON-MOTORIZED TRAILS PLANNING ELEMENT (recreation and utilitarian)											
	Inventory	4.00				6.00	6.00	6.00				
	Needs	2.00				4.00	4.00	4.00				
	Recommendations	2.00				4.00	2.00	2.00				
l	TRAFFIC CALMING ELEMENT											
	Policy and Warrants	6.00				6.00						
	EMS Concerns	6.00				6.00						
	Devices and effectiveness	8.00				8.00						
m	FREIGHT ELEMENT											
	Truck Routes	6.00				6.00						
	Issues	4.00				4.00						
	Recommendations	4.00				4.00						
n	IMPLEMENTATION STRATEGIES											
	Match alternatives with funding sources	4.00			4.00	4.00						
	Alternative Prioritization	2.00			2.00	2.00						
	Ranking after Public Input (open hous 2)	2.00			2.00	2.00						
o	PLAN COMPILATION and PUBLISH											
	Draft	6.00				10.00	8.00	8.00				
	Final	4.00				6.00	6.00	6.00				
3.03	PUBLIC INVOLVEMENT											
	Agency Coordination COH departments, DOT&PF, KPB	12.00				2.00	2.00	2.00	10.00	4.00		
	Public Open House 1-Data Gathering, goals and objectives	12				12		8	12	4		
	Public Open House 2- Draft Plan Presentation	12				12		8	12	4		
<b>TOTAL LABOR HOURS</b>		210	0	0	24	222	86	126	8	34	24	0
<b>* LABOR RATES (\$/HR)</b>		\$245.00	\$245.00	\$170.00	\$170.00	\$135.00	\$115.00	\$125.00	\$125.00	\$245.00	\$115.00	
<b>LABOR COSTS (\$)</b>		\$51,450.00	\$0.00	\$0.00	\$4,080.00	\$29,970.00	\$9,890.00	\$15,750.00	\$1,000.00	\$8,330.00	\$2,760.00	\$0.00

SUB-TASK NO.	ITEM(S)	QUANTITY	UNIT PRICE	TOTAL PRICE	COMMENTS:	
						3.03
	Car	1	\$150.00	\$150.00		
3.02o	Misc costs for Publishing	1	\$1,000.00	\$1,000.00		
				\$0.00		
3.03	Misc costs for PI	1	\$500.00	\$500.00		
				\$0.00		
				\$0.00		
<b>TOTAL EXPENSES:</b>					\$3,600	
<b>FIRM'S TOTAL COST OF LABOR (or Fixed Price):</b>					\$123,230	
<b>IF CPFF, TOTAL INDIRECT COST @ 0.00%:</b>					\$0	
<b>FIRM'S TOTAL EXPENSES + 5% Markup:</b>					\$3,780	
<b>FIRM'S TOTAL COST (no Subcontracts or Fee):</b>					\$127,010	
<b>TOTAL SUBCONTRACTOR PRICES +5% Markup:</b>					\$0	

CITY OF HOMER  
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Master Transportation Plan Update</u>	DATE	<u>07/21/2022</u>
DEPARTMENT	<u>Public Works</u>	SPONSOR	<u>City Manager/PW Director</u>
REQUESTED AMOUNT	<u>\$ 185,368</u>		

DESCRIPTION	<p>An updated transportation plan is needed to inform the new Comprehensive Plan that is being proposed so the City's vision for land use planning can be correlated with the City's vision for transportation planning.</p> <p>Kinney Engineering LLC submitted a proposal for the transportation planning work for the estimated cost of \$185,367.50, which is a reasonable price considering the work involved, which will take place over a 12-month period, or as needed to support the Comprehensive Plan.</p>
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FUNDING SOURCE(S)	OPERATING	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	0%	0%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	100%	0%	0%	0%

FUNDING SOURCE 1: HART-ROADS	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 7,408,007</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 4,736,065</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 185,368</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 2,486,574</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____



**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-39**

An Ordinance of the City Council of Homer, Alaska Appropriating \$125,000 from the FY23 Capital Budget General Fund Capital Asset Repair and Maintenance Allowance Fund for Professional and Technical Assistance to Support Development and Submission of Infrastructure Investment and Jobs Act Grant Applications.

Sponsor: City Manager

1. City Council Regular Meeting July 25, 2022 Introduction

Memorandum 22-125 from Special Projects and Communications Coordinator as backup.

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**ORDINANCE 22-39**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, APPROPRIATING \$125,000 FROM THE FY23 CAPITAL BUDGET GENERAL FUND CAPITAL ASSET REPAIR AND MAINTENANCE ALLOWANCE FUND FOR PROFESSIONAL AND TECHNICAL ASSISTANCE TO SUPPORT DEVELOPMENT AND SUBMISSION OF INFRASTRUCTURE INVESTMENT AND JOBS ACT GRANT APPLICATIONS.

WHEREAS, The Infrastructure Investment and Jobs Act (IIJA), signed into law in November 2021, provides a federal investment of more than \$1 trillion that will be available through a variety of competitive and formula grant programs through FY2026; and

WHEREAS, The IIJA authorized 350 distinct programs across more than a dozen federal agencies and departments to distribute \$550 billion through competitive grants in support of infrastructure planning and construction projects; and

WHEREAS, The Federal IIJA provides the City unprecedented opportunity to support priority projects in the City's adopted 6-year Capital Improvement Plan, including roads, ports, airport terminals, water and sewer utility projects, environmental remediation; community resilience and cybersecurity; and

WHEREAS, To be successful projects must be nationally competitive based on alignment with program goals and the benefits provided, which requires significant project planning time, engagement of partners and the public, environmental review, technical and cost-benefit analyses, identification of matching funds and grant writing; and

WHEREAS, Given the complexity, time and cost associated with preparing Federal grant applications, it is in the City's best interest to increase its capacity to research and strategically prioritize grant programs to pursue and pre-position projects for success; and

WHEREAS, Given the short timeframe between funding announcements and grant submission deadlines, the ability to leverage additional expertise as necessary to draft and submit competitive applications will ensure the City of Homer is in the best possible position to benefit from the IIJA opportunity.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

43            Section 1. The FY23 capital budget is hereby amended by appropriating funds from the  
44 General Fund Capital Asset Repair and Maintenance Allowance (CARMA) fund in the amount of  
45 \$125,000 for the purpose of obtaining professional IJJA advisory, technical and grant writing  
46 services as follows:

47

48            Expenditure:

49 <u>Fund</u>	<u>Description</u>	<u>Amount</u>
50	General Fund CARMA	\$125,000

51

52            Section 2. This is a budget amendment ordinance, is temporary in nature, and shall  
53 not be codified.

54

55            ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 8th day of August, 2022.

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CITY OF HOMER

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

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63

64 ATTEST:

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68 \_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

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70

71

72 Introduction:

73 Public Hearing:

74 Second Reading:

75 Effective Date:

76

77 YES:

78 NO:

79 ABSENT:

80 ABSTAIN:



## Memorandum 22-125

TO: Mayor Castner and Homer City Council

THROUGH: Rob Dumouchel, City Manager

FROM: Jenny Carroll, Special Projects and Communications Coordinator

DATE: July 13, 2022

SUBJECT: Budget Request for Federal Infrastructure Investment and Jobs Act (IIJA) Grant Application Support

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**I. Issue:** The purpose of this Memorandum is to recommend a \$125,000 appropriation from the General Fund to be used to increase the City's capacity to compete effectively for IIJA grant funds.

**II. Background:** New programs under the IIJA and the infusion of funds into existing state and federal programs provides the City with unprecedented opportunity to compete for grants to support large, priority infrastructure projects. IIJA authorized 350 different programs which are managed by more than a dozen federal agencies and departments.

I have been studying the various program eligibility criteria, competitiveness factors and application periods. The attached chart identifies some of the Federal and State programs where funding priorities align with Homer's capital project priorities.

These Federal grant programs are highly competitive -- requests for funds can exceed the total available Federal funds by 30 times or more. Completing a nationally competitive application is time and labor intensive, requiring responses that are data driven (to prove need and/or benefit), pre-planned (scope, partnerships, match strategies), aligned with over-arching Federal priorities (equity, resilience) and technical in nature (concept plan or engineers design, cost estimating, cost benefit analyses, environmental review, etc.)

Further, the fire hose analogy often used to describe these five IIJA years is accurate. Grant programs have a short three-month application period with submission deadlines that arrive in rapid succession. (See attached chart.)

Given the effort and technical capabilities required, many municipalities are hiring extra staff or contracting for grant support services. Staff recommends approving a \$125,000 appropriation from the General Fund to increase our capacity to handle the IIJA fire hose in a strategic way to maximize its impact on City of Homer projects. Funds will be used to issue task orders from the list of previously approved term contractors to assist staff with overall IIJA program strategy, pre-positioning projects for grant competitiveness, technical expertise and grant writing as necessary.

# IIJA & State Grant Programs

■ State Grant Programs ■ Federal Grant Programs

Annual application due dates

Jan	Feb	Mar
Apr	May	June
July	Aug	Sept
Oct	Nov	Dec

## State Homeland Security Grants

- Public Safety communications, etc.

## RAISE

- Harbor Float Replacement
  - Up to 60% Fed funding; 20% loans
  - Req condition analysis engineering cost estimate, BCA
  - 20-40% match

## National Oceans & Coastal Security

- Land acquisition for Green Infrastructure Slope Stability Program
  - Kbay NERRS Partnership

## Dingle-Johnson

- Nick Dudiak Fishing Hole Accessibility
- Fish Grinding Building
- 25% match

## Cyber Security Grants

- Must have cyber security plan

## Rural Surface Transportation Program

- Spit Road Erosion Mitigation
  - AK DOT & USACE partnership
  - Req BCA

## PROTECT Resilience Grants

- Spit Road Erosion Mitigation
- Green Infrastructure Slope Stability
  - AK DOT & USACE partnership
  - Req B

## Airport Terminal Program

- ADA & energy efficiency improvements; emergency b/u generator
  - AK DOT partnership
  - 5% match

## Port Infrastructure Development

- Capital improvements to port TBD
  - Req BCA
  - 20% match

## Municipal Harbor Matching Grant

- Harbor Float Replacement
  - 50% match

## Safe Streets for All

- Planning grants for Comprehensive Safety Plan – req for construction grants
- Construction grants
  - Req regional partnerships

## Transportation Alternatives Grant

- Sidewalks / Safe Route to School
- 9% + match

## Building Resilient Infrastructure

- Hazard mitigation TBD
- Req BCA
- 25% match

## Brownfields

- HERC Clean Up/Reuse Planning
- Community Assessment Grant



**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-40**

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 11 by Adding Chapter 11.37 Prohibiting Obstructions and Encroachments in City Rights-of-Way and Easements.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting July 25, 2022 Introduction

Memorandum 22-126 from Public Works Director as backup.



44 **b. It is unlawful to plow snow from a private driveway, parking lot or approach**  
45 **road onto City roads, paths or sidewalks or to interfere with drainage ways or**  
46 **structures.**

47 **c. It is unlawful to park vehicles or leave other objects that would interfere**  
48 **with (i) snow removal, or road maintenance, in City roads, paths or sidewalks or**  
49 **(ii) drainage ways or structures.**

50  
51 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this \_\_\_\_\_ day of \_\_\_\_\_,  
52 2022.

53  
54 CITY OF HOMER

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56 \_\_\_\_\_  
57 KEN CASTNER, MAYOR

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59  
60 ATTEST:

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62 \_\_\_\_\_  
63 MELISSA JACOBSEN, MMC, CITY CLERK

64  
65 YES:

66 NO:

67 ABSTAIN:

68 ABSENT:

69  
70 Introduction:

71 Public Hearing:

72 Second Reading:

73 Effective Date:



# City of Homer

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

## Public Works

3575 Heath Street  
Homer, AK 99603

[publicworks@cityofhomer-ak.gov](mailto:publicworks@cityofhomer-ak.gov)

(p) 907-235-3170

(f) 907-235-3145

## Memorandum 22-126

TO: Mayor Castner and Homer City Council  
THROUGH: Rob Dumouchel, City Manager  
FROM: Janette Keiser, PE, Director of Public Works  
DATE: July 13, 2022  
SUBJECT: Pushing snow and other obstructions into the public ROW

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- I. **Issue:** The purpose of this Memorandum is to recommend a code revision to prohibit - - pushing snow or otherwise encroaching into into City road rights-of-way and easements.
- II. **Background:** The Public Works Operators have had a long-standing problem with people pushing snow from their private property into the rights-of-way as well as other ROW and easement encroachments. This practice interferes with the Operators' ability to efficiently remove snow and keep traffic flowing on City Streets or otherwise interfering with an easement. It is particularly a problem with snow when this occurs after the City crews have cleared the streets, they have to come back, and do it again. Clearing up someone else's mess causes undue expense to the City residents. Since municipal powers are liberally construed, it is reasonable to conclude that the City has existing authority to control its rights of ways and remove encroachments and obstructions to protect the public safety. To solidify that authority the attached ordinance expressly prohibits the disposal of snow and other encroachments into the right of way.
- III. **Recommendation:** We recommend the Homer City Council adopt a new section to the Homer City Code, which is based on 17 AAC 10.020(g).

### 17 AAC 10.020. Driveways and approach roads

(a) A driveway or approach road constructed under permit within a highway right-of-way is the property of the state, but all cost and liability arising from the construction, operation, or maintenance of a driveway or approach road is at the sole expense of those lands served. The department is not obligated to change its maintenance practices to accommodate a driveway or approach road constructed under a permit, or to incur any additional expense removing snow berms or other obstructions from a driveway or approach road within a right-of-way resulting from the department's activities, or activities under a permit issued under [17 AAC 15](#).

(b) A permittee under this section shall construct and maintain a driveway or approach road in such a manner that the highway, and all of the highway's appurtenances or facilities, including drainage facilities, pipes, culverts, ditches, traffic control devices, street lights, pathways, and sidewalks are not impaired or endangered in any way by the construction or maintenance. The department will include in a permit express conditions that provide for the enforcement of this subsection and (a) of this section.

(c) In a driveway or approach road permit, except for a driveway or approach road included in a utility permit described in [17 AAC 15](#), the department will include a clause that requires the permittee to adjust or relocate the driveway or approach road without cost or liability to the department if the use or safety of the highway requires that the driveway or approach road be adjusted or relocated. The department also will include in the permit a requirement that the permittee shall indemnify, defend, and hold harmless the state, or officers, agents, employees, and contractors of the state in any matters pertaining to the driveway or approach road, and that the permittee shall assume all liability or cost in connection with the driveway or approach road.

(d) The department will, in its discretion, issue a permit for a driveway or approach road on any highway that is not a controlled access facility, if the department determines that the driveway or approach road is proposed to be located in a manner that is consistent with the requirements of [17 AAC 10.040](#), that is compatible with the public safety, and that does not interfere with the use of the highway. In the permit, the department will require that the permittee, the permittee's heirs, and the permittee's successors in interest, or assignees shall assume all cost and liability occasioned by either the construction or maintenance of the driveway or approach road.

(e) If a driveway or approach road that provides ingress to or egress from adjoining land is replaced during a project to construct or reconstruct a highway, the department, as a cost of construction, will, in its discretion, replace the driveway or approach road in a manner and location consistent with the requirements of [17 AAC 10.040](#).

(f) Repealed 5/4/2000.

(g) The burden and cost of maintaining a driveway or approach road within a highway right-of-way is upon the lands served by a driveway or approach road. A driveway or approach road must be maintained to conform the requirements of [17 AAC 10.040](#) and to accepted engineering practice. The department is not obligated to remove snow berms plowed into a driveway or approach road during its highway snow removal activities. A permittee may not plow snow from a driveway or approach road onto a highway, or interfere with highway drainage structures.



(h) If an emergency situation arises from the use, operation, or maintenance of a driveway or approach road issued a permit under this section or [17 AAC 10.060](#), that compromises the design or safety of a highway, and the department lacks sufficient time to contact the permittee or a permittee's heirs, successors in interest, or assignees to correct the situation, the department will, in its discretion, take whatever steps necessary to cure the situation and recover the costs of the cure from the person responsible for the operation and maintenance of the driveway or approach road.

**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-41**

An Ordinance of the City Council of Homer, Alaska Accepting the Vacation and Dedication of Parklands on Spruceview Avenue.

Sponsor: City Manager/City Planner

1. City Council Regular Meeting July 25, 2022 Introduction

Memorandum 22-127 from Public Works Director as backup.

**CITY OF HOMER  
HOMER, ALASKA**

City Manager/City Planner

**ORDINANCE 22-41**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
ACCEPTING THE VACATION AND DEDICATION OF PARKLANDS ON  
SPRUCEVIEW AVENUE.

WHEREAS, The City of Homer may dedicate lands for a public purpose; and

WHEREAS, City land no longer needed for a public purpose may be vacated; and

WHEREAS, The Homer City Council approved Resolution 17-066 in support of the  
Woodard Creek Watershed Plan; and

WHEREAS, The vacation of and subsequent dedication of park land is identified in the  
plan as Action Plan 4; and

WHEREAS, The interests of the public is better served by the newly configured park,  
rendering the vacated portions of the park no longer needed for a public purpose; and

WHEREAS, The land dedicated to parkland use is in support of a public purpose.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS

Section 1. Homer City Council authorizes the City Manager to sign quitclaim deeds for  
the sections of city lands vacated to be attached to lots 10-A-3 and 10-A-4 in BUNNELL’S SUBD.  
NO. 17 2018 REPLAT.

Section 2. This ordinance is a non code ordinance and is of a permanent nature.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_ day of \_\_\_\_\_, 2021.

CITY OF HOMER

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

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

- 44
- 45 YES:
- 46 NO:
- 47 ABSTAIN:
- 48 ABSENT:
- 49
- 50 First Reading:
- 51 Public Hearing:
- 52 Second Reading:
- 53 Effective Date:



# City of Homer

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

Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

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

(p) 907-235-3106

(f) 907-235-3118

## MEMORANDUM 22-127

TO: MAYOR CASTNER AND THE HOMER CITY COUNCIL  
FROM: RICK ABOUD, AICP, CITY PLANNER  
DATE: July 13, 2022  
SUBJECT: WOODARD PARK CONFIGURATION

I received a request from a realtor for the City Manager to sign a quit claim document to relinquish the City's interests in a parcel known as LOT 10-A-2, BUNNELL'S SUBD. NO. 17 REPLAT. After reviewing the request and forwarding the matter to the City Attorney, we found that it is appropriate to gain City Council approval prior to granting the request.

This request was the result of commencement of an action item listed in the Woodard Creek Watershed Plan. The plan has the support of the City Council with the approval of Resolution 17-066. This item was brought to fruition through the wishes of an adjoining landowner, Marvin Hanson and facilitated by his heirs. The platting action brought forth by Mr. Hansen's heirs reconfigured the park area to include the portion of Woodard Creek traversing his two lots, cleaned up an adjacent dedication of Spruceview Avenue, and vacated small parts of an unutilized and rather impractical parkland. Additionally, the plat dedicates utility and pedestrian easements.

With the approval of the accompanying ordinance, the City Manager will be authorized to sign quit claims deeds to the portions of parklands found in parcels 10-A-2 and 10-A-3 in the above mentioned plat. The park and right-of-way has been accepted through the platting action.

### Attachments:

Draft Ordinance

BUNNEL'S SUBD. NO. 17 with depiction of parkland dedication and vacation

Pre-subdivision plat with ownership depiction

Aerial of lots

Excerpt from Woodard Creek Watershed Plan

Resolution 17-066

Staff Report 18-12 Bunnell's Subdivision No. 17 2018 Replat Preliminary Plat w/ notice of action and minutes

PARCAC Staff Report and minutes

2018 Land Allocation Plan excerpt



**LEGEND**

- 2" AC (7968-S 2016) ON 5/8" REBAR SET THIS SURVEY
- FIND 2" AL-CAP 7538-S 2003
- FIND 2" AL-CAP 5780-S 2000
- FIND 5/8" REBAR
- FIND 2" AL-CAP 3686-S 1983
- FIND 2" AL-CAP 5780-S 2007
- ⊕ PRIMARY MONUMENT AS NOTED
- CURB STOP
- (R) RECORD DATA
- (F) FIELD DATA

**WASTEWATER DISPOSAL**

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



**CERTIFICATE OF ACCEPTANCE**

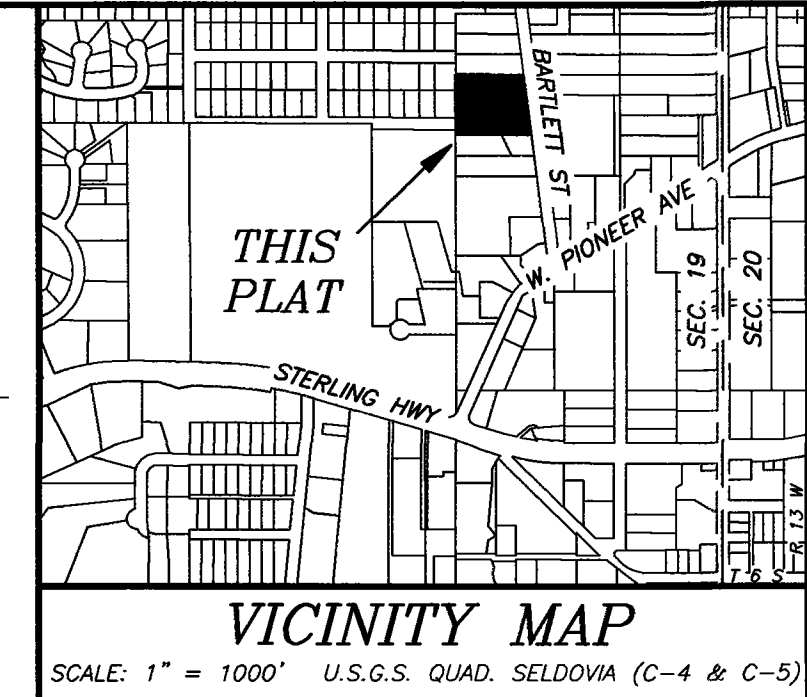
THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE 15' WIDE UTILITY EASEMENT GRANTED, THE 15' PEDESTRIAN EASEMENT GRANTED, THE RIGHT-OF-WAY DEDICATED, AND TRACT "A" (0.564 AC PARK) DEDICATED BY THIS PLAT. THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE OR MAINTAIN IMPROVEMENTS.

*Katie Koester* 3.6.20  
 KATIE KOESTER, CITY MANAGER DATE  
 CITY OF HOMER

**NOTARY'S ACKNOWLEDGMENT**

FOR: *Katie Koester, City Manager*  
 ACKNOWLEDGED BEFORE ME THIS 6th  
 DAY OF March, 2018  
*Bobbie R Krause*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 08/06/23

Bobbie R Krause  
 Notary Public, State of Alaska  
 Commission# 190806002  
 My Commission Expires 08/06/2023



**NOTARY'S ACKNOWLEDGMENT**

FOR: *Christian Hanson*  
 ACKNOWLEDGED BEFORE ME THIS 17  
 DAY OF August, 2018  
*Katie Jo Gamble*  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES 02/17/21

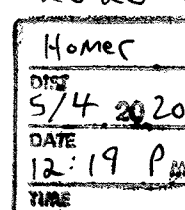
State of Alaska  
 NOTARY PUBLIC  
 Katie Jo Gamble  
 My Commission Expires Feb. 17, 2021

**CERTIFICATE OF OWNERSHIP**

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

*Chris Hanson*  
 CHRISTIAN HANSON, PERSONAL REP. LOT 10-A AND LOT 11-A FOR; ESTATE OF MARVIN L. HANSON  
 P.O. BOX 490  
 HOMER, AK 99603

*Katie Koester*  
 KATIE KOESTER, CITY MANAGER LOT 11-B AND LOT 12-A FOR; CITY OF HOMER  
 491 EAST PIONEER AVENUE  
 HOMER, AK 99603



HOMER RECORDING DISTRICT KPB FILE NO. 2018-027

**BUNNELL'S SUBD. NO. 17 2018 REPLAT**

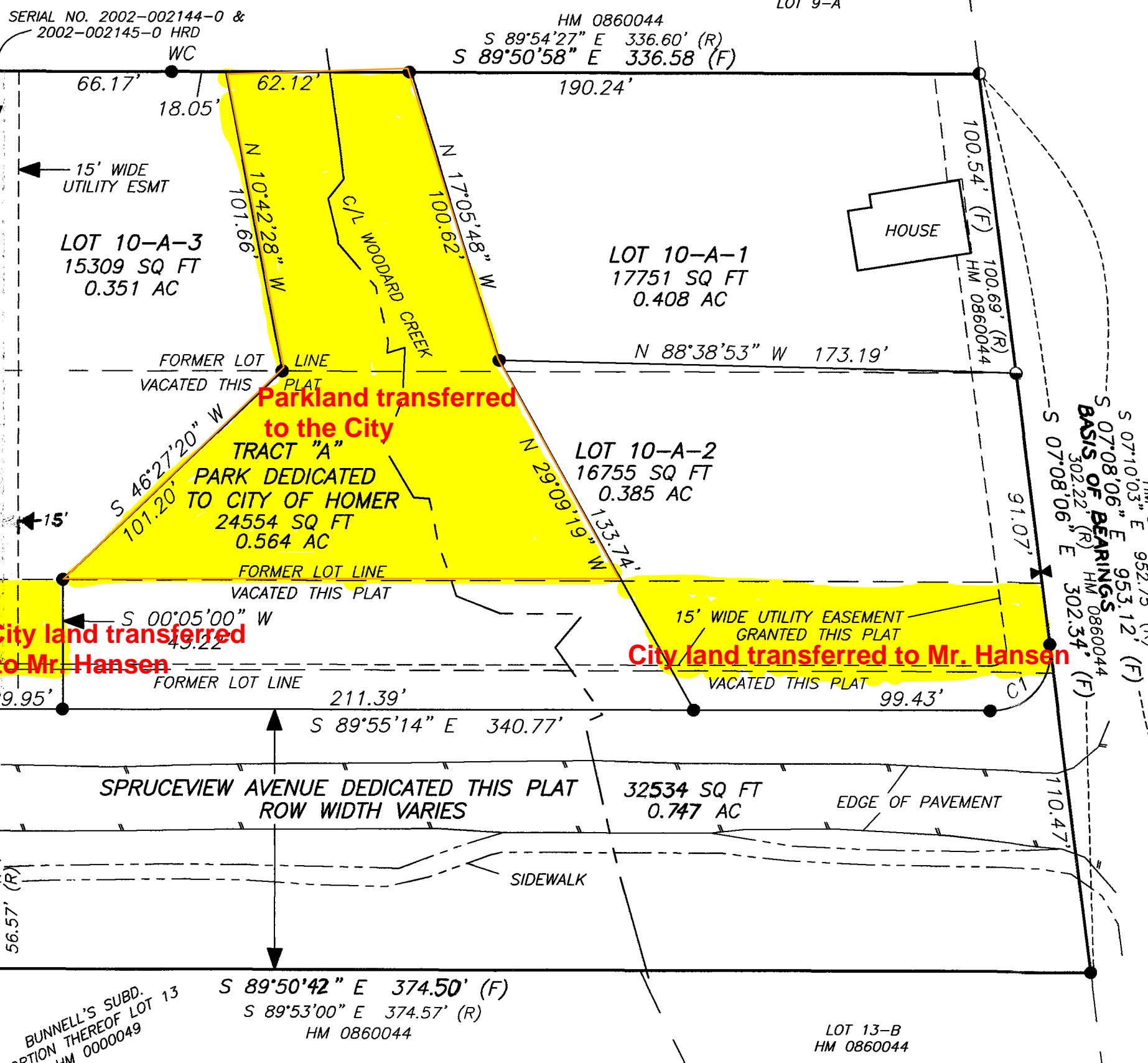
A RE-SUBDIVISION OF LOTS 10-A, 11-A, 11-B AND 12-A OF THE BUNNELL'S SUBD. NO. 17 (HM 1986044) LOCATED WITHIN THE E 1/2 OF SECTION 19 TWP. 6 SOUTH RNG. 13 WEST, S.M. AND WITHIN THE CITY OF HOMER, ALASKA CONTAINING 2.447 ACRES +/-

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

CLIENT: CITY OF HOMER  
 491 EAST PIONEER AVE. HOMER, AK

CLIENT: CHRISTIAN HANSON, PERSONAL REP.  
 FOR: ESTATE OF MARVIN L. HANSON  
 P.O. BOX 490 HOMER, AK

DRAWN BY: KB	CHKD BY: KB	JOB #2017-72
DATE: 8/2018	SCALE: 1"=40'	SHEET #1 OF 1



**CURVE TABLE**

CURVE#	RADIUS	ARC	CHORD	CH. BRG
C1	20'	33.93'	30.01'	S41°28'20"W

**NOTES cont.**

6. 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.

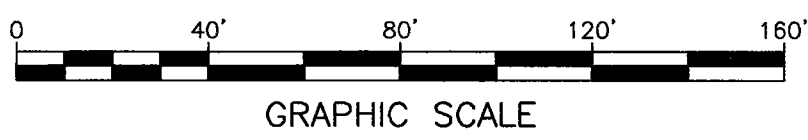
7. THERE ARE BLANKET EASEMENTS GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. THAT AFFECT THESE LOTS RECORDED BK 19 PG 7, AND BK 49 PG 331 HRD.

