



Homer City Hall

491 E. Pioneer Avenue

Homer, Alaska 99603

www.cityofhomer-ak.gov

City of Homer Agenda

Planning Commission Regular Meeting

Wednesday, August 04, 2021 at 6:30 PM

City Hall Cowles Council Chambers

Webinar ID: 979 8816 0903 Password: 976062

Dial: 1 253-215-8782 or 1 669-900-6833 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

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

A. Planning Commission Regular Meeting Minutes of June 16, 2021 **p. 3**

B. Decisions and Findings for Conditional Use Permit 21-06 at 1308 Lakeshore Dr. **p. 8**

PRESENTATIONS / VISITORS

A. Aaron Fleenor, Yard Manager for Northern Enterprises Boat Yard **p.**

REPORTS

A. Staff Report 21-48, City Planner's Report **p. 13**

B. Public Works Task Force

PUBLIC HEARINGS

PLAT CONSIDERATION

A. Staff Report 21-41, James Waddell Homestead 2021 Replat Preliminary Plat **p. 16**

B. Staff Report 21-44, Barnett's South Slope, Evans Addition, Preliminary Plat **p. 26**

PENDING BUSINESS

- [A.](#) Staff Report 21-43, Marijuana Onsite Consumption Endorsement **p. 36**

NEW BUSINESS

- [A.](#) Motion from City to Dismiss Appeal of the Planning Commission Decision on Conditional Use Permit (CUP) 20-15 for the reconstruction of a restaurant building at 106 W. Bunnell Avenue, Homer, Alaska **p. 63**
- [B.](#) Memorandum Re: Planning Commission Declaration of Vacancy **p. 90**
- [C.](#) Staff Report 21-46, Election of Officers **p. 92**
- [D.](#) Staff Report 21-45, Parking Code **p. 93**
- [E.](#) Staff Report 21-42, Large Retail and Wholesale Stores **p. 95**
- [F.](#) Memorandum Re: City of Homer Draft 2022-27 Capital Improvement Plan (CIP) **p. 104**

INFORMATIONAL MATERIALS

- [A.](#) City Manager Reports for June 28 & July 26, 2021 City Council Meetings **p. 176**
- [B.](#) Planning Commission Calendar **p. 188**
- [C.](#) Kenai Peninsula Borough Notice of Decision **p.189**

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

COMMENTS OF THE STAFF

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is Wednesday, August 18 at 6:30 p.m. All meetings scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Session 21-15, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on June 16, 2021 at Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, via Zoom Webinar. There was no worksession conducted prior to the Regular Meeting.

PRESENT: COMMISSIONERS BARNWELL, VENUTI, SMITH, CONLEY, HIGHLAND

ABSENT: COMMISSIONERS CHIAPPONE, BENTZ (both excused)

STAFF: CITY PLANNER ABBOD
DEPUTY CITY CLERK TUSSEY

APPROVAL OF THE AGENDA

Chair Smith requested a motion to approve the agenda.

HIGHLAND/VENUTI – SO MOVED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

- A. Planning Commission Regular Meeting Minutes of June 2, 2021
- B. Planning Commission Special Meeting Minutes for Session 21-11 Dated April 15, 2021

Chair Smith read the Consent Agenda into the record and requested a motion of approval.

HIGHLAND/VENUTI MOVED TO APPROVE THE CONSENT AGENDA.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

A. Staff Report 21-37, City Planner's Report

Chair Smith introduced the item and deferred to City Planner Abboud.

City Planner Abboud spoke to his written staff report, highlighting the fee schedule amendments at Council level, Council's approval of the Easy Street dedication, approval of the Community Design Manual, and his involvement with the Wayfinding-Streetscape Project pop-up events. He noted that Commissioner Highland had volunteered to report at the June 28th City Council meeting.

Mr. Abboud spoke to how they soon will be entering into mitigation planning. These plans would make the City eligible for hazard mitigation grant funds before a large water main project begins. Commissioner Barnwell agreed to be a part of those meetings with the contractor once the dates have been set.

B. Public Works Campus Task Force Report

Chair Smith introduced the item and asked for Commissioner Barnwell to provide his report.

Commissioner Barnwell noted that the task force had not met recently. He will have more to report on after their next meeting on June 23rd.

PUBLIC HEARINGS

- A. Staff Report 21-38, Conditional Use Permit CUP 21-06 to add multiple structures for office space, dwellings, and guestrooms/hotel at 1308 Lakeshore Dr.
i. Review of Comprehensive Plan Land Use Chapter as a supplement to Staff Report 21-38

Chair Smith introduced the item by reading the title and deferred to City Planner Abboud.

Mr. Abboud provided a summary of Staff Report 21-38 and Planning Staff's review of the CUP in accordance with the Comprehensive Plan Land Use chapter.

Chair Smith opened the public hearing.

There were no audience members in attendance.

Chair Smith closed the public hearing and invited the CUP applicants to speak to their proposal.

Stephanie Greer, CUP 21-06 applicant, thanked the commission for having them. She commented that she did not have anything else to add to their proposal, but appreciated their patience as they worked through the reapplication process. They are working with a firm out of Soldotna on the development Action Plan and the storm water and sewer design, and just have everything moving in the right direction.

Chair Smith asked for any additional comments from the commission and then called for a motion.

HIGHLAND/BARNWELL MOVED TO APPROVE CONDITIONAL USE PERMIT CUP 21-06 TO ADD MULTIPLE STRUCTURES FOR OFFICE SPACE, DWELLINGS, AND GUESTROOMS/HOTEL AT 1308 LAKESHORE DRIVE.

Commissioner Highland commented that it was a very complete application, which made it easy to read and support.

Commissioner Barnwell commended the applicant for the comprehensive map that was provided in their proposal. In response to Mr. Barnwell's request and questions, Ms. Greer spoke to the proposed development plan outlined in the map created by Z Architects, LLC included in the packet, and gave an overview of what improvements they have planned for the property.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 21-39, Re: Ordinance amending the administrative appeals process for City Planning decisions under Homer City Code 21.91 and 21.93

Chair Smith introduced the item by reading the title and deferred to City Planner Abboud.

Mr. Abboud recapped how the commission had reviewed the proposed amendments to the Title 21 appeal procedures at their last meeting. They are now at the public hearing stage and ready for a motion of recommendation to City Council for adoption.

Chair Smith opened the public hearing.

There was no audience members in attendance.

Chair Smith closed the public hearing and opened the floor for questions from the commission.

City Planner Abboud facilitated discussion with the commission, clarifying that these amendments would mean the commission would not have to hear another appeal hearing. Commissioner Venuti voiced his support for that given the difficulty of the last appeal process.

Chair Smith requested a motion. In response to Commissioner Highland's request, Deputy City Clerk Tussey provided verbiage for a motion.

HIGHLAND/BARNWELL MOVED TO SUPPORT AN ORDINANCE AMENDING THE ADMINISTRATIVE APPEALS PROCESS FOR CITY PLANNING DECISIONS UNDER HOMER CITY CODE 21.91 AND 21.93 AND RECOMMEND TO CITY COUNCIL FOR ADOPTION.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. City Manager's Report for June 14, 2021 City Council Meeting
- B. Kenai Peninsula Borough Notice of Decisions
- C. Planning Commission Calendar
- D. Memorandum 21-088 Re: appointment of Richard Chiappone to the Planning Commission

Chair Smith noted the items listed under Informational Materials. There were no comments or discussion on the items provided.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Deputy City Clerk Tussey thanked the commission for a short meeting.

City Planner Abboud commented on future agenda items and requested to consult with Chair Smith at a later time to put together a plan for the remainder of the year.

COMMENTS OF THE COMMISSION

Commissioner Highland noted it was a nice, short meeting and wished everyone a happy 4th of July.

Commissioner Venuti commented on the short meeting and wished all the fathers in attendance a happy Father's Day.

Commissioner Barnwell wished everyone a happy 4th of July and commented on the significance of the appeal hearing process change.

Commissioner Conley thanked everyone for a short meeting and wished them a good summer and 4th of July.

Commissioner Smith commented on his absence from the last City Council meeting. He spoke to his involvement in game events in the State and thanked the commissioners and staff for tonight's meeting.

ADJOURN

There being no further business before the Commission, the meeting was adjourned at 7:05 p.m. Next Regular Meeting is Wednesday, July 21, 2021 at 6:30 p.m. A worksession is scheduled for 5:30 p.m. All meetings scheduled to be held virtually by Zoom Webinar from the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

RACHEL TUSSEY, CMC, DEPUTY CITY CLERK I

Approved: _____



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HOMER PLANNING COMMISSION

Approved CUP 2021-06 at the Meeting of June 16, 2021

Address: 1308 Lakeshore Dr.

Legal Description: T 6S R 13W SEC 21 SEWARD MERIDIAN HM 2007055 BAY VIEW SUB TULIN ADDN LOT 91A

DECISION

Introduction

Forest and Stephanie Greer/Homer Sea Plane Base LLC (the “Applicant”) applied to the Homer Planning Commission (the “Commission”) for a Conditional Use Permit under Homer City Code HCC 21.21.030(j), for more than one building containing a permitted principle use on a lot in the General Commercial 1 Zoning District.

The applicant proposes to construct to construct 6 structures that will provide 8 bedrooms, an office, common area, and storage in addition to the 2 existing one-bedroom cabins found on the site.

The application was scheduled for a public hearing as required by Homer City Code 21.94 before the Commission on June 16, 2021. Notice of the public hearing was published in the local newspaper and sent to 37 property owners of 26 neighboring parcels.

At the June 16, 2021 regular meeting, the Commission voted with the unanimous consent of the five commissioners present to approve CUP 2021-06, with findings 1-10 and Condition 1.

Evidence Presented

City Planner Abboud reviewed the staff report. The Applicant testified and no public testimony was provided.

Findings of Fact

After careful review of the record, the Commission approves Condition Use Permit 2020-06 with findings 1-10 and one condition.

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

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

Finding 1: The applicable code authorizes each use and structure.

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

Finding 2: The proposal supports uses and structures compatible with the GC1 District.

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

Finding 3: The proposed development is not expected to negatively impact the adjoining properties greater than other permitted or conditional uses.

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

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

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

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

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

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

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

Finding 7: The proposal is not unduly detrimental to the health, safety or welfare of the surrounding area or the city as a whole.

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

Finding 8: Successful completion of the permitting process will allow the project to comply with applicable regulations and conditions.

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

Finding 9: No evidence has been found that the proposal is contrary to the applicable land use goals and objectives of the Comprehensive Plan.

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

Finding 10: The project shall comply with the outdoor lighting section of the CDM.

Condition 1: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

1. Special yards and spaces: *No specific conditions deemed necessary.*

2. Fences and walls: *No specific conditions deemed necessary.*

3. Surfacing of parking areas: *No specific conditions deemed necessary.*

4. Street and road dedications and improvements: *No specific conditions deemed necessary.*

5. Control of points of vehicular ingress and egress: *No specific conditions deemed necessary.*

6. Special provisions on signs: *No specific conditions deemed necessary.*

7. Landscaping: *No specific conditions deemed necessary.*

8. Maintenance of the grounds, building, or structures: *No specific conditions deemed necessary.*

9. Control of noise, vibration, odors or other similar nuisances: *No specific conditions deemed necessary.*

10. Limitation of time for certain activities: *No specific conditions deemed necessary.*

11. A time period within which the proposed use shall be developed: *No specific conditions deemed necessary.*

12. A limit on total duration of use: *No specific conditions deemed necessary.*

13. More stringent dimensional requirements, such as lot area or dimensions, setbacks, and building height limitations. Dimensional requirements may be made more lenient by

conditional use permit only when such relaxation is authorized by other provisions of the zoning code. Dimensional requirements may not be altered by conditional use permit when and to the extent other provisions of the zoning code expressly prohibit such alterations by conditional use permit. *No specific conditions deemed necessary.*

14. Other conditions necessary to protect the interests of the community and surrounding area, or to protect the health, safety, or welfare of persons residing or working in the vicinity of the subject lot. *No specific conditions deemed necessary.*

Conclusion: Based on the foregoing findings of fact and law, Conditional Use Permit 2020-01 is hereby approved, with Findings 1-10 and the following condition.

Condition 1: Outdoor lighting must be down lit per HCC 21.59.030 and the CDM.

Date

Chair, Scott Smith

Date

City Planner, Rick Abboud AICP

NOTICE OF APPEAL RIGHTS

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

CERTIFICATION OF DISTRIBUTION

I certify that a copy of this Decision was mailed to the below listed recipients on _____, 2021. A copy was also delivered to the City of Homer Planning Department and the Homer City Clerk on the same date.

Date

Travis Brown, Planning Technician

Homer Seaplane Base LLC
41390 Ptarmigan Heights Dr.
Homer, AK 99603

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

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



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TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: August 4, 2021
SUBJECT: Staff Report 21-48, City Planner's Report

6.28.21 City Council

Commissioners Highland and Smith were re-appointed to the Commission.

Resolution 21-038, A Resolution of the City Council of Homer, Alaska Amending the Homer Fee Schedule Under City Clerk Fees and Planning and Zoning Fees. City Clerk. Follows Ordinance 21-32. **Planning Note:** When the amendment to the zoning fees were adopted, the second page was inadvertently excluded. The proposed changes to fees found on this page included a \$200 for a development activity plan (DAP), \$300 for lot line elimination, \$50 for a utility easement, and \$25 for a large road maintenance map. This is to be resubmitted for adoption.

Ordinance 21-39, An Ordinance of the City Council of Homer, Alaska Amending the FY 2021 Capital Budget by Appropriating an Additional \$180,657 from the Homer Accelerated Roads and Trails (HART) Fund for the Design of Phase 1 of the Mt. Augustine Road Drainage Improvement Project. City Manager/Public Works Director. Recommended dates Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-108 from as Public Works Director as backup.

Resolution 21-048, A Resolution of the City Council of Homer, Alaska Awarding the Contract for the Woodard Creek Culvert Project to Qayaq Construction LLC of Wasilla, Alaska in the amount of \$324,997 and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/ Public Works Director. Recommend adoption.

Memorandum 21-116 from Public Works Director as backup.

- a. Ordinance 21-41, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.18.020, Central Business District, 21.24.020 General Commercial 1, 21.26.020 General Commercial 2, 21.27.020 East End Mixed Use, 21.62.020 Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities to Include a Consumption Endorsement as Defined by State Law. Planning Commission. Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-110 from City Planner as backup.

POSTPONED Introduction to July 26, 2021 and referred back to Planning Commission with discussion.

- a. Ordinance 21-26, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 10.08.210 Vessel Speed Limits, Renaming the Section, Extending the No Wake Zone throughout City Tidelands, and Closing Louie's Lagoon and the Entrance to Beluga Slough to Motorized Vessels and Amending the FY21 Operating Budget to Authorize Expenditure of up to \$2,000 for Motorized Vessel Regulation Changes. Lord. Introduction April 26, 2021 Public Hearing and Second Reading ~~May 10~~ **June 28**, 2021

Memorandums from Commissions as backup.

Memorandum 21-070 from Councilmember Lord as backup.

POSTPONED to July 26, 2021 with discussion.

7.26.21

Ordinance 21-44, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.91 Planning Commission and Board of Adjustment to Remove the Board of Adjustment and 21.93 Administrative Appeals Establishing that Administrative Appeals from certain final City Planning Decisions shall be filed before a Hearing Officer and Supplementing Notice Requirements. City Clerk. Recommended dates Introduction July 26, 2021, Public Hearing and Second Reading August 9, 2021.

INTRODUCED

Ordinance 21-46, An Emergency Ordinance of the City Council of Homer, Alaska Temporarily Suspending the Restrictions on Teleconference Participation for City Council and Advisory Bodies. City Clerk. Recommend adoption.

ADOPTED

Ordinance 21-41, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.18.020, Central Business District, 21.24.020 General Commercial 1, 21.26.020 General Commercial 2, 21.27.020 East End Mixed Use, 21.62.020 Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities to Include a Consumption

Endorsement as Defined by State Law. Planning Commission. Introduction June 28, 2021, Postponed to Introduction July 26, 2021 Public Hearing and Second August 9, 2021

Memorandum 21-110 from City Planner as backup.

INTRODUCED – to Planning Commission for clarification

Economic Development Advisory Commission

No actions since last report

Shoreline Erosion Project

If you wondering what happened to the FEMA project administered through the States Department of Geological & Geophysical Surveys (DGGs), so was I. After contact, I found that they are busy with field projects this time of year and we could expect them to get back to it in September. We will then be able to incorporate their information with some ‘new’ information regarding the coal mining operations of the past.

Tsunami Warning

As I am sure you are aware we responded to a warning and set up the Emergency Operations Center (EOC) Wednesday night. Luckily, it was just another practice run. At the writing of this report we have not gathered for an end of incident report, but things seemed to go well.

Back to Council Chambers

I am attempting to gauge support for the Commission’s return to chambers. It looks as though the City Council will soon be back in chambers while retaining the ability to participate electronically through Zoom. I will forward your concerns and comments for consideration.

Commissioner report to City Council

8/9 _____

8/23 _____



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Staff Report 21-41

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: 7/21/2021
SUBJECT: James Waddell Homestead 2021 Replat

Requested Action: Approval of a Preliminary Plat lot line vacation.

General Information:

Applicants:	William & Jeanne Wertanen PO Box 3441 Homer, AK 99603	Steve Smith Geovera, LLC PO Box 3235 Homer, AK 99603
Location:	Just north of the intersection of Nelson Ave. and Rhonda St.	
Parcel ID:	17903109 & 17903110	
Size of Existing Lot(s):	.4 Acres/17,444 square feet & .4 Acres/17,380 square feet	
Size of Proposed Lots(s):	.799 Acres/ 34,824 square feet	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential	
Surrounding Land Use:	North: Residential South: Multi-family/Residential East: Vacant West: Residential	
Comprehensive Plan:	Chapter 4 Goal 1 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.	
Wetland Status:	Wetlands may exist on the lots and determination made	
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 37 property owners of 41 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat vacates a common lot line.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

- D. A vicinity map, drawn to scale showing location of proposed subdivision, north arrow if different from plat orientation, township and range, section lines, roads, political

boundaries and prominent natural and manmade features, such as shorelines or streams;

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments: No comments after review

Staff Recommendation:

Planning Commission recommend approval of the preliminary plat.

Attachments:

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

Geovera, LLC



PO Box 3235 • Homer, Alaska 99603 • (907) 399-4345 • scsmith@gci.net

July 2, 2021

City of Homer
Planning Department
Julie Engebretsen, Deputy City Planner
491 E. Pioneer Ave.
Homer, Alaska 99603

RE: James Waddell Homestead 2021 Replat Preliminary Plat Submittal


Julie,

Please find enclosed (1) full size copy and (2) 11X17 copies of the preliminary plat of James Waddell Homestead 2021 Replat, and a \$300.00 check for the plat submittal fee.

This plat vacates the property line between Lots 10 and 11 of the parent plat (James Waddell Homestead Petska 2018 Replat) resulting in one 0.799 acre parcel. This lot is served by city water and sewer.

Please let me know if you have any questions. You can reach me at any time at (907) 399-4345.
Thanks!

Sincerely,


Stephen C. Smith P.L.S.

RECEIVED
JUL 02 2021
CITY OF HOMER
PLANNING/ZONING

NOTES

1. BASIS OF BEARING FOR THIS SURVEY AND RECORD DATA SHOWN IS FROM THE PLAT OF JAMES WADDELL HOMESTEAD PETSKA 2018 ADDITION (HM 2020-6). NO FIELD SURVEY WAS PERFORMED.
2. 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.
3. THE 15 FEET FRONTING THE 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.
4. 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.
5. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 104 HRD).
6. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.
7. THE SUBDIVISION MAY BE AFFECTED BY THAT WATER PIPELINE EASEMENT IN FAVOR OF THE UNITED STATES OF AMERICA RECORDED FEBRUARY 16, 1955 (BK 5, PAGE 335 HRD). LOCATION NOT DETERMINED BY THIS SURVEY.
8. THE SUBDIVISION IS AFFECTED BY A GENERAL EASEMENT GRANTED TO ENSTAR NATURAL GAS COMPANY (HM 2019-003061-0) WITH NO DEFINED LOCATION UNTIL GAS LINE IS PLACED IN WHICH CASE THE EASEMENT IS 15 FEET IN WIDTH CENTERED ON THE NATURAL GAS LINE.

LEGEND

- INDICATES ALUM. POST MONUMENT (2087-S 1978) OF RECORD
- INDICATES DOT ALUM. CAP IN PAVEMENT THIS SURVEY (MARKINGS OBLITERATED) OF RECORD
- INDICATES 2" ALCAP ON 5/8" REBAR (7538-S, 2018) OF RECORD
- INDICATES 2" ALCAP ON 5/8" REBAR (5780-S, 2006) OF RECORD
- INDICATES 2" ALCAP ON 5/8" REBAR (5780-S, 2014) OF RECORD

NOTARY'S ACKNOWLEDGMENT

FOR JEANNE A. WERTANEN AND WILLIAM P. WERTANEN SR.

ACKNOWLEDGED BEFORE ME THIS _____

DAY OF _____, 2021.

NOTARY PUBLIC FOR ALASKA

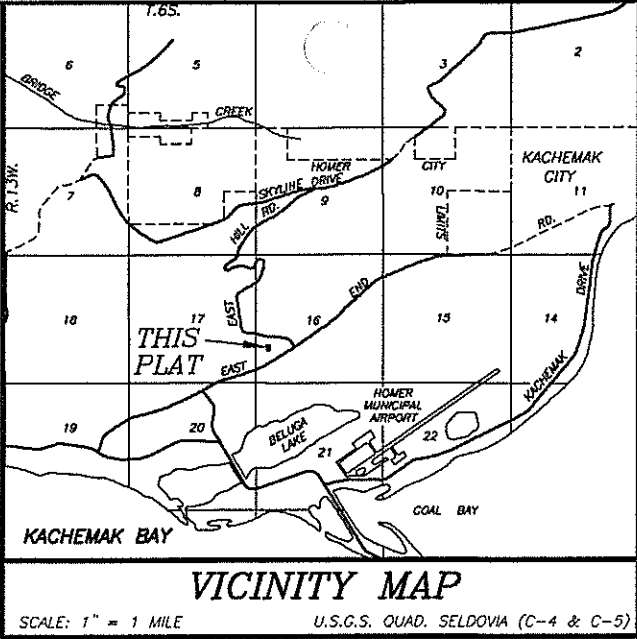
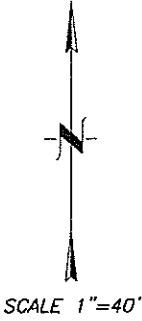
MY COMMISSION EXPIRES: _____

PLAT APPROVAL

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

BY: _____ DATE _____

AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH



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.

JEANNE A. WERTANEN
PO BOX 3441
HOMER, ALASKA 99603

WILLIAM P. WERTANEN SR.
PO BOX 3441
HOMER, ALASKA 99603

RECEIVED

JUL 02 2021

CITY OF HOMER
PLANNING/ZONING

HOMER RECORDING DISTRICT KPB FILE No. 2021-???

JAMES WADDELL HOMESTEAD
2021 REPLAT

THE VACATION OF THE LINE BETWEEN LOTS 10 AND 11,
JAMES WADDELL HOMESTEAD PETSKA 2018 ADDITION
(2020-6 HRD)

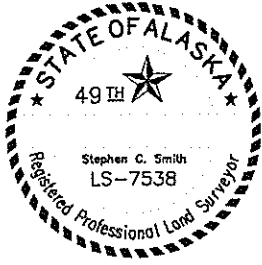
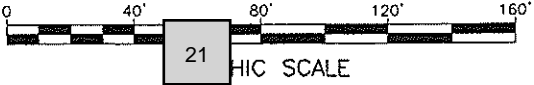
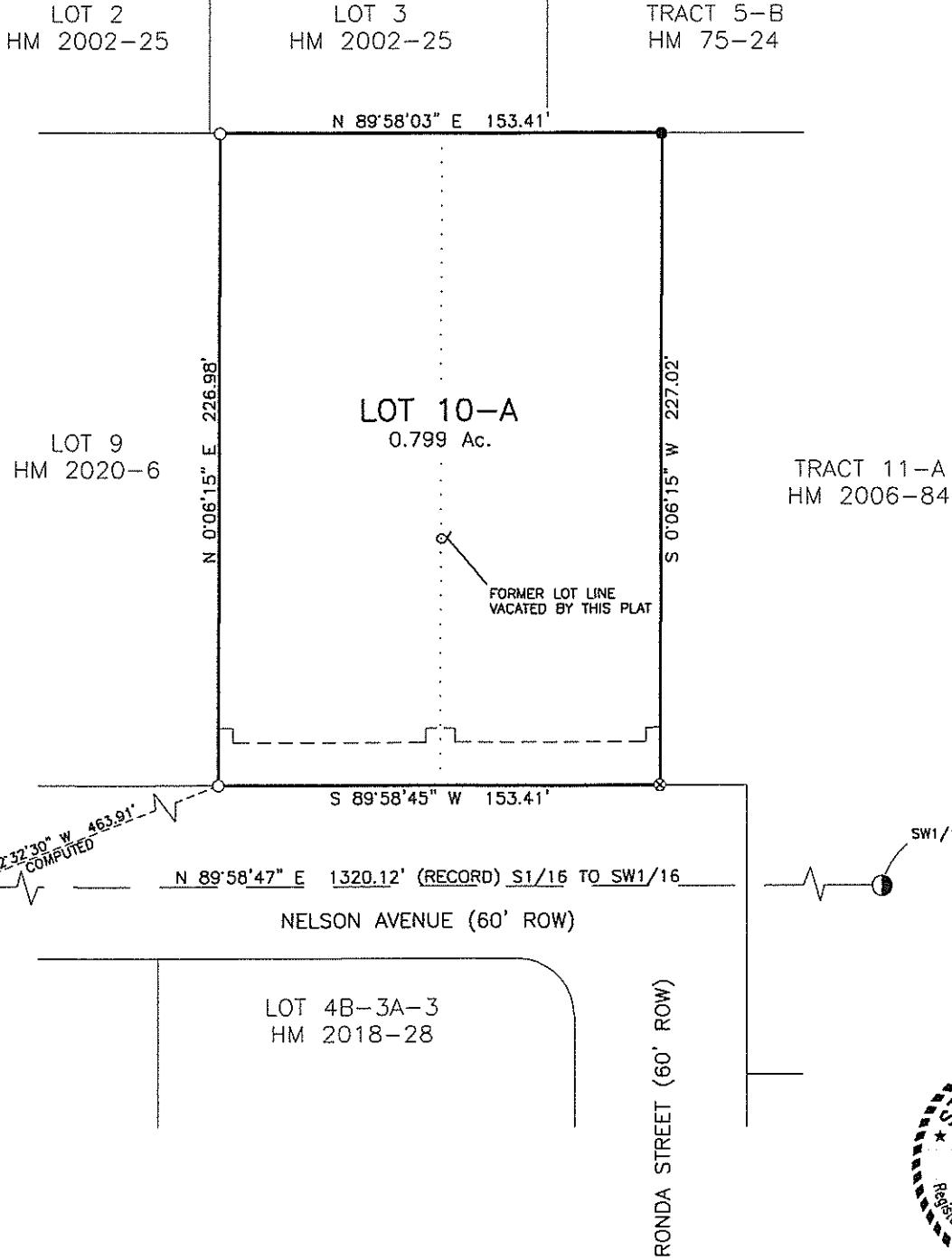
LOCATED WITHIN THE SW1/4, SEC 16,
T. 6 S., R. 13 W., SEWARD MERIDIAN, CITY OF HOMER, KENAI
PENINSULA BOROUGH, THIRD JUDICIAL DISTRICT, ALASKA
CONTAINING 0.799 ACRES

OWNERS:
JEANNE A. WERTANEN AND WILLIAM P. WERTANEN SR.
PO BOX 3441 HOMER, ALASKA 99603

GEOVERA, LLC

PO BOX 3235
HOMER ALASKA 99603
(907) 399-4345
EMAIL: scsmith@gci.net

DRAWN BY: SCS	DATE: JUNE 2021	SCALE: 1" = 40'
CHK BY: SCS	JOB #2021-31	SHEET 1 OF 1



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:

James Waddell Homestead 2021 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, July 21, 2021 at 6:30 p.m. The meeting will be held virtually.

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

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

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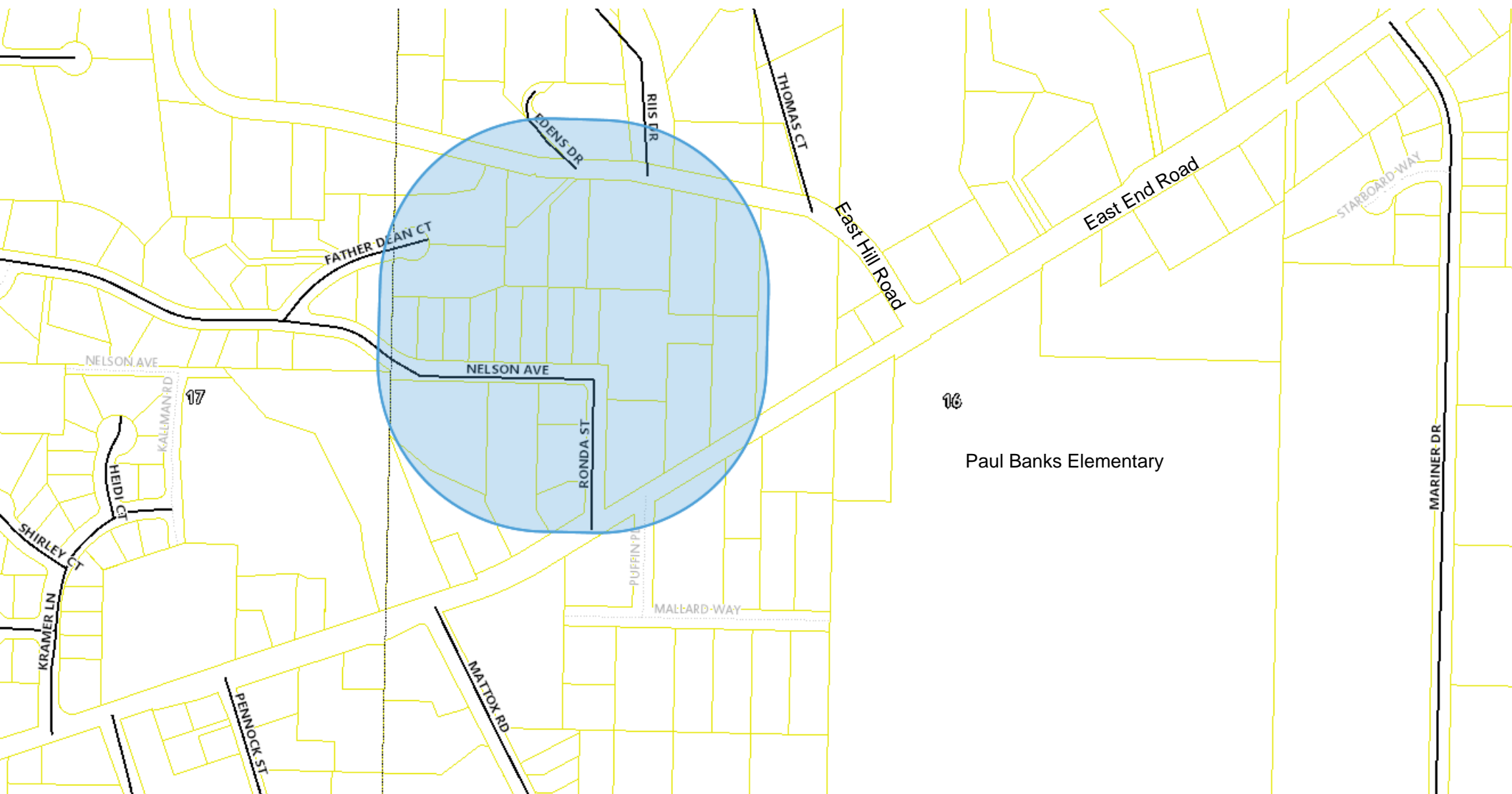
NOTICE TO BE SENT TO PROPERTY OWNERS WITHIN 500 FEET OF PROPERTY.

.....

VICINITY MAP ON REVERSE

Vicinity Map

7.6.21



NOTES

1. BASIS OF BEARING FOR THIS SURVEY AND RECORD DATA SHOWN IS FROM THE PLAT OF JAMES WADDELL HOMESTEAD PETSKA 2018 ADDITION (HM 2020-6). NO FIELD SURVEY WAS PERFORMED.

2. 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.

3. THE 15 FEET FRONTING THE 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.

4. 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.

5. THE LOT IS AFFECTED BY AN EASEMENT OF RECORD WITH NO DEFINED LOCATION GRANTED TO HOMER ELECTRIC ASSOCIATION (BK19, PG 104 HRD).

6. THESE LOTS ARE SERVED BY CITY OF HOMER WATER AND SEWER.

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ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 2021.

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES: _____

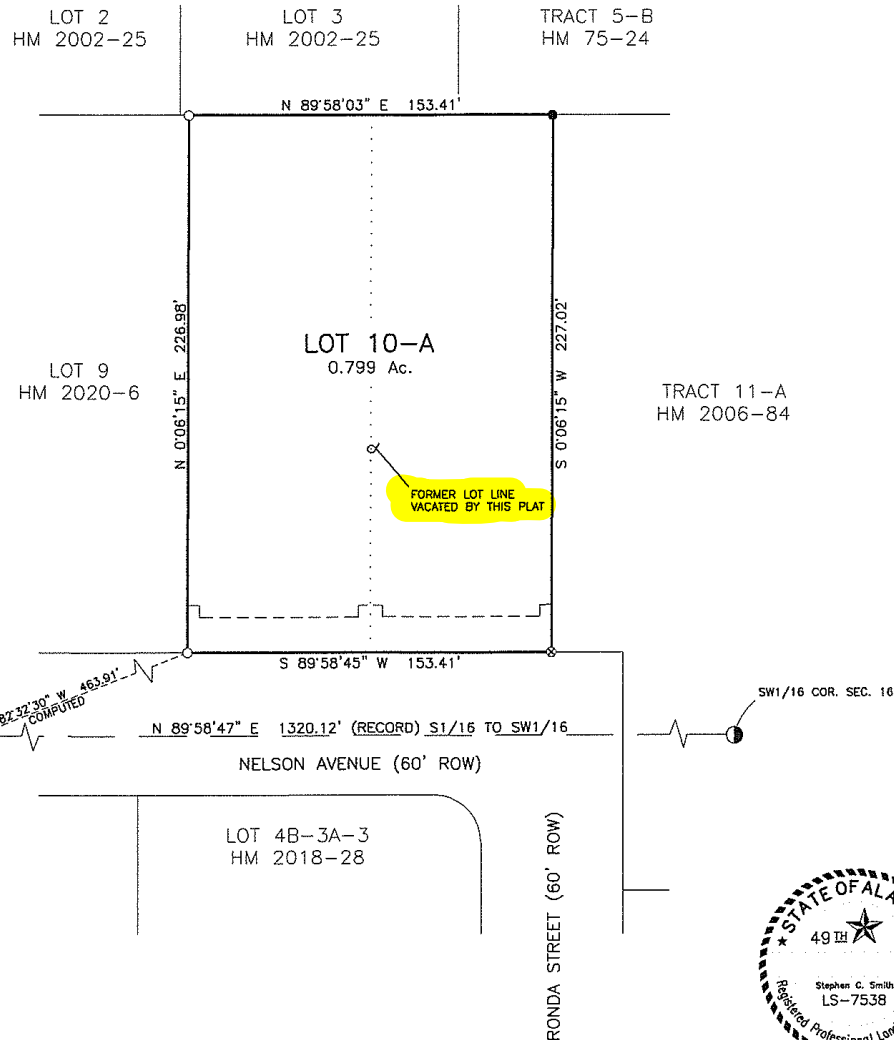
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THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF _____

BY: _____
AUTHORIZED OFFICIAL
KENAI PENINSULA BOROUGH

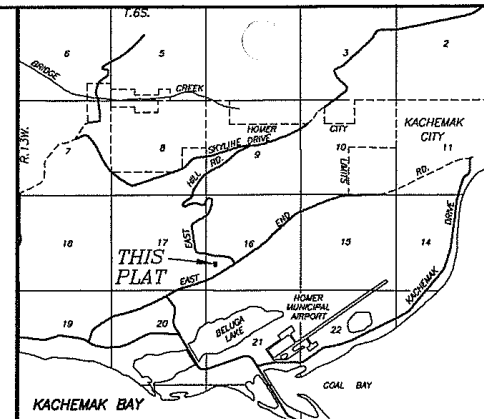
DATE _____

SCALE 1"=40'



24

GRAPHIC SCALE



VICINITY MAP

SCALE: 1" = 1 MILE

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 USE SHOWN HEREON.

