



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

City of Homer Agenda

**City Council Regular Meeting
Monday, October 10, 2022 at 6:00 PM**

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

<https://cityofhomer.zoom.us/j/205093973?pwd=UmhJWEZ3ZVdvbDkxZ3NtbldlNINXQT09>

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Webinar ID: 205 093 973 Passcode: 610853

CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

MAYORAL PROCLAMATIONS AND RECOGNITIONS

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

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

- a.** Homer City Council Unapproved Regular Meeting Minutes of September 12, 2022. City Clerk. Recommend adoption.
- b.** Memorandum 22-167 from City Clerk re: Vacation of a Utility Easement Located on Lot 2-A-1 Scenic View Subdivision. Recommend approval.
- c.** Ordinance 22-67, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing a Transfer of \$438,315 from the Utility Fund Fund Balance to include \$200,000 to the Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund and \$238,315 to the Sewer CARMA Fund and by Appropriating those Amounts from the Water CARMA and Sewer CARMA Funds Accordingly to fund Projects identified in the Water and Sewer Financial Plan. City Manager/Public Works Director. Recommended dates Introduction October 10, 2022 Public Hearing and Second Reading October 24, 2022.

Memorandum 22-168 from Finance Director as backup.

- d.** Ordinance 22-68, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12, Rural Residential District; Homer City Code 21.14, Urban Residential

District; Homer City Code 21.12 Residential Office District; Homer City Code 21.18, Central Business District; Homer City Code 21.20 Town Center District; Homer City Code 21.22, Gateway Business District; Homer City Code 21.24, General Commercial 1 District; Homer City Code 21.26, General Commercial 2 District; And Homer City Code 21.27, East End Mixed Use District, Regarding Conditional Uses in each District. Planning Commission. Recommended dates Introduction October 10, 2022 Public Hearing and Second Reading October 26, 2022.

Memorandum 22-169 from City Planner as backup.

- e. Resolution 22-071, A Resolution of the City Council of Homer, Alaska Accepting the Fiscal Year 2021 Basic Financial Statements and Acknowledging the Management Letter Submitted by the City's Independent Auditor, BDO USA, LLP and Authorizing the City Manager to Execute the Financial Report. City Manager/Finance Director. Recommend adoption.

Memorandum 22-177 from Finance Director as backup.

- f. Resolution 22-073, A Resolution of the City Council of Homer, Alaska Approving a Task Order to Kinney Engineering in the not to exceed amount of \$140,472 for the Design of the Heath Street Pavement Restoration Project and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-170 from Public Works Director as backup.

- g. Resolution 22-074, A Resolution of the City Council of Homer, Alaska Adopting the City of Homer 2022 Non-Motorized Transportation and Trails Implementation Plan. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-171 from Public Works Director as backup.

- h. Resolution 22-075, A Resolution of the City Council of Homer, Alaska Authorizing the City Manager to Increase East Road Services Indefinite Delivery Indefinite Quantity (IDIQ) Contract in the Amount of \$39,000 to Construct the Adams Lane Bike Path. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-172 from Public Works Director as backup.

- i. Resolution 22-076, A Resolution of the City Council of Homer, Alaska Supporting Full Funding (\$8,236,815) for the State of Alaska Municipal Harbor Grant Program in the FY 2024 State Capital Budget. City Manager/Port Director. Recommend adoption.

- j. Resolution 22-077, A Resolution of the City Council of Homer Alaska Awarding the Contract for the Small Boat Harbor Cathodic Protection Project to Global Diving & Salvage, Inc. in the Amount of \$503,975 and Authorizing the City Manager to Negotiate

and Execute the Appropriate Documents. City Manager/Public Works Director.
Recommend adoption.

Memorandum 22-173 from Public Works Director as backup.

VISITORS

- a. Audit Report - BDO (5 minutes)

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

- a. Worksession Report
- b. Committee of the Whole Report
- c. Mayor's Report
- d. Borough Report
- e. Port and Harbor Advisory Commission

PUBLIC HEARING(S)

- a. Ordinance 22-42(S)(A), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.04.120 to Clarify that all New Streets which Serve as Public Access Corridors shall have Sidewalks. Davis/Erickson. Introduction July 25, 2022, Referred to Planning Commission, Parks Art Recreation & Culture Advisory Commission, and Public Works, Public Hearing and Second Reading Postponed to October 10, 2022.

Ordinance 22-42(S-2), An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Sections 11.04.120, 22.10.050, and 22.10.051 to Specify when New Streets are Required to Provide for Non-Motorized Transportation. Davis/Erickson.

Memorandum 22-165 from Planning Commission as backup.

Memorandum 22-166 from Parks Art Recreation & Culture Advisory Commission as backup.

- b. Ordinance 22-62, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Operating Budget by Appropriating \$10,000 from the General Fund Unassigned Fund Balance to Fund Part of the Homer Business Advisory Position for the Alaska Small Business Development Center, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. Venuti/Erickson. Introduction September 26, 2022, Public Hearing and Second Reading October 10, 2022.

Memorandum 22-160 from Economic Development Manager as backup.

- c. Ordinance 22-63, An Ordinance of the City Council of Homer, Alaska Amending Accepting and Appropriating a Grant with the Alaska Energy Authority in the Amount of \$79,500 for the Design of a Micro-Hydro Unit in Homer's Water System and Authorizing a Sole Source Contract to InPipe Energy for Design Services of the Micro-Hydro Unit(s)

in the Amount of \$79,500. City Manager/Public Works Director. Introduction September 26, 2022, Public Hearing and Second Reading October 10, 2022.

Memorandum 22-161 from Public Works Director as backup.

[d.](#) Ordinance 22-64, An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY23 Designated Legislative Grant from the State of Alaska for the Purpose of New Large Vessel Harbor Matching Funds for an Army Corps of Engineers General Investigation and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager. Introduction September 26, 2022, Public Hearing and Second Reading October 10, 2022

[e.](#) Ordinance 22-65, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating a 2022 Commercial Passenger Vessel Tax Program Grant from the State of Alaska for \$35,445 and a Commercial Passenger Vessel Tax Program 2022 Pass-Through Grant from the Kenai Peninsula Borough in the Amount of \$35,445 to Rebuild Crane #7 on Homer Fish Dock and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Port Director. Introduction September 26, 2022, Public Hearing and Second Reading October 10, 2022.

Memorandum 22-162 from Port Director as backup.

[f.](#) Ordinance 22-66, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$69,110 from the Port Reserve Fund to Rebuild Crane #7 on Homer Fish Dock and Authorizing a Sole Source Contract with Great Northern Hydraulics, LLC. City Manager/Port Director. Introduction September 26, 2022, Public Hearing and Second Reading October 10, 2022.

Memorandum 22-162 from Port Director as backup.

ORDINANCE(S)

[a.](#) Ordinance 22-69, An Emergency Ordinance of the City Council of Homer, Alaska Appropriating \$40,000 from the Homer Accelerated Roads and Trails Road Fund to Repair Alder Lane and Authorize an Increase in the East Road Services Indefinite Delivery Indefinite Quantity (IDIQ) Contract for this Work. City Manager/Public Works Director.

Memorandum 22-175 from Public Works Director as backup.

CITY MANAGER'S REPORT

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

PENDING BUSINESS

- a. Resolution 22-066, A Resolution of the City Council of Homer, Alaska Approving the 2022 Council Operating Manual Update. Aderhold/City Clerk. Recommend adoption.

Memorandum 22-176 from City Clerk as backup.
Memorandum 22-155 from City Clerk as backup.

NEW BUSINESS

RESOLUTIONS

- a. Resolution 22-078, A Resolution of the City Council of Homer, Alaska Adopting the 2023-2023 Capital Improvement Plan and Establishing Capital Project Legislative Priorities for Fiscal Year 2024. Mayor/City Council.

Memorandum 22-174 from Special Projects and Communications Coordinator as backup.

- b. Resolution 22-079, A Resolution of the City Council of Homer, Alaska Certifying the Results of the City of Homer Regular Election held October 4, 2022 to Elect a Mayor for a Two Year Term and Two City Council Members for Three Year Terms each. City Clerk/Canvass Board.

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY ATTORNEY

COMMENTS OF THE CITY CLERK

COMMENTS OF THE CITY MANAGER

COMMENTS OF THE MAYOR

COMMENTS OF THE CITY COUNCIL

ADJOURNMENT

Next Regular Meeting is Monday, October 24, 2022 at 6:00 p.m., Worksession 4:00 p.m. Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Session 22-18 a Regular Meeting of the City Council of Homer, Alaska was called to order on September 12, 2022 by Mayor Ken Castner at 6:00 p.m. at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS ADERHOLD, DAVIS, ERICKSON, HANSEN, LORD, VENUTI

STAFF: CITY MANAGER DUMOUCHEL
CITY CLERK JACOBSEN
FINANCE DIRECTOR WALTON
PUBLIC WORKS DIRECTOR KEISER
NETWORK ADMINISTRATOR SULCZYNSKI
CITY ATTORNEY GATTI

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

Mayor Castner announced the supplemental items: **City Manager's Report** - Lease management attachment from Deputy City Clerk Tussey, **Resolutions** Resolution 22-067, A Resolution of the City Council of Homer, Alaska Opposing a Constitutional Convention, Proposed amendment from Council Member Aderhold and written public comment.

ADERHOLD/LORD MOVED TO APPROVE THE AGENDA.

There was discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

MAYORAL PROCLAMATIONS AND RECOGNITIONS

Mayor Castner announced the grand opening of the Kachemak City Park and the week of September 18 through 24 is Adult Education and Family Literacy Week.

PUBLIC COMMENT ON MATTERS ALREADY ON THE AGENDA

Pat Case, city resident, commented in support of creating the ADA Advisory Board. He has attended the ADA Compliance Committee meetings, appreciates the work they do, and believes it needs to be raised to the Board level. He also commented in support of the contract with the Independent Living Center.

Larry Slone, city resident, shared history related to the Constitutional Convention and commented regarding Resolution 22-067. He feels the resolution uses the power of the government to discourage individual voters from participating in the process that they have a constitutional right to be involved in.

Raymond Walker, 30 year tax payer in Homer, commented in opposition of Resolution 22-067. He expressed there's a problem with our judicial system that needs to be corrected and that's one thing that will be addressed with the Constitutional Convention. Opposing this say you're smarter than the rest of the citizens and make the decisions for us. You better put it in the hands of the people.

Paul Seaton, Kachemak City resident, commented in support of Resolution 22-067 and shared regarding legislation from AML and other municipalities who have adopted similar resolutions.

