



Agenda

Planning Commission Regular Meeting

Wednesday, February 19, 2025 at 6:30 PM

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

Homer City Hall

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

Zoom Webinar ID: 979 8816 0903 Password: 976062

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

CALL TO ORDER, 6:30 P.M.

AGENDA APPROVAL

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

RECONSIDERATION

- A. Ordinance 25-xx, Amending the Homer City Zoning Map at 4787 Kachemak Drive, Staff Report 25-006, Commissioner Barnwell

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

- A. Unapproved Regular Meeting Minutes of February 5, 2025

PRESENTATIONS / VISITORS

REPORTS

- A. City Planner's Report, Staff Report 25-007

PUBLIC HEARINGS

PLAT CONSIDERATION

- A. Bayview Gardens Subdivision Addition 1 Bohrer 2025 Replat Preliminary Plat, Staff Report 25-008
- B. Baycrest Subdivision 2025 Replat Preliminary Plat, Staff Report 25-009

PENDING BUSINESS

NEW BUSINESS

- [A.](#) Ordinance 25-xx, 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 East End Mixed Use (EEMU) Zoning District, Staff Report 25-006

Memorandum PC-25-001 from Deputy City Clerk as backup

- [B.](#) Potential CUP Moratorium Applied to Coastal Lots with Multiple Structures, Memorandum 25-011

INFORMATIONAL MATERIALS

- [A.](#) 2025 Planning Commission Calendar

- [B.](#) 2025 Planning Commission Meeting Dates and Submittal Deadlines

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

COMMENTS OF THE COMMISSION

ADJOURNMENT

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



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Memorandum PL25 – 010

TO: Homer Advisory Planning Commission
FROM: Ryan Foster, City Planner
DATE: February 19, 2025
SUBJECT: Reconsideration of Ord 25-XX AMENDING THE HOMER CITY ZONING MAP 4787 Kachemak Drive

Introduction:

At the February 5, 2025 Regular Planning Commission Meeting a public hearing was held for Ord 25-XX amending the Homer City zoning map at 4787 Kachemak Drive. On February 6, 2025, Commissioner Barnwell issued a timely notice for reconsideration on the approval of Ord 25-XX amending the Homer City zoning map at 4787 Kachemak Drive.

Commissioner Barnwell noted the following reasoning for the notice of reconsideration:

1. Spot zoning concern: I am very concerned this rezone could be viewed as a spot zoning action. Putting a mixed use isolated parcel in the middle of a rural residential zone. This area should perhaps be reconsidered at some point as an addition to the mixed use zone to the north. Until this happens, this application for a rezone should be denied.
2. Wetlands concern: despite the applicant's COE permit, this cuts into an important wetland zone. This application is too early for this application given the Comp Plan update is in process, and code revision upcoming. This particular area of East End Homer needs reconsideration for zoning and wetlands conservation.
3. A sloppy and inaccurate application: The depiction of land use is not accurate, e.g. buildings shown on the map/drawing are from an earlier plan, instead of what they plan now. This drawing should also be drawn in a more professional manner, for example in CAD. The maps are poor and don't clearly explain the location, The intro aerial map is hardly understandable: poor imagery; difficult to see application in context of city. Map of this quality should not be submitted. Can do better than this in these applications.

Action:

The Planning Commission will vote on whether to reconsider Ord 25-XX amending the Homer City zoning map at 4787 Kachemak Drive. All Planning Commissioners need to disclose any ex parte communications they have had regarding this application.

CALL TO ORDER

Session 25-02, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on February 5th, 2025 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONER BARNWELL, VENUTI, S. SMITH, SCHNEIDER, & STARK

ABSENT: COMMISSIONER CONLEY & H. SMITH (BOTH EXCUSED)

STAFF: CITY PLANNER FOSTER & DEPUTY CITY CLERK PETTIT

AGENDA APPROVAL

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

SCHNEIDER/BARNWELL MOVED TO ADOPT THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERAS AREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- A. Unapproved Regular Meeting Minutes of January 2, 2025

Chair S. Smith requested a motion and second to adopt the consent agenda.

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

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

- A. Staff Report 25-001, City Planner's Report

City Planner Foster reviewed his staff report included in the packet, covering the following:

- Comprehensive Plan Update
- Update regarding a Landslide Hazard Susceptibility Mapping worksession
- Next Regular Meeting on Wednesday, February 19, 2025
- Next Commissioner report to Council on February 10, 2025 (Commissioner Stark)

PUBLIC HEARINGS

- A. Ordinance 25-xx, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.16 Residential Office District, 21.24 General Commercial 1 District, and 21.26 General Commercial 2 District, Adding Studios as a Permitted Use in Each District, Staff Report 25-02

Public Comment Received

Additional Public Comment Received

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

Chair S. Smith opened the public hearing period.

Breezy Berryman, city resident, spoke in favor of the zoning text amending, claiming that it's nearly impossible for her to find any buildings for sale/lease in any of the zoning districts where studios are permitted.

Chair S. Smith closed the public hearing period and opened the floor for comments/questions from the Commission.

SCHNEIDER/STARK MOVED TO RECOMMEND APPROVAL OF THE PROPOSED TEXT AMENDMENT TO THE HOMER CITY COUNCIL ALLOWING STUDIO AS A PERMITTED USE IN THE GENERAL COMMERCIAL 1, GENERAL COMMERCIAL 2, AND RESIDENTIAL OFFICE DISTRICTS.

There was no additional discussion.

Chair S. Smith requested the Clerk to perform a roll-call vote.

VOTE: YES: S. SMITH, SCHNEIDER, STARK, BARNWELL.

VOTE: NO: VENUTI.

Motion carried.

- B. Ordinance 25-xx, 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 East End Mixed Use (EEMU) Zoning District, Staff Report 25-006

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

Chair S. Smith opened the floor for the Applicant.

Safron Kusnetsov noted that he and his family work in the commercial fishing industry, which has taken a steep dive in the last two years. He elaborated that they've owned the property under review for about 7 years. Mr. Kusnetsov stated that they're hoping to store their equipment on the property and potentially build a processing floor sometime in the future.

Chair S. Smith then opened the public hearing period.

Kiirsten Styvar, city resident, noted that she and her husband own one of the lots directly across from the proposed area. She stated that she wants to and loves to support local seafood operations, but shared concerns she had regarding noise levels and equipment storage.

Chair S. Smith closed the public hearing period and opened the floor for comments/questions from the Commission.

Multiple commissioners raised concerns as to whether or not this rezone, if approved, would be classified as "spot zoning."

Commissioner Venuti asked the Applicant why he needed six cabins on-site for processing fish. Mr. Kusnetsov stated that the cabins aren't needed, and that the original plan with the land was to build rentals.

SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT PL 25-006 AND RECOMMEND APPROVAL TO THE HOMER CITY COUNCIL OF THE ZONING MAP AMENDMENT TO REZONE A PORTION OF THE RURAL RESIDENTIAL ZONING DISTRICT TO EAST END MIXED USE ZONING DISTRICT.

Commissioner Stark noted that much of the property in that area along the western side of Kachemak Drive is predominately industrial and commercial businesses. He added that the Applicant seems diligent about keeping the property tidy, and that he doesn't foresee this having a significant impact on the surrounding properties.

Chair S. Smith requested the Clerk to perform a roll-call vote.

VOTE: YES: S. SMITH, SCHNEIDER, STARK, BARNWELL.

VOTE: NO: VENUTI.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

Deputy City Clerk Pettit thanked everyone for a good meeting.

COMMENTS OF THE MAYOR/COUNCILMEMBER (If Present)

COMMENTS OF THE COMMISSION

Commissioner Venuti thanked everyone for their service tonight. He added that he isn't a big fan of changing zones, especially when people invest in certain zones.

Commissioner Stark thanked everyone for a good meeting.

Commissioner Schneider thanked everyone for their service.

Commissioner Barnwell thanked everyone for a good meeting.