8. NO STRUCTURES ARE PERMITTED WITHIN THE PANHANDLE PORTION OF THE FLAG LOT(S).

**PLAT APPROVAL**

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF 4/23/2018

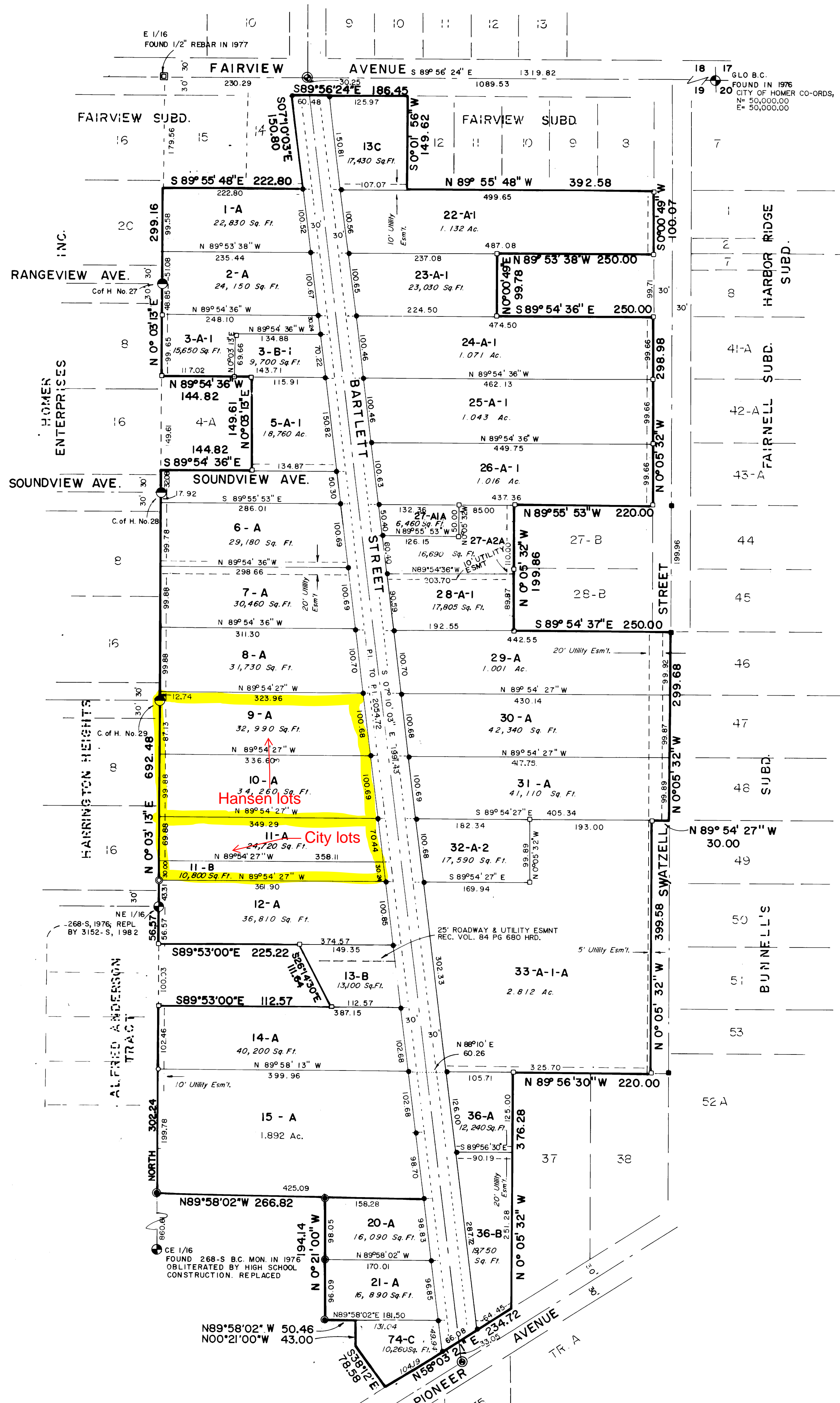
KENAI PENINSULA BOROUGH  
 BY: *[Signature]*  
 AUTHORIZED OFFICIAL



**NOTES**

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. THIS SUBDIVISION IS SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF HOMER.
3. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
4. THE 15' FT FRONTING THE RIGHT-OF-WAYS ARE A UTILITY EASEMENT. THIS EASEMENT IS 10' WIDE IN THE AREA WHERE THE EXISTING HOUSE FRONTS BARTLETT ST. ROW SO NO NEW ENCROACHMENT WILL BE CREATED. THERE IS A 15' WIDE UTILITY EASEMENT ALONG THE WESTERLY BOUNDARY OF THIS PLAT.
5. THERE IS A 10' WIDE PEDESTRIAN EASEMENT ALONG THE WESTERLY BOUNDARY OF THIS PLAT GRANTED TO THE CITY OF HOMER.





CERTIFICATE OF OWNERSHIP  
 I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN HEREON. I HEREBY REQUEST APPROVAL OF THIS PLAT SHOWING RIGHTS OF WAY AND EASEMENTS DEDICATED BY ME FOR PUBLIC USE, OR TO THE USE SHOWN.

*Andre V. Marrou* 28 Dec 85  
 ANDRE V. MARROU INDIVIDUALLY, AND FOR THE FOLLOWING LISTED PERSONS AS ATTORNEY IN FACT, HAS FILED IN HOMER REC'D. DIST.

INDIVIDUALS	VOL.	PG.	LOT	TAX PARCEL NO.
1) MICHAEL C. HANSON	144	837	7-A	171-131-0800
2) MICHAEL C. HANSON	144	838	8-A	171-131-0800
3) FLORENCE E. JONES	144	337	9-A	175-131-0900
4) FRANK H. BAUER	144	690	5-A-1	175-131-1500
5) FRANK H. BAUER	144	686	4-A-1	175-131-1600
6) FRANK H. BAUER	144	694	3-B-1	175-131-1700
7) DALE MORTON	144	945	12-A	175-141-0500
8) ROBERT E. & BERNADINE BARNETT	145	280	14-A	175-141-0300
9) HOMER SOCIETY OF NATURAL HISTORY	144	732	17-A	175-141-1000
10) HOMER SOCIETY OF NATURAL HISTORY	144	698	15-A	175-141-0600
11) COURTNEY E. & NELDA A. CALHOUN	145	034	20-A	175-141-1100
12) COURTNEY E. & NELDA A. CALHOUN	145	039	21-A	175-141-1200
13) MARGARET SHENCK	144	841	13-B	175-141-1200
14) CHARLIE S. & WILMA S. WILLIAMS	144	732	24-A-1	175-310-1100
15) SAMUEL C. & NANCY K. MATTHEWS	144	573	23-A-1	175-310-1100
16) DONOVAN E. & MILDRED F. HARRISON	144	329	25-A-1	175-310-1400
17) DONOVAN E. & MILDRED F. HARRISON	144	333	26-A-1	175-310-1500
18) JAMES E. & JANICE PRESTON	43	577	32-A2	175-310-2000
19) LILLIAN SWATZELL	144	075	27-A2A	175-132-2800
20) LILLIAN SWATZELL	144	037	27-A1	175-132-2800
21) LILLIAN SWATZELL	144	033	28-A1	175-132-2700
22) JUNE M. LUNSKI	144	041	29-A	175-132-2900
23) EILEEN C. MARROU	144	135	30-A	175-132-1000
24) MICHAEL W. & WILEY F. EASTHAM	143	569	31-A	175-132-1100

TABLE OF RECORDED EASEMENTS

- V60 P365 S. 10' Public R/W to City of Homer. Lot 36-B
- V60 P369 Metes & Bounds Public R/W to City of Homer. Lot 36-B
- Plat 83-09 15' along the existing drainage channel. To the City of Homer. Lot 32-A-1
- V18 P214 Blanket Homer Electric Association. Lot 23-A-1
- V18 P7, V24 P107 Blanket Homer Electric Association. Lot 1-A
- V64 P358 S. Boundary waterline to lot 37. Lot 36-A
- V18 P7 Blanket Homer Electric Association. Lot 2-A
- V48 P222 Blanket Homer Electric Association. Lot 25-A-1
- V49 P229 Blanket Homer Electric Association. Lot 26-A-1
- V25 P30 N. 30' R/W to Summers & Tonia Woodman. Lot 25-A-1
- V19 P223 Blanket Homer Electric Association. Lots 3-A-1 & 3-B-1
- V19 P82 Blanket Homer Electric Association. Lot 5-A-1
- V49 P263 All existing facilities as of June 4, 1978. To Homer Electric Association. Lot 74-A
- V18 P82 Blanket Homer Electric Association. Lots 7-A & 8-A
- V48 P331 Blanket Homer Electric Association. Lot 9-A
- V48 P331 Blanket Homer Electric Association. Lot 10-A
- V48 P331 Blanket Homer Electric Association. Lot 11-A
- V18 P214 Blanket Homer Electric Association. Lot 22-A-1
- V49 P331 Blanket Homer Electric Association. Lot 11-B
- V84 P680 N. 25' E. of Stream Bed. Roadway and Utilities. In favor of lot 13-A, affects Lot 13-B
- V18 P214 Blanket Homer Electric Association. Lot 24-A-1
- V136 P895 Metes & Bounds Utilities to Glacier State Telephone. Lot 13-B
- V18 P196, V30 P39 Blanket Homer Electric Association. Lot 33-A-1-A
- V6 P210 N. 20' W. of Stream. Roadway reserved in Warranty Deed. Lot 13-A
- Plat 83-09 15' along the existing drainage channel. To the City of Homer. Lot 33-A-1-A
- V19 P15 Blanket Homer Electric Association. Lot 30-A
- V60 P273, V60 P276 E. 30' Public R/W to City of Homer. Lot 30-A
- V18 P196 Blanket Homer Electric Association. Lot 32-A-1
- V49 P325 Blanket Homer Electric Association. Lot 14-A
- V8 P247, V18 P247 Blanket Homer Electric Association. Lot 15-A
- V79 P865 N. 15' Ingress & Egress reserved by Warranty deed. Lot 15-A
- Plat 78-44 N. 25' lots 27-A-3 & 27-A-2. Ingress/Egress easement. To be automatically vacated upon the construction of Swatzell Street. Lot 28-A-1 is subject to an identical easement over the S. 25'.

LEGEND:

- FOUND 1/2" REBAR, 3686-S
- FOUND ORIGINAL SPRUCE STOB
- FOUND B.C. MON.
- FOUND BERNSTEN ALUM. MON, 1301-S
- SET AL CAP MON. ON REBAR
- SET COPPERWELD MON.
- FOUND 1/2" REBAR
- AL CAP MON. OF RECORD, 268-S, 1983

NOTES:

- Being a replat of lots 6-16, 19-21, 29-31, 36 & 74, BUNNELL'S SUBD., plat no. 4780, Lots 3-A, & 3-B, BUNNELL'S SUBD., REPLAT OF LOT 3 plat no. 79-113, Lot 5A, BUNNELL'S SUBD., REPLAT OF LOT 4 & THE N 1/2 OF LOT 5, plat no. 78-121, Lots 22-A, 23-A, 24-A, 25-A, 26-A, FAIRNELL SUBD., plat no. 79-58, Lots 27-A-1 & 27-A, BUNNELL'S SUBD. NO. 13, plat no. 80-30, Lot 28-A, BUNNELL'S SUBD., REPLAT OF LOTS 27 & 28, plat no. 78-44, Lots 32-A & 33A1, BUNNELL'S SUBD. NO. 15, plat no. 83-09, Lots 13 & 14, FAIRVIEW SUBD., plat no. 56-2936.
- Monuments shown as found were recovered over a period of 9 years' retracement and survey in the area.
- The purpose of this plat is to resolve errors in the plat and description of record, to restore corners to proper location and to show prior purchases of additional right-of-way along Bartlett Street.
- Upon construction of Swatzell Street the ingress/egress easements in Lots 27-A-1, 27-A-2, & 28-A will be automatically vacated.
- Utility easements shown are 10' in width, unless labeled otherwise.
- Utility and right-of-way easements granted to the City of Homer, Glacier State Telephone and other Public Utility Agencies that were granted in the 15' adjacent to the old Right-of-way Line are not shown, as they have been merged with the full dedication of a 60' Right of way for Bartlett Street.
- The DECLARATION OF TAKING, which created portions of the right of way of BARTLETT STREET was filed in the Superior Court at Homer, Alaska as case No. 340 84-185 CIV. That document is recorded in the District Recorders Office at Homer Alaska in Vol. 167 at Page 719, 720 & 721.

THIS IS SHEET 1 OF 15 SHEETS. SHEETS 2 THROUGH 15 ARE SIGNATURE SHEETS ONLY.

NOTARY'S ACKNOWLEDGEMENT FOR PHIL SHEALY & ANDRE V. MARROU SUBSCRIBED AND SWORN TO BEFORE ME THIS 22nd DAY OF Dec 1985

*Jerry Anderson* 11-7-87  
 NOTARY PUBLIC FOR ALASKA MY COMMISSION EXPIRES  
**JERRY ANDERSON**  
 NOTARY PUBLIC  
 STATE OF ALASKA

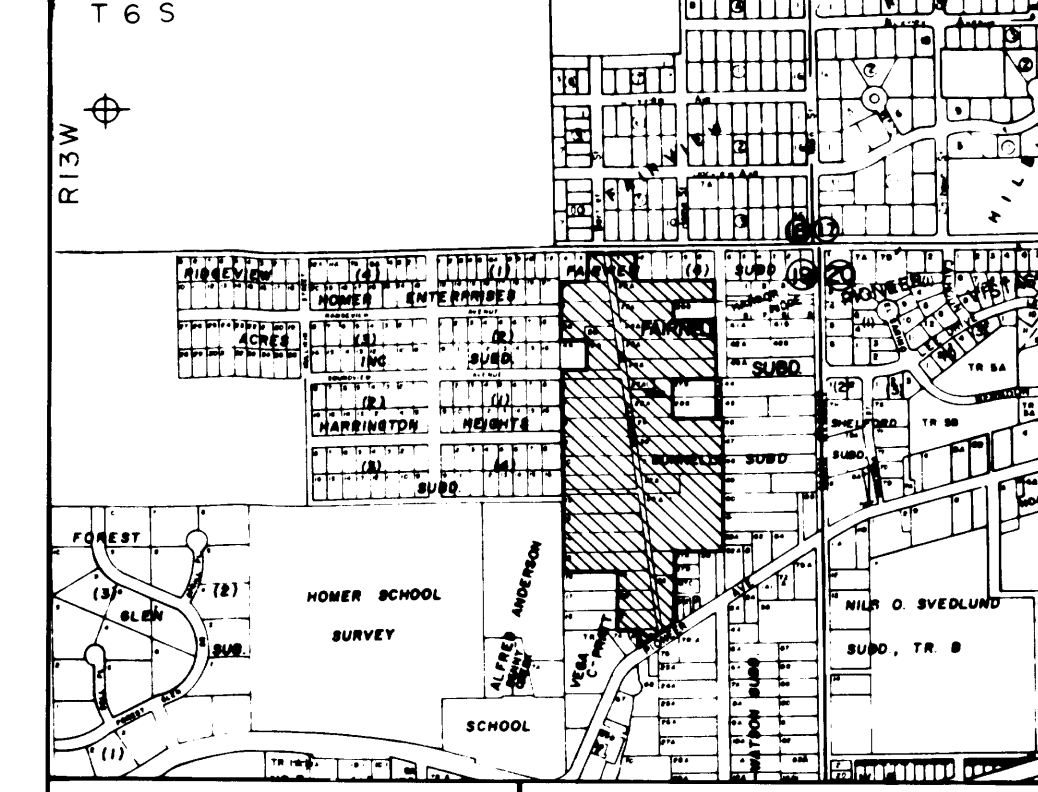
SURVEYOR'S CERTIFICATE  
 I, THE UNDERSIGNED REGISTERED SURVEYOR, HEREBY CERTIFY THAT A LAND SURVEY HAS BEEN COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT CORNERS AND MONUMENTS HAVE BEEN LOCATED AND ESTABLISHED AND THAT DIMENSIONS SHOWN HEREON ARE TRUE AND CORRECT.

*Jerry Anderson* 11-10-84  
 JERRY ANDERSON, RLS NO. 3686-S DATE

PLAT APPROVAL  
 THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF Nov. 28, 1985  
 KENAI PENINSULA BOROUGH

BY: *Richard E. Torgerson*  
 AUTHORIZED OFFICIAL

VICINITY MAP



DATE: NOV., 1983  
 SCALE: 1" = 100'  
 DESIGNED BY: J.A.  
 DRAWN BY: S.S.  
 DISK NO. 4  
 JOB NO.: 1591  
 FLD. BK. NO.: 162

**BUNNELL'S SUBD. No. 17**  
 Situated in the E 1/2, Sec. 19, T.6S, R.13W, S.M.  
 (see note 1 for complete legal description)

CONTAINING 27.567 ACRES

ABILITY SURVEYS

JERRY ANDERSON, RLS BOX 1263 HOMER, ALASKA



86-44  
 RECORDED - FILED 48-  
 HOMER REC. DIST.  
 6-11-86  
 2:02 P.M.  
*Ability Survey*





NOVIEW AVE

HOMER

SPRUCEVIEW AVE

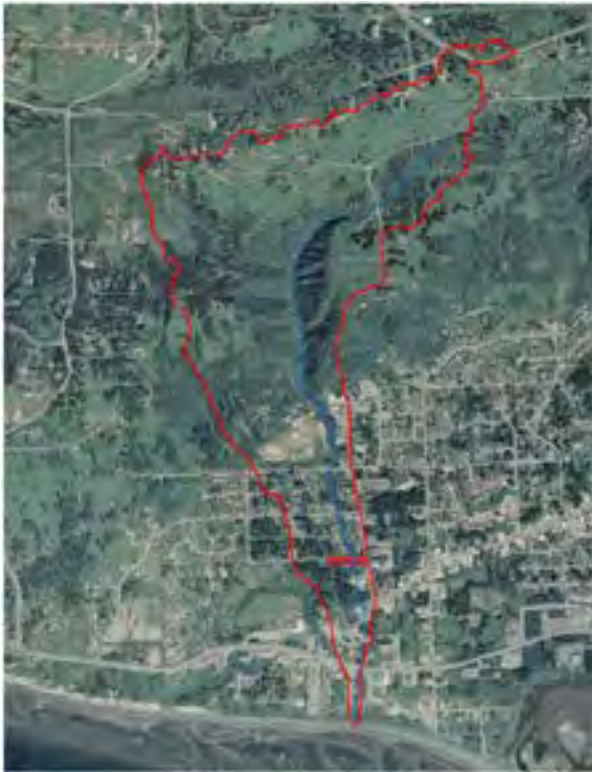
BARTLETT ST

SWATZELL ST

96



## 4. Develop Spruceview Park



*This project contributes to the objective, “create and enhance public access points.”*



Concept maps for the development of Spruceview Park. Source: Marvin Hanson.

This project would create a pocket park for enhanced appreciation of Woodard Creek. The proposal would subdivide properties, dedicate Spruceview Avenue rights of way, consolidate lots into useable areas separated by the creek, and improve the potential of all properties by using topographical features to enhance best land use. Park land would be increased by approximately 5,000 sf (47%) and would be consolidated west of Woodard Creek, with increased frontage on the creek.

This concept proposal addresses four parcels of property with Bunnell’s Subdivision No. 17, City of Homer. Lots 10A and 11A are private property owned by Marvin Hanson, Lots 11B and 12A are public property of the City of Homer. Lot 11B is currently designated

as park lands. Lot 12A contains Spruceview Avenue, which has not yet been dedicated as public right of way (see maps).

All four properties are segmented by Woodard Creek, creating topographically separated areas on each side of the creek, a poor configuration for best land use. Lot 11B (park land) is a thirty foot wide strip bisected by the creek and has very limited use in its present configuration.

All costs of subdivision would be paid by Marvin Hanson, with no costs to the City of Homer. The exact area of City property accrued by Hanson would be appended to the consolidated park land.

**CITY OF HOMER  
HOMER, ALASKA**

Aderhold

**RESOLUTION 17-066**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA, RECOGNIZING THE FUNCTIONS AND VALUES OF THE WOODARD CREEK WATERSHED, ACKNOWLEDGING THE WOODARD CREEK COALITION'S FEBRUARY 2017 WOODARD CREEK WATERSHED PLAN, REFERENCING APPROPRIATE SECTIONS OF THE PLAN IN THE CITY OF HOMER'S COMPREHENSIVE PLAN, PROMOTING THE PLAN ON THE CITY OF HOMER'S WEBSITE, AND MAKING THE PLAN AVAILABLE FOR REFERENCE IN THE PLANNING DEPARTMENT.

WHEREAS, Woodard Creek, which flows from its headwaters atop the bluff through Homer's central business district and into the Kachemak Bay Critical Habitat Area at Bishop's Beach, is Homer's most prominent perennial stream; and

WHEREAS, The Woodard Creek watershed rests largely in an area considered urban/residential under the City of Homer building code, and South Peninsula Hospital, Pratt Museum, Saint John's Baptist Church, many private residences and small businesses, and Karen Hornaday Park and the Homer Playground are built within the Woodard Creek watershed; and

WHEREAS, Development has changed the natural flow of Woodard Creek through channelization, culverts, and riparian encroachment; and

WHEREAS, Woodard Creek is subject to flooding and erosion during storm events, which can damage private property, roads, and other important infrastructure; and

WHEREAS, In spite of these modifications, Woodard Creek continues to support vibrant ecological and aesthetic functions and values, including native plants, large and small mammals, birds, insects, microbes, and nutrients that natural systems need to flourish; and

WHEREAS, Woodard Creek is a vital community asset that enhances conservation efforts, promotes recreational outlets, protects against flooding hazards, adds value to the central business district, and enhances the quality of life for residents and tourists alike; and

WHEREAS, Interested Homer citizens, the Kachemak Bay Conservation Society, Cook Inletkeeper, Friends of Woodard Creek and Karen Hornaday Park, the Pratt Museum, Homer Council on the Arts, Bunnell Street Art Center, Homer Soil and Water Conservation District, Alaska Department of Transportation and Public Facilities, Alaska Department of Fish and



43 Game, Kachemak Bay National Estuarine Research Reserve, Mobilizing for Action through  
44 Planning and Partnerships, South Peninsula Hospital, Kenai Watershed Forum, and the City of  
45 Homer formed the Woodard Creek Coalition; and

46

47 WHEREAS, The Woodard Creek Coalition received a grant from the National Park  
48 Service Rivers, Trails, and Conservation Assistance Program to develop a plan for Woodard  
49 Creek; and

50

51 WHEREAS, The mission of the Woodard Creek Coalition is to bring together diverse  
52 groups, property owners, and citizens to promote the health and safety of the Woodard Creek  
53 watershed as a community asset; and

54

55 WHEREAS, The City of Homer Planning Department participated in the planning and  
56 drafting of the Woodard Creek Watershed Plan; and

57

58 WHEREAS, The Woodard Creek Coalition completed the Woodard Creek Watershed  
59 Plan in February 2017 after numerous public meetings and opportunities for public comment;  
60 and

61

62 WHEREAS, The Woodard Creek Watershed Plan characterizes the watershed, discusses  
63 watershed issues, details goals and objectives to improve public awareness and restore and  
64 protect the natural functions and flow of Woodard Creek, and provides an action plan for  
65 meeting the goals and objectives.

66

67 NOW, THEREFORE, BE IT RESOLVED that the that the City Council of Homer, Alaska  
68 hereby recognizes the natural functions and values of the Woodard Creek watershed and  
69 acknowledges the Woodard Creek Coalition's February 2017 Woodard Creek Watershed Plan;  
70 and

71

72 BE IT FURTHER RESOLVED that the City of Homer will reference appropriate sections of  
73 the Woodard Creek Watershed Plan in its revisions to the City of Homer Comprehensive Plan;  
74 and

75

76 BE IT FURTHER RESOLVED that the City of Homer will promote the Woodard Creek  
77 Watershed Plan on the Planning Department's page of the City of Homer's Planning website  
78 and will make the plan available in the Planning Department for reference by home and  
79 business owners living in the Woodard Creek watershed.

80

81 PASSED AND ADOPTED by the Homer City Council, this 26<sup>th</sup> day of June, 2017.

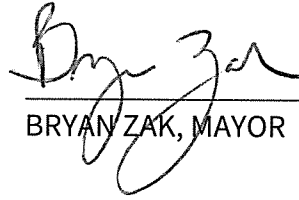
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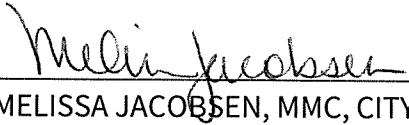
CITY OF HOMER



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BRYAN ZAK, MAYOR

ATTEST:



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MELISSA JACOBSEN, MMC, CITY CLERK





# City of Homer

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

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

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

### Staff Report 18-12

TO: Homer Advisory Planning Commission **18-12**  
 FROM: Julie Engebretsen, Deputy City Planner  
 THROUGH: Rick Abboud, City Planner  
 DATE: February 21, 2018  
 SUBJECT: Bunnell's Subdivision No. 17 2018 Replat Preliminary Plat

**Requested Action:** Recommend approval of the preliminary plat to reconfigure lot lines and dedicate a portion of Spruceview Ave.

### General Information:

Applicants: Christian Hanson  
 PO Box 490  
 Homer, AK 99603

Kenton Bloom, PLS  
 1044 East End Rd Ste A  
 Homer, AK 99603

City of Homer  
 491 E Pioneer Ave  
 Homer, AK 99603

Location:	Bartlett St and Spruceview Ave
Parcel ID:	17513326, 17513327, 17513328 17513329
Size of Existing Lot(s):	0.25 to 0.85 acres
Size of Proposed Lots(s):	0.531 to 0.418 acres
Zoning Designation:	Residential Office District
Existing Land Use:	Residential, vacant
Surrounding Land Use:	North: Residential
	South: Residential
	East: Church/Residential Office
	West: Residential/vacant
Comprehensive Plan:	Chapter 4 Goal 1: Guide Homer's growth with a focus on increasing the supply and diversity of housing, protect community character, encouraging infill, and helping minimize global impacts of public facilities including greenhouse gas emissions.

Wetland Status:	Woodard Creek runs through the subdivision. Discharge slope wetlands may be present.
Flood Plain Status:	Zone D, flood hazards undetermined.
BCWPD:	Not within the Bridge Creek Watershed Protection District.
Utilities:	City water and sewer are available
Public Notice:	Notice was sent to 60 property owners of 66 parcels as shown on the KPB tax assessor rolls.

**Analysis:** Commissioners may recall that citizens worked on a project called the Woodard Creek Plan. Mr. Marvin Hanson was an active landowner participant in this group, and owned the private parcels within this preliminary plat. He promoted the idea of a better public park and changing the lot lines involving his land to accommodate the park. Mr. Hanson was also a licensed surveyor. Unfortunately, he recently passed away before seeing his idea come to life. His estate is working with Kenton Bloom to see his wishes carried out.

In the current lot layout, Spruceview travels through a parcel rather than within a dedicated right of way. This plat dedicates the right of way for Spruceview Avenue, and reconfigures this block of land. The city owns an adjacent strip of land, which is designated in the Land Allocation Plan as Woodard Park. North of the park, the Hanson family owns two tracts. This plat proposes to change the layout to create a larger public park along Woodard Creek and a new residential lot to the west of the creek. This proposal for the park will be considered at the Park, Art, Recreation, and Culture Commission meeting of February 15, 2018.

**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. A 15 ft utility easement is granted by the plat, and jogs around the existing non-conforming structure on lot 10-A-1.

- 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. No additional easements are needed.

**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. Tract "A" is dedicated as park land to the City of Homer.

- 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. Woodard Creek is depicted and labeled.

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

**Staff Response:** The plat meets these requirements. (Not applicable to this location).

- 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. The road was constructed by the City of Homer; and this plat dedicates the right of way across what was a city owned parcel.

- 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 does not meet these requirements. Staff recommends the applicant apply for non-conforming status on the existing house.

**Public Works Comments:**

1. Water and sewer stub outs will need to be provided to Lot 10-A-3.
2. An installation agreement will need to be in place or services provided before recording the plat.

3. Provide the appropriate curve return on the northern intersection corner of Spruceview and Bartlett Street (20').

**Fire Department Comments:** *No comments made.*

**Staff Recommendation:**

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

1. Property owner should contact the Army Corps of Engineers prior to any on-site development or construction activity to obtain the most current wetland designation (if any). Property owners are responsible for obtaining all required local, state and federal permits.
2. Provide the appropriate curve return on the northern intersection corner of Spruceview and Bartlett Street (20').

**Attachments:**

1. Preliminary Plat
2. Illustration of City park dedication
3. Public Notice
4. Aerial Map



**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES \_\_\_\_\_

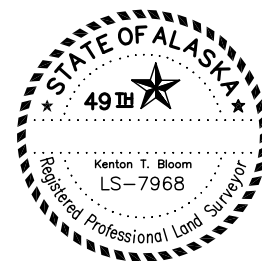


HARRINGTON HEIGHTS SUBD.  
LOT 8 BLK 4  
HM 0640626

HARRINGTON HEIGHTS SUBD.  
LOT 16 BLK 4  
HM 0640626

BASIS OF BEARINGS  
S 00°04'12" W 299.66' (F)  
S 00°03'13" W 299.64' (R)

SPRUCEVIEW AVE.  
60' ROW



**NOTARY'S ACKNOWLEDGMENT**

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FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES \_\_\_\_\_

**NOTES**

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. THIS SUBDIVISION IS SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF HOMER.
3. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
4. THE 15' FT FRONTING THE RIGHT-OF-WAYS ARE A UTILITY EASEMENT. THIS EASEMENT IS 10' WIDE IN THE AREA WHERE THE EXISTING HOUSE FRONTS BARTLETT ST. ROW.