Landa Bailey, city resident, commented in support of Resolution 22-067 and encouraged listeners to raise their awareness on a broader level. She shared how we've done well in managing our resources since statehood, in a way that's protected by our constitution. If any amendments are made she encouraged language encouraging people to become more aware and as questions of the issue. We have a legislative process that works well and we don't need a Constitutional Convention.

Douglas Bailey, city resident, shared his history of serving with the Alaska Judicial Council and commented in support of Resolution 22-067. He understands the judicial selection system, having been involved from all angles, and if there are citizens who want change he encourages them to bring forth an amendment to the constitution that address the issue. We don't need a Constitutional Convention to address it.

Deb Lowney, city resident, commented she's in support of Resolution 22-067.

RECONSIDERATION

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

- a. Homer City Council Unapproved Regular Meeting Minutes of August 22, 2022 and Special Meeting of August 29, 2022. City Clerk. Recommend adoption.
- b. Memorandum 22-144 from Deputy City Clerk Re: New Liquor License Applications for Latitude 59 and Water Rudders. Recommend approval.
- c. Memorandum 22-145 from Deputy City Clerk Re: Appointment of Election Judges for the October 4, 2022 City of Homer Regular Election. Recommend approval.
- d. Ordinance 22-53, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 2.58, Boards and Commissions Section 2.58.020 Creation of City Boards and Commissions and Adopting Chapter 2.70 Americans with Disabilities Act Advisory Board. Aderhold. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-143 from Deputy City Clerk as backup.

- e. Ordinance 22-54, An Ordinance of the City Council of Homer, Alaska Extending the Appropriations for Previously Funded Capital Projects through the end of Fiscal Year 2023. City Manager/Finance Director. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-157 from Finance Director as backup.

- f. Ordinance 22-55, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$370,263 from the Utility Fund to Fully Fund the Repair of the Belt

Driven Clarifier Skimmers at the Waste Water Treatment Plant. City Manager/Public Works Director. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-147 from Public Works Director as backup.

- g. Ordinance 22-56, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Operating Budget by Appropriating \$93,750 from the Water/Sewer Inventory Account for the Purchase of Concrete Septic Tanks. City Manager/Public Works Director. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-148 from Public Works Director as backup.

- h. Ordinance 22-57, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$15,000 from the General Fund Capital Asset Repair and Maintenance Allowance Fund for Fencing at the Skyline Drive Fire Station. City Manager/Fire Chief. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-149 from Fire Chief as backup.

- i. Ordinance 22-58, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing a Total Transfer of \$208,000 from the Utility Operations Fund Fund Balance to Include \$52,000 to the Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund and \$156,000 to the Sewer CARMA Fund. City Manager/Public Works Director. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-150 from Public Works Director as backup.

Memorandum 22-158 from Finance Director as backup.

- j. Ordinance 22-59, An Ordinance of the City Council of Homer, Alaska Amending the City of Homer Fee Schedule under City-Wide Administrative Fees for City Lease Fees. City Manager/City Clerk. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-151 from Deputy City Clerk as backup.

- k. Resolution 22-064, A Resolution of the City Council of Homer, Alaska Accepting a Donation of Art by Jack Smith of Helotas, Texas Depicting a Mother Bald Eagle and her Eaglet for Inclusion in Municipal Art Collection. City Clerk/PARCAC. Recommend adoption.

Memorandum 22-153 from Deputy City Clerk as backup.

- l. Resolution 22-065, A Resolution of the City Council of Homer, Alaska Awarding a Term Contract in an Amount not to Exceed \$25,000 for Professional Services to the Independent Living Center and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents. City Manager/Public Works Director. Recommend adoption.

Memorandum 22-154 from Public Works Director as backup.

- m. Resolution 22-066, A Resolution of the City Council of Homer, Alaska Approving the 2022 Council Operating Manual Update. Aderhold/City Clerk. Recommend adoption.

Memorandum 22-155 from City Clerk as backup.

Moved to Resolutions item b. Aderhold

Item m. moved to Resolutions item b.

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

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

VISITORS

- a. COVID-19 Agency Update Derotha Ferraro, South Peninsula Hospital Public Information Officer (10 minutes)

Derotha Ferraro reported on South Peninsula Hospital's COVID-19 weekly statistics for June, July, and August, the new Bivalent booster is available, and reported on SPH efforts in operationalizing COVID within the organization.

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

- a. Committee of the Whole Report

Council Member Aderhold reported Council discussed the Ordinances 22-59, 22-60, and 22-61 related to water and sewer.

- b. Mayor's Report

Mayor Castner reported on the meeting with Governor Dunleavy to discuss the port expansion project and renewable energy, and his attendance at the Commonwealth North Policy meeting.

- c. Borough Report

- d. Planning Commission

- e. Economic Development Advisory Commission

Economic Development Advisory Commission Chair Karin Marks reported at their last meeting the Commission worked on their balance of quality of life, change, and community growth report, it will be presented to Council in the near future. They reviewed and made their recommendations for the Capital Improvement Plan, they made a recommendation for partial funding for the Small Business Development Center in Homer, and continued discussion on housing.

f. Port and Harbor Advisory Commission

Port & Harbor Advisory Commissioner Bob Shavelson reported at their last meeting the Commission held a worksession and heard from HDR regarding Phase I of the Harbor Expansion Project. At their regular meeting they discussed the Spit Comprehensive Plan, reviewed and made recommendations for the Capital Improvement Plan, lease management oversight and performance standards, and cruise ship passenger vessel funds and harbor reserves to rebuild crane #7.

g. AML Summer Conference Travel Report- Council Member Aderhold

Council Member Aderhold noted her written report in the packet.

PUBLIC HEARING(S)

- a. Ordinance 22-48, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 3 by Adding Chapter 3.15 Homer Accelerated Water and Sewer Program (HAWSP) Fund Codifying the Establishment of the HAWSP Fund and Related Matters. City Manager. Introduction August 22, 2022, Public Hearing and Second Reading September 12, 2022.

Memorandum 22-137 from City Manager as backup.

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

ADERHOLD/LORD MOVED TO ADOPT ORDINANCE 22-48 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

LORD/ADERHOLD MOVED TO AMEND LINE 74 TO DELETE "PROGRAM,"

Council Member Lord explained they discussed this during Committee of the Whole and this clarifies the language related to amending the HAWSP Plan.

VOTE (amendment): NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion as amended.

VOTE (main motion): NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 22-49, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Chapter 18.08 City Property Leases to Clarify General Lease Management Procedures and Related Matters. City Manager/City Clerk. Introduction August 22, 2022, Public Hearing and Second Reading September 12, 2022.

Memorandum 22-138 from City Clerk as backup.

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

ADERHOLD/DAVIS MOVED TO ADOPT ORDINANCE 22-49 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Council Members Lord and Erickson commented in support of the ordinance and shared appreciation for staffs work on this.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- c. Ordinance 22-50, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating an Alaska State Library Interlibrary Cooperation Grant in the Amount of \$8,058 to Purchase a Microfilm Reader for the Homer Library. City Manager/Library Director. Introduction August 22, 2022 Public Hearing and Second Reading September 12, 2022.

Memorandum 22-139 from Library Director as backup.

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

ADERHOLD/ERICKSON MOVED TO ADOPT ORDINANCE 22-50 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- d. Ordinance 22-51, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating the FY22 State of Alaska Community Assistance Program Payment in the Amount of \$98,714.98 to the General Fund Capital Asset Repair and Maintenance Allowance (CARMA) Fund for ADA Improvements. City Manager. Introduction August 22, 2022 Public Hearing and Second Reading September 12, 2022.

Memorandum 22-142 from City Manager as backup.

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

ADERHOLD/ERICKSON MOVED TO ADOPT ORDINANCE 22-51 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

Council Member Aderhold appreciates that these funds are going toward ADA projects, it shows the City's commitment with moving forward on making these necessary improvements.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

- e. Ordinance 22-52, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$275,000 from the General Fund Fund Balance as a Contribution to Settlement of a Disputed Claim in Superior Court Case Number 3HO-20-00251CI and Authorizing the City Manager to Negotiate and Execute a Full, Complete and Total Settlement Agreement in Compromise of a Disputed Claim. City Manager/Finance Director. Introduction August 29, 2022, Public Hearing and Second Reading September 12, 2022.

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

ADERHOLD/ERICKSON MOVED TO ADOPT ORDINANCE 22-52 BY READING OF TITLE ONLY FOR SECOND AND FINAL READING.

There was no discussion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- a. Ordinance 22-60, An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating the Second Tranche of American Rescue Plan Act (ARPA) Funds in the Amount of \$716,685.16 to Capital Asset Repair and Maintenance Allowance (CARMA) to Fund Necessary Utility Infrastructure Projects. City Manager/Finance Director. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-152 from Finance Director as backup.

ADERHOLD/LORD MOVED TO INTRODUCE ORDINANCE 22-60 BY READING OF TITLE ONLY.

There were comments in support of using the ARPA funds for utility projects.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

- b. Ordinance 22-61, An Ordinance of the City Council of Homer, Alaska Amending the City of Homer Water and Sewer Rates and Updating the City Fee Schedule Accordingly. City Manager/Finance Director. Recommended dates Introduction September 12, 2022 Public Hearing and Second Reading September 26, 2022.

Memorandum 22-156 from Finance Director as backup.

ADERHOLD/LORD MOVED TO INTRODUCE ORDINANCE 22-61 BY READING OF TITLE ONLY.

Council Member Lord explained that Council has discussed this at previous worksessions and tonight at Committee of the Whole regarding water and sewer rates and the operation of the water and sewer systems. There haven't been transfers into capital reserves for the last couple of years, and now we're

working towards funding capital needs that need to happen to keep water flowing and sewage treated, and keep public health and safety at the forefront.

Council and staff have worked with Council to address scenarios that can accomplish that through our rate model. The scenarios and rate comparisons are in the packet. This ordinance uses the second scenario, it's the lowest impact to rate payers, and utilizes ARPA funds and operational fund balance to offset the capital needs we have and the budgeted operation and maintenance expenses of the water and sewer systems.

Council Member Davis shared his appreciation for the work done to develop the scenarios.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

CITY MANAGER'S REPORT

a. City Manager's Report

City Manager Dumouchel noted his report in the packet and highlighted work being done on the Main Street sidewalk, attending Senator Murkowski's grant symposium and the AML and Alaska Federation of Natives workshops in Anchorage, the 4th quarter sales tax report, status update from Council's priorities, and fire fleet issues.