Chair S. Smith thanked the City Staff for their work.

ADJOURN

There being no further business to come before the Commission, Chair S. Smith adjourned the meeting at 7:42 p.m. The next Regular Meeting is scheduled for **Wednesday, February 19th, 2025 at 6:30 p.m.** All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Zach Pettit, Deputy City Clerk I

Approved: _____



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Staff Report Pl 25-007

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
DATE: February 19, 2025
SUBJECT: City Planner's Report

Comprehensive Plan Update

The Draft Comprehensive Plan is available for public review through March 14, 2025. For more information and to comment on the draft plan go to: <https://homercompplanupdate.com/>

Work Session Presentation

I have contacted Barrett Salisbury regarding a presentation on the Landslide Hazard Susceptibility Mapping in Homer and are working on scheduling a date in March. Once confirmed, I'll notify the Planning Commission.

Meeting Schedule

The next regular meeting date is Wednesday, March 5, 2025.

Commissioner Report to Council

2/24/25 _____



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Staff Report 25-008

TO: Homer Planning Commission **25-008**
FROM: Ryan Foster, AICP, Acting City Planner
DATE: February 19, 2025
SUBJECT: Bayview Gardens Subdivision Addn. 1 Bohrer 2025 Replat

Requested Action: Approval of a preliminary plat to vacate the lot line between Lot 15 and Lot 16.

General Information:

Applicants:	Bohrer-Nagamine Revocable Trust 818 Smoky Bay Way #271 Homer, AK 99603	Seabright Survey & Design 1044 East End Rd, Suite A Homer, AK 99603
Location:	NW side of East Hill Road at the intersection with Rosebud Court.	
Parcel ID:	17359516 and 17359515	
Size of Existing Lot(s):	0.63 acres and 0.70 acres	
Size of Proposed Lot:	1.335 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant and Residential	
Surrounding Land Use:	North: Residential South: Residential East: Residential West: Residential	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	No wetlands present.	
Flood Plain Status:	Not in a floodplain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are present on Rosebud Ct. & East Hill Rd.	
Public Notice:	Notice was sent to 52 property owners of 45 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat vacates the common lot line between Lot 15 and Lot 16 resulting in Lot 15-A of 1.335 acres.

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 utility easement is shown as a 15' easement granted by this plat and is also specified in Note #1. A 15' utility easement is depicted on the plat.

- 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: City sewer and water mains are located on Rosebud Court & East Hill Road, as referenced in Note #3 of the plat.

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

Staff Response: The plat meets these requirements.

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. *No such areas are proposed.*

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements. No new roads are dedicated.

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

Staff Response: The plat meets this requirement. Areas over 20 percent grade are indicated on the plat.

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

Staff Response: The plat recognizes these requirements. As indicated from Note #6, 2018-00416-0 Notice of Encroachment Violation – Unpermitted Driveway. Per the Notice of Encroachment Violation, “The violation may be remedied by bringing the driveway into compliance with State driveway installation standards applicable as of the date the owner applies to the State for a permit to remedy violation. Final inspection, approval by the State and issuance of a permit will remedy this violation.”

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

Staff Response: The plat meets these requirements.

Public Works Comments: The property owner will need to abandon the municipal water service for former lot 16 at the main and is aware of this requirement.

Staff Recommendation:

Planning Commission recommends approval of the preliminary plat with the following additional comments.

1. The property owner shall abandon the municipal water service for former lot 16 at the main.

Attachments:

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

NOTES

1. THE FRONT 15' ALONG THE RIGHT-OF-WAY UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
3. THIS LOT IS SERVED BY CITY OF HOMER WATER AND SEWER.
4. NO ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY PERMITTED UNLESS APPROVED BY THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION.
5. THERE IS A RIGHT-OF-WAY EASEMENT OF NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. PER BK 29 PG 211 HRD, RELEASED WITH RESERVATIONS PER BK 107 PG 507 HRD, AND AMENDED PER BK 109 PG 501 HRD.
6. THERE IS A NOTICE OF ENCROACHMENT VIOLATION PER #2018-000416-0 HRD.
7. THERE ARE SANITARY SEWER EASEMENTS GRANTED TO THE CITY OF HOMER PER #2023-000661-0 HRD & #2023-000662-0 HRD.
8. THIS PLAT WAS PREPARED FOR THE VACATION OF THE COMMON LINE BETWEEN LOT 15 & LOT 16. NO SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATE AS SHOWN ON PLAT HM 76-104.

WASTEWATER DISPOSAL

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

LEGEND

APPROX. AREAS OF 20% SLOPE OR GREATER (KPB GIS)

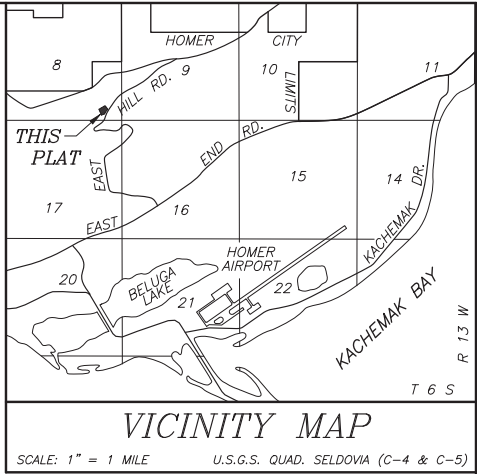
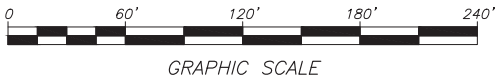
PLAT APPROVAL

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

BY: _____ AUTHORIZED OFFICIAL DATE _____ KENAI PENINSULA BOROUGH



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BEARING	CH. LENGTH
C1	121.51'	355.00'	19°36'39"	S32°52'16"W	120.91'
C2	16.44'	20.00'	47°05'15"	S46°27'22"W	15.98'



CERTIFICATE OF OWNERSHIP

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

CARSON BOHRER, TRUSTEE
BOHRER-NAGAMINE REVOCABLE TRUST
11110 CAMINITO RODAR
SAN DIEGO, CA, 92126

NOTARY'S ACKNOWLEDGMENT

FOR: CARSON BOHRER
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2025

NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

HOMER RECORDING DISTRICT KPB FILE NO. 2025-XXX

BAYVIEW GARDENS SUBD. ADDITION 1
BOHRER 2025 REPLAT

A REPLAT OF LOT 15 & LOT 16, BLOCK 7, BAYVIEW GARDENS SUBDIVISION ADDITION 1 (HM 76-104), LOCATED WITHIN THE SE1/4, SECTION 8, T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 1.335 AC

SEABRIGHT SURVEY + DESIGN
KATHERINE A. KIRSIS, P.L.S.

1044 EAST END ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1580

CLIENTS: BOHRER-NAGAMINE REVOCABLE TRUST
818 SMOKY BAY WAY #271 HOMER, AK 99603

DRAWN BY: KK	CHKD BY: KK	JOB #2024-41
DATE: 01/2025	SCALE: 1"=60'	SHEET #1 OF 1

SEABRIGHT SURVEY + DESIGN

Katherine A. Kirsis, P.L.S.

1044 East End Road Suite A

Homer, Alaska 99603

907.299.1580

seabrightsurvey@gmail.com

January 30, 2025

City of Homer
491 East Pioneer Ave
Homer, AK 99603

RE: Preliminary Submittal for "Bayview Gardens Subd. Addition 1 Bohrer 2025 Replat"

Dear Planning Department,

We are pleased to submit the above referenced preliminary plat for your review.
Included in this submittal packet you will find:

- 1 full size plat copy
- 1 11x17 plat copy
- Signed KPB plat submittal form
- Check for \$300 plat review fee

In addition, we have emailed you a digital copy of the 11x17 plat.

Please let us know if there are any concerns or clarifications we can address.