**PLAT APPROVAL**

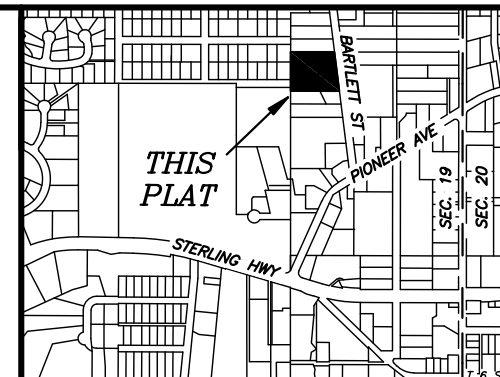
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_ KENAI PENINSULA BOROUGH

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL

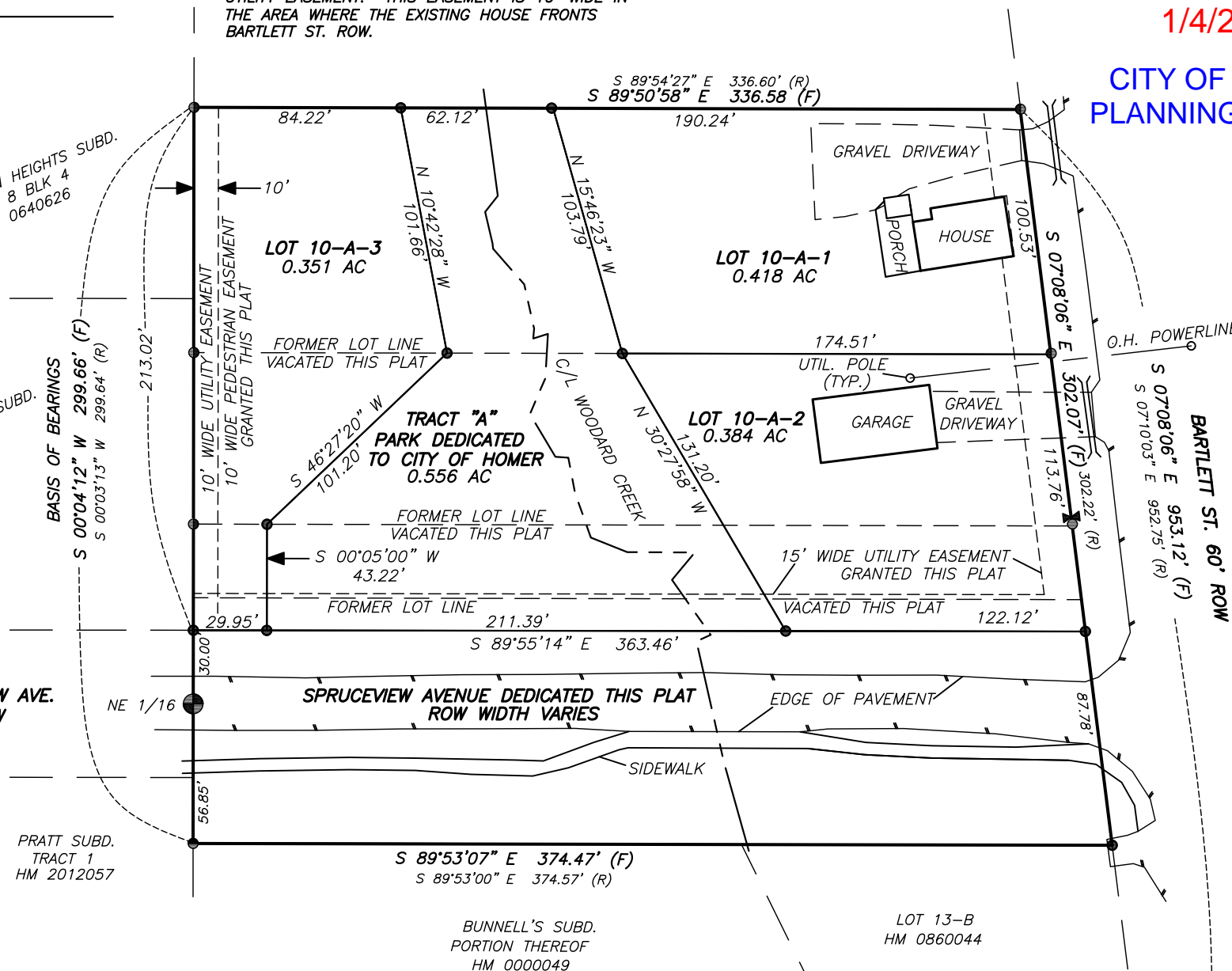
**RECEIVED**

**1/4/2018**

**CITY OF HOMER PLANNING/ZONING**



**VICINITY MAP**  
SCALE: 1" = 1000' U.S.G.S. QUAD. SELDOVIA (C-4 & C-5)

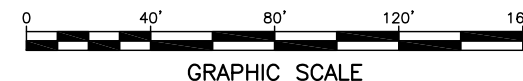


**CERTIFICATE OF OWNERSHIP**

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

CHRISTIAN HANSON LOT 10-A AND LOT 11-A  
P.O. BOX 490  
HOMER, AK 99603

KATIE KOESTER, CITY MANAGER LOT 11-B AND LOT 12-A FOR;  
CITY OF HOMER  
491 EAST PIONEER AVENUE  
HOMER, AK 99603



HOMER RECORDING DISTRICT KPB FILE NO. 2018-XXX

**BUNNELL'S SUBD. NO. 17  
2018 REPLAT**

A RE-SUBDIVISION OF LOTS 10-A, 11-A, 11-B AND 12-A OF THE BUNNELL'S SUBD. NO. 17 (HM 1986044) LOCATED WITHIN THE E 1/2 OF SECTION 19 TWP. 6 SOUTH RING. 13 WEST, S.M. AND WITHIN THE CITY OF HOMER, ALASKA CONTAINING 2.447 ACRES +/-

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

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

CLIENT: CHRISTIAN HANSON  
P.O. BOX 490 HOMER, AK

DRAWN BY: KB CHKD BY: KB JOB #2017-72

DATE: 12/2017 SCALE: 1"=40' SHEET #1 OF 1

**LEGEND**

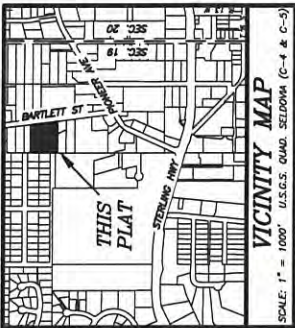
- ⊕ FIND 1/2" REBAR
- 2" AC (7968-S 2016) ON 5/8" REBAR SET THIS SURVEY
- FIND 2" AL-CAP 7538-S 2003
- FIND 2" AL-CAP 5780-S 2000
- FIND 2" AL-CAP 3686-S 1983
- PRIMARY MONUMENT AS NOTED
- ⊠ CURB STOP

**WASTEWATER DISPOSAL**

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







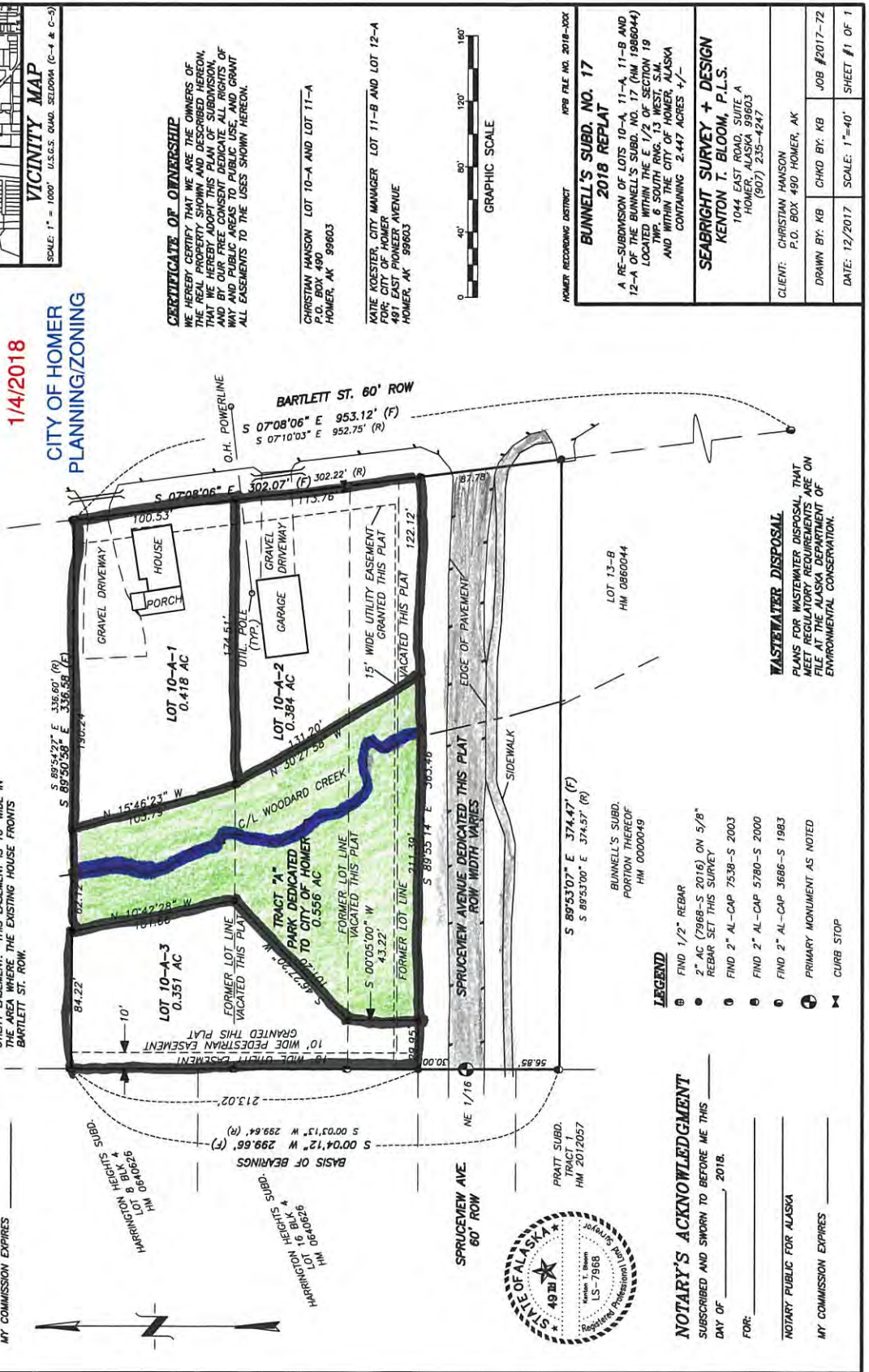
**NOTARY'S ACKNOWLEDGMENT**  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.  
 FOR: \_\_\_\_\_  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_

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 BY: \_\_\_\_\_  
 AUTHORIZED OFFICIAL

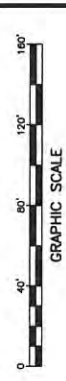
**RECEIVED**  
 1/4/2018  
 CITY OF HOMER  
 PLANNING/ZONING



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CHRISTIAN HANSON LOT 10-A AND LOT 11-A  
 P.O. BOX 490  
 HOMER, AK 99603

KATE KOSTER CITY MANAGER LOT 11-B AND LOT 12-A  
 P.O. BOX 490  
 491 EAST PIONEER AVENUE  
 HOMER, AK 99603



HOMER RECORDING DISTRICT  
 KPR FILE NO. 2018-100  
**BUNNELL'S SUBD. NO. 17**  
 2018 REPLAT

A RE-SUBDIVISION OF LOTS 10-A, 11-A, 11-B AND 12-A OF THE BUNNELL'S SUBD. NO. 17 (HM 19860044) LOCATED WITHIN THE 1/2 SECTION 19 T12S, R14E, S1W, ALASKA AND WITHIN THE CITY OF HOMER, ALASKA CONTAINING 2.447 ACRES +/-

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

CLIENT: CHRISTIAN HANSON  
 P.O. BOX 490 HOMER, AK  
 DRAWN BY: KB  
 CHKD BY: KB  
 DATE: 12/2017  
 SCALE: 1"=40'  
 JOB #2017-72  
 SHEET #1 OF 1

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- LEGEND**
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 FOR: \_\_\_\_\_  
 NOTARY PUBLIC FOR ALASKA  
 MY COMMISSION EXPIRES \_\_\_\_\_



## 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:

### **Bunnell's Subd. No. 17 2018 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 Advisory Planning Commission on Wednesday, February 21, 2018 at 6:30 p.m. at Homer City Hall, Cowles Council Chambers, 491 East Pioneer Avenue, Homer, Alaska.

Anyone wishing to present testimony concerning this matter may do so at the meeting or by submitting a written statement to the Homer Advisory Planning Commission, 491 East Pioneer Avenue, Homer, Alaska 99603, by 4:00 p.m. on the day of the meeting.

The complete proposal is available for review at the City of Homer Planning and Zoning Office located at Homer City Hall. For additional information, please contact Rick Abboud in the Planning and Zoning Office, 235-3106.

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

.....

**VICINITY MAP ON REVERSE**

Vicinity Map

Soundview Ave

Noview Ave

Spruceview Ave

Bartlett St

Main St

Church

Pratt Museum

Pioneer Ave

- X
- X
- X
- X

These four lots to be reconfigured.

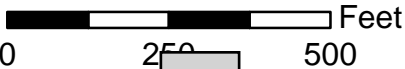


City of Homer  
Planning and Zoning Department

February 6, 2018

### Bunnells Sub No 17 2018 Replat Preliminary Plat

Marked lots are within 500 feet  
and property owners notified.



*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.*





Aerial Map

Soundview Ave

Noview Ave

Spruceview Ave

Bartlett St

Main St

Church

Pratt Museum

Pioneer Ave

These four lots to be reconfigured.

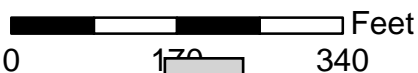
10 foot topo, 2016 photo



City of Homer  
Planning and Zoning Department

February 6, 2018

### Bunnells Sub No 17 2018 Replat Preliminary Plat



114



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## City of Homer

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

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

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

(p) 907-235-3106

(f) 907-235-3118

March 1, 2018

## Homer Advisory Planning Commission

### Notice of Action

**Request:** Approval of Bunnell's Subd. No. 17 2018 Replat Preliminary Plat

Applicants:

Christian Hanson  
PO Box 490  
Homer, AK 99603

Kenton Bloom, P.L.S.  
Seabright Survey + Design  
1044 East End Road Ste. A  
Homer, AK 99603

At the regular meeting of February 21, 2018 the Homer Advisory Planning Commission forwarded a **recommendation for approval** of the preliminary plat with staff recommendations and the attached minutes to the Kenai Peninsula Borough Planning Commission.

Should you have any questions, please contact the planning office at 235-3106.

Chair Stead called for a five minute recess at 7:03 p.m. The meeting was called back to order at 7:09 p.m.

Commissioner Highland after consultation removed her intent of putting forth a special condition.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

**PLAT CONSIDERATION**

A. Staff Report 18-12, Bunnell's Subd. No. 17, 2018 Replat Preliminary Plat

City Planner Abboud reviewed the report for the commission. He noted that the outcome of this plat will dedicate a portion of Spruceview that is not currently dedicated. This exchange will allow for a larger dedicated park area.

Chair Stead invited the applicant to provide his presentation to the commission.

Kenton Bloom, surveyor and working with the family and estate, provided information on the history of the project and the benefits to the area and the community.

Chair Stead opened the public comment period. Upon having no one in the audience come forward he closed the public comment period.

Chair Stead opened the floor for questions of staff and applicant from the commission.

Commissioner Bernard inquired if there was knowledge of the future plans for the mentioned park and if it was typical for the Parks and Recreation Commission to review this type of action prior to the Planning Commission and what the outcome was.

City Planner Abboud did not believe there was any definite plans in place at this time. This is in relation to the Woodard Creek Plan and he has not been a part of that project discussion but this represent a win-win situation. He did not have the results from the recent Parks meeting.

VENUTI/BANKS - MOVED TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT TO RECONFIGURE LOT LINES AND DEDICATE A PORTION OF SPRUCEVIEW AVENUE WITH THE FOLLOWING COMMENTS:

1. PROPERTY OWNER SHOULD CONTACT ARMY CORPS OF ENGINEERS PRIOR TO ANY ONSITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND

DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.

2. PROVIDE THE APPROPRIATE CURVE RETURN ON THE NORTHERN INTERSECTION CORNER OF SPRUCEVIEW AND BARTLETT STREET (20')

There was a brief comments on the proposed project, the different entities that worked together to bring the project forward, it was a generous donation to the city and it was not necessary to include the non-conforming status comment in the motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

### **PENDING BUSINESS**

### **NEW BUSINESS**

### **INFORMATIONAL MATERIALS**

A. City Manager's Reports for the February 12, 2018 City Council Meeting

Chair Stead encouraged everyone to read the information.

### **COMMENTS OF THE AUDIENCE**

### **COMMENTS OF THE STAFF**

City Planner Abboud commented that it was nice to have Mr. Wall come down and speak on the Borough Comprehensive Plan and hear the public comments. He is encouraged on the City's Comprehensive Plan and believes they are doing well, and will continue to work on that.

Deputy City Clerk Krause reported that the Parks and Recreation Commission did review the Woodard Park Land proposal and approved it last week and that their recommendation will be forthcoming. The Commission will be working on a park plan in the future for this land.

### **COMMENTS OF THE COMMISSION**

Commissioner Banks had no comments.

Commissioner Venuti commented that he preferred the process of updating their comp plan line by line as the commission is involved throughout the process. The Borough Planning Commission has had two presentations one was an initial introduction by Agnew Beck and one just recently. There is not that close working relationship with the Consultant and the Borough Planning



## City of Homer

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Homer, Alaska 99603

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(p) 907-235-3106  
(f) 907-235-3118

To: Parks, Art, Recreation and Culture Advisory Commission  
From: Julie Engebretsen, Deputy City Planner  
Date: February 8, 2018  
Subject: Woodard Creek Park

Requested Action: Make a motion in support of the proposal layout of Woodard Creek Park.

Kenton Bloom, surveyor, will be making a presentation on Woodard Creek Park at the meeting. Later in the meeting, the Commission will have the opportunity to pass a motion of support for the plan. Commissioners may recall that there is a strip of land that is designated as Woodard Park, along Spruceview Ave, just west of Bartlett St. The adjoining land owner, Marvin Hanson, was a member of the Woodard Creek Coalition, and brought forward the idea of moving lot lines to create a more usable public park area. Mr. Hanson has since passed away, but Kenton is working with the heirs to the estate to bring this park vision to fruition. On the attached preliminary plat, Tract A would become a park dedicated to the City of Homer.

### **Attachments**

Bunnell's Subdivision No 17 2018 Replat Preliminary Plat



**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

**PLAT APPROVAL**

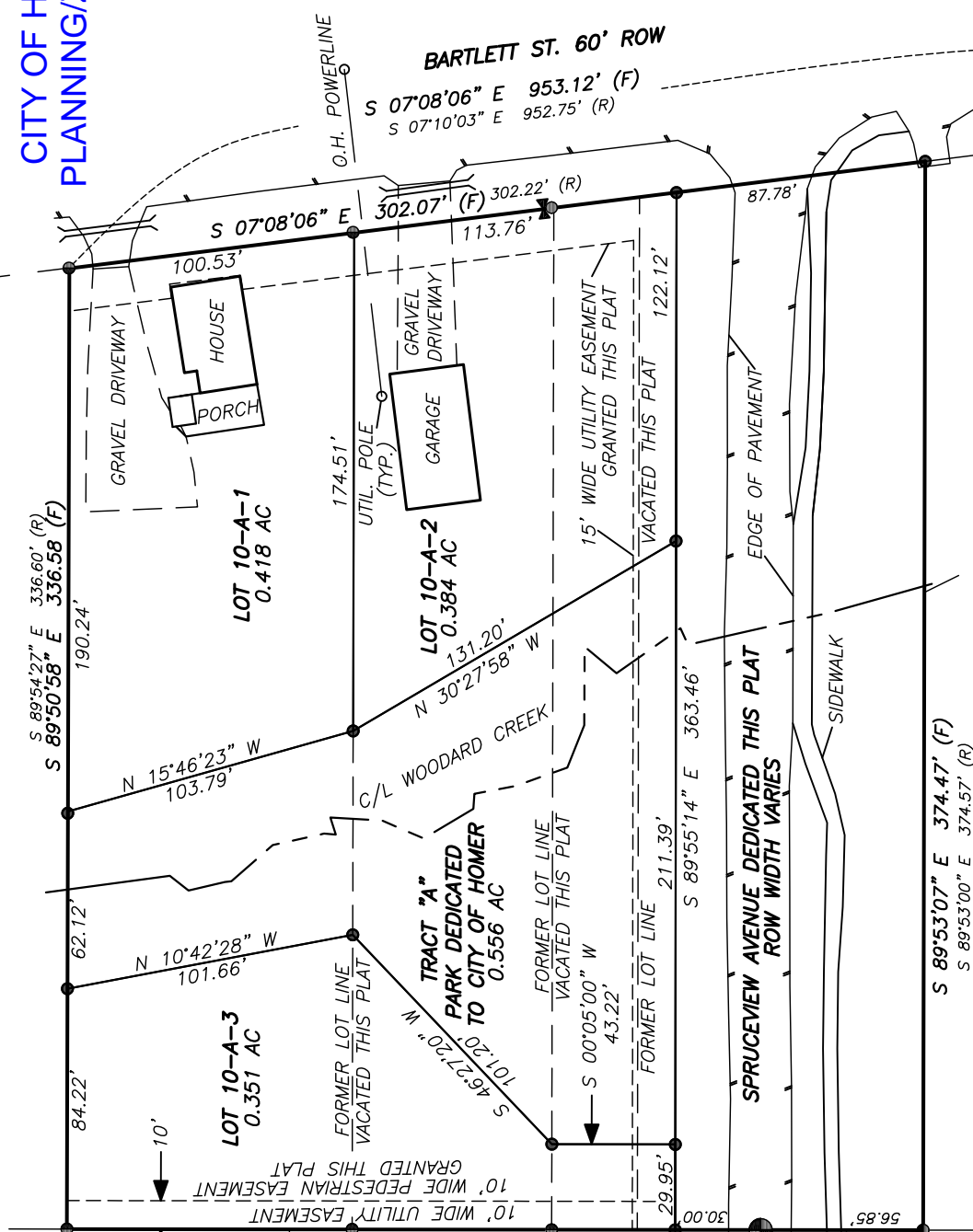
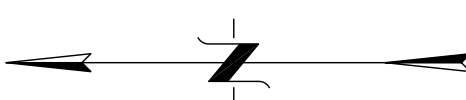
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_ KENAI PENINSULA BOROUGH

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL

**RECEIVED**

**1/4/2018**

**CITY OF HOMER PLANNING/ZONING**

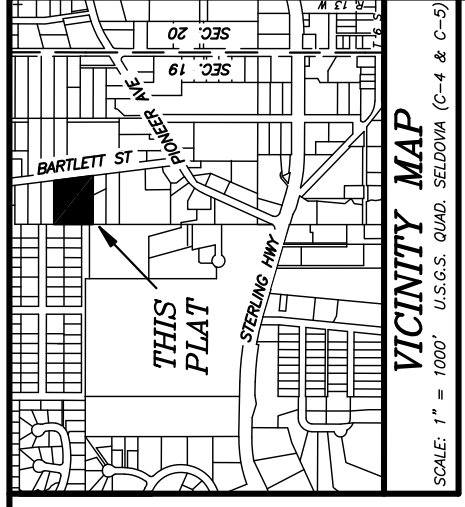
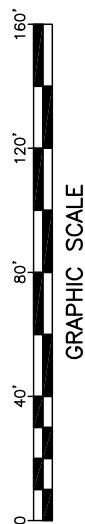


**CERTIFICATE OF OWNERSHIP**

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

CHRISTIAN HANSON LOT 10-A AND LOT 11-A  
 P.O. BOX 490  
 HOMER, AK 99603

KATIE KOESTER, CITY MANAGER LOT 11-B AND LOT 12-A  
 FOR: CITY OF HOMER  
 491 EAST PIONEER AVENUE  
 HOMER, AK 99603



**NOTARY'S ACKNOWLEDGMENT**

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

HOMER RECORDING DISTRICT KPB FILE NO. 2018-XXX

**BUNNELL'S SUBD. NO. 17 2018 REPLAT**  
 A RE-SUBDIVISION OF LOTS 10-A, 11-A, 11-B AND 12-A OF THE BUNNELL'S SUBD. NO. 17 (HM 1986044) LOCATED WITHIN THE E 1/2 OF SECTION 19 TWP. 6 SOUTH RING. 13 WEST, S.M. AND WITHIN THE CITY OF HOMER, ALASKA CONTAINING 2.447 ACRES +/-

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

CLIENT: CHRISTIAN HANSON  
 P.O. BOX 490 HOMER, AK

DRAWN BY: KB  
 CHKD BY: KB  
 JOB #2017-72

DATE: 12/2017  
 SCALE: 1"=40'  
 SHEET #1 OF 1

**WASTEWATER DISPOSAL**

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

Session 18-02 A Regular Meeting of the Parks, Art, Recreation and Culture Advisory Commission was called to order on February 15, 2018 at 6:02 pm by Chair Matt Steffy at the Cowles Council Chambers City Hall located at 491 E. Pioneer Avenue, Homer, Alaska.

**PRESENT:** COMMISSIONERS FAIR, LOWNEY, SHARP, ASHMUN, HARRALD, ARCHIBALD, ROEDL, STEFFY AND SALZMANN

**ABSENT:** COMMISSIONER WALLS (EXCUSED)

**STAFF:** DEPUTY CITY PLANNER ENGEBRETSEN  
DEPUTY CITY CLERK KRAUSE  
RECREATION MANAGER ILLG

The commission met at 5:30 p.m. in a worksession to discuss the Homer Education Recreation Center (HERC) facility. The worksession adjourned at 5:58 p.m.

### **APPROVAL OF THE AGENDA**

Chair Steffy called for a motion to approve the agenda but would like to add an amendment to add Recreation Manager Illg under Reports, Item B.

LOWNEY/ROEDL – MOVED TO APPROVE THE AGENDA AS AMENDED.

There was a no discussion.

VOTE. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

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

Pat Moss, city resident, commented on the Homer Dog Trainers use the field at the HERC facility in the summer on most every Saturday, the Homer Animal Friends group also uses the field for events. It has been discussed that Homer needs a Dog Park and that would be a perfect location.

### **VISITORS**

Kenton Bloom, Woodard Creek Park

Mr. Bloom provided a synopsis of the proposed plan to enlarge the area and create Woodard Creek Park. -

- Spruceview would have a dedicated right of way
- Reconfigures the block of land to create a larger public park along Woodard Creek and a new residential lot to the west of the creek
- City owned strip of land along Spruceview west of Bartlett Street and is currently designated as Woodard Park
- The heirs of Marvin Hanson wish to bring Mr. Hanson's park vision to fruition
- The park would be granted to the City of Homer

Mr. Bloom responded to a few questions and comments from the commission noting the owner was not a “showy guy” and the heirs have not requested naming the park; acknowledging the work of Mr. Hanson on the Woodard Creek Plan, all parties involved are agreeable to the proposed arrangement, surrounding property owners input on the proposal and the derelict shed on the property will require removal.

Commissioners commented on the benefits to the creek and community and future naming or development. Staff provided input that once it has final approval from the Borough, in the future the commission can certainly develop a park plan when the city takes ownership.

Chair Steffy thanked Mr. Bloom for presenting the project to the commission.

## **RECONSIDERATION**

### **ADOPTION OF THE CONSENT AGENDA**

All items on the consent agenda are considered routine and non-controversial by the Parks Art Recreation & Culture Advisory Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

#### A. Minutes for the Special Meeting on January 18, 2018

Chair Steffy requested a motion to adopt the Consent Agenda.

LOWNEY/HARRALD – SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

## **STAFF & COUNCIL REPORTS/COMMITTEE REPORTS/BOROUGH REPORTS**

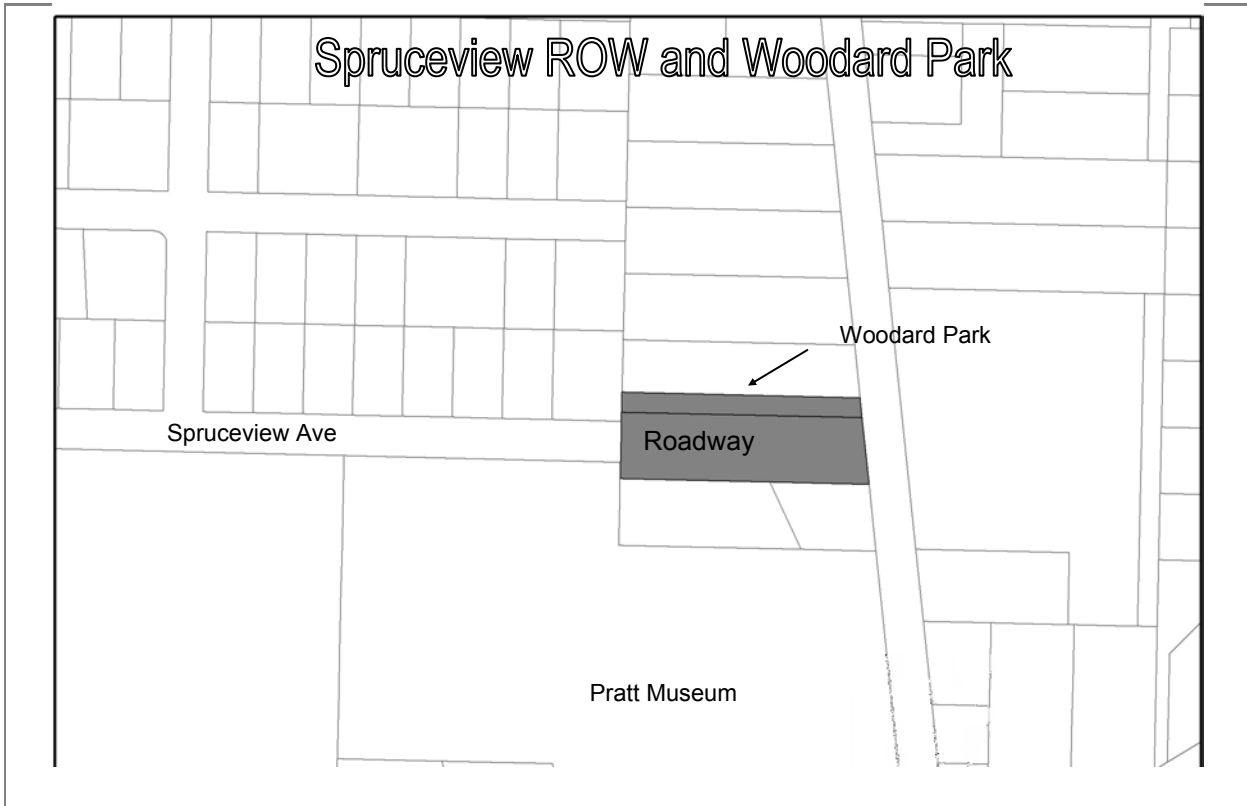
#### A. Julie Engebretsen, Deputy City Planner

Deputy City Planner Engebretsen commented on the table regarding the work on the master plan for Karen Hornaday Park. This will be on the March agenda so there is plenty of time for review by the commission. She also noted the information in the Supplemental Packet provided by Commission Harrald on the Camp Host program.

#### B. Mike Illg, Recreation Manager

Recreation Manager Illg provided a report to the commission on the following:

- Spring/Summer catalog has been submitted to the printer
- There are many new programs being offered
- The Telluride Festival was a success. There were approximately 500 who attended and HOWL was able to raise \$1500 for their organization.



**Designated Use:** ROW and Woodard Park  
**Acquisition History:** ROW: Purchased for Harrington Heights LID, Ord 2000-13(S) 7/2000. Woodard Park: Tax Foreclosure (Harry Gregoire), Park designation enacted in Reso 04-53

<b>Area:</b> ROW 0.85 acres Woodard Park: .025 acres	<b>Parcel Number:</b> 17513329 17513328
---	--

**2015 Assessed Value:** ROW: \$79,700, Park: \$40,600

**Legal Description:** ROW: HM0860044 T06S R13W S19 BUNNELL'S SUB NO 17 LOT 12-A  
 Woodard Park: HM0860044 T06S R13W S19 BUNNELL'S SUB NO 17 LOT 11-B

<b>Zoning:</b> Residential Office	<b>Wetlands:</b> Woodard Creek and wetlands present
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**Infrastructure:** Paved access on Bartlett. Part of completed Spruceview Road LID. Water and sewer present.