Council Member Erickson commented regarding issues she's heard about with VRBO related to sales tax and the sales tax cap. City Manager Dumouchel said he would look into it, and noted in October there will be a worksession regarding short term rentals.

Council Member Lord commented regarding the Main Street Sidewalk project, noting it's a good illustration of why sidewalks can't just be slapped down. She appreciates the visioning updates and she hopes their last priorities aren't eclipsed by 2022's priorities.

PENDING BUSINESS

NEW BUSINESS

RESOLUTIONS

- a. Resolution 22-067, A Resolution of the City Council of Homer, Alaska Opposing a Constitutional Convention. Mayor/Aderhold.

ADERHOLD/ MOVED TO ADOPT RESOLUTION 22-067 BY READING OF TITLE ONLY.

Mayor Castner shared his concerns about having a Constitutional Convention when the main topic will be adding the guarantee of a permanent fund dividend. When you give citizens access to the treasury, they'll be happy to accept it. A Constitutional guarantee of a statutory dividend will be a very compelling thing to vote for, and a lot of the other issues included in that package will be ignored over the promise of an annual check. It bothers him a lot, he's a person that likes to have one issue on the table at a time to be debated and voted on, and is not keen on a big package of little tweaks to the Constitution that affect our rights that we've taken for granted as the 49th state that built a constitution

of the other 48 existing states. He's not afraid of the democratic process, but is afraid of packaging up a Christmas tree full of things and promising an annual check for its passage.

Council Member Aderhold shared that this was a discussion topic at past Alaska Municipal League (AML) conferences. AML passed a resolution that addresses potential impacts of a Constitutional Convention on municipalities, and that's her interest in this resolution. Personally she feels there's a lot to like about our current constitution and she highlighted the first article that speaks to right of citizenship and the responsibilities to our state and to each other. She thinks it's important for everyone to get educated on what a Constitutional Convention could possibly do and how it might impact things, especially when there is an amendment process in our constitution that has been well used.

Council Member Lord commented in support of the resolution. It's been great to get feedback from people on both sides of the resolution. The resolution takes a stand from the city's perspective, it's not disenfranchising the citizens, there will be a vote in the fall, and the city has an opportunity to weigh in on issues that can affect the municipality. She referenced article 10 of the constitution that governs local governance, when she thinks about the amount of uncertainty of opening the entire constitution for a year's long and expensive process, the amount of uncertainty that would inject into the private sector as well as the public sector, makes her head spin. The number of issues people have interest in dealing with through a Constitutional Convention, at a time when civil discourse isn't something we're doing very well as a people right now is very concerning to her. As a local government we rely on our ordinances and state statutes that are held up against constitutionality. This would detract from important conversation regarding the fiscal needs of the state. There is a process for the people to amend the constitution and it's been done almost 30 times.

Council Member Erickson is conflicted about a yes or no vote. Every 10 years we're allowed a Constitutional Convention and she finds its disconcerting that the political climate is so volatile, but on the other hand people feel it's their right, and she can appreciate that. She feels the resolve language "oppose" and "negative effects" in the resolution is too strong for her. She agrees that people need to educate themselves on this. No one has the process nailed down, there are many triggers that happen before it gets to the vote of the people. She doesn't want to make decisions based on fear of what it would do because she thinks we need to have some good discussion. We have a dysfunctional legislature on both sides and to get some of these things corrected is nigh on to impossible. There is also dark money coming in on both sides, and we've seen what it's done with ranked choice voting. She'd like to see the resolution worded to read in a way that we all need to be educated because we see some areas that could be harmful, but need to make sure we know what we're looking at.

Council Member Venuti shared some history on the preparation of Alaska's Constitution and that it's written in a way to allow it to be amended as voters. We don't need to re-write the constitution. She supports the resolution.

Council Member Davis agrees we're lucky to have the constitution we have and it doesn't make sense to try to re-write it. He'd like to have unanimity of the Council on this and feels the language is blunt.

DAVIS/LORD MOVED TO AMEND LINE 40 TO DELETE OPPOSED AND INSERT EXPRESSES DEEP CONCERN AT THE PROPOSAL TO HOLD A CONVENTION AND CALLS ON HOMER RESIDENTS TO CONSIDER THIS QUESTION VERY CAREFULLY GIVEN ITS POTENTIAL TO HAVE UNPREDICTABLE EFFECTS ON THE CITY OF HOMER.

There was brief discussion in support of the amendment.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

LORD/ADERHOLD MOVED TO AMEND LINE 7 TO DELETE OPPOSING AND REPLACING WITH EXPRESSING CONCERN AT THE PROPOSAL TO HOLD A CONSTITUTIONAL CONVENTION.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

There was no further discussion on the main motion as amended.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

- b. Resolution 22-066, A Resolution of the City Council of Homer, Alaska Approving the 2022 Council Operating Manual Update. Aderhold/City Clerk. Recommend adoption.

Memorandum 22-155 from City Clerk as backup.

ADERHOLD/LORD MOVED TO ADOPT RESOLUTION 22-066 BY READING OF TITLE ONLY.

Council Member Aderhold noted teleconferencing needs to be addressed, but it will require a code amendment. She encouraged others to think about it for future discussion.

There was brief discussion regarding the language for political agendas.

ADERHOLD/LORD MOVED TO POSTPONE RESOLUTION 22-066 TO THE SECOND MEETING IN SEPTEMBER.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

COMMENTS OF THE AUDIENCE

Pat Case, city resident, said he's here to support disability issues in our community. He's been blind and hasn't driven in 10 years, he's been retired for the last three years and walks extensively around Homer.

He's aware of every issue that he's tripped on and he's sure there are others like him who have difficulty with mobility in the town. He said attended an ADA Compliance Committee Meeting and addressed the importance of their CIP recommendations for ADA accommodations at the Fishing Hole and bathroom.

Deb Lowney, city resident, appreciated the discussion regarding the Constitutional Convention and the revised language. She appreciates the work done on the Main Street Sidewalk and echoes the comments of Mr. Case regarding accessibility in the community, and the City Manager's comments regarding discussion with DOT about some of the artery's and non-motorized transportation access they are stakeholders in. She shared her personal support for the Pioneer Gateway Project in the CIP, and made brief comments regarding Matt Steffy and work with Homer Drawdown.

Paul Seaton thanked Council for their work on the resolution regarding Constitutional Convention, and addressed problems it could create. He also addressed pedestrian safety and encouraged having our cross walk signs double sided so they can be read in each direction.

COMMENTS OF THE CITY ATTORNEY

City Attorney Gatti had no comment.

COMMENTS OF THE CITY CLERK

City Clerk Jacobsen commented regarding advisory body openings and election information.

COMMENTS OF THE CITY MANAGER

City Manager Dumouchel commented regarding job openings with the City.

COMMENTS OF THE MAYOR

Mayor Castner commented regarding the City's ability to compete for federal funds and the importance of having a complete business plan ready for projects to help move them to the top of the lists.

COMMENTS OF THE CITY COUNCIL

Council Member Venuti had no comments.

Council Member Lord commented the School Board has been meeting today at the Mariner Theater. The Assembly doesn't meet in Homer, but she's glad the School Board is and appreciates we have that opportunity.

Council Member Erickson thanked Scott Adams for continuing to speak to Council regarding drainage and she'd like the State take ownership of part of the problem. She shared about the amount of water they're experiencing at her campground on Baycrest, and concern for the areas with steep slopes. She was excited to see that East Hill Road has been paved and there is more room to walk on the side of the road. She thanked everyone who worked during this very busy summer.

Council Member Davis reminded listeners that they're resuming Lunch with a Council Member and he'll be there tomorrow. He noted that you don't have to bring a lunch, everyone is welcome.

Council Member Aderhold shared the Municipality of Anchorage presented an update on their greenhouse gas emissions inventory from 2015 to 2020. She noted they addressed everything, and commented regarding electricity, energy use in different types of buildings, fuel usage by vehicle, and the airports. In the five years there was a small reduction and one thing they discovered was the fuel usage increase at Anchorage International Airport due to increased cargo usage. It raises the question how to develop partnerships to evaluate our greenhouse gas reduction. It was an interesting presentation and a lot to think about and how some ideas might be implemented in Homer.

Council Member Hansen shared it was a great meeting and it was nice to see familiar faces in the audience. It's important for them to hear what the public has to say.

ADJOURN

Next Regular Meeting is Monday, September 26, 2022 at 6:00 p.m., Committee of the Whole at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

Melissa Jacobsen, MMC, City Clerk

Approved:_____



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 22-167

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: OCTOBER 5, 2022

SUBJECT: VACATION OF A UTILITY EASEMENT LOCATED ON LOT 2-A-1, SCENIC VIEW SUBDIVISION

At their September 26, 2022 regular meeting, the Kenai Peninsula Borough Planning Commission approved the vacation of a portion of a utility easement on Lot 2-A-1, Scenic View Subdivision. KPB File 2022-133V.

Per AS 29.40.140, no vacation of a City right-of-way and/or easement may be made without the consent of the City Council.

The City Council has thirty days from September 26, 2022 in which to veto the decision of the Kenai Peninsula Borough Planning Commission.

RECOMMENDATION:

Voice non objection and consent to the vacation of a utility easement on Lot 2-A-1, Scenic View Subdivision. KPB File 2022-133V.



Planning Department

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

September 28, 2022

Homer City Council
491 East Pioneer Avenue
Homer, AK 99603-7645

RE: Vacation of a utility easement located on Lot 2-A-1 Scenic View Subdivision

Dear Homer City Council Members:

In accordance with AS 29.40.140, no vacation of a city right-of-way and/or easement may be made without the consent of the city council. The KPB Planning Commission approved the referenced utility easement vacation during their regularly scheduled meeting of September 26, 2022. This petition is being sent to you for your consideration and action.

The City Council has 30 days from September 28, 2022 in which to veto the decision of the Planning Commission. If no veto is received from the Council within the 30-day period, the decision of the Planning Commission will stand.

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

Sincerely,

Robert Ruffner
Planning Director
Kenai Peninsula Borough

Attachments:
Draft 09-26-22 Planning Commissioner Meeting Minutes
09-26-22 Meeting Packet Information

Kenai Peninsula Borough Planning Commission

Betty J. Glick Assembly Chambers, Kenai Peninsula Borough George A. Navarre Administration Building

September 26, 2022
7:30 P.M.
UNAPPROVED MINUTES

AGENDA ITEM A. CALL TO ORDER

Chair Brantley called the meeting to order at 7:30 p.m.