JEANNE A. WERTANEN
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RECEIVED

JUL 02 2021

CITY OF HOMER PLANNING/ZONING

HOMER RECORDING DISTRICT KPB FILE No. 2021-???

JAMES WADDELL HOMESTEAD 2021 REPLAT

THE VACATION OF THE LINE BETWEEN LOTS 10 AND 11,
JAMES WADDELL HOMESTEAD PETSKA 2018 ADDITION
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LOCATED WITHIN THE SW1/4, SEC 16,
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EMAIL: scsmith@gci.net

DRAWN BY: SCS

DATE: JUNE 2021

SCALE: 1" = 40'

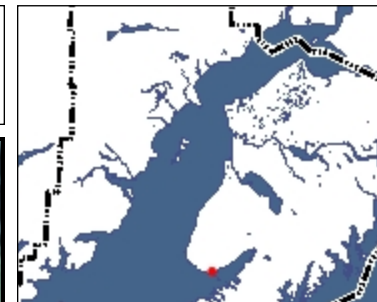
CHK BY: SCS

JOB #2021-31

SHEET 1 OF 1



Aerial Map



Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- Parcels
- Image
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



Notes

Enter map notes here.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Do not use for navigation.



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 21-44

TO: Homer Planning Commission **21-44**
FROM: Rick Abboud, City Planner, AICP
DATE: 8/4/2021
SUBJECT: Barnett's South Slope Subd. Evans Addition

Requested Action: Approval of a lot line removal between two lots.

General Information:

Applicants:	Bryan and Ginny Evans 4526 South Slope Drive Homer, AK 99603	Orion Surveys Tom Latimer PO Box 15025 Fritz Creek, AK 99603
Location:	North East corner of south Slope Dr. & East Tasmania Ct.	
Legal:	T 6S R 13W SEC 17 SEWARD MERIDIAN HM 0770061 BARNETT'S SOUTH SLOPE SUB LOTS 2 & 4 BLK 2	
Parcel ID:	17702045 & 17702044	
Size of Existing Lot(s):	0.81 and 0.94 Acres	
Size of Proposed Lots(s):	1.757 Acres	
Zoning Designation:	Rural Residential District	
Existing Land Use:	Residential and Vacant	
Surrounding Land Use:	North: Vacant South: Residential East: East Hill Road/ Residential West: Residential	
Comprehensive Plan:	Chapter 4 Goal 1 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.	
Wetland Status:	Wetlands may be present towards northern lot boundary.	
Flood Plain Status:	Zone D, flood hazards undetermined.	
BCWPD:	Not within the Bridge Creek Watershed Protection District.	
Utilities:	City Water and Sewer services do not serve these lots, at this time.	
Public Notice:	Notice was sent to 41 property owners of 65 parcels as shown on the KPB tax assessor rolls.	

Analysis: This subdivision is within the Rural Residential District. This plat combines two lots into one.

Homer City Code 22.10.051 Easements and rights-of-way

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

Staff Response: Homer Public Works request that the 15' utility easement designate that it is a utility and slope maintenance easement to better facilitate future road improvements associated with planned water and sewer infrastructure.

- 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 with the facilitation of the above recommendation on item A.

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

Staff Response: The plat meets these requirements.

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

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

Staff Response: The plat meets these requirements.

- B. North point;

Staff Response: The plat meets these requirements.

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

Staff Response: Need to correct name of Tasmania Court to East Tasmania Court.

- 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 municipal boundaries are not displayed.

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

Staff Response: The plat meets these requirements.

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

Staff Response: Name correction noted in item C.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

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

Staff Response: The plat meets these requirements.

Public Works Comments:

1. The Tasmania Court right-of-way is currently 50'. I foresee that road improvements will be initiated in the future with the water and sewer infrastructure planned for this coming summer or next. Please change the 15' utility easement fronting the right-of-way to note a 15' utility and slope maintenance easement. This should adequately address road improvements without requiring additional right-of-way for this specific plat.

Recommendation:

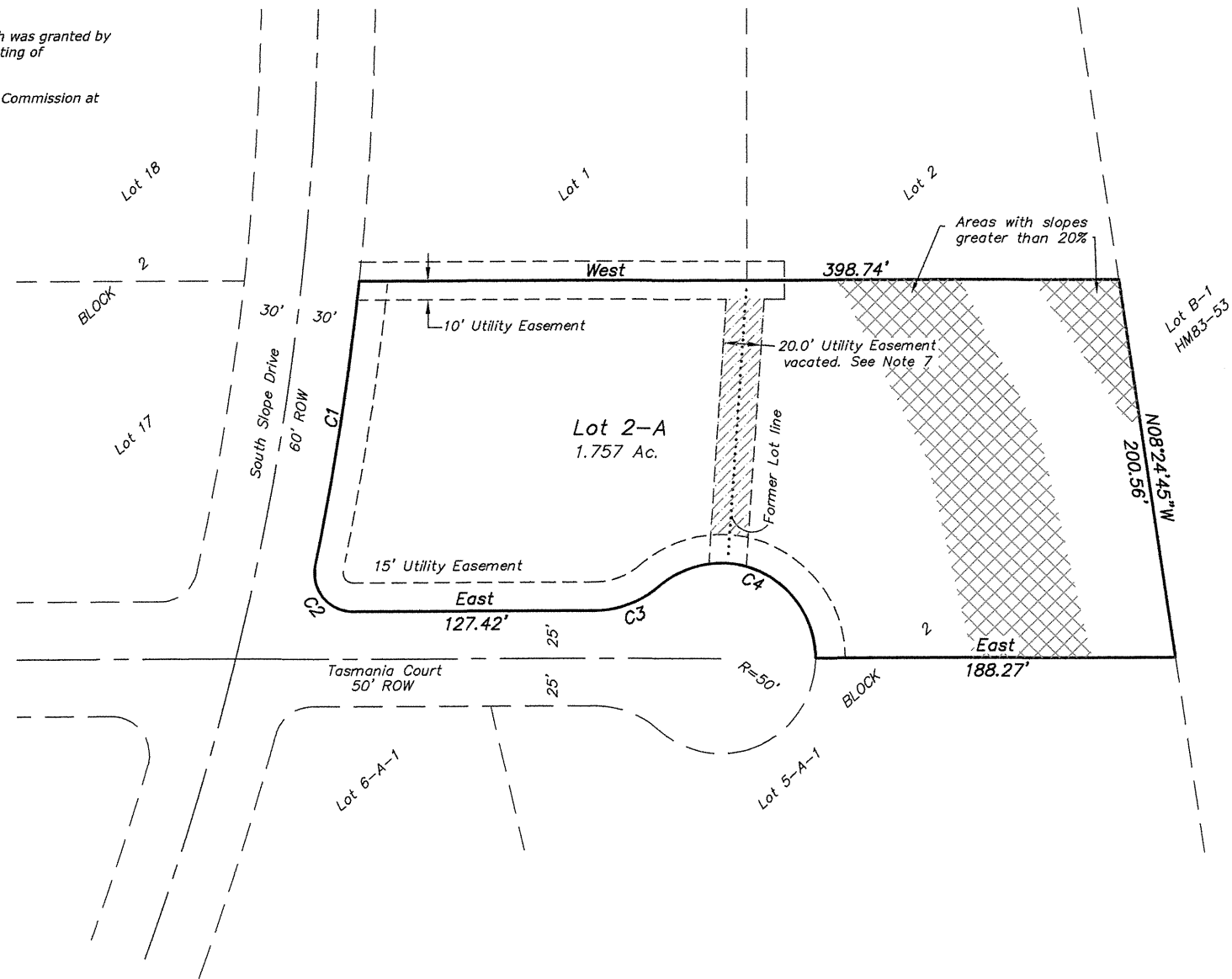
Planning Commission recommend approval of the preliminary plat with the following comments:

1. Include a plat note stating "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. Commission to concur with maintaining East Tasmania Court as a 50' ROW with the inclusion of plat note and depiction designating the adjacent 15' utility easement as a utility and slope easement.
3. Correct the street name to East Tasmania Court

Attachments:

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

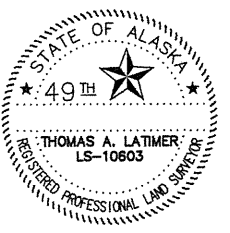
- Notes:**
1. No field survey was performed. Boundaries and areas are of record per plat HM77-61.
 2. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
 3. There is a 15' Utility Easement fronting all street ROWs.
 4. This subdivision is subject to City of Homer Zoning Codes.
 5. An exception to KPB 20.30.240, Building Setback note was granted by the Kenai Peninsula Plat Committee at the meeting of _____.
 6. An exception to KPB 20.30.120, ROW width was granted by the Kenai Peninsula Plat Committee at the meeting of _____.
 7. Utility Easement vacated by KPB Planning Commission at it's meeting of _____.



Plat Approval

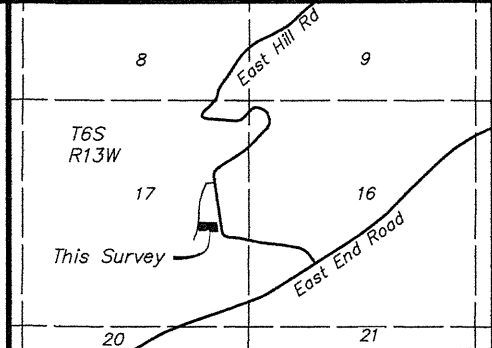
This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of July 13, 2020.

By: _____ Date _____
Authorized Official
Kenai Peninsula Borough



WASTEWATER CERTIFICATE:
Plans for wastewater disposal that meet regulatory requirements are on file at the Department of Environmental Conservation.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1550.00'	151.22'	151.16'	N08°53'02"E	5°35'24"
C2	20.00'	35.49'	31.02'	N39°09'38"W	101°40'44"
C3	50.00'	36.14'	35.36'	N69°17'43"E	41°24'35"
C4	50.00'	114.68'	91.14'	N65°42'13"W	131°24'44"



VICINITY MAP 1" = 1/2 Mile

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

Bryan W. Evans
4526 South Slope Drive
Homer, AK 99603

Notary's Acknowledgement:
For _____
Acknowledged before me this _____ day
of _____, 20____.

Notary Public for Alaska
My commission expires: _____

Ginny A. Evans
4526 South Slope Drive
Homer, AK 99603

Notary's Acknowledgement:
For _____
Acknowledged before me this _____ day
of _____, 20____.

Notary Public for Alaska
My commission expires: _____



**BARNETT'S SOUTH SLOPE SUBD.
EVANS ADDITION**

A replat combining
Lot 2 and Lot 4, Block 2,
Barnett's South Slope Subd. HM77-61
Within NE1/4 Sec. 17, T6S, R13W, SM,
City of Homer, Kenai Peninsula Borough,
Homer Recording District, Third Judicial District, Alaska
Containing 1.757 Acres more or less.

Prepared for:
Bryan and Ginny Evans
4526 S. Slope Drive
Homer, AK 99603

Prepared by:
Orion Surveys
PO Box 15025
36570 Maria Road
Fritz Creek, AK 99603
(907) 399-7028
tom@orionsurveys.com

Scale: 1"=50'
FB: NA Job# 862

Date: 6/25/2021
KPB File No. 2021-

RECEIVED
JUL 19 2021
CITY OF HOMER
PLANNING/ZONING

Orion Surveys
PO Box 15025
Fritz Creek, AK 99603

July 10, 2021

Planning Staff,
City of Homer Planning Department
491 East Pioneer Avenue,
Homer, AK 99669

Re: Barnett's South Slope, Evans Addition, Preliminary Plat submittal,

Staff,

This plat has been prepared to replat Lots 2 and 4 of Barnett's South Slope Subdivision into a single lot.

We will be asking the KPB Plat Committee for two exceptions to borough subdivision code. The first is a procedural exception to remove the original plat note creating a 20' building setback. This allows for Homer City code to govern the building setback. We have added a note to specify that this lot will be subject to Homer City codes. The second is an exception to KPB 20.30.120, ROW width for Tasmania Court. Current borough code calls for a 60' ROW width. This short section of road currently serves only Lot 5-A-1. Considering existing construction on Lot 5-A-1 it is unlikely that this lot will be further subdivided. Current use of Tasmania Court is essentially as a driveway to Lot 5-A-1 and there is no need for additional dedication.

We are also seeking to vacate the utility easement along the lot line that is being removed by this plat. That application is in process and will be considered by the KPB Planning Commission.

Please review and issue comment on this plat for use by the Kenai Peninsula Borough in their approval process.

Sincerely



Tom Latimer

RECEIVED

JUL 19 2021

CITY OF HOMER
PLANNING/ZONING

encl
Full size paper plat
Reduced paper plat (11"x17")
Plat fee \$300.00, Check #218

NOTICE OF SUBDIVISION

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Proposed subdivision under consideration is described as follows:

Barnett's South Slope Subd. Evans Addition 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, August 4, 2021 at 6:30 p.m. The meeting will be held virtually.

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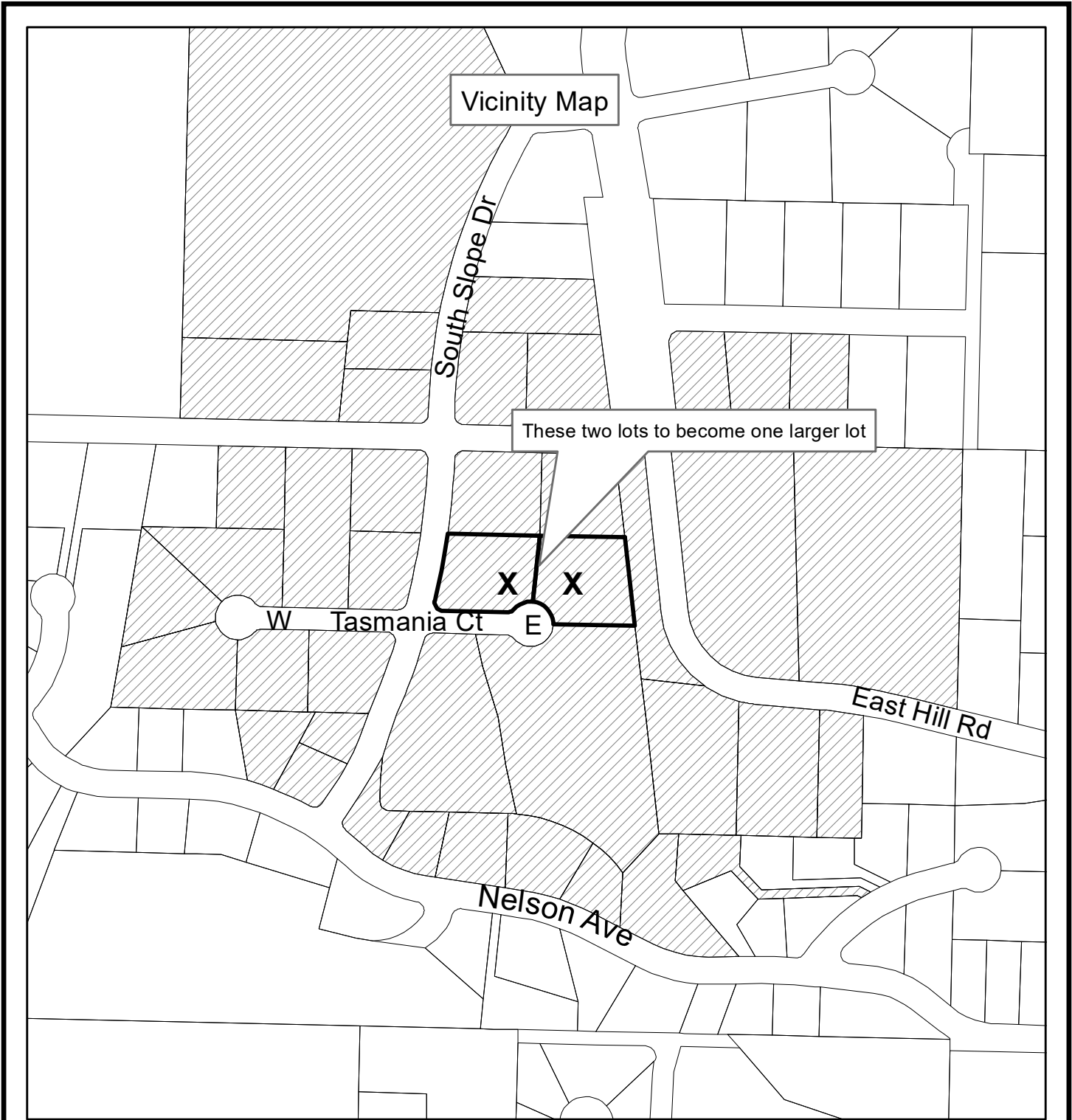
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If you have questions or would like additional information about the proposal, please contact Rick Abboud at the Planning and Zoning Office at 235-3106. If you have questions about how to participate in the virtual meeting, please contact the City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

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

.....

VICINITY MAP ON REVERSE



Request for Barnett's South Slope Sub Evans Addition Preliminary Plat

City of Homer
Planning and Zoning Department
 July 21, 2021

Marked lots are within 500 feet and property owners notified.

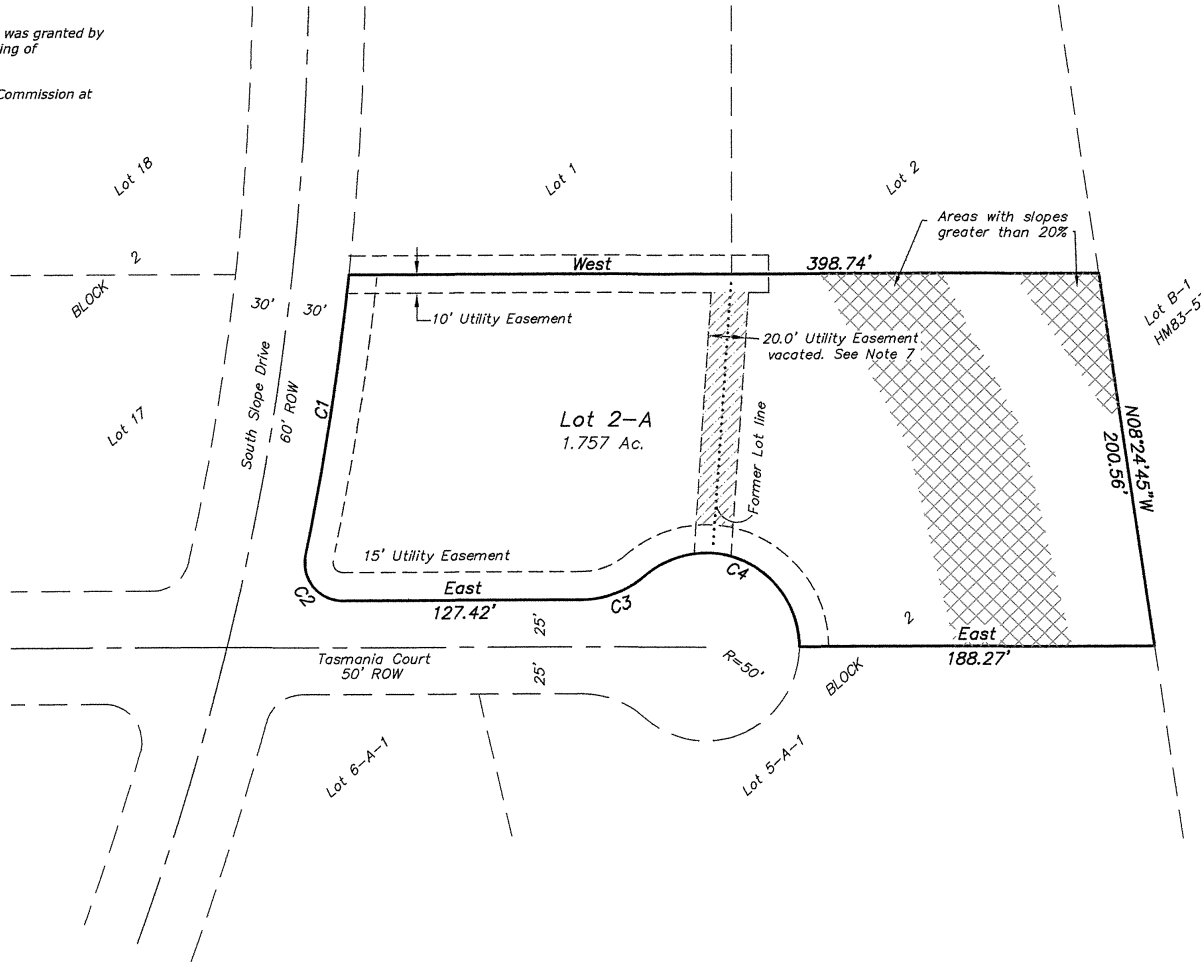
0 250 500 Feet



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

Notes:

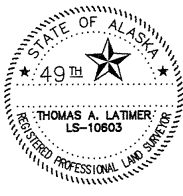
1. No field survey was performed. Boundaries and areas are of record per plat HM77-61.
2. No permanent structures shall be constructed or placed within a utility easement which would interfere with the ability of the utility to use the easement.
3. There is a 15' Utility Easement fronting all street ROWs.
4. This subdivision is subject to City of Homer Zoning Codes.
5. An exception to KPB 20.30.240, Building Setback note was granted by the Kenai Peninsula Plat Committee at the meeting of _____.
6. An exception to KPB 20.30.120, ROW width was granted by the Kenai Peninsula Plat Committee at the meeting of _____.
7. Utility Easement vacated by KPB Planning Commission at it's meeting of _____.



Plat Approval

This plat was approved by the Kenai Peninsula Borough Planning Commission at the meeting of July 13, 2020.

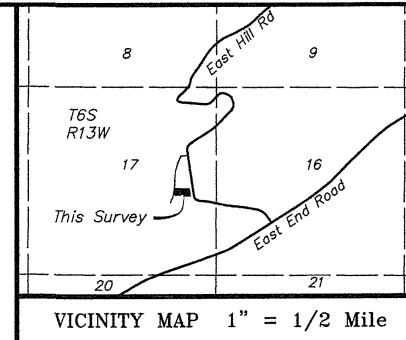
By: _____ Date _____
Authorized Official
Kenai Peninsula Borough



WASTEWATER CERTIFICATE:

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

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1550.00'	151.22'	151.16'	N08°53'02"E	5°35'24"
C2	20.00'	35.49'	31.02'	N39°09'38"W	101°40'44"
C3	50.00'	36.14'	35.36'	N69°17'43"E	41°24'35"
C4	50.00'	114.68'	91.14'	N65°42'13"W	131°24'44"



Ownership Certificate:

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

Bryan W. Evans
4526 South Slope Drive
Homer, AK 99603

Notary's Acknowledgement:

For _____
Acknowledged before me this _____ day
of _____, 20____.

Notary Public for Alaska
My commission expires: _____

Ginny A. Evans
4526 South Slope Drive
Homer, AK 99603

Notary's Acknowledgement:

For _____
Acknowledged before me this _____ day
of _____, 20____.

Notary Public for Alaska
My commission expires: _____



BARNETT'S SOUTH SLOPE SUBD. EVANS ADDITION

A replat combining
Lot 2 and Lot 4, Block 2,
Barnett's South Slope Subd. HM77-61
Within NE1/4 Sec. 17, T6S, R13W, SM,
City of Homer, Kenai Peninsula Borough,
Homer Recording District, Third Judicial District, Alaska
Containing 1.757 Acres more or less.

Prepared for:
Bryan and Ginny Evans
4526 S. Slope Drive
Homer, AK 99603

Prepared by:
Orion Surveys
PO Box 15025
36570 Maria Road
Fritz Creek, AK 99603
(907) 399-7028
tom@orionsurveys.com

Scale: 1"=50'

FB: NA

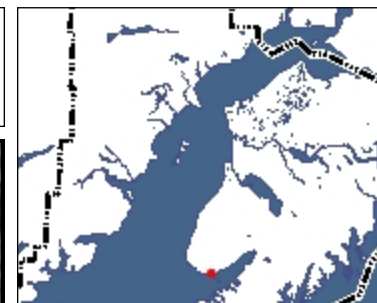
Job# 862

Date: 6/25/2021

KPB File No. 2021-



Aerial Map



Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- Parcels
- Image
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



Notes

Enter map notes here.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Do not use for navigation.



City of Homer

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Planning

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(f) 907-235-3118

Staff Report PL 21-43

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: July 21, 2021
SUBJECT: Marijuana Consumption Endorsement

Introduction The Planning Commission held a public hearing and voted 2-3 in favor of recommending Council adoption, resulting in a negative recommendation. At the Council's meeting of June, 28th, the Council postponed action and asked for the item to return to the Commission.

Analysis There seemed to be some confusion as to why the item might have ended up at the council with the Planning Commission as the sponsor when they did not recommend adoption. The item was brought to administration by a citizen with interest in applying for a consumption endorsement. After conferring with the City Manager, I brought the item to a public hearing for Planning Commission recommendation. When turning in my material for the consideration of the Council, I believed that the item had a sponsor at the Council level. Unfortunately, no sponsor took it up for the meeting. It is my understanding that the City Manager will sign on as a sponsor at the council level when it is before the council next.

I did previously provide information on the operation of a consumption endorsement including the operational regulations adopted by the State. I have had positive experiences working with the retail locations in Homer and have not experienced operative complaints, especially after a facility has been in operation. I did note that I thought it was something that was well-regulated by the state and that *if it was something found to be in the sensibilities of the citizens of Homer*, I would not object.

The item did not gain support enough support from the Commission to pass a motion to recommend adoption and the item did not originate from the Commission. The Commission has already made their motion and forwarded a recommendation. At this time, we would have a Robert's Rule issue if one were to try to bring the same item for another vote. Although the Commission could provide further comments to the Council.

Finally, there was a request to have Chief Robl weigh in on the subject. As Chief has stated before, he is against having an operation where his officers would be exposed to marijuana

smoke. He said that could lead to liabilities if the officers were to have to respond to calls or continue patrol if they were to have a measurable amount of THC in their system.

Staff Recommendation Consider is there is any other information regarding your decision that you would wish to bring to the Council.

Attachments

City Council packet items including Memo 21-110 and relevant meeting minutes excerpt from Deputy City Clerk Tussey.

From: [Rachel Tussey](#)
To: [Rick Abboud](#)
Cc: [Travis Brown](#)
Subject: Ord 21-41 Council Minutes Excerpt
Date: Wednesday, July 14, 2021 3:48:56 PM

Rick,

Here is the excerpt from the Council minutes to help with your report writing.

ORDINANCE(S)

- a. Ordinance 21-41, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 21.18.020, Central Business District, 21.24.020 General Commercial 1, 21.26.020 General Commercial 2, 21.27.020 East End Mixed Use, 21.62.020 Marijuana Cultivation, Manufacturing, Testing, and Retail Facilities to Include a Consumption Endorsement as Defined by State Law. Planning Commission. Introduction June 28, 2021 Public Hearing and Second Reading July 26, 2021.

Memorandum 21-110 from City Planner as backup.

LORD/ADERHOLD MOVED TO INTRODUCE ORDINANCE 21-41 BY READING OF TITLE ONLY.

Councilmember Smith voiced his support for the introduction of Ordinance 21-41 but would likely not support the final passing of it. He shared his concerns regarding personal use in public, both for alcohol and marijuana.

Councilmember Evensen also voiced his support for the introduction of Ordinance 21-41 and commented on the points brought up at the Planning Commission. He opined that the commission's comments regarding smells traveling on the wind did not seem to take into account the higher winds near the beach, and how a facility located a ways off from the beach would be away from anything that's happening on the beach. He asked that when members look at this specific issue in the future that they consider the greater effect that the atmosphere is a large tank of air.

Councilmember Lord voiced her support for the introduction of Ordinance 21-41 and inquired with the City Clerk on if it should be sponsored by an interested councilmember since the Planning Commission, who is currently sponsoring the ordinance, did not recommend adopting it. Ms. Lord also noted in the public testimony earlier that the Planning Commission may not have had adequate time to assess the State regulations. She commented that the regulations set a high bar, with neighboring properties' concerns being significant, and it primarily lands on the local area on whether the use should be permitted.

City Clerk Jacobsen noted that staff is in the process of confirming if another sponsor is needed and will provide more information before the next meeting.

Councilmember Smith echoed Ms. Lord's comments that it is troubling to support an ordinance sponsored by a commission that did not recommend to Council. He requested that they have someone from the Planning Commission attend the next meeting so that they can give some context to the notes and that we can have a better understanding of their discussion and findings.

Councilmember Lord considered whether it needed to be sent back to the Planning Commission. She referenced the public testimony received from community members very interested in the passing of this topic and the impression that the commission did not have enough time to thoroughly review it.

City Clerk Jacobsen suggested, as an option, postponing introduction until the July 26th meeting to allow time to get questions answered and determine the next step for Council. Mayor Castner confirmed with Ms. Jacobsen that the Planning Commission meets July 21st.

Councilmember Smith agreed that it should be referred back to the Planning Commission in the interim to clarify whether it was intended to be introduced at all, and would give more time to determine if a new sponsor is needed.

LORD/VENUTI MOVED TO POSTPONE THE INTRODUCTION OF ORDINANCE 21-41 TO JULY 26TH MEETING AND REFER IT BACK TO THE PLANNING COMMISSION.

Councilmember Aderhold requested that the State regulations for onsite consumption be provided to the commission as it seems it would answer many of their questions and concerns.

Mayor Castner hoped for them to have a full commission seated at their next meeting; there was only a two-to-three vote due to not having a full panel present.

Councilmember Venuti requested that a report from Chief Robl on the topic also be included.

Councilmember Evensen commented on the added layer of bureaucracy by running it by the Planning Commission again after they already reviewed it.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Rachel Tussey, CMC

Deputy City Clerk II

Sister City Coordinator

Deputy Public Information Officer



City of Homer

City Clerk's Office

491 E. Pioneer Avenue

Homer, AK 99603

Direct: (907) 435-3107

PUBLIC RECORDS LAW DISCLOSURE: Most e-mails from or to this address will be available for public inspection under Alaska public records law.



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Memorandum 21-110

TO: MAYOR CASTNER AND THE HOMER CITY COUNCIL
FROM: RICK ABBOD, AICP, CITY PLANNER
DATE: JUNE 7, 2021
SUBJECT: PROPOSED AMENDMENT TO ALLOW MARIJUANA CONSUMPTION
ENDORSEMENTS

Introduction: The State of Alaska has created an allowance for a Consumption Endorsement that applies to retail marijuana stores. The endorsement is an allowance for on-site consumption of marijuana products. In addition to the myriad of rules and regulation for retail sales, the Alcohol and Marijuana Control Office (AMCO) has a newly adopted set of regulations for the operation of a Consumption Endorsement (regulations are included in backup material). A proposed ordinance was the subject of a public hearing at the June 2, 2021 meeting of the Commission.

Analysis: The Commission reviewed an ordinance that intended to allow a consumption endorsement as prescribed by the State of Alaska to any retail marijuana store, as currently allowed in the city. The Commission has many operational concerns especially about possibility of the smell of marijuana smoke offsite and the proximity of the operation to children and/or families that may frequent the area.

The Commission did ask questions of Chris Logan, a perspective consumption endorsement applicant that currently operates a retail marijuana facility in Old Town. After hearing some rebuttal about their concerns, the Planning Commission voted with two in support and three opposing the addition of a consumption endorsement to retail marijuana facility.

Recommendation: The Homer Planning Commission does not support the proposed ordinance.

Attachments:

Proposed ordinance

Planning Commission minutes



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Staff Report PL 21-35

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: June 2, 2021
SUBJECT: Marijuana consumption endorsements

Introduction

We have a local interest in providing on-site consumption of marijuana, as recently allowed by state law.

Analysis

Local Options

According to Alaska Statutes (AS) 17.38, the city may establish local control over the marijuana industry including prohibitions and operating requirements. Presently, Homer has allowances for marijuana cultivation facilities, product manufacturing, testing, and retail facilities. After a conservative interpretation of prohibited locations based on state and federal criteria, areas located out of prohibited distances in commercial zoning districts (as indicated on the attached map) are allowed to operate under the requirements of the State of Alaska. Homer has chosen to not add an additional layers of regulations on operations, outside of what is already required for local development.

State regulation in general

The consumption endorsement requires the establishment of a retail marijuana store. In addition to local regulations regarding development in general, the state has a host of rules for marijuana businesses. Without going into great detail, operational items addressed by the state outside of the new regulations regarding consumption include; security, inventory, advertising, employee training, waste disposal, delivery/transportation, limit of quantities sold, alarm systems, lock standards, video surveillance, as well as health and safety standards. Retailors are also prohibited from allowing intoxicated or drunken persons to enter or remain on the premises.

State regulations for consumption endorsement

The state has created a body of regulation dealing specifically with consumption operations. The state regulations regarding the consumption endorsement (attached) cover a lot of ground, from rules on products and amounts allowed for on-site consumption to the physical layout of the facility. These rules contain measures to help ensure public safety for patrons,

employees, and the public. The regulations include an examination of surrounding uses, a noticed area for solicitation of comments, security, ventilation, and operating requirements. Areas designated for consumption are not to be visible to those off-site.

Staff input

Since the inception of the marijuana industry a few years ago in Homer, we have not noticed an impact to public safety. As a casual but consistent reviewer of local reported crime, I have seen no significant trends in crimes that might be attributed to the legal marijuana industry. Given that our current legal marijuana industry has not introduced increases in crime, I would expect the same from a consumption endorsement. As the consumption (smoking) of marijuana is illegal in public and it is common for hotels and rentals to ban smoking, visitors may not have legal options for consumption. If it is found to be within the sensibilities of the citizens of Homer to support such a venture, we feel that state regulations regarding the marijuana industry together with our local zoning regulations support the inclusion of the consumption endorsement.

Staff Recommendation

Conduct a public hearing and formulate a recommendation to the City Council concerning the draft ordinance.

Attachments

Draft ordinance

Marijuana zoning map

3 AAC 306.370. Onsite consumption endorsement for retail marijuana stores.

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 21-41

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HOMER CITY CODE 21.18.020, CENTRAL BUSINESS
DISTRICT; 21.24.020, GENERAL COMMERCIAL 1; 21.26.020,
GENERAL COMMERCIAL 2; 21.27.020, EAST END MIXED USE; AND
21.62.020, MARIJUANA CULTIVATION, MANUFACTURING,
TESTING, AND RETAIL FACILITIES.

WHEREAS, It is in the City's best interest to draft comprehensive regulations regarding
the use of property within the City to cultivate, manufacturer marijuana or to operate a retail
store selling marijuana with or without a consumption endorsement; and

WHEREAS, The City is dedicated to drafting regulations that prevent the distribution of
marijuana to minors; prevents revenue from the sale of marijuana from going to criminal
enterprises, gangs, and cartels; prevents the diversion of marijuana from states where it is legal
under state law in some form to other states; prevents state-authorized marijuana activity
from being used as a cover or pretext for the trafficking of other illegal drugs or other illegal
activity; prevents violence and the use of firearms in the cultivation and distribution of
marijuana; prevents drugged driving and the exacerbation of other adverse public health
consequences associated with marijuana use; prevents the growing of marijuana on public
lands and the attendant public safety and environmental dangers posed by marijuana
production on public land; and prevents marijuana possession or use on federal property.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 21.18 is amended as follows:

Section 21.18.020 Permitted uses and structures.

The following uses are permitted outright in the Central Business District,
except when such use requires a conditional use permit by reason of size, traffic
volumes, or other reasons set forth in this chapter:

a. Retail business where the principal activity is the sale of merchandise
and incidental services in an enclosed building;

[**Bold and underlined added.** Deleted language stricken through.]