**Notes:**

**Finance Dept. Code:** ROW: 500.0051 Park:

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**RESOLUTION 22-058**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA ENTERING INTO A THREE YEAR PARTICIPANT MEMBERSHIP AGREEMENT WITH ALASKA MUNICIPAL LEAGUE JOINT INSURANCE ASSOCIATION, INC. AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The Alaska Municipal League Joint Insurance Association, Inc. (AMLJIA) is a not-for-profit corporation established pursuant to AS 21.76 by the Alaska Municipal League to provide risk management services for Alaska municipalities, city and borough school districts, and regional education attendance areas; and

WHEREAS, AMLJIA has provided property, general liability and automobile insurance for the City of Homer since 1988; and

WHEREAS, The City's three year participant membership agreement with AMLJIA ran through the end of FY22.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby authorizes a three year three year participant membership agreement with AMLJIA and authorizes the City Manager to negotiate and execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 25<sup>th</sup> day of July 2022.

CITY OF HOMER

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

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: FY23 Insurance cost \$658,018





## City of Homer

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

## Office of the City Manager

491 East Pioneer Avenue  
Homer, Alaska 99603

[citymanager@cityofhomer-ak.gov](mailto:citymanager@cityofhomer-ak.gov)

(p) 907-235-8121 x2222

(f) 907-235-3148

### Memorandum 22-128

TO: Mayor Castner and Homer City Council  
FROM: Rob Dumouchel, City Manager  
DATE: July 20, 2022  
SUBJECT: AMLJIA Three-Year Participant Membership Agreement Renewal

The City is current a member of the Alaska Municipal League Joint Insurance Association (AMLJIA). In 2019 we signed a three-year participant membership agreement which provided benefits such as discounts on annual rates. The rate for fiscal year 2023 is \$658,018.

This agreement is expiring and I am recommending we enter another three-year participant membership agreement. By agreeing to remain a member through the end of fiscal year 2025, the City will receive a discount of 5% of what the participant would be charged in absence of an agreement. This should equate to roughly \$30,000 per year. If the City wishes to break the agreement early, there are financial penalties – with one exception. If AMLJIA raises their rates more than 10% for FY24 or FY25, the City will have an option to cancel this agreement.

**Staff Recommendation:** Approve resolution 22-058

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**RESOLUTION 22-059**

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA APPROVING A THREE YEAR CONTRACT EXTENSION WITH HOMER REAL ESTATE FOR REAL ESTATE BROKER SERVICES AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, Resolution 19-054 awarded three year contract for Real Estate Broker Services was awarded to Homer Real Estate; and

WHEREAS, The award included an option to extend the contract; and

WHEREAS, Homer Real Estate has provided valuable service and it will be beneficial to the City to extend the contract with the same compensation terms; and

WHEREAS, This award is not final until written notification is received by the firm from the City of Homer.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, approves the contract extension with Homer Real Estate for Real Estate Broker Services for a period of three years compensating the broker 10% commission fee for each land sale and up to 6% for each improved property sale and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 25<sup>th</sup> day of July 2022.

CITY OF HOMER

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

ATTEST:

\_\_\_\_\_  
MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: Commission fees for each property sold.

**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-35**

An Ordinance of the City Council of Homer, Alaska, Amending the Homer City Zoning Map to Rezone a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District in the Lower West Hill Road Area.

Sponsor: Planning Commission

1. City Council Regular Meeting June 27, 2022 Introduction

Memorandum 22-116 from City Planner as backup  
Memorandum 22-117 from City Manager as backup

2. City Council Regular Meeting July 25, 2022 Public Hearing and Second Reading

Written Public Comment

**CITY OF HOMER  
HOMER, ALASKA**

Planning Commission

**ORDINANCE 22-35**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA  
AMENDING THE HOMER CITY ZONING MAP TO REZONE A  
PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO  
URBAN RESIDENTIAL (UR) ZONING DISTRICT IN THE LOWER WEST  
HILL ROAD AREA.

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

WHEREAS, The 2018 Homer Comprehensive Plan Land Use Recommendations Map designates the proposed area for consideration of Urban Residential zoning; and

WHEREAS, The Homer Planning Commission noticed residents in and near the proposed action to provide an opportunity to comment at the Commission's Work Session and Regular Meeting on April 6, 2022 and subsequently held a public hearing on April 20, 2022 as required by HCC 21.95.060(C); and

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

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

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

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

WHEREAS, The zoning district boundaries shall be as shown on the official Homer zoning map per HCC 21.10.020(c).

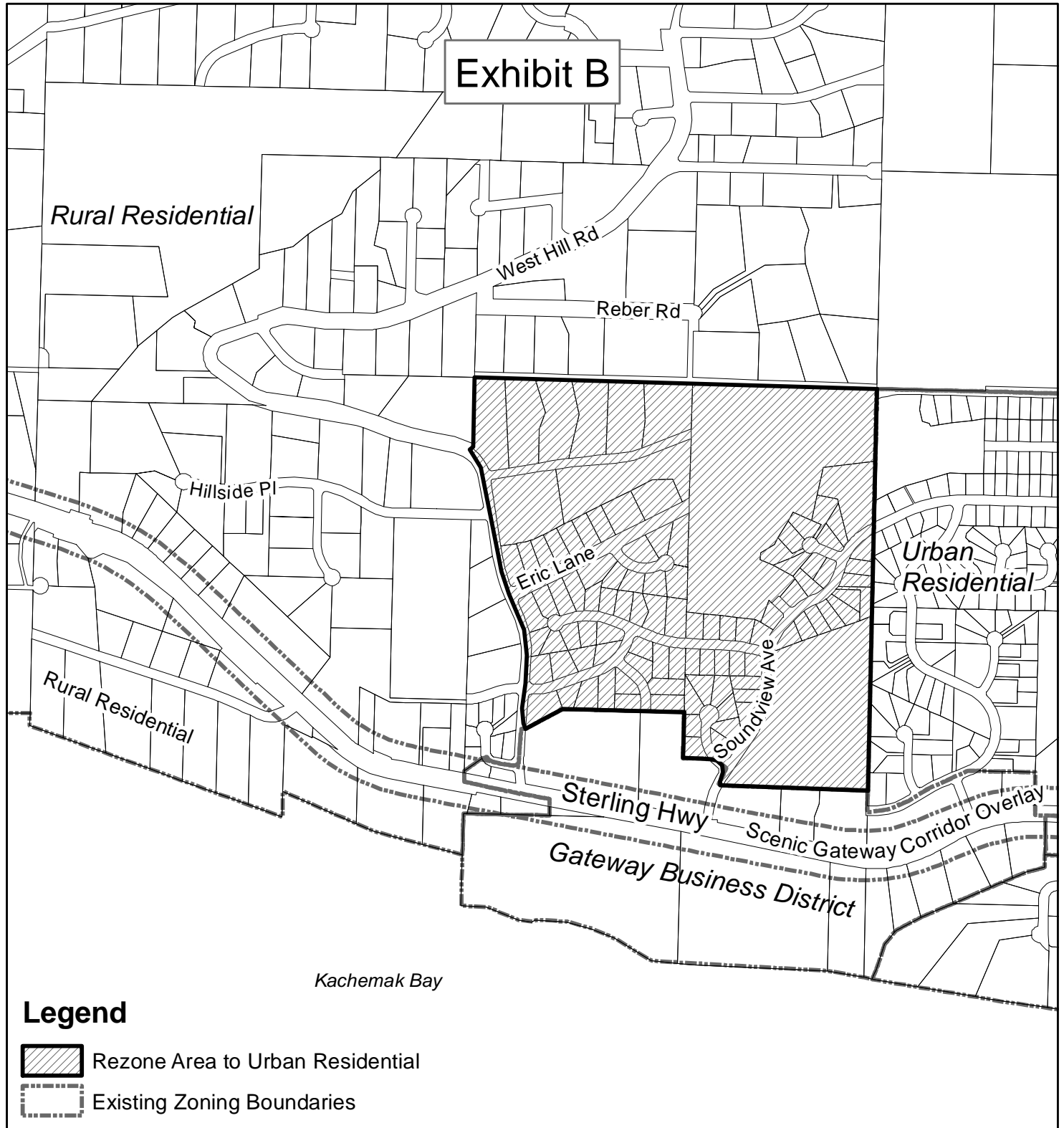
NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map is amended to transfer the parcels listed on the attached Exhibit A from RR zoning district to the UR zoning district as depicted on Exhibit B.







# Exhibit B



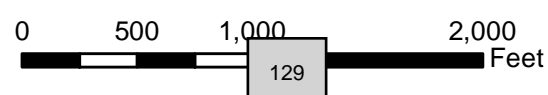
## Legend

-  Rezone Area to Urban Residential
-  Existing Zoning Boundaries



City of Homer  
Planning and Zoning Department  
April 27, 2022

## Exhibit B Rural Residential to Urban Residential Rezoning



*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.

## Exhibit A

KPB PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510205	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 7
17510206	0.470	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 8
17510210	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 12
17510203	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 5
17510208	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 10
17510214	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 15
17510204	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 6
17510207	0.430	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 9
17510219	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 1
17510221	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 1
17510222	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 1
17510224	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 4
17510227	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 4
17510235	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 7 BLOCK 2
17510237	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 9 BLOCK 2
17510240	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 3
17510246	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 8 BLOCK 3
17510249	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 11 BLOCK 3
17510209	0.430	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 11
17510223	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 4
17510228	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 4

Exhibit A

KPB PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510231	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 2
17510232	0.360	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 2
17510233	0.400	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 2
17510234	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 2
17510238	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 10 BLOCK 2
17510245	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 7 BLOCK 3
17510215	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 16
17510220	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 1
17510229	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 2
17510241	0.490	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 3
17510242	0.400	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 3
17510244	0.450	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 3
17510247	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 9 BLOCK 3
17510248	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 10 BLOCK 3
17510211	14.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860101 FOOTHILLS SUB UNIT 1 LOT 1
17510212	0.420	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 13
17510213	0.300	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 14
17510225	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 4

Exhibit A

KPB PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510226	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 4
17510230	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 2
17510236	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 8 BLOCK 2
17510239	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 3
17510243	0.390	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 3
17510252	2.430	T 06S R 13W SEC 19 SEWARD MERIDIAN HM 2019010 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 3 TRACT A1
17510253	25.560	T 06S R 13W SEC 19 SEWARD MERIDIAN HM 2019010 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 3 TRACT B
17524026	1.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 26-A
17524031	0.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 31-A
17524034	0.600	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 35-A
17524103	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 77
17524107	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 73
17524109	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 71
17524110	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 70
17524112	0.340	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 67
17524024	4.380	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 7-A
17524025	3.560	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 13-A
17524028	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 29-A
17524032	0.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 33-A
17524033	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 34-A
17524105	0.540	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 75
17524114	0.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 69
17524115	0.690	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 51
17524116	0.640	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 52
17524128	0.380	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 58
17524027	0.920	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 28-A

Exhibit A

KPB PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17524029	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 30-A
17524030	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2021047 LILLIAN WALLI ESTATE 2020 REPLAT LOT 31-A
17524104	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 76
17524106	0.540	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 74
17524118	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 54
17524121	0.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 42
17524129	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 57
17524134	0.640	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 43
17524174	2.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 2
17524175	2.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 1
17524113	0.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 68
17524117	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATES LOT 53
17524124	0.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 39
17524126	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 60
17524131	0.410	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 64
17524133	0.510	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 62
17524137	0.440	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 46
17524141	0.530	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 47
17524108	0.370	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 72
17524111	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 66
17524119	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 55
17524120	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 56
17524122	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 41
17524123	0.420	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 40
17524125	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 61
17524127	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 59
17524138	0.560	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 50
17524139	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 49
17524130	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 65
17524132	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 63
17524135	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 44
17524136	0.370	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 45
17524140	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 48



Exhibit A

KPB PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17524170	2.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 6
17524171	2.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 5
17524172	2.090	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 4
17524173	2.410	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 3



# City of Homer

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

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## Memorandum 22-116 (PL 22-04)

TO: MAYOR CASTNER, AND HOMER CITY COUNCIL

FROM: RICK ABBOUD, AICP, CITY PLANNER

DATE: APRIL 27, 2022

SUBJECT: REZONE OF PROPERTIES NEAR LOWER WEST HILL ROAD FROM THE RURAL RESIDENTIAL DISTRICT (RR) TO URBAN RESIDENTIAL (UR)

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The Homer Planning Commission has reviewed the 2018 Homer Comprehensive Plan (HCP) Land Use Recommendations Map in regards to the proposed extension of the Urban Residential District to areas adjacent to lower West Hill Road. The Commission has found that enacting the recommendation would further the goals and objectives of the HCP Land Use Chapter by providing an opportunity to increase the supply and diversity of housing (HCP, Goal 1), update the zoning map in support of the desired pattern of growth (HCP, Goal 1, Objective B), and promote housing choice by supporting a variety of dwelling options (HCP, Goal1, Objective C).

The proposed change from RR to UR supports the Goal and Objectives listed above by creating greater allowances for middle housing (duplexes and multi-family housing) than is currently available in the existing RR district, which limits dwellings to 1 unit per 10,000 square feet of lot area when using city water and sewer services. A complete analysis of the proposed change is found in the backup material from the Planning Commission meetings.

The Homer Planning Commission has taken testimony at their work session and regular meeting on April 6, 2022, after noticing all those in the proposed area for consideration. The Commission then held a public hearing after sending notice all property owners within the area for consideration and others within 300 feet at their regular meeting on April 20, 2022.

After listening to testimony and considering the recommendations of the Homer Comprehensive Plan, the Homer Planning Commission recommends that the area identified in the HCP for UR zoning, located east of West Hill Road, be rezoned from RR to UR.

### Attachments

Draft Ordinance

Staff reports and minutes from PC meetings of April 4 & 20, 2022



# City of Homer

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## Planning

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### Staff Report PL 22-25

TO: HOMER PLANNING COMMISSION  
FROM: RICK ABOUD, AICP, CITY PLANNER  
DATE: APRIL 6, 2022  
SUBJECT: WESTHILL REZONE

#### Introduction

We have noticed the residents of the West Hill area of our intent to rezone the area to Urban Residential (UR) from their current Rural Residential (RR) designation. This is the first advertised opportunity to comment to the Commission.

#### Analysis

After our direct mailing was sent out, we have had less than a handful of phone calls to the office, as of the writing of this staff report. I believe that most do not see much of a change. We did have one that was concern of their commercial fishing boat and animals would not be allowed after the zoning change as it is in the RR district. We did inform them that we would be glad to document their current activities and make an allowance for a non-conforming use that is allowed to continue under the parameters found in code.

Most had little concerns when the possible impacts were discussed. Such as, the ability to build a duplex or multi-family housing on undeveloped lots. We directed people to review the information on the web for a more detailed analysis found on top of the planning page <https://www.cityofhomer-ak.gov/planning/proposed-zoning-map-amendment>.

#### Staff Recommendation

Listen to comments and concerns.

#### Attachments

Neighborhood mail out  
FAQ's  
Zoning Differences  
Comp Plan Chapter 4, Goal 1

~~Session 22-05, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on April 6, 2022 at the Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.~~

~~**PRESENT:** COMMISSIONERS SMITH, CONLEY, VENUTI, BARNWELL, HIGHLAND, CHIAPPONE~~

~~**ABSENT:** COMMISSIONERS BENTZ (EXCUSED)~~

~~**STAFF:** CITY PLANNER ABBOD  
DEPUTY CITY CLERK KRAUSE~~

~~**CONSULTANT:** KEN CASTNER, MAYOR~~

The Commission held a worksession prior to the regular meeting at 5:30 p.m. On the agenda was a discussion on the Staff Report 22-25, Rural Residential to Urban Residential Zoning District, West Homer Area.

#### **APPROVAL OF THE AGENDA**

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

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

Jon Faulkner, 35 year city resident, commented in opposition to West Homer Area Rezone citing that in his opinion the changes were not coming from the people, but from the City, and he believed that the voices of the residents who live in the area should have a stronger voice than those that live outside the affected area. He expressed his belief that zoning at its core is a protective layer for the community and residents. He acknowledged that there was change and a demand for services and housing in Homer. He continued that zoning is designed to protect investments in the quality of life that existed when people bought their property; to be consistent and to be protective of private property rights so that the whims of time don't actually impact communities in this way. He further stated that he believed that the standard should shift from the residents to object, to the city should prove that the people directly affected are actually in favor of this action and he believed that there is a legal standard and wanted the record to reflect that the city should transparently understand that legal standard and try to observe it. He believed that there was more at stake than a view or density. He further stated that property owners Reynolds and Beth Holliman are his neighbors to the west and are out of the country but can emphatically attest and certain that they are opposed to this petition.

Arn Johnson, city resident of 55 years, commented that he has been a property owner for about 29 years on Hillside Place and stated that he was opposed to the rezoning for the following reasons; one until



they have a firm drainage program he would like to say that making smaller lots is not a good thing as there is already problems with drainage in the area; secondly he believed that making smaller lots will reduce the larger property owners property values down and agreed with Mr. Faulkner that he has not heard any of the property owners up there even visit that this was good thing until the City brought the issue forward.

**RECONSIDERATION**

**CONSENT AGENDA**

- A. Planning Commission Regular Meeting Minutes of March 16, 2022

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

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

**PRESENTATIONS / VISITORS**

**REPORTS**

- A. Staff Report 22-23, City Planner's Report

City Planner Abboud provided a summary of Staff Report 22-23 and highlighted the following:

- Changes in Administration configuration and impact to Planning Department
- Council failed to introduce the ordinance amending City Code regarding the use of shipping containers as dwellings
- The appeal, Griswold vs City of Homer regarding the bicycle shop was used as an example on how to do something right during the 2022 APA Conference.
- Planning related tasks were discussed at the Council Visioning event - fast forward of the Comprehensive Plan, Title 21 rewrite, non-motorized transportation, sidewalks, affordable housing and density projects
- APA Conference Part 2 availability for Commissioner training opportunity

City Planner Abboud requested volunteers to provide the Commission Report to Council at the April 11<sup>th</sup> meeting or the April 25<sup>th</sup> meeting and there were none. Chair Smith will submit a written report to the Clerk.

City Planner Abboud facilitated a brief discussion on the impacts to the Planning Department on the changes to staffing.



~~CONDITION 1: LIGHTING WILL BE DOWNLIT PER HCC 21.59.030 AND THE CDM  
CONDITION 2: DUMPSTER SHALL BE SCREENED ON THREE SIDES.~~

Clarification was requested on whether there should be two dumpsters.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith commented his appreciation for the applicant attending the meeting.

### **PLAT CONSIDERATION**

### **PENDING BUSINESS**

#### A. Staff Report 22-25, Rural Residential to Urban Residential District, West Homer Area

Chair Smith introduced the item by reading of the title.

City Planner Abboud reported that they reviewed and discussed this topic at the worksession. He noted the comments received from the public on the proposed amendments.

Chair Smith opened the floor for comments or questions from the Commission.

Commissioner Highland questions the action as described in the Comprehensive Plan regarding the rezone. She then questioned the public comments regarding legal aspects.

City Planner Abboud responded that they are fully within their legal rights to amend the zoning districts. He further stated that they can moved some of the boundaries of the proposed district.

Commissioner Barnwell expressed concerns on how to address the concerns about rezoning expressed by the property owners. He also asked about drainage plans and if that should be addressed first before the re-zone.

City Planner Abboud responded providing examples and that drainage is a city wide issue. The city is working on that at this time. A drainage plan would need a management plan and then creation of policy. He commented on subdividing and that is when they would have the hard ask for the drainage easements.

Commissioner Venuti commented on storm water but focus has been on the eastside of West Hill road and asked if anything has been done on the west side of the road.

City Planner responded that they have an engineer working on that at this time.

Mayor Castner responded on the action that has been going on regarding stormwater and drainages and is being looked at in three sections, noting the areas to the east, central and west. He commented that he has been working hard during his tenure as Mayor to address this issue and if the Commission does not approve the rezone then they will be in the position of having more conditional use permits to increase the density similar to what was conducted tonight.

City Planner Abboud added to the Mayor's statement that that they saw it within the photo he shared earlier where people are desiring to get per unit per 10,000 square feet which is completely within their rights.

Commissioner Chiappone commented that the concerns expressed by the public and commissioners were changing from a rural lifestyle to a lesser rural lifestyle, stormwater, lack of sidewalks and pedestrian issues, bringing additional traffic into the area from the rezone as the cons and the pros is that it will increase density by adding the ability for additional housing opportunities and asked how these actions would benefit the city.

City Planner Abboud responded that the city will be providing easier opportunities for property owners and developers that want to provide housing and that the city is following the infrastructure which is very spread out and expensive. he further noted that by amending the zoning district the city is following or completing the goals as outlined in the Comprehensive Plan and by providing opportunities for infill on the water and sewer infrastructure will provide some relief to current customers on the costs and allow the city to grow efficiently and where the city can and should plan that growth.

City Planner Abboud stated that the Planning Department will be sending out another notice to those property owners in the area of the proposed change and within 300 feet, a public hearing will be scheduled for the next meeting. He further advised the Commission that this item would be a legislative topic and therefore the Commissioners are encouraged to speak to people regarding this topic. The Commissioners can listen to residents' concerns and then the Commission can make their recommendation to Council on the proposed action.

City Planner Abboud responded to Chair Smith that the boundaries of the proposed zoning district can be modified if the Commission determines that would be in the best interests of the City. He provided some input on impacts if the boundaries were modified as recommended by the public during the worksession.

## **NEW BUSINESS**

### **A. Staff Report 22-26, Tiny Homes**

Chair Smith introduced the item by reading of the title.



# City of Homer

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## Planning

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### Staff Report PL 22-28

TO: HOMER PLANNING COMMISSION  
FROM: RICK ABOUD, AICP, CITY PLANNER  
DATE: APRIL 20, 2022  
SUBJECT: REZONE OF PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO URBAN RESIDENTIAL (UR) ZONING DISTRICT

### Introduction

The City Planner has initiated a zoning map amendment per HCC 21.95.020(d). After notifying the residents in the proposed area along the lower portion of the West Hill Road area and providing an opportunity for their comments at the Commission's last work session and regular meeting, we have scheduled a public hearing to gain testimony on the proposed rezoning. This is the second notice to residents within the area proposed to be rezoned. Along with all residing in the proposed area, notice was extended to those within 300 feet of the proposed action for this hearing.

### Analysis

Comprehensive Plan: I have detailed how the proposal is forwarding the recommendations found in the 2018 Homer Comprehensive Plan in the attached memorandum of the staff review (Pl 22-04) required for a zoning map amendment. The proposal forwards Goal 1 of Chapter 4, Land Use and the associated objectives. The proposed area for rezone of RR to UR is part of the Land Recommendations Map found on page A-10 of the plan. The past, current, proposed extension of city water and sewer services corresponds with the recommendations and guidelines for a transition from a less dense rural zoning designation to a more dense urban designation found in the descriptions of the districts in Appendix A of the Comprehensive Plan and in the purpose statements of the districts found in Homer City Code.

Zoning Transitions: The newly proposed UR zone continues the existing UR district to the west. The proposed district transitions from the light commercial Gateway Business District to the south where the Scenic Gateway Corridor Overlay District is found within 150 feet of the center line of the Sterling Highway, generally leaving the Gateway Business District buffering the proposed UR District. The proposed UR District then transitions to the RR District to the north and west. The proposed district fits neatly within the expectations of the Comprehensive Plan to transition from more dense centrally located zones to less dense zones further from the center of town.

**Water and Sewer:** City water and sewer has been and is planned to serve the area of the proposal. Any lot in the RR district is allowed to construct one dwelling per 10,000 square feet when served by piped city water and sewer services. This amount to a 4-fold decrease in the spatial requirement of RR district, when not served by city water and sewer services, where it is required to provide 40,000 square feet per dwelling. Once water and sewer service is provided in RR, the lots are arguably not rural in nature and now fit the density expectations of an urban designation.

**Transportation:** The newly developed and proposed subdivisions in the area have and will create a more connected network of roads and access that did not exist previously. The soon to be developed Eric Lane-Fairview Avenue connection along with the recently developed Shelly Avenue provides collector services that can distribute traffic to other collectors and arterial roads that lead to points of interest.

**Changes in regulation:** The attached document, Zoning Differences: Rural Residential (RR) and Urban Residential (UR) reviews the changes in allowance for structures, uses, and dimensional standards between the two districts. Anyone who is currently maintaining an allowed use or structure in RR that is not allowed in UR has the opportunity to document the activity and maintain the use or structure in perpetuity, as allowed in Homer City Code 21.61.

### **Staff Recommendation**

Hold a public hearing and make recommendation to the City Council for adoption of the proposed Zoning Map amendment.

### **Attachments**

Draft Ordinance w/ Exhibits A & B  
Planning Memo 22-04  
HCP Chapter 4 Goal 1 and Objectives  
Land Use Recommendations Map  
HCP Appendix A p. A-4&5  
Zoning Map  
Water and Sewer service maps  
Foothills plat  
Road Maintenance Map section  
Aerial map  
Zoning Differences  
Public Notice 4.7.22 Mail out  
Comments KR, TR, B&RH

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

3 Planning Commission

4 **ORDINANCE 22-xx**

5  
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,  
7 AMENDING THE HOMER CITY ZONING MAP TO REZONE A  
8 PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO  
9 URBAN RESIDENTIAL (UR) ZONING DISTRICT.

10  
11 WHEREAS, The 2018 Homer Comprehensive Plan Goal 1, Objective B states that the  
12 zoning map be updated to support the desired pattern of growth; and

13  
14 WHEREAS, The 2018 Homer Comprehensive Plan, Land Use Recommendations Map  
15 designates the proposed area for consideration of Urban Residential zoning; and

16  
17 WHEREAS, The residents in and near the proposed action were noticed of the  
18 opportunity to provide comment at the Commission's worksession and regular meetings on  
19 April 6, 2022 and subsequently held a public hearing on April 20, 2022 as required by HCC  
20 21.95.060(C); and

21  
22 WHEREAS, The Homer Planning Commission considered the effect of the change on the  
23 district and surrounding properties; and

24  
25 WHEREAS, The Homer Planning Commission determined there is a public need and  
26 justification for the rezone; and

27  
28 WHEREAS, The Homer Planning Commission determined the rezone would not have a  
29 negative effect on the public health, safety and welfare; and

30  
31 WHEREAS, The Homer Planning Commission determined that the rezone was in  
32 compliance with the Homer Comprehensive Plan; and

33  
34 WHEREAS, The zoning district boundaries shall be as shown on the official Homer  
35 zoning map per HCC 21.10.020(c).

36 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

37  
38 Section 1. The Homer Zoning Map is amended to transfer the parcels listed on the  
39 attached Exhibit A from UR zoning district to the RR zoning district as shown on the attached  
40 Exhibit B.





Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17508108	0.700	T 6S R 14W SEC 24 SEWARD MERIDIAN HM LT 7 OF ORIGINAL DEROSE PPTY AS DELINEATED ON PLAT 54-2019 OF BOUNDARY SURVEY OF SECS 13&14 T6S R14W
17508109	5.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0000000 DAVID L BEAR 1954 BOUNDARY SURVEY TRACT 1
17508117	2.970	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 5
17508130	1.090	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0780056 HILLSIDE ACRES RESUB LOT 10 LOT 10-A
17508131	1.150	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0780056 HILLSIDE ACRES RESUB LOT 10 LOT 10-B
17508133	1.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0800009 HILLSIDE ACRES SUB UNIT 3 TRACT 11A
17508142	1.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 TRACT 2-A
17508144	1.210	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 LOT 13-A
17508146	2.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830103 HILLSIDE ACRES TRACT 6-A
17508151	2.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2001058 DEROSE SUB TRACT B TRACT B
17508119	2.310	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 3
17508134	1.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0800009 HILLSIDE ACRES SUB UNIT 3 TRACT 11B
17508147	1.780	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830103 HILLSIDE ACRES SUB NO 5 TRACT 6-B
17508154	0.960	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002084 HILLSIDE ACRES SUB REPLAT TRACT 4A & 4B TRACT 4-A-1
17508160	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008051 DEROSE SUB MARTIN ADDN TRACT A-1
17508161	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2008051 DEROSE SUB MARTIN ADDN TRACT A-2
17508110	4.650	T 6S R 14W SEC 24 SEWARD MERIDIAN HM - RS FROM 1/16 CORNER OF SECS 13&24 S 629.1 FT; TH E 610 FT; TH S48 DEG 10'E 900 FT TO NW CORNER & POB; TH S48 DEG 10'E 720 FT TO NE CORNER; TH S25 DEG 50'W 312 FT TO N SIDE OF ROW & SE CORNER; TH N48 DEG 10'W 7
17508122	1.720	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 8
17508126	2.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 12
17508132	1.180	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0780056 HILLSIDE ACRE RESUB LOT 10 LOT 10-C
17508145	1.260	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 LOT 13-B
17508156	0.720	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004040 HILLSIDE ACRES DOROTHY'S ADDN TRACT 9A
17508157	0.600	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004040 HILLSIDE ACRES DOROTHY'S ADDN TRACT 9B
17508163	4.460	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019012 HILLSIDE ACRES SUBD 2018 REPLAT TRACT 7-A
17508164	0.690	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019012 HILLSIDE ACRES SUBD 2018 REPLAT TRACT 7-B
17508155	1.550	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002084 HILLSIDE ACRES SUB REPLAT TRACT 4A & 4B TRACT 4-B-1
17508103	1.000	T 6S R 14W SEC 24 SEWARD MERIDIAN HM LT 1 OF ORIGINAL DEROSE PPTY AS DELINEATED ON PLAT 54-2019 OF BOUNDARY SURVEY OF SECS 13&14 T6S R14W
17508128	1.850	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0742008 HILLSIDE ACRES SUB TRACT 14

Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17508129	11.500	T 6S R 14W SEC 24 SEWARD MERIDIAN HM BEGIN @INTERSECTION OF N-S LAND LINE BETWEEN WALLI & WADDEL HMSTDS & HWY; TH N 491.7 FT TO POB; TH N 1100 FT; TH W 455.4 FT; TH S 1100 FT; TH E TO POB
17508143	1.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0830091 HILLSIDE ACRES SUB TRACTS 2 & 13 1983 LOT 2-B
17508158	1.680	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004040 HILLSIDE ACRES DOROTHY'S ADDN TRACT 9C
17508159	3.260	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2004088 HILLSIDE ACRES SUB 2004 ADDN TRACT 1D
17510205	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 7
17510206	0.470	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 8
17510210	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 12
17510203	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 5
17510208	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 10
17510214	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 15
17510204	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 6
17510207	0.430	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0980031 FOOTHILLS SUB UNIT 3 LOT 9
17510219	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 1
17510221	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 1
17510222	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 1
17510224	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 4
17510227	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 4
17510235	0.380	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 7 BLOCK 2
17510237	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 9 BLOCK 2
17510240	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 3
17510246	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 8 BLOCK 3
17510249	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 11 BLOCK 3

## Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510209	0.430	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 11
17510223	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 4
17510228	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 4
17510231	0.350	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 2
17510232	0.360	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 2
17510233	0.400	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 2
17510234	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 2
17510238	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 10 BLOCK 2
17510245	0.340	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 7 BLOCK 3
17510215	0.310	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 16
17510220	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 1
17510229	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 2
17510241	0.490	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 3
17510242	0.400	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 3
17510244	0.450	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 6 BLOCK 3
17510247	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 9 BLOCK 3
17510248	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 10 BLOCK 3
17510211	14.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0860101 FOOTHILLS SUB UNIT 1 LOT 1

Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17510212	0.420	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 13
17510213	0.300	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 0870068 FOOTHILLS SUB UNIT 2 LOT 14
17510225	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 3 BLOCK 4
17510226	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 4 BLOCK 4
17510230	0.320	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 2 BLOCK 2
17510236	0.330	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 8 BLOCK 2
17510239	0.370	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 1 BLOCK 3
17510243	0.390	T 6S R 13W SEC 19 SEWARD MERIDIAN HM 2007031 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 2 PHASE ONE LOT 5 BLOCK 3
17510252	2.430	T 06S R 13W SEC 19 SEWARD MERIDIAN HM 2019010 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 3 TRACT A1
17510253	25.560	T 06S R 13W SEC 19 SEWARD MERIDIAN HM 2019010 FOOTHILLS SUB SUNSET VIEW ESTATES ADDN NO 3 TRACT B
17524026	0.000	
17524031	0.000	
17524034	0.000	
17524103	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 77
17524107	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 73
17524109	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 71
17524110	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 70
17524112	0.340	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 67
17524024	0.000	
17524025	0.000	
17524028	0.000	
17524032	0.000	
17524033	0.000	
17524105	0.540	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 75
17524114	0.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 69
17524115	0.690	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 51
17524116	0.640	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 52

Exhibit A

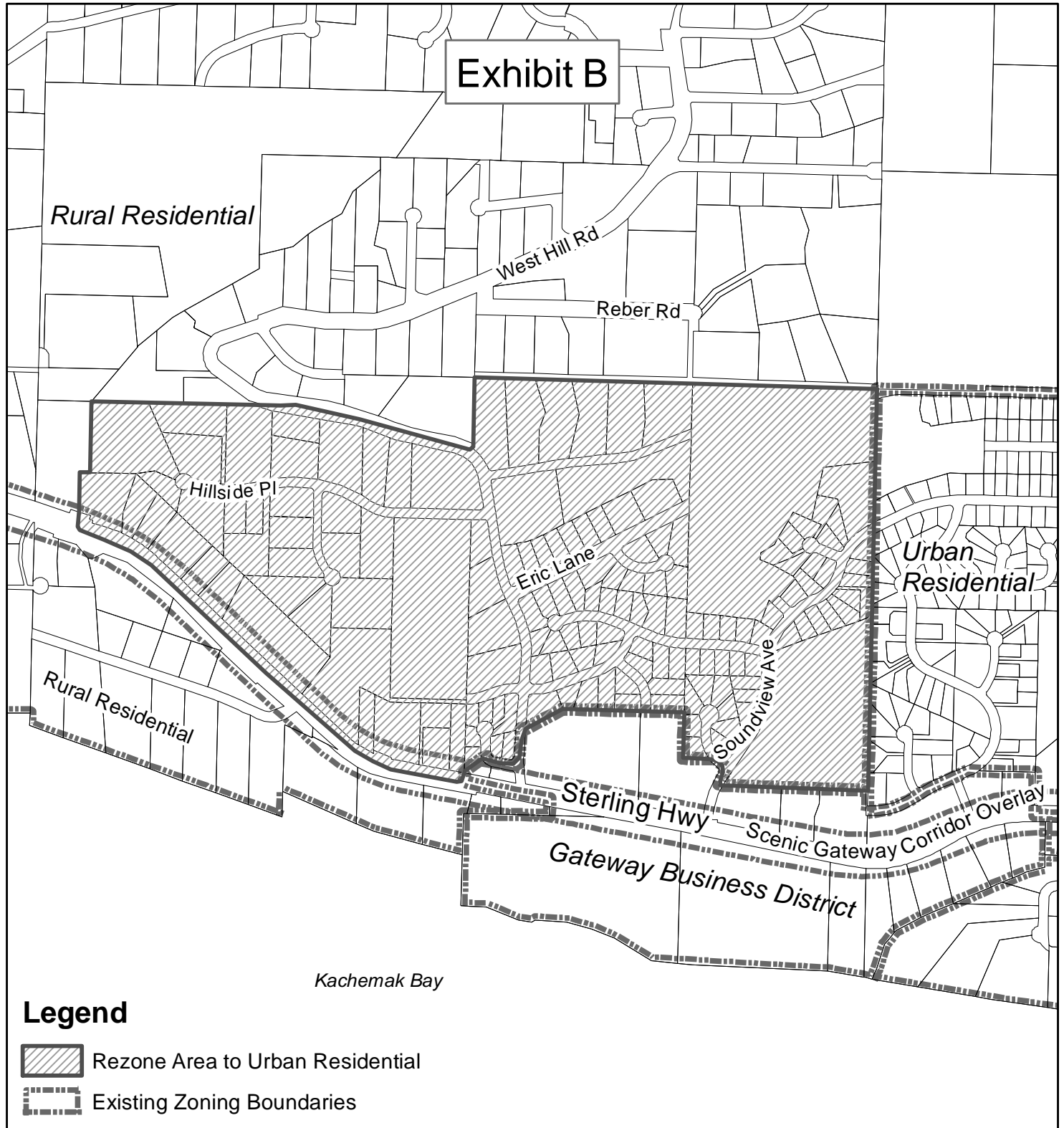
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17524128	0.380	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 58
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17524029	0.000	
17524030	0.000	
17524104	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 76
17524106	0.540	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 74
17524118	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 54
17524121	0.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 42
17524129	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 57
17524134	0.640	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 43
17524174	2.430	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 2
17524175	2.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 1
17524113	0.470	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 68
17524117	0.390	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATES LOT 53
17524124	0.520	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 39
17524126	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 60
17524131	0.410	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 64
17524133	0.510	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 62
17524137	0.440	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 46
17524141	0.530	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 47
17524180	1.720	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB TRACT D
17524108	0.370	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 72
17524111	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 66
17524119	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 55
17524120	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 56
17524122	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 41
17524123	0.420	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 40
17524125	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 61
17524127	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 59
17524138	0.560	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 50
17524139	0.740	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 49
17524130	0.350	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 65
17524132	0.490	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 63





Exhibit A

PARCEL ID	ACREAGE	LEGAL DESCRIPTION
17524135	0.360	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 44
17524136	0.370	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 45
17524140	0.460	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 48
17524170	2.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 6
17524171	2.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 5
17524172	2.090	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 4
17524173	2.410	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 3
17524177	0.730	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0880016 LILLIAN WALLI ESTATE SUB LOT 36
17524184	0.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 3
17524187	0.240	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 6
17524196	1.740	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019029 LILLIAN WALLI ESTATE ROW VACATION PLAT LOT 38-A
17525003	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 4A
17524189	0.280	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 8
17524190	0.250	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 9
17524192	0.280	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 11
17524195	1.210	T 06S R 14W SEC 24 SEWARD MERIDIAN HM 2019029 LILLIAN WALLI ESTATE ROW VACATION PLAT LOT 37-A
17525004	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 3A
17525012	1.010	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2012027 BIDARKI CREEK NO 4 TRACT 1
17524188	0.260	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 7
17524191	0.230	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 10
17525001	1.030	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730081 BIDARKI CREEK SUB LOT 6
17525013	2.110	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2012027 BIDARKI CREEK NO 4 TRACT 2
17524185	0.230	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 4
17524186	0.250	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 2002052 LILLIAN WALLI ESTATE BAYBERRY HOLLOW ADDN LOT 5
17525002	0.910	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 5A
17525005	0.930	T 6S R 14W SEC 24 SEWARD MERIDIAN HM 0730551 BIDARKI CREEK SUB PLAT OF LTS 2A THRU 5A LOT 2A

# Exhibit B



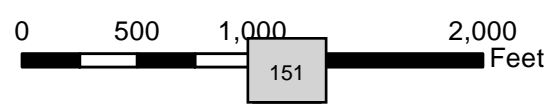
## Legend

-  Rezone Area to Urban Residential
-  Existing Zoning Boundaries



City of Homer  
Planning and Zoning Department  
April 11, 2022

## Exhibit B Rural Residential to Urban Residential Rezoning



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



# City of Homer

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

## Planning

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Homer, Alaska 99603

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

(p) 907-235-3106

(f) 907-235-3118

### MEMORANDUM PL 22-04

TO: Homer Planning Commission  
FROM: Rick Abboud, City Planner  
DATE: April 20, 2022  
SUBJECT: Planning Staff review of text and zoning map amendments West Hill Area Rezone RR to UR

---

#### Planning Staff review per 21.95.050

21.95.050 Planning Department review of zoning map amendment. The Planning Department shall evaluate each amendment to the official zoning map that is initiated in accordance with HCC 21.95.020 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

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

*Analysis:* The general area of the area to be rezoned is represented on the 2018 Homer Comprehensive Plan Land Use Recommendations Map. The proposed amendment complies with Goal 1 of the Comprehensive Plan's Land Use Chapter, to guide Homer's growth with a focus on increasing the supply and diversity of housing. The proposal forwards objectives of Goal 1 including: creating higher densities surrounding the center of town; supporting the desired pattern of growth by updating the zoning map; promoting housing choice by supporting a variety of dwelling options; and promoting density and discouraging sprawl. These objectives are forwarded, as the UR district will allow for less restricted development of housing options such as duplexes or apartments when compared with the RR district.

***Finding 1:*** The zoning map change is consistent with the 2018 Homer Comprehensive Plan.

b. Applies a zoning district or districts that are better suited to the area that is the subject of the amendment than the district or districts that the amendment would replace, because either conditions have changed since the adoption of the current district or districts, or the current district or districts were not appropriate to the area initially.

*Analysis:* As water and sewer services are expanded in the RR District expectations of density increases. Appendix A of the 2018 Homer Comprehensive Plan specifies that the RR district is to provide area primarily for lower density development and is generally not served by water and sewer services. Whereas, the UR District is described as areas served by water and sewer services. When water and sewer services were extended in the mid 2000's to this part of the RR district and continued in recently proposed and developed subdivisions, the minimum lot size changed from 40,000 to 10,000 square feet per dwelling. This zoning change allows for more residential development as described in the purpose of the UR district in the Homer City Code (HCC). The proposed change in zoning better supports the density that comes with the addition of water and sewer services that are found in the area proposed to be zoned Urban Residential.

***Finding 2:*** The conditions of the district have changed since the adoption of the Rural Residential designation and the Urban Residential District is better suited to the area.

c. Is in the best interest of the public, considering the effect of development permitted under the amendment, and the cumulative effect of similar development, on property within and in the vicinity of the area subject to the amendment and on the community, including without limitation effects on the environment, transportation, public services and facilities, and land use patterns.

*Analysis:* The proposed rezone is served with city water and sewer utilities that are able to support the density allowances in the Urban Residential District. West Hill road provides a collector level of road service that divides the area of proposed rezone, leading to the Sterling Highway. A planned and soon to be constructed link (this season) between Eric Lane and Fairview Avenue will provide an additional source to travel for autos and pedestrians to points of interest toward the commercial areas of town. Additionally, with the recent development of Shelly Avenue, another route has been established to gain access to the Sterling Highway or it can be taken east to several more points of access and interest. These routes are capable to handle traffic expected from the proposed district without incurring unacceptable levels of service.

***Finding 3:*** The rezoning of this area is in the best interests of the public as it supports the Urban Residential District's moderate level of density that is well served by City services.

**STAFF COMMENTS/RECOMMENDATIONS:**

Planning staff has reviewed the ordinance per HCC 21.95.050 and recommends the Planning Commission conduct a public hearing, and recommend approval to the City Council.

## ■ CHAPTER 4 LAND USE

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*Vision Statement: Guide the amount and location of Homer’s growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.*

### Goals & Objectives for Land Use

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

**Objective A:** Promote a 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.

Many of the community’s most important goals are tied to the amount and location of growth. These goals include encouraging affordable housing, protecting environmental quality, creating a walkable community, and efficiently providing public services and facilities. The broad strategy behind this objective is to encourage concentrated residential and business growth in the central area of the city, with densities decreasing in outlying areas. The existing pattern of development in the city and current zoning generally follow this pattern. The alternative to this pattern – to allow this same quantity of growth to spread over a much wider area – works against all these goals.

While concentrating land uses brings many benefits, residents clearly want to maintain a sense of open space and privacy that is often associated with lower density development, particularly in residential areas. As a result, this objective of concentrated growth must be accompanied by a set of standards that ensure housing and commercial areas are well designed. The remainder of this section presents more details on the location of new development. The following sections address the character of new development.

The key element of this section is the generalized Land Use Recommendations Map (*see Appendix A-10, Comprehensive Plan Land Use Recommendations Map*). This is not a zoning map, but a general map of proposed future land uses in Homer. Before these recommendations have the force of law, a separate, subsequent process must occur to amend the City’s current zoning code.

#### Implementation Strategies

- Review Land Use Recommendations Map



**Objective B:** Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth.

The Comprehensive Plan Land Use Recommendations Map establishes the location and intent of proposed land use districts, but does not address the standards needed to guide development.

Implementation Strategies

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

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

Diverse, high-quality residential neighborhoods are crucial to the stability and economic health of Homer. Growth puts pressure on housing prices as land prices increase. Neighborhoods established decades ago with large lots face pressure as some landowners create subdivisions with smaller lots, while others would like to preserve the established neighborhood character. Housing choice is crucial to accommodate future growth as the dominant single family large lot developments clearly won't be able to meet future demand in quantity or price.



Implementation Strategies

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

**Objective D:** Consider the regional and global impacts of development in Homer.

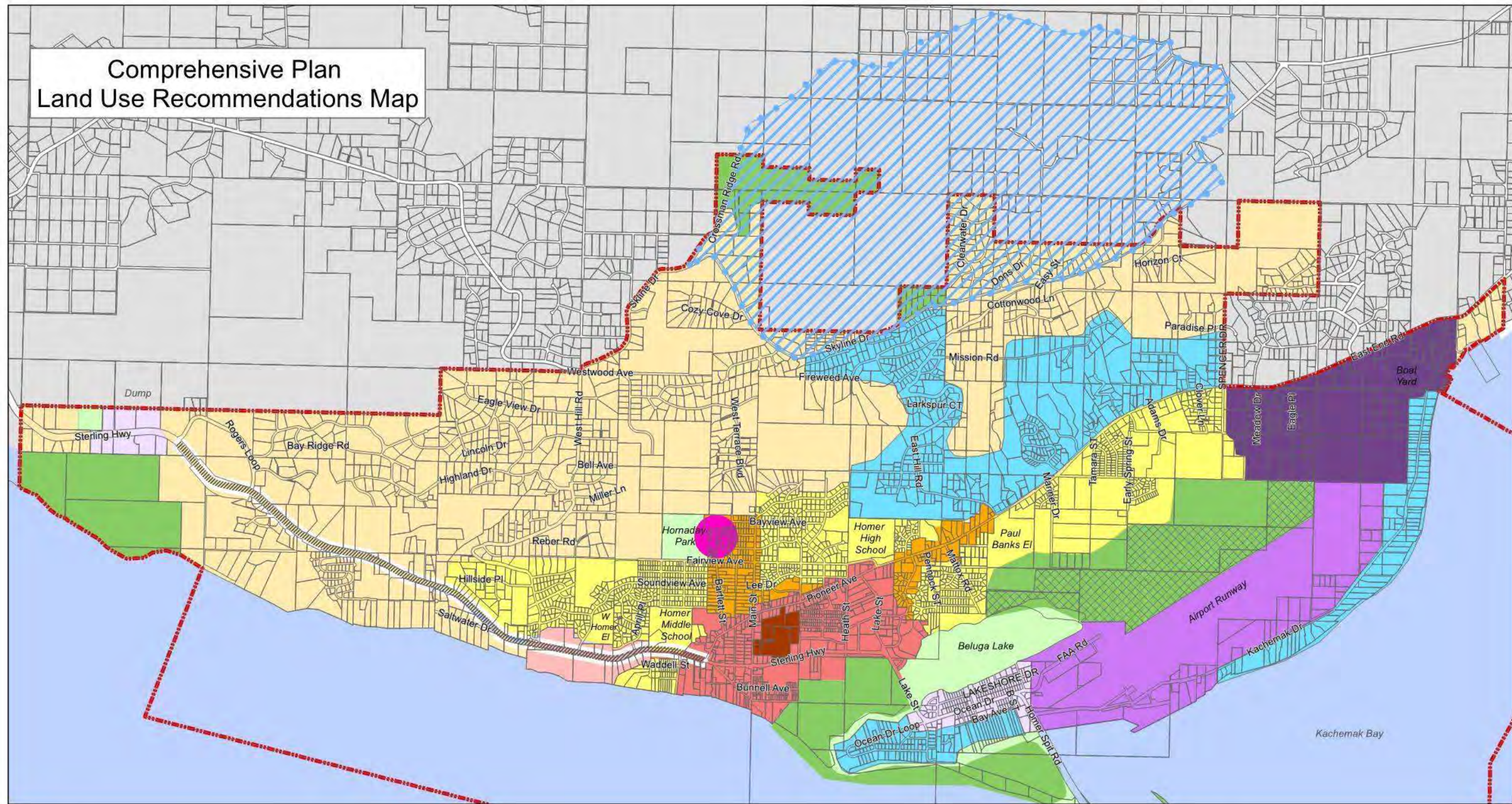
Homer is a community that understands and appreciates its place in the context of the larger, global environment. As shown by its robust environmental nonprofit community and the work of the City's Global Warming Task Force, Homer residents look beyond their boundaries and have expressed the importance of acting locally as a way of addressing global issues.

Implementation Strategies

- Review opportunities that support energy efficiency for structures
- Consider land use policies that promote density and discourage sprawl

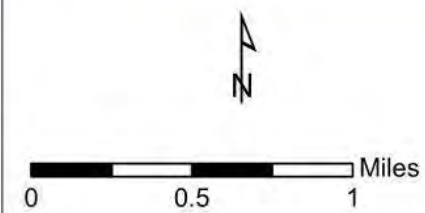


# Comprehensive Plan Land Use Recommendations Map



## Legend

Town Center	Medical District	Rural Residential	City Limits
Bridge Creek Watershed	General Commercial 1	Residential Office	Airport Critical Habitat Area
Gateway Business District	General Commercial 2	Urban Residential	
Downtown Mixed Use	East End Mixed Use	Residential Transition	Scenic Gateway Corridor Overlay
		Open Space Rec	
		Conservation	





- Minimal building setbacks to create a friendly, pedestrian-oriented streetscape.
- Encourage parking off-site (e.g., allowing payment of a fee in lieu of meeting on-site parking standards, through shared parking arrangements, through reducing on-site requirements by providing public parking and protected pedestrian ways).
- **Development standards include:**
  - Create an attractive, pedestrian-oriented environment (e.g., windows and doors that are close to the street, landscaped parking, standards to humanize buildings such as clearly articulated entries).
  - Advisory guidelines re design character, so buildings and other structures within the district are compatible with one another and with the surrounding area.
  - Consider establishing an overlay zone for Old Town so buildings in that portion of the district feature an “Old Homer” historical character.
  - Consider establishing a University district.

## MEDICAL DISTRICT

- **Intent** Acknowledge demand for medical services will increase with a larger, aging population. Enact zoning regulations that allow medical services to expand with the growing need for life long medical care, in a localized area near the hospital.
  - Work with area residents and business owners to identify desirable neighborhood character and appropriate performance standards such as building bulk and scale, density, signage, lighting and parking lot development.
  - Other issues may be identified and addressed through the zoning process.

## EXISTING LAND USE CATEGORIES

### RESIDENTIAL

#### UR (URBAN RESIDENTIAL)

- **Intent** The R-1 district is intended to provide more intense residential development in the city core, in a manner that matches Homer’s small town character and encourages increased densities near pedestrian-oriented commercial areas.
- **Primary Use** Medium and medium-high density residential including single-family, duplex, and multiple-family; allow for a variety in housing types and housing price levels.
- **Other Uses, Allowances, and Specifications**
  - Areas generally served by water and sewer; central locations with excellent access to a range of urban services and facilities.
  - Residential is primary use; but allows for other uses where these uses maintain residential character.
  - Moderate lot size minimums (for example, 6000 square foot lots for single family homes).
  - Allows bed and breakfasts by right, allows second units and duplexes by right (both subject to standards). (For purposes of this plan, a B&B is defined as lodging where owner proprietor resides on site.)

- Allows home-based businesses by right (subject to standards).
- **Development standards**
  - Encourage attractive, diverse housing types (vs. “cookie-cutter” subdivisions).
  - Ensure newer housing is compatible with character of older neighborhoods (for example, by requiring transitional densities, buffer uses).

## RR (RURAL RESIDENTIAL)

- **Intent** The R-3 district is intended to provide areas for low density residential development and limited agricultural pursuits.
- **Primary Use** Low-density residential development in outlying locations, generally with less services and/or lower level of service than in urban areas.
- **Other Uses, Allowances, and Specifications**
  - Areas generally not served by water and sewer, nor likely to be served in the near future.
  - Larger lot sizes or cluster subdivisions to preserve sense of open space.
  - Allows accessory housing units by right (subject to standards).
  - Allows bed and breakfasts by right, subject to standards (for purposes of this plan B&B defined as lodging where owner proprietor resides on site)
  - Allows home-based businesses by right, subject to standards; allows some larger non-retail business activities subject to administrative review.
- **Development standards**
  - Option for higher densities and cluster development. Encourage open space subdivisions as alternative to more typical lot layouts.
  - Ensure newer housing is compatible with character of older neighborhoods.

## COMMERCIAL AND MIXED USE

### CBD (CENTRAL BUSINESS DISTRICT)

- **Intent** The intent of the CBD commercial district is to provide a mixed use business district in the core area of Homer, with greater allowance for vehicular use than in the Downtown district, but still with a character that encourages pedestrian use.
- **Primary Use** Provide a centrally located area within the City for a mixture of urban uses and activities, including general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and related businesses, civic uses, recreation, and residential uses. Allow a mixture of residential and commercial uses but conflicts resolved in favor of business.
- **Other Uses, Allowances, and Specifications**
  - Areas served by public water and sewer, full range of other urban services
  - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
  - On-site parking required (option for shared parking with an approved parking plan).

# City of Homer Zoning Map

0 0.25 0.5 1 Miles

November 2, 2020

Abbreviations  
 MC = Marine Commercial  
 MI = Marine Industrial  
 OSR = Open Space Recreation  
 CONS = Conservation

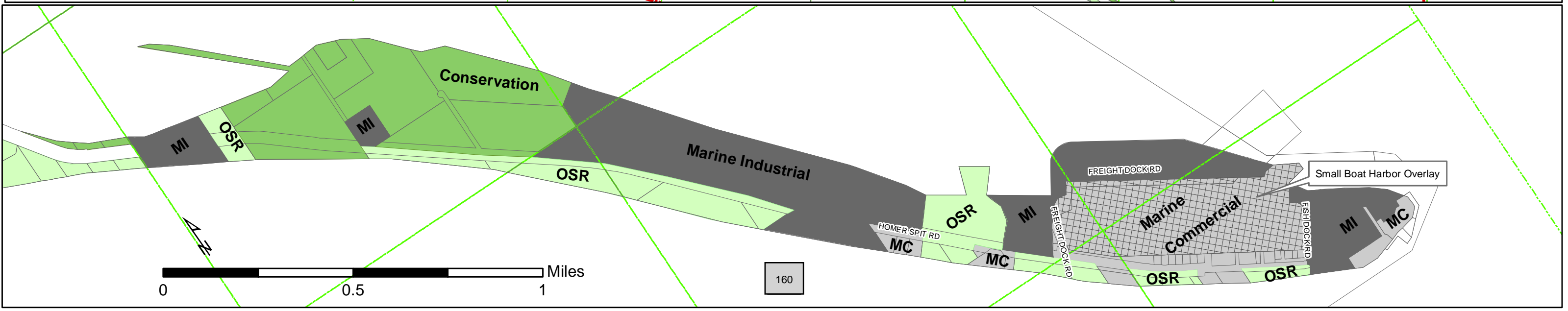
**Legend**

**2020 Zoning**

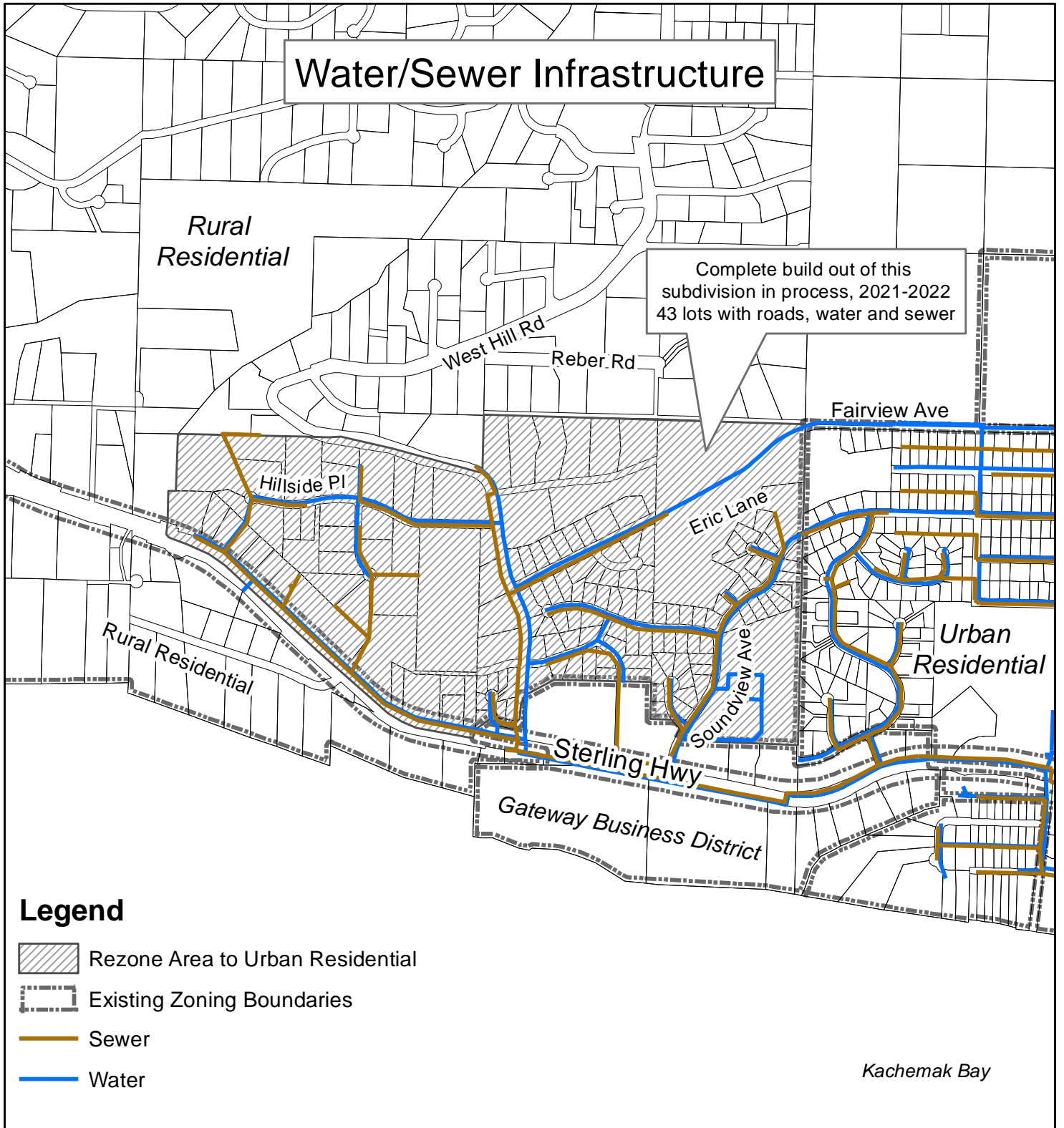
**Zone**

- Gateway Business District
- Central Business District
- Town Center
- General Commercial 1
- General Commercial 2
- East End Mixed Use
- Marine Commercial
- Marine Industrial
- Open Space Rec
- Conservation
- Rural Residential
- Urban Residential
- Residential Office
- Medical
- Scenic Gateway Corridor Overlay
- Small Boat Harbor Overlay
- Section Lines





Ordinance No.	Date
83-07	2/15/83
83-30	12/13/82
84-28	10/23/84
85-10	5/28/85
86-18	6/24/86
86-23	8/26/86
86-24	8/26/86
86-25	8/26/86
92-47	9/29/92
92-50	12/15/92
98-14	7/27/98
1-27(S)	5/13/02
02-11	5/13/02
02-42(S)(A)	7/28/03
03-08	2/25/03
03-10	2/25/03
03-11(S)(A)	2/25/03
03-03(S)	3/11/03
03-04(S)	3/11/03
03-05(S)	3/11/03
03-09	3/11/03
03-20	5/13/03
03-37	7/29/03
05-07	3/15/05
05-33	6/28/05
06-20(A)	9/15/06
06-22	4/25/06
06-58	9/15/06
06-51(S)(A)	9/26/06
07-52(A-2)	2/25/08
08-06	2/12/08
08-08(A)	3/25/08
08-20	6/24/08
08-12(S)(A-2)	10/14/08
09-44(S)	10/13/09
09-19	10/26/09
12-10	2/28/12
12-11(A)	3/28/12
13-12(S)	5/14/13
16-34	6/28/16
20-02	1/28/20
20-49	8/25/20
20-59(A)	9/29/20