Cordially,

Katherine A. Kirsis

Katherine A. Kirsis, PLS
Seabright Survey + Design

RECEIVED

JAN 30 2025

CITY OF HOMER
PLANNING/ZONING

NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Bayview Gardens Subd. Addition 1 Bohrer 2025 Replat Preliminary Plat

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

A public meeting will be held by the Homer Planning Commission on Wednesday, February 19, 2025 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

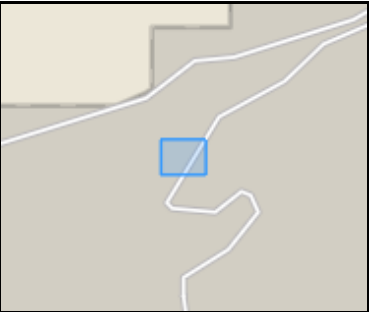
Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for February 14, 2025 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

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



Legend

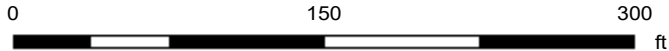
Transportation

Mileposts



Parcels and PLSS

Tax Parcels



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



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Planning

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Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Staff Report 25-009

TO: Homer Planning Commission **25-009**
FROM: Ryan Foster, City Planner
DATE: February 19, 2025
SUBJECT: Baycrest Subdivision 2025 Replat

Requested Action: Approval of a preliminary plat to vacate the lot lines between Baycrest Subdivision Lots 15 and 16 and Lots 16 and 17. This preliminary plat establishes a new lot line between a proposed Lot 15-A and Lot 17-A.

General Information:

Applicants:	Clinton Pourciau, Julie Pourciau, Karen A. Seneff 2298 Mount Augustine Drive Homer, AK 99603	Seabright Survey & Design 1044 East End Rd, Suite A Homer, AK 99603
Location:	South of Sterling Highway at Mount Augustine Drive	
Parcel ID:	17521015, 17521016, and 17521017	
Size of Existing Lot(s):	0.37 acres, 0.35 acres and 0.29 acres	
Size of Proposed Lots(s):	0.53 acres and 0.51 acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Vacant and Residential	
Surrounding Land Use:	North: Sterling Highway and Vacant South: Ursula Avenue, Vacant, and Residential East: Residential West: Accessory Building	
Comprehensive Plan:	1-C-1 Promote infill development in all housing districts.	
Wetland Status:	Wetland/ Upland Complex.	
Flood Plain Status:	Not in a floodplain.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City water and sewer are available.	
Public Notice:	Notice was sent to 33 property owners of 31 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat vacates the lot lines between Baycrest Subdivision Lots 15 and 16 and vacates the lot line between Lots 16 and 17. A new lot line is placed between a proposed Lot 15-A of 0.53 acres and Lot 17-A of 0.51 acres. This reduces the number of lots from three to two.

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 this requirement. The plat illustrates a 15-foot utility easement.

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

Staff Response: The plat meets this requirement.

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

Staff Response: The plat meets these requirements.

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. *No such areas are proposed.*

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements. No new roads are dedicated.

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

Staff Response: The plat meets this requirement. Areas over 20 percent grade are indicated on the plat.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments: Public Works staff reviewed the plat and have no comments.

Staff Recommendation:

Planning Commission recommends approval of the preliminary plat.

Attachments:

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

NOTES

1. THE FRONT 15' ALONG THE RIGHT-OF-WAY IS A UTILITY EASEMENT GRANTED THIS PLAT. NO PERMANENT STRUCTURE SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE THE EASEMENT.
2. DEVELOPMENT OF THESE LOTS IS SUBJECT TO THE CITY OF HOMER ZONING REGULATIONS. REFER TO HOMER CITY CODE FOR ALL CURRENT SETBACK AND SITE DEVELOPMENT RESTRICTIONS. OWNERS SHOULD CHECK WITH THE CITY OF HOMER PRIOR TO DEVELOPMENT ACTIVITIES.
3. THERE IS A RIGHT-OF-WAY EASEMENT OF NO DEFINED LOCATED GRANTED TO HOMER ELECTRIC ASSOCIATION, INC. PER BK 60 PG 129 HRD.
4. THERE IS AN AGREEMENT FOR USE OF UNDEVELOPED RIGHT-OF-WAY GRANTED TO THE CITY OF HOMER PER #2002-005071-0 HRD.

RECEIVED

JAN 30 2025

CITY OF HOMER
PLANNING/ZONING

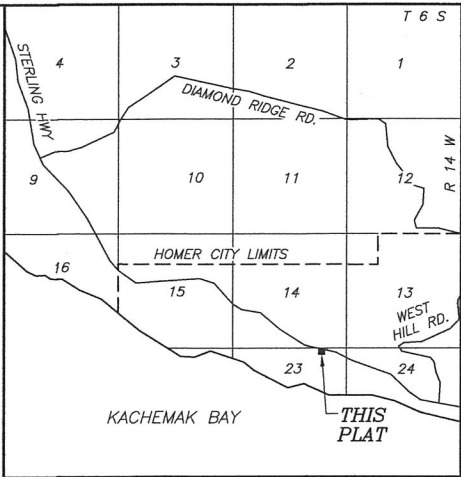
STERLING HIGHWAY
R/W WIDTH VARIES

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2025
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2025
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



VICINITY MAP

SCALE: 1" = 1 MI. U.S.G.S. QUAD. SELDOVA (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 USE SHOWN HEREON.

CLINTON POURCIAU
2298 MOUNT AUGUSTINE DR.
HOMER, AK 99603
FORMER LOTS 15 & 16

JULIE POURCIAU
2298 MOUNT AUGUSTINE DR.
HOMER, AK 99603
FORMER LOTS 15 & 16

KAREN A. SENEFF
2298 MOUNT AUGUSTINE DR.
HOMER, AK 99603
FORMER LOT 17

WASTEWATER DISPOSAL

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

PLAT APPROVAL

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

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH
DATE _____

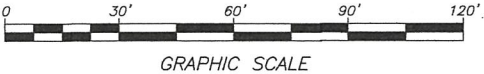
LEGEND

- FND 1" IP
⊕ FND 5/8" REBAR
● FND 1/2" REBAR

----- OVERHEAD POWERLINE
[Symbol] APPROX. AREA WETLAND/UPLAND COMPLEX
(KWF WETLANDS ASSESSMENT, KPB GIS)
[Symbol] APPROX. AREAS OF 20% SLOPE OR GREATER (KPB GIS)

NOTARY'S ACKNOWLEDGMENT

FOR: _____
ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2025
NOTARY PUBLIC FOR ALASKA
MY COMMISSION EXPIRES _____



HOMER RECORDING DISTRICT KPB FILE NO. 2025-

BAYCREST SUBDIVISION 2025 REPLAT

A SUBDIVISION OF LOTS 15, 16 & 17, BAYCREST SUBDIVISION (HM 67-482), LOCATED IN THE NE1/4 NE1/4 SEC. 23, T. 6 S., R. 14 W., SEWARD MERIDIAN, KENAI PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA

CONTAINING 1.04 ACRES

SEABRIGHT SURVEY + DESIGN

KATHERINE A. KIRSIS, P.L.S.

1044 EAST END ROAD, SUITE A
HOMER, ALASKA 99603
(907) 299-1580

CLIENTS: CLINTON POURCIAU, JULIE POURCIAU & KAREN A. SENEFF
2298 MOUNT AUGUSTINE DR., HOMER, AK 99603

DRAWN BY: KK CHKD BY: KK JOB #2024-109
DATE: 01/2025 SCALE: 1"=30' SHEET #1 OF 1

SEABRIGHT SURVEY + DESIGN

Katherine A. Kirsis, P.L.S.

1044 East End Road Suite A

Homer, Alaska 99603

907.299.1580

seabrightsurvey@gmail.com

January 30, 2025

City of Homer
491 East Pioneer Ave
Homer, AK 99603

RE: Preliminary Submittal for "Baycrest Subdivision 2025 Replat"

Dear Planning Department,

We are pleased to submit the above referenced preliminary plat for your review. Included in this submittal packet you will find:

- 1 full size plat copy
- 1 11x17 plat copy
- 1 11x17 asbuilt diagram
- Signed KPB plat submittal form
- Check for \$300 plat review fee

In addition, we have emailed you a digital copy of the 11x17 plat.