- 38 b. Personal service establishments;
- 39 c. Professional offices and general business offices;
- 40 d. Restaurants, clubs and drinking establishments that provide food or
- 41 drink for consumption on the premises;
- 42 e. Parking lots and parking garages, in accordance with
- 43 Chapter 21.55 HCC;
- 44 f. Hotels and motels;
- 45 g. Mortuaries;
- 46 h. Single-family, duplex, and multiple-family dwellings,
- 47 including townhouses, but not including mobile homes;
- 48 i. Floatplane tie-up facilities and air charter services;
- 49 j. Parks;
- 50 k. Retail and wholesale sales of building supplies and materials, only if
- 51 such use, including storage of materials, is wholly contained within one
- 52 or more enclosed buildings;
- 53 l. Customary accessory uses to any of the permitted uses listed in the
- 54 CBD district; provided, that a separate permit shall not be issued for the
- 55 construction of any detached accessory building prior to that of
- 56 the main building;
- 57 m. Mobile homes, provided they conform to the requirements set forth
- 58 in HCC 21.54.100;
- 59 n. Home occupations, provided they conform to the requirements of
- 60 HCC 21.51.010;
- 61 o. Ministorage;

p. Apartment units located in buildings primarily devoted to business or commercial uses;

q. Religious, cultural, and fraternal assembly;

r. Entertainment establishments;

s. Public, private and commercial schools;

t. Museums and libraries;

u. Studios;

v. Plumbing, heating and appliance service shops, only if such use, including the storage of materials, is wholly within an enclosed building;

w. Publishing, printing and bookbinding;

x. Recreational vehicle parks only if located south of the Sterling Highway (Homer Bypass) from Lake Street west to the boundary of the Central Business District abutting Webber Subdivision, and from Heath Street to the west side of Lakeside Village Subdivision, provided they shall conform to the standards in HCC 21.54.200 and following sections;

y. Taxi operation limited to a dispatch office and fleet parking of no more than five vehicles; maintenance of taxis must be conducted within an enclosed structure, and requires prior approval by the City Planner of a site, access and parking plan;

z. Mobile food services;

aa. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;

bb. Day care homes and facilities; provided, however, that outdoor play areas must be fenced;

- cc. Rooming house, bed and breakfast and hostel;
- dd. Auto repair and auto and trailer sales or rental areas, but only on Main Street from Pioneer Avenue to the Sterling Highway, excluding lots with frontage on Pioneer Avenue or the Sterling Highway, subject to the following additional requirements: Vehicles awaiting repair or service, inoperable vehicles, vehicles for parts, and vehicles awaiting customer pickup shall be parked indoors or inside a fenced enclosure so as to be concealed from view, on all sides. The fence shall be a minimum height of eight feet and constructed to prohibit visibility of anything inside of the enclosure. The portion of any vehicle exceeding eight feet in height may be visible outside of the fence. Vehicle parts (usable or unusable), vehicle service supplies, and any other debris created in the repair or servicing of vehicles shall also be stored indoors or inside the fenced enclosure out of view of the public;
- ee. Farmers' market;
- ff. Dormitory;
- gg. Financial institutions;
- hh. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10 kilowatts;
- ii. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-family dwelling on a lot.
- jj. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities, **and consumption endorsement** as defined by State law;
- kk. Medical Clinics

Section 2. Homer City Code Chapter 21.24 is amended as follows:

Section 21.24.020 Permitted uses and structures.

The following uses are permitted outright in the General Commercial 1 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter.

- a. Air charter operations and floatplane tie-up facilities;
- b. General business offices and professional offices;
- c. Dwelling units located in buildings primarily devoted to business uses;
- d. Auto repair;
- e. Auto and trailer sales or rental areas;
- f. Auto fueling stations and drive-in car washes;
- g. Building supply and equipment sales and rentals;
- h. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- i. Garden supplies and greenhouses;
- j. Heavy equipment and truck sales, rentals, service and repair;
- k. Hotels and motels;
- l. Lumberyards;
- m. Boat and marine equipment sales, rentals, service and repair;
- n. Mortuaries;
- o. Open air businesses;
- p. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;

- 138 q. Manufacturing, fabrication and assembly
- 139 r. Publishing, printing and bookbinding;
- 140 s. Recreation vehicle sales, rental, service and repair;
- 141 t. Retail businesses;
- 142 u. Trade, skilled or industrial schools;
- 143 v. Wholesale businesses, including storage and distribution services
144 incidental to the products to be sold;
- 145 w. Welding and mechanical repair;
- 146 x. Parks and open space;
- 147 y. Appliance sales and service;
- 148 z. Warehousing, commercial storage and mini-storage;
- 149 aa. Banks, savings and loans, credit unions and other financial
150 institutions;
- 151 bb. Customary accessory uses to any of the permitted uses listed in the
152 GC1 district; provided, that no separate permit shall be issued for the
153 construction of any type of accessory building prior to that of the main
154 building;
- 155 cc. Dry cleaning, laundry, and self-service laundries;
- 156 dd. Taxi operation;
- 157 ee. Mobile food services;
- 158 ff. Itinerant merchants, provided all activities shall be limited
159 to uses permitted outright under this zoning district;
- 160 gg. Recreational vehicle parks, provided they shall conform to the
161 standards in Article II of Chapter 21.54 HCC;

hh. Day care homes; provided, that a conditional use permit was obtained for the dwelling, if required by HCC 21.24.030; all outdoor play areas must be fenced;

ii. Rooming house and bed and breakfast;

jj. Dormitory;

kk. As an accessory use, one small wind energy system per lot.

ll. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities, **and consumption endorsement** as defined by state law.

Section 3. Homer City Code Chapter 21.26 is amended as follows:

Section 21.26.020 Permitted uses and structures.

The following uses are permitted outright in the General Commercial 2 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

a. Production, processing, assembly and packaging of fish, shellfish and seafood products;

b. Construction, assembly and storage of boats and boat equipment;

c. Manufacture and assembly of pottery and ceramics, musical instruments, toys, novelties, small molded products, electronic instruments and equipment and electrical devices;

d. Research and development laboratories;

e. Trade, skills or industrial schools;

f. Publishing, printing and bookbinding facilities;

- 186 g. Auto, trailer, truck, recreational vehicle and heavy equipment sales,
187 rentals, service and repair, excluding storage of vehicles or equipment
188 that is inoperable or in need of repair;
- 189 h. Storage and distribution services and facilities, including truck
190 terminals, warehouses and storage buildings and yards, contractors'
191 establishments, lumberyards and sales, or similar uses;
- 192 i. Airports and air charter operations;
- 193 j. Underground bulk petroleum storage;
- 194 k. Cold storage facilities;
- 195 l. Parking lots and parking garages, in accordance with
196 Chapter 21.55 HCC;
- 197 m. Mobile commercial structures;
- 198 n. Accessory uses to the uses permitted in the GC2 district that are
199 clearly subordinate to the main use of the lot or building, such as
200 wharves, docks, restaurant or cafeteria facilities for employees; or
201 caretaker or dormitory residence if situated on a portion of the
202 principal lot; provided, that separate permits shall not be issued for the
203 construction of any type of accessory building prior to that of the main
204 building;
- 205 o. Taxi operation;
- 206 p. Mobile food services;
- 207 q. Itinerant merchants, provided all activities shall be limited
208 to uses permitted outright under this zoning district;
- 209 r. Recreational vehicle parks, provided they shall conform to the
210 standards in Chapter 21.54 HCC;
- 211 s. Hotels and motels;

- t. Dormitory;
- u. As an accessory use, one small wind energy system per lot;
- v. Open air business.
- w. Marijuana cultivation facilities, manufacturing facilities, retail facilities, ~~and testing facilities,~~ **and consumption endorsement** as defined by state law.

Section 4. Homer City Code Chapter 21.27 is amended to read as follows:

Section 21.27.020 Permitted uses and structures.

The following uses are permitted outright in the East End Mixed Use District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

- a. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair;
- b. Drive-in car washes;
- c. Building supply and equipment sales and rentals;
- d. Garden supplies and greenhouses;
- e. Boat and marine equipment sales, rentals, manufacturing, storage yard, service and repair;
- f. Welding and mechanical repair;
- g. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- h. Religious, cultural, and fraternal assembly;
- i. Studios;
- j. Personal services;
- k. Agricultural activities, including general farming, truck farming, nurseries, tree farms and greenhouses;
- l. Private stables;
- m. Storage of heavy equipment, vehicles or boats;
- n. Plumbing, heating and appliance service shops;
- o. Home occupations on a lot whose principal permitted use is residential, provided they conform to the requirements of HCC 21.51.010;
- p. Mortuaries and crematoriums;
- q. Open air businesses;
- r. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- s. Manufacturing, fabrication and assembly;
- t. Retail businesses;

- u. Trade, skilled or industrial schools;
- v. Wholesale businesses, including storage and distribution services incidental to the products to be sold;
- w. Parks and open space;
- x. Warehousing, commercial storage and mini-storage;
- y. Recreational vehicles, subject to the standards in HCC 21.54.320(a), (b) and (c);
- z. Dry cleaning, laundry, and self-service laundries;
- aa. Mobile food services;
- bb. As an accessory use, one small wind energy system per lot;
- cc. Production, processing, assembly and packaging of fish, shellfish and seafood products;
- dd. Research and development laboratories;
- ee. Storage and distribution services and facilities, including truck terminals, warehouses and storage buildings and yards, contractors' establishments, lumberyards and sales, or similar uses;
- ff. Cold storage facilities;
- gg. Mobile commercial structures;
- hh. Single-family and duplex dwellings, only as an accessory use incidental to a permitted principal use; provided, that no permit shall be issued for the construction of an accessory dwelling prior to the establishment of the principal use;
- ii. The repair, replacement, reconstruction or expansion of a single-family or duplex dwelling, including a mobile home, that existed lawfully before its inclusion in the GC1, GC2 or EEMU zoning districts, notwithstanding any provision of Chapter 21.61 HCC to the contrary; provided, that a mobile home may not be used to replace or expand such a dwelling;
- jj. Customary accessory uses to any of the uses permitted in the EEMU district that are clearly subordinate to the main use of the lot or building, including without limitation wharves, docks, storage facilities, restaurant or cafeteria facilities for employees; or caretaker or employee dormitory residence if situated on a portion of the same lot as the principal use; provided, that no permit shall be issued for the construction of any type of accessory building prior to the establishment of the principal use;
- kk. Taxi operation;
- ll. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this zoning district;
- mm. More than one building containing a permitted principal use on a lot;
- nn. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use 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.

oo. Marijuana cultivation facilities, manufacturing facilities, retail facilities, ~~and~~ testing facilities, **and consumption endorsement** as defined by state law.

Section 5. Homer City Chapter 21.62 is amended as follows:

21.62.010 Scope

a. This chapter applies to the operation of all marijuana cultivation, manufacturing, retail, ~~and~~ testing facilities, **and consumption endorsement as defined by state law** within the city boundaries.

b. This chapter in no way protects marijuana facilities from enforcement of federal law nor is it intended to sanction conduct or operations prohibited by law. All persons engaged in the marijuana industry within the city operate at their own risk and have no legal recourse against the City in the event that city laws are preempted, negated or otherwise found unenforceable based upon federal law prohibiting the sale, distribution, consumption or possession of marijuana.

Section 6. This ordinance shall take effect upon its adoption by the Homer City Council.

Section 7. This ordinance is of a permanent and general character and shall be included in the City code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this ____ day of _____ 2021.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

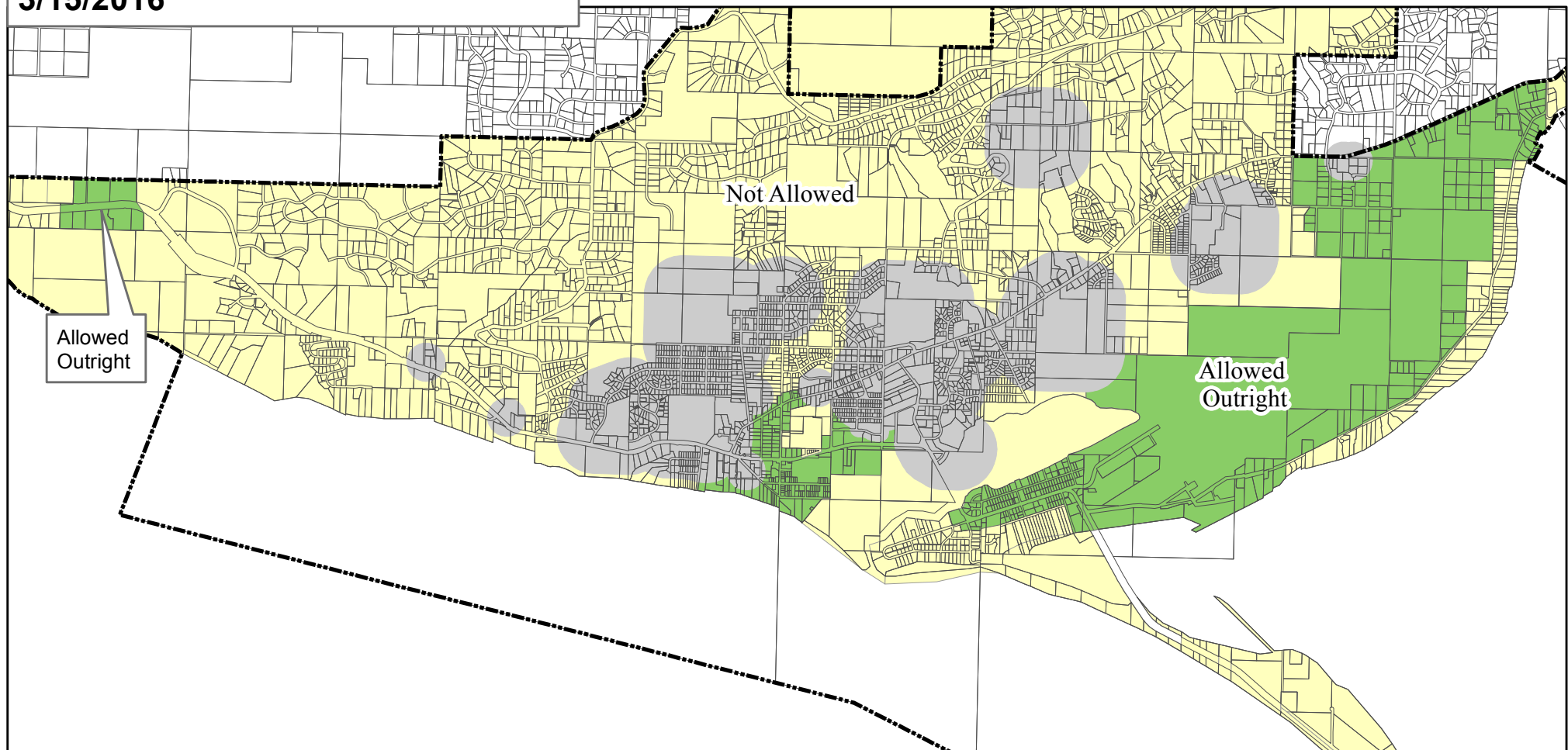
MELISSA JACOBSEN, MMC, CITY CLERK

337
338 YES:
339 NO:
340 ABSTAIN:
341 ABSENT:
342
343 First Reading:
344 Public Reading:
345 Second Reading:
346 Effective Date:

Commercial Marijuana Map

Adopted Ordinance 16-04(A-2)(S-3)

3/15/2016



Legend

- Commercial Marijuana Activities**
- City Limits
 - Buffers
 - No Commercial Cannabis Businesses
 - Cultivation, Manufacturing Testing and Retail

State regulations call for buffers to be measured between the public entrance of the cannabis business, and the public entrances of churches and jails. Distances for schools and youth/rec centers are measured from the boundaries to the front door of the cannabis business. All distances are measured by the shortest pedestrian route.

the background. (Eff. 7/22/2017, Register 223)

3 AAC 306.370. Onsite consumption endorsement for retail marijuana stores

(a) Unless prohibited by local or state law, a freestanding licensed retail marijuana store with an approved onsite consumption endorsement is authorized to

(1) sell marijuana and marijuana products, excluding marijuana concentrates, to patrons for consumption on the licensed premises at the time of purchase only in an area designated as the marijuana consumption area and separated from the remainder of the premises, either by a secure door and having a separate ventilation system, or by being outdoors in compliance with (c)(4) below;

(2) sell for consumption on the premises

(A) marijuana bud or flower in quantities not to exceed one gram to any one person per day;

(B) edible marijuana products in quantities not to exceed 10 mg of THC to any one person per day; and

(C) food or beverages not containing marijuana or alcohol; and

(3) allow a person to remove from the licensed premises marijuana or marijuana product that has been purchased on the licensed premises for consumption under this section, provided it is packaged in accordance with 3 AAC 306.345.

(b) A licensed retail marijuana store with an approved onsite consumption endorsement may not

(1) sell marijuana concentrate for consumption in the marijuana consumption area or allow marijuana concentrate to be consumed in the marijuana consumption area;

(2) allow any licensee, employee, or agent of a licensee to consume marijuana or marijuana product, including marijuana concentrate, during the course of a work shift;

(3) allow a person to consume tobacco or tobacco products in the marijuana consumption area;

(4) allow a person to bring into or consume in the marijuana consumption area any marijuana or marijuana product that was not purchased at the licensed retail marijuana store;

(5) sell, offer to sell, or deliver marijuana or marijuana product at a price less than the price regularly charged for the marijuana or marijuana product during the same calendar week;

(6) sell, offer to sell, or deliver an unlimited amount of marijuana or marijuana product during a set period of time for a fixed price;

(7) sell, offer to sell, or deliver marijuana or marijuana product on any one day at prices less than those charged the general public on that day;

(8) encourage or permit an organized game or contest on the licensed premises that involves consuming marijuana or marijuana product or the awarding of marijuana or marijuana product as prizes; or

(9) advertise or promote in any way, either on or off the premises, a practice prohibited under this section.

(c) A marijuana consumption area shall have the following characteristics:

(1) the consumption area shall be isolated from the other areas of the retail marijuana store, separated by walls and a secure door, and shall have access only from the retail marijuana store;

(2) a smoke-free area for employees to monitor the marijuana consumption area;

(3) a ventilation system that directs air from the marijuana consumption area to the outside of the building through a filtration system sufficient to remove visible smoke, consistent with all applicable building codes and ordinances, and adequate to eliminate odor at the property line;

(4) if outdoors, be found by the board to be compatible with uses in the surrounding area through evaluation of

(A) neighboring uses;

(B) the location of air intake vents on neighboring buildings;

(C) a sight-obscuring wall or fence around the outdoor marijuana consumption area;

(D) objections of property owners, residents, and occupants within 250 linear feet or the notification distance required by the local government, whichever is greater; and

(E) any other information the board finds relevant.

(d) An applicant for an onsite consumption endorsement must file an application on a form the board prescribes, including the documents and endorsement fee set out in this section, which must include

(1) the applicant's operating plan, in a format the board prescribes, describing the retail marijuana store's plan for

(A) security, in addition to what is required for a retail marijuana store, including:

- (i) doors and locks;
- (ii) windows;
- (iii) measures to prevent diversion; and
- (iv) measures to prohibit access to persons under

the age of 21;

(B) ventilation. If consumption by inhalation is to be permitted, ventilation plans must be

- (i) signed and approved by a licensed mechanical engineer;
- (ii) sufficient to remove visible smoke; and
- (iii) consistent with all applicable building codes and ordinances;

(C) monitoring overconsumption;

(D) unconsumed marijuana, by disposal or by packaging in accordance with 3 AAC 306.345; and

(E) preventing introduction into the marijuana consumption area of marijuana or marijuana products not sold by the retail marijuana store, and marijuana or marijuana products not sold specifically for onsite consumption;

(2) the applicant's detailed diagram of the marijuana consumption area which must show the location of

- (A) the licensed premises of the retail marijuana store;
- (B) serving area or areas;
- (C) ventilation exhaust points, if applicable;
- (D) the employee monitoring area;
- (E) doors, windows, or other exits; and
- (F) access control points;

(3) the title, lease, or other documentation showing the applicant's sole right of possession of the proposed marijuana consumption area, if the area is not already part of the approved licensed premises for the retail marijuana store;

(4) an affidavit that notice of an outdoor marijuana consumption area has been mailed to property owners, residents, and occupants of properties within 250 linear feet of the boundaries of the property on which the onsite consumption endorsement is proposed, or the notification distance required by the local government, whichever is greater.

(e) The retail marijuana store holding an onsite consumption endorsement under this chapter shall

(1) destroy all unconsumed marijuana left abandoned or unclaimed in the marijuana consumption area in accordance with the operating plan and 3 AAC 306.740;

(2) monitor patrons in the marijuana consumption area at all times, specifically for overconsumption;

(3) display all warning signs required under 3 AAC 306.360 and 3 AAC 306.365 within the marijuana consumption area, visible to all consumers;

(4) provide written materials containing marijuana dosage and safety information for each type of marijuana or marijuana product sold for consumption in the marijuana consumption area at no cost to patrons;

(5) package and label all marijuana or marijuana product sold for consumption on the premises as required by 3 AAC 306.345; and

(6) comply with any conditions set by the local government or placed on the endorsement by the board.

(f) The holder of an onsite consumption endorsement must apply for renewal annually at the time of renewal of the underlying retail marijuana store license. (Eff. 4/11/2019, Register 230)

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

A. Staff Report 21-34, City Planner's Report

Chair Smith introduced the item by reading of the title and requested City Planner Abboud to present his report to the Commission.

City Planner Abboud provided a summary of Staff Report 21-34 that was provided in the packet. He did note that he had some correspondence from the Kenai Peninsula Borough regarding the lots that were owned by the Borough next to and neighboring the Homer Boatyard. They would like to have them designated Commercial. He reported on the conversations he had with the Corps of Engineers and the lots closest to the Homer Boatyard were not as high valued wetlands. City planner Abboud also noted the potential value for stormwater management.

Commissioner Highland volunteered for June 28, 2021 Council Meeting and Chair Smith volunteered for the June 14, 2021 Council meeting.

City Planner Abboud responded and facilitated discussion on the Homer Boatyard expansion and the travel lift and the previous decisions from the Planning Commission to allow building heights to 55 feet. Points and comments made during the ensuing discussion covered the drainage mitigation efforts that may be required and the impact with future development that the Boatyard expansion will bring to the area.

B. Public Works Campus Task Force Report

Chair Smith introduced the item and asked for Commissioner Barnwell to provide his report.

Commissioner Barnwell stated that he did not attend that meeting.

Deputy City Clerk Krause reported that she provided a written report for the packet and would be happy to answer questions.

There was no discussion on the report provided.

PUBLIC HEARINGS

A. Staff Report 21-35, An Ordinance to add onsite consumption endorsement for marijuana retail facilities as an allowed use

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

City Planner Abboud provided a summary of Staff Report 21-35.

Chair Smith opened the public hearing.

Chris Logan, owner of Cosmic Seaweed located in Old Town, commented in support of the proposed ordinance noting the State regulations required to conduct onsite consumption.

Chair Smith closed the public hearing seeing no further audience members wishing to provide testimony. He opened the floor to questions from the Commission.

Discussion was facilitated on the following:

- Smoke and ventilation requirements and concerns for inebriated patrons driving
- Exposure of employees to the smoke from patrons
- Number of businesses in Homer in two that are allowed to provide onsite consumption
- Location of a proposed onsite consumption is near Bishop's Beach which is considered a destination for families with children and young teenagers
- The effect of prevailing winds on neighboring businesses and residents

Chair Smith hearing no further questions requested a motion.

VENUTI/HIGHLAND MOVE THAT THE PLANNING COMMISSION RECOMMENDS CITY COUNCIL APPROVE THE ORDINANCE TO AMEND HOMER CITY CODE TO ALLOW ONSITE CONSUMPTION.

Discussion ensued regarding the concept of allowing the consumption of marijuana; effects to neighboring property owners; not allowing onsite consumption in the Central Business District where most of the younger population congregates; concerns for public safety and increased threats to life safety; City Council is the final authority; alcohol has higher safety issues and concerns; not many local examples as there are only three onsite businesses in the state; process in presenting draft ordinances to the Commission and that all amendments to Title 21 are require to come before the Commission and for them to hold a public hearing; additional opportunity at the Council level for public input; the State has final approval of permitting but each permit comes to the City for review and input prior to approval.

VENUTI/HIGHLAND MOVED TO SUSPEND THE RULES TO ALLOW CHRIS LOGAN OF COSMIC SEAWEEED TO PARTICIPATE IN THE DISCUSSION.

There was no discussion.

VOTE. NON-OBJECTION. UANNIMOUS CONSENT.

↑ Motion carried.

Chair Smith facilitated discussion and questions from the Commission with Ms. Logan on the following:

- Conducting tours for City Law Enforcement officials and members of City Council on the proposed onsite consumption operation
 - o This was an undocumented and informal tour
- Benefits to the existing business in the increase in business revenue, employees, additional activities such as paint night, pop up dinners with a visiting chef, etc.
- COVID 19 precautions and preventions

City Planner Abboud responded regarding other options for onsite consumption for the general public that are being discussed at this time by City Council were none. He stated that it would not be allowed on city property in regards to leased lands. The City cannot declare something that conflicted with state statutes.

Chair Smith reviewed the motion on the floor.

Commissioner Venuti called for the vote.

VOTE. YES. HIGHLAND, BARNWELL
VOTE. NO. CONLEY, SMITH, VENUTI

↓ Motion failed.

PLAT CONSIDERATION

PENDING BUSINESS

NEW BUSINESS

- A. Memo from City Clerk, Re: Introduction of an Ordinance amending the administrative appeals process for City Planning decisions under Homer City Code 21.91 and 21. 93

Chair Smith introduced the item into the record and invited the City Planner to provide input on the matter.

City Planner Abboud provided a summary review of what and how the draft ordinance would be applied referencing the information provided in the memorandum from City Clerk Jacobsen.

Commissioner Highland requested a brief recess.

Chair Smith called for a recess at 7:55 p.m. The meeting was called back to order at 8:01 p.m.



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

NOTICE OF MOTION TO DISMISS

July 6, 2021

To Parties of Record: Frank Griswold, Appellant
 Melody Livingston, Applicant
 Matt Early, Applicant's Representative
 Rick Abboud, City Planner

A motion to dismiss the appeal of Conditional Use Permit 20-15 was issued by the City, through its counsel of record, Jermain, Dunnagan and Owens, P.C., based on the applicant's withdrawal of their application for the conditional use permit. A copy of the motion is attached.

This matter was addressed by the Planning Commission at their June 6, 2021 regular meeting and it was discovered after the fact that the parties had not received notice of the motion to dismiss. This matter will be taken up again by the Planning Commission at their July 21, 2021 regular meeting to allow parties the opportunity to respond to the motion.

If you wish to provide written comments to the Planning Commission, please deliver them to the City Clerk's office or email them to rkrause@ci.homer.ak.us. Written comments must be received by Wednesday, July 14, 2021 at 5:00 p.m. to be included in the meeting packet, or by Wednesday, July 21, 2021 at 4:00 p.m. to be provided as a laydown item to the Commission.

Melissa Jacobsen, MMC, City Clerk

Cc: Attorney Gatti, City Manager

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Max D. Holmquist, Esq.
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mgatti@jdolaw.com
mholmquist@jdolaw.com

Attorneys for City of Homer

BEFORE THE HOMER PLANNING COMMISSION

In the Matter of

)	
)	
CONDITIONAL USE PERMIT 2020-15)	On appeal from Planning
)	Commission Decision
)	October 7, 2020

MOTION TO DISMISS APPEAL

The City of Homer (the “City”), by and through its counsel of record, Jermain, Dunnagan & Owens, P.C., hereby moves to dismiss the above-captioned appeal because the applicant for Conditional Use Permit 2020-15, Melody Livingston (the “Applicant”), has withdrawn her application.

On March 9, 2021, the Homer Board of Adjustment (“BOA”) remanded the above-captioned appeal to the Homer Planning Commission (the “Commission”) for further review under HCC 21.93.510(a).¹ On April 20, 2021, the Applicant emailed the City notifying it that she has withdrawn her September 17, 2020 conditional use permit application for 106 West Bunnell Avenue that is the subject of this appeal.² The Applicant’s withdrawal of her conditional use permit application voids CUP 20-15.

¹ See Decision and Order Remanding to the Planning Commission dated March 9, 2021.

² See emails between Melody Livingston and the City, copies of which are attached hereto as Exhibit A.

The Commission should dismiss this appeal due to the Applicant's withdrawal of her application for two reasons. First, the withdrawal of the CUP application that is the basis of this appeal moots the claims on appeal. The Alaska Supreme Court has held that "a claim is moot if it has lost its character as a present, live controversy."³ In this appeal, the relief sought by the Appellant is the denial of CUP 20-15. Since CUP 20-15 is voided by the withdrawal of the CUP application, the issues raised in this appeal are moot.

Second, the Commission and the BOA no longer have jurisdiction to decide any issues raised in this appeal. The Commission's jurisdiction to consider and decide upon a CUP application depends upon the existence of a CUP application.⁴ The BOA's appellate jurisdiction only extends to the grant or denial of a CUP.⁵ Neither body has jurisdiction to decide legal issues related to a CUP appeal after a CUP applicant has withdrawn her application and is no longer seeking a CUP.

Accordingly, the City respectfully requests that the Commission dismiss the above-captioned appeal.

DATED this 14th day of May, 2021, at Anchorage, Alaska.

JERMAIN DUNNAGAN & OWENS, P.C.
Attorneys for Appellee
City of Homer

By: s/Michael R. Gatti/
Michael R. Gatti
Alaska Bar No. 8306033
Max D. Holmquist
Alaska Bar No. 0911057

³ *Akpik v. State, Office of Management and Budget*, 115 P.3d 532, 535 (Alaska 2005).

⁴ HCC 21.71.040(a).

⁵ HCC 21.93.030(a).

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Attorneys for City of Homer

BEFORE THE HOMER PLANNING COMMISSION

In the Matter of

)	
)	
CONDITIONAL USE PERMIT 2020-15)	On appeal from Planning Commission Decision
_____)	October 7, 2020

[PROPOSED] ORDER GRANTING MOTION TO DISMISS APPEAL

The Homer Planning Commission, having reviewed the City of Homer's Motion to Dismiss Appeal, as well as any opposition and reply thereto, and finding that Applicant Melody Livingston's withdrawal of her September 17, 2020 conditional use permit application for 106 West Bunnell Avenue voids Conditional Use Permit 20-15 and moots all pending issues in this appeal, and that there is good cause to dismiss this appeal;

HEREBY ORDERS that the above-captioned appeal is dismissed.

DATED: _____

SCOTT SMITH
CHAIR – HOMER PLANNING
COMMISSION

Sherry Sims

From: Rick Abboud <RAbboud@ci.homer.ak.us>
Sent: Thursday, April 29, 2021 4:10 PM
To: Michael Gatti
Cc: Max D. Holmquist
Subject: FW: remand

fyi

From: Rick Abboud
Sent: Tuesday, April 20, 2021 7:34 AM
To: Melissa Jacobsen <MJacobsen@ci.homer.ak.us>
Subject: FW: remand

Melissa,

Melody has requested to withdraw CUP 20-15 regarding the Wild Homey proposal.

Rick

From: (null) (null) <melodyliving@yahoo.com>
Sent: Tuesday, April 20, 2021 6:14 AM
To: Rick Abboud <RAbboud@ci.homer.ak.us>
Subject: Re: remand

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sorry about the delay. I am now in Chicago. The move was demanding 😊.
Please withdraw my current application. We will resubmit in a year or two.
Thank you for your efforts on this.
Melody Livingston

Sent from my iPhone

On Apr 15, 2021, at 7:32 PM, Rick Abboud <RAbboud@ci.homer.ak.us> wrote:

Melody,

Just wanted to follow up on our last conversation regard the remand of your CUP for Wild Honey. If you wish to regroup and reapply at a later, please respond with an email stating your intent to withdraw your current application.

Thanks,

Rick

RICK ABBOUD, AICP

City Planner

491 E Pioneer Ave

Homer, AK 99603

(o) 907-235-3106

(f) 907-235-3118

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,
MELODY LIVINGSTON DBA
WILD HONEY BISTRO, MATT EARLY,

Appellees.

_____/ RE: CUP 20-15

APPELLANT'S OPPOSITION TO MOTION TO DISMISS APPEAL

Although technically rendered moot as a result of the withdrawal of the application for CUP, this appeal should not be dismissed because the public interest exception to the mootness doctrine applies. A claim is moot if it is no longer a present live controversy or if the adjudicatory body cannot provide the relief sought by the appellant. But there is a public interest exception to the mootness doctrine which requires considering and weighing three factors: (1) whether the disputed issues are capable of repetition, (2) whether the mootness doctrine, if applied, may cause review of the issues to be repeated circumvented, and (3) whether the issues presented are so important to the public interest as to justify overriding the mootness doctrine. *Kodiak Seafood Processors*, 900 P.2d 1191 at 1196 (Alaska 1995). There can be no doubt that the disputed

Appellant's Opposition to Motion to Dismiss Appeal/Page 1

issues in this appeal are capable of repetition. On April 20, 2021, property owner/applicant Melody Livingston stated as follows in an email to City Planner Rick Abboud: "Please withdraw my current application. We will resubmit in a year or two." Meanwhile, the Commission will likely be considering other CUP applications seeking reductions in setback requirements, lot density requirements, parking space requirements, and nonconforming use requirements, all which were at issue in the instant appeal. The city has consistently applied and interpreted its regulations incorrectly and arbitrarily and is now attempting to circumvent a review of these issues that are likely to be repeated so that it can continue to do so. The city is in the process of making monumental amendments to its appeal procedures designed to make it more difficult or impossible for Mr. Griswold to appeal Ms. Livingston's new application and/or prevail thereby trampling his due process rights. Having encountered stiff opposition to her proposal and seeing the writing on the wall after extensive briefing has been completed, Ms. Livingston has strategically withdrawn her application with the intention of resubmitting it after the city adopts its amended appeal procedures. Mr. Griswold is a lay pro se public interest litigant who, without compensation or hopes of compensation, has invested a bucket of

Appellant's Opposition to Motion to Dismiss Appeal/Page 2

sweat in this appeal; he should not be forced to start over every time things do not bode well for Ms. Livingston. The third prong of the public interest exception is met when a case involves "concepts of fairness underlying the right to procedural due process." *Greenpeace Inc.*, 96 P.3d 1056 at 1062-63 (Alaska 2004). The myriad points on appeal in this case involve threshold issues, due process issues, and agency interpretations of law that are extremely important to the public interest. Mr. Griswold challenged the Commission's authority to apply HCC 21.18.040(b)(4) to the application because it violates the equal protection clause of the Fourteenth Amendment to the US Constitution; he claimed the Commission violated a cardinal primary requirement of procedural due process by merely rubber-stamping the biased findings of subordinate Planning Staff instead of acting on its own independent consideration of the law and facts of the controversy; and he alleged that the Comprehensive Plan Goal of "infill" is unconstitutionally vague. Though not a constitutional issue, he claimed that the Commission did not have the authority to waive, relax, or ignore parking space requirements; a ruling on this issue could have widespread effects on the community. Mr. Griswold's allegation that the Applicants did not produce evidence sufficient to enable

Appellant's Opposition to Motion to Dismiss Appeal/Page 3

meaningful review of the application as required under HCC 21.71.030 constitutes an important threshold issue that could affect numerous future applications for conditional use permits. The Commission's acknowledgment and application of the public interest exception to the mootness doctrine and non-dismissal of this appeal will avoid another unnecessary round of contentious and time-consuming appeal proceedings next year when Ms. Livingston resubmits her CUP application.

DATED: July 7, 2021

By: s/Frank Griswold/
Frank Griswold

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,

MELODY LIVINGSTON DBA

WILD HONEY BISTRO, MATT EARLY,

Appellees.

_____/ RE: CUP 20-15

MOTION FOR DEFAULT JUDGMENT

During the time this matter has been under consideration, Mr. Abboud has repeatedly emailed Ms. Livingston about this appeal and communicated with the Commission about those emails without notice and opportunity for all parties to participate in those communications. (See emails between Mr. Abboud and Ms. Livingston dated April 15, 2021 and April 20, 2021 attached as Exhibit A to city's Motion to Dismiss Appeal; see also April 15, 2021 Commission minutes). HCC 21.93.710(a) prohibits members of the Commission from having ex parte communication with any person. HCC 21.93.710(b)(2)(a) allows communications between municipal staff and Commission members where such staff members are not themselves parties to the appeal but the July 6, 2021 Notice of Motion to Dismiss identifies City Planner Rick Abboud as a party to this appeal so the exception under HCC

21.93.710(b)(2)(a) does not apply to Mr. Abboud. Pursuant to HCC 21.93.710(a) and HCC 21.93.710(b)(2)(a), Mr. Abboud and the Commission have therefore been engaging in ex parte communications. HCC 21.93.710(e) provides that the Commission may impose appropriate sanctions, including default, against a party to an appeal for any violation of this section and HCC 21.93.710(f) provides that it is a violation for any person to knowingly have or attempt to have ex parte communication with a Commission in violation of subsection (a) of this section. Accordingly, the Commission should grant default judgment to Mr. Griswold prior to and in lieu of ruling on the city's Motion to Dismiss Appeal which would then be rendered moot.