# Water/Sewer Infrastructure



## Legend

-  Rezone Area to Urban Residential
-  Existing Zoning Boundaries
-  Sewer
-  Water



City of Homer  
Planning and Zoning Department  
April 11, 2022

## Water/Sewer Infrastructure

0 500 1,000 2,000 Feet

161



*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.*



**NOTES**

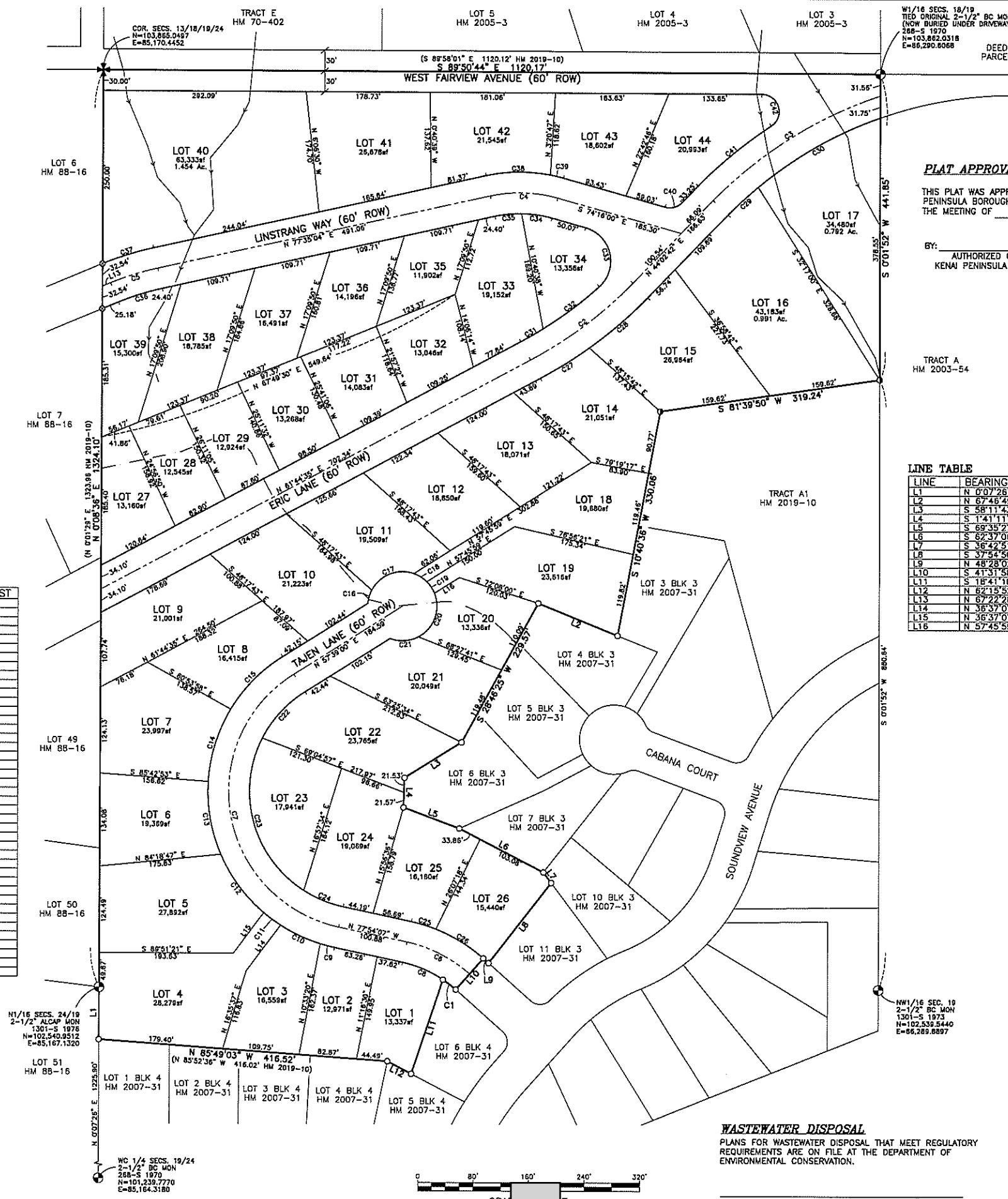
1. BASIS OF BEARING FOR THIS SURVEY WAS DETERMINED BY A HIGH PRECISION GPS SURVEY USING TOPCON DUAL-FREQUENCY HI-PER V RECEIVERS, DIFFERENTIALLY CORRECTED AND PROCESSED WITH MAGNET OFFICE VERSION 3.1 SOFTWARE. NAD83 ALASKA STATE PLANE GRID COORDINATES (U.S. SURVEY FEET) OBTAINED FROM THE GPS OBSERVATIONS WERE BASED ON THE NGS PUBLISHED VALUES FOR FEDERAL BASE NETWORK CONTROL STATION "HOMAR" (PID T0155).
2. TRUE BEARINGS AND DISTANCES WERE DETERMINED BY ROTATING AND SCALING FROM GRID USING FEDERAL BASE NETWORK CONTROL STATION "HOMAR" AS A SCALING POINT. TRUE BEARINGS WERE DETERMINED BY ROTATING GRID INVERSE AZIMUTHS  $-1^{\circ}17'13.4''$ . TRUE DISTANCES WERE OBTAINED BY DIVIDING GRID INVERSE DISTANCES BY 0.999986696.
3. THE RESULTING SCALED COORDINATES WERE TRANSLATED TO A LOCAL COORDINATE SYSTEM BASED ON FEDERAL BASE NETWORK CONTROL STATION "HOMAR" N=100,000 E=100,000. ALL COORDINATE VALUES REPRESENT GROUND DISTANCES IN U.S. SURVEY FEET ORIENTED TO TRUE NORTH.
4. THE 10 FEET FRONTING THE STREET RIGHT-OF-WAYS AND THE FRONT 20 FEET WITHIN 5 FEET OF THE SIDE LOT LINES IS A UTILITY EASEMENT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN A UTILITY EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
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. THESE LOTS ARE SERVED BY CITY OF HOMER SEWER.
7. ALL LOTS WITHIN THIS SUBDIVISION ARE SUBJECT TO CITY OF HOMER ZONING REGULATIONS. REFER TO THE HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PLANNING DEPARTMENT PRIOR TO DEVELOPMENT ACTIVITIES.
8. SET A 5/8" X 30" REBAR WITH 2" ALCAP (753B-S 2020) AT ALL LOT CORNERS AND RIGHT-OF-WAY POINTS OF CURVATURE UNLESS INDICATED OTHERWISE.
9. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK17, PG 328 HRD).

**CURVE TABLE**

CURVE	DELTA	RADIUS	LENGTH	CHORD BRNG	CHORD DIST
C1	751.57	170.00	23.34	N 52°24'00" W	23.32
C2	372.73	600.00	185.33	N 52°33'39" E	184.60
C3	272.34	600.00	286.89	N 57°44'51" E	284.16
C4	28°08'56"	200.00	98.28	S 88°20'28" E	97.27
C5	10°12'35"	400.00	71.28	N 72°28'46" E	71.18
C6	29°26'05"	200.00	102.75	N 63°11'04" W	101.62
C7	135°33'07"	200.00	473.17	N 10°07'34" W	370.28
C8	21°34'08"	170.00	64.00	N 67°07'03" W	63.62
C9	5°14'55"	230.00	21.07	N 75°18'40" W	21.06
C10	15°37'45"	230.00	62.74	N 64°58'20" W	62.55
C11	7°28'43"	230.00	30.02	N 53°17'05" W	30.00
C12	28°10'52"	230.00	105.10	N 36°27'17" W	104.19
C13	26°47'23"	230.00	107.54	N 9°58'10" W	106.56
C14	27°30'27"	230.00	110.44	N 17°10'56" E	109.39
C15	26°42'51"	230.00	107.23	N 44°17'40" E	106.26
C16	23°21'51"	50.00	20.39	N 13°27'07" E	20.25
C17	61°38'35"	50.00	71.25	N 68°22'20" E	65.37
C18	25°39'27"	50.00	22.39	S 57°58'39" E	22.20
C19	23°04'50"	50.00	20.14	S 33°36'30" E	20.01
C20	84°22'56"	50.00	73.64	N 20°07'23" E	67.16
C21	48°07'57"	50.00	42.00	N 85°22'50" E	40.78
C22	30°52'53"	170.00	91.61	N 42°12'43" E	90.51
C23	83°56'28"	170.00	249.06	N 15°11'37" W	227.37
C24	20°44'08"	170.00	61.52	N 67°32'03" W	61.19
C25	9°16'31"	230.00	37.23	N 73°15'52" W	37.19
C26	20°09'34"	230.00	80.93	N 58°32'49" W	80.51
C27	7°34'21"	630.00	83.27	N 57°57'24" E	83.20
C28	16°07'31"	630.00	111.33	N 49°08'28" E	111.19
C29	5°54'38"	570.00	58.80	N 47°00'01" E	58.77
C30	20°28'06"	570.00	203.63	N 60°11'02" E	202.56
C31	3°44'18"	570.00	37.19	N 59°52'26" E	37.18
C32	10°12'28"	570.00	101.55	N 52°54'03" E	101.42
C33	122°03'49"	50.00	106.52	N 1°14'06" W	87.49
C34	15°01'53"	170.00	44.60	S 81°46'57" E	44.47
C35	13°07'03"	170.00	38.92	N 84°08'35" E	38.84
C36	10°12'35"	370.00	65.93	N 72°08'48" E	65.85
C37	10°12'35"	430.00	76.62	N 72°08'48" E	76.52
C38	23°20'19"	230.00	93.69	N 89°15'13" E	93.04
C39	4°48'37"	230.00	19.31	S 76°40'19" E	19.30
C40	61°41'17"	25.00	26.92	N 74°53'21" E	25.64
C41	12°23'42"	830.00	136.29	N 50°14'33" E	136.02
C42	148°17'08"	25.00	63.83	N 16°42'10" W	47.85

**LEGEND**

- INDICATES 1917 2-1/2" BC GLO MONUMENT RECOVERED THIS SURVEY
- INDICATES PRIMARY MONUMENT RECOVERED THIS SURVEY AS DESCRIBED
- INDICATES 5/8" REBAR WITH 2" ALCAP (5780-S, 2007) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 2" ALCAP (7610-S 2017) RECOVERED THIS SURVEY
- INDICATES 5/8" REBAR WITH 1-1/2" ALCAP (NO LS# OR DATE) RECOVERED THIS SURVEY
- INDICATES LIMIT OF DISCHARGE SLOPE DESIGNATION PER KENAI WATERSHED FORUM WETLANDS ASSESSMENT
- INDICATES APPROXIMATE CENTERLINE OF DRAINAGE



**PLAT APPROVAL**

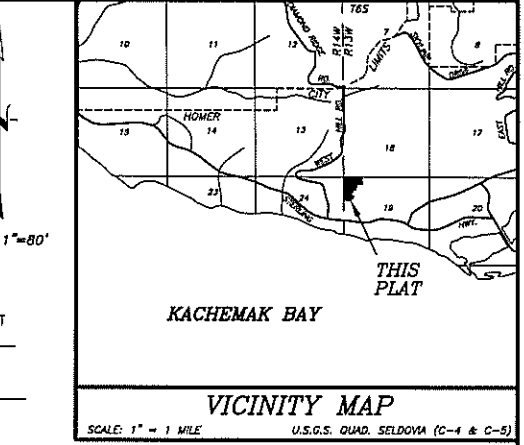
THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF \_\_\_\_\_

BY: \_\_\_\_\_ AUTHORIZED OFFICIAL  
KENAI PENINSULA BOROUGH

DATE: \_\_\_\_\_

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 00°26' E	75.28
L2	N 67°46'49" W	123.27
L3	S 58°11'43" W	97.19
L4	S 1°41'11" W	42.80
L5	S 69°35'27" E	86.34
L6	S 62°37'08" E	136.93
L7	S 36°42'51" E	19.03
L8	S 37°54'50" W	146.67
L9	N 48°28'02" W	10.22
L10	S 41°31'58" W	60.00
L11	S 18°41'10" W	143.33
L12	N 62°15'52" W	38.88
L13	N 67°22'28" E	12.59
L14	N 36°37'07" E	82.53
L15	N 36°37'07" E	73.01
L16	N 57°45'58" E	42.63



**CERTIFICATE OF OWNERSHIP AND DEDICATION**

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE REAL PROPERTY SHOWN AND DESCRIBED HEREON, THAT WE HEREBY ADOPT THIS PLAN 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.

TL INVESTMENTS, LLC  
TOM STAFFORD, MANAGER  
PO BOX 3403  
HOMER, ALASKA 99603

**NOTARY'S ACKNOWLEDGMENT**

FOR TOM STAFFORD  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2020.

NOTARY PUBLIC FOR ALASKA  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THE UNDERSIGNED OFFICIAL IDENTIFIED BY NAME AND TITLE IS AUTHORIZED TO ACCEPT AND HEREBY ACCEPTS ON BEHALF OF THE CITY OF HOMER FOR PUBLIC USES AND FOR PUBLIC PURPOSES THE REAL PROPERTY TO BE DEDICATED BY THIS PLAT INCLUDING EASEMENTS, RIGHTS-OF-WAY, ALLEYS, AND OTHER PUBLIC AREAS SHOWN ON THIS PLAT IDENTIFIED AS FOLLOWS:

THE UTILITY EASEMENTS WITHIN THE 10' FEET ADJACENT TO ALL STREET ROW'S AND THE FRONT 20 FEET WITHIN 5 FEET OF SIDE LOT LINES.

ERIC LANE (60' ROW), TAJEN LANE (60' ROW), LINSTRANG WAY (60' ROW), MATCHING 30' ROW WEST FAIRVIEW AVENUE.

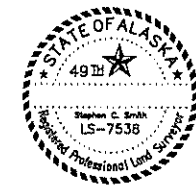
THE ACCEPTANCE OF LANDS FOR PUBLIC USE OR PUBLIC PURPOSE DOES NOT OBLIGATE THE PUBLIC OR ANY GOVERNING BODY TO CONSTRUCT, OPERATE, OR MAINTAIN IMPROVEMENTS.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
KATIE KOESTER, CITY MANAGER  
CITY OF HOMER, ALASKA

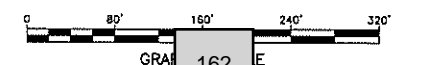
HOMER RECORDING DISTRICT KPB FILE No. 2020-???

**FOOTHILLS SUBDIVISION  
SUNSET VIEW ESTATES 2020 ADDITION**

THE SUBDIVISION OF TRACT B  
FOOTHILLS SUBDIVISION SUNSET VIEW ESTATES ADDITION NO. 3  
(HM 2019-10)  
LOCATED WITHIN THE NW 1/4 SEC 19,  
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI  
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA  
CONTAINING 25.569 ACRES  
OWNER:  
TL INVESTMENTS, LLC PO BOX 3403 HOMER, AK 99603



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



SURVEYOR \_\_\_\_\_ LICENSE # \_\_\_\_\_ DATE \_\_\_\_\_

DRAWN BY: SCS DATE: APRIL 2020 SCALE: 1" = 80'  
CHK BY: SCS JOB #2020-23 SHEET 1 OF 1

# Road Maintenance Map



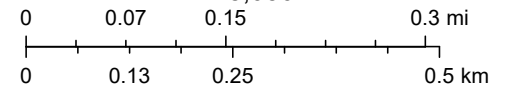
April 13, 2022

Streets

- Rural Road Maintenance
- Urban Road Maintenance
- State Road Maintenance
- City of Homer Parcels
- Other

163

1:18,056



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sources: Esri,



# Proposed Zoning Amendment







## Zoning Differences: Rural Residential (RR) and Urban Residential (UR)

### Permitted uses allowed in RR but not in UR (provision is eliminated or changed as indicated below)

g. Agricultural activities, including general farming, truck farming, livestock farming, nurseries, and greenhouses; provided, that: **(changed)**

1. Other than normal household pets, no poultry or livestock may be housed and no fenced runs may be located within 100 feet of any residence other than the dwelling on the same lot;
2. No retail or wholesale business sales office is maintained on the premises;

h. Private stables; **(changed)**

m. Temporary (seasonal) roadside stands for the sale of produce grown on the premises; **(eliminated)**

n. Mobile homes, subject to the requirements of HCC 21.54.100; **(eliminated)**

### Conditional Uses (needing Planning Commission approval) allowed in RR but not in UR (eliminated)

c. Cemeteries;

d. Kennels;

e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;

f. Mobile home parks;

g. Public utility facilities and structures;

### Provisions for the keeping of animals as a Permitted Use in UR (changed)

j. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory to a residential use in a manner consistent with the requirements of all other provisions of the Homer City Code and as long as such animals are pets of the residents of the dwelling and their numbers are such as not to unreasonably annoy or disturb occupants of neighboring property;

o. Public schools and private schools;

### Provisions for stables as a Conditional Use in UR (changed)

h. Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;

### Dimensional Standards

Lots in RR are required to have a minimum of 10,000 square feet per dwelling unit.

Lots in UR are required to have a minimum of 7,500 square feet for single-family or duplex dwellings and have the option to provide multi-family (3 or more) dwellings according to floor area and open area requirements.

Multiple-family dwelling containing three or more units shall meet the following standards:

- a. The total floor area shall not be more than four-tenths the lot area;
- b. The total open area shall be at least 1.1 times the total floor area. Open area is any portion of the lot not covered or used for parking spaces and maneuvering.



# PROPOSED ZONING AMENDMENT



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

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

This amendment is part of the long-term vision in the adopted 2018 Comprehensive Plan. To see how this might impact you, visit the web page below.

Proposed Zoning Map Amendment

<https://www.cityofhomer-ak.gov/planning/proposed-zoning-map-amendment>

### OPPORTUNITY TO PARTICIPATE

April 20: Public Hearing at 6:30 p.m.  
Homer Planning Commission

See reverse side for more information about the public hearing and how to participate

### CONTACT PLANNING

City of Homer Planning Office  
491 E. Pioneer Avenue  
Homer, AK 99603  
907-235-3106  
[planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us)



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

**CITY OF HOMER  
PUBLIC HEARING NOTICE  
PLANNING COMMISSION MEETING**

A public hearing on the matter below is scheduled for Wednesday, April 20, 2022 at 6:30 p.m. during the Regular Planning Commission Meeting. Participation is available virtually via Zoom webinar or in-person at Homer City Hall.

**AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE 21.10.030 AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RURAL RESIDENTIAL (RR) ZONING DISTRICT TO URBAN RESIDENTIAL (UR) ZONING DISTRICT.**

In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK, 99603.

To attend the meeting virtually, visit [zoom.us](https://zoom.us) and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903  
Passcode: 976062

Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for April 20, 2022 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

If you have questions, contact Rick Abboud at the Planning and Zoning Office. Phone: (907) 235-3106, email: [planning@ci.homer.ak.us](mailto:planning@ci.homer.ak.us) or in-person at Homer City Hall.

**NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY**

.....  
**VICINITY MAP ON REVERSE**





Jonathan Faulkner &lt;landsendjdf@gmail.com&gt;

---

**Re-zone.**


---

Jonathan Faulkner <landsendjdf@gmail.com>  
 To: Jon Faulkner <landsendjdf@gmail.com>

Thu, Apr 7, 2022 at 8:58 AM

Jon- Please Enter this into the record regarding the proposed rezoning from Reynolds and Beth Holiman, 1486 Hillside place

It seems as though the small lot change will induce developers to buy old houses, tear them down, then replat the lots just to get their lot-price-per-house lowered. (Our lot could probably be made into 4 lots)

We are requesting that the existing lots on hillside place be left out of the zoning change. If an owner wants to do a tear down and replat to smaller lots, they should have to bring it before the board.

Many of us bought the older homes on the larger lots because of the spacious yards and abundant trees, brush, and wildlife cover. The proposed change would take away the rural feel because of clearing and grading to create home pads and drives on the smaller lots.

In order to grade this hill for the smaller lots, the trees would have to be removed and substantial amounts of soil would be disturbed. The side slopes of the West hill road embankment above us is already graded at angles only a few degrees less steep than the natural angle of repose.

We have already had 1 mud slide above our house which had to be repaired at considerable expense.

Our water pressure is low right now. It is unlikely that the city is prepared to spend extra dollars needed to upgrade the water system for this increase in density. A study of water pressure and water availability for this area should be required before the rezoning is considered.

With the above facts in mind, we respectfully request that lots down hill from West hill road along Hillside place be left in their current zoning.

Respectfully. Beth and Reynolds Holiman  
 1486 Hillside Place

Jon. Please edit if you need to and enter into the record. Thanks. Reynolds and Beth

9:00 Eastern Time Wednesday

Sent from my iPhone

*Hand Delivered? 4/8/22  
 jon.faulkner*

**From:** [Kasia](#)  
**To:** [Department Planning](#)  
**Subject:** Proposed Zoning Amendment  
**Date:** Monday, April 11, 2022 2:09:15 PM

---

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential.

I do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family.

This ill-conceived idea is what people do when they think they are going to fix a perceived "problem" but only succeed in creating several real problems. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Katarzyna Robotkay  
3866 Cabana Ct  
Homer, AK 99603

**From:** [Travis](#)  
**To:** [Department Planning](#)  
**Subject:** Proposed Zoning Amendment  
**Date:** Monday, April 11, 2022 2:04:03 PM

---

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential. We are happy with the status of our neighborhood.

We absolutely do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Travis Robotkay  
3866 Cabana Ct  
Homer, AK 99603



# City of Homer

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

## Planning

491 East Pioneer Avenue  
Homer, Alaska 99603

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

(p) 907-235-3106

(f) 907-235-3118

## Memorandum

### Agenda Changes/Supplemental Packet

TO: PLANNING COMMISSION  
FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK  
DATE: APRIL 20, 2022  
SUBJECT: SUPPLEMENTAL PACKET

---

#### **PUBLIC HEARINGS**

- A. Staff Report 22-28, Rezone of a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District

Public Comment Received      pg 3 - 20


#### **PENDING BUSINESS**

- A. ~~Planning Commission Regular Meeting Minutes of March 2, 2022 Amended~~

~~Excerpt from the Planning Commission Regular Meeting Minutes of March 16, 2022      pg 21~~

RECEIVED

APR 15 2022

To: City of Homer Planning Commission  
Fr: Jon Faulkner, resident Hillside Acres.   
Re: Hillside Acres Proposed Zoning Amendment  
Date: 4/11/22

CITY OF HOMER  
PLANNING/ZONING

Dear Planning Commission:

As a 35-year resident of Homer and of my current residence at 4621 West Hill Rd (Lot 2A Hillside acres Sub) I am writing to register objection to the city's initiative to rezone Hillside Acres from rural Residential to Urban Residential. My grounds for objection are numerous, as follows.

- 1) Any re-zoning of land effects the manner in which land and improvements can be developed or used. It is widely held that re-zoning affects land values, and whether the impact is positive or negative can be subjective, and yet entering a factual finding into the record on this topic is critical.
  - a. A finding that land values are negatively impacted by the proposed change in zoning should be considered a form of "taking" of private property.
  - b. A finding that land values are positively impacted will likely result in increased assessed values and annual taxes due. Thus, even an increase in land value is often detrimental to the interests of long-term residents and retirees.
  - c. My testimony is that re-zoning Hillside acres will negatively impact land values; negatively impact my quality of life and my quiet enjoyment of Lot 2A Hillside Acres.
  
- 2) There is a plethora of development standards codified in municipal standards that a private sector developer contemplating subdivision of this magnitude would need to comply with—PRIOR TO receiving the grant. These would include, at a minimum: Traffic impact studies; uniform standards for road and sidewalk improvements; drainage and easements for same obtained; public water pressure standards met (presently below city minimums at 25 psi); utility and access easements designed and obtained; steep slope stabilization--the list is long. The petitioner—the City of Homer—cannot guarantee the standards of its own ordinances will be met to any uniform condition or timeframe, since subdivision is an individual election.
  - a. The basic requirement to disclose who will pay for such improvements in advance of a re-zone must be met by the petitioner.
  - b. Future subdivision of lots cannot be coordinated and timed by a single entity, as with normal subdivision by a developer. Therefore, undisclosed or undetermined development costs will be absorbed by the subdivider, erasing the benefits of subdivision.
  - c. The historic and tragic cycle of "forced to sell or subdivide just to afford what I have" seems a likely consequence.
  
- 3) During a typical re-zone application, the municipal entity attaches conditions on the developer which are intended to offset negative impacts and financial liabilities resulting from the re-zone. These impacts are typically absorbed by a private developer as the entity who stands to gain



from the re-zone. Here this dynamic is reversed. The city of Homer is the petitioner who stands to gain, and yet has placed no development conditions on itself, and contemplates shifting costs to subdividers or homeowners.

- a. For a private developer, recourse for failure to perform permit conditions carries punitive measures. Here, is there recourse for impacted residents if the City fails to perform?
  - b. In this instance, findings must be generated which not only protect those directly impacted, but which also protect the public at large against hidden or undisclosed liabilities that typically would be absorbed by a private entity.
  - c. Since municipal entities are shielded from civil liability in most matters, recourse for failure to perform is largely absent.
- 4) Factual findings which support the need for the re-zone need to be documented, as do any findings which undermine or refute that need.
- a. With respect to the attached Proposed Zoning Amendment, the impetus is not coming from private interests or those directly impacted, but rather from a government subdivision acting on behalf of the public at large.
  - b. "Homer's population is growing" may be true, but in itself does not support a finding that a rezone in the Hillside Acres Subdivision (Petition area) is necessary or desirable at this time. Quite the contrary, it appears the current zoning and rural composition of the area is what is driving most housing demand and growth in population.
  - c. Other than vague reference to universal needs such as "affordable housing", my testimony is that there is no evidence on the record to justify re-zoning Hillside Acres.
  - d. My testimony is further that the existing character of Hillside Acres is precisely why I choose to live here.
- 5) The geographic area of the Proposed Re-zone area strangely mirrors the 2002 LID district. This makes practical sense, however, the public record confirms (Resolution 06-105 and public notices for same) that the LID was formed absent any hint or understanding that the LID would be used to justify or promote re-subdivision or re-zoning by the City.
- a. There is no evidence in the public record to support the view that the Hillside acres LID has in any way been a financial burden shouldered by Homer taxpayers at large.
- 6) Whenever the interests of the many (public at large) are invoked to justify an action imposed on the few (directly impacted residents) precautions must be taken to guard against infringement of private property rights. In this context, the petitioner (the city) is equally obliged to represent the interests of private property owners as they are those of the public-- which presents a conflict of interest.
- a. At a minimum, in virtually every forum, a perceived or potential conflict of interest requires the entity to disclose it. My testimony is that in this instance there is a strong likelihood of a conflict, that the standards applying to government should be higher—not lower—than for volunteer members of boards and commissions—and that the governing body of Homer should rule on how to conduct itself in this matter.
  - b. A conflict of interest in most forums is determined by financial loss or gain.

- i. It is generally held that municipal initiatives are implemented for gain of some public purpose or nature. But it is also true that costs for these initiatives be fairly apportioned and voted upon. Here, my testimony is that the City of Homer has a substantial financial interest in the outcome of this petition, and that the “vote” to assess and apportion costs consists of only 4-5 people, (Planning Commissioners).
    - c. At a minimum, there is a legal standard in these matters that the Municipal entity is obliged to observe.
      - i. What is the legal standard that exists for Municipal entities to originate a re-zone petition from which they stand to gain? This standard must be openly disclosed and in the public record.
      - ii. I am requesting the Planning Commission solicit from legal counsel the likely legal standard that would prevail in a Municipal-initiated rezone request such as this, with some reference to case law. This is not “advocacy based” legal advice, and hence appropriate to gain transparency and foresight.
- 7) Findings of fact are present in any ruling on a proposed zoning amendment. When such a proposal originates from a municipal entity, those findings must be published for residents to see and challenge in advance---just as they would be when a private entity is contemplating re-zone. In fact, just as my comments are required to be submitted timely for all parties to consider.
- a. Presently, I am not aware of any directly impacted homeowners on record in support of this Proposed Zoning Amendment. Nor am I aware of any findings by the Planning Department justifying the action--other than the finding that this Amendment is consistent with the 2018 City of Homer Comprehensive Plan.
- 8) The character of land fronting on Sterling Highway is markedly different than interior lots insulated from the traffic, noise, and visual disturbance associated with a major arterial. The Proposed Zoning Amendment makes no attempt to distinguish between affected properties based on their amenities: their topography, views, access, proximity to neighbors and to permanent features like schools.
- a. There is no finding on the record as to why West Hill Elementary School is included in the proposed area to be re-zoned. Similarly, the 5-acre Myhill tract south of Hillside Place has a permanent deed restriction against it, prohibiting subdivision. There is no purpose to including these. These two tracts alone appear to comprise over 15% of the proposed area for re-zone.
  - b. Presumably, some lots within the proposed area are too small to subdivide. Does any finding exist as to how many lots within the Proposed Zoning Amendment fit this description, thereby contributing to the amount of gross acreage ineligible for subdivision or added density?
- 9) The 2018 City of Homer Comprehensive Plan is not binding on the impacted homeowners in the matter of a re-zone. At best, it is a recommendation to future Commissions. Secondly a “Comp Plan” does not reflect the views—let alone the consensus—of those directly impacted.

Therefore, the City should be careful not to present the Comp Plan as evidence of broad consensus, or having any binding affect on a re-zone petition.

- a. How effective is the 2018 Comprehensive Plan as a communication tool? My wife and I live here year-round, are civically engaged, and yet we had no idea the Comp Plan contained this objective. My testimony is that, based on my communication with six neighbors, none knew.

10) Notice to the community via publication of a Comprehensive Plan does not equate to consent by those directly impacted. Notice itself, or implied “non-objection” from their silence, is not the standard this community should adopt in these matters, in spite of the fact it is widely used as an expedient.

11) An LID was formed in 2001/02 to introduce water and wastewater to Hillside Acres. There was never justification presented by anyone—certainly not the City--that the LID was formed with the intent or purpose to promote smaller lots. On the contrary, serving larger lots is more expensive, and residents were TOLD THIS—and charged accordingly.

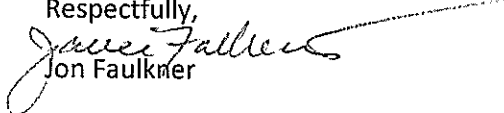
- a. As to “cost recovery”, residents paid 50% of the costs. Everyone paid the same assessment. The benefits upon re-zone, however, vary among landowners.