Please let us know if there are any concerns or clarifications we can address.

Cordially,

Katherine A. Kirsis

Katherine A. Kirsis, PLS
Seabright Survey + Design

RECEIVED

JAN 30 2025

**CITY OF HOMER
PLANNING/ZONING**

NOTICE OF SUBDIVISION

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

Proposed subdivision under consideration is described as follows:

Baycrest Subdivision 2025 Replat Preliminary Plat

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

A public meeting will be held by the Homer Planning Commission on Wednesday, February 19, 2025 at 6:30 p.m. In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603. To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

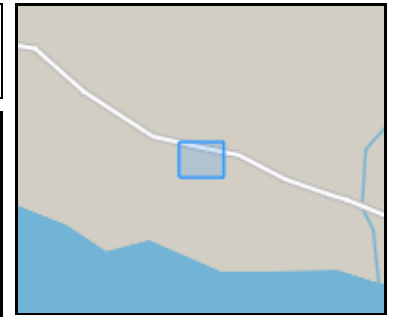
Passcode: 976062

Additional information regarding this matter will be available by 5 p.m. on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for February 14, 2025 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

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

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



Legend

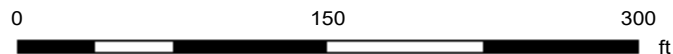
Transportation

Mileposts



Parcels and PLSS

Tax Parcels



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



MEMORANDUM

Reconsideration – Ordinance 25-XX, Amending the Homer City Zoning Map at 4787 Kachemak Drive

Item Type: Backup Memorandum
Prepared For: Planning Commission
Date: February 19, 2025
From: Zach Pettit, Deputy City Clerk II

Background: The packet materials from the February 5th, 2025 Planning Commission Regular Meeting regarding Ordinance 25-XX, Amending the Homer City Zoning Map at 4787 Kachemak Drive, have been re-attached to this packet in the event that the Commission votes to reconsider the proposed ordinance. If the Commission votes against reconsideration at this time, the attachments need not apply. If the motion to reconsider is carried, the motion from the February 5th, 2025 Planning Commission Regular Meeting will be back on the floor, as follows: “SCHNEIDER/BARNWELL MOVED TO ADOPT STAFF REPORT PL 25-006 AND RECOMMEND APPROVAL TO THE HOMER CITY COUNCIL OF THE ZONING MAP AMENDMENT TO REZONE A PORTION OF THE RURAL RESIDENTIAL ZONING DISTRICT TO EAST END MIXED USE ZONING DISTRICT.”

Requested Action: Discuss and vote on whether or not the Commission wishes to approve the proposed Ordinance 25-XX, Amending the Homer City Zoning Map at 4787 Kachemak Drive.



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

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

STAFF REPORT PL 25-006

TO: Homer Planning Commission
FROM: Ryan Foster, City Planner
MEETING: February 5, 2025
SUBJECT: Application amending Zoning Map via Ordinance

Requested Action: Conduct a public hearing and recommend approval of the zoning map amendment to the Homer City Council

GENERAL INFORMATION

The applicant requests a change in zoning from Rural Residential to East End Mixed Use.

Applicant: Safron Kusnetsov
48881 Morrison Drive
Homer, AK 99603

Location: 4787 Kachemak Drive

Legal Description: T 6S R 13W SEC 14 SEWARD MERIDIAN HM 0880003 - RS THAT PORTION OF LOT 29 LYING WESTERLY OF KACHEMAK DRIVE RECORD OF SURVEY 88-03

Parcel ID: 17909010

Size of Existing Lot: 1.03 acres

Zoning Designation: Rural Residential District

Existing Land Use: Vacant

Surrounding Land Use: North: Vacant
South: Residential
East: Residential
West: Vacant

Comprehensive Plan: Economic Vitality Goal 2 Objective A, Goal 3 Objective B

Wetland Status: Yes, KWF Wetlands Assessment of Drainageway on the lot.

Flood Plain Status: None

Utilities: Public utilities service the site.

Public Notice: Notice was sent to 19 property owners of 19 parcels as shown on the KPB tax assessor rolls.

GENERAL INFORMATION

This application proposes a zoning map amendment to move the East End Mixed Use Boundary (EEMU) east to encompass the subject lot. The applicant states that rezoning the EEMU would allow them to provide fresh, locally sourced seafood, support the fishing industry, and boost the local economy. It benefits the public by offering sustainable, healthy food options and meeting the community's growing demand for local business. The applicant has also provided a letter with detailed information for their application and their future plans for their business at 4787 Kachemak Drive.

HCC 21.95.060 Review by Planning Commission

- a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is submitted to the City Council.
- b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department's comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.
- c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.
- d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written recommendations regarding the amendment proposal along with the Planning Department's report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

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.

Applicant: This proposal aligns with the Comprehensive Plan by supporting local economic growth, promoting sustainable practices, and enhancing access to fresh seafood, which contributes to the community's overall economic vitality and quality of life. The rezoning facilitates the efficient use of land in a manner that is consistent with the plans goals of encouraging compatible and sustainable

development. Additionally, it supports the purposes of rezoning regulations by ensuring land use is appropriately designated to meet community needs, enhance economic opportunities, and maintain compatibility with adjacent zoning districts. This proposal exemplifies responsible planning by advancing the area's commercial potential while adhering to zoning standards designed to minimize negative impacts on neighboring properties.

Analysis: There are multiple goals and objectives from the Economic Vitality Chapter of the 2018 Comprehensive Plan that support this rezoning:

GOAL 2: Encourage the retention and creation of more year-round and higher wage employment.

Objective A: Increase year-round employment that will enable local people to work, live, and raise their families in Homer. While almost all city actions will ultimately affect the course of economic change and job growth, city actions to promote year-round jobs include those listed below:

Implementation Strategies:

- *Consider zoning regulations that support new business opportunities while minimizing negative impacts.*

This rezoning considers zoning regulations that support new business opportunities in the marine industry while minimizing negative impacts to neighboring properties.

GOAL 3: Identify and promote industries that show a capacity for growth.

Objective B: Promote the marine trades including mariculture and shipping industries. Homer's harbor and associated marine trade and services activities are an important component of the local and regional economy. Marine related activities could be expanded to increase the number of living wage, skilled jobs in the community. Local seafood processing, boat building, and fabrication services offer a chance for a local product to reach the local, state and national markets. Homer's public and private port facilities also serve as a staging area for freight destined to more remote parts of the coast.

Implementation Strategies:

- *Work to identify and support infrastructure for marine related industries*

This rezoning application supports the marine related industries in Homer, specifically local seafood processing, which is an important component of the local and regional economy.

Staff Finding: The proposed zoning change is consistent with the Comprehensive Plan and will support economic vitality, including supporting marine related industries.

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.

Applicant: Rezoning of the property at 4787 Kachemak Drive from Rural Residential to Commercial (EEMU) is justified by its alignment with the growing needs of the community and its consistency with the areas development trends. This change addresses a significant public need by addressing the increasing demand for commercial spaces that support local business growth, generate employment opportunities, and enhance services available to residents and visitors. Specifically this rezoning will allow us to provide the local community, and our visitors, with fresh, locally caught seafood, supporting both our fishing industry and the regions commitment to sustainable food sourcing. By establishing a commercial operation at this location, we can directly serve the publics growing demand for high quality, locally sourced products, while creating opportunities for collaboration with local fishermen. The property is ideally situated on Kachemak Drive with close proximity to the Kachemak Gear Shed, the Northern Enterprises Boatyard and the Homer Spit, making it an excellent location for a business such as ours.