AGENDA ITEM B. ROLL CALL

Commissioners Present

Jeremy Brantley, District 5 – Sterling/Funny River
Diane Fikes, City of Kenai
Pamela Gillham, District 1 – Kalifornsky
John Hooper, District 3 – Nikiski
Blair Martin, District 2 – Kenai
Virginia Morgan, District 6 – East Peninsula
Troy Staggs, City of Seward
Dawson Slaughter, District 9 – South Peninsula
Charlene Tautfest, City of Soldotna
Franco Venuti, City of Homer

With 10 members of a 12-member seated commission in attendance, a quorum was present.

Staff Present

Robert Ruffner, Planning Director
Walker Steinhage, Deputy Borough Attorney
Vince Piagentini, Platting Manager
Julie Hindman, Platting Specialist
Marcus Mueller, Land Management Officer
Derek Haws, Addressing Officer
Ryan Raidmae, Borough Planner
Ann Shirnberg, Planning Administrative Assistant
Rhonda Foster-Deskins, LMD Administrative Assistant.

AGENDA ITEM C. CONSENT & REGULAR AGENDAS

- *3. Plats Granted Administrative Approval**
- a. Alaskan Wildwood East; KPB File 2021-126
 - b. Alaskan Wildwood West Subdivision; KPB File 2021-127
 - c. Moose Range Meadows Penny's Place; KPB File 2021-167
- *4. Plats Granted Final Approval**
- a. Denise Lake Estates 2022 Replat; KPB File 2022-103
 - b. Kristine Subdivision Jahrig Addition; KPB File 2022-090
- *6. Commissioner Excused Absences**
- a. David Stutzer, District 8 - Homer

- b. Michael Horton, District 4 – Soldotna
- c. City of Seldovia, Vacant
- d. District 7 – Central, Vacant

***7. Minutes**

- a. September 12, 2022 Planning Commission meeting minutes.

Chair Brantley asked if anyone wished to speak to any of the items on the consent agenda.

Commissioner Venuti noted that his name needed to be removed from under commissioner excused absences.

Hearing no one else wishing to comment Chair Brantley asked Ms. Shirnberg to read into the record the consent agenda items.

MOTION: Commissioner Slaughter moved, seconded by Commissioner Morgan to approve the consent agenda, to amend the regular agenda by removing item #5 from under new business, and approving the regular agenda as amended.

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

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 10	Brantley, Fikes, Gillham, Hooper, Martin, Morgan Slaughter, Staggs, Tautfest, Venuti
No - 0	

AGENDA ITEM E. NEW BUSINESS

Chair Brantley asked Ms. Shirnberg to read into the record the procedures for public hearings.

ITEM E1 - UTILITY EASEMENT ALTERATION
VACATE AN EASEMENT LOCATED ON LOT 2-A-1 SCENIC VIEW SUBDIVISION

KPB File No.	2022-133V
Planning Commission Meeting:	September 26, 2022
Applicant / Owner:	Bill Hand, Liberty Investments, LLC of Homer, Alaska
Surveyor:	Kenton Bloom / Seabright Survey + Design
General Location:	Adams Drive, East End Road, City of Homer

Staff report given by Platting Manager Vince Piagentini.

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

MOTION: Commissioner Slaughter moved, seconded by Commissioner Gillham, to approve the vacation as petitioned based on the means of evaluating public necessity established by KPB 20.70, subject to staff recommendations and compliance with borough code and adopting Planning Commission Resolution 2022-43.

Commissioner Venuti informed the commission that he had voted on this item as a planning commissioner for the City of Homer and asked to be recused. Chair Brantley approved his request.

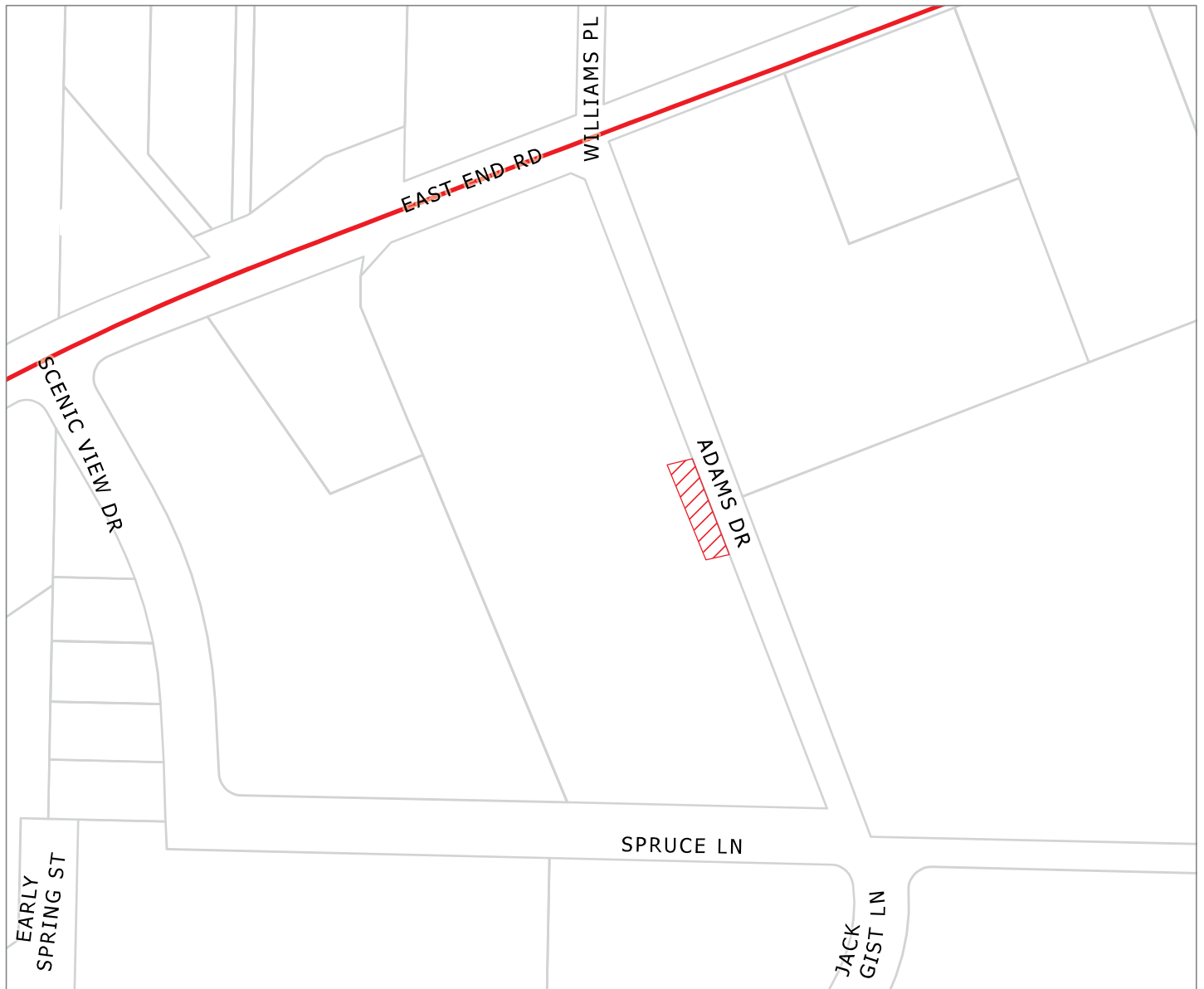
Hearing no objection or further discussion, the motion was carried by the following vote:

MOTION PASSED BY UNANIMOUS VOTE:

Yes - 9	Brantley, Fikes, Gillham, Hooper, Martin, Morgan, Slaughter, Staggs, Tautfest
Recused	Venuti
No - 0	

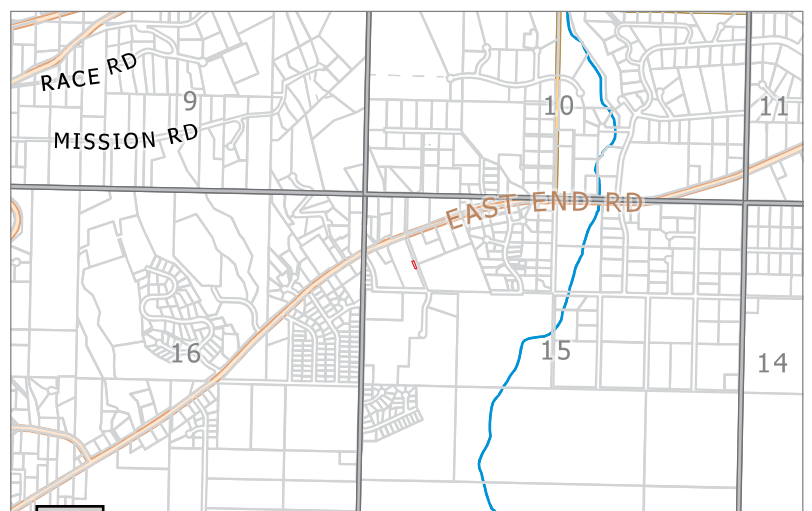
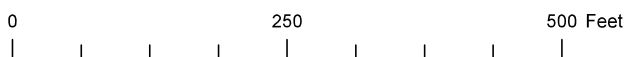
E. NEW BUSINESS

- 1. Utility Easement Vacation – KPB File 2022-133V
PC Resolution 2022-43
Seabright Surveying / Liberty Investments, LLC
Request: Vacate a 112.2' by 3' portion of a utility
easement granted on Scenic View Subdivision Scenic
Grove Addn. No. 1 2013 Replat HM 2013-43
City of Homer**