DATED: July 7, 2021

By: s/Frank Griswold/
Frank Griswold

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Attorneys for City of Homer

BEFORE THE HOMER PLANNING COMMISSION

In the Matter of

)	
)	On appeal from Planning
CONDITIONAL USE PERMIT 2020-15)	Commission Decision
_____)	October 7, 2020

**REPLY TO OPPOSITION TO MOTION TO DISMISS APPEAL AND
OPPOSITION TO MOTION FOR DEFAULT JUDGMENT**

The Homer Planning Commission (the “Commission”) must dismiss the above-captioned appeal because it lacks authority and jurisdiction to decide any issues raised in this appeal. The Commission’s authority is limited that which the Homer City Council has expressly delegated to it.¹ The Commission’s jurisdiction to consider and decide upon a CUP application (and any related legal issues) depends upon the existence of a CUP application.² Absent a CUP application, the Commission cannot issue advisory legal opinions with regard to moot issues.

¹ HCC 2.58.010; HCC 2.72.030; HCC 21.91.020. *See also Alaska State Comm’n for Human Rights v. Anderson*, 426 P.3d 956, 962-63 (Alaska 2018) (“[a]dministrative agencies are created by statute and therefore must find within the statute the authority for the exercise of any power they claim”).

² HCC 21.71.040(a).

Griswold agrees with the City that the Applicant's withdrawal of her CUP application moots the issues remaining in this appeal.³ The Commission cannot apply the public interest mootness exception. The public interest exception is a doctrine applied by the Alaska Supreme Court to consider recurrent matters of public concern that are capable of repetition if the mootness doctrine is applied.⁴ However, the Commission is not a court. It cannot issue generally applicable legal opinions.⁵ Rather, in the context of a CUP application, its authority is limited to reviewing and deciding upon the application. Since the application has been withdrawn,⁶ the Commission lacks authority to proceed with this appeal.

Griswold's assertion regarding alleged ex-parte comments by City Planner Abboud to the Commission is also moot.⁷ Without a CUP application to review, the Commission has no authority to impose sanctions against the City for alleged ex-parte communications.

³ Appellant's Opposition to Motion to Dismiss Appeal, p. 1.

⁴ *Hayes v. Charney*, 693 P.2d 831, 834 (Alaska 1985).

⁵ Griswold fails to cite any authority in the Homer City Code that would allow the Commission (or the Homer Board of Adjustment) to consider legal issues related to a CUP appeal in the absence of a CUP application.

⁶ Contrary to Griswold's assertion, the applicant's apparent intention to submit a new CUP application in the future supports dismissal of this appeal. A future application may materially differ from the now-withdrawn application such that the legal issues associated with the initial application may no longer be relevant.

⁷ See Griswold's Motion for Default Judgment. Griswold's allegation about City Planner Abboud's communication with the Commission at the April 15, 2021 Commission meeting is unclear. Abboud did not participate in the April 15 meeting and made no comments to the Commission about this appeal nor any other subject. See Homer Planning Commission, Special Meeting Minutes, p. 1-2 (April 15, 2021), https://www.cityofhomer-ak.gov/sites/default/files/fileattachments/planning_commission/meeting/72623/pc_041521_special_minutes_approved.pdf (accessed July 9, 2021).

(01170286)

Accordingly, the Commission should dismiss this appeal and deny Griswold's Motion for Default Judgment.

DATED this 14th day of July, 2021, at Anchorage, Alaska.

JERMAIN DUNNAGAN & OWENS, P.C.
Attorneys for Appellee City of Homer

By: s/Michael R. Gatti/
Michael R. Gatti
Alaska Bar No. 8306033
Max D. Holmquist
Alaska Bar No. 0911057

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{01170286}

Reply to Opposition to Motion to Dismiss Appeal and Opposition to Motion for Default Judgment
Conditional Use Permit 2020-15

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,
MELODY LIVINGSTON DBA
WILD HONEY BISTRO, MATT EARLY,

Appellees.

_____/ RE: CUP 20-15

**MOTION FOR THE APPOINTMENT OF IMPARTIAL, INDEPENDENT LEGAL
COUNSEL TO REPRESENT THE PLANNING COMMISSION**

Appellant Frank Griswold hereby moves that the Planning Commission be represented by impartial, independent legal counsel for all future proceedings regarding this matter, including the city's pending Motion to Dismiss Appeal. The lay Commission is not qualified to make findings of law pertaining to mootness and/or dismissal and, unless independent legal counsel is hired to represent and advise the Commission, the Commission will be inclined to rely on and adopt the highly partisan legal advice proffered by City Attorney Holmquist; its doing so would be prejudicial to the Appellant. City Planner Rick Abboud is not a member of the Commission and has no property interest in Wild Honey Bistro. Nonetheless, he made himself a party to this appeal so that the Administration could

hire Mr. Holmquist to represent him and the property interests of the Applicants. A funding source was apparently readily available for the hiring of Mr. Holmquist to represent Mr. Abboud. However, in a parallel but unrelated appeal action involving Zoning Permit 1020-782, the Commission was informed that no funding source was readily available for providing professional services to the Commission. HCC 21.93.540(a) states in relevant part as follows: "The City Attorney or another attorney acting as legal counsel to the Board shall be present at appeals before the Board of Adjustment." One has to wonder why legal counsel is mandatory for the Board but denied to the Commission which is often tasked with making complex findings of law. It would be both helpful and prudent for the Commission to deliberate in consultation with an impartial attorney as allowed by HCC 21.93.300(e) and have the assistance of impartial legal counsel in the preparation of its ensuing decision and findings as allowed by HCC 21.93.300(g). In light of the fact that HCC 21.93.300 expressly entitles the Commission to professional services, the city now has an obligation to locate or create a funding source for providing competent, independent, impartial, legal counsel to the Commission if it requests it.

DATED: July 21, 2021

By: s/Frank Griswold/

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,

MELODY LIVINGSTON DBA

WILD HONEY BISTRO, MATT EARLY,

Appellees.

_____/ RE: CUP 20-15

**MOTION TO CANCEL OR CONTINUE THE AUGUST 4, 2021 COMMISSION
PROCEEDING REGARDING MOTION TO DISMISS APPEAL**

In accordance with HCC 21.93.560(c), Appellant Frank Griswold hereby requests that the August 4, 2021 proceeding regarding the city's Motion to Dismiss Appeal be canceled due to the fact that the Commission lacks jurisdiction/authority to act on that motion or take new evidence pertaining to it. HCC 21.93.560(b) states: "A decision remanding a case shall describe any issue upon which further evidence should be taken, and shall set forth any further directions the Board or hearing officer deems appropriate for the guidance of the lower administrative body." HCC 21.93.560(c) states in relevant part as follows: "The lower administrative body shall promptly act on the case upon remand ***in accordance with the decision of the Board of Adjustment.***" Thus, the Commission is prohibited from acting on

or taking further evidence on any issue not specifically described in the Board's decision/remand order. The record in this appeal is closed and does not include Ms. Livingston's correspondence with Mr. Abboud regarding her intention to temporarily suspend her CUP application. If new evidence or changed circumstances are alleged, **the Board of Adjustment** may, at its discretion, either hear the appeal without considering the allegations or may remand the matter to the Commission to rehear the matter, if necessary. HCC 21.93.510(a). However, the Commission has no authority to sua sponte consider allegations of new evidence or changed circumstances or consider any issue not expressly remanded to it by the Board of Adjustment. Furthermore, no evidence received under HCC 21.93.510(c) shall be considered for purposes other than determining disqualification. HCC 21.93.510(c). Alternatively and in accordance with HCC 21.93.100(b), HCC 21.94.020, and HCC 21.94.030, Appellant Frank Griswold requests that the August 4, 2021 proceeding regarding the city's Motion to Dismiss Appeal be continued to such a time that it can be scheduled for a public hearing and neighboring property owners properly notified.

DATED: July 26, 2021

By: s/Frank Griswold/

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,

MELODY LIVINGSTON DBA

WILD HONEY BISTRO, MATT EARLY,

Appellees.

_____/ RE: CUP 20-15

**MOTION TO CORRECT/CLARIFY APPELLANT'S OPPOSITION TO MOTION TO
DISMISS APPEAL**

Pursuant to HCC 21.93.310, Appellant Frank Griswold hereby moves to correct/clarify the first two sentences of Appellant's Opposition to Motion to Dismiss Appeal which state as follows: "Although technically rendered moot as a result of the withdrawal of the application for CUP, this appeal should not be dismissed because the public interest exception to the mootness doctrine applies. A claim is moot if it is no longer a present live controversy or if the adjudicatory body cannot provide the relief sought by the appellant." Mr. Griswold did not intend to state or imply that the application for CUP 20-15 is moot, technically or otherwise. Because the property owner voluntarily withdrew CUP 20-15 with the intention of resubmitting it within a year or two, it constitutes a present live controversy and

therefore is unequivocally not moot. Accordingly, the Commission must deny the city's Motion to Dismiss Appeal.

DATED: July 26, 2021

By: s/Frank Griswold/

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,

MELODY LIVINGSTON DBA

WILD HONEY BISTRO, MATT EARLY,

Appellees.

_____/ RE: CUP 20-15

MOTION TO STRIKE NEW EVIDENCE

Email correspondence between City Planner Rick Abboud and subject property owner Melody Livingston was recently submitted in support of the city's Motion to Dismiss Appeal. In accordance with HCC 21.93.560(b), Appellant Frank Griswold hereby requests that this new evidence be stricken from the record. HCC 21.93.560(b) states: "A decision remanding a case ***shall describe any issue upon which further evidence should be taken***, and shall set forth any further directions the Board or hearing officer deems appropriate for the guidance of the lower administrative body." The Board of Adjustment's January 9, 2021 Decision and Order Remanding to the Planning Commission says nothing about Ms. Livingston's temporary withdrawal of her application for CUP 20-15 or any other issue pertaining to the potential dismissal of this appeal. The appeal record for this matter is closed

Motion to Strike/Page 1

except for the taking of evidence pertaining to the ownership of the subject property and potential Commissioner disqualifying financial conflicts of interest/partiality related thereto. No evidence received under HCC 21.93.510(c) shall be considered for purposes other than determining disqualification. HCC 21.93.510(c). The closed appeal record does not include Ms. Livingston's recent correspondence with Mr. Abboud and the Commission does not have the authority to consider allegations of new evidence sua sponte. Accordingly, the recent email correspondence between Ms. Livingston and Mr. Abboud and any other newly submitted evidence not directly related to the ownership of the subject property should be stricken from the record.

DATED: July 26, 2021

By: s/Frank Griswold/

ON REMAND BEFORE THE HOMER PLANNING COMMISSION

FRANK GRISWOLD,

Appellant,

v.

HOMER PLANNING COMMISSION,

MELODY LIVINGSTON DBA

WILD HONEY BISTRO, MATT EARLY,

Appellees.

RE: CUP 20-15

ARGUMENT REGARDING MOTION TO DISMISS APPEAL

On March 9, 2021, the Homer Board of Adjustment remanded this matter to the Commission under HCC 21.93.510(a) and (c) to address and decide three issues for which the Commission's findings of fact were deemed to be inadequate. HCC 21.93.560(c) states: "The lower administrative body shall promptly act on the case upon remand in accordance with the decision of the Board of Adjustment or hearing officer. A case on remand has priority on the agenda of the lower administrative body, except cases remanded under HCC 21.93.510(a) are not entitled to priority. The applicant or owner of the property in question may waive the priority given by this subsection." The issues remanded under HCC 21.93.510(a) are not entitled to priority on the Commission's agenda but they must nonetheless be promptly acted upon by the Commission. They clearly were not promptly acted on

by the Commission. Because the applicants and/or property owners never waived priority, the issues remanded under HCC 21.93.510(c) **were** entitled to priority on the Commission's agenda but now, nearly 5 months following the Board's remand, the Commission has still not considered or acted on the Board's Decision and Order. Instead, City Planner Rick Abboud, who claims to be a party in this matter, has over the course of many months colluded with Melody Livingston and initiated multiple ex parte communications with the Commission to secure the dismissal of this appeal while she "regroups" before resubmitting her CUP application within a year or two.¹ It is no coincidence that the city's appeal procedures are currently being amended to facilitate approval of Ms. Livingston's regrouped CUP.

A claim is moot if it has lost its character as a present, live controversy. *Kleven v. Yukon-Koyukuk School Dist.*, 853 P.2d 518, 523 (Alaska 1993) (citing *United States v. Geophysical Corp.*, 732 F.2d 693, 698 (9th Cir. 1984)). An action is not moot if respondent has "a concrete interest, however small, in the outcome." *Knox v. Serv. Emps. Int'l Union Local 1000*, 567 U.S. 298, 307-08 (9th Cir. 2012). The *Knox* court further stated: "The voluntary cessation of challenged conduct does not render a case

¹While it is not illegal for a party to communicate with another party, it is illegal for a party to have ex parte communications with the Commission. HCC 21.93.710(a).

moot because the conduct could be resumed as soon as the case is dismissed" (citing *City of Mesquite v. Aladdin's Castle, Inc.*, 455 U.S. 283). In 1995, the Alaska Supreme Court held as follows in *Kodiak Seafood Processors v. State*, 900 P.2d 1191:

"No scallop harvesting presently takes place in closed Alaska waters. Therefore, KSPA's claims seeking declaratory and injunctive relief are technically moot. Nevertheless, we may choose to address certain issues if they fall under the public interest exception to the mootness doctrine. The public interest exception requires the consideration of three main factors: (1) whether the disputed issues are capable of repetition, (2) whether the mootness doctrine, if applied, may cause review of the issues to be repeatedly circumvented, and (3) whether the issues presented are so important to the public interest as to justify overriding the mootness doctrine. *Peloza v. Freas*, 871 P.2d 687, 688 (Alaska 1994); *Brandon*, 865 P.2d at 92 n. 6. None of these factors is dispositive; each is an aspect of the question of whether the public interest dictates that a court review a moot issue. *Hayes*, 693 P.2d at 834. Ultimately, the determination of whether to review a moot question is left to the discretion of the court. *Id.*; *Brandon*, 865 P.2d at 92. n. 6. . . . Because the Permit has been revoked, the question of the Commissioner's authority to issue the Permit is also technically moot. Nonetheless, the issue presents a live controversy. KSPA argues that by allowing a private fisher to sell fish obtained during a research trip, the Commissioner exceeded his authority by allowing "commercial fishing" in closed waters. ADF&G argues that it has the authority to finance an exploratory fishing operation by allowing a private contractor to sell the catch. This issue falls within the public interest exception to the mootness doctrine. First, the issue is capable of repetition. The State has not disavowed this type of financial arrangement for future test-fisheries. Second, because research fishing may be of limited duration, it is likely that, as in this case, an individual permit would expire before the issue could be litigated. Third, the scope of the Commissioner's power is an issue of public interest. Having determined that the commercial fishing issue satisfies the requirements of the public interest exception, and that the procurement issue does not, we turn to the merits of the trial court's decision."

Unlike the fishing permit at issue in the Kodiak Seafoods case, CUP 20-15 was not revoked, it was voluntarily and temporarily withdrawn by Ms. Livingston who indicated her intent to resubmit it, presumably under a different CUP designation (which is irrelevant) in a year or two. Accordingly, Ms. Livingston still has a huge interest in the outcome of this appeal. Because live controversies remain, this appeal is not moot, technically or otherwise. Even if this matter were technically moot, the public interest exception to the mootness doctrine would apply for the following reasons: 1. the disputed issues are capable of repetition; 2. if this appeal were to be dismissed as moot, review of the issues on appeal would be repeatedly circumvented; and 3. the issues presented in this appeal, including threshold constitutional issues, are so important to the public interest as to justify overriding the mootness doctrine. No provision of HCC gives the Commission the authority to dismiss an appeal on remand from the Board of Adjustment and, even if it had that authority, the Commission cannot retroactively dismiss issues on appeal that it previously decided and are no longer before it.

DATED: July 28, 2021

By: s/Frank Griswold/



City of Homer

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(f) 907-235-3143

MEMORANDUM

TO: PLANNING COMMISSION

FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK II

DATE: JULY 15, 2021

SUBJECT: DECLARING A VACANCY ON THE COMMISSION

It was brought to the attention of the City Clerk's Office that Commissioner Bentz had exceeded the number of missed meetings allowable.

In accordance with the Commission bylaws, Section O, a Commission appointment is vacated under the following conditions and upon the declaration of vacancy by the Commission. The Commission shall declare a vacancy when the person appointed:

1. Fails to qualify;
2. Fails to take office within thirty days after his/her appointment;
3. Resigns and the resignation is accepted;
4. Is physically or mentally unable to perform the duties of his/her office;
5. Misses three consecutive or six regular meetings in a calendar year; or
6. Is convicted of a felony or of an offense involving a violation of his/her oath of office.

Commissioner Bentz was found to have missed the following regular meetings for 2021:

March 3, 2021 and March 17, 2021

April 7, 2021

June 2, 2021 and June 16, 2021

Recommendation

Make a motion to declare the vacancy in accordance with the Commission Bylaws



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STAFF REPORT PL 21-46

TO: Homer Planning Commission
FROM: Travis Brown, Planning Technician
MEETING: August 4, 2021
SUBJECT: Election of Officers

Introduction

The Planning Commission bylaws state that elections for Chairman and Vice-Chairman shall be held annually, in August.

Typically, the chair opens the floor for nominations for chair, and the Commission makes one or more nominations. The vote can be by roll call, or by secret ballot. The process is repeated for vice chair.

Staff Comments:

Staff recommends the Planning Commissions conduct elections for Chair and Vice-Chair.



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Staff Report PL 21-45

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: August 4, 2021
SUBJECT: Parking Code

Introduction

The parking code was revised in 2009, via ordinance 09-12(A). It was a major overhaul! The number of required parking spaces was reduced, and parking dimensions were made smaller. Overall, the regulations have worked for our community, are 'right sized' for businesses in a community of our size, and are in line with industry averages. The one area where the parking code could use further amendment is in relation to dwelling units. Our standards are high for multifamily dwellings and for small detached units like cabins.

Analysis

Homer tends to have a development pattern of several small cabins on a lot, with two required parking spaces each. If the efficiency units were in one large building, only one parking space is required. Staff would like to review the current code with the Commission, and reduce or equalize the parking requirements for studio and one bedroom apartments in a larger building and detached accessory cabins.

Example: a multifamily dwelling in City Code means one building with three or more dwelling units. A duplex is a building with two units. Code for parking spaces only allows for a reduction for multifamily (3 more) units. In Homer, we don't see a lot of multifamily construction. Individual cabins are more common, as small as 500 square feet, yet code still requires two parking spaces.

HCC 21.55.090 (1)

Use	Parking Spaces Required
1. Dwellings.	Two per dwelling unit, or one per efficiency or one-bedroom dwelling unit in a multifamily dwelling. One per senior housing unit. A required parking space may be in a garage or carport if the structure is at least 12 feet wide, 20 feet long and eight feet high.

Revised language: Two per dwelling unit, or one per efficiency or one bedroom unit when more than one dwelling unit is located on a parcel.

Staff Recommendation: Amend the parking code so that the primary dwelling on the property still has two required parking spaces, but subsequent studio or one bedroom attached or detached dwelling units have only one required parking space. If the Commission is in agreement, staff will draft an ordinance and schedule a public hearing.



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Staff Report PL 21-42

TO: Homer Planning Commission
FROM: Rick Abboud, AICP, City Planner
DATE: July 21, 2021
SUBJECT: Large Retail and Wholesale Stores

Introduction As we have worked through a recent Large Retail CUP application for the first time since adoption of the ordinance, we thought it would be good to take a look at the regulation and see if we are getting what we want while it is still fresh in our minds.

Analysis I have marked up the ordinance with my observations and am looking for some Commission input to guide future discussion and policy. I am starting this item as a work session item in order to get some free-flowing thought and discussion. I suggest that we use this meeting to plan for future revisions, if that is the wish of the Commission.

Staff Recommendation Please review the entire ordinance and provide feedback for future work/discussion.

Attachments Large Retail Ordinance with comments.

Chapter 21.57

LARGE RETAIL AND WHOLESALE STORES

First Thoughts 7.15.21

Sections:

[21.57.010 Scope.](#)

[21.57.020 Intent.](#)

[21.57.030 Pre-application conference.](#)

[21.57.040 Application.](#)

[21.57.050 Costs.](#)

[21.57.060 Site and access plans.](#)

[21.57.070 Traffic impact analysis.](#)

[21.57.080 Community and economic impact.](#)

[21.57.090 Visual impacts.](#)

[21.57.100 Landscaping.](#)

[21.57.110 Citizen participation meetings.](#)

[21.57.120 Development activity plan.](#)

[21.57.130 Stormwater protection plan.](#)

[21.57.140 Signs.](#)

[21.57.150 Parking.](#)

[21.57.160 Pedestrian access.](#)

[21.57.170 Landscaping.](#)

[21.57.180 Buffers.](#)

[21.57.190 Lighting.](#)

[21.57.200 Loading and delivery.](#)

[21.57.210 Building and aesthetics.](#)

[21.57.220 Screening of mechanical equipment.](#)

[21.57.230 Utilities.](#)

[21.57.240 Snow storage.](#)

[21.57.250 Outdoor sales and storage.](#)

[21.57.260 Trash and recycling collection.](#)

21.57.010 Scope.

a. This chapter applies to development that includes one or more buildings of more than 15,000 square feet of combined building area containing a retail business or wholesale business use when a conditional use permit is required pursuant to other provisions of the zoning code.

b. As used in this chapter, “large store” means one or more buildings of more than 15,000 square feet of combined building area containing a retail or wholesale business use. [Ord. [08-29](#), 2008].

21.57.020 Intent.

a. The intent of this chapter is to ensure that large store development is of a quality that enhances the character of Homer and does not overwhelm its surroundings. Large store development can result in substantial impacts to the community, such as, but not limited to, noise, traffic, community character, environment, and the local economy. One purpose of this chapter is to minimize the effects of these impacts through a detailed review and approval process.

b. The requirements of this chapter are to be used for evaluating and assessing the quality and design of proposed large store developments. Where these requirements conflict with other provisions of this title, the more restrictive requirements shall apply. These requirements are in addition and complementary to the general conditions applicable to conditional use permits. [Ord. [08-29](#), 2008].

21.57.030 Pre-application conference.

Prior to submitting a completed conditional use application for a large store, the applicant must meet with the City Planner to discuss the conditional use permit process and any issues that may affect the proposed conditional use. This meeting is to provide for an exchange of general and preliminary information only and no statement made in such meeting by either the applicant or the City Planner shall be regarded as binding or authoritative for purposes of this title. [Ord. [08-29](#), 2008].

21.57.040 Application.

An application for a conditional use permit or modification of an existing conditional use permit for a large store may be initiated by a property owner. If initiated by the owner’s agent, the agent shall submit with the application written authorization signed by the owner expressly stating the agent’s authority to submit the conditional use application on behalf of the owner. [Ord. [08-29](#), 2008].

21.57.050 Costs.

The cost of all permits, studies and investigations required under this chapter shall be borne by the applicant. [Ord. [08-29](#), 2008].

21.57.060 Site and access plans.

a. A level one site plan complying with Chapter [21.73](#) HCC shall be submitted with the application. Site design shall utilize the natural features and topography of the individual site to the maximum extent possible.

b. A level two right-of-way access plan complying with Chapter [21.73](#) HCC shall be submitted with the application. [Ord. [08-29](#), 2008].

66 **21.57.070 Traffic impact analysis.**

67 The conditional use permit application shall include a traffic impact analysis if required in the applicable
68 zoning district. The analysis and any mitigation shall comply with Chapter [21.76](#) HCC. [Ord. [08-29](#), 2008].

69 **21.57.080 Community and economic impact.**

70 a. The conditional use permit application for a large store shall include a community and economic
71 impact analysis report that evaluates the projected benefits and costs caused by the project to the
72 public and private sectors of the community, and prescribes mitigation measures, if needed. The
73 analysis must show:

74 1. The proposed project will not have a significant adverse impact to the City in terms of balancing as
75 near as possible the cost of public services and public revenue provided through taxes and other
76 revenue to the City.

77 2. The project shall be designed to minimize negative impacts to adjoining property values.

78 3. The developer shall demonstrate the financial ability to complete the project and to achieve long-
79 term financial stability.

80 b. At a minimum the community and economic impact analysis shall include, based on a horizon year of
81 10 years, the following:

82 1. The estimated net impacts to local employment, wages and salaries, retained profits, property taxes,
83 and sales taxes.

84 2. The estimated net impacts of increased local consumer spending and savings.

85 3. The change in the estimated number of employees, employment types, and estimated wages
86 generated by the project.

87 4. The change in locally retained profits.

88 5. The net change in sales tax and property tax base and revenues, including any changes in overall land
89 values.

90 6. The projected net costs to the City arising from increased demand for and required improvements to
91 public services and infrastructure.

92 7. The value of improvements to public services and infrastructure to be provided by the project.

93 8. The impacts (including displacement of existing retailers) on the existing businesses in the zoning
94 district in question and on the business community as a whole.

95 9. The impact on the City's Insurance Services Office (ISO) rating. [Ord. [08-29](#), 2008].

96 **21.57.090 Visual impacts.**

97 Parking lots and parking structures may not visually dominate the setting and should enhance the City's
98 aesthetic qualities and natural surroundings. Parking facilities shall be designed and landscaped with
99 increased emphasis on pedestrian ways that provide public connectivity to and through the site. The

Commented [RA1]: TIA is a can of worms costs/benefits/responsibilities. Need profession help here and a community plan would be appropriate.

Commented [RA2]: No standards for measuring impact or the amount of mitigation appropriate.

100 visual impacts of parking lots shall be mitigated through measures such as landscaping, screening, or
101 situating parking areas away from the front of buildings adjacent to arterials. [Ord. [08-29](#), 2008].

102 **21.57.100 Landscaping.**

103 Landscaping is required in order to improve the aesthetic quality of the built-up environment, promote
104 retention and protection of existing vegetation, reduce the impacts of development on the natural
105 environment, enhance the value of current and future development and increase privacy for residential
106 areas. A landscaping plan shall provide for landscaping that minimizes visual, sound, and other negative
107 impacts from the development. The materials selected shall be compatible with the climate, planting
108 location, and landscaping function. The landscaping plan shall include the retention of mature natural
109 vegetation to the greatest extent possible. [Ord. [08-29](#), 2008].

110 **21.57.110 Citizen participation meetings.**

111 a. The conditional use permit application shall include a report of citizen participation meetings held in
112 accordance with this section.

113 b. The purposes of the citizen participation meetings are (1) to ensure that developers pursue early and
114 effective citizen participation in conjunction with their development, giving developers the opportunity
115 to understand and try to mitigate any real or perceived detrimental impacts their development may
116 have on the community; (2) to ensure that the citizens and property owners have an adequate
117 opportunity to learn about applications for conditional use permits that may affect them and to work
118 with developers to resolve concerns at an early stage of the process; and (3) to facilitate ongoing
119 communication between the developer, interested citizens and property owners, City staff, and other
120 officials throughout the application review process.

121 c. A minimum of two citizen participation meetings shall be held at which the applicant shall provide a
122 detailed description of the project and shall address the following items: access, parking, landscaping,
123 building size and locations, general style and architectural finish, signage, grades and other site
124 improvements. During the meetings with the public, the developer shall have available for review all
125 conceptual drawing(s) in standard architectural format illustrating the items above. This material will be
126 filed with the Planning Department, and made available for inspection by the public.

127 d. At a minimum, the citizen participation meetings report shall include the following information:

128 1. Details of techniques the applicant used to involve the public, including:

129 a. Date and location of a minimum of two meetings where invited citizens discussed the developer's
130 proposal;

131 b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and
132 other publications;

133 c. Location and date of meeting advertisements; i.e., notice posting locations within Homer, newspaper
134 publishing dates;

135 d. Mailing list of residents, property owners, and interested parties receiving notices, newsletters, or
136 other written materials, and proof of advertisements and other notices; and

Commented [RA3]: Retain natural vegetation is too general and may not be reasonable

- 137 e. The number of people that participated in the citizen participation meetings.
- 138 2. A summary of concerns, issues and problems expressed during the process, including:
- 139 a. The substance of the concerns, issues, and problems; and
- 140 b. How the applicant has addressed or intends to address concerns, issues and problems expressed
- 141 during the process; and
- 142 c. Concerns, issues and problems the applicant is unwilling or unable to address and why. [Ord. [08-29](#),
- 143 2008].

144 **21.57.120 Development activity plan.**

145 A development activity plan (DAP) shall be submitted with the conditional use permit application if

146 required by the code provisions of the applicable zoning district. [Ord. [08-29](#), 2008].

147 **21.57.130 Stormwater protection plan.**

148 A stormwater protection plan shall be submitted with the conditional use permit application if required

149 by the code provisions of the applicable zoning district. [Ord. [08-29](#), 2008].

150 **21.57.140 Signs.**

151 All signage shall conform to the requirements of Chapter [21.60](#) HCC. [Ord. [08-29](#), 2008].

152 **21.57.150 Parking.**

153 a. Parking lots for large retail and wholesale development shall not exceed the minimum number of

154 spaces required by Chapter [21.55](#) HCC **by more than 10 percent.**

155 b. All parking lots will be posted “No Overnight Camping Permitted” as required by HCC [19.08.030](#).

156 c. Where practical, no more than 50 percent of the required parking area for the development shall be

157 located between the front facade of the building and the abutting streets or adjacent to arterials. [Ord.

158 [08-29](#), 2008].

159 **21.57.160 Pedestrian access.**

160 Sufficient accessibility, safety and convenience to pedestrians shall be provided. Unobstructed sidewalks

161 shall link the site to existing public pedestrian facilities, including but not limited to sidewalks and trails.

162 Sidewalks shall be provided along the full length of any structure where it abuts a parking lot. [Ord. [08-](#)

163 [29](#), 2008].

164 **21.57.170 Landscaping.**

165 a. Landscaping shall not be less than 15 percent of the total lot area of the site and shall include the

166 **retention of existing native vegetation to the maximum extent possible.** The coverage of shrubs, trees

167 and hedges shall be measured from **their drip lines.**

168 1. Buffers shall be maintained in minimum width of three feet along all lot lines **where setbacks permit.**

169 2. In parking lots:

Commented [RA4]: This is part of a zoning permit and only needed if approved. How much design needs to be submitted for application?

Commented [RA5]: Again a zoning permit issue. How much design should be required for application? Perhaps an area should be designated, complete design seems a bit much for an unapproved CUP.

Commented [RA6]: Again, just a redirection

Commented [RA7]: This is the only development were this is required and one could develop unlimited parking on separate lot with no other use associated with it

Commented [RA8]: Entire section is repeated level 2 development standards. Conversation will bleed through to citywide requirements.

Commented [RA9]: Another subjective generality

Commented [RA10]: Projected as mature plants?

Commented [RA11]: Not seeing an example of this, better statement in development standards

170 a. A minimum of 10 percent of the parking area of parking lots with 24 spaces or more shall be
171 landscaped in islands, dividers, or a combination of the two.

Commented [RA12]: Seems to elicit discussion whenever applied.

172 b. Parking lots with 24 spaces or more will have a minimum 10-foot landscaped buffer adjacent to
173 road rights-of-way.

Commented [RA13]: A rather rigid standard that can be tough to provide on smaller lots.

174 c. Parking lots with only one single-loaded or one double-loaded aisle that have a 15-foot minimum
175 landscaped buffer adjacent to road rights-of-way are excluded from the requirement of subsection
176 (a)(2)(a) of this section.

Commented [RA14]: This can be quite challenging where lot sizes are already minimal, such as the Medical District.

177 b. General landscaping shall be additionally provided as needed to achieve the minimum required
178 landscape coverage.

179 c. Required landscaping shall be limited to the following materials:

- 180 1. Living ground cover;
- 181 2. Permeable, continuous nonliving ground cover;
- 182 3. Living plant life other than ground cover;
- 183 4. Retained native vegetation;
- 184 5. Natural or manmade features, including, but not limited to, boulders and planters;
- 185 6. Pedestrian ways;
- 186 7. Public spaces.

Commented [RA15]: WHAT??

Commented [RA16]: WHAT What???

187 d. Separate sections of landscaping shall be composed of the required materials in any combination as
188 follows:

189 1. Living plant life other than ground cover or natural vegetation shall have minimum coverage of five
190 percent;

Commented [RA17]: 5% total of per feature?

- 191 2. Living ground cover shall have a maximum coverage of 80 percent;
- 192 3. Permeable nonliving ground cover shall have a maximum coverage of 10 percent;
- 193 4. Natural or manmade features shall have a maximum coverage of 10 percent;
- 194 5. Pedestrian ways or public spaces shall have a maximum coverage of 50 percent.

Commented [RA18]: Not a material.

195 e. Topsoil addition, final grading, seeding, and all planting of flora must be complete within nine months
196 of substantial completion of the project, or within the first full growing season after substantial
197 completion of the project, whichever comes first. Required landscaping will be maintained thereafter,
198 with all shrubs, trees, and ground cover being replaced as needed. [Ord. 08-29, 2008].

199 **21.57.180 Buffers.**

200 The Commission may require buffers, including berms, fences, trees and shrubs, to minimize impacts to
201 adjacent property. A landscaped buffer or combination of landscaping and berms of no less than 10 feet
202 in width will be required where the development adjoins residential zones. [Ord. 08-29, 2008].

203 **21.57.190 Lighting.**

204 All lighting will conform to the requirements of the zoning district. [Ord. [08-29](#), 2008].

205 **21.57.200 Loading and delivery.**

206 a. Loading and delivery areas shall be designed and located to mitigate visual and noise impacts to
207 adjacent residentially zoned areas. The delivery and loading areas will also be screened so they are not
208 visible from public streets, sidewalks, and adjacent properties. A landscaped buffer may be required
209 when delivery and loading areas are adjacent to residentially zoned areas. The landscaped buffer will
210 include mixed vegetation adequate to provide noise, light and visual screening.

211 b. The Commission may limit hours of delivery and loading as necessary to reduce the effects of noise
212 and traffic on surrounding residential zones.

213 c. Commercial vehicles, trailers, shipping containers and similar equipment used for transporting
214 merchandise shall remain on the premises only as long as required for loading and unloading
215 operations, and shall not be maintained on the premises for storage purposes unless it is screened from
216 public view and otherwise lawful. [Ord. [08-29](#), 2008].

217 **21.57.210 Building and aesthetics.**

218 This section sets minimum requirements to help create an aesthetically attractive facade by reducing
219 the perceived mass of large buildings, creating structures in scale with existing development, and
220 creating a pedestrian-friendly environment, while recognizing that buildings for certain uses may not be
221 able to fully achieve these goals. In such instances, the Commission may allow increased landscaping
222 and proper siting may be utilized to mitigate the perceived mass and visual impacts of the large building.

223 a. If a building facade exceeds 60 feet in length, it shall be divided into smaller elements by jogging the
224 wall in or out a minimum of four feet for at least 10 feet in length, or by adding an element such as a
225 porch, recessed entry, bay window, projecting trellis or similar substantial architectural feature at
226 intervals so that no continuous wall plane is more than 60 feet in length.

227 b. The portion of the building within public view shall incorporate human-scale elements such as
228 windows, arcades, lower roof overhangs, awnings, or architectural features.

229 c. The design shall provide architectural features that contribute to visual interest at the pedestrian
230 scale and reduce the massive scale effect by breaking up the building wall, front, side, or rear, with
231 color, texture change, and repeating wall offsets, reveals, or projecting ribs.

232 d. The roof design shall provide variations in roof lines and heights to add interest to and reduce the
233 massive scale of large buildings. Parapet walls shall be architecturally treated to avoid a plain
234 monotonous style.

235 e. Entryways shall be designed to orient customers and to be protected from the weather. Each
236 entrance shall be clearly defined and highly visible.

237 f. The buildings shall have exterior building materials and colors that are compatible in color, texture and
238 scale.

Commented [RA19]: Redundant with district code.

Commented [RA20]: Copied from 21.18.080 Nuisance standards in CBD.

239 g. Public Spaces. No less than five percent of the floor area shall be dedicated to interior or exterior
240 public spaces. [Ord. 13-27 § 18, 2013; Ord. 08-29, 2008].