Analysis: Conditions have changed since the original adoption of the zoning district boundaries. The west side of the Kachemak Drive corridor consists primarily of properties zoned East End Mixed Use and General Commercial 2. Much of the EEMU has already been developed or does not have infrastructure such as water, sewer, and road accessibility. There is a strong demand for commercial properties in Homer, including those related to marine industries. This proposed rezone would provide much needed acreage for a marine industry related project.

Staff Finding: The amendment would apply a zoning district that is better suited to the area because conditions have changed since the creation of the East End Mixed Use District boundaries.

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.

Applicant: Yes the existing public facilities, services, and utilities can accommodate the proposed use without any detrimental effects on adjacent zoning districts. The property already has access to essential infrastructure, including city water, sewage, natural gas, electricity and roadway access, all of which are adequate to support the proposed development without overburdening current systems. Based on current utility capacities and service levels, there is no indication that the additional demand from the proposed use will strain these systems or reduce service quality for surrounding properties. The roadway infrastructure is capable of handling the expected traffic flow. Overall, the availability and capacity of these services ensure that the proposed use will not disrupt or negatively impact adjacent zoning districts.

Analysis:

Public Services and Transportation

City water and sewer are available at Kachemak Drive and access to the subject property would be via Kachemak Drive, an Alaska Department of Transportation maintained road. Full police and fire services are available. Public services and facilities are adequate to serve the property. EEMU district and the Kachemak Drive corridor is the hub of the off-spit marine industry in Homer.

Environmental Conditions: Wetlands Analysis

The KWF wetlands assessment identifies drainageway wetlands on the property. The applicant has provided a US Army Corps of Engineers Permit for fill on the property with their application.

Land Use Patterns

This property is located where Rural Residential and East End Mixed Use districts meet. To the east and south, the existing development is reflective of a rural residential development, and to the west and north are vacant properties, that could be under consideration for both rural residential or EEMU type of development. The majority of the unconstrained EEMU properties in Homer have already been developed, leaving a dearth of zoned commercial space available for future development.

Staff Finding: The rezoning of this 1.03-acre lot to East End Mixed Use is in the best interests of the public as it supports the marine trades industry and has the infrastructure necessary to support this use and development.

STAFF COMMENTS/RECOMMENDATIONS:

Planning staff has reviewed the ordinance per 21.95.050 and recommends the Planning Commission conduct a public hearing, and recommend approval to the City Council.

ATTACHMENTS

1. Application and Letter from the Applicant
2. Petition
3. Map of Rezone
4. Public Notice
5. Aerial Map
6. Zoning Districts Map



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

Rezoning Application

For Staff Use Only

Fee Amount:	Received by:	Planning Commission Public Hearing Date:
Date application accepted as complete:		HAPC approval or denial date:

APPLICANT INFORMATION

Name: Safron Kusnetsov Phone Number: 907-435-7352

Address: 48881 Morrison Dr. Homer AK 99603 / P.O. Box 265 Homer AK 99603

Property Owner (if different than applicant)

Name: Alexandre Kusnetsov Phone Number: 907-299-2565

Address: 32375 Falls creek East End Rd. Homer AK 99603 / P.O. Box 1719 Homer AK 99603

PROPERTY INFORMATION (if more than one lot, list on separate page)

Street Address: 4787 Kachemak Dr. Lot size: 1.03 Acres Tax parcel number: 17909010

Legal Description: T6S R 13W SEC 14 Seward Meridian HM 0880003-RS that portion of lot 29 lying westerly of Kachemak Drive Record Survey 88-03

Circle one: Is City water available? (YES)/NO City Sewer? (YES)/NO Electrical Service? (YES)/NO

What is the existing use of the property? Rural Residential

What is the proposed use of the property? Commercial

What structures or land uses exist on the neighboring properties? (Examples: residential, commercial, vacant) List the zoning of these adjacent lots.

Structures/land use

Zoning

North: None / vacant

Rural Residential

South: MEZZFO / GENOFF

Rural Residential

East: 2+L FRAME GRNHSEFS

Rural Residential

West: None / Vacant

Commercial

1. What is the public need and why is this rezone justified?

Rezoning to commercial will allow us to provide fresh, locally sourced seafood, support the fishing industry and boost the local economy. It benefits the public by offering sustainable, healthy food options and meeting the community's growing demand for local business.

2. Describe the benefits and detriments of this proposed rezoning to:

- (a) the community.
- (b) the neighboring landowners.
- (c) you, the property owner.

A) The community gains better access to locally sourced seafood. B) The neighboring land owners may see an increase in property value due to the convenience of a nearby business. C) Allows us to fully utilize the property for business use

3. Can the proposed land use be developed in a manner that is compatible with development in adjacent zoning districts? If so, how? What effect will this change have on the surrounding properties?

Yes, since the property to the west is already zoned commercial, the proposed rezoning creates a natural extension of the existing commercial district.

4. Can the existing public facilities, services, and utilities accommodate the proposed use without any detrimental affect on adjacent zoning districts? If so, how?

Yes the existing public facilities can accommodate the proposed use. The property already has access to essential infrastructure such as water, sewer, electricity and roads.

5. Would rezoning to a district allowing the proposed use permit other uses, which would not be compatible with adjacent land use?

In this case the adjacent property is already commercial, and the proposed seafood business aligns with similar uses, minimizing the risk of compatible developments, but these would still be regulated by zoning codes and local standards.

6. How does this proposal relate to the Comprehensive Plan and purposes of the zoning regulations?

This proposal aligns with the Comprehensive Plan by supporting local economic growth, promoting sustainable practices, and enhancing access to fresh, local seafood.

7. How would the proposed change affect the public health safety and welfare of the surrounding area?

The proposed change would positively affect the public health, safety and welfare of the surrounding area by providing access to fresh, locally sourced seafood, promoting health

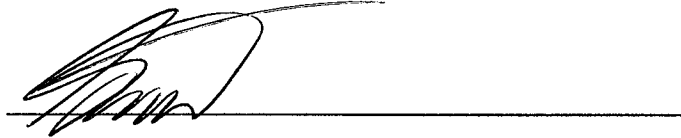
OTHER REQUIREMENTS

1. The applicant shall provide a map showing the area to be rezoned.
2. The applicant shall provide a petition, signed by a majority of the landowners within the proposed zoning area saying that they support the proposed change.

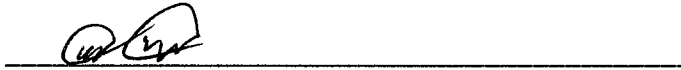
I hereby certify that the above statements and other information submitted are true and accurate to the best of my knowledge, and that I, as applicant, have the following legal interest in the property:

Owner of record ☒ Lessee _____ Contract purchase duly authorized to act for a person who has the following legal interest, _____ and that the owner of record is knowledgeable of this application if I am not the owner. I also understand that this item will be scheduled for the Planning Commission Agenda only if all application materials are submitted.

Applicant Signature: _____




Property Owner Signature: _____



Petition

Proposed amendment:	The at <u>4787 Kuchemak Dr.</u> consists of one parcel which is <u>1.03</u> acres. Currently the parcel is <u>Rural Residential</u>. This request is to change the zoning of the entire property, <u>from Rural Residential to the Commercial</u>.
HCC 21.95.020 (e) (3) (a)	"Each person signing this petition represents that the signer is a record owner of the lot whose description accompanies the signature; that the signer is familiar with the proposed zoning map amendment and the current zoning district of the lot; and that the signer supports the City Council's approval of the amendment."
Statement of Justification	As a natural part of the growth and development of the

Printed Name	Signature of Property Owner or Designated Representative	Legal Description	Tax parcel number
Alexandry Kusnetzov		4787 Kuchemak Dr. Homer AK 99603	17909010

MY SIGNATURE MEANS I AM IN FAVOR OF THIS AMENDMENT

Dear City of Homer Planning Commission,

We are the Kusnetsov family, owners of Invisible Fresh Market Seafood. We are reaching out regarding our application for rezoning the property located at 4787 Kachemak Drive. This letter serves as an introduction to who we are, as well as an extension of the responses provided in the application for rezoning. Our intention is to rezone the property from residential to commercial so that we may establish a retail space and a seafood processing and distribution hub. This rezoning will help us better utilize the property in the above mentioned manner, while ensuring compliance and maintaining harmony with the surrounding area. Below are all of the answers provided in the original rezoning application, with additional details included for your reference. Each response has been listed numerically to correspond with the application format for ease of review.