KPB File 2022-133V
T 06S R 13W SEC 15
Homer

9/2/2022





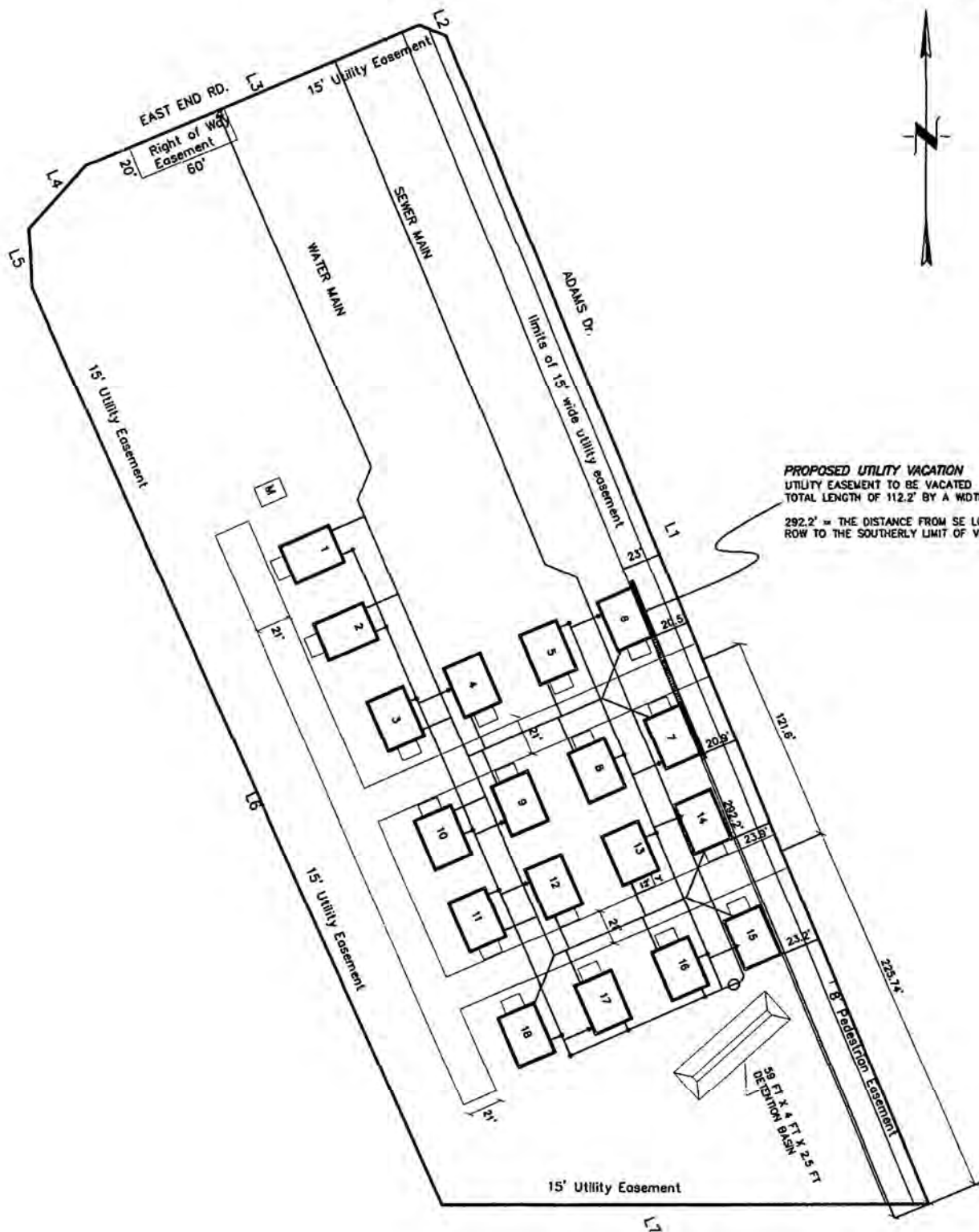
Aerial View



UTILITY SCHEMATIC
 LOT 2-A-1 SCENIC VIEW SUBD.
 SCENIC GROVE ADDN. NO. 1 (HM 2013-43)

SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM, P.L.S.
 1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 299-1091

DATE: 5/25/2022 SCALE: 1"=40' SHEET #1 OF 1



ITEM 1 - UTILITY EASEMENT ALTERATION
VACATE AN EASEMENT LOCATED ON LOT 2-A-1 SCENIC VIEW SUBDIVISION

KPB File No.	2022-133V
Planning Commission Meeting:	September 26, 2022
Applicant / Owner:	Bill Hand, Liberty Investments, LLC of Homer, Alaska
Surveyor:	Kenton Bloom / Seabright Survey + Design
General Location:	Adams Drive, East End Road, City of Homer

STAFF REPORT

Specific Request / Purpose as stated in the petition: I purchased the property at 2161 East End Road (where 18 homes are being built) and the drawing that came with the sale was not the same as the Kenai Borough drawing. The borough drawing has an 8 foot pedestrian easement and a 15 foot utility easement for a total of 23 feet. I assumed there was just a 15 foot utility easement, and I put my buildings back an extra 6 foot from the 15 foot utility easement (I thought), but unfortunately, I am still 2 feet into the utility easement. Both easements total to 23 feet and I currently have a structure approximately 2 feet into the utility corridor portion of the easement. I met with the City of Homer, City of Homer Planning, and Bishop Engineering; the group suggested that I try to vacate 3 feet of the 15 foot utility easement. Kenton Bloom at Seabright Survey has made a drawing included, that shows the proposed vacation of a 3 foot by 113 foot part of the utility easement.

To complete this task, I needed to have a letter from all the utilities from all the utilities stating that is ok with them to vacate the 3 foot section of the easement. I have completed the previous items and I am asking that this utility easement vacation be approved. I am embarrassed by my mistake and apologize for my error in planning. So, I am coming to you today, hat in hand, hoping that this would be an option to correct my mistake? Thank you.

Notification: Notice of vacation mailings were sent by regular mail to thirty-five owners of property within 600 feet. Notice of the proposed vacation was emailed to nine agencies and interested parties.

The public notice was posted on the Planning Department’s bulletin board at the KPB Administration Building.

Staff Analysis: The property was originally subdivided by Scenic View Subdivision, Plat HM 52-587. The plat did not create any platted utility easements. Scenic View Subdivision Scenic Grove Addition No. 1, Plat HM 2006-18, replatted the original lot and provided a 3.75 width dedication to Adams Drive as the width for Adams Drive is not compliant in portions. The plat also granted an 8 foot City of Homer Trail easement along the Adams Drive dedication. Adjacent to the trail was a 15 foot utility easement that was granted. In addition that plat granted a 10 foot utility easement along East End Road.

Scenic View Subdivision Scenic Grove Addition No. 1 2013 Replat, Plat HM 2013-43, replatted the lots created by the previous plat into one lot. This plat increased the utility easement width along East End Road to 15 feet and granted a 15 foot utility easement along the southern boundary that is adjacent to Spruce Lane. Per plat note 7, the easement extends to 20 feet within 10 feet of the side lot lines. The trail easement and utility easement along Adams Drive was carried over.

The sketch presented notes a 15 foot utility easement along the western lot line. Staff did not locate the easement on the parent plats. Per the parent plat an undisclosed location utility easement was granted by document and in existence at that time the plat was finalized. A title search could determine if the easement has been released.

The owner has stated in his reason for the alteration that he did take into account the 15 feet for the utility easement but did not account for the 8 foot trail easement. This has resulted in some structures being about 2 feet into the utility easement. The proposal is to alter the easement by vacating a 3 foot width of the easement for a length of 112.2 feet to accommodate the structures encroaching into the utility easement. The remainder of the lot will still

be subject to the full 15 foot wide utility easement. KPB Code 20.30.060(D), only requires a 10 foot utility easement along dedicated rights-of-way. Even with the vacation, the remaining portion will comply with KPB Code.

The owners provided the required comments from the utility providers and no objections were received. However, the GCI letter does not address the alteration or vacation but states they do not object to the encroachments. Staff has reached out to GCI for clarification. If approved, the alteration will not be finalized until GCI has submitted their support for the vacation as proposed.

The City of Homer Planning Commission reviewed the alteration at their August 17, 2022 meeting. The request was approved as part of their consent agenda. Per their staff report, there was no objections from the Planning Staff or Public Works department.

Utility provider review:

HEA	HEA is not opposed to the utility easement vacation as depicted. It appears that the labels for the 15' utility easement on the westerly boundary may be incorrect. Please confirm before the exhibit drawing is finalized.
ENSTAR	No comments or recommendations
ACS	No objections
GCI	No objection

Findings:

1. The petition states that the utility easement proposed to be vacated is not in use by a utility company.
2. ACS, ENSTAR, GCI, and HEA provided written non-objection to the proposed vacation.
3. Scenic View Subdivision Scenic Grove Addition No. 1, Plat HM 2006-18, granted the 15 foot utility easement adjacent to the trail easement along Adams Drive.
4. Scenic View Subdivision Scenic Grove Addition No. 1, Plat HM 2006-18, granted an 8 foot trail easement adjacent to Adams Drive.
5. The portion to be vacated is 3 foot by 112.2 feet and remaining portion will remain.
6. The width of the remaining utility easement in the area proposed for vacation will be 12 feet in width.
7. KPB Code requires a 10 foot utility easement.
8. The City of Homer Planning Commission approved the vacation as proposed.
9. The City of Homer Public Works had no objections to the vacation.
10. Utility easements will remain on the property along East End Road and Adams Drive.
11. No surrounding properties will be denied utilities.

RECOMMENDATION:

Based on consideration of the merits as outlined by Staff comments and Staff findings, Staff recommends **APPROVAL** of the utility easement alteration as petitioned, subject to:

1. Grant utility easements requested by the Homer City Council and utility providers.
2. Finalizing the approval of the easement alteration by either;
 - a. The recording of a subdivision plat within 12 months or,
 - b. The recording of a utility easement alteration resolution within 90 days of the adoption of the resolution by the Planning Commission, with the following requirements:
 - i. An exhibit drawing showing, and dimensioning, the utility easement alteration area, prepared, signed and sealed by a licensed land surveyor. The exhibit drawing will be attached to, and recorded with, the resolution.
 - ii. The applicants will provide the recording fee for the resolution and its attachment to the Planning Department.
 - iii. The Planning Department is responsible for filing the Planning Commission resolution.