12) Zoning is not initiated solely for the benefit of government and its financial and social objectives. It is implemented for many others reasons: to protect the investment of private citizens; to protect private property rights; to promote stability and predictability in real estate values; to protect investments by homeowners and neighboring residents, lenders, investors and other private sector interests. And yes, to protect quality of life and a sense of community touted by urban planners.

- a. A re-zone petition should not be granted without specific findings as to these conflicting objectives.

13) Substantial new home starts are occurring in the area abutting and east of West Hill—roughly 10 in the last 12 months. It is my testimony that sales of these lots and homes could be adversely affected by a full, proactive disclosure of the impacts of this re-zone initiative on these new homeowners. It is further my testimony that the law requires disclosure to all potential homebuyers of any pending or proposed action—including a re-zone petition--affecting real estate.

Thank you for your service to the community of Homer.

Respectfully,  
  
Jon Faulkner

RECEIVED

APR 15 2022

To: City of Homer Planning Commission  
From: Sara Faulkner  
Re: Hillside Acres Proposed Zoning Amendment  
Date: April 14, 2022

CITY OF HOMER  
PLANNING/ZONING

I am writing to oppose the proposed zoning change at my residence, 4021 West Hill Road (Lot 2A Hillside Acres Subdivision) from rural residential to urban residential. I have lived at this address for over 32 years and during that time have enjoyed the rural residential neighborhood, and had planned to continue to live in this rural neighborhood of larger lot sizes, embracing the memories, wildlife, and everyday peace of the rural area during the rest of my lifetime.

On our lot we have gardens; a yard on which our kids and neighborhood friends played, sledded, and BBQ'd; streams; a pond for wildlife and skating; and several beehives. As I write this letter I have four moose basking in my front lawn, and several birds playing in the pond. In the summer our neighborhood becomes a bird amphitheater, with the songs echoing across our lot all day long. A miniature owl even lived next door.

At the time that the City of Homer proposed extending water and sewer service into our neighborhood, our neighbors in general were opposed to the added service. However, few residents attended the hearings or voiced their opinions, and thus a smaller few determined that the City would extend water and sewer service into our area. My recollection is that the hearings and vote were during the summer when residents were busy enjoying Alaska's outdoors, and were not attentive to the deadlines. Needless to say, we were never informed that this was the first step to transition our neighborhood from rural residential to urban residential, as was explained to me a couple weeks ago by the City Planner. The notice I received in the mail last month was the first notice I have had regarding this plan to change our zoning. The City has never reached out to us over the years to explain their plan or ask for our input until now. Hopefully it is not too late to put the brakes on this intervention into our peaceful rural lifestyle.

My understanding is that the other property owners adjacent to our property along West Hill also object to the rezoning of our lots (Holimans, Dixons, Johnsons). If the Planning Commission decides to pursue the rezoning, I suggest the City draw a line along West Hill to separate the urban vs rural neighborhoods rather than extending the urban to our area along the west side of West Hill. At a minimum, the lots above Hillside Place should remain rural.

I agree that housing is limited in Homer, and that as a community we have to address this issue. Instead of extending urban creep, the Planning Commission should address our housing shortage by looking at how they are currently managing short term rentals (STRs) in our existing residential neighborhoods. I argue that the explosion of STRs is directly related to Homer's lack of affordable housing, and better registration, regulation, and management of STRs, such as those offered

through 3<sup>rd</sup> party sites like AirBnB or VRBO, can help relieve this pressure. The majority of these STRs are non-owner occupied businesses operating in residential areas, compromising and eroding neighborhoods. Where is it codified in code where an STR exceeds the limits of a residential definition? At what point does an STR become commercial? The Planning Commission would be more effective at providing affordable housing by writing and regulating zoning codes to limit short term rentals vs long term rentals, which would provide the much needed affordable housing for the members of our community. In addition, the City of Homer needs to work directly with the 3<sup>rd</sup> party STR sites to collect its fair share of sales tax from the STRs.

In summary, I am opposed to the rezoning of my property from rural residential to urban residential. I suggest that the City of Homer use West Hill as the western boundary of the urban residential, and leave those properties on the west side of West Hill as rural residential. I encourage the City of Homer to better regulate STRs to help alleviate our housing shortage as well as to accurately collect its fair share of sales tax.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Faulkner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sara Faulkner





## HOMER REAL ESTATE

April 19, 2022

City of Homer

Attention: Rick Abboud

Via Email

RE: Rezone proposal for converting fully served Rural Residential Districts to Urban Residential

Dear Rick,

I am writing in my capacity as the Legislative Chair for the Kachemak Board of Realtors.

At our recent quarterly meeting, I presented the information you provided regarding the Planning department proposal to rezone Rural Residential districts which now have full City utilities to Urban Residential.

There was unanimous support for this action. It is very timely given the current growth spurt we are experiencing. The rezone would also open up the possibility for more affordable housing, with smaller lots in the UR district and more importantly, it will encourage the development of more rental units which are in extreme short supply.

This is an example of economic development coupled with realistic planning.

We hope that once this rezone is successful, that the Planning Commission moves on to look at Oscar Munson and Johnson Subdivisions across Beluga Lake, an east to Mariner, Meadow wood, and Cooper subdivisions among others.

Keep up the great work!

Sincerely,

*Angie Newby*

**From:** [Travis Brown](#)  
**To:** [Renee Krause](#)  
**Cc:** [Rick Abboud](#)  
**Subject:** FW: Rezoning from Rural Residential to Urban Residential  
**Date:** Wednesday, April 20, 2022 10:07:41 AM

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Mark Sass just emailed this to me.

**From:** Mark Sass <markasass@gmail.com>  
**Sent:** Wednesday, April 20, 2022 10:07 AM  
**To:** Travis Brown <tbrown@ci.homer.ak.us>  
**Cc:** Gmail <markasass@gmail.com>  
**Subject:** Fwd: Rezoning from Rural Residential to Urban Residential

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

Thanks Travis for info to get this in properly. Had submitted on website but didn't get to you.

Sent from my iPhone

Begin forwarded message:

**Subject: Rezoning from Rural Residential to Urban Residential**

City of Homer  
Proposed Rezoning Amendment.  
Sass Investments II LLC Mark A Sass  
Property Owner  
1641 Hillside Place  
Homer, Alaska  
Hillside Acres Subdivision.

Dear Planning Commission,  
I have several thoughts regarding the proposed rezoning of the land west of West Hill Rd.  
We purchased our property for stake in this beautiful part of Alaska to enjoy in retirement the rural open feeling with a view of Kachemak Bay. For our future and family. This area west of West Hill accomplished this.  
In my opinion the majority of residents are long term having purchased and created their property to enjoy the rural larger open land lifestyle and do not want the increased density like land east of West Hill Rd.

Points to consider.

With the rolling open development that has existed created by residents then the allowance of subdivision in the past without proper frontages , flag lots and general access the use of this land was the intent of being open. This adds to the challenge that was not intent of future density of this area.

With the steep topography of the side hill and drainage this land is not conducive to more density.

Another fact with the Myhill Tract and West Hill Elementary School a large Percentage of property did not fit the proposed rezoning.

A large part of the frontage on Sterling Hwy also included in this land west of West Hill Rd already has been developed and added density already.

Another further challenge to this area is the huge special assessment of sewer and water against residents that further makes it very hard to make financially possible to subdivide at this time. Not sure how that will ever get resolved or how when paid off?

In my opinion with limited knowledge I believe there is enough land and development east of West Hill Rd to manage the supply and demand in reasonable future. In my opinion the blanket or majority decisions of city planning do not necessarily represent the best welfare of the long term residents living here that created this area. Future growing and Progress planning will always adjust the journey. Rezoning on this unique area at this time needs to be considered for current residents.

Please take that into consideration in your planning decision process and proposed rezoning for property owners west of East Hill Rd in Hillside Acres Subdivision.

Thanks for opportunity to share my thoughts.  
Mark A Sass  
612-919-0735  
[Markasass@gmail.com](mailto:Markasass@gmail.com)

Sent from my iPhone

## Travis Brown

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**From:** Travis <travis.robotkay@protonmail.com>  
**Sent:** Monday, April 11, 2022 2:04 PM  
**To:** Department Planning  
**Subject:** Proposed Zoning Amendment

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential. We are happy with the status of our neighborhood.

We absolutely do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Travis Robotkay  
3866 Cabana Ct  
Homer, AK 99603

## Travis Brown

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**From:** Travis Brown  
**Sent:** Tuesday, April 19, 2022 3:23 PM  
**To:** Travis Brown  
**Subject:** Re: Rezone of West Homer Area

4/18/22

Sue Finney, resident at 1588 Hillside Pl., called the office and asked that her opposition to the rezone be relayed to the Planning Commission. She stated the following reasons for opposition:

- The current minimum lot size of 10,000 square feet provides adequate opportunity for subdividing. Allowing lots to be as small as 7,500 square feet will create too much density in this neighborhood.
- Hillside Acres is composed of dead-end roads with only one point of access. Allowing further density without providing a secondary means of access for emergency vehicles is a great concern.

Travis Brown  
Planning Technician  
City of Homer  
(907)235-3106



## Travis Brown

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**From:** susan jeffres <fljeffres@msn.com>  
**Sent:** Tuesday, April 19, 2022 5:40 PM  
**To:** Department Planning  
**Subject:** Rezoning of Hillside Place

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

We want to state our strong opposition to the rezoning plan changing our zoning designation to urban residential. When we purchased our property on Hillside Place in 2020, we were excited to be able to have some privacy, and not be packed in closely to our neighbors. Under the proposed zoning plan, owner/developers could take a piece of property and put numerous families on this property due to the ability to build multi-family homes on lots. The change in density would change our neighborhood.

We came from Colorado where postage stamp sized lots with starter mansions or multi-plexes on them is the norm. This is not the feeling we want in Homer. We like that we have the right to use our property for growing and raising our own food and the ability to put our largest investment to work for us. We could run a business out of our home should we so desire. We want to pass this on to our children and grandchildren.

We feel that the available lots on the east side of West Hill Road give the city/developers the ability to provide housing to Homer's growing population while leaving our neighborhood the way it was built and the way that the home owners here, that I have talked to, like it. This zoning proposal would impact the quality of life and the rural atmosphere that we so enjoy at our home in Homer.

Mike & Susan Jeffres  
1698 Hillside Place  
Homer, AK

## Travis Brown

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**From:** Kasia <kasia4@protonmail.com>  
**Sent:** Monday, April 11, 2022 2:09 PM  
**To:** Department Planning  
**Subject:** Proposed Zoning Amendment

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

To Whom it May Concern,

Please do not move forward with the proposal to amend the zoning of our neighborhood from Rural Residential to Urban Residential.

I do not want multi-family housing in our neighborhood. This neighborhood is single-family residential it needs to stay that way. New development also needs to be single family.

This ill-conceived idea is what people do when they think they are going to fix a perceived "problem" but only succeed in creating several real problems. If people feel the need for multi-family housing they should move to Anchorage.

Sincerely,  
Katarzyna Robotkay  
3866 Cabana Ct  
Homer, AK 99603

April 18, 2022

Homer Planning and Zoning

Re: Hillside Acres Rezoning Proposal

I am writing to express my opposition to the proposed rezoning of Hillside Acres Subdivision or “West Homer Area” as outlined in the proposed zoning amendment from Rural Residential to Urban Residential.

I purchased Tract 7 - Hillside Acres Subdivision in 1992 as a 5.14 acre parcel, one of the largest in the subdivision. My purchase was well planned because I wanted to live a “rural lifestyle” in the city limits, on a cul-de-sac, with a stream and the ability to have animals (dogs, horses, chickens) as well as a large garden and a small business. This property embraced all of these requirements; initially the entry to the property was a little wooden bridge and in the winter I had to “bounce” the snow covered alder branches along the road so that I could drive through them.

As the landscape changed, many trees were lost due to the spruce bark beetle infestation. The development of the water/sewer LID improvement district in 2002 divided the neighborhood; although I had a brand new DEC approved septic system; I approved the water/sewer project to support community and healthy standards, but was forced to “crush” my brand new septic system to comply with the new sewer system. All of these community development programs cost a lot of money, but seemed to be responsible community development. Had I known that the ultimate goal of the city was to bring a more dense population to the subdivision, I would not have supported the water/sewer improvement plan.

I also purchased another property in this subdivision, Tract 9A in 2004 and had to pay, once again, \$26,849.00 for the water/sewer assessments.

Natural Gas was brought to our subdivision in 2006, which I also paid for three times.

In 2006, the City of Homer created the “Gateway Business District” which was zoned for business - this included Story Real Estate and was also a somewhat controversial zoning proposition, and another dense portion of our subdivision was created.

This history brings us up to the present rezoning proposal, which has numerous flaws:

- The properties in the Hillside Acres Subdivision on the west side of West Hill road were not designed or sold to create a dense population

- The lots are mostly owned by long term property owners who purchased the properties years ago, and wanted a “rural lifestyle
- The properties in Hillside Acres subdivision can be subdivided even if the zoning remains “Rural Residential” so the zoning change is not necessary (This is evidenced by my need to subdivide in 2019, thus creating Tract 7A and 7B). In order to complete this division, I had to put in another driveway, and pay for another water/sewer and gas assessment - totaling well over \$38,000.00.
- If new property owners move into the subdivision, they would benefit from the water/sewer/ natural gas development and potentially not shoulder any burden on the cost- this seems inequitable.
- The majority of the lots in Hillside Acres Subdivision on the west side of West Hill Road are irregular in shape, there are flag lots, and due to this are not readily available to subdividing.

In conclusion, I am very opposed to the change in zoning of the Hillside Acres Subdivision, particularly to the west of West Hill Road. The majority of the property owners are long term owners, who purchased and developed their respective properties with a certain lifestyle in mind. It is not fair for the city to “change the rules” so to speak, and force these long term residents to potentially live in a vastly changed neighborhood that they did not want. It is already difficult to witness the unprecedented growth to the east side of West Hill Road, as we drive home every day.

Please reconsider this proposed rezoning plan. Thank you.

Sincerely,

*Linda S. Rourke*

Linda Schauer Rourke

[lsrourke@xyz.net](mailto:lsrourke@xyz.net)

(907) 299-0415

**To the Homer City Planning Commission; Regarding the Proposed Zoning Amendment**

We do not support the the Proposed Zoning change.

The Planning Department references the 2018 Comprehensive Plan as the driving force to the rezoning of this area. This document also proposes development of an integrated system of green spaces that benefit the community by protecting corridors for trails, and storm water management. Which has not been addressed in any of the plans or discussion. The most important subject seems to be the ability to build on a 7,500 square foot lot.

The smaller lot size reduces the quality of life for residents. With not enough area to park two cars, guest parking, and other vehicles, such as boat, trailer and four wheeler causing street parking and impacting winter maintenance . Higher housing density results in higher noise levels, which impacts the quality of life in the neighborhoods. A result of smaller lots and no parks, or sidewalks leads to children playing in the street. Additionally the new smaller sized lots could affect the value of older larger sized lots and homes negatively. Smaller lots will effect the areas ecology changing what is best about Homer's character forever.

The 2018 Comprehensive Plan also addresses Transportation, and Public Services and Facilities. The plan states Homer needs to consider the transportation along side all other aspects of community growth. Changes to parking, highway congestion, maintenance, and bicycle and pedestrian safety has not been addressed in any subdivisions or currant discusses. In the Proposed Rezoning Area Soundview Ave and Eric Lane are the only streets with sidewalks. The rest of the areas residential streets have no sidewalks. The areas residents have no green spaces or parks and none appear to be in the zoning plan.

The zoning change does not plan for any costs related to the addition of parks, sidewalks, paving and drainage of the previously zoned RR area. Hillside Place has small very rusty drain culverts that ice up and glaciare the road in the winter. The existing water service at present has a very low pressure, 20-25 psi at my resident. Adding more housing will put a strain on existing utility infrastructure without upgrades.

The Zoning change seems to be led by Planning Department to the benefit of only a few. The areas present residents knew nothing about zoning changes until the Planning Office letter advising of a zoning changes. The City should upgrade the area with parks, green spaces, drainage, sidewalks, paving, and improved utility services before considering the action of allowing 7,500 square foot lots.

Thank You for considering our views.

James Dickson & Shawn Dickson,  
1422 Hillside Place, Homer Alaska 99603

   
April 20, 2022



4/14/2022

City of Homer Planning Office  
491 E Pioneer Avenue  
Homer, AK 99603

To be read at the 4/20/2022 Meeting:

At the last Zoning Commission meeting, we were informed that our concerns about low water pressure in our area and a drainage plan is being looked into. There should be no rezoning until these issues have been addressed and a plan put forth and in place. Also the City's plan is to have more bike paths and open areas for public use have not been addressed in this area that's proposed to be rezoned.

Also at the last meeting it was addressed by Mr. John Faulkner that it should not be for the property owners to defend against the government and their interest with the land developers, but the landowners should be asking if and when they want their area rezoned. It's for government to work for the best interest of the people.

By making smaller homes around us lowers the property values of the established homes.

For these reasons we stand firmly against rezoning from rural to urban in our area.

Arn & Kathy Johnson  
1390 Hillside Place  
Homer, Alaska 99603

907-399-1214

*Arn E Johnson*  
*Kathy L Johnson*



## **PUBLIC HEARINGS**

### A. Staff Report 22-28, Rezone of a Portion of the Rural Residential (RR) Zoning District to Urban Residential (UR) Zoning District

Chair Smith introduced the item by reading of the title.

City Planner Abboud provided a summary of Staff Report 22-28 for the Commission. He reported on the following:

- The previous Comprehensive Plan development had a total of 24 meetings;
  - This document guides the decisions and work of Commission.
  - Helps property owners know what they have when they buy it.
  - This document also guides the future of Homer but does not mean it cannot be changed.
  - The recommendations are based on the values and wishes.
  - Changes that are not in the plan will not be supported, however if there are things that the Commission would like done then changes to the plan should be established first before acting on the change.
- The new UR zone is proposed to continue to the west and is bordered on the south by Gateway Business District and buffers out into the Rural Residential District.
- Water and Sewer has been in planning for the area.
- Clarification on square footage requirements for water and sewer.
- Connections from new roads to existing roads.
- Current or existing uses will be allowed to continued, i.e. mobile home on site can be used until moved from site and cannot be replaced by another.
- Opposition has been submitted by a majority of the affected property owners on Hillside Place.
- There is one letter in support of the action.

Chair Smith opened the public hearing.

Jeanne Walker, Kachemak City, expressed her appreciation for the Planning Commissioners for working on this topic in response to the increased pressure for development in the area. She noted the development has increased and will increase the traffic and expressed her concerns on the impacts to pedestrians and their safety and recommended that the City instill requirements for a six foot shoulder or separated footpath.

Kevin Walker, Kachemak City, expressed that he supports more housing in Homer, but he expressed concerns on the lack of walkability or non-motorized access between subdivision and trail systems, stating that people should have a choice. He then provided the benefits offered by providing non-motorized access and requiring those connections from developers. Mr. Walker then expressed his concerns on the issues regarding stormwater drainage.

Dakota Larson, city resident, explained that he is on the edge of the proposed zoning action and expressed concerns that the rezone would affect the future uses for his property and he did not want limits proposed to future uses since he is situated so close to the bypass.

Scott Adams, city resident, stated that he has watched the City make changes to zoning to their liking dependent on what project comes up and now there are three or four subdivisions being built in the new area. He proceeded to express concerns related to changes to the zoning district and how that

would affect the allowed uses of the property and the original owners existing uses, all because there is a housing shortage, noting that this action is not sitting well with property owners. He further commented that the houses being built on smaller lots mean that kids will not have a safe place to play and homeowners cannot enjoy their property.

Linda Roark, city resident, cited that the statement made by the City Planner rang true to her “you know what you got when you buy it” and that was her issue. She proceeded to provide the timeline for her purchase of the property in the 1990’s and the subsequent costs with installation of water and sewer, natural gas and when she subdivided a lot then purchased additional land. Ms. Roark proceeded to read her written comment into the record. She stated that the properties in the Hillside area are owned by long term residents or owners who purchased their properties because they wanted a rural lifestyle but had the advantages of living within city limits. She expressed her dislike of the proposed zoning change and the unfairness to them for the city to change the rules and force the residents to live in potentially vastly changed neighborhood. Ms. Roark continued stating it was already difficult to witness the unprecedented growth to the east side of West Hill when she conducts her daily drive home.

Larry Cabana, city resident, commented that he lives on the edge of the boundary on the east side and has 2.5 acres. He stated that his brothers and he developed Sunset View Estates, which is a 40 acre tract. He expressed his concern on the increased traffic when he connected roads to West Hill Road. He provided information on installation of sidewalks and the added costs to develop the subdivision. He cannot imagine the additional traffic that will occur when the developer puts in the additional 40-50 homes in the new subdivision. Getting out from the school now is crazy. Mr. Cabana commented on the costs of the lots will not be conducive to low income housing. The paperwork he saw on the difference between Rural Residential compared to Urban Residential means that everything he does on his property is against the law. He expressed frustration on buying his property so he did not have to worry about things like this and he could enjoy himself. He expressed his concerns on the impact that additional density will bring before working on the infrastructure required and would appreciate the City looking at that before doing anything.

Sarah Faulkner, city resident, stated that she is a 32 plus year resident and their requirements when looking at land to purchase was whether it had electricity and running water and they were shown three houses that met their criteria, adding that there was a housing shortage back then. She commented that she had conversations with her neighbors and none of them supported this rezone either. Ms. Faulkner noted that she provided written comments and wanted to express that she believed the issue was with short term rentals and believed that the Planning Commission should address that problem; they have been negligent at looking at that as it is having a direct impact on the housing opportunities for people and that before the City jams this rezone down their throats and further suggest using West Hill Road as the western boundary for the proposed rezone. Ms. Faulkner also express that they purchased their property in 1990 and hooked up to water and sewer but was never advised of the plan to make their area urban residential, never heard that. The mailer was their first notice but it got their attention.

Jon Faulkner, city resident, stated that the commission has heard his comments at the worksession and he provided a letter and hoped that they received it. He expressed that he was absolutely opposed to the rezone but even more opposed to the process and believed it to be fundamentally flawed. In his letter he provided 16 points in opposition and hopes the Commission reads it. He expressed that he never heard of a municipality ever initiating a rezone, that it established a bad precedent and the

primary reason is the conflict of interest that it puts the city in. He continued citing that this action does not represent the city residents and formally requests the Planning Commission to consider the conflicts inherent in the process and expressed his opinion that he believed it to be upside down when the government comes in and initiates the rezone at the expense of the residents.

Jennifer Cabana, city resident, stated that she was informed that West Hill would never touch Shelley Avenue and within a year that changed. She reported on the increased traffic that presents a safety hazard to her children. Ms. Cabana then provided information that she has applied for a grant that offers her the ability to be self-sustainable by growing her own food and maintain a small flock. Urban residential does not allow her to have a flock as large as she currently maintains and while she could be grandfathered in she opposes the rezone as proposed as it does not allow her the choice to do as she wishes with her property.

Karin Holser, city resident, stated that she is outside this rezone, but if they can do it for this big of section then why won't it come down to her neighborhood too, so she agreed with the previous comments that the process is flawed as this is the first she has heard about it. She opposed the 40 lots in the subdivision below her as she thought they should be bigger lots. Property owners bought their lots because they were rural and bigger lots, not to have smaller lots, and that was the whole beauty of it; you were in city limits and had all the great amenities yet you could feel a semblance of rural. Ms. Holser continued by stating she has lived in the Pribilof Islands for 25 years so it's not really rural to her. But she reiterated that she felt the process was flawed and it was wrong to have the sudden change as it was not something they agreed on stressing she did not agree on the forty lots either but there was nothing she could do.

Mark Sass, property owner on Hillside, which he bought for retirement. Mr. Sass provided the reason he purchased the property for the rural area and view-shed within the city limits. He stated that reviewing all the thoughts, speaking with neighbors and everything west of West Hill Road really never intended this to be the density that the city is proposing and like Mr. Faulkner stated as a majority rule we cannot have what we want we can't have because someone else has decided. There are flag lots, large parcels that cannot be rezoned, steepness of the hillside, financial challenges with assessments for water and sewer, the majority of property west was never meant to happen. Density will happen and there is no stopping it but do it smart. East of West Hill Road will present challenges with traffic increased and pedestrian safety. Mr. Sass then recounted a brief experience in the contracting business.

Helen Armstrong, city resident, does not live in the rezone area but expressed her concerns on the lack of development for pedestrian safety especially for the children going to school.

Chair Smith closed the public hearing after verifying with the Clerk that there was no additional members of the audience present wishing to provide testimony. He opened the floor to questions from the Commission.

Commissioner Highland noted that the City Planner may want to offer rebuttal.

City Planner Abboud provided previous steps on developing the Comprehensive Plan and that the plan sets the stage for the future and the City wants the residents to provide input and recommendations. The City has not ulterior motives other than to follow the recommendations of the plan that considers all city residents. The Planning Commission listens to all comments and makes the appropriate decisions. He acknowledged the unacceptable traffic patterns and having to deal with those issues as

well as pedestrian safety but the city is growing up. As for the short-term rentals, the city is aware of that issue and will be dealing with it in the near future.

City Planner Abboud answered and responded to questions and comments from commissioners on the following:

- Processes for initiating rezoning other than what is directed by the Comprehensive Plan.
- Public hearings are part of the rezoning process.
- Rezones are based on needs such as housing, changing conditions to the existing areas, alternate transportation routes in the area.
- This will now go to the City Council and the Commission will include an informed recommendation.
- This rezone appears hurried with a lack of addressing the pedestrian safety and drainage issues before implementation of the rezone.

Deputy City Clerk Krause called for a point of order as the City Planner and Commissioner Barnwell were entering into a one on one conversation.

Chair Smith requested any additional questions from the Commission.

Commissioner Highland requested clarification from the Clerk on whether to continue with questions and when they make a motion and they enter into the discussion as she had a few comments but no real questions and she also had an amendment to the ordinance.

Chair Smith requested a motion and second.

HIGHLAND/BENTZ MOVE TO ADOPT STAFF REPORT 22-28 AND RECOMMEND CITY COUNCIL APPROVE THE PROPOSED AMENDMENTS TO THE ZONING MAP.

Commissioner Highland noted a required correction to the draft ordinance, line 39, on page 33 of the packet.

Chair Smith requested a motion and second.

HIGHLAND BENTZ MOVED TO AMEND THE DRAFT ORDINANCE LINE 39, PAGE 33 OF THE PACKET, THE STATED VERBIAGE SHOULD BE "FROM RR ZONING DISTRICT TO THE UR ZONING DISTRICT"

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested additional discussion on the motion on the floor.

City Planner Abboud facilitated discussion and comments with the Commission on the following:

- Planning for the future while the future was now and the city is behind on addressing things.
- Balancing longtime residents' expectations and meeting the needs of new residents.
- Rezoning is a tool that the Commission has to use to address issues and needs.
- No one likes change.
- Focusing the rezone to the East of West Hill Road.
- Postponing the action to a future meeting.

- Environmentally it is better to have infill rather than sprawl.
- Impacts to traffic and pedestrian safety with increased density.

Chair Smith requested that Commissioner Highland wait to amend the motion until everyone has an opportunity to comment. Commissioner Highland deferred to the Clerk on process.

Commissioner Bentz indicated she had questions for the Planner. City Planner Abboud responded to the following:

- Steepness of the parcels to the west of the area directly opposite of Eric Lane regarding requirements to conform to the proposed district with regard to water and sewer, etc.
- Dimensional Standards would present a challenge but services would be dictated by DEC.
- The water and sewer boundaries as shown on page 51 of the packet.

HIGHLAND/VENUTI MOVED TO AMEND THE MOTION THAT CITY COUNCIL APPROVE A REZONE OF RURAL RESIDENTIAL TO URBAN RESIDENTIAL ON THE EAST SIDE OF WEST HILL OF THE BOUNDARIES THAT ARE SHOWN ON EXHIBIT B.

There was further discussion on compromise for the proposed rezone, concerns on the timing were expressed and hesitation that the amendment or main motion could not be supported.

Public Works Director Keiser approached the podium and requested the opportunity to provide information. Chair Smith requested clarification from the Clerk.

BARNWELL/HIGHLAND MOVED TO ALLOW PUBLIC WORKS DIRECTOR TO SPEAK TO THE COMMISSION.

There was no discussion.

VOTE. NON-OBJECTION UNANIMOUS CONSENT.

Motion carried.

Public Works Director Keiser provided information on the following:

- Use of funding to address concerns on pedestrian safety.
- The increase in development east of West Hill Road providing opportunities.
- More density will increase the buy in on non-motorized transportation.
- Water flow is not an issue as the area is served by a 12 inch line.
- The potential to provide multi-family housing.

Chair Smith requested additional comments and questions.

Commissioner Bentz commented on her review of the plans and services, the proposed Eric Lane development, and that she would support the amendment.

Chair Smith requested the Clerk to restate the motion. Deputy City Clerk was unable to fully restate the amendment proposed by Commissioner Highland. Commissioner Highland restated her amendment.

Commissioner Bentz noted that the proposed amendment got the Commission halfway there and is fulfilling what the Commission is tasked to do.

Commissioner Conley stated that the development that is being done is rural residential.

Deputy City Clerk Krause restated the motion as follows:

APPROVE A REZONE OF RURAL RESIDENTIAL TO URBAN RESIDENTIAL ON THE EAST SIDE OF WEST HILL OF THE BOUNDARIES THAT ARE SHOWN ON EXHIBIT B.

VOTE (amendment). YES. VENUTI, SMITH, HIGHLAND, CONLEY, BENTZ

VOTE (amendment). NO. BARNWELL.

Motion carried.

Chair Smith requested additional discussion on the motion as amended.

City Planner Abboud responded to questions regarding the historical information on the creation of the city's first urban residential zoning

Chair Smith requested the Clerk to perform a roll call vote.

There was confusion on the appropriate motion on the floor and several Commissioners offered explanations of the amendment applying to the main motion for clarification. Deputy City Clerk disseminated for the Commission how the amendment applied to the main motion.

Chair Smith called for the vote on the main motion as amended.

VOTE (main motion as amended). YES. SMITH, HIGHLAND, BENTZ, VENUTI.

VOTE (main motion as amended). NO. BARNWELL, CONLEY.

Motion carried.

Commissioner Highland requested a recess. Chair Smith called for a recess at 8:14 p.m. He called the meeting back to order at 8:25 p.m.