1) Rezoning of the property at 4787 Kachemak Drive from Rural Residential to Commercial is justified by its alignment with the growing needs of the community and its consistency with the areas development trends. This change addresses a significant public need by addressing the increasing demand for commercial spaces that support local business growth, generate employment opportunities, and enhance services available to residents and visitors. Specifically this rezoning will allow us to provide the local community, and our visitors, with fresh, locally caught seafood, supporting both our fishing industry and the regions commitment to sustainable food sourcing. By establishing a commercial operation at this location, we can directly serve the publics growing demand for high quality, locally sourced products, while creating opportunities for collaboration with local fishermen. The property is ideally situated on Kachemak Drive with close proximity to the Kachemak Gear Shed, the Northern Enterprises Boatyard and the Homer Spit, making it an excellent location for a business such as ours.

2A) Rezoning the property at 4787 Kachemak Drive will benefit the Homer community by providing access to fresh, locally caught seafood while supporting the fishing industry, a key part of the local economy. The business will create job opportunities and contribute to economic growth, while its location along Kachemak Drive offers convenience and accessibility. The rezoning might raise some minor concerns about traffic or the areas character. However, locals are familiar with the high volume of traffic on Kachemak Drive in the summertime so the presence of our business is highly unlikely to alter existing traffic patterns. Additionally, with businesses like the Northern Enterprises Boatyard, the Kachemak Gear Shed, Desperate Marine, In Demand Marine and the Homer

Boatyard just a short drive away, the area already resembles a mixed-use zone. This demonstrates that commercial activity is compatible with the area aligns with its ongoing development.

2B) Rezoning the property at 4787 Kachemak Drive to commercial will bring several benefits to neighboring landowners. The addition of a commercial business will provide convenient access to fresh, locally caught seafood and other potential goods and services, enhancing the quality of life. Furthermore, the presence of a new commercial operation can increase the desirability and value of neighboring properties by contributing to the areas overall growth and infrastructure improvements. For those already engaged in maritime or commercial activities, such as the Northern Enterprises Boatyard and the Kachemak Gear Shed, the business creates the opportunity for shared benefits due to the compatible nature of operations. The proposal may raise concerns about increase traffic, noise, or activity levels. However, it is worth noting that Kachemak Drive already experiences significant traffic during the summer, and the addition of our business is unlikely to create a noticeable change. Some neighbors may also express concerns about transitioning the area to a more mixed-use character. However, the surrounding area already has a mix of uses, with businesses like the Northern Enterprises Boatyard and the Kachemak Gear Shed nearby, which demonstrates that commercial activity nearby is a natural fit. Furthermore, we have already demonstrated our ability to operate in mixed-use environment. For nearly 18 months, we successfully operated just a short drive away at 3745 East End Road, right next door to The Bagel Shop, without any complaints or issues from neighbors. This track record shows our commitment to being a considerate and responsible business. Any potential impacts, such as noise or operational activity, will be mitigated through thoughtful planning, adherence to city ordinances and open communication with neighboring landowners to address concerns promptly.

2C) Rezoning the property at 4787 Kachemak Drive to Commercial will enable us, as the property owners, to use the land to its fullest potential by establishing a business that aligns with Homer's growing demand for locally caught seafood and supporting the local fishing industry. This rezoning provides an opportunity to operate in a prime location near key infrastructure, including the Kachemak Gear Shed, the Northern Enterprises Boatyard, and the Homer Spit, making the property highly advantageous for our business operations. Additionally, it allows us to directly serve the community while contributing to the local economy, which has always been an integral part of our mission. From a financial perspective, the rezoning increases the property's utility and value, offering greater flexibility for commercial purposes both now and in the future. One significant added benefit of

setting up a processing shop on this property is that we will no longer need to spend tens of thousands of dollars paying other businesses to custom process our seafood. This will allow us to bring down the cost of our seafood for our customers, making fresh, locally caught seafood more affordable and accessible. Furthermore, the property's location outside the busier downtown area means we can better meet the needs of local residents and fishermen while minimizing logistical challenges like congestion. All of the business owners involved in this venture have called Homer home for over 25 years. Some of us were even born here, and most of us were raised here. Our deep roots in this community and our commitment to its prosperity drive us to create a business that not only meets local needs but also reflects the values and character of Homer. Additionally, we have a deep vested interest in sustainability because we all make our living from the ability to sustainably catch and process local seafood. This dedication ensures that our operations protect the resources we rely on, allowing us to one day pass this venture on to future generations and preserve Homer's legacy as a thriving fishing community. This rezoning also allows us to build on our proven track record of successfully running a business in a mixed-use area, as demonstrated during our 18 months of operations at 3745 East End Road. While rezoning brings significant opportunities, it also comes with challenges. The process of rezoning and transitioning the property to a commercial use requires financial investment in permitting, site preparation, and ensuring compliance with local zoning regulations. Additionally, operating a commercial property comes with increased responsibilities, such as managing potential concerns from neighbors, adhering to stricter operational standards, and maintaining the property to meet commercial requirements. There may also be a need to address any unforeseen issues, such as community concerns or additional infrastructure needs, which could require additional time and resources. Despite these challenges, the benefits of rezoning far outweigh the drawbacks, as the opportunity to establish a thriving business in a strategic location ensures long-term success, financial savings, and the ability to serve our customers and community more effectively, while preserving the fishing industry for generations to come.

3) Yes, since the adjacent property to the west is already zoned commercial, the proposed rezoning creates a natural extension of the existing commercial district. This alignment facilitates compatibility with surrounding areas by reinforcing the commercial character of the district. The change is likely to enhance property value and economic opportunities. Proper site planning and buffering can ensure that any potential impacts on less intensive neighboring zones are minimized, resulting in a balanced and cohesive development pattern.

4) Yes the existing public facilities, services, and utilities can accommodate the proposed use without any detrimental effects on adjacent zoning districts. The property already has access to essential infrastructure, including city water, sewage, natural gas, electricity and roadway access, all of which are adequate to support the proposed development without overburdening current systems. Based on current utility capacities and service levels, there is no indication that the additional demand from the proposed use will strain these systems or reduce service quality for surrounding properties. The roadway infrastructure is capable of handling the expected traffic flow. Overall, the availability and capacity of these services ensure that the proposed use will not disrupt or negatively impact adjacent zoning districts.

5) In this case the adjacent property is already zoned commercial, and the proposed seafood business aligns with similar uses, thereby minimizing the risk of incompatible developments. While rezoning to a district allowing the proposed use could theoretically permit other uses, these would still be regulated by zoning codes, local standards and permitting processes to ensure compatibility with adjacent land uses. The regulatory framework in place, such as specific use restrictions, design standards, and impact mitigation requirements, provides safeguards to prevent developments that could negatively affect neighboring properties. As a result, the risk of incompatible uses arising from the rezoning is minimal.

6) This proposal aligns with the Comprehensive Plan by supporting local economic growth, promoting sustainable practices, and enhancing access to fresh seafood, which contributes to the community's overall economic vitality and quality of life. The rezoning facilitates the efficient use of land in a manner that is consistent with the plans goals of encouraging compatible and sustainable development. Additionally, it supports the purposes of rezoning regulations by ensuring land use is appropriately designated to meet community needs, enhance economic opportunities, and maintain compatibility with adjacent zoning districts. This proposal exemplifies responsible planning by advancing the area's commercial potential while adhering to zoning standards designed to minimize negative impacts on neighboring properties.