20.65.070 Alteration of platted utility easements

- E. **A planning commission decision under this section is final. A notice of decision shall be sent to the petitioner. No reapplication or petition concerning the same alteration to platted utility easement may be filed within one calendar year of the date of the final denial action except in the case where new evidence or circumstances exist that were not available or present when the original petition was filed. If the reasons for denial are resolved, the petitioner may submit a new petition for alteration of platted utility easement with documentation that the issues have been resolved, accompanied by a new fee.**

- F. **An appeal of the planning commission decision under this section must be filed in the superior court in accordance with the Alaska Rules of Appellate Procedure.**

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

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

- *Focus Area: Energy and Utilities*
 - o *Objective A - Encourage coordination or residential, commercial, and industrial development with extension of utilities and other infrastructure.*
 - *Strategy 1. Near – Term: Maintain existing easements (especially section line easements) in addition to establishing adequate utility rights of way or easements to serve existing and future utility needs.*
 - *Strategy 2. Near – Term: Maintain regular contact with utility operators to coordinate and review utility easement requests that are part of subdivision plat approval.*
 - *Strategy 3. Near – Term: Identify potential utility routes on Borough lands.*

- *Housing*
 - o *Objective D. Encourage efficient use of land, infrastructure and services outside incorporated cities by prioritizing future growth in the most suitable areas.*
 - *Strategy 1. Near – Term: Collaborate with the AK Department of Transportation, incorporated cities within the borough, utility providers, other agencies overseeing local services, and existing communities located adjacent to the undeveloped areas that are appropriate for future growth, to align plans for future expansion of services to serve future residential development and manage growth.*

END OF STAFF REPORT

**KENAI PENINSULA BOROUGH PLANNING COMMISSION
RESOLUTION 2022-43
HOMER RECORDING DISTRICT**

Vacate a 112.2 foot by 3 foot portion of a utility easement within Lot 2-A-1 of Scenic View Subdivision Scenic Grove Addition No 1 2013 Replat HM 2013-43, as granted on Lot 2-A of Scenic View Subdivision Scenic Grove Addition No 1 HM 2006-18; within S15, T06S, R13W, Seward Meridian, City of Homer, Alaska, within the Kenai Peninsula Borough. KPB File 2022-133V

WHEREAS, a request has been received from Liberty Investments LLC of Homer, AK to Vacate a 112.2 foot by 3 foot portion of a utility easement within Lot 2-A-1 of Scenic View Subdivision Scenic Grove Addition No 1 2013 Replat HM 2013-43, as granted on Lot 2-A of Scenic View Subdivision Scenic Grove Addition No 1 HM 2006-18; and

WHEREAS, affected utility companies have provided written non-objection to the proposed vacation; and

WHEREAS, the Kenai Peninsula Borough Roads Department provided written non-objection to the proposed vacation; and

WHEREAS, the easement is not in use by the utility companies; and

WHEREAS, no surrounding properties will be denied utilities; and

WHEREAS, on September 26, 2022, the Kenai Peninsula Borough Planning Commission addressed all concerns about the proposed vacation; and

WHEREAS, the Planning Commission has found that vacating the utility easement will not be detrimental to the public interest; and

WHEREAS, 20.65.070 of the Kenai Peninsula Borough Code of Ordinances authorizes the Planning Commission to accomplish vacations by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH:

Section 1. That the above described 112.2 foot by 3 foot portion of a utility easement within Lot 2-A-1 of Scenic View Subdivision Scenic Grove Addition No. 1 2013 Replat, HM 2013-43 is hereby vacated.

Section 2. That an as-built survey or sketch prepared, signed, and sealed by a licensed land surveyor showing the locations of the portions of the utility easements being vacated be attached to, and made a part of this resolution, becoming page 2 of 2.

Section 3. That this resolution is eligible for recording upon being signed by the Planning Commission chairperson and will be deemed void if not recorded within 90 days of adoption.

Section 4. That this Resolution becomes effective upon being properly recorded with petitioner being responsible for payment of recording fee.

ADOPTED BY THE PLANNING COMMISSION OF THE KENAI PENINSULA BOROUGH ON THIS 26th DAY OF SEPTEMBER, 2022.

Jeremy Brantley, Chairperson
Planning Commission

ATTEST:

Ann Shimberg,
Administrative Assistant

Return to:
Kenai Peninsula Borough Planning Department
144 N. Binkley Street
Soldotna, Alaska 99669

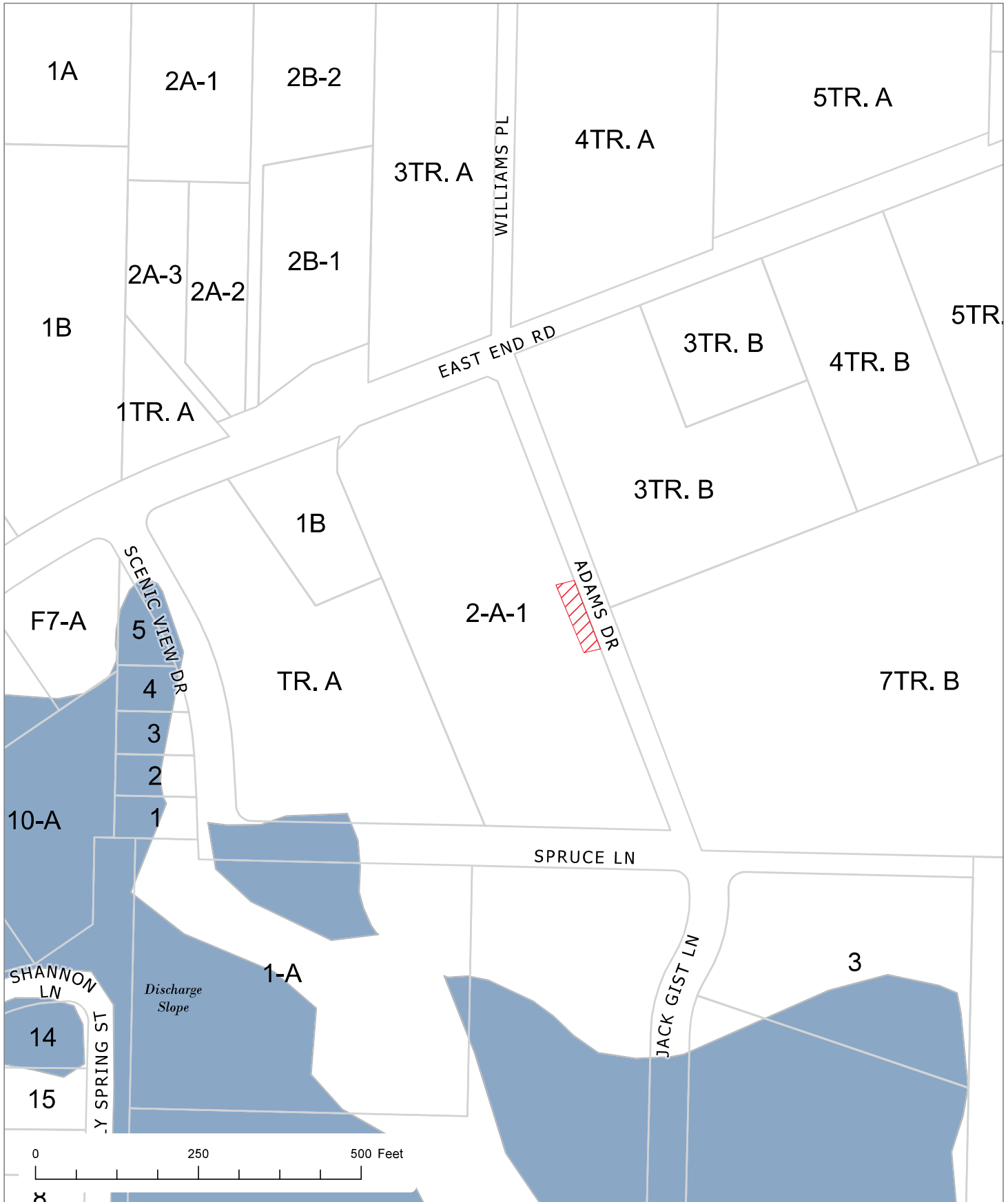


Aerial View





Wetlands





PLAT APPROVAL

THIS PLAT WAS APPROVED BY THE KENAI PENINSULA BOROUGH PLANNING COMMISSION AT THE MEETING OF June 24, 2013

BY: Mark B. ... 12-3-13
 AUTHORIZED OFFICIAL DATE
 KENAI PENINSULA BOROUGH

NOTES

1. NO PERMANENT STRUCTURES SHALL BE CONSTRUCTED OR PLACED WITHIN AN EASEMENT WHICH WOULD INTERFERE WITH THE ABILITY OF A UTILITY TO USE SAID EASEMENT.
2. ALL WASTEWATER DISPOSAL SYSTEMS SHALL COMPLY WITH EXISTING APPLICABLE LAWS AT THE TIME OF CONSTRUCTION.
3. THIS SUBDIVISION IS SUBJECT TO THE ZONING REGULATIONS OF THE CITY OF HOMER.
4. THIS PLAT WAS PREPARED FOR THE REMOVAL OF LOT LINES ONLY. NO SURVEY WAS PERFORMED FOR THE PREPARATION OF THIS PLAT. ALL LOT DIMENSIONS SHOWN ON THIS PLAT ARE FROM RECORD DATE AS SHOWN ON PLAT #2006-18 (HRD).
5. NO DIRECT ACCESS TO STATE MAINTAINED RIGHTS-OF-WAY IS ALLOWED WITHOUT PRIOR WRITTEN CONSENT OF THE ALASKA STATE DOT.
6. THERE IS AN EXISTING BLANKET EASEMENT WHICH WAS GRANTED TO HOMER ELECTRIC ASSOCIATION, INC., RECORDED BK 19 P 100 HRD.
7. THE FRONT 15' ALONG THE EXISTING RIGHTS-OF-WAY AND 20' WITHIN 10' OF THE ONLY SIDE LOT LINE IS A UTILITY EASEMENT.

WASTEWATER DISPOSAL

SOIL CONDITIONS IN THIS SUBDIVISION HAVE BEEN FOUND UNSUITABLE FOR CONVENTIONAL ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS. PLANS FOR A TYPICAL ALTERNATE WASTEWATER SYSTEM FOR USE IN THIS SUBDIVISION ARE INCLUDED IN THE ENGINEER'S SUBDIVISION AND SOILS REPORT AND ARE AVAILABLE FROM THE KENAI PENINSULA BOROUGH. ALL ALTERNATE ONSITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS MUST BE DESIGNED BY A PROFESSIONAL ENGINEER REGISTERED TO PRACTICE IN ALASKA, AND THE DESIGN MUST BE APPROVED BY THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION PRIOR TO CONSTRUCTION.

THIS NOTE WAS CARRIED FORWARD FROM THE PARENT PLAT (SCENIC GROVE ADDITION NO. 1, HM 2006-18) ENGINEER CE5460. DATED 3/20/06.