Commented [RA21]: This could be pretty large. 2000sf for a 40,000sf store

241 **21.57.220 Screening of mechanical equipment.**

242 Roof or ground mechanical equipment shall be screened to mitigate noise and views in all directions. If
243 roof equipment is mounted, the screen shall be designed to conform architecturally with the design of
244 the building. Screening of ground-mounted mechanical equipment shall be of such material and be of
245 sufficient height to block the view and noise of the equipment. [Ord. 08-29, 2008].

246 **21.57.230 Utilities.**

247 All utilities providing permanent service, including, but not limited to, electric power, telephone, CATV
248 cables and all other wires and cables, shall be located underground. The Commission may grant
249 exceptions or recommend exceptions under the criteria established in HCC 22.10.055(d) and (e),
250 respectively. [Ord. 08-29, 2008].

251 **21.57.240 Snow storage.**

252 A snow storage plan is required as a component of the site plan. Use of sidewalks and required parking
253 areas for snow storage is prohibited. Snow storage within 25 feet of stream banks is prohibited. Use of
254 landscaped areas for snow storage may be allowed under the approved snow storage plan. The
255 Commission may impose such restrictions on snow removal operations as are necessary to reduce the
256 effects of noise or traffic on surrounding areas. [Ord. 08-29, 2008].

Commented [RA22]: In general, these types of developments have a lessened demand in snow seasons and it would be a detriment to business if too much space was taken.

257 **21.57.250 Outdoor sales and storage.**

258 a. If permitted in the zoning district, areas for outdoor sales and storage of products may be approved in
259 the conditional use permit if they are extensions of the sales floor into which patrons are allowed free
260 access. Such areas shall be incorporated into the overall design of the building and landscaping. The
261 areas shall be permanently defined and screened with walls, fences or both. Materials, colors and design
262 of screening walls and fences and their covers shall be complementary to those of the primary structure.
263 These outdoor sales and storage areas shall be considered as part of the gross floor area of the
264 establishment.

265 b. Where outdoor storage is permitted, the area used for outdoor storage (where no sales occur) must
266 be screened from view from adjacent streets and parcels, and must be more than 40 feet from a
267 building. Such outdoor storage, whether covered or not covered, shall not be counted as part of the
268 floor area of the building. [Ord. 08-29, 2008].

269 **21.57.260 Trash and recycling collection.**

270 Noise and visual impacts of trash and recycling collection on adjoining properties and streets shall be
271 mitigated. Trash and recycling collection areas shall be located at least 50 feet from adjacent residential
272 zones, residential uses, and public streets, unless enclosed within a structure. Unenclosed trash and
273 recycling collection areas shall not be visible from public streets, sidewalks, trails, internal pedestrian
274 walkways, or adjacent properties. [Ord. 08-29, 2008].

275



City of Homer

www.cityofhomer-ak.gov

Administration

491 East Pioneer Avenue
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Memorandum

TO: City of Homer Planning Commission

FROM: Jenny Carroll, Special Projects & Communications Coordinator

THROUGH: Rob Dumouchel, City Manager

DATE: July 16, 2021

SUBJECT: City of Homer Draft 2022-27 Capital Improvement Plan (CIP)

Background: The CIP is the City's six-year planning document that forecasts and describes community priorities for capital improvements. Capital projects are major, nonrecurring budget items (with a lower cost limit of \$50,000 for City projects and \$25,000 for projects proposed by other organizations) that result in a fixed asset with an anticipated life of at least three years.

Projects in the CIP are organized in three sections: Legislative Priority Projects are a short list of high priority **City of Homer projects** which are selected by City Council for promotion to State and Federal representatives for capital funding assistance. Typically, five Legislative priority projects are selected by City Council after considering recommendations from City Commissions. Other sections include mid-range City projects which may be initiated within the next six years and long range City projects. A section for State and local non-profit projects that benefit the Homer community is also included in the CIP.

I am in the process of updating the CIP for FY23. The CIP update will continue throughout the summer and includes updating project descriptions with Department Heads and Commissions, aligning the CIP with 5-year capital plans which have been newly developed by City departments and seeking recommendations for Legislative Priority Projects to share with Council. Ultimately, after considering public input, City Council will adopt a final version of the CIP in October 2021.

Requested Actions:

- **Review the draft 2022-2027 CIP provided in your packet.** Substantive updates and/or recommended changes from last year's CIP to date are indicated in red font.
- **Discuss projects of particular interest to your Commission and provide input on specific changes or updates you would recommend for current projects or nominate a new project.** Two new projects have already been recommended to be added to the FY23 CIP:
 - Ben Walters Sidewalks
 - Homer Spit Campground Renovations
- If the Commission thinks a project should be removed from the CIP because it no longer aligns with Commission priorities or other reasons, **pass a motion recommending City Council remove specific project(s) from the CIP.** Two projects have already been recommended for removal:
 - Storm Water Master Plan (currently in the Legislative Priority section)
 - Homer Intersection Improvements (in the Other Organizations section)

- **Pass a motion recommending the #1 and #2 Legislative Priority projects for Council to consider for inclusion in the Legislative Priority section.** I will share your recommendations with City Council at their September worksession.
- Any **City** project in the CIP is eligible.
 - For reference, last year the Planning Commission selected Storm Water Master Plan as its #1 priority project and the Main Street Sidewalk Facility: Pioneer Avenue North as #2. The Commission also recommended City Council prioritize the Barge Mooring-Large Vessel Haul Out Repair Facility.

Thank you for participating in this planning process. I will incorporate your project updates into the draft CIP. The CIP will remain a draft document until after public hearings in September and City Council formally adopts the CIP via Resolution.

*Enclosures: CIP New Project Nomination Form and Everything You Always Wanted To Know About The City of Homer Capital Improvement Plan.

EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT THE CITY OF HOMER CAPITAL IMPROVEMENT PLAN

Q: What is a CIP?

A: The CIP (or Capital Improvement Plan) identifies capital projects that are community priorities. The plan includes a description of proposed capital improvement projects ranked by priority, their benefits to the community, an estimate of project costs and progress to date (money raised, plans drawn up, etc.). An estimated timeline for completion is also included for City of Homer projects. The CIP is a working document and is reviewed and updated annually to reflect changing community needs, priorities and funding opportunities.

NOTE: The Capital Improvement Plan is not a funding request. From the City's standpoint, it is a plan. From the standpoint of a non-profit organization, it is a mechanism to raise awareness of a needed project and increase chances of funding from various sources. Nominating a project for inclusion in the CIP is *not* a request for City funding.

Q: What is a capital project?

A: Capital projects are the acquisition and/or development of a major, non-recurring asset such as land, buildings, public road/utility infrastructure and equipment with a useful life of at least three years. Designing and building a new library is a capital project. Planning and implementing an after-school reading program is not a capital project. Most of the projects in the City of Homer CIP are City projects, but some are community projects spearheaded by non-profit organizations and state or federal agencies (e.g., Alaska DOT).

City of Homer CIP projects must have an estimated cost of at least \$50,000. Those from non-profit organizations must have an estimated cost of at least \$25,000.

Q: Is the CIP a “wish list?” If so, what’s the point of writing up a “wish list”?

A: Projects can stay on the CIP list for a long time as funding sources are not always readily available. The CIP is segregated into sections, City of Homer legislative priority projects, mid-range projects (that *may* be undertaken in the next six years) and long range projects. This allows the CIP to be a forward thinking plan for City projects.

There are several reasons to maintain a CIP even in years like this when there is no State Capital Appropriation's budget. It 1) helps focus attention on community needs; 2) helps leverage funding if project has been identified as a community priority in the CIP; and 3) highlights community priorities for our state/federal legislative representatives.

Q: What is the process for developing the Capital Improvement Plan?

A: CIP development is a multi-step process that starts around May of each year and ends in November.

Step 1 involves the City's Special Projects & Communications Coordinator developing a plan update schedule that will be approved by the City Council in early May of each year.

Step 2 is to publicize the CIP process and invite project nominations from community organizations.

Step 3 is to send a copy of the current CIP to all the City department heads and the City Manager and ask for recommendations for new projects, projects that should be deleted, and updates to existing projects.

Step 4 is to make sure that all the City advisory bodies have a chance to weigh in. They are given the opportunity to select their top "#1 and #2" Legislative priority projects. Their recommendations are passed on to the City Council. They can also suggest new projects, changes to existing projects, or any other recommendations related to the CIP.

Throughout this time, City staff will continuously update the draft CIP. The CIP will be labeled DRAFT until it is approved by City Council.

Step 5 The City Council will hold a work session to discuss the CIP and will they take public comment as advertised at regular City Council meetings. Members of the public are encouraged to attend and testify. The City Council will view the CIP as a whole and will also work to identify legislative priorities (a subset of the CIP) for special attention during the coming year.

Step 6 is to finalize the CIP as per City Council approval, and make digital and bound copies. These should be ready to post on the website and for distribution in October.

Q: What are "legislative priorities"?

A: Legislative priorities are a special subset of the CIP. The full CIP might contain 50 projects that have gone through the public hearing process and approved by the City Council. City Council also looks over City of Homer projects and prioritizes a "short list" for the City to highlight during the upcoming legislative session. These projects, when there has been a State Capital Budget, would be considered for at least partial funding. The state budget process begins with a proposed budget submitted by the Governor in December. The legislature takes the Governor's budget and works it over starting in mid-January. The House and Senate must both agree on a budget before it is finally passed in mid-April. (NOTE: The "operating budget" is different from the "capital budget.")

In the past, the City's "short list" may have had 10-15 projects on it. More recently, the list numbers five. Given the State of Alaska's current budget shortfalls, the City will likely keep a reduced number of projects on the "short list."

It is City policy that only City of Homer projects are promoted to the Legislative Priority list (e.g., for roads, harbor improvements, water and sewer upgrades, etc.) Legislative priority projects presented to legislators and state commissioners in specially tailored packets, and typically, the Mayor and one or two City Council members, City lobbyists and staff will bring awareness to these projects and the community needs they address.

Q: Does the City seek Federal funding for CIP projects also?

A: Yes. All three members of the Alaska congressional delegation invite local governments and other groups to submit funding requests each year. Typically the City of Homer will select 3-6 projects for which we seek federal funding. The moratorium on federal “earmarks” in early 2011 greatly reduced the chances of receiving federal funding for a project; however projects like the Large Vessel Harbor Expansion can be promoted for inclusion in Federal budgets. American Rescue Plan funds and potentially funds from a Federal Infrastructure bill also make Federal capital funding possible.

The City can (and does) apply for grants to fund capital projects, but those funders almost always require the City to cover some of the costs with local funds.

Q: What advice do you have for a community member who wants to see a particular project included in the CIP?

- A:**
- The City provides a Project Nomination Form for organizations to use to nominate a project for inclusion in the CIP. Proposed projects are not automatically included in the CIP; they are first considered by Council and have to be approved by the body before it is added to the CIP. Proposals that come from a City advisory body, the Mayor or an individual City Council member, a non-profit organization or state/federal government agency are automatically forwarded to the City Council for consideration. City staff will work with you to draft a project description to include in the proposed new projects section for public comment and Council approval.
 - Take advantage of opportunities to express support for one or more projects anytime the CIP is discussed at a Commission or Council meeting. If you testify earlier in the process, Council members will have more time to consider what you say before making their final decisions. The CIP will be on the Council agenda at least three times: For introduction, public hearing, and final vote. Check with the Clerk’s Office regarding the dates. You can also communicate with City Council members individually.

If you are seeking funding for your project through the state legislature, talk to our local state representatives about that process.

Q: Once a project is approved for inclusion in the CIP, what can I do to make sure it doesn’t just languish there?

- A:**
- Keep your eyes on the prize. If you are with a community group or advisory body, develop a long-range plan and base your CIP request on that plan. Limit your request to one or two items and then keep your attention and energies focused on that goal.
 - Be realistic in your expectations. Many projects require multiple sources of funding over a period of years. Project success starts with a vision, then a well-developed funding plan followed by focused implementation of that plan.

City of Homer Capital Improvement Plan Project Nomination Form

Project eligibility

- A. Does the proposed project represent a major, nonrecurring expense (\$25,000 or more for non-profit organizations; \$50,000 or more for government organizations)? YES NO
- B. Will the proposed project result in a fixed asset (e.g., land, major equipment, building or other structure, road or trail) with an anticipated life of at least two years? YES NO
- C. Will the project provide broad community benefit? YES NO
-

If you were able to answer YES to all three questions, please provide the following additional information:

1. Project title (Suggested heading in CIP):

2. Project description and benefit. Describe the project in half a page or less, including specific features, stages of construction, etc. Explain how the project will benefit the Homer community.

3. Plans and progress. Describe in one or two paragraphs what has been accomplished so far (if anything). This may include feasibility study, conceptual design, final design/engineering/permitting, fundraising activity, and total funds raised to date.

4. Project cost:
 - A. TOTAL COST (including funds already secured) = \$ _____
 - B. For construction projects, break out preconstruction costs (feasibility/design/permitting):
Preconstruction costs = \$ _____ Construction costs = \$ _____

5. Timeline: Indicate when you hope to complete each phase of the project.
Please keep in mind that the CIP will not be published until the end of September. Legislative funding (if any) would not be available until July of next year (or later) for state funding and October of next year (or later) for federal funding.
 - A. For projects that consist of land or equipment purchase only, state when the purchase would be made:

 - For construction projects:
 - B. Preconstruction phase to be completed by _____.
 - C. Construction phase to be completed by _____.

6. Provide a quality digitized photo, drawing, map, or other graphic image of your project if possible.



2022-2027 DRAFT

City of Homer 2022-2027 Capital Improvement Plan



Homer's Port & Harbor is a regional asset serving commercial fishing vessels from nearly every fishery in the State, the US Coast Guard and industry support vessels whose delivery of supplies to industries and remote communities is foundational to Alaskan commerce at all levels.

Developing a new large vessel harbor is the City's top priority project. It will alleviate navigational safety concerns in Homer's overcrowded small boat harbor and support emerging regional and national economic opportunities vital to Alaska's future.



Cover will be updated.



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To be updated

September 23, 2020

To The Honorable Mayor and Homer City Council:

This document presents the City of Homer 2022 through 2027 Capital Improvement Plan. The CIP provides information on capital projects identified as priorities for the Homer community. Descriptions of City projects include cost and schedule information and a designation of Priority Level 1 (highest), 2 or 3. Projects to be undertaken by the State of Alaska and other non-City organizations are included in the CIP in separate sections. An overview of the financial assumptions can be found in the Appendix.

The projects included in the City of Homer's 2022-2027 CIP were compiled with input from the public, area-wide agencies, and City staff, as well as various advisory commissions serving the City of Homer.

It is the City of Homer's intent to update the CIP annually to ensure the long-range capital improvement planning stays current, as well as to determine annual legislative priorities and assist with budget development. Your assistance in the effort is much appreciated.

Sincerely,

Rob Dumouchel
City Manager

INTRODUCTION PAGES - DRAFT



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Funded Projects from the 2021-2026 Capital Improvement Plan

The City of Homer is pleased to report that the following projects have been completed and/or funding procured:

- **Emergency Radio Communication System**
The Homer Volunteer Fire Department secured an FY2020 grant from the AK Division of Homeland Security and Emergency Management to complete the upgrade of the mobile radios carried by Department staff and mobile repeaters for response vehicles. Upgrades to the Port & Harbor handheld radios and repeater were completed with CARES Act funding. The City's systematic upgrade of its Emergency Radio Communication System will continue as other components of the project remain to be upgraded.
- **Kachemak Heritage Land Trust Poopdeck Platt Community Park Trail**



Introduction: The Capital Improvement Program

A capital improvement plan (CIP) is a long-term guide for capital project expenditures. The CIP includes a list of capital projects the community envisions for the future, and a plan that integrates timing of expenditures with the City's annual budget. The plan identifies ways a project will benefit the community, indicates the priorities assigned to different projects, and presents a very general target construction schedule.

A carefully prepared capital improvement plan has many uses. It can assist a community to:

- Anticipate community needs in advance, before needs become critical.
- Rank capital improvement needs in order to ensure the most important projects are given consideration for funding before less critical projects.
- Plan for maintenance and operating costs so expenses are budgeted in advance to help avoid projects that the community cannot afford.
- Provide a written description and justification for projects submitted for state funding so the legislature, governor and appropriate agencies have the information necessary to make decisions about funding capital projects.
- Provide the basis for capital projects as part of the annual budget.

A capital improvement project is one that warrants special attention in the municipal budget. Normally, public funds are not expended if the project is not listed in the CIP. A capital expenditure should be a major, nonrecurring budget item that results in a fixed asset with an anticipated life of at least three years. Projects eligible for inclusion in the City of Homer CIP have a lower cost limit of \$50,000 for City projects and \$25,000 for those proposed by non-profit organizations. Projects proposed by non-profit organizations and other non-City groups may be included in the CIP with City Council approval, but such inclusion does not indicate that the City intends to provide funding for the project.

The municipality's capital improvement plan is prepared in accordance with a planning schedule, usually adopted by City Council at the onset of the CIP process. A copy of the City of Homer CIP schedule appears in the appendix of this document.

The number of years over which capital projects are scheduled is called the capital programming period. The City of Homer's capital programming period coincides with the State's, which is a six year period. The CIP is updated annually, due to some of the projects being funded and completed within the year.

A capital improvement plan is not complete without public input. The public should be involved throughout the CIP process, including the nomination and adoption stages of the process. The City of Homer solicits input from City advisory bodies, advertises for public input during the CIP public hearing, and invites the public to participate throughout the entire process.

The City's capital improvement program integrates the City's annual budget with planning for larger projects that meet community goals. Though the CIP is a product of the City Council, administration provides important technical support and ideas with suggestions from the public incorporated through the entire process.

Determining project priorities: City of Homer CIP projects are assigned a priority level of 1, 2, or 3, with 1 being the highest priority. To determine priority, City Council considers such questions as:

- Will the project correct a problem that poses a clear danger to human health and safety?
- Will the project significantly enhance City revenues or prevent significant financial loss?
- Is the project widely supported within the community?
- Has the project already been partially funded?
- Is it likely that the project will be funded only if it is identified as being of highest priority?
- Has the project been in the CIP for a long time?
- Is the project specifically recommended in other City of Homer long-range plans?
- Is the project strongly supported by one or more City advisory bodies?



Integration of the CIP With Comprehensive Plan Goals

Each project listed in the CIP document has been evaluated for consistency with the City's goals as outlined in the Comprehensive Plan. The following goals were taken into account in project evaluation:

Land Use: Guide the amount and location of Homer's growth to increase the supply and diversity of housing, protect important environmental resources and community character, reduce sprawl by encouraging infill, make efficient use of infrastructure, support a healthy local economy, and help reduce global impacts including limiting greenhouse gas emissions.

Transportation: Address future transportation needs while considering land use, economics and aesthetics, and increasing community connectivity for vehicles, pedestrians and cyclists.

Public Service & Facilities: Provide public services and facilities that meet current needs while planning for the future. Develop strategies to work with community partners that provide beneficial community services outside of the scope of City government.

Parks, Recreation & Culture: Encourage a wide range of health-promoting recreation services and facilities, provide ready access to open space, parks, and recreation, and take pride in supporting the arts.

Economic Vitality: Promote strength and continued growth of Homer's economic industries including marine trades, commercial fishing, tourism, education, arts, and culture. Support development of a variety of well-defined commercial/business districts for a range of commercial purposes. Preserve quality of life while supporting the creation of more year-round living wage jobs.

Energy: Promote energy conservation, wise use of environmental resources, and development of renewable energy through the actions of local government as well as the private sector.

Homer Spit: Manage the land and other resources of the Spit to accommodate its natural processes, while allowing fishing, tourism, other marine-related development, and open space/recreational uses.

Town Center: Create a community focal point to provide for business development, instill a greater sense of pride in the downtown area, enhance mobility for all forms of transportation, and contribute to a higher quality of life.



State Legislative Request FY2023

City of Homer FY2023 State Legislative Priorities
approved by the Homer City Council
via Resolution 20-084

- 1. Port of Homer: New Large Vessel Harbor Phase 2**
- 2. Storm Water Master Plan**
- 3. Main Street Sidewalk Facility: Pioneer Avenue North**
- 4. Multi-Use Community Center, Phase 1**
- 5. Barge Mooring & Large Vessel Haul Out Repair Facility**

FY 2023 - DRAFT Document



1. Port of Homer: New Large Vessel Harbor

FY 2023 - DRAFT Document

Project Description & Benefit: This project will construct a new large vessel harbor to the north of Homer's existing Port and Harbor. It will enhance port capabilities by:

- Accommodating large commercial vessels (fishing vessels, work boats, landing craft, tugs, etc.) outside the small boat harbor. Currently, large vessels are moored at System 4 and System 5 transient floats. Due to shortage of moorage space, large vessels are rafted two and three abreast constricting passage lanes, creating traffic congestion and overstressing the floats. The new facility will address overcrowding and associated navigational safety concerns and high maintenance costs in Homer's small boat harbor,
- Providing an additional 40 to 60 moorage sites for large vessels that potentially would home port in Alaska, but have been turned away due to their overall size, draft, or that the systems are working beyond capacity and we simply lack the space;
- Meeting the demands of emerging regional and national economic opportunities such as the Cook Inlet Oil & Gas industry, the opening of the Arctic for research, transportation and resource development and the US Coast Guard's long-term mooring needs. Currently, the USCGC Hickory moors at the Pioneer Dock which provides inadequate protection from northeasterly storm surges. The large vessel harbor will be built to provide protected and secure moorage suitable to accommodate USCG new assets to be deployed in the region.

Centrally located in the Gulf of Alaska, Homer's Port & Harbor is the region's only ice-free gateway to Cook Inlet, the port of refuge for large vessels transiting the Gulf of Alaska, Cook Inlet, and Kennedy Entrance, and is the marine industrial and transportation system hub for central and Western Alaska. The new moorage facility will fill the unmet needs of large commercial vessels operating in the maritime industrial, marine transportation and commercial fishing industries.

Plans & Progress: The City, State of Alaska DOT, and Army Corps of Engineers (USACE) partnered on a feasibility study in 2007, which was put on hold because preliminary results indicated the project's Benefit to Cost ratio would be non-competitive for Federal funding. High demand and favorable changes in cost drivers since then prompted the City and USACE to reexamine feasibility utilizing a Section 22 Planning Assistance to States Program grant in 2018. Positive results led to a recommendation by the USACE to resume work on the General Investigation. The City and USACE have formally expressed intent to work together on the study and to renew the Alaska State partnership for technical expertise and funding, with cost sharing (50% Federal, 25% State, 25% City) over three years. The City committed matching funds by Ordinance in February 2020. The USACE has recommended that the project be included in the agency's work plan and upcoming budget to secure funds for their \$1.5M share of the study.

Total Project Cost Estimate: \$150,000,000

Phase 2: General Investigation Study \$3,000,000

Federal: \$1,500,000

City: \$750,000 (\$250,000 annually for three years committed)

State: \$750,000 (\$250,000 annually for three years)

FY2023 State Request: \$250,000 cost share for GI study) and \$30,000,000 (in the General Obligation Infrastructure bond)



Port expansion adds a new basin with its own entrance adjacent to the existing Small Boat Harbor. It will relieve large vessel congestion in the small boat harbor and will provide secure moorage compatible with the USCG's assets .





2. Storm Water Master Plan

Staff recommend removing this project

Project Description & Benefit: The City of Homer has an outdated storm water master plan. The current plan was prepared in the 1980's, projecting only basin runoff flows. The existing storm drainage system is expanding and a comprehensive storm water plan is needed to more effectively plan and construct storm water infrastructure, including sedimentation/detention facilities, snow storage and water quality improvements.

A new master plan will outline how the City can:

- Identify current and future storm runoff flows from individual drainage basins within the community.
- Identify infrastructure needed to effectively collect, transmit, treat, and discharge surface water runoff to Kachemak Bay.
- Provide a staged approach to constructing needed infrastructure to serve an expanding/developing community.
- Establish pipe sizing, detention basin volumes, and cost estimates.
- Mitigate storm water runoff through the use of a wide variety of gray and green infrastructure practices and technologies that improve the quality and reduce the quantity of runoff discharging directly to receiving waters.
- Develop public education programs targeting specific stream degradation from storm water runoff.
- Provide storm water management systems and practices including collection, storage, conveyance and treatment structures that are components of a comprehensive plan to preserve or restore natural/stable in-stream hydrology.
- Identify projects that incorporate green infrastructure to manage, treat or reduce storm water discharges and urban non-point source runoff to the critical wildlife habitat of Kachemak Bay.

Plans & Progress: In 2019, the Department of Environmental Conservation awarded the City an Alaska Clean Water Action stewardship grant to begin work on the Stormwater Master Plan. Grant funds were used to produce baseline stormwater collection and treatment to minimize the ecological, economic and community impacts of runoff. Local planners, engineers and the public will use this information as a tool in the development of the Master Plan. Funds also constructed green infrastructure features at the new Homer Police Station with interpretive signage that teaches the public about the value of green infrastructure for our community.

Total Project Cost: \$320,000

2019 ACWA Grant: \$70,000

FY2023 State Request: \$225,000
(City of Homer 10% Match: \$25,000)

Sufficient baseline data on stormwater drainages has been obtained. Public Works Director is proposing to move to a small works drainage program and implementation plan to address localized runoff and drainage issues .



A master plan is needed to address storm water management issues.



3. Main Street Sidewalk Facility: Pioneer Avenue North

Project Description and Benefit: This project will provide ADA-compliant sidewalks, curb and gutter on Main Street from Pioneer Avenue north to Bayview Park.

Main Street is Homer's primary north-south corridor extending from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop's Beach); it crosses Homer's primary east-west thoroughfares, Pioneer Avenue and the Sterling Highway. It provides access to residential neighborhoods, South Peninsula Hospital and Bayview Park, yet has no sidewalks, making pedestrian travel unpleasant and hazardous. Sidewalks on this busy street will provide pedestrian safety, accessibility and enhance the quality of life for residents and visitors alike.

Plans and Progress: The need for Main Street sidewalks was first articulated in Homer's 2004 Non-Motorized Transportation and Trail Plan. Main Street sidewalk improvements for the State-owned portion of Main Street (from Pioneer Avenue south) have long been a project in the CIP. Completing these two segments of sidewalk would provide a continuous, safe pedestrian route through the heart of Homer.

The project constructs sidewalks and upgrades storm drain system on both sides of Main Street from Pioneer Avenue to Bayview Park.

Plans & Progress: In 2020, City Council authorized \$110,700 from the HART-Roads Fund to complete project design, permitting and a formal cost estimate to bring the project to a shovel-ready status.

Total Project Cost: \$1,100,000

FY2023 State Request for Phase 1: \$990,000
(City of Homer 10% Match: \$110,000)



Pedestrian safety along Main Street, one of Homer's primary north-south roads, would benefit from a sidewalk facility.

FY 2023 - DRAFT Document



4. Multi-Use Community Center, Phase 1

Project Description & Benefit: This project is the first phase in designing and constructing a multi-use Community Center to adequately serve the social, recreation, cultural, and educational needs of the Homer community. Years of growing numbers of requests to Parks and Recreation for access to indoor facilities highlights the need for this project. A 2015 City of Homer Parks, Art, Recreation and Culture (PARC) Needs Assessment validated this perceived need. Incorporating an extensive public input process, the PARC Needs Assessment reflects the community's high priority on community access to public recreational and educational spaces and identifies a community center as a significant future investment for the community.

The PARC Needs Assessment included a statistically valid survey question asking the community's interest for constructing and funding an \$18 million facility. 30% of respondents agreed with the statement that this facility is a priority in the next five years; an additional 27% placed it as a priority in the next five to ten years. The success of this project requires sources for capital funding and a sound feasibility study to determine how ongoing operations would be funded.

Public input identified a general-purpose gymnasium and a multi-purpose space for safe walking/running, dance, martial arts, performing arts, community meetings and events, and dedicated space for youth as priority features. The PARC Needs Assessment describes the community center as a comprehensive multi-generational facility that offers something for people of all ages; an important part of the feasibility study will be to help avoid overbuilding, building without considering other area amenities, or underestimating operations and maintenance costs to create a vibrant, sustainable multi-purpose public space.

Plans & Progress: In 2017, community members completed construction on the South Peninsula Athletic and Recreation Center (SPARC) on Kenai Peninsula Borough School District property located adjacent to the Homer Middle School. SPARC offers indoor recreation and event space for activities such as indoor soccer, walking, and running; parent/child play groups; roller skating and roller derby; pickleball (with a non-regulation ball); and open gym.

In 2018 the Homer Education and Recreation Complex (HERC) Task Force completed several months of study and provided recommendations to the City Council regarding the future of HERC1. Based on Task Force recommendations the City Council requested letters of interest for use of the facility and issued a request for proposals to upgrade and manage HERC1 in spring 2019. No proposals were received and the City Council initiated steps to evaluate HERC1 demolition.

A reconnaissance or preliminary feasibility study will evaluate the size and type of facility, recommend functional spaces based on community need and not duplicating services, develop conceptual floor plans and site plans, estimate total construction cost, project ongoing operational costs and identify funding mechanisms.

Total Project Cost: \$500,000

FY2023 State Request: \$450,000

(City of Homer 10% Match: \$50,000)



The City of Unalaska's Community Center is the hub of community activities. Centrally located, the Community Center is widely used by both residents and visitors. It has everything from a cardio and weight room to music and art areas.



5. Homer Barge Mooring & Large Vessel Haul Out Repair Facility

FY 2023 - DRAFT Document

Project Description & Benefit: This project constructs safe moorage and an associated uplands haul out repair facility for large shallow draft vessels. This improvement supports the marine transportation needs of central and western Alaska. Because of the lack of facilities, these vessels currently have to travel to perform annually required maintenance and repairs which could otherwise be completed here in Homer. The facility benefits the needs of the growing regional fleet of large vessels, the local marine trades businesses and the regional economy.

The mooring facility, proposed along the beach front of Lot TR-1-A (between the Nick Dudiak Fishing Lagoon and Freight Dock Road on the west side of the harbor) will stage barges in the tidal zone with the bow end pulled tight to the beach for accessing a haul out ramp. A dead-man anchoring system will be provided for winching vessels up the ramp above the high tide line for maintenance and minor repairs. Upland improvements will include six work sites with water, electrical pedestals, lighting, and security fencing and cameras. This site has accommodated approximately six to eight vessels (depending on size) with ample workspace; it will offer large vessels the ability to complete their required annual maintenance at the uplands repair facility while wintering over.

Completing repairs locally gives the marine trades sector greater opportunity to expand services, support a steady labor force and provide higher quality services more competitively. Availability of local repair services also delivers performance benefits to vessels operating in Alaska waters, saving significant time, fuel and other operating expense.

Plans & Progress: Project development is being carried out in phases. Phase 1, initiated in 2014, consisted of forming a Large Vessel Haul Out Task Force to assist with site selection and completion of Best Management Practices, vessel owner use agreements, and vendor use agreements.

Staff additionally completed a Stormwater Pollution Prevention Plan (SWPPP) with the Alaska Department of Environmental Conservation for a portion of lot TR-1-A. Since completing these basic requirements, the haul out area has become a popular repair site option for some of our large vessel owners. This further justifies additional investments to improve our ability to serve these customers and bring more of these customers to Homer. Phase 2 completed design and permitting utilizing \$255,000 in State Legislative Grant funds and \$42,626 in additional City of Homer funds. The project is shovel-ready and the design is bid-ready. Phase 3 will complete construction project construction.

Total Project Cost: \$4,142,666

2019: Phase 2 Engineering/Permitting/ Geotechnical/Design: \$297,626 (Design completed June 2020).

2021: Phase 3 Construction: \$3,845,040 (Project is shovel ready.)

FY2023 State Request for Phase 2: \$3,686,973 (City of Homer Match: \$158,067)



Three vessels hauled out for repairs on Homer Spit Lot TR 1 A.



Mid-Range Projects

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City Hall Access Barrier Removal

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by, people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. From 2017-2019, the City of Homer ADA Compliance Committee and City Staff evaluated City Facilities to identify accessibility barriers. The results were compiled into the City's Transition Plan, in accordance with Title II of the ADA regulations. City Hall is one of the most used city buildings throughout the year and this project corrects access barriers (ADA Priority Level 1 issues) to get into the building.

City Hall access barriers include:

- Cross slopes that exceed 1:48 ratio for all designated accessible parking spaces;
- absence of van accessible parking;
- incorrect dimensions of accessible parking spaces;
- improperly located signage;
- absence of a level landing at the top of the curb ramp below the front entrance ramp;
- handrails on ramp protrude into the path of travel and reduces the width to less than 36" width requirement;
- push bar on main entrance door protrudes into the doorway and reduces the width of the opening to less than 32" width requirement; and
- front door entrance threshold height.

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together with Port and Harbor staff helped develop solutions and remedies included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project could potentially be addressed in conjunction with DOT&PF's Lake Street Repaving Project (currently scheduled for 2021) to take advantage of the paving equipment and contractors which will be mobilized locally.

Total Project Cost: \$400,000

Schedule: 2021

Priority Level: 1



The cross slope of the accessible parking spaces at the lower entrance to City Hall exceeds the maximum allowed 1:48 under ADA standards.



Nick Dudiak Fishing Lagoon Accessible Ramp and Retaining Wall

FY 2023 - DRAFT Document

Project Description & Benefit: The Nick Dudiak Fishing Lagoon located on the Homer Spit (also known as the “Fishing Hole”) is a man-made marine embayment approximately 5 acres in size that is annually stocked with king and silver salmon smolts to provide sport fishing opportunity. Salmon fishing at the Nick Dudiak Fishing Lagoon brings visitors to Homer throughout the summer and is also popular with city residents. This outdoor recreation activity provides a local, road accessible, shore-based salmon fishery that attracts a wide array of sport anglers, including handicapped accessible and youth-only fishing opportunities. This outdoor recreational activity helps stimulate and diversify local businesses and the economy. During the summer when salmon are returning, up to 250 bank anglers have been present at any one time between 7 a.m. and 10 p.m. The parking area, shoreline and tide line 17 feet above mean high water are owned by the City of Homer. Below mean high water, the tidelands and water are owned by the State of Alaska.

Over the years the accessible ramp has fallen into major disrepair and is no longer complaint or usable by anglers with mobility challenges. In 2018 the Alaska Department of Fish and Game attempted to provide funding for improvements to the accessible ramp, however funding was pulled.

Plans & Progress: This project will proceed in phases. First is the design for repair and replacement to address the tidal action and resulting slope erosion, followed by Phase 2, construction.

Total Project Cost: \$60,000

Design \$ 5,000

Construction \$ 55,000

Schedule: 2021 (Phase 1) and 2023-2024 (Phase 2)

Priority Level: 1



Homer Harbor and Public Works personnel working with the Alaska Department of Fish & Game developed a concept plan to make the Nick Dudiak Fishing Lagoon ramp accessible.



Public Restroom Accessibility Barrier Removal

FY 2023 - DRAFT Document

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. From 2017-2019, the City of Homer ADA Compliance Committee and City Staff evaluated City Facilities to identify accessibility barriers. The results were compiled into the City's Transition Plan, in accordance with Title II of the ADA regulations. This project corrects barriers at City public restroom facilities. A clear path of travel to a bathroom and clearance for entry, maneuverability inside, and access to water closets, toilet paper, soap and hand towel dispensers or dryers, are just some of the key requirements of the ADA. These accessible features are required for public restrooms whether they are restrooms with stalls in a City building or individual bathrooms that are located on the spit and in town. Correcting these issues are a benefit the entire community.

Barrier removal in existing bathrooms include:

- Relocation of grab bars, toilet paper dispensers, coat hooks, and mirrors;
- moving tactical signage to the appropriate location on the left side of the entrance;
- adjusting the entrance threshold height;
- replacing toilets that are too high or have flush lever to the open side of the water closet;
- covering pipes below lavatories;
- replacing hardware on stall doors and bathroom doors, and;
- removing obstacles to clear floor space for wheelchair maneuverability.

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together with Port and Harbor staff helped develop solutions and remedies included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project will proceed in phases to remove accessibility barriers in existing City restrooms, bringing them into ADA compliance. Many of the barriers exist in several restrooms and could be addressed through one project.

Total Project Cost: \$75,000

Schedule:

2021-2022: Phase 1 Barrier removal in existing bathrooms \$75,000

Priority Level: 1

Description updated to reflect that old restroom at Karen Hornaday park was removed.