## **PLAT CONSIDERATION**

### **PENDING BUSINESS**

#### A. Planning Commission Regular Meeting Minutes of March 2, 2022 Amended

Chair Smith introduced the item by reading of the title and provided a brief explanation of the issue before the Commission regarding the minutes from the March 2, 2022 regular meeting. He then requested a motion and second.

HIGHLAND CONLEY MOVED TO APPROVE THE MARCH 2, 2022 REGULAR MEETING MINUTES AS PRESENTED.

There was a brief discussion on the action taken by the Clerk to include each commissioners' statements made during the overall discussion. Commissioner Barnwell, as noted on page 64 of the packet, did state that he did not support building codes or a building department at this time.

VOTE. NON-OBJECTION UNANIMOUS CONSENT.

Motion carried.

#### B. Staff Report 22-29, Tiny Homes

Chair Smith introduced the item by reading of the title.





# City of Homer

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## Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rob Dumouchel, City Manager  
DATE: May 24, 2022  
SUBJECT: Rezone of Properties Near Lower West Hill Road from RR to UR

In 2008, the City Council adopted a Comprehensive Plan that called for the rezoning of an area centered on lower West Hill. The rezone would convert rural residential (RR) parcels to urban residential (UR). The intent to rezone remained in the plan when it was refreshed in 2018. In 2022 the City Planner brought forward the rezoning of properties near lower West Hill to be considered by the Planning Commission. An appropriately noticed public hearing was held on April 20, 2022. There was strong opposition from the neighborhood on the west side of West Hill Road. The Planning Commission voted 4-2 to only recommend rezoning only the area to the east of West Hill Road. Administration believes that it is in the best interest of the City to consider rezoning the entirety of the original proposal as it is in alignment with both the existing Comprehensive Plan and the Council's goals for the future.

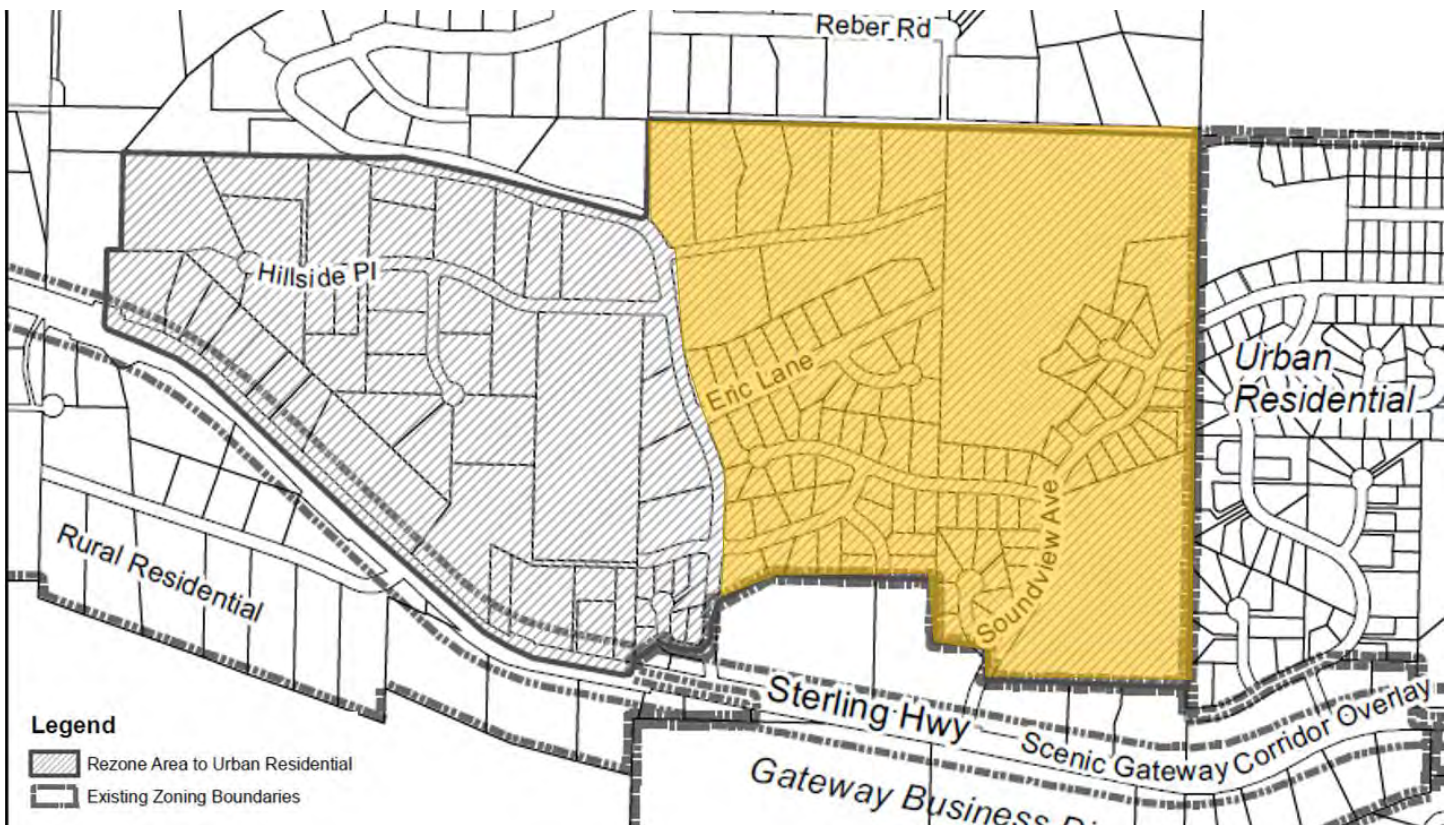


Figure 1: Map of Lower West Hill Rezone Area - Original proposal in shaded area, Planning Commission recommended area overlaid in yellow

There appears to be a high level of consensus that the area east of West Hill Road should be rezoned as proposed. The more contentious topic is the zoning of the west side of West Hill Road. A portion of that neighborhood has come out strongly against change. Many residents have indicated that they do not wish for their property to change and they desire the ability to continue living as they have been for however many years they have been present in the neighborhood. Under the RR to UR rezoning proposal, they do not lose that ability to continue their current lifestyle on their properties as currently configured<sup>1</sup>. What could change, is how their neighbors choose to develop their own private property in the future. UR and RR zone districts are relatively similar. A handful of uncommon land uses are impacted by the change<sup>2</sup>. From my perspective, the most valuable/impactful change is that UR allows for investment in denser housing<sup>3</sup>. The rezone does not force the development of denser housing, but it does make it possible for private property owners who wish to build it.

In March 2022, the City Council conducted a two-day visioning work session that identified a Comprehensive Plan update, Zoning Code modernization, and developing solutions to housing challenges as major priorities. In keeping with that vision, I recommend considering approval of a rezone of the originally proposed area that spans both sides of West Hill Road. Homer has a critical need for more housing over the coming decades, and upzoning neighborhoods is one way that the City can set itself up for success in the long-run by creating opportunity for future development.

Regarding the process thus far, the Planning Commission had the opportunity to review the entire rezoning application but made an advisory recommendation to reduce the rezone area rather than adopt the Administration's recommendation. As such, the rezone presented to the Council does not "materially differ" from the rezone presented but amended by the Planning Commission. Homer City Code 21.95.070 gives the Council legislative authority to adopt rezoning ordinances and states that "the City Council may adopt the amendment as submitted, or with amendments or reject the proposed amendment."

**City Manager Recommendation:** Consider and approve the originally proposed extent of the lower West Hill RR to UR rezone

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<sup>1</sup> See HCC Chapter 21.61 for more on nonconforming uses, structures, and lots

<sup>2</sup> Change to UR would eliminate the availability of the following conditional uses: cemeteries, kennels, commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises, mobile home parks, and public utility facilities and structures.

<sup>3</sup> Lots in RR require a minimum of 10,000 square feet per dwelling unit. Lots in UR require a minimum 7,500 square feet for single-family or duplex dwellings and have the option to provide multi-family dwellings according to floor area and open area requirements

**From:** [krsmith@gci.net](mailto:krsmith@gci.net)  
**To:** [Department Clerk](#)  
**Subject:** Please Share with City Council Members  
**Date:** Monday, July 11, 2022 9:47:41 AM

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

July 11, 2022

Mayor Ken Castner  
Homer City Council Members

RE: Ordinance 22-35

Dear Council Members and Mayor Castner,

Steve and I have lived up West Hill since 1985 and have resided in Homer for 44/45 years. We have watched massive change occur as moose calving areas and birch forests have disappeared on West Hill. On our way home from town there are massive piles of slash left to rot and roads designed with no safe place for children to ride their bikes or moms to push strollers. Change is inevitable; however, change does not have to be detrimental to the very reasons we chose to live here.

Ordinance 22-35 changing the eastern portion of the West Hill area to urban residential is an ordinance that brings a bad solution to a bad problem. I also find that the Planning Commission's response to the public's objections to this change interesting as the ordinance was only applied to the western portion of West Hill. This ordinance is not well planned or engineered. I would consider it a "knee jerk" response. Homer has grown rapidly and without proper planning and land use considerations, nor codes that would institute proper development.

This Ordinance should not be passed; not until the Council has addressed proper planning principles that include safer roads with pedestrian access, as well as much needed planning to address greenspace and wildlife corridors.

Thank you for voting in the best interests of your long-time constituents,

Kim and Steve Smith

*Kim Smith*

P.O. Box 3235  
Homer, Alaska 99603  
907-235-6703 / [krsmith@gci.net](mailto:krsmith@gci.net)

**ORDINANCE REFERENCE SHEET**  
**2022 ORDINANCE**  
**ORDINANCE 22-42**

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.04.120 to Clarify that all New Streets which Serve ad Public Access Corridors shall have Sidewalks.

Sponsor: Davis/Erickson

1. City Council Regular Meeting July 25, 2022 Introduction









# City of Homer

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### Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rob Dumouchel, City Manager  
DATE: July 23, 2022  
SUBJECT: City Manager's Report for June 27, 2022 Council Meeting

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#### **Main Street Sidewalk Construction is Underway!**

As planned, construction began on July 12<sup>th</sup>. The early phases of the project are going very well, however, the contractor is experiencing some supply chain issues which could delay completion until early fall. We will continue to report on this project as it develops.



*Crews working on the Main Street Sidewalk on July 19<sup>th</sup>*

#### **Old Town Sidewalk Meeting**

Economic Development Manager Julie Engebretsen and Public Works Director Jan Keiser are scheduled to host a neighborhood meeting related to sidewalks in Old Town. The City is partnering with Bunnell Street Arts Center to host the event at the gallery on Tuesday, July 26<sup>th</sup>, beginning at 5:00 pm. The City mailed invitations to property owners, and Bunnell staff is spreading the word with neighbors and area residents. The City is in the engineering and design phase for work on West Bunnell Ave and Ohlson Lane. Including sidewalks in the design phase is timely, however there will be tradeoffs and direct impacts for businesses and land owners to consider. The event is intended to present some ideas to the neighborhood and hear their comments and concerns.

### **Sidewalk Progress (Resolution 22-043)**

In May, Council adopted Resolution 22-043 which intended to reconfirm the interest of Council on investing time and resources into non-motorized transportation as well as giving me some direction on things the Council wanted to get underway in the three months that followed. Attached to this report is a memo which outlines progress to date. Additionally, I have attached a memo from Public Works Director Keiser which gives a full overview of the City's open non-motorized transportation-related projects. As I have stated before, this topic in general is a big one that will require some time, however, we're making meaningful progress.

### **Little HERC Demolition**

As a follow up to Resolution 22-055, City staff have been working together to develop potential pathways for the demolition of the "little HERC" building. After a deeper review of the EPA Brownfield grant opportunities available in Alaska, it is apparent that they are not a good fit for our project (programs don't cover demolition, there is a high administrative burden, funds eligible to be disbursed for the HERC are low, etc.). We are instead looking to use the HERC CARMA fund for an option developed by Public Works to bring the building down in spring 2023. Staff intends to submit an ordinance for introduction at the first meeting in August.

### **FY24/25 Budget Prep**

At the first leadership team meeting of the 2023 fiscal year, I distributed budget worksheets to department and division leaders. The first round worksheet is focused on missions, goals, performance metrics, and big ideas. Finance Director Walton is meeting with the leadership team one on one to discuss their visions during the month of July and I will be hosting follow up discussions in August. As a reminder, we are working with a goal of having a complete FY24/25 budget ready to adopt by April 2023. The Budget Development Schedule for FY24/25 is attached to this report.

### **Capital Projects Review**

With the close of FY22, we are doing a review of our open capital projects appropriations. Because of the fiscal year change, the Council's temporary delaying of capital spending during COVID (Resolution 20-050), and supply chain issues, we have quite a few projects which have aged beyond their original three fiscal year windows. The year-end review will have the following outcomes: 1) projects that are complete will be officially closed (if that has not already occurred); 2) some projects will require extensions from Council to allow them to be completed; 3) other projects, that never had a chance to get started but are still needed, will be repackaged into new requests that better fit our current context. Expect to see related ordinances at upcoming Council meetings.

### **Conditional Use Permit Reform Update**

City Planner Rick Abboud worked through the zoning code evaluating conditional uses in all districts. His research has been compiled into a proposal that went to the Planning Commission for discussion on July 20<sup>th</sup>. Because of the volume of information and potential changes, it is expected that the Planning Commission may require several meetings to review the proposal before it's ready to move back up to the Council level. The City Planner estimates that, if the current recommendations hold, we may eliminate over half of the conditional use permits that have been requested in the past decade.

### **Website Updates Underway**

Assistant to the City Manager Christine Drais has been working through various parts of the City's website updating information and sprucing up various department and division pages. The most recent beneficiaries of this work were the Parks and Community Recreation divisions. Christine is working on creating a more

consistent look to the pages with nice visuals on each page that represent the department or division. This is a long-term project that will continue to simmer in the background. Expect to see continuous small improvements at the year goes on.

### **Water/Sewer Rates**

I mentioned this topic in my last report. The work session for this topic has been tentatively rescheduled to the first meeting in August.

### **Fire Truck Leasing**

While discussing the purchase of a pumper/tanker for the Volunteer Fire Department, we spoke frequently of other fleet needs that Council will have to address in the near future. One vehicle that we need to seriously consider integrating into our future fleet to support the growth and development of the City is a ladder truck. Ladder trucks are serious pieces of fire apparatus and come at a considerable cost. As we saw during the major structure fire on Bunnell Avenue in June, they also provide considerable benefits in protecting lives and property. Fire Chief Kirko has been working with manufacturer representatives to discuss options for ladder trucks as well as pricing for leasing them instead of buying them outright. Two example ladder trucks that were recently for sale and available for delivery this year (through the same channels we ordered our pumper/tanker) were priced at a range \$1.3M to \$1.7M depending on equipment. Financing these trucks would range between approximately \$170,000/year and \$216,000/year for a ten year term. I'm not suggesting that the offered financing is the best deal or the right deal for Homer, we haven't completed that analysis, but I want the Council to understand the magnitude of cost that will be required to meet our fire safety needs going into the future. The Chief and I will continue to study this and a considerable amount of work on the topic of the fire fleet will be integrated into the upcoming FY24/25 budget process.

### **Update: State Match for Harbor Expansion Study**

In mid-July we officially received notice of the FY2023 Designated Legislative State Grant of \$750,000 for the Large Vessel Harbor expansion matching funds. As a reminder, these funds, matched with \$750,000 from the City, make up the "local" match for an Army Corps of Engineers General Investigation, which is a major step in the development of large projects undertaken by the Corps. We are continuing to work with federal partners to get the federal half of the funds appropriated and a new/resumed start authorized.

### **Harbor Facility Grant Program Award**

The City was officially awarded an FY23 Tier II Harbor Facility Matching Grant from the State of Alaska DOT&PF in the amount of \$366,000 for cathodic protection in the Port & Harbor. The funding will allow the City to complete a years-long, phased approach to protect over 487 steel piles harbor-wide from corrosion due to electrolysis. This is an important project to finish up. Most of the float system piling predates the 1999 ownership transfer from the State. When originally installed, the pilings were protected from corrosion by a hot-dipped galvanized coating, which is typically effective between 15 and 20 years. Presently, at 36 to 28 years old, the original protective coating is depleted to the point where it was no longer protecting the pile. Utilizing Port and Harbor reserve funds in 2018 and 2021, the City was able to add protection to about 44% of the harbor piling. This grant award will match \$366,000 in City funds to complete protection for the remaining 56%. Once the project goes out to bid and the State issues a grant award agreement, staff will be bringing an Ordinance to City Council for the matching funds.

### **Short Term Rental Discussion on KBB**

I was invited to participate in a KBB Coffee Table discussion on short term rentals (STR) which also featured Councilmember Davis and other community stakeholders involved in housing locally. We had a productive

chat about ways the City can interface with housing challenges in Homer. I have special projects staff working on research related to housing and short term rentals at this time. I expect we will be in a position to host Council work sessions and public meetings in fall/winter this year.

### **New Special Project Coordinator Positions**

The midbiennium budget adjustment passed in April 2022 included the addition of two special project coordinator positions to the city's roster. I formatted these positions as remote work and part-time eligible, a very uncommon configuration in local government jobs. Personnel Director Andrea Browning and I marketed the listing aggressively, and we had a very successful recruitment which drew applications from all over the country. As a result, I have hired and onboarded two new employees.

David Parker joins us as a part-time special projects coordinator working out of Anchorage. David holds an M.A. in Sociology from Georgia Southern University and a PhD in Epidemiology from the University of South Carolina. He has worked with state, county, and local governments for over twenty years on projects involving data identification, collection, management, reporting, and policy analysis. David is also a professor at the University of Alaska Anchorage where his research focuses on the integration of information technology into healthcare to improve health outcomes and reduce costs. David made his first visit to Homer in July and is already engaged in multiple projects with various City departments.

Ryan Foster joined the team in mid-July as a full-time special projects coordinator working as a hybrid (mix of in-person and remote work) employee. Ryan has a B.A. in Geography/Anthropology from the University of Southern Maine and a Master of Planning degree from Dalhousie University in Nova Scotia. Ryan has been a professional planner, working for both public and private employers, for the last 14 years. He most recently worked for the City of Kenai as their planning director. Prior to that he served as the principal planner for Los Alamos County in New Mexico. As much of our special projects work, as outlined by the 2022 visioning process, is very planning heavy, we are very excited to expand our capacity by bringing Ryan on board.

Enclosures:

1. July Employee Anniversaries
2. Memo re: Resolution 22-043 update
3. Memo re: Non-motorized Transportation Progress Report
4. Budget Development Schedule for FY24/25
5. Quarterly report from the SBDC



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## Memorandum

TO: MAYOR CASTNER AND CITY COUNCIL  
FROM: Andrea Browning  
DATE: July 25, 2022  
SUBJECT: July Employee Anniversaries

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I would like to take the time to thank the following employees for the dedication, commitment and service they have provided the City and taxpayers of Homer over the years.

<b>Lori Sorrows</b>	<b>Finance</b>	<b>23</b>	<b>Years</b>
<b>Dan Olsen</b>	<b>Public Works</b>	<b>21</b>	<b>Years</b>
<b>Julie Engebretsen</b>	<b>Planning</b>	<b>20</b>	<b>Years</b>
<b>Rick Abboud</b>	<b>Planning</b>	<b>14</b>	<b>Years</b>
<b>Dave Welty</b>	<b>Public Works</b>	<b>14</b>	<b>Years</b>
<b>David Bernard</b>	<b>Library</b>	<b>11</b>	<b>Years</b>
<b>Jason Hoffman</b>	<b>Public Works</b>	<b>7</b>	<b>Years</b>
<b>Clinton Scritchfield</b>	<b>Police</b>	<b>4</b>	<b>Years</b>
<b>Jason Hanenberger</b>	<b>Public Works</b>	<b>3</b>	<b>Years</b>
<b>Mark Kirko</b>	<b>Fire</b>	<b>3</b>	<b>Years</b>
<b>Owen Meyer</b>	<b>Public Works</b>	<b>1</b>	<b>Year</b>



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## Memorandum

TO: Mayor Castner and Homer City Council  
FROM: Rob Dumouchel, City Manager  
DATE: July 20, 2022  
SUBJECT: Resolution 22-043 Status Update

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Resolution 22-043, a Resolution of the City Council of Homer, Alaska Establishing the City Council's Intention to Promote Sidewalks and Safe Pedestrian Access, was adopted May 9, 2022. The resolution set out a series of ambitious goals to accelerate our pursuit of sidewalks and non-motorized transportation. Staff has put a great deal of effort into furthering these goals and I believe we are doing a good job of meeting the intent of the Resolution. This memo give updates to what has either been accomplished or is currently underway across the last three months.

### **Excerpted memo language with Commentary:**

NOW, THEREFORE BE IT RESOLVED that the City Council intends to pursue, beginning over the next three months, a number of actions to improve safety and a pedestrian and cyclist friendly community for residents and visitors alike:

- 1. Formulate reasonable changes to the Homer City Code to improve safety and pedestrian access on new City streets, including updating minimum road widths and assessing safety surrounding shoulders and ditch steepness.**

The City design manual update was outsourced to a consultant and the draft has been under review by Public Works and Planning. Specific code updates will be driven in large part by the Master Transportation Plan which is coming to Council July 25<sup>th</sup> for introduction.

- 2. Begin the process of updating the nonmotorized transportation plan, an element of the Comprehensive Plan, including a long-term plan for building critical sidewalk infrastructure, and determining the costs to be borne by developers and/or private land owners**

An ordinance for a Master Transportation Plan, which will include non-motorized transportation, is set to be introduced at the July 25<sup>th</sup> Council Meeting.



**3. Support the work of Public Works to catch up and develop a nonmotorized transportation implementation plan, nonmotorized trails, and access in active developments.**

Council approved Ordinance 22-25 on May 23<sup>rd</sup> approving and funding a Non-Motorized Transportation Fund. Public Works is actively collaborating with other departments and working with developers on solutions as construction has started on a few projects.

Additionally, Public Works continues to incorporate sidewalks and non-motorized transportation in new projects, such as West Bunnell Ave and Ohlson Lane reconstruction. In partnership with Bunnell Street Art Center, City Economic Development, and Public Works staff are hosting a neighborhood meeting open dialogue between the City and neighborhood land owners and residents to plan for future sidewalks.

**4. Develop a plan to integrate interested committees/commissions into sidewalk discussion to ensure staff and volunteer efforts are well-coordinated and aligned with Council interests and direction.**

The Mayor held a meeting of all committee/commission/board chairs to discuss coordination efforts to include future sidewalk projects. Staff discussions between the City Manager, Planning, and Economic Development have been held to strategize future actions. PARCAC and EDC had information and discussion at their June meetings. Communication will continue with an invitation to attend the early fall trail symposium, and follow the Homer Drawdown policy conversation.

**5. Establish a strategic plan for funding road safety improvements on existing roads.**

Public Works has financial plans in place that are updated as the context changes.

**6. Hold a series of work sessions for Council to work through these issues as a body alongside the administration.**

A work session was held May 23<sup>rd</sup> on sidewalks. Economic Development Manager Julie Engebretsen is currently scoping a potential off-cycle work session for later in August. We expect more to be triggered by the Master Transportation Plan if approved. There is also significant staff involvement in a trail summit with a local stakeholder group planned for later this year.



## Memorandum

TO: City Council  
THROUGH: Rob Dumouchel, City Manager  
FROM: Janette Keiser, PE, Director of Public Works  
DATE: July 18, 2022  
SUBJECT: Non-motorized Transportation – Progress Report

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I. **Issue:** The purpose of this Memorandum is to provide a status report on the various non-motorized transportation projects we've been working on, particularly since the creation of the Non-Motorized Transportation Opportunity Fund.

II. **Status Report:**

- A. **Main Street Sidewalk.** This project is under construction. The contractor is experiencing supply issues, which could delay completion until early fall.
- B. **Ben Walters Sidewalk.** The design is now 35% complete and undergoing review. Our plan is to advertise this project in late 2022 and build it during the 2023 construction season.
- C. **Fairview Avenue West.** We are waiting for the developer's contractor to complete the re-grading of the area so we know what the final contours will be. At that point, we will continue the design process for the pathway. We are still planning to construct this season.
- D. **Adams Lane, from East End Road to Jack Gist Park.** The bike path design is 80% complete. We will be soliciting bids, using the "Fax Back" small project bid process, in the near future. This improvement should be constructed this season.
- E. **Lee Avenue Path.** The undeveloped ROW of Lee Ave, between Heath Street and Kachemak Way has been brushed out by the Homer Drawdown Volunteer Trails Team, with Parks Division supervision. It will be finished as a Level 3 path this season.
- F. **Wright Street Path.** The undeveloped ROW of Wright Street, between Rangeview and Fairview, has been brushed out by the Homer Drawdown Volunteer Trails Team, with Parks Division supervision. It will be finished as a Level 3 path this season.
- G. **Woodard Creek Trail.** This nature trail has been improved by the Homer Drawdown Volunteer Trails team, with Parks Division supervision.
- H. **Ohlson Lane/Bunnell Ave.** We are exploring using the pavement restoration project as a vehicle for adding sidewalks into this busy commercial neighborhood. We will be hosting a neighborhood meeting on July 26 to talk about options with the local property owners.

- I. **West Hill Connection.** This project involves a bike path on the east side of West Hill Road between Eric Lane and the Sterling Highway. A contract for design has been issued to Bishop Engineering, the engineer-of-record for the nearby Foothills Subdivision, who will also help us negotiate with the AK DOT for permission to use the West Hill ROW.
- J. **Misc. pedestrian easements.** A variety of pedestrian easements exist on paper in multiple subdivisions. We are having these easements surveyed and marked in the field so people don't forget they exist. For example, we recently discovered HEA installed a power pedestal in the middle of a pedestrian easement on Quiet Creek Subdivision, thereby impeding its use for non-motorized purposes.
- K. **Regulatory framework.** We are continuing to work on developing enforceable regulations to facilitate and protect non-motorized transportation. For example, at the July 25 Council meeting, we will be presenting proposed regulation that would enable us to better address obstructions in the rights-of-way and pedestrian easements. For example, there are people on Soundview Avenue and Mullikin Street, who regularly park on the raised path, requiring non-motorized traffic to veer off the path and into the road.
- L. **Transportation planning.** We are introducing legislation regarding an update to Homer's Master Transportation Plan, which will include a chapter on non-motorized transportation as well as on traffic calming ideas generally.
- M. **Maintenance planning.** We are researching more effective ways to keep Homer's sidewalks, paths and trails accessible in the winter. The Tool Cat is slow and limited in what it can do. As we build more non-motorized routes, it will no longer be enough to keep up with demand. We are evaluating a new piece of equipment, like what is used in Soldotna, to more efficiently keep non-motorized routes clear. This would enable us to help the State with their sidewalks as well.
- N. **Kachemak Drive Bike Path.** We've had multiple conversations with the State about building a bike path on Kachemak Drive. It's clear the State has no interest in doing this as a State-project, but the State would be open to Homer doing it as a City project. We will soon be introducing the concept of doing at least the design, as a City project, once the Ben Walters Sidewalk design is completed.

**City of Homer**  
**Budget Development Schedule**  
**for Fiscal Year 2024 and 2025**

Dates	Event
1/10/2022	Preliminary Budget Development Schedule introduced to Council
July 2022	Begin FY24/25 budget discussions with departments
7/25/2022	Final Budget Development Schedule approved by Council
August - October 2022	Budget Worksessions
10/24/2022	Committee of the Whole, Council to discuss budget priorities for the coming year
	Regular Meeting, Public Hearing - public input on budget priorities for the coming year
End of December 2022	Submit to departments, budget work sheets including salary and fringe benefit costs
1st January 2023 Meeting	During Committee of the Whole, Council to discuss Revenue Sources for General Fund and preliminary budget assumptions.
End of January 2023	Departmental Draft Budget and narratives to Finance
Mid-February 2023	Compile data and return copy to departments for review
End of February 2023	City Manager - Budget Review with Finance Director and Department Heads
2nd March 2023 Meeting	City Manager's Budget (Proposed Budget) to Council
	Committee of the Whole, Council to discuss budget
	Regular Meeting - Public Hearing
1st April 2023 Meeting	Committee of the Whole, Council to discuss budget
	Regular Meeting - to introduce Budget Ordinance and Fee/Tariff Resolutions
2nd April 2023 Meeting	Committee of the Whole, Council to discuss budget
1st May 2023 Meeting	Committee of the Whole, Council to discuss budget
	Regular Meeting - Public Hearing
2nd May 2023 Meeting	Regular Meeting - Public Hearing & FY 24/25 Budget Adoption



July 12, 2022

City of Homer  
491 E. Pioneer Ave  
Homer, AK 99603

Dear Mayor Castner, City Council, and City Staff,

This letter serves as our quarterly report for the period April 1 to June 30, 2022. The Homer Business Advisor, Robert Green, has been busy this quarter working with clients preparing for summer tourist season. In May, the Kenai Peninsula Borough increased SBDC funding, which reduced the requirement from the City of Homer from \$25,000 to \$10,000 for the next fiscal year. There is strong demand for SBDC services in Homer, with 29% of our active peninsula clients in the area, so local support to retain the Homer Business Advisor position is crucial for the local economy. We are doing our best to keep the financial burden low for the City of Homer, so we can continue to provide excellent local support to business owners and entrepreneurs in the area. Here is a summary of deliverables to the Homer community during the quarter (year):

Client Hours: 132.1 (328.5)	Jobs Supported: 152 (266)
Total Clients: 34 (77)	Capital Infusion: \$933,400 (\$1,116,900)
New Businesses Started or Bought: 3 (8)	Client Surveys: 80% positive (88% positive)

The contract rate for a business advisor is \$55 per hour, which includes salary, benefits, fixed, and administrative expenses. In addition to local expertise, the Alaska SBDC provides IBISWorld industry reports, retailing for \$925 each, and ProfitCents financial analyses, valued at \$2,750 each, to clients free of charge. Here is a summary of value provided to the Homer community during the quarter (year):

Business Advisor: \$13,860 (\$27,555)  
IBISWorld Industry Reports: \$10,175 (\$19,425)  
ProfitCents Financial Analyses: \$8,250 (\$24,750)  
Total: \$32,285 (\$71,730)

We would like to thank the City of Homer for their support of the Homer Business Advisor position. Not only has Robert excelled in Homer, but he has become a valued part of the Alaska SBDC staff. We greatly appreciate the knowledge, experience, and consistency he brings to our team. Please do not hesitate to contact us if you have any questions.

Sincerely,

DocuSigned by:

*Jon Bittner*

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Jon Bittner

Executive Director  
Alaska SBDC