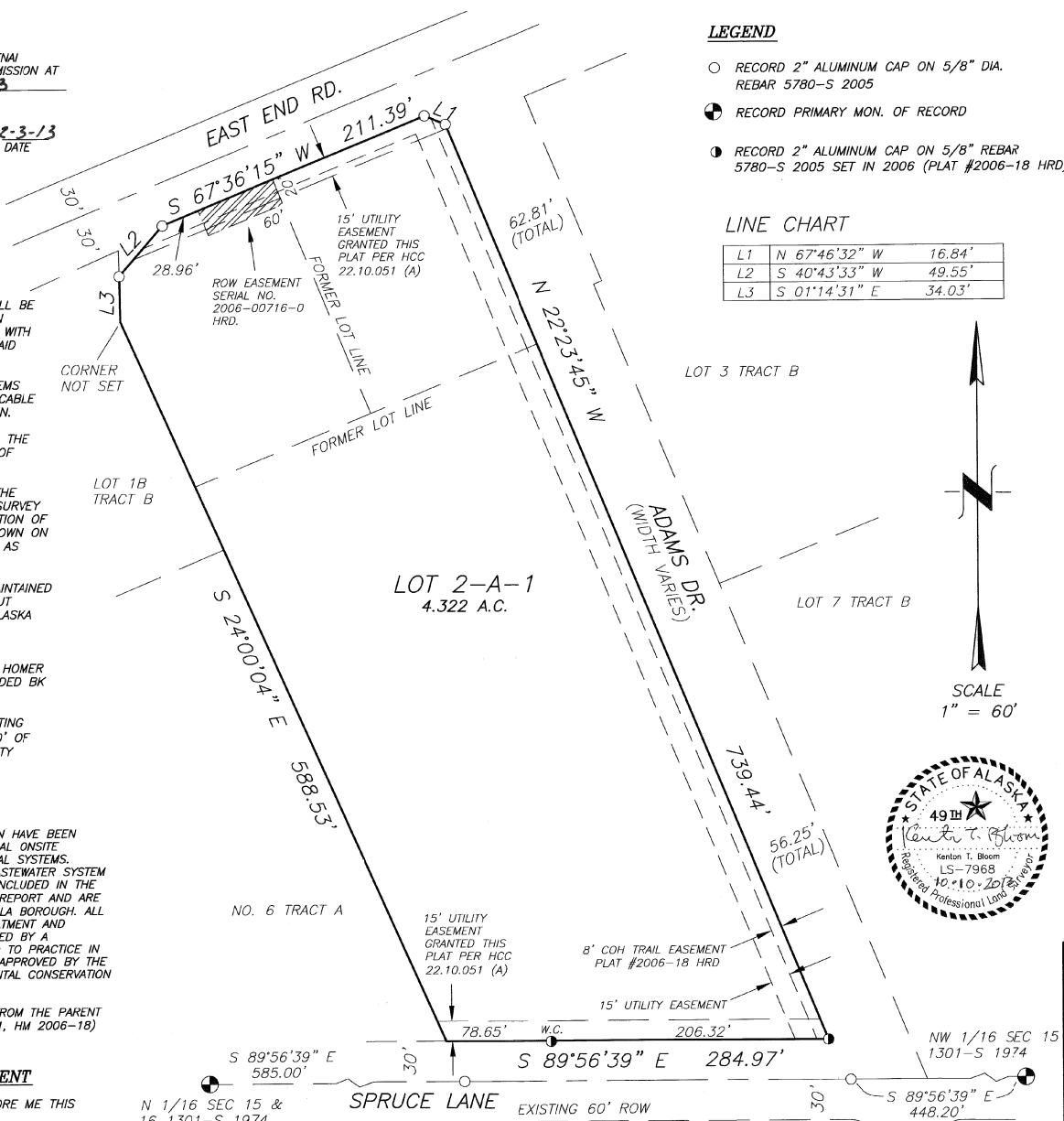
NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 23 September 2013.

Paul J. Hall
 NOTARY PUBLIC FOR ALASKA

My Commission Expires 10-17-18

STATE OF ALASKA
 NOTARY PUBLIC
 R. LYNN MONROE
 My Commission Expires 10-17-18

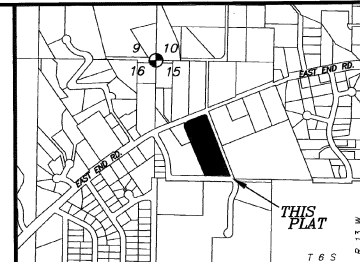


LEGEND

- RECORD 2" ALUMINUM CAP ON 5/8" DIA. REBAR 5780-S 2005
- RECORD PRIMARY MON. OF RECORD
- ① RECORD 2" ALUMINUM CAP ON 5/8" REBAR 5780-S 2005 SET IN 2006 (PLAT #2006-18 HRD)

LINE CHART

L1	N 67°46'32" W	16.84'
L2	S 40°43'33" W	49.55'
L3	S 01°14'31" E	34.03'



VICINITY MAP

SCALE: 1" = 1000' U.S.G.S. QUAD. SELDOWNA (C-4 & C-9)

CERTIFICATE OF OWNERSHIP

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

Paul J. Hall
 PAUL J. HALL AKA PAULI HALL
 64362 BRIDGER RD.
 HOMER, ALASKA 99603

Harmon Hall
 HARMON HALL
 64362 BRIDGER RD.
 HOMER, ALASKA 99603

NOTARY'S ACKNOWLEDGMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DAY OF 23 September, 2013.

FOR: Harmon Hall
R. Lynn Monroe
 NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES 10-17-18
 STATE OF ALASKA
 NOTARY PUBLIC
 R. LYNN MONROE
 My Commission Expires



HOMER RECORDING DISTRICT KP# FILE NO. 2013-100

**SCENIC VIEW SUBDIVISION
 SCENIC GROVE ADDITION NO. 1
 2013 REPLAT**

A REPLAT OF LOT 1, LOT 2, AND LOT 2-A TRACT B (PLAT #2006-18 HRD), SCENIC VIEW SUB., SCENIC GROVE ADDITION NO.1, SITUATED IN THE NW 1/4, SEC 15, T6S, R13W, S.M., LOCATED WITHIN THE CITY OF HOMER BOROUGH THIRD JUDICIAL DISTRICT, STATE OF ALASKA

CONTAINING 4.322 ACRES MORE OR LESS
SEABRIGHT SURVEY + DESIGN
 KENTON T. BLOOM, P.L.S.
 1044 EAST ROAD, SUITE A
 HOMER, ALASKA 99603
 (907) 235-4247

DRAWN BY: KK CHKD BY: KB JOB #13-07
 DATE: 03/2013 SCALE: 1"=60' SHEET #1 OF 1

2013-43
 HOMER
 DATE 10/11/2013
 TIME 2:46 PM

Legend

- Found Primary Monument of Record
- Found 2" Alum Cap on 5/8" Steel Rebar 5780-S 2005
- ▲ Set Witness Corner 2" Alum Cap on 5/8" Steel Rebar 5780-S 2005

LINE CHART

- L1 N67°46'32"W 22.1'
- L2 S40°43'33"W 49.55'
- L3 S01°4'31"E 34.03'
- L4 N67°46'32"W 16.84'

Plat Approval

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

July 18, 2005

KENAI PENINSULA BOROUGH

By: Mary Beest
Authorized Official

By our free consent the City of Homer accepts the Trail Easement as shown hereon.

Walt Wrede 3/10/06
City of Homer by
Walt Wrede, City Manager Date
491 East Pioneer Ave
Homer AK 99603

Notary's Acknowledgement
Subscribed and sworn to me before me this
12th day of
April 2006

for Walt Wrede
Mary J. Culberson
Notary Public for Alaska
My Commission Expires 10-14-2007

Ownership Certificate

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

I further certify that the Deed of Trust affecting this property does not contain restrictions which would prohibit this subdivision or require signature and approval of the beneficiary.

Se 3-20-06
Sergey Yakunin Date
Box 5044
Nikolaevsk Ak 99556

Notary's Acknowledgement
Subscribed and sworn to me before me this 20th day
of March 2006

For Sergey Yakunin
Carrie Henson
Notary Public for Alaska
My Commission Expires 1-1-09



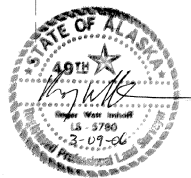
Vicinity Map 1" = 1000 ft



Surveyor's Certificate

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

R. W. Imhoff March 9, 2006
Roger W. Imhoff LS 5780 Date



Notes

- All wastewater disposal systems shall comply with existing applicable laws at the time of construction.
- These lots are subject to the zoning regulations of the City of Homer.
- No permanent structures shall be constructed or placed within an easement which would interfere with the ability of a utility to use the easement.
- Set self identifying 2" aluminum cap on 5/8" diameter steel rebar at all lot corners and ROW points of curvature for this survey, unless otherwise noted. Corner positions within the creek drainage were not monumented.
- No direct access to State maintained rights-of-way is allowed without prior written consent of the Alaska State DOT.
- Basis of Bearing Plat No. 2004-106 Record of Survey (same boundary). Rights-of-Way were calculated from "Scenic View Replat of Lot 1", and DOT ROW Taking per Bk 320 Pg 522.
- 10 ft Utility Easement fronting on East End Road (graphically depicted).

Wastewater Disposal

Soil conditions in this subdivision have been found unsuitable for conventional onsite wastewater treatment and disposal systems. Plans for a typical alternate wastewater system for use on lots in this subdivision are included in the Engineer's Subdivision and Soils Report and are available from the Kenai Peninsula Borough. All alternate onsite wastewater treatment and disposal systems must be designed by a professional engineer registered to practice in Alaska, and the design must be approved by the Alaska Department of Environmental Conservation prior to construction.