This project will correct accessibility issues at City of Homer public restrooms. Some depicted here include improperly placed dispensers and grab bars, lack of wheel chair space from bench, incorrect door swing and lack of cover on the lower pipes



Removing Parking and Pavement Accessibility Barriers at City Facilities

FY 2023 - DRAFT Document

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by, people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. From 2017-2019, the City of Homer ADA Compliance Committee and City Staff evaluated City Facilities to identify accessibility barriers. The results were compiled into the City's Transition Plan, in accordance with Title II of the ADA regulations. This project corrects parking and pavement barriers (ADA Priority Level 1 issues) at City facilities to aid the entire community in accessing and participating in programs, services or activities provided by the City of Homer.

ADA regulations standardize the size and number of marked accessible parking spaces in a lot and appropriate signage placed such that it cannot be obscured by a vehicle parked in the space. Accessibility standards also require firm, stable and slip resistant surfaces. Many City of Homer facilities do not meet these standards.

This project will correct the following parking barriers in the vicinity of the Homer Harbor, and at Public Works, Homer Public Library, the Animal Shelter, Baycrest pullout bathroom facility and the Fire Hall:

- Absence of accessible parking;
- absence of van accessible parking;
- incorrect dimensions of accessible parking spaces;
- improperly located signage;
- accessible parking spaces where water pools and snow melt creates icy conditions that become hazardous in the winter;
- parking space identified in gravel lots that fail to provide a path of travel to a sidewalk or facilities; and
- cross slopes that exceed 1:48 ratio on paved lots.

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together with Port and Harbor staff helped develop solutions and remedies included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project proposes to proceed in two phases. Phase 1, paving accessible parking spaces and two van accessible spaces at Harbor Ramps 3, 4 and 5, at public restrooms and resolving non-compliant signage and pavement marking will be completed in 2021. Phase 2 includes resolving non-compliant parking lot cross slopes and non-compliant signage and pavement marking identified at other city facilities.

Total Project Cost: \$400,000

Phase 1: Harbor Accessible Parking, completed, \$49, 100

Schedule:

2022-2024: Phase 2 City Facility Parking Lot Cross Slopes & Signage, \$350,900

Priority Level: 1



Accessible parking spaces at Ramp 4 in the Port & Harbor provide an example of where spaces need to be paved and a path of travel provided to the sidewalk.



Self-Evaluation and Transition Plan for City Parks, Trails & Campgrounds

Project Description & Benefit: Under Title II of the Americans with Disabilities Act (ADA), all State and local governments must be accessible to, and usable by, people with disabilities. The basic principles of the ADA are equal opportunity, integration, and inclusion. The Self-Evaluation is a comprehensive report that outlines the barriers for people with disabilities as they seek to use local government services and programs. It is drafted by the state or local government in collaboration with and review by a sample user group of people with disabilities. It includes a transition plan of architectural and administrative barriers to programs that need to be removed in order to make the program accessible. Completion of this project will be a significant step meeting the requirements of Title II of the ADA, by having a full Self-Evaluation and Transition Plan for the City of Homer.

A completed Self Evaluation and Transition Plan will:

- Acknowledge the City's obligation to comply with ADA Title 2 Subpart D- Program Accessibility § 35.149 Discrimination prohibited;
- meet the requirement of ADA Title 2 Subpart D- Program Accessibility § 35.150 Existing Facilities, (d) Transition Plan;
- identify barriers to be resolved and establish a timeline for completion; and
- bring the City of Homer closer to its goal of being a Universally Accessible City as identified in Resolution 17-075(A).

Plans & Progress: In 2017, the City of Homer ADA Compliance Committee and City Staff began evaluating City facilities to identify accessibility barriers and prepared a Transition Plan, which City Council approved in 2019. Evaluating and preparing a plan for City Parks, Trails and Campgrounds exceeds the ability and time allowance of City staff and ADA Compliance Committee members. This project entails hiring a consulting firm that specializes in preparing ADA Transition Plans to evaluate City parks, trails and campground facilities for inclusion in the City's Transition Plan.

Total Project Cost: \$60,000

Schedule: 2021-22

Priority Level: 1



Accessibility improvements to trails, parks and campgrounds allows everyone to receive full benefits of Homer's park & recreation amenities.

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Parks, Art, Recreation & Culture

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Bayview Park Restoration

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Project Description & Benefit: Bayview Park is a small, relatively quiet fenced neighborhood park at the top of Main Street. The goal of this project is to improve the park's accessibility and safety and update its playground elements with a focus on making the park more user-friendly to young children (infant-toddler-preschool age) and for children and parents/caregivers with disabilities or mobility issues.

Proposed improvements are threefold. One is to replace the existing white picket fence with a wood frame-chain link fence to improve the stability and durability of the fence. (The current fence is in constant need of repair.) Parents and caregivers appreciate having a fence as it provides a level of safety for young children around the busy roads and ditches surrounding the park. **The second is to provide ADA access to the park.** The third is to replace and/or add new playground elements designed for younger/toddler age children and for accessibility for children with disabilities. As part of this addition, an accessible trail would be extended to the new elements.

Plans & Progress: In 2011 Homer Early Childhood Coalition adopted Bayview Park and funded a new slide and boulders that were installed by the City of Homer. Several parents built and installed stepping logs and 2 small "bridges". In 2013 the Coalition coordinated with Corvus Design to create a master plan. As part of the process, input was gathered from local families and children. Short term parking and access trail improvements were completed in 2014 utilizing in-kind donations of equipment and labor and an additional \$5,118 in fundraising dollars.

ADA access for the park has been designed by the City of Homer as part of the design of the Main Street Sidewalk project at a cost of \$12,700. The design replaces the existing open ditch on the east side of Bayview Park with a closed storm drain system and creates accessible parking and access to that side of the park.

Total Project Cost: \$189,974

Schedule: 2022-2023

Priority Level: 2



Though charming, the white picket fence that surrounds Bayview Park is in need of constant repair. A more practical chain length fence is needed to keep young children out of roads and ditches.



Homer Spit Trailhead Restroom

FY 2023 - DRAFT Document

Project Description & Benefit: The parking lot at the intersection of the Ocean Drive bike path and Homer Spit Trail gets heavy use year round. The Spit trail is a popular staging area for biking, running, walking, and roller blading. Parents bring their young children to ride bikes because the trail is relatively flat and has few dangerous intersections. An ADA accessible restroom would be used by recreationalists and commuters using both trails.

Total Project Cost: \$295,000

Schedule: 2026

Priority Level: 3



The parking lot at the Spit trail head full of cars on a sunny day.



Jack Gist Park Improvements, Phase 2

Project Description & Benefit: Jack Gist Park has been in development since 1998 on 12.4 acres of land donated to the City of Homer by a private landowner. As originally envisioned by the Jack Gist Recreational Park Association, this parcel has been developed primarily for softball fields. It also features a disc golf course.

The proposed project will complete Phase 2 by improving drainage around the upper ball field. ~~constructing a concession stand/ equipment storage building adjacent to the softball fields, and developing an irrigation system utilizing a stream on the property in conjunction with a cistern.~~ Phase 3 will provide potable water (water main extension), construct a plumbed restroom and build a bike/pedestrian path to access the park. ~~acquire land for soccer fields.~~

Plans & Progress: Phase 1 of this project was completed in 2011 after a five year period of incremental improvements. In 2005-2006, a road was constructed to Jack Gist Park from East End Road, a 70-space gravel parking area was created, and three softball fields were constructed including fencing, dugouts, and backstops. In 2008, bleachers were installed at all three softball fields. In 2009, three infields were resurfaced. In 2010, with volunteer help, topsoil was spread and seeded on two of the three fields and the parking area was improved and expanded. 2011 saw improvements to the third ball field: drainage improvements on the outside perimeter (right and left field lines), imported material to improve the infield and topsoil and seeding to improve the outfield.

Phase 2 Project Cost: \$60,000

~~Concession Stand and Equipment Storage: \$75,000~~

~~Irrigation System: \$35,000~~

Schedule: 2023-2024

Priority Level: 2

Per recommendation of Public Works Director & parks division staff.



One of the softball fields at Jack Gist Park.

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Karen Hornaday Park Improvements

FY 2023 - DRAFT Document

Project Description & Benefit: Karen Hornaday Park is Homer's largest, most diverse public recreation space. At 40 acres in size, it offers a wide variety of activities, including camping, ballfields, playgrounds and two public pavilions with picnic facilities, barbecue grills and campfire circles. For those looking to relax, the park offers benches to view Kachemak Bay and the surrounding mountains and glaciers, as well as access to a more intimate, natural area along Woodard Creek on the park's eastern boundary. The park hosts an estimated 100,000 user days each year. This includes 18,000 campers, 2,000 Little League participants and spectators, plus general use park visitors and attendees of approximately 1,000 small gatherings and large events reserved in the park annually such as the Scottish Highland Games festival and concerts.

The Karen Hornaday Park Master Plan, first approved in 2009, sets forth goals and objectives to be accomplished over a 10-year period. While several aspects of the plan have been accomplished, two major projects are still outstanding: safe and accessible park entry for vehicles and pedestrians and an accessible public restroom facility. This project accomplishes Design B-2 from the Park's Master Plan to provide accessible and safe entry to the park for both cars and pedestrians and constructs an ADA accessible public restroom. The design, shown below, realigns the park entrance road eastward and provides all parking on the west side of the road to prevent people from having to cross road traffic to access the park. It also provides an adjacent accessible pedestrian entry path, which the park currently lacks.

The plan also constructs a new ADA accessible public restroom facility. At present, the park only offers portable toilets; the former restroom facility was demolished in 2020 due to safety concerns. Over the years the physical structure had deteriorated and its advanced age combined with high use resulted in worn interior finishes, making cleaning difficult; aged bathroom fixtures and dilapidated stalls made it nearly impossible for City maintenance personnel to provide a safe, sanitary facility. The portable toilets currently provided are inadequate to support the needs of the many visitors and groups who utilize this public recreation space.

This project significantly improves safety for pedestrians and accommodates a variety of park users with varying abilities, facilitating access to the park and ensuring inclusive recreational opportunities for all to enjoy.

Plans & Progress: Phase 1 of park improvements (including ballfields, drainage, a new playground) were accomplished through an Alaska Legislature appropriation of \$250,000 in FY 2011 and community grassroots efforts of HoPP. A Land and Water Conservation Fund (LWCF) grant in 2103 completed campground improvements and developed a new day use area between the two ball fields. Significant volunteer efforts and HART Program funding in 2017 constructed two new footpaths providing pedestrian access to the park along Fairview Avenue on the southern border of the park and from Danview Avenue. Neither of these trails are ADA accessible and they do not address safety issues of children running across the road from the parking lot to access the park.

In 2021, a field survey confirmed that Concept Design B-2 could be accommodated over the existing conditions. A design and cost estimate for the accessible pedestrian entry trail have also been completed.

Total Project Cost: \$699,500

Pedestrian Trail: \$164,500

Road Realignment: \$135,000

Parking Area: \$75,000

Restroom Utilities & Construction: \$325,0000

Schedule: 2022 -2024



Concept Design B-2 from the Karen Hornaday Park Master Plan



Port and Harbor

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Deep Water/Cruise Ship Dock Expansion, Phase 1

Project Description & Benefit: Upgrades to the Deep Water/Cruise Ship Dock are necessary to provide a facility that can accommodate multiple industry groups and provide the greatest economic benefit to the area. A feasibility study of expanding and strengthening the dock (with later phases including a terminal building and other upland improvements) is nearing completion. Expansion increases the Port & Harbor's capability to support regional resource development initiatives with moorage and a staging area for freight service to the Lake and Peninsula Borough (via the Williamsport-Pile Bay Road) and to potential future Cook Inlet region resource development projects. There is current demand for modifications to the existing dock to accommodate long-term mooring of large resource development vessels such as timber, mining and oil and gas barges, and as designed, the dock will be able to handle icebreakers, of particular importance given Alaska's strategic arctic location.

The facility will boost cargo capability. The City has a 30-acre industrial site at the base of the dock which can support freight transfer operations and serve as a staging area for shipping to and from the Alaska Peninsula, the Aleutians, and Bristol Bay. Handling containerized freight delivery to the Kenai Peninsula would reduce the cost of delivering materials and supplies to much of the Peninsula. The dock expansion will also enhance cruise ship-based tourism in Homer by providing moorage at the dock for two ships (a cruise ship and a smaller ship) at the same time, reducing scheduling conflicts.

Finally, improvements to the dock will fulfill a contingency planning requirement under Homeland Security provisions. The Port of Anchorage, through which 90% of the cargo for the Alaska Railbelt areas and the Kenai Peninsula passes, is vulnerable. If the Port of Anchorage were to be shut down and/or incapacitated for any reason, Homer's port would become even more important as an unloading, staging, and trans-shipping port.

Plans & Progress: In 2005 the City of Homer spent \$550,000 for cathodic protection of the existing dock and conceptual design of an expanded dock. \$2 million in federal transportation earmark funds were appropriated in FY2006 to prepare preliminary design and conduct further economic analysis. The Alaska Legislature appropriated an additional \$1 million for FY2011. Homer City Council has authorized the sale of \$2 million in bonds to help fund the construction of this project. The City started on project design and feasibility with R&M consulting to begin design and feasibility. To date, the team completed an extensive conditions survey of the existing infrastructure, bottom condition survey, soils core drilling, and a very detailed tide/current profile for the dock. The feasibility study helped identify the best option for expansion to improve freight and cargo handling capabilities. Some uplands improvements have been completed to benefit cargo movement and storage on land close to the deep water dock: paving outer dock truck bypass road, removing the old wooden fence around the concrete storage yard and replacing it with a chain link fence, stormwater runoff handling, lighting and security cameras.

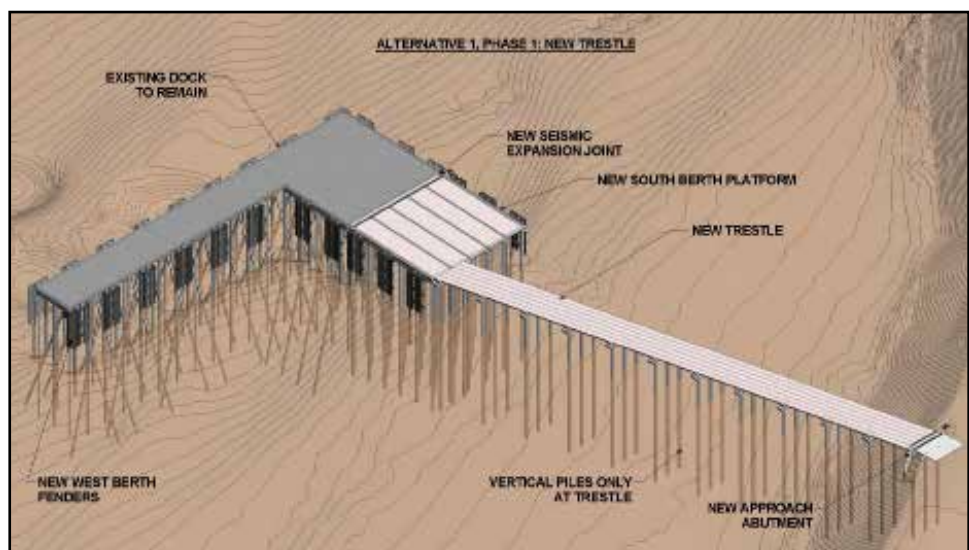
Total Project Cost: \$35,000,000

Feasibility: \$1,250,000
(Completed September 2016)

Design: \$1,750,000

Construction: \$32,000,000

Priority: 2



Deep Water Dock Expansion proposed design.



Ramp 8 Public Restroom

Project Description & Benefit: Ramp 8 serves System 5, the large vessel mooring system. Previously, restroom facilities for Ramp 8 consisted of an outhouse. This outdated restroom brought many complaints to the Harbormaster's office. Sanitary restroom facilities are expected in modern, competitive harbors along with potable water and adequate shore power. The Ramp 8 outhouse was removed in 2015. A new public restroom in this location is needed to serve the crew members of large vessels when they come to port.

Plans & Progress: Design costs for this project would be minimal as the City has standard public restroom plans engineered that can be easily modified for this location.

Total Project Cost: \$295,000

Schedule: 2025

Priority Level: 3



Ramp 8 sees heavy use from crews of large vessels moored in System 5. Since this outhouse was removed in 2015, crews either use a porta potty provided by the Port & Harbor, or walk 1.5 blocks to use the nearest restroom facility.



Homer Harbor Cathodic Protection

FY 2023 - DRAFT Document

Project Description & Benefit: HHomer Harbor's float system is comprised of 161,000 square feet of concrete and wood floats supported by over 500 steel pilings. Steel has a number of characteristics that make it desirable for structural use in harbors, including the ability to last almost indefinitely if properly protected from the destructive effect of electrolysis. Corrosion stemming from electrolysis, however, dramatically shortens the useful life of the pilings.

Most of the float system piling in Homer Harbor predates the 1999 ownership exchange from the State to the City of Homer. When originally installed, a hot-dipped galvanized coating protected the piling. This coating is typically effective between 15 and 20 years. Harbor pilings range in age from 34 to 26 years old. Over time, electrolysis has depleted this original protective coating to the point where it is no longer protecting the pilings. The potential readings obtained in a cathodic protection half-cell survey in 2018 were -0.60, a reading that indicates freely corroding steel according to National Association of Corrosion Engineers (NACE) Standards.

This project proposes to install a passive cathodic protection system to fully protect the saltwater and soil submerged harbor pilings from corrosion. The method selected provides zinc anodes attached externally to the pile as a "sacrificial" source of positively charged ions. The anode material oxidizes preferentially to the steel, greatly reducing or eliminating the rusting of the steel piles.

The long-term benefit is to extend the remaining safe and usable service life of the harbor float system, at least an additional 20 years and perhaps indefinitely, avoiding the high costs of limiting allowable loads on corroded load-bearing piles and eventually repairing or replacing structurally disabled piling.

Plans & Progress: The City began the process of installing cathodic protection in 2018. As part of that project, R&M Engineering designed a cathodic protection program for the entire harbor float system. The sacrificial anode system was selected as it has the advantage of being relatively simple to install, is suitable for localized protection, and less liable to cause interaction on neighboring structures.

Utilizing \$200,000 in Port and Harbor reserve funds, the City contracted a firm to install zinc anodes on 139 of the 500 harbor piles. Test results from a post-construction cathodic protection survey verified that the system is providing adequate levels of cathodic protection to the piles as defined by the applicable NACE International Standards SP0176-2007.

A cost estimate to protect the remaining pilings was completed in 2021. Another \$200,000 in reserve funds was requested in the FY21 budget as it is our goal to get this work done as quickly as possible to preserve the integrity of the foundation of the float system harbor-wide.

Total Project Cost:	\$1,080,800
Cathodic Protection 2018: (139 pilings completed with City of Homer Port & Harbor Reserve funds)	\$200,000
Cathodic Protection 2021 (protect remaining pilings)	\$200,000
Project funding needed:	\$680,000



Example of the damage electrolysis causes to harbor pilings. This broken piling in 2012 caused the R & S floats in the harbor to be condemned until it could be repaired.

Schedule: 2023

Priority Level: 1



Ice Plant Upgrade

Project Description & Benefit: The ice plant at the Fish Dock is a critical component of the overall Port and Harbor enterprise, providing more than 3,500 tons of flake ice each year to preserve the quality of more than 20 million pounds of salmon, halibut, sablefish, and pacific cod landed at the Port of Homer.

Although the Ice Plant has been maintained very well since being built in 1983, efficiencies may be gained by upgrading certain key components of the plant with current technologies, which may include replacing the refrigeration compressors, integrating natural gas into the process, and/or upgrading the control systems to increase the plant's efficiency and reduce operating costs.

Plans & Progress: This project is proceeding in a three-phase approach. Phase 1 consisted of contracting with Coffman Engineering from Anchorage to assess Homer's Ice Plant and provide a list of options for upgrading the facility to optimize energy savings, plant maintenance, equipment longevity and return on investment. The study also considered the possibility of creating a year-round cold storage refrigeration system as an upgrade to the original plan. Two recommendations from the study to optimize energy savings comprise Phase 2 and Phase 3 of the project: upgrading the evaporator fans and condensers with variable frequency drives.

Total Project Cost:

Phase 1: \$40,000 (Design and engineering study)

Phase 2: ?? (Evaporator fan upgrades)

Phase 3: ?? (Condenser upgrades)

Schedule:

2019-2020: Phase 1 study completed

2021: Design and engineering for upgrades

2022: Phase 2

Priority: 1



Four of the Ice Plant's aging compressors are shown here.



Large Vessel Sling Lift, Phase 1

Project Description & Benefit: During the investigation conducted in 2014 by the Large Vessel Haulout Task Force, the Task Force quickly recognized a need to provide haulout services to all vessels that moor in the harbor. As a first step in filling this need, the Port & Harbor developed an airbag haul-out system on available tidelands within the harbor. This system has proved successful.

However, it works only for part of the fleet: large, flat-bottomed, shallow draft vessels. Much of the fleet in the harbor is not able to use this system because of the vessel's deep draft hull configuration.. A lift in a local commercial yard is being expanded to accommodate vessels up to 150 tons, which will accommodate most limit seiners and many of our larger boats. Homer will still lack haulout services for deep draft vessels larger than 150 tons.

A sling lift has been proposed as a possible haulout solution for vessels that are not currently being served in Homer. The lift, coupled with an on-site repair yard would provide these vessel owners the option to perform their annually required maintenance and repairs locally without having to travel, similar to how large shallow draft vessels currently utilize the airbag system. Haul outs ease the burden of travel for the vessel owners during the winter season and, as an added bonus, generate business to help sustain local marine trades.

Key to the success of the project is to select a location that has space for an on-site repair yard, and to select a sustainable owner-operator model. Possible locations are the old chip pad or in the new large vessel harbor; owner-operator scenarios include privately owned and operated with a lease to the Enterprise, a public private partnership, or alternatively, municipally owned and operated by the City using Enterprise employees.

Plans & Progress: Project development will have two phases. The first phase will be a comprehensive study about how to best build and operate this new service at the Port of Homer. It will consider location and include engineering and design options and a cost-benefit analysis. The study will also research options for operating this new service, providing an analysis of various ownership and operating models. It will also work on completing regulatory requirements such as a Stormwater Pollution Prevention Plan (SWPPP) with the Alaska Department of Environmental Conservation.

Phase 2 will be construction of the support infrastructure after considering the results of the phase one study and acquisition of the sling lift.

Total Project Cost: \$65,000 (Phase 1)

Schedule: 2025

Priority Level: 3



An example of a sling lift and adjacent repair yard area.



Old Main Dock Removal and Disposal

Project Description & Benefit: This project will remove the old Main Dock from inside the Pioneer Dock facility and dispose of or salvage all associated materials. The old Main Dock was the original ocean dock in Homer, built in 1965 at the time of the first dredging for the Homer Harbor. When the Main dock was no longer safe to be used as a commercial pier in 2001, the City built the new Pioneer Dock around it, leaving the Main Dock in place.

The Main Dock has become a safety hazard and potential liability for the City. It has deteriorated to the point that it is unsafe even for an individual to walk on.

Plans & Progress: Identifying this project in the Capital Improvement Plan aids in the project's first step, which is to search and solicit sources of financial aid for the project. For instance, it is possible it would qualify under a State or Federal initiative for waterfront renewal or rehabilitation. Removal of the Main Dock can be achieved using a variety of heavy equipment and disposal methods that satisfy safety, environmental and building requirements.

Total Project Cost: Unknown. Methods for removal presented by interested contractors at a later date will help hone the scope of work and cost requirements for this project.

Priority Level: 3

Schedule: 2025



The former Main Dock in Homer's Port & Harbor is over fifty years old, defunct and deteriorated to the point that it is a hazard and a liability.



System 4 Vessel Mooring Float System

Project Description & Benefit: System 4 is made up mostly of floats that were relocated from the original harbor construction in 1964. In the 2002 Transfer of Responsibility Agreement (TORA) project, System 4 was completed by moving the old floats into place. Within two years it was filled to maximum capacity. System 4 floats are over 20 years beyond their engineered life expectancy and are showing their age. This project can be done in phases.

Plans & Progress: Phase 1 floats HH, JJ, and headwalk float AA between those floats were replaced in fall of 2014. Power and water was extended from ramp 7 to JJ and HH as part of the same project. A new landing float was installed for Ramp 7 in the spring of 2014.

Phase 2 replaces CC, DD, EE and GG floats and the remainder of AAA that wasn't upgraded in 2014. We also plan to extend AAA towards the LL ramp so that we can open up the fairways between the floats to give the vessels a little more room to navigate between the float systems.

Total Project Cost: \$5,600,000

Schedule:

2022 Design: \$600,000

2023-2026 Construction: \$5,000,000

Priority Level: 3



System 4 floats to be replaced.



Detail of aging Float DD.



Truck Loading Facility Upgrades at Fish Dock

Project Description & Benefit: Approximately 22 million pounds of fish are landed at the Homer Fish Dock each year and loaded onto trucks. The resulting truck, fork lift, and human traffic creates considerable congestion as fish buyers jockey for space to set up portable loading ramps. Lack of adequate drainage in the area creates further problems as the vehicles must maneuver in soft and often muddy conditions.

This project will construct a loading dock to facilitate the loading of fish onto trucks. In addition, it will provide for paving of Lot 12-B and other improvements to address the drainage problems that impact the area.

Total Project Cost: \$300,000

Schedule: 2024

Priority: 3



Currently at the Fish Dock, fish buyers have to contend with a muddy lot and lack of a loading dock to facilitate the transfer of fish to trucks.

FY 2023 - DRAFT Document



Wood Grid Repair

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Project Description & Benefit: The Wood Grid is a series of benches (in this case wooden beams) laid out on intertidal land that can support a boat for hull repairs during low tides. Vessels float over the grid at high tide and then set down on the grid as the tide recedes. Vessel owners are able to do minor repairs and inspections to their vessels hulls while “dry” on the grid and refloat with the incoming tide.

The Wood Grid is one of two tidal grids that the Port and Harbor operates. Because of our large tidal exchange in Kachemak Bay, Homer’s tidal grids are likely one of the most useful vessel grid systems in the world. They utilize the tides to our advantage to provide an inexpensive way for vessel owners to maintain their vessels’ hulls.

Homer’s Wood Grid was originally built 50 years ago and accommodates vessels up to 59 feet with a 50-ton limit. Other than the walkway replacement that occurred in 2001, the wood grid has seen very little in terms of upgrades since.

Three particular issues would likely be addressed in an upgrade. Gravel has migrated downhill and filled in between the benches, making it increasingly difficult for people to actually get under the vessels on the grid to perform repairs. A second issue is with the Wood Grid’s retaining walls. Due to age, the upper wall is no longer retaining infill from the bank above and the lower submerged wall has degraded to the point that staff are not able to repair it. Another concern is that the benches and the buried pile that support them have deteriorated to the point that staff is unable to repair them. At a minimum the piles and benches will need to be replaced.

Plans & Progress: This project would consist of two phases. The first phase is preliminary engineering and design to ascertain the scope and cost of the improvement, including what permitting is required. The second phase would be construction.

Total Project Cost:

Phase 1: Engineering and design: \$25,000

Phase 2: Construction: to be determined in Phase 1.

Schedule: Phase I: 2022

Priority Level: 1



The Wood Grid in Homer’s Port and Harbor was originally built 40 years ago and accommodates vessels up to 59 feet with a 50 ton limit. Other than replacing the walkway in 2001, the wood grid has seen very little in terms of upgrades since.



Public Safety

- **City of Homer
Radio Communications System Upgrade.....30**
- **Fire Department Fleet Managment31**
- **Fire Hall Expansion, Phase 132**

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City of Homer Radio Communication System Upgrades

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Project Description & Benefit: The City's radio communication system is a complex, high-tech, multi-component communication infrastructure that serves the daily needs of the Homer Police, Fire, Port & Harbor and Public Works Departments and is critical for effective emergency response to natural disasters and man-made incidents. Communication system technology has changed tremendously during the last thirty years of the digital age. It is now completely digital, can carry encrypted data in addition to voice communications and must comply with FCC bandwidth requirements.

Homer's communication system (consisting of the Public Safety Radio System, the Port and Harbor Radio System and the Public Works Radio system) needs upgrading to keep up with technological advances, comply with new FCC bandwidth requirements, maintain interoperability with all local, borough and state agencies utilizing the ALMR system and maintain software updates and other manufacturer product support.

The goal of this project is to upgrade the entire radio communication system by 2020 to stay within FCC compliance.

Plans and Progress: Progress on this project has been incremental with assistance from Alaska State Homeland Security grant funds. To date, the main dispatch consoles, two City of Homer repeaters, two emergency backup dispatch radios, all Police, Fire and Port & Harbor radio units have been upgraded. Components still needing upgrades are listed under the Total Project Cost section below.

Total Project Cost: \$850,362 - \$950,362

(\$560,362 of total project cost has been funded through State Homeland Security and Emergency Management grant awards.)

Public safety repeater relocation on Homer Spit:	\$ 35,271 (completed)
Dispatch consoles and associated equipment:	\$ 296,000 (completed)
Public Safety repeater upgrade:	\$ 63,430 (completed)
HPD Public Safety radios:	\$ 165,661 (completed)
HVFD Public Safety handheld & mobile radios	\$ 118,983 (completed)
Port & Harbor radios and repeater:	\$ 171,174 (completed)
Public Works radios:	\$ 100,000 - \$120,000
Public Works data radio system:	\$ 50,000 - \$ 80,000

Schedule: 2019-2022

Priority: 1



City-wide radio system upgrades are needed to maintain full communication operability.



Fire Department Fleet Management

Project Description & Benefit: To meet the community's fire protection needs and Insurance Services Office (ISO) requirements, Homer requires two Tankers for off-hydrant operations, three front-line Fire Engines and one Reserve Fire Engine. National Fire Protection Agency codes recommend maintaining apparatus with the latest safety features and operating capabilities to maximize firefighting capabilities while minimizing the risk of injuries. Apparatus in first-line service should not be more than 15 years old; apparatus over 25-years old and properly maintained should be placed in reserve status.

Many of the apparatus and specialized vehicles in the Homer Volunteer Fire Department fleet are 15 years to over 30 years old and at the end of their functional life. Functional capabilities and safety features of fire apparatus has greatly improved in the last 10-15 years. Current apparatus have fully enclosed cabs, modern seat belt configurations, improved roll-over stability, significantly improved braking systems, better roadability, and many other safety improvements. Apparatus over 25 years old also become unreliable. Systems fail, putting both firefighters and the public at risk. Extending the life to 30 years may be marginally acceptable with the volume of HVFD runs, but anything beyond that poses an unacceptable level of risk.

The HVFD fleet is in need of a number of vehicle replacements to safely and efficiently protect the lives and property of Homer residents. The Department has developed a strategic, cost saving approach to meeting Homer's fire protection needs with the following top-prioritized replacements:

Tanker-2 is a 32-year old Tanker/Pumper. Tanker/Pumpers combine the capabilities of a Fire Engine and a Tanker, fulfilling response vehicle requirements with four vehicles rather than six at a huge savings of two fewer apparatus and reduction of the number Fire Station bays needed. This project replaces Homer's Tanker-2 while Kachemak City simultaneously replaces its 34-year old Tanker-1. This will require coordinating the acquisition of the two apparatus to potentially reduce the unit cost and to assure matching apparatus for interoperability. \$700,000

Brush-1. Brush-1 is HVFD's single front-line wildland firefighting apparatus. It is a 1990 Ford F-350 Crew Cab Pickup with a forestry firefighting slip-in unit and is 16 years past its useful life. The entire City of Homer is in the Wildland-Urban Interface (with the exception of most of the Spit) and at significant risk from wildfire. The City is also often called to provide mutual aid in wildland fires in neighboring Anchor Point and KESA districts. Brush Trucks are designed to provide a rapid response to wildfires and to provide access to areas that will not support the weight or dimensions of larger fire trucks. Brush-1 is overloaded when carrying a crew of four firefighters, a slip-on firefighting unit with 200 gallons of water and the required firefighting tools and hoses. It has none of the safety systems on current vehicles, including airbags for the front seat occupants. \$165,000

Engine-3 \$525,000; Ladder-1 \$1,425,000 purchase 2022 Command-1, a 2006 Ford is as a rolling command post that sets up at incidents to provide for incident command especially at complex or lengthy incidents. At 15-years old, Command-1 lacks a command module used for properly providing scene control and tactical decision-making and lacks effective communication capabilities, which is a key component to incident command and a safety priority. \$75,000

Plans and Progress: HVFD developed a fleet replacement plan that places apparatus on standard replacement cycles consistent with NFPA requirements and community needs. These three pieces of equipment are the highest priority.

Total Project Cost: \$820,000

Schedule: 2022-2023

Priority Level: 1



At 31 years old, HVFD's Tanker 2 has aged out of its function life. Newer models, like the one above, have greatly improved functionality and safety features.



Fire Hall Expansion, Phase 1

Project Description & Benefit: In 2014, in response to aging and crowded conditions, the City assessed Homer's emergency services space needs. Initial plans to correct building and space inadequacies called for co-locating the Police and Fire stations within a new Public Safety facility. However, ultimately, the decision was made to build a stand-alone Police Station and defer expansion plans for the Fire Department.

In the interim, the City addressed much needed deferred maintenance at the Fire Hall, which included conversion to natural gas, improved air handling, fixing floor drainage issues in Bays 2 and 3, and general refurbishing of wall and floor finishes and kitchen cabinets, but nothing was done to address inadequate facility space.

The current fire station was built in the early 1980's. It has five bays to hold four fire trucks and two ambulances. The bays are double-stacked with barely with enough room for a person to move between the trucks, much less accommodate new, modern fire apparatus which are longer and wider than the vehicles the bays were designed for. Storage, training, parking and apron space are also very limited. Expansion is required to meet minimum space requirements for firefighting apparatus, provide an adequate number of offices and bunk rooms and sufficient storage, parking and drill training spaces.

This project resumes the planning/conceptual design process for an adequate fire station facility that meets the community's current need for well-prepared, safe, and timely emergency response. It (1) updates the needs assessment to reflect current departmental conditions and needs for a stand-alone Fire Station facility; (2) conducts site feasibility analysis, including the potential to incorporate the former Police Station property into a design at the current site, either through expansion or rebuilding; and (3) conceptual designs and cost estimates.

Plans & Progress: This project can progress in phases. Phase 1 is pre-development work.

Total Project Cost: Design phase \$350,000

Schedule: 2022

Priority Level: 1



Two examples illustrating the department's need for additional space: parking area in the equipment bay does not meet minimum space requirements for firefighting apparatus and insufficient storage capacity .



Public Works Projects

- **New Public Works Facility.....34**
- **Raw Water Transmission Main Replacement.....35**
- **Water Storage/Distribution Improvements36**

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New Public Works Facility

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Project Description & Benefit: The Public Works Department, located at the bottom of Heath Street, has outgrown its facilities. Additionally, the new Tsunami Inundation map shows the potential for a 30' high wave moving through the complex. The Public Works facility and associated heavy equipment is critical infrastructure for response and recovery activities before, during and after a disaster.

To be best prepared to safeguard public health and safety, Homer City Council in 2020 appointed a Public Works Campus Task Force to help evaluate the risks of personal injury, property damage and loss of life after a tsunami, develop strategies for mitigating identified risks and make recommendations to Council on possible mitigation options.

a new site and administrative/maintenance support infrastructure for Public Works should be developed. Building maintenance (located in HERC 2) may soon need a new location as well.

Based on an evaluation of current and future needs, it is expected that a new site containing all Public Works maintenance facilities would require 4.6 acres. Ideally, this site would be located outside the tsunami inundation zone, within or close to the Central Business District, and compatible with adjacent land uses. The facility will be sized to provide for current and future administrative and customer support personnel; road, drainage, building, water, sewer, motor pool maintenance activities; and equipment/materials storage

To be updated after Public Works Campus Task Force report to Council.

The existing Public Works site could be converted into public summer use open space (adjacent to the animal shelter, Beluga Slough, and conservation land) and provide space for environmentally sensitive snow storage in the winter.

Plans & Progress: This project will most likely be completed in three phases consisting of concept design and property acquisition, full design and construction. The proposed timeframe is to prepare a concept design in 2022/2023; purchase property in 2025; design facility in 2026/2027; begin construction in 2029, with a new facility ready in 2030. Availability of funding would change these time periods.

Total Project Cost: \$12,050,000

2021-2022 (Concept Design): \$ 50,000

2022-2025 (Property Acquisition, Facility Design & Construction) \$12,000,000

Priority Level: 2



City of Homer existing Public Works facility.