7) The proposed change would positively affect the public health, safety, and welfare of the surrounding area by providing access to fresh, locally sourced seafood which promotes healthier food choices and encourages sustainable dietary habits. It gives local people the option to purchase some of the best wild protein in the world, conveniently available in their own neighborhood. This access helps reduce reliance on ultra processed foods, which are known to be unhealthy, and avoids imported seafood of dubious origin, which may not meet the same quality or safety standards. By supporting local fishermen, the proposal strengthens the regional economy and fosters community resilience. Additionally the localized nature of the business minimizes environmental impact associated with long-distance transportation of seafood, contributing to broader sustainability goals. Proper adherence to health and safety standards will ensure that the operation maintains a safe and sanitary environment, further protecting and enhancing the welfare of the surrounding area.

**CITY OF HOMER
PUBLIC HEARING NOTICE
PLANNING COMMISSION MEETING**

A public hearing on the matters below are scheduled for Wednesday, February 5, 2025 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 EAST END MIXED USE (EEMU) ZONING DISTRICT

The rezone from Rural Residential (RR) Zoning District to East End Mixed Use (EEMU) Zoning District is proposed for the following address:

4787 Kachemak Drive

T 6S R 13W SEC 14 SEWARD MERIDIAN HM 0880003 - RS THAT PORTION OF LOT 29 LYING WESTERLY OF KACHEMAK DRIVE RECORD OF SURVEY 88-03

In-person meeting participation is available in Cowles Council Chambers located downstairs at Homer City Hall, 491 E. Pioneer Ave., Homer, AK 99603.

To attend the meeting virtually, visit zoom.us and enter the Meeting ID & Passcode listed below. To attend the meeting by phone, dial any one of the following phone numbers and enter the Webinar ID & Passcode below, when prompted: 1-253-215-8782, 1-669-900-6833, (toll free) 888-788-0099 or 877-853-5247.

Meeting ID: 979 8816 0903

Passcode: 976062

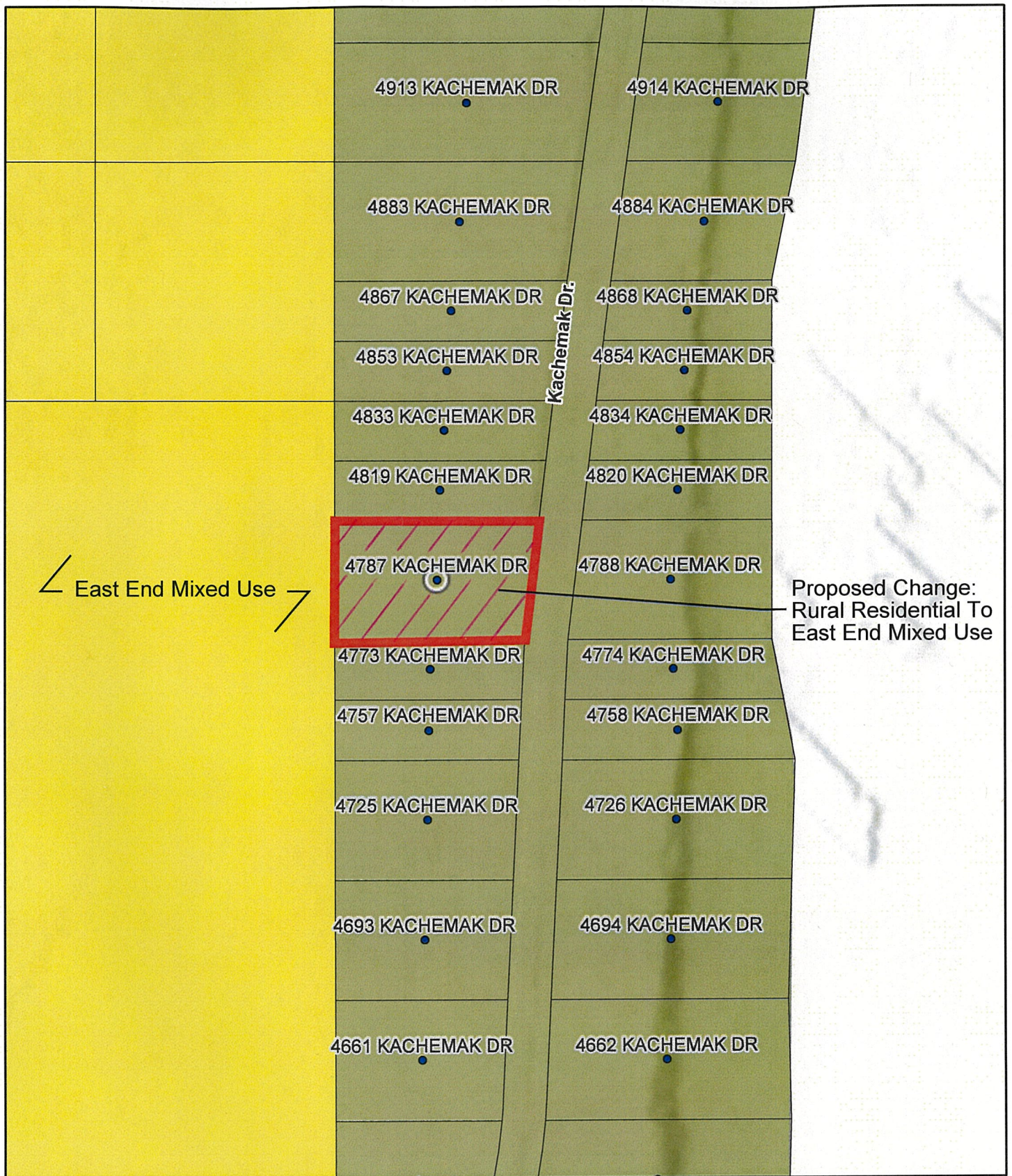
Additional information regarding this matter will be available by 5pm on the Friday before the meeting. This information will be posted to the City of Homer online calendar page for January 31, 2025 at <https://www.cityofhomer-ak.gov/calendar>. It will also be available at the Planning and Zoning Office at Homer City Hall and at the Homer Public Library.

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

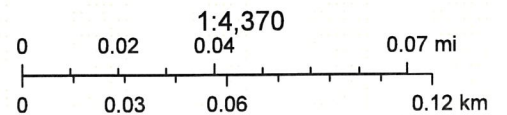
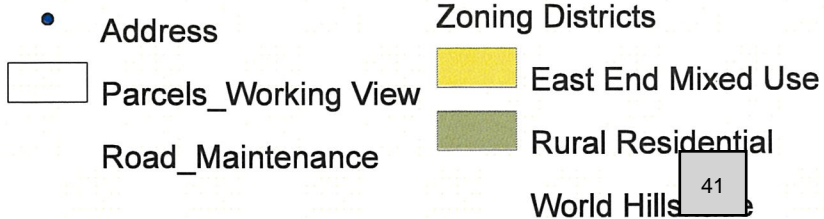
If you have questions, contact Ryan Foster at the Planning and Zoning Office. Phone: (907) 235-3106, email: planning@ci.homer.ak.us or in-person at Homer City Hall.

NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 300 FEET OF PROPERTY

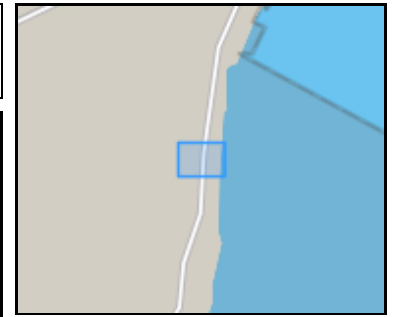
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1/21/2025



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community



Legend

Physical Addresses



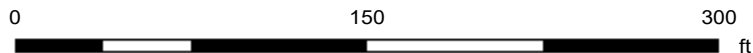
Transportation

Mileposts



Parcels and PLSS

Tax Parcels



NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or

Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The operation or modification of the data. In using these data, you further agree to the data, or use of the data.