Raw Water Transmission Main Replacement

Project Description & Benefit: This project replaces the two 45-year old cast iron raw water transmission mains that transfer raw water from Bridge Creek Reservoir to the treatment plant. These aging cast iron transmission mains are susceptible to earthquake damage. Multiple repairs have already been made to these mains. The last two repairs made were in response to earthquake damage. Major damage to the raw water transmission mains would make it impossible to serve the town with treated drinking water for domestic use and would reduce the City's ability to provide adequate water pressure for fire protection. Both mains will be replaced with High Density Polyethylene (HDPE) pipe, which is extremely durable and is less susceptible to damage by earthquakes or other natural disasters.

One of water mains, at 8 inches, is under-sized to meet the maximum capacity of the Water Treatment Plant. The other main, a 10-inch line, is at capacity now. The Water Treatment Plant produces 2 million gallons a day. However, the capacity of the treatment can be increased to 2.9 million gallons a day to meet increased demand in the future. The 10-inch transmission main would not be able to provide the plant with enough water to serve the City's needs at this higher rate.

Plans & Progress: The plan is to replace both lines with larger 12-inch HDPE pipe. HDPE pipe is more resilient to damage by earthquakes or other natural disasters; larger pipes provide system redundancy and will be able to transport an adequate amount of raw water to the treatment plant for plant maximum daily flow both now and for future expansion of the treatment facility.

The City applied for a FEMA FY19 Hazard Mitigation Grant. The proposal ranked fifth out of 51 eligible projects by the State and was submitted to FEMA for review and requests for information prior to funding authorization.

Total Project Cost: \$1,988,650

Schedule: 2022

Priority Level: 1



HDPE pipes do not rust, rot or corrode and are more resilient to earthquakes than the cast iron pipes currently in use.



Water Storage/Distribution Improvements, Phase 3

Project Description & Benefit: This project replaces aging water storage/distribution system components and makes other system improvements to increase water storage capabilities and drinking water quality, improve water system distribution and water transmission effectiveness and safeguard public health. A dependable water system ensures public safety and contributes to Homer's growth and economic vitality. First identified during the formation of the 2006-2025 Homer Water & Sewer Master Plan, these critical infrastructure improvements have been designed and partially completed:

- **Phase 1:** was completed in 2016. 2,600 linear feet of 10" and 12" water distribution main was installed across Shellfish Avenue and a new pressure reducing vault (PRV) was constructed to provide water supply to a new tank site; 4,500 linear feet of 12" water main was extended on Kachemak Drive, both connecting isolated sections of town and eliminating dead end mains. The City removed an old redwood tank and purchased property on which the new tank will be constructed.
- **Phase 2:** consists of installing water transmission main in support of a future new water storage tank, rehabilitation of the existing A-Frame existing storage tank, and demolition of the A-Frame pressure reducing vault (PRV).
- **Phase 3:** consists of the construction of a new 0.75 million gallon water storage tank on the east side and a 0.25 million gallon tank on the west side to provide increased capacity for domestic use, fire flow and future micro hydro power generation, modifying/replacing three PRV station and the installation of micro-hydro turbines that can efficiently produce power back onto the grid, reducing the City's electricity costs and creating green power.

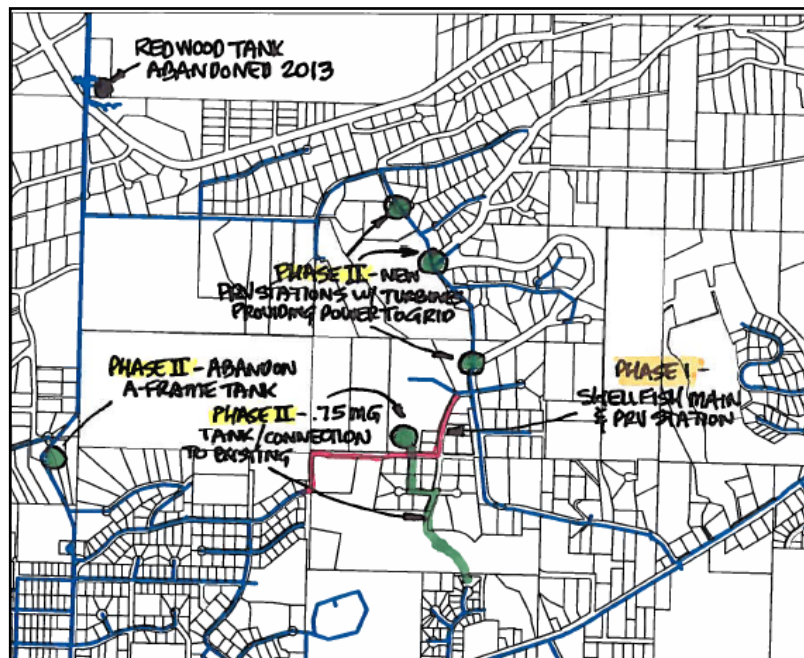
Plans & Progress: : Project design was completed in 2014 utilizing \$485,000 in Special Appropriation project grant funds from the Environmental Protection Agency and \$399,214 (45%) in matching funds from the City . Phase 1 construction was completed in 2016 utilizing \$1,980,254 in FY16 State of Alaska Municipal Matching Grant program funds, \$848,680 City of Homer funds and benefitted property owner's assessments. Portions of Phase 2 construction work were completed in 2019 using ADEC grant monies and water reserve funds using State of Alaska Municipal Matching Grant program funds and City of Homer water reserve account funds. Another portion of the new water transmission line referenced in Phase 2 will be installed as part of the Tasmania Court Water Special Assessment District, using funds from the ADEC/EPQ Drinking Water Fund as a loan and a partial Principal Forgiveness Subsidy. Phase 3 construction can be completed after phase 2 is finished and funding has been identified.

Total Project Cost: \$10,438,214

2014 (Design, Completed): \$884,214
2016 Phase 1 Construction(Funded, Completed):\$1,980,000
2018-2021 Phase 2 Construction: \$1,600,000
2022 Phase 3 Construction: \$5,974,000

FY2016 State Capital Allocation: \$1,980,254
(City of Homer 30% Match: \$848,680)

Priority Level: 1



Phase 1, Shellfish Subdivision Main and PRV Station (indicated by red line) was completed in 2016. Phase 2 (green line) will be completed in 2018 - 2019.



State Projects

The City of Homer supports the following state projects which, if completed, will bring significant benefits to Homer residents.

Transportation projects within City limits:

- **Baycrest Overlook Gateway Improvements, Phase 3..38**
- **Homer Intersection Improvements.....39**
- **Kachemak Drive Rehabilitation/Pathway.....40**
- **Main Street Reconstruction41**
- **Sterling Highway Milepost 172:
Drainage Improvements.....42**

Transportation projects outside City limits:

- **Sterling Highway Reconstruction,
Anchor Point to Baycrest Hill43**

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Baycrest Overlook Gateway Improvements Phase 3

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Project Description & Benefit: When you drive to Homer on the Sterling Highway, it is hard to resist pulling over at the Baycrest Hill Overlook, even if you have been there before. The overlook (constructed in the 1990's by visionaries at Alaska Department of Transportation and Public Facilities during a Sterling Highway reconstruction project) has become the primary entrance to Homer. The first experience of that Baycrest view is cited by many residents as the primary reason for deciding to settle in Homer.

Baycrest Overlook is one of three gateways into Homer and is part of Homer's Gateway Project, which entails enhancing visitor and resident experiences at the entrances to Homer.

This project requests that the State Department of Transportation complete Phase 3 of the Baycrest Overlook Interpretive Plan -- paving the parking lot near the Welcome to Homer sign and upgrading the restroom facility -- as part of the Sterling Highway Reconstruction project Anchor Point to Baycrest Hill.

The City of Homer's ADA Transition Plan identified immediate needs to bring the site into ADA compliance, making the site accommodating for all visitors. The Van Accessible parking space needs clear demarcation with new painted lines and a "Van Accessible" sign. Public restroom improvements include relocating the grab bars to meet all location requirements, specifically addressing objects below the grab bar, and marking the restroom for the visually impaired.

Plans & Progress: The Gateway Project began in 2009 when a collaborative effort (involving the City of Homer, Alaska State Parks, National Park Service, Kachemak Research Reserve and U.S. Fish and Wildlife Service) created a beautiful diorama in Homer's airport terminal highlighting the wealth of public and private lands available to everyone who comes to Kachemak Bay.

In 2013, the City and State of Alaska DOT continued the focus on Homer's gateway sites by collaboratively producing the Baycrest Overlook Interpretive Plan which outlines three phases for improving the overlook. Many of the goals of the first two phases have been achieved, including making the site more welcoming, orienting visitors to the natural landscape and community, helping encourage commerce and allowing travelers a comfortable place to linger, rest and enjoy the spectacular setting.

To address the immediate accessibility issues, the City of Homer Public Works Department will evaluate the options of scheduling repairs in house as time and budget allow, and preparing cost estimates and requesting funds for a contractor to correct many accessibility barriers cited in the ADA Transition plan at once.



Baycrest Overlook is often the first stop and introduction to Homer for many visitors.



Homer Intersection Improvements

FY 2023 - DRAFT Document

Project Description & Benefit: This project implements recommendations of the 2005 Homer Intersections Planning Study commissioned by the Alaska Department of Transportation and Public Facilities. The study analyzed the needs of twelve intersections according to traffic forecasts, intersection safety records, pedestrian concerns and intersection options. The benefit of the improvements will be to enhance traffic safety and quality of driving and pedestrian experiences, particularly as the community continues to grow.

The study noted six Homer intersections needing traffic controls to 1) provide gaps for turning vehicles and 2) provide safer crossings for pedestrians on Homer's main thoroughfares where traffic volumes are increasing and worsening in the summer months. DOT/PF have improved some of the intersections; the two remaining include Sterling Highway at Pioneer Avenue and Sterling Highway at Heath Street.

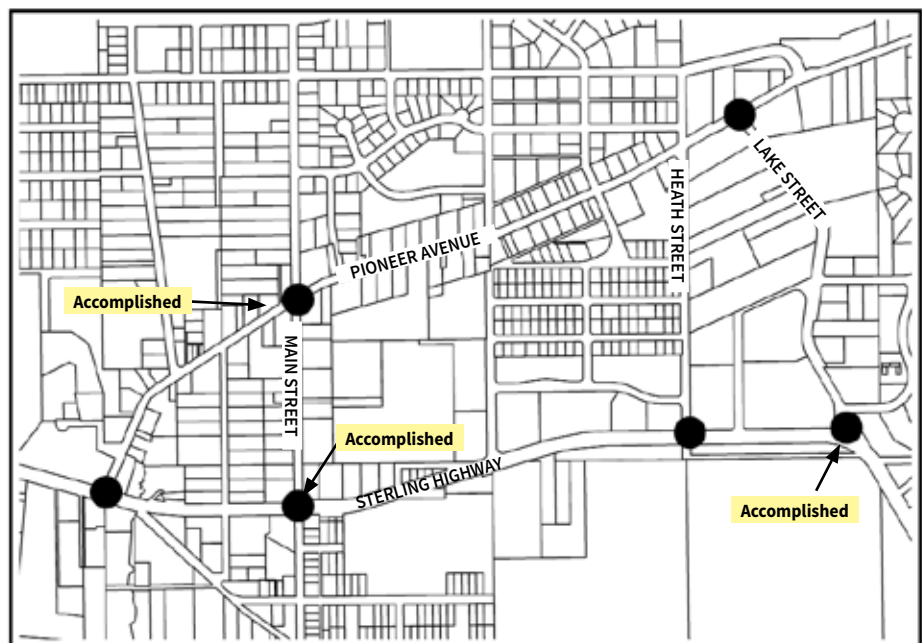
The intersection study also analyzed areas with poor or non-existent lane and crosswalk pavement markings, missing or inadequate crosswalk signage and heavy traffic volumes. City Council passed two resolutions formally requesting DOT&PF Include additional enhanced pedestrian safety measures in two area road improvement projects: Pioneer Avenue and Lake Street. **Staff recommends removing this project from the CIP as AK DOT will have completed all intersection improvements.** stake when DOT&PF installs timing features across Pioneer Avenue

The City also expects the State of Alaska to adhere to 2010 ADA standards when constructing, altering or repaving streets and intersections, including mandated curb ramps or other sloped areas at intersection having curbs or other barriers to entry from a street level pedestrian walkway. Further, while not mandated, the City's ADA Committee endorses upgrading Homer's four traffic signals to audible pedestrian signals and evaluating potential additional traffic control/pedestrian crosswalk installation in areas where there are major pedestrian traffic generators or where multi-use trails crosses the roadway.

Plans & Progress: DOT/PF installed a four-way stop with flashing overhead beacon at the Pioneer Avenue and Main Street intersection in 2016. They installed a traffic signal at the Main Street and Sterling Highway intersection in 2019.

During the 2020 Pioneer Avenue Pavement Preservation Project, all curb ramps were updated to current ADA requirements, crosswalk markings that were agreed to between DOT&PF and the City (at Bartlett, Main, Svedlund, Kachemak, and Heath) were replaced with grooved in thermoplastic; the crosswalk at Svedlund was relocated to make pedestrians more visible to drivers; the crosswalk at Main Street was relocated to align with the path on the south side; and portions of the existing pathway which had significant cracking, making them difficult for wheelchairs to use, were replaced.

DOT/PF completed design work for Lake Street Rehabilitation in 2020. While the design does not include a pedestrian crosswalk at Grubstake, it does include curb ramps, warning signs, and electric conduits for a potential crosswalk system in a future project.



Alaska DOT/PF's traffic study recommended traffic control signals at four central Homer intersections shown above.



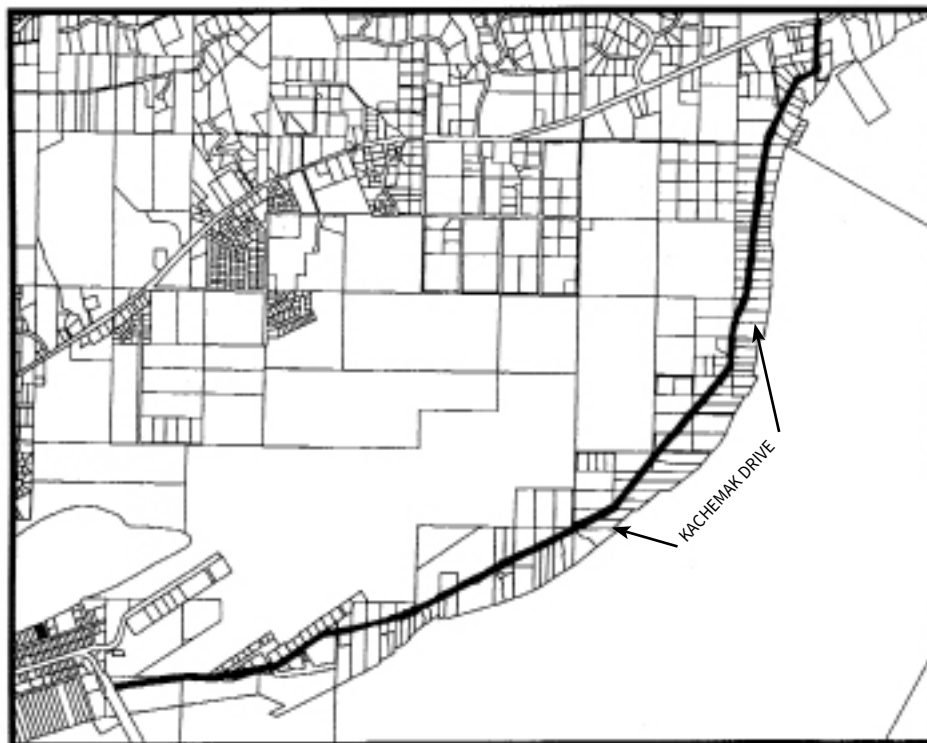
Kachemak Drive Rehabilitation/Pathway

FY 2023 - DRAFT Document

Project Description & Benefit: Kachemak Drive connects Homer Harbor with Homer's industrial boat yards, serves drivers as a connector from the Homer Spit to East End Road, has a residential community, and serves as an alternate route to the airport. Truck, boat trailer, residential and commuter traffic are often heavy, with an approximate daily traffic of 1,500 vehicles. The road needs rehabilitation including raising the embankment, resurfacing, widening the road, and drainage improvements.

Bicyclists, pedestrians and occasional moms with strollers use Kachemak Drive to connect to the Spit, Ocean Drive, and East End Road bike paths. Kachemak Drive has narrow to non-existent shoulders, forcing cyclists to the left of the fog line. Motorists typically slow down behind bicyclists, wait until there is no oncoming traffic, then pass by crossing the center line. This procedure is dangerous to motorists and cyclists, especially on the hill leading up from the base of the Spit to the airport, where visibility is low. Bicycle traffic has increased in the past couple of years due to the advent of wide-tire winter bicycles and Homer's increasing popularity as a bicycle friendly town. Construction of a separated pathway along East End Road will increase recreational and commuter bicycle and pedestrian traffic on Kachemak Drive and will improve driver, bicycle, and pedestrian safety. Because of the significant right-of-way acquisition involved, this project will likely take several years to complete.

Plans & Progress: The Kachemak Drive Path Committee has worked with the City of Homer Advisory Parks and Recreation Commission and Transportation Advisory Committee to explore potential alternatives. The City performed preliminary engineering in 2012 on a portion of the trail and found significant grade and easement challenges to the project.



Project location for Kachemak Drive pathway.



Main Street Reconstruction

Project Description & Benefit: This project will provide curb and gutter, sidewalks, storm drainage, and paving for Main Street from Pioneer Avenue to Bunnell Street.

Homer's Main Street is a primary north-south corridor running from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop's Beach). In the process, it connects Homer's primary downtown street, Pioneer Avenue, with the Sterling Highway and provides the most direct access to the Old Town district. It also provides the western border to Homer's undeveloped Town Center district.

Despite its proximity to the hospital, businesses and residential neighborhoods, Main Street has no sidewalks, making pedestrian travel unpleasant and hazardous. Sidewalks on this busy street will enhance the quality of life for residents and visitors alike and provide economic benefits to local businesses and the community as a whole.

Plans & Progress: Main Street is a City street from Pioneer Avenue northward, and a State street from Pioneer Avenue south. The Homer Non-Motorized Transportation and Trail Plan, adopted by the City Council in 2004, calls for construction of sidewalks on both sides of Main Street to provide a safe means for pedestrians to travel between Old Town and Pioneer Avenue, and stresses that this should be regarded as a "near term improvement" to be accomplished in the next two years. The Homer City Council passed Resolution 06-70 in June 2006 requesting that Alaska Department of Transportation and Public Facilities (DOT/PF) "rebuild and upgrade Main Street from Pioneer Avenue to Bunnell Avenue as soon as possible in exchange for the City assuming ultimate ownership, maintenance, and operations responsibility."

State of Alaska DOT/PF has obtained \$2.8 million to make safety improvements to Main Street Intersections. In 2016, they installed a four-way stop and flashing overhead beacon at the Pioneer and Main Street intersection. They will be moving ahead with the preferred alternative of installing a traffic signal at the Sterling Highway and Main Street intersection (2019). However, much work remains to be done to improve and reconstruct of the entire section of Main Street from Pioneer Avenue to Bunnell Street.



A mother pushes a stroller along Main Street between the Sterling Highway and Bunnell Street, while another pedestrian walks on the other side of the road.



Sterling Highway Milepost 172 Drainage Improvements

Project Description & Benefit: The Baycrest Subdivision neighborhood (downslope from a beehive collector installed at milepost 172 on the Sterling Highway by the Alaska Department of Transportation (ADOT)) is built on sloping terrain of unconsolidated soils containing blue clay with a high water table and incidental springs. Properties in this subdivision experience unusually high levels of flooding, runoff and erosion.

Some Judy Rebecca Court properties in this neighborhood in particular have suffered damage due to water saturation including cracked windows and shifting foundations. The property damage is related to the amount of water in the soil and every effort needs to be extended to control the amount of water introduced into the soil, including water runoff from the Sterling Highway. These homes are located 750 linear feet distant and 125 feet vertical downslope from the beehive collector outfall. While certainly not all the problematic water is coming from the outfall, attention to drainage in the area is important to reduce the potential for slope failure and possible loss of property and life.

Water flow volume measurements from the beehive collector over time indicate that the outfall is directing a concentrated discharge of water onto the Baycrest neighborhood slope, adding to an already precarious water saturated soil condition. The City of Homer requests that ADOT divert the beehive collector outfall off the slope and into a natural drainage similar to the one that exists below the next Sterling Highway concrete encased cross-drain some 80 paces east of the Mt. Augustine Drive intersection with the Sterling Highway.

Keeping water off this slope where possible helps mitigate the potential for catastrophic slope failure; discharging the beehive collector outfall into a naturally occurring drainage mitigates the potential for impacting other area properties with the additional runoff.

Plans & Progress: At the request of affected home owners and Homer City Council members, a local retired geologist studied and provided mitigation recommendations to the City of Homer and ADOT. Additionally, Newton Bingham, a PE with ADOT evaluated the situation in November of 2017. In recognition of the potential hazard to property and life, Homer City Council passed Resolution 17-082 in September 2017 directing the Homer Advisory Planning Commission to consider a Natural Hazards Overlay District or other appropriate zoning regulation on and around Baycrest Subdivision. In line with an Alaska Administrative Order 175 under Order item 1 which states, "To the maximum extent possible consistent with existing law, all state agencies with construction ...shall encourage a broad and united effort to lessen the risk of flood and erosion losses in connection with State lands and installations and state-financed or supported improvements..."; City Council passed Resolution 18-008 in January 2018 requesting ADOT fix Sterling Highway drainage effecting the Baycrest Subdivision.

In February 2018, a group from Homer met with ADOT Deputy Commissioner Amanda Holland and telephonically with Central Region Director Dave Kemp about Homer's request.

A February 2019 letter from ADOT refutes that the highway and culvert are altering the drainage pattern as the highway and culvert predates development of the Baycrest Subdivision by twenty years. The letter also states that no engineering analysis would suggest that moving the culvert to a new location would improve conditions in the subdivision. On the contrary, it would (rightly) result in claims that ADOT is altering drainage patterns and then would be held responsible for any and all erosion in the area downhill.



Aerial photo of the area downslope of the outfall from a Sterling Highway beehive collector.



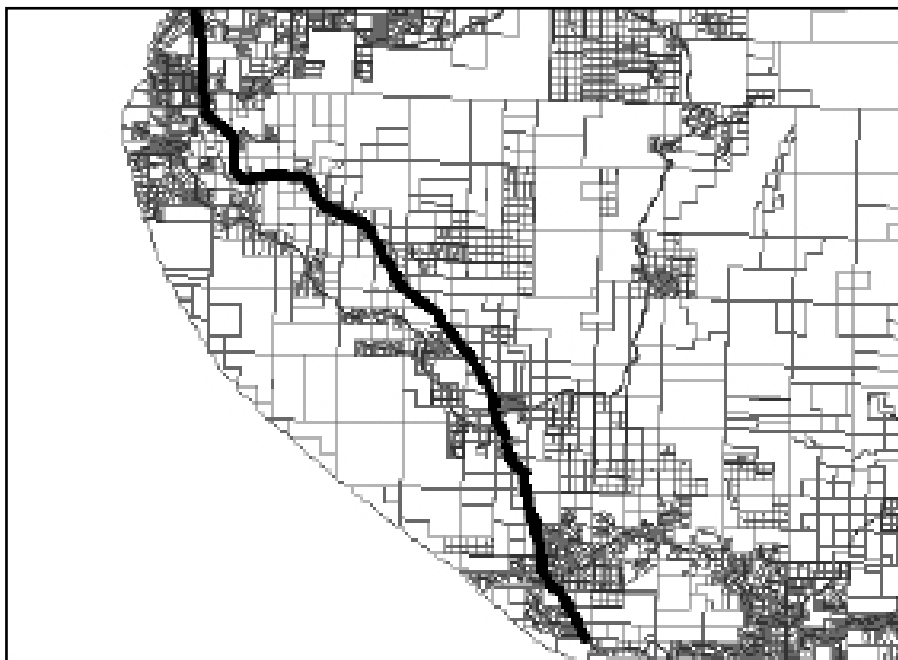
Sterling Highway Reconstruction Anchor Point to Baycrest Hill

Project Description & Benefit: This project will reconstruct 12 miles of the Sterling Highway between Anchor Point (MP 157) and the top of Baycrest Hill in Homer (MP 169) to address severe safety issues resulting from curves, hills and blind spots on the existing road. The project has been identified as a high priority of the Kenai Peninsula Borough.

Many major side road intersections, gravel hauling operations, and school bus stops contribute to dangerous conditions on the 12-mile section of highway, which has been the scene of several serious accidents, many with fatalities, over the past several years. Continued population growth has led to more subdivisions with intersecting roads and more traffic on the highway, exacerbating the problem. School buses must stop in some locations with blind corners and hills.

According to the 2018-2021 Statewide Transportation Improvement Plan, the project will provide passing lanes, widening and realignment to address safety and passing opportunities, and pavement resurfacing between Anchor Point and the top of Homer Hill. The South Fork Anchor River Bridge (deemed structurally deficient by DOT&PF) will be replaced and a new bridge is proposed to replace culverts that currently carry the North Fork Anchor River under the Sterling Highway.

Plans & Progress: \$2.5 million dollars was included in the FY2013 capital budget for design and right of way phases of this project. Preliminary engineering and environmental assessment services began in the summer of 2014. DOT&PF is still working on project plans. As a full rehabilitation project, it has a high level of environmental work. \$1.7 million dollars was in the FY19 budget for Right of Way funding. DOT does not expect to go into construction on it for several years. \$80.8 is currently budgeted after 2021.



Location of DOT&PF's Sterling Highway Reconstruction Project.



Projects Submitted by Other Organizations

The City of Homer supports the following projects for which local non-profit organizations are seeking funding and recognizes them as being of significant value to the Homer community:

- **Beluga Slough Trail Extension45**
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- **South Peninsula Behavioral Health Services
The Annex Upgrade50**



Beluga Slough Trail Extension

Project Description and Benefit: The goal of this project is to extend the existing Beluga Slough Trail around the northern perimeter of Beluga Slough to expand recreational and educational opportunities for the Homer community and its visitors. Beluga Slough is a unique environment which has been the focus of environmental education activities for decades. Naturalists from federal, state and non-governmental agencies bring local families and visitors to the existing trail to share the rich natural history of the slough's vegetation, wildlife and invertebrates. The 0.5 mile extension provides greater viewing opportunities for shorebirds, salt marsh habitats and intertidal flats. The extension would create a quiet, non-motorized trail away from the Sterling Highway with connections to Bishop's Beach, Homer's Old Town District and Ben Walters Park.

Plans and Progress: This trail concept is included in the 2004 Homer Non-Motorized Transportation and Trail Plan. A community-based project team has formed to honor Carmen Field, who taught so many about Beluga Slough through her work at the Kachemak Bay National Estuarine Research Reserve and Alaska Department of Fish and Game. This trail extension would allow Carmen's memory and her love for bringing people out into the natural world to live on.

The proposed trail (see map below) would be on City of Homer property. Owners of the new Aspen Suites Hotel, which opened in May 2019, anticipate re-platting their private parcel and donating the lower portion to the city (indicated by yellow star). Planning for the project and discussions with the private landowner is under way. Construction of Phase 1 is anticipated to start in fall of 2021.

Project proponents have discussed potential project sponsorship and/or trail coalition membership with The Homer Foundation and other area organizations. Discussions with City of Homer Park, Arts, Recreation & Culture Advisory Commission and City staff, yielded the following issues that will need to be addressed and budgeted for as the project moves forward:

- security vulnerability of the Public Works complex and sewer treatment facility;
- places recreational feature in floodplain, which is inconsistent with AK Department of Transportation & Public Facilities emergency response plan in the event of potential Beluga Slough Dam failure;
- mitigation of illegal use of lands newly accessed by the trail and the added security measures (landscaping/patrol time) it requires to insure public safety; and
- environmental permitting /land use authorizations.

Total Project Cost: The project will be accomplished in three phases with significant community-based labor and supplies anticipated.

Phase 1: negotiation with private land owner for donation or easement, project design work, and construction of 375 feet of the western-most part of the trail (backcountry – recreational trail design): \$25,000 - 75,000

Phase 2: construction of 1,200 feet of the eastern part of the trail (backcountry - recreational trail design): \$150,000 - 250,000

Phase 3: construction of 1,000 feet of the middle and wettest section requiring a semi-improved trail design: \$300,000 - 450,000



Proposed extension of the Beluga Slough Trail indicated by white dashed line.



Homer Hockey Association Kevin Bell Ice Arena Acquisition

FY 2023 - DRAFT Document

Project Description & Benefit: The Kevin Bell Arena was constructed in 2005, with initial funding from grants associated with the 2006 Arctic Winter Games combined with a loan from English Bay Corporation /Homer Spit Properties. Homer Hockey Association (HHA) has successfully operated the Arena since its opening. HHA has met operating and capital acquisition costs within a yearly budget of \$300,000 to \$350,000. HHA is seeking financial support to retire the remaining debt of \$2,087,000 million dollars from purchasing the Arena.

HHA's mission is to cultivate on-ice recreation of all kinds, for all ages, on the Lower Kenai Peninsula. HHA has been accomplishing this mission for more than a decade as one of the few non-profit, volunteer run ice rinks in the United States. Volunteers contribute an estimated 14,000 hours annually, representing a huge commitment of time and effort by our community. Over the years, programs have been expanded to include activities for all: figure skating, hockey at all age and skill levels, broomball, curling and numerous community and school open skate events. The public and open skate events bring up to 1000 additional users during the busiest months. These efforts earned HHA the 2012 Alaska Recreation and Parks Association Outstanding Organization award and more recent recognition from the USA Hockey Association.

The Kevin Bell Arena hosts numerous games, tournaments and events that bring commerce to the City of Homer. This is especially important during the winter when tourism and occupancy rates are low. HHA hosts several separate youth and adult hockey tournaments totaling approximately 150 games each year. In 2015-2016 these games brought over 1,160 out of town players to Homer, accompanied by family and fans that contributed an estimated \$646,187 to the local economy through lodging, transportation, dining and merchandise purchases. KBA has hosted several consecutive youth State Hockey Championship Tournaments which are widely attended by families from all over the State.

Plans and Progress: HHA has an active and committed Board of Directors and membership. The volunteer hours are leveraged by several successful fundraisers, sponsor and advertising campaigns, grant awards and donations each year. This covers approximately one third of the annual operating and capital expenses. The remaining expenses are covered by user fees.

The purchase of the building would provide HHA the opportunity to open more programs and expand existing programs to include more of the community. The high user fees are a barrier for many families but necessary just to meet annual expenses. The building purchase would allow HHA to adequately fund and plan for the replacement of the major mechanical components of the ice arena. It would also allow for major building maintenance projects to be funded. It could allow for heating and additional seating to accommodate the spectators. Major projects that could increase revenue such as permanent year-round flooring could become feasible. The building purchase would allow this important community resource to grow and prosper into the future.

Total Project Cost: \$2, 087,000



Christmas Eve public skate at Kevin Bell Arena is well attended.



Homer Senior Citizens Inc. Alzheimer's Unit

Project Description & Benefit: Seniors are the fastest growing population for the State of Alaska. Homer is projected as the second city in the State which will see the most significant growth in this demographic. Homer Senior Citizens operates a 40-bed assisted living facility. We have sent four seniors from our community due to Alzheimer's disease in the past four years. Losing one senior a year is unacceptable as it tears away the fabric of our community. Most of our seniors have families remaining in the Homer community.

To maintain the health of a senior, a full continuum of care is required. Maintaining physical, mental, and social capacity supports the dignity of our most vulnerable adults. HSC Alzheimer's Unit has been a strategic priority for the Board of Directors to keep our seniors' home in the community. We will not need a certificate of need for this project.

The Alzheimer's Unit will include fifteen beds and 24/7 care. Additionally, we will include a memory care program to maintain the existing cognitive capacity. Specific features for therapy pool and activities room which will be open to all seniors 55 and older. The activities room will be stage 2 of the project and will incorporate low-impact exercise equipment to maintain senior's physical capacity. This also opens the possibility to contract with South Peninsula Hospital for use of the therapy pool for other age groups benefiting the entire population of Homer.

We will be holding many fundraising events to secure the match for foundation grants. We have identified three foundations which funds for this type of project are acceptable. One of the priorities for scoring of the grants is Capital Improvement Plan designation.

Operating funds will be secured from "fees for service;" room and board; billing for Physical Therapy in both the therapy pool and the exercise program in the activities room (once stage 2 has been completed); and fees for contracted space for equipment and pool.

Plans & Progress: HSC has met with Hydro Worx to incorporate the Therapy Pool with the Alzheimer's Unit. Projected 5-year profit will be approximately \$1,508,600. This does not include contractual arrangements with third party vendors.

We have been activity fundraising for the Unit for the past five years. Fundraising activities include our Annual Alzheimer's Fundraiser at the Second Star Mansion with a live concert by a Chicago Jazz Band led by Tim Fitzgerald. To date we have accumulated total of \$99,550 in fundraising for this valuable project.

Due to COVID-19, we postponed plans with our architect to design the facility. We will begin discussions with the architect again this fall.

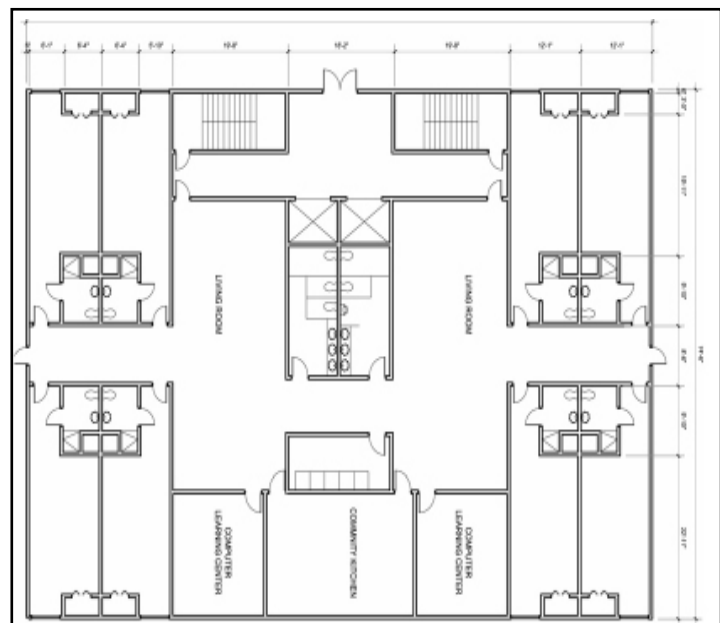
Total Project Cost: \$3,000,000

Funding Received as of date: \$99,950

Schedule: 2021



Example of a HydroWorx Therapy Pool Room .





Kachemak Shellfish Mariculture Association Kachemak Shellfish Hatchery

FY 2023 - DRAFT Document

Project Description and Benefit: Since 1994 Kachemak Mariculture Association (KSMA), a 501c5 organization, has steadfastly upheld its primary mission of assisting shellfish growers in Kachemak Bay to establish an economically sustainable oyster industry. Today through its close partnership with the Kachemak Shellfish Growers' Coop (KSGC), eleven aquatic farms are providing jobs for processing, marketing, and shipping half-shell oysters. For the last eight years the processing facility on the Spit is also culturing, marketing, and shipping oyster seed to the eleven member farms and to farms outside of Kachemak Bay.

KSGC farms have been recently impacted by oyster seed shortages affecting the entire Pacific Coast. The farmers wrestled with the financial realities of unpredictable seed shortages. KSMA farmers decided to be in charge of their own seed production. Therefore the farmers decided to build a small experimental seed hatchery / setting facility at the KSMA building to address the seed needs of the growers. This experimental hatchery has consistently set millions of spat seed every year thanks due to the nutrient rich waters, dedication of two KSMA employees, and the growers volunteerism. The local nursery has been undermanned and underfunded, but the resulting seed has proven to out perform all other seed—it grows faster and mortality rates are significantly better than all previous seed grown outside of Alaska. However, this past year, severe tides and storms have hastened the degeneration of a critical piece of nursery equipment.

The piece of equipment is called a FLUPSY — a Floating UPwelling System. Microscopic spat cannot go directly from the hatchery to the farm sites. The spat must spend six months to a year in appropriately graded bins, at great labor expense of cleaning and grading, in salt water that is constantly being moved by an electrically-driven paddle wheel. At 18 years old, the FLUPSY lacks AK DEC compliant floatation, and is showing the wear-and-tear of the harsh maritime climate coupled with winter storm damage. The present FLUPSY is also unsecured making it a vandalism target. The project includes new safety equipment and covered, lockable dry storage for tools and laborer's needs.