City of Homer Zoning Map

Miles

00.250.51

March, 2024

Abbreviations

MC = Marine Commercial

MI = Marine Industrial

OSR = Open Space Recreation

CONS = Conservation

Legend

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

Bridge Creek Watershed

Rural Residential

Urban Residential

Residential Office

Medical

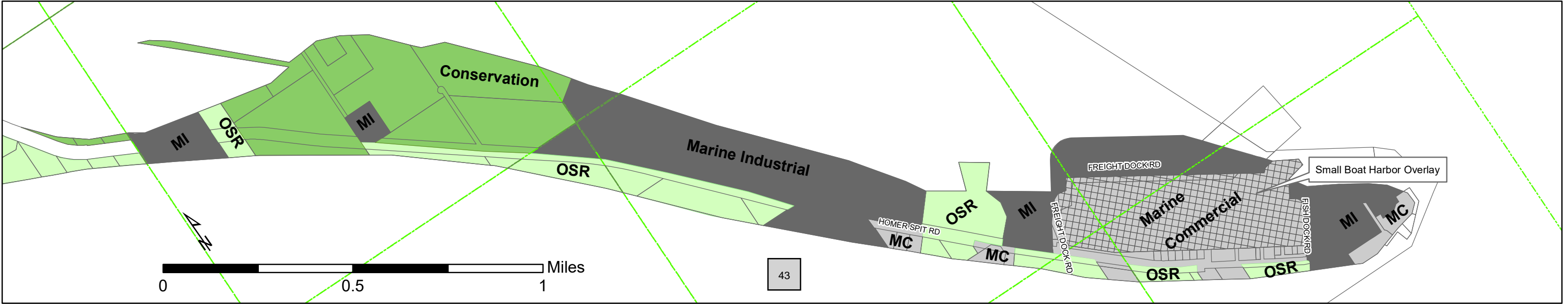
Scenic Gateway Corridor Overlay

Small Boat Harbor Overlay

City Limits

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
22-68(A)	10/25/22





City of Homer

www.cityofhomer-ak.gov

Planning
491 East Pioneer Avenue
Homer, Alaska 99603

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

Memorandum PL25 – 011

TO: Homer Advisory Planning Commission
FROM: Scott Smith, Planning Commission Chair
DATE: February 19, 2025
SUBJECT: Potential CUP Moratorium Applied to Coastal Lots with Multiple Structures

Information:

The Homer Planning Commission (HPC) requested more information to assess the potential of a CUP Moratorium governing Lots adjacent to tidal areas where Applicants would request Multiple Structure approval for the purpose of allowing time to develop the new Title 21 language.

HPC identified the “formula” to determine allowable multiple structures on a single Lot on Lots along the Coastal Edge is insufficient. The current Code language creates a skewed allowable density due to allowing land within these Lots, which is within tidal influence, to be used in the formula. HPC is considering if this is not a wise practice, and therefore is considering a temporary moratorium. This potential limitation is similar to how flag-shaped Lots are measured: where the “pole” portion of the Lot is not used (see HCC 21.05.050 (b), See Figure 3 of this Code.)

This moratorium would only impact the following situations:

- 1) CUP Applications on Lots that include boundaries which extend into the Tidal Zone;
- 2) CUP Applications requesting Multiple-Structures beyond Principal Structures.
- 3) The Moratorium would only be in effect until Title 21 Revisions are completed.

Note: HPC and the Planning Department may need to review HCC 21.04.050 Zoning of waterfront property. (This will be done via the Title 21 revisions.)

The following information was taken from the KPB Mapper program.

Zoning District	Number of Lots (163 Total)	Number of Vacant Lots
Conservation (Top of Baycrest)	2	2 (Potentially Unbuildable*)
Rural/Residential (Along Baycrest)	28	See Total Below
Rural Residential (Along Ocean Drive)	19	See Total Below

Rural Residential (Along K-Bay Drive)	61 (113 total RR Lots)	15
Gateway	4	4 (Potentially Unbuildable*)
Urban Residential	12	1
Town Center	17	3 (w/1 Potentially Unbuildable*)
Gen Com 2	8	0
EEMU	7 (w/5 more Lots in Tidal Area – Opposite Mud Bay)	0

(* Potentially unbuildable due to significant challenges to obtain permits: Coastal Edge conditions, Steep Slope restrictions, or Floodplain Permits.)

The following image is an example of why Homer Planning Commission is considering this Moratorium:

Tidal Influence Diagram



1/22/2025

— Contours_2ft
World Imagery

A = 250 ft
B = 103 ft
C = 103 ft
D = 81 ft

C/D Area = 41%
Lot = 0.47 acres



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Homer Planning Department

Observation: Roughly 40% of this Lot is subject to tidal influence, and therefore, reasonably can be described as unbuildable (it would take a significant financial investment to meet Code requirements).

Analysis: There are numerous criteria for determining the number of structures allowed on a Lot which are in addition to a principal structure, an ADU, or shed/garage type structure. Different regulations/restrictions are applied in different Zone areas including:

- Setbacks
- Building Height
- Maximum Lot Coverage
- State Fire Marshall Review
- Wetlands
- Steep Slope Conditions
- Drainage Areas
- Minimum Lot Area Requirements HCC 21.12.040 a (1, 2, 3)
- Other

What is not considered is the density effect on a Lot with submerged acreage within coastal, tidal areas.

Considerations: Currently, Lots along the Coastal Edge which have property lines in submerged areas are measured the same as those which have no submerged area.

HCC 21.04.050 Zoning of Waterfront Property states “Zoning code requirements applicable to property fronting on a water body shall continue to the edge of the property line, whether or not it is submerged.”

Homer Comprehensive Plan Goal 1, Objective B Implementation Strategies, tasks HPC to review density objectives, and review appropriate design standards.

Within the past year, HPC has processed two CUP applications with coastal applications. Some commissioners realized the existing Code which impacts allowable density resulted in a significant imbalance of density when compared to Lots of similar size and did not have submerged area or steep slope conditions.

It is also worth mentioning that increases of density can create significant, undesired consequences including localized, downstream drainage, traffic congestion, and pedestrian safety.

It is with these inequalities and potential dangers in mind, that this Moratorium is being considered.

**PLANNING COMMISSION
2025 Calendar**

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

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

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

2025 Meeting Dates & Submittal Deadlines

Homer Planning Commission

Meeting dates are bolded and submittal deadlines are underneath

January 2, 2025

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

January 15, 2025

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

February 5, 2025

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

February 19, 2025

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

March 5, 2025

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

March 19, 2025

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

April 2, 2025

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

April 16, 2025

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

May 7, 2025

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

May 21, 2025

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

June 4, 2025

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

June 18, 2025

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

2025 Meeting Dates & Submittal Deadlines

Homer Planning Commission

Meeting dates are bolded and submittal deadlines are underneath

July 16, 2025

June 25 for Public Hearing Items

June 27 for Preliminary Plat Submittal

July 3 for Regular Agenda Items

August 6, 2025

July 16 for Public Hearing Items

July 18 for Preliminary Plat Submittal

July 25 for Regular Agenda Items

August 20, 2025

July 30 for Public Hearing Items

August 1 for Preliminary Plat Submittal

August 8 for Regular Agenda Items

September 3, 2025

August 13 for Public Hearing Items

August 15 for Prelim. Plat Submittal

August 22 for Regular Agenda Items

September 17, 2025

August 27 for Public Hearing Items

August 29 for Preliminary Plat Submittal

September 5 for Regular Agenda Items

October 1, 2025

September 10 for Public Hearing Items

September 12 for Preliminary Plat Submittal

September 19 for Regular Agenda Items

October 15, 2025

September 24 for Public Hearing Items

September 26 for Preliminary Plat Submittal

October 3 for Regular Agenda Items

November 5, 2025

October 15 for Public Hearing Items

October 16 for Preliminary Plat Submittal

October 24 for Regular Agenda Item

December 3, 2025

November 12 for Public Hearing Items

November 14 for Preliminary Plat Submittal

November 21 for Regular Agenda Item