The economic benefits of this oyster industry in Homer are great. Oysters have become a sparkling year-round addition to Homer's seafood options for locals and tourists alike. Every cooler of oysters delivered to the dock represents approximately \$150 to the grower. By the time the end user receives those oysters, the economic ripple effect becomes approximately \$725. Excess seed is sold to other growers in and out of state helping to fulfil an economic development priority in Alaska's Comprehensive Economic Development Strategy.

Our local hatchery and a new, safe state-of-the-art FLUPSY can also provide a viable educational lab for high school and university students, who currently have to travel to Seward for mariculture studies. Mariculture courses could easily be developed around aquatic farming opportunities including the raising of sea vegetables and kelp.

Plans and Progress: The new FLUPSY is being developed in two phases. The design phase is complete. With the help of the Kenai Peninsula Economic Development District, KSMA continues to pursue grant funds to assist with the construction phase. KPEDD recently informed us that they cannot continue to pursue funding due to shift in COVID related needs. Should funds be secured from other sources, KSMA will be seeking grant matching funds.

Total Project Cost: \$247,500



Left: Oyster spat ready to sell to growers. Right: FLUPSY bins taken out of the water. Spat in the right bin have been cleaned, sorted, graded and counted.



Kachemak Ski Club

Homer Rope Tow Access & Equipment Upgrades

Project Description & Benefit: The Kachemak Ski Club was founded more than sixty years ago to operate a rope tow just off Ohlson Mountain Road near Homer. Our founders wanted to get Homer kids out of the house on the weekends and it is no different today. Over the years, this historic public recreational treasure has hosted thousands of downhill sports enthusiasts, family and social gatherings and also has served as a venue for snow sports safety instruction.

This project improves access to the base of the ski hill from Ohlson Mountain Road, making the lodge and slopes more welcoming for youngsters and newcomers. It relocates and refurbishes the hill's aging bullwheel at the top of the slopes and includes grade work to the upper slope's towpath to lower the rope's haul angle. It also allows purchase of a second portable rope tow device to improve access to the more gentle slopes at the base of the hill for children and beginners.

Plans and Progress: The Homer Rope Tow recreation area is separated from Ohlson Mountain Road by private land, but has legal access via a section line easement. A circuitous quarter mile long trail connects the road to the hill, avoiding several structures that encroach into the easement. To make access safer and quicker, Kachemak Ski Club plans to purchase an easement that would halve the walk-in distance from the road and construct a new Ohlson Mountain Road turnout with a widened parking area. These upgrades will make access shorter and more manageable for parents juggling both gear and young children and will minimize the safety risks of the double parking on Ohlson Mountain Road that now occurs during crowded weekends.

In addition to the above-described relocation of the electric motor bullwheel house and grade work to the upper slope, Kachemak Ski Club plans to acquire a portable rope tow device that can be positioned on the lower part of the hill for beginners and children. This would serve to increase the number of skiers who can be accommodated on busy days as well as a shorter, less physically taxing tow ride for younger and less experienced skiers. It could also be used for snowsport instructional classes and special events, leaving the main rope tow free for other riders. Some funds would also be used to acquire terrain park features to offer entertaining challenges for skiers and snowboarders.

Total Project Cost: \$95,000

Equipment (auxiliary rope tow & terrain park features): \$35,000

Parking & Right of Way Access Trail: \$30,000

Relocation of Bull Wheel & Slope Grading: \$30,000



Youth enjoying Homer's own downhill ski area.

FY 2023 - DRAFT Document



South Peninsula Behavioral Health Services: The Annex Upgrade

Project Description & Benefit: South Peninsula Behavioral Health Services provides services at multiple sites throughout Homer. Our customers include children, adults and families that may be struggling with mental illness, development disabilities, substance use disease, or combinations of all three. One of our older facilities, 948 Hillfair Court, also known as The Annex, houses several of our important programs serving over 140 individual customers annually. Programs include:

- *Journeys* - day treatment and adult rehab.
- *Souply* - our vocational training soup delivery program.
- *Individual Placement and Support (IPS)* - our vocational training program that partners with local business to provide vocational experience for those struggling with a variety of issues including treatment and case management support for our customers in need.

The building is old and annual repairs to plumbing, painting, the Souply kitchen, and the treatment rooms often exceeds our maintenance budget for our entire agency. We are in the initial planning stages of rebuilding and redeveloping this property to better accommodate the needs of our clients, our staff and the community.

The updated building will include a revitalized commercial kitchen; treatment rooms that are private and secured; group and community rooms that are designed to meet the needs of our population; updated electric, plumbing and network services; and expanded services to meet the health needs of the community.

Plans and Progress: SPBHS has completed phase one of the project with a \$50,000 dollar grant to improve the foundation and address structural issues. This also included clearing space next to the building and addressing drainage issues created by neighboring properties. SPBHS also received a grant to assist in upgrading the Souply kitchen equipment.

The SPBHS Board of directors Facilities Committee and the Client Council have been reviewing possible next steps for updating/expanding the building. This has included developing plans to remodel the current footprint while expanding internal square footage to better meet the needs of the program. It has also included proposals to build an additional building immediately adjacent to meet the needs of the clients and the community.

Upon finalizing the next steps the agency will begin moving forward with a three-year project to remodel The Annex. This will include fundraising from foundations and other charitable organizations, determining the full scope of services to implement in the new building, and developing a three-year work plan. SPBHS has included in its budget for the coming year an effort to end the year with a \$250,000 surplus earmarked for the project.

In March of 2020, all agency-wide facilities updates were put on hold. During the past year as agency, client, and community changes have informed the way we do business, we are reviewing how those changes (telecommuting, telemedicine, etc.) impact our services. To this end, we anticipate that the updating of our Hillfair property will continue, albeit with different end goals that have not been detailed at this point. During the summer of 2021, the SPBHS is undertaking a new strategic planning session. This will inform the direction of the renovations/updates/improvements to the Hillfair Property.

Total Project Cost: \$500,000-\$750,000.



Annual maintenance to the Annex, an older, former residential building that houses several SPBHS programs, often exceeds SPBHS' entire agency maintenance budget.



The Annex's group treatment space needs remodeling to make the space more private and separate from a public entrance, public bathroom and stairway to offices..



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City of Homer Projects

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2. Baycrest Overlook Gateway Improvements Phase 3
3. Sterling Highway Milepost 172 Drainage Improvements
4. Kachemak Heritage Land Trust Poopdeck Platt Trail
5. Ben Walters Lane Sidewalk Facility
6. Homer Spit Campground Renovations
7. West Hill Road Bike Path
8. Main Street Sidewalk - South of Sterling Highway

PROPOSED NEW PROJECT - DRAFT



East Hill Road Bike Lane

Project Description and Benefit: This project would create a bike lane, in conjunction with an Alaska Dept. of Transportation project to repave East Hill Road.

The need for a non-motorized transportation element on East End Road was identified in the 2021 Updated to Homer's Non-Motorized Transportation and Trail Plan and has been included in the 2021 update. This project also aligns with transportation goals articulated in the City's Comprehensive Plan.

East Hill Road is one of Homer's key arterials, connecting scores of residential properties to downtown Homer. There is currently no safe provision for non-motorized traffic; pedestrians and bicyclist must take their lives into their hands by riding on the road. The AK Dept of Transportation is planning to repave East Hill Road. It should be feasible to add an adjacent bike path to this project.

Plans & Progress: The subject project is conceived as one lane for non-motorized traffic on one side of East Hill Road as far off the traveled way as the existing right of way allows. Some drainage work within the right-of-way would be required to properly direct storm water runoff to catchment basins and adjacent roadside ditches. An engineer's conceptual cost estimate for the project has been developed.

Total Project Cost: \$2,000,000

Schedule: 2023-2024

Priority Level: 2

PROPOSED NEW PROJECT - DRAFT



Baycrest Overlook Gateway Improvements Phase 3

Project Description & Benefit: When you drive to Homer on the Sterling Highway, it is hard to resist pulling over at the Baycrest Hill Overlook, even if you have been there before. The overlook (constructed in the 1990's by visionaries at Alaska Department of Transportation and Public Facilities during a Sterling Highway reconstruction project) has become the primary entrance to Homer. The first experience of that Baycrest view is cited by many residents as the primary reason for deciding to settle in Homer.

Baycrest Overlook is one of three gateways into Homer and is part of Homer's Gateway Project, which entails enhancing visitor and resident experiences at the entrances to Homer.

Plans & Progress: The Gateway Project began in 2009 when a collaborative effort (involving the City of Homer, Alaska State Parks, National Park Service, Kachemak Research Reserve and U.S. Fish and Wildlife Service) created a beautiful diorama in Homer's airport terminal highlighting the wealth of public and private lands available to everyone who comes to Kachemak Bay.

In 2013, the City and State of Alaska DOT continued the focus on Homer's gateway sites by collaboratively producing the Baycrest Overlook Interpretive Plan which outlines three phases for improving the overlook. Many of the goals of the first two phases have been achieved, including making the site more welcoming, orienting visitors to the natural landscape and community, helping encourage commerce and allowing travelers a comfortable place to linger, rest and enjoy the spectacular setting.

This project requests that the State Department of Transportation complete Phase 3 of the Baycrest Overlook Interpretive Plan -- paving the parking lot near the Welcome to Homer sign and upgrading the restroom facility -- as part of the Sterling Highway Reconstruction project Anchor Point to Baycrest Hill.



Baycrest Overlook is often the first stop and introduction to Homer for many visitors.

PROPOSED NEW PROJECT - DRAFT



Sterling Highway Milepost 172 Drainage Improvements

Project Description & Benefit: The Baycrest Subdivision neighborhood (downslope from a beehive collector installed at milepost 172 on the Sterling Highway by the Alaska Department of Transportation (ADOT)) is built on sloping terrain of unconsolidated soils containing blue clay with a high water table and incidental springs. Properties in this subdivision experience unusually high levels of flooding, runoff and erosion.

Some Judy Rebecca Court properties in this neighborhood in particular have suffered damage due to water saturation including cracked windows and shifting foundations. The property damage is related to the amount of water in the soil and every effort needs to be extended to control the amount of water introduced into the soil, including water runoff from the Sterling Highway. These homes are located 750 linear feet distant and 125 feet vertical downslope from the beehive collector outfall. While certainly not all the problematic water is coming from the outfall, attention to drainage in the area is important to reduce the potential for slope failure and possible loss of property and life.

Water flow volume measurements from the beehive collector over time indicate that the outfall is directing a concentrated discharge of water onto the Baycrest neighborhood slope, adding to an already precarious water saturated soil condition. The City of Homer requests that ADOT divert the beehive collector outfall off the slope and into a natural drainage similar to the one that exists below the next Sterling Highway concrete encased cross-drain some 80 paces east of the Mt. Augustine Drive intersection with the Sterling Highway.

Keeping water off this slope where possible helps mitigate the potential for catastrophic slope failure; discharging the beehive collector outfall into a naturally occurring drainage mitigates the potential for impacting other area properties with the additional runoff.

Plans & Progress: At the request of affected home owners and Homer City Council members, a local retired geologist studied and provided mitigation recommendations to the City of Homer and ADOT. Additionally, Newton Bingham, a PE with ADOT evaluated the situation in November of 2017. In recognition of the potential hazard to property and life, Homer City Council passed Resolution 17-082 in September 2017 directing the Homer Advisory Planning Commission to consider a Natural Hazards Overlay District or other appropriate zoning regulation on and around Baycrest Subdivision. In line with an Alaska Administrative Order 175 under Order item 1 which states, "To the maximum extent possible consistent with existing law, all state agencies with construction ...shall encourage a broad and united effort to lessen the risk of flood and erosion losses in connection with State lands and installations and state-financed or supported improvements...", City Council passed Resolution 18-008 in January 2018 requesting ADOT fix Sterling Highway drainage effecting the Baycrest Subdivision. In February 2018, a group from Homer met with ADOT Deputy Commissioner Amanda Holland and telephonically with Central Region Director Dave Kemp about Homer's request.



Aerial photo of the area downslope of the outfall from a Sterling Highway beehive collector.



Kachemak Heritage Land Trust Poopdeck Platt Trail

Project Description & Benefit: Kachemak Heritage Land Trust (KHLT) owns the 3.47-acre Poopdeck Platt property at the end of Klondike in Homer. Over the years, KHLT has worked with the National Park Service Rivers, Trails, Conservation Assistance Program, architects, Alaska State Parks, the City, the Independent Living Center (ILC) and community members on a conceptual site plan for a community park and Americans with Disabilities Act (ADA) accessible trail on this property.

Most of the trail will be on KHLT land (KPB Parcel #17719234). Part of the trail will be situated on adjacent City of Homer land (KPB Parcel #17719231) though to minimize the crossing of delineated wetlands in the southern portion of the Poopdeck Platt property. An added advantage is to provide potential ADA connectivity between Pioneer Avenue and Bishop's Beach. This project will benefit the Homer community by providing a universally accessible trail in the town center area, open to use by all people.

Plans & Progress: KHLT, working with a design consultant, completed the trail design and cost estimate in August 2018. Homer City Council expressed its support for the project by passing Resolution 18-29 and authorizing expenditure of up to \$5,200 from the Homer Accelerated Roads and Trails Program for trail design. Design has been completed with \$1200 funds donated by community businesses and individuals and \$4000 from the City of Homer. The next phase involves seeking funding for trail construction. Construction is anticipated for the summer of 2019.

Total Project Cost: \$60,000

Design: \$5,200
Construction: \$54,800



Community members and representatives of KHLT, the Homer Independent Living Center and City of Homer worked with Ptarmigan PTrails consultant to design the Poopdeck Platt trail.



PROPOSED NEW PROJECT - DRAFT



Ben Walters Lane Sidewalk Facility

Project Description and Benefit: This project will provide approximately 6,150 feet of ADA-compliant sidewalks, curb and gutter on Ben Walters Lane. The need for a sidewalk on Ben Walters Lane was first articulated in Homer's 2004 Non-Motorized Transportation and Trail Plan and has been included in the 2021 update. This project also aligns with transportation goals articulated in the City's Comprehensive Plan.

Ben Walters Lane is a busy mixed-use collector street, collecting traffic from adjacent neighborhoods and connecting it to two of Homer's main thoroughfares: East End Road and Lake Street. Ben Walters Lane supports both residential and commercial traffic. For example, the street is home to many single family residences, some multi-family residences, two City parks, multiple businesses and health care facilities. Further, Ben Walters provides access to two schools located on East End Road and numerous businesses located on Lake Street.

Ben Walters traffic is not just leisure neighborhood traffic; motorists travel Ben Walters at times to bypass the East End Road and Lake Street intersection, hoping to move more quickly to the Sterling Highway, and on their way to and from work places located on Ben Walters Lane.

Because Ben Walters Lane has no sidewalks, pedestrians travel along the side of the road, which is unpleasant and hazardous. A sidewalk on this busy street would create a safe environment for pedestrians as well as young children biking to school. A sidewalk would fill a missing gap in connectivity between East Road and lower Lake Street and generally enhance the quality of life for residents, business owners and visitors alike.

Plans & Progress: The overall project is conceived as one ADA accessible sidewalk located within the vehicular right of way on one side of Ben Walters Lane from East End Road to Lake Street. Some drainage work within the right-of-way would be required to properly direct storm water runoff to catchment basins and adjacent roadside ditches. An engineer's conceptual cost estimate for the project has been developed.

Total Project Cost: \$1,600,000

Schedule: 2023-2024

Priority Level: 2

PROPOSED NEW PROJECT - DRAFT



Homer Spit Campground Renovations

The Mariner Park and Fishing Hole campgrounds are situated on the Homer Spit. Their waterfront locations and close proximity to recreational activities and visitor support services make the campgrounds very popular with both Alaskans and out-of-state visitors. City campgrounds are heavily used in the summer and shoulder seasons, hosting over roughly 20,000 campers annually and generating up to \$200,000 in revenue through camping fees.

The campgrounds are primitive. Campers use porta potties and have no means of hand washing. Campsites are potholed, poorly marked and without tent pads. Many lack picnic tables and fire rings.

This renovation project greatly improves the camping experience and makes it easier to maintain the campgrounds to a higher standard of cleanliness and safety. Renovations include installing hand wash stations, grading campgrounds, delineating and labeling campsites, developing tent pads in tent camping areas and installing picnic tables and fire rings at sites that currently lack these basic amenities.

Completing these renovations bring the campgrounds to a minimum standard to keep them healthy, attractive and competitive. Visitors have a choice of where to stay on the Kenai Peninsula. We anticipate these upgrades will attract new visitors and motivate existing visitors to extend their stays or come back. Summer and shoulder season visitors contribute significantly to Homer's overall economy through their patronage of local businesses throughout their stay.

Project Status: This project is 80% shovel ready.

Total Project Cost: \$90,000

Mariner Park Campground	\$45,000
Fishing Hole Campground	\$45,000

PROPOSED NEW PROJECT - DRAFT



West Hill Road Bike Lane

Project Description and Benefit: This project would create a bike lane, in conjunction with an Alaska Dept. of Transportation project to repave West Hill Road.

The need for a non-motorized transportation element on West Hill Road was identified in the 2021 Updated to Homer's Non-Motorized Transportation and Trail Plan and has been included in the 2021 update. This project also aligns with transportation goals articulated in the City's Comprehensive Plan. Traffic on West Hill Road is growing! Several new residential subdivisions empty traffic onto West Hill Road, thereby increasing conflicts between vehicular and pedestrian traffic.

West Hill Road is one of Homer's key arterials, connecting scores of residential properties to downtown Homer and more are being developed with each passing year. There is currently no safe provision for non-motorized traffic; pedestrians and bicyclist must take their lives into their hands by riding on the road. West Hill Road needs a repaving project, which the AK Dept of Transportation will inevitably planning to do. It should be feasible to add an adjacent bike path to this project.

Plans & Progress: The subject project is conceived as one lane for non-motorized traffic on both sides of West Hill Road as far off the traveled way as the existing right of way allows. Some drainage work within the right-of-way would be required to properly direct storm water runoff to catchment basins and adjacent roadside ditches. An engineer's conceptual cost estimate for the project has been developed.

Total Project Cost: \$2,300,000

Schedule: 2023-2024

Priority Level: 2

PROPOSED NEW PROJECT - DRAFT



Main Street Sidewalk South of Sterling Highway

PROPOSED NEW PROJECT - DRAFT

Project Description and Benefit: This project will provide approximately 1000 feet of ADA-compliant sidewalks, curb and gutter on the segment of Main Street that is south of the Sterling Highway. The need for a sidewalk on Main Street was first articulated in Homer's 2004 Non-Motorized Transportation and Trail Plan and has been included in the 2021 update. This project also aligns with transportation goals articulated in the City's Comprehensive Plan.

Main Street is a busy mixed-use collector street, collecting traffic from adjacent neighborhoods and connecting it to Homer's main thoroughfare – the Sterling Highway, which is part of the state's highway system. Main Street supports both residential and commercial traffic. For example, the street is home to many single family residences, some multi-family residences, one of the City's most popular parks, multiple businesses and health care facilities.

Because Main Street has no sidewalks, pedestrians travel along the side of the road, which is unpleasant and hazardous. A sidewalk on this busy street would create a safe environment for pedestrians to walk from the north to the south end of town, connecting single and multi-family residences with important business, cultural, and recreational destinations. A sidewalk would enhance the quality of life for residents, business owners and visitors alike. The City has designed a sidewalk on the west side of Main Street from Pioneer Avenue to Bayview Ave, using the City's Homer Accelerated Roads Fund.

Plans & Progress: The subject project is conceived as one ADA accessible sidewalk located within the vehicular right of way on the west side of Main Street from the Sterling Highway to the southern end of Main Street. Some drainage work within the right-of-way would be required to properly direct storm water runoff to catchment basins and adjacent roadside ditches. An engineer's conceptual cost estimate for the project has been developed.

Total Project Cost: \$1,100,000

Schedule: 2023-2024

Priority Level: 2



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Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: June 21, 2021
SUBJECT: City Manager's Report for June 28, 2021 Council Meeting

FY22/23 Budget

After six months of focus and effort by staff and Council, the operating and capital budgets are up for adoption at this evening's meeting. Preparing a new two-year budget for a post-pandemic period which also included a change in fiscal year has been quite the undertaking. I want to thank the Council for taking the time to participate in an extended series of budget work sessions in the spring, and to also thank Finance Director Elizabeth Walton for the huge amount of work she put in behind the scenes to bring these documents to life.

Hydrant Flushing



In this photo, Dave Welty is sloooowly shutting down a hydrant, as part of the City's annual hydrant-flushing program. Hydrant flushing maintains water quality by cleaning out bioslimes, manganese deposits and sediment from the water distribution mains. Operational procedures are highly choreographed and carefully

timed to prevent water hammer, which could damage pipe and valves. Here is further explanation from Public Works Director Jan Keiser:

The hydrant flushing program is highly structured because of all the different pressure zones in the City. If you open and close valves too quickly or cross pressure zones improperly, you can damage the system. Plus, the goal is to have water moving throughout the entire system, which is one reason we like to have water mains designed to avoid “dead end lines”; that is, mains should connect to each other. The flushing program takes place over a week or two, depending on what else is going on, often at night when customer usage is lower. It uses a prescribed procedure of starting/ending points, directions of flow, duration of flushing and volumes of flow. The flushing is necessary because even with our sophisticated water treatment plant, stuff can enter the system as new water services are put in, cracks occur, minerals metabolize and bioslime grows. I’m told that in Homer’s early days, there was no flushing program and whole pipelines would fill up with silt and bioslimes.

Harbor Bond Refunding

In late April the City Council approved Ordinance 21-021 which authorized the issuance and sale of a series of Harbor revenue refunding bonds for the purpose of refunding all or a portion of the City’s outstanding Harbor revenue bond from 2013. Cindy Cartledge from JDO guided us through this complex procedure. The new bond closed June 16th and resulted in a 12% present value savings which is equal to approximately \$239,600 in reduced costs to the Harbor Enterprise.

Library Grounds Update

The Friends of Homer Library (FHL) have been leading a project to expand the trail system to the west of the library building, in collaboration with several other community groups. The FHL’s grant application to the National Parks Service Alaska Rivers, Trails, and Conservation Assistance Program was supported by Council via resolution 21-018. During the week of June 21st, representatives from the National Park Service visited Homer to survey the site and assist with planning. On Monday, the FHL board, Library Director Berry, and Deputy City Planner Engebretsen took them on a walkthrough of the trail. The project is still in early stages and there will be several months of public consultation and ongoing outreach to other groups before work begins. If all goes well, trail improvements might be complete next year.



Library Grounds Update

Library and Parks staff have recommended modifications to the landscaping at the library to ensure that the City can sustainably maintain the grounds. The library grounds include a number of ornamental plants which require a tremendous amount of effort to maintain. These plants were added after construction of the new library in 2006, and no satisfactory plan for maintaining them has ever been developed. Informally, the Friends of the Library assumed responsibility for maintaining the bushes beside the StoryWalk trail, the raised beds in front of the library and along the south wall, the bed at the foot of the HPL sign and recently the Margaret Pate garden beside the building. Rotary maintains the Peter Larson garden in the corner of the parking lot. The Parks Department maintains everything else. Potential solutions/modifications include replacing the following with grass which will be mowed/maintained: the bushes at the beginning of the StoryWalk trail; the raised bed directly in front of the library main entrance; the rock garden in the berm in the middle of the parking lot; and possibly some of the bushes near the generator at the northwest corner of the library. Parks and the Library are evaluating these options and some changes may be implemented this summer.

Pro-Pickleball Clinic at HERC

On July 25th, the HERC will be host to a pickleball clinic with nationally ranked players Steve Wong and Sara Ash. See the attached flyer or contact Mike Illg, Community Recreation Manager, at MIllg@ci.homer.ak.us for more information.

COVID-Related Updates

COVID Emergency Declaration Expires June 29th

The City's emergency declaration is set to expire on June 29th. A memo with more information is attached to this report.

COVID Mitigation Changes in City Facilities

Starting June 16th, it is permissible for the public to enter City facilities without a mask. We strongly encourage those who are not vaccinated to continue wearing masks for public health and safety purposes.

Sleeves Up for Summer Commercial

As part of the Sleeves Up for Summer Campaign, the Alaska Department of Health and Social Services contracted with a video production company to create commercials promoting vaccinations around the State. Homer is one of several communities selected to be featured in the video spots. Homer hosted the production company last month and I'm pleased to share the link where you can view the 30 second spot which features Homer citizens and our very own Mayor Castner.

<https://www.youtube.com/watch?v=McHnJFvd0kY>

Thanks to everyone who participated in and helped make arrangements for the video shoot last month. We appreciate all of you giving your time to the effort. It turned out great. Thanks also to the State of Alaska for producing and distributing the ad. The spot will run on KTUU-Channel 2, a variety of cable stations, Hulu, and digital. The Alaska Department of Health and Social Services will post it on their Facebook page and Unified Command partners will share it locally.



Enclosures:

1. Pickleball Flyer
2. Memo – Emergency Declaration Expiration



STEVE WONG and SARA ASH

- Dinking with a purpose
- Aiming to hit better shots
- Small group sizes
- Strategy for Women's, Men's and Mixed Doubles
- How to volley effectively
- Various games and drills
- Hitting the Third shot

LEARN FROM THE PROS!



INTERMEDIATE CLINIC

Sunday, July 25, 2021

2-5 p.m. at the HERC

12 Player Limit

Cost is \$60 plus a \$5 Community Recreation usage fee for a total cost of \$65 per player

Register through Mark Daly at
madwater.mark@gmail.com



- Tips & techniques to improve your serve, return, third & lob shots
- Focus on improving footwork
- How to reset the ball to get to the net
- Drilling games for improvement
- Hitting 5th & 7th shots and beyond
- Play with or against the Pros and they will critique your game

Steve Wong and Sara Ash are a great Mixed Doubles team that plays Pro and 5.0+ events all across the Nation! They have recently received Bronze in Mixed Doubles 5.0 at the International Bainbridge Club in Florida. Steve Wong has been playing for 30 years and is the first pickleball pro to teach all over the world. He is a six-time national champion and founder of Armour Pickleball and has been nominated for the Pickleball Hall of Fame. Sara Ash has been playing for 7 years and has received many Gold medals at the SoCal Classic Tournaments, Fall Brawl and is a USA Pickleball Nationals Medalist.





City of Homer

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(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: June 21, 2021
SUBJECT: Expiration of the City's COVID-19 Emergency Declaration

The City's Local Emergency Declaration due to the COVID-19 pandemic (which was last extended by Resolution 21-019) will expire June 29, 2021. This memorandum outlines accommodations that end with the end of the Emergency Declaration:

- The ability to request City utility payment deferrals and the waiver of penalties, late fees and utility shut-offs for requested deferrals (as provided in Resolution 20-37).
- Allowance for telephonic meetings of Homer City Council (the continuation of which will be addressed in another agenda item during the June 28th Council Meeting).

The City's EOC will be deactivated as well. EOC activity has significantly diminished since getting through the height of mitigation response. EOC efforts since the last mass vaccine POD event in May consists only of staying informed of COVID-19 trends and providing communication and public education support to area vaccine efforts. I anticipate Jenny Carroll, the City's Special Projects and Communications Coordinator will remain involved in communications throughout the duration of the State COVID-19 Health Equity grant.

The City has the option to reinstate a new Emergency Declaration or dedicate additional resources to COVID-19 response should conditions warrant such actions.



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Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: July 22, 2021
SUBJECT: City Manager's Report for July 26, 2021 Council Meeting

Emergency Response Appreciation

The Kenai Peninsula Borough (KPB) Office of Emergency Management sent our staff a plaque recognizing the efforts put forward by the City of Homer in responding to the COVID-19 pandemic. KPB was a key partner throughout our declared emergency and I appreciate them acknowledging and recognizing the contributions made by the City to mitigate the impacts of the pandemic. A letter provided by KPB is attached to this report.



Jenny Carroll, Public Information Officer; Chief Mark Kirko, Incident Commander; & Rob Dumouchel, City Manager

American Rescue Plan Act Update

After the Council passed Resolution 21-046, staff was able to complete the request to the State of Alaska for our share of the American Rescue Plan Act (ARPA) local recovery funds. The State has not yet confirmed the amount the City will receive, but it is anticipated to be between \$1.2M and \$1.4M in funding spread between two years. One of the options for the use of the funds is revenue replacement which is driven by a calculation provided by the Federal Treasury. Porter & Allison, one of the City's financial services partners, conducted the analysis and calculation for the City and has found that we are in a position to use all of the ARPA funds as revenue replacement. Staff is conferring with our accountants and conducting additional research to ensure we

fully understand the mechanics and limitations of revenue replacement under the ARPA legislation. Once we have a specific dollar amount from the State, we will come back to Council with recommendations on how to move forward.

FAA Outreach

At the June 28th Council meeting I received feedback from Council that they had been receiving complaints about aircraft noise and flight patterns in the City. I reached out to J&H Consulting, our lobbying partners, for help on determining the best pathways for different types of complaints. Working with the Juneau Flight Standards Office I have been able to get some more specific contacts with whom we can work to resolve local issues. After the submission of this report, I will be meeting with select staff members to discuss how we can more effectively communicate aircraft related complaints to the FAA and connect the public to the appropriate offices within the agency.

Fiber Optic Installation at Library

With Resolution 21-024, the City Council authorized upgrades to the library's data connection, taking advantage of a federal government program to offset 70% of the costs (a savings of approximately \$20,000 from the budgeted amount). GCI has now completed physical installation of a new fiber-optic cable with a capacity of 400 megabits/second in both directions, a significant increase from the current 250 Mbit/sec download and 15 Mbit/sec upload capacity. The new cable also includes an option for future upgrades without extensive site work. Configuration and testing has been underway and the connection is scheduled to go live on July 23.

911 System Update

IT has been working diligently to conform Homer's 911 system to meet the recently updated NG911 system deployed by the Kenai Peninsula Borough. This has required extensive changes to the dispatcher workstations and the routing of police "admin" phone lines. Two dispatch stations are fully functional except for minor ergonomic adjustments. The third dispatch station is awaiting delivery of the 911 hardware from the manufacturer.

Payment Kiosk Update

Self-service kiosks were installed at the RV dump station near Public Works and the airport. Service is up and running on the RV dump station. The airport station is fully connected and will be operational as soon as it successfully completes test transactions. Kiosks for the campgrounds are waiting on concrete foundations and will be configured at that time.

Kachemak Drive Speed Signs

In September 2020, Council adopted Ordinance 20-51 appropriating funds from the Police CARMA fund (156-0394) to purchase speed radar signs as a traffic calming measure for Kachemak Drive. The devices were acquired by the Police Department and arrangements were made with Alaska Department of Transportation to install the pole-mounted signs. The signs are now installed and operational on Kachemak Drive.

Better Late than Never

A man from California who camped here in Homer back in the 1970s recently wrote the City a letter. He camped in Homer for a night and didn't have the \$3 cash required to pay for his stay. He promised to make good on that debt when he returned home. As a thank you for our patience, he instead sent us a check for \$100. My office responded with a handwritten card and a City of Homer pin.

COVID Update

There has been a noticeable spike in COVID cases on the Kenai Peninsula in the last month with many cases located here in Homer. Although the emergency declaration has expired, I have an internal COVID working group focused on organizational issues which continues to meet on a regular basis. If cases continue to increase, I may move to reinstate some mitigation measures in City facilities for staff and visitors. This situation is developing.

Personnel Updates

Lead Mechanic Levi Stradling retired on July 9th, here is a brief update from the Public Works Director:

Levi Stradling retired from his job as Lead Mechanic after 19 years of service to the City. Levi was a Master Mechanic, who kept our rolling stock rolling. He was also a Master Craftsman, with an enviable ability to fabricate parts, gizmos and widgets out of seemingly thin air, often, with YouTube How-To videos as his guide. Levi's relocating to Boise, where he plans to buy a motorhome and tour the country, footloose and fancy free. We wish him happy trails!



We also recently said goodbye to Dispatcher Jed Frazier after almost five years with the Police Department. He started out as a jailer before transitioning to dispatch.



Enclosures:

1. July Employee Anniversaries
2. Letter from KPB Office of Emergency Management



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Memorandum

TO: MAYOR CASTNER AND CITY COUNCIL
FROM: Andrea Browning
DATE: July 26, 2021
SUBJECT: July Employee Anniversaries

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.

John Wythe	Public Works	30	Years
Lori Sorrows	Finance	22	Years
Dan Olsen	Public Works	20	Years
Julie Engebretsen	Planning	19	Years
Rick Abboud	Planning	13	Years
Dave Welty	Public Works	13	Years
David Bernard	Library	10	Years
Jason Hoffman	Public Works	6	Years
Clinton Scritchfield	Police	3	Years
Jason Hanenberger	Public Works	2	Years
Mark Kirko	Fire	2	Years
Glenn Rauh	Public Works	1	Year



Office of Emergency Management

144 N. Binkley Street, Soldotna, Alaska 99669 • (907) 262-4910 • (907) 714-2395 Fax

Charlie Pierce
Borough Mayor

June 24, 2021

City of Homer
City Manager Rob Dumouchel
491 East Pioneer Avenue
Homer, Alaska 99603

Dear City Manager Dumouchel:

Throughout the course of the COVID-19 pandemic from early 2020 until now, the breadth and depth of work that has been accomplished on behalf of the communities across the Kenai Peninsula Borough has been nothing short of inspiring.

The COVID response initially focused on testing supplies and resource requests for personal protection equipment. Since last December, the greatest efforts have been towards COVID vaccinations as they became available in our communities.

As summer progresses into full swing, we would like to take a moment to recognize and thank you for your efforts during the pandemic response. No individual, agency, group, or organization can accomplish everything on their own. The pandemic requires strong collaboration and teamwork from multiple partners in each community.

This plaque is a small token that conveys recognition and acknowledgment of what we have accomplished in the Kenai Peninsula Borough. While the work of the COVID-19 pandemic is still ongoing, we pause for a moment to say a sincere thank you for your past work, and appreciation for what you will continue to do in the days ahead on behalf of our residents and visitors.

Sincerely,

Dan Nelson
Emergency Manager

Bud Sexton
Operations Manager

PLANNING COMMISSION ANNUAL CALENDAR
FOR THE 2021 MEETING SCHEDULE

<u>MEETING DATE</u>	<u>SCHEDULED EVENTS OR AGENDA ITEM</u>
JANUARY 2021	
FEBRUARY 2021	AK APA Conference PC training: legislative vs quasi-judicial decisions; decisions and findings
MARCH 2021	Guest speaker and training: KPB Platting/Planning
APRIL 2021	2018 Comprehensive Plan Review
MAY 2021	Transportation work session with Public Works
JUNE 2021	Reappointment Applications Deadline
JULY 2021	Reappointments Spit Plan Review (One meeting this month)
AUGUST 2021	Election of Officers (Chair, Vice Chair) PC training: Roberts rules, OMA Capital Improvement Plan Review
SEPTEMBER 2021	Economic Development speaker (such as KPEDD, chamber, SBA,)
OCTOBER 2021	?? Floodplain or other hazard regulations overview...connect dots between comp plan and our current regs
NOVEMBER 2021	(One meeting this month) Review and Approve the 2022 Meeting Schedule
DECEMBER 2021	(One meeting this month) Review Bylaws, and Policies and Procedures
Semi Annually: PW project update	
Odd Years:	2018 Comprehensive Plan (April) Homer Spit Plan, (July), Review Bylaws, and Policies and Procedures (December)
Even Years:	HNMTTP (April), Transportation Plan (July), Town Center Plan (December)



Planning Department

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

Charlie Pierce
Borough Mayor

July 2, 2021

**NOTICE OF DECISION
KENAI PENINSULA BOROUGH PLAT COMMITTEE
MEETING OF JUNE 28, 2021**

Re: Skyline Drive Subdivision No. 7A Preliminary Plat
KPB File Number: 2021-083

The Plat Committee reviewed and granted conditional approval of the subject preliminary plat during their regularly scheduled meeting of June 28, 2021 based on the findings that the preliminary plat meets the requirements of the Kenai Peninsula Borough Code 20.25; 20.30; 20.40 and must meet 20.60.

A party of record may request that a decision of the Plat Committee be reviewed by the Planning Commission by filing a written request within 15 days of notification of the decision in accordance with KPB 2.40.080.

For additional information please contact the Planning Department, 907-714-2200 (1-800-478-4441 toll free within the Kenai Peninsula Borough).