CE5460 3/20/06
Engineer License No. Date

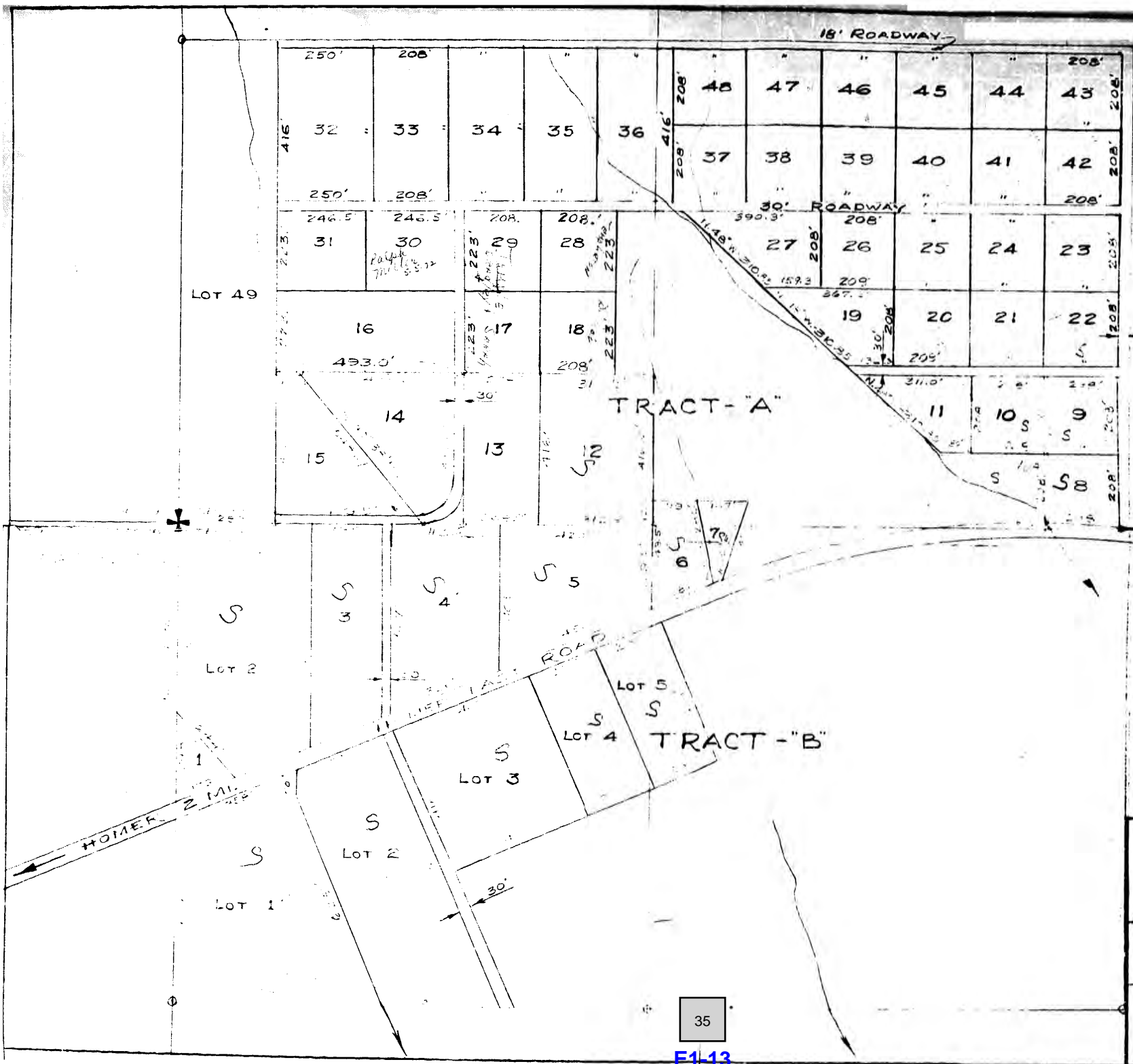
2006-18
MORNING REC DIST
Date 4/25 2006
Time 8:59 A.M.
Requested By Imhoff
Address

Scenic View Subdivision
Scenic Grove Addition No. 1
Lot 2 Tract B Scenic View Subdivision
Plat No. 52-587 HRD excepting Alaska State
Dept. of Transportation Right-of-Way
per Bk 320 Page 522

Located in the
NW 1/4 Section 15, T6S, R13W, S1M
within the City of Homer
Homer Recording District

Third Judicial District, Alaska
Contains 4.584 Acres, more or less

Client: Sergey Yakunin Box 5044 Nikolaevsk Ak 99556	Surveyor: Roger W. Imhoff, RLS PO Box 2588 Homer Ak 99603
File tr2b scenicvwyakunin.vcd	Drawn: RWI Date: 4-07-05
Scale 1" = 100 ft	KPB File No. 2005-165



DEDICATION

I hereby dedicate all of the roadways as shown on this Plot Plan to the use of the Public and to the Territory of Alaska -

Signed: *L. S. Slavin*

Witnessed
John A. Pate
Ray Hedlund

**ORIGINAL PLOT PLAN
SCENIC VIEW
SUBDIVISION
HOMER, ALASKA**

PLANNED BY LARRY SLAVIN
SURVEYED BY HARRY SANDOZ
& JOHN A. PATE AUG. 1952.

SCALE - 1" = 200'

35

Session 22-12, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:36 p.m. on August 17, 2022 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS VENUTI, SMITH, CHIAPPONE, CONLEY, HIGHLAND, BARNWELL AND STARK

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

The Planning Commission met at 5:30 p.m. for a training session with City Clerk Jacobsen on conducting efficient and effective meetings using motions, applications of regulations and following Robert's Rules of Order and continued review of Conditional Uses and Structures in each zoning district for reduction of conditional use permits.

AGENDA APPROVAL

HIGHLAND/VENUTI MOVED TO APPROVE THE AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

Jason Davis, city resident and Council member, commented that Councilmember Erickson read his prepared statement at the end of the worksession and he hoped that they have a really good discussion and develop recommendations on Ordinance 22-42, to tell City Council on how they can make sure that there are no more neighborhoods without sidewalks on main streets planned and built in Homer going forward. He acknowledged that it was a complicated issue. Mr. Davis noted that the City Planner expressed some good points in his memorandum about addressing districts other than urban residential, but recognized that there is currently roads being constructed without sidewalks after having discussed that very issue for several years now. Mr. Davis continued by stating that the worst case scenario would be a moratorium issued on approval for new subdivisions until this can be worked out. He continued avowing that they need to figure out how to change the parameters to allow the Planning Department, the Commission, and the Borough to say no to plats that do not have a sidewalk included on the main streets. Mr. Davis additionally stated that the recommendations did not have to relate to Ordinance 22-42 as it was presented. He advocated that there has to be some way to stop the millions of dollars that are being poured into elevated roads that are narrow and have no sidewalks on them if they lead to a school.

Mr. Bill Hand, commented on his vacation request noting he made a small error on the property line and contacted all the utility companies. This request was for a utility easement vacation for three feet by 120 feet and once it passes this body it will go before the Borough.

RECONSIDERATION

CONSENT AGENDA

- A. Unapproved Regular Meeting Minutes for July 20, 2022
- B. Unapproved Regular Meeting Minutes for August 3, 2022
- C. Staff Report 22-51 Utility Easement Vacation Request Lot 2-A-1 Scenic View Subd. Scenic Grove And. No. 1 HM 2013-43

Chair Smith requested a motion and second to approve the Consent Agenda.

City Planner Abboud responded to a Commission question regarding the utility vacation request being on the Consent Agenda, briefly explaining that the request was non-controversial, did not require a public hearing and is a standard request that did not require debate.

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

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

STAFF & COUNCIL REPORT/COMMITTEE REPORTS

- A. Staff Report 22-51, City Planner's Report

City Planner Abboud provided a summary of Staff Report 22-51 for the Commission. He facilitated discussion on the following:

- Demolishing the smaller building on the HERC site
- Funding appropriated for the Transportation Plan update, working on the scope of work, definitions, etc.
- Ordinance regarding items encroaching or impeding rights of way
- Planning Technician Brown's resignation and impacts to the Planning Office

Commissioner Stark with assistance from Chair Smith will report at the Council meeting on Monday.

City Planner Abboud facilitated a robust discussion on the following items from his report:

- Fairview (Eric Lane) Pathway funding
- Transportation Plan update general scope of work is people first focus, the implementation plan created by Public Works will be used as a separate document and will not be thrown out.
- Dedication of 60 foot width is adequate for roads with sidewalks and a requirement for a wider street may be due to elevations involved, if bike lanes were desired and sidewalks.
- Permitting software scope of performance
 - o Difficulties in setting up the payment portal
 - o Creates and maintains a database of all properties
 - o Connecting to Public Works for water, sewer, etc.
- Proposed grading ordinance

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-67

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Authorizing a Transfer of \$438,315 from the Utility Fund Fund Balance to include \$200,000 to the Water Capital Asset Repair and Maintenance Allowance (CARMA) Fund and \$238,315 to the Sewer CARMA Fund and by Appropriating those Amounts from the Water CARMA and Sewer CARMA Funds Accordingly to fund Projects identified in the Water and Sewer Financial Plan.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting October 10, 2022 Introduction

Memorandum 22-168 from Finance Director as backup.

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 22-67**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 AMENDING THE FY23 CAPITAL BUDGET BY AUTHORIZING A TOTAL
9 TRANSFER OF \$438,315 FROM UTILITY OPERATIONS FUND FUND
10 BALANCE TO INCLUDE \$200,000 TO THE WATER CAPITAL ASSET
11 REPAIR AND MAINTENANCE ALLOWANCE (CARMA) FUND AND
12 \$238,315 TO THE SEWER CARMA FUND AND BY APPROPRIATING
13 THOSE AMOUNTS FROM THE WATER CARMA AND SEWER CARMA
14 FUNDS ACCORDINGLY TO FUND PROJECTS IDENTIFIED IN THE
15 WATER AND SEWER FINANCIAL PLAN.
16

17 WHEREAS, Homer City Council approved Ordinance 22-61, which amended the City of
18 Homer Water and Sewer Rates; and
19

20 WHEREAS, The water rate model funded a total of \$450,000 in water related capital
21 projects. Of which, \$250,000 was funded using American Rescue Plan Act (ARPA) funds per
22 Ordinance 22-60. This leaves a remainder of \$200,000 to be funded through the utility rate
23 payers; and
24

25 WHEREAS, The sewer rate model funded a total of \$705,000 in sewer related capital
26 projects. Of which, \$466,685 was funded using American Rescue Plan Act (ARPA) funds per
27 Ordinance 22-60. This leaves a remainder of \$238,315 to be funded through utility rate payers;
28 and
29

30 WHEREAS, The utility rate model utilized \$417,432 in total draw on Utility Operations
31 Fund Fund Balance to provide for a rate buyback, thereby decreasing the financial impact on
32 utility rate payers.
33

34 NOW THEREFORE THE CITY OF HOMER ORDAINS

35
36 Section 1. The Homer City Council hereby amends the FY23 Capital Budget by
37 transferring \$438,315 from the Utility Operations Fund Fund Balance as follows:
38

39 Transfer from:

<u>Fund No.</u>	<u>Description</u>	<u>Amount</u>
200	Utility Operations Fund Fund Balance	\$438,315

44	Transfer to:		
45	<u>Fund No.</u>	<u>Description</u>	<u>Amount</u>
46	256-0378	Water CARMA	\$200,000
47	256-0379	Sewer CARMA	\$238,315

48
49 Section 2. This is a budget amendment ordinance only, is not permanent in nature, and
50 shall not be codified.

51
52 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this __ day of _____, 2022.

53
54 CITY OF HOMER

55
56 _____
57 KEN CASTNER, MAYOR

58 ATTEST:
59
60 _____
61 MELISSA JACOBSEN, MMC, CITY CLERK

62
63 YES:
64 NO:
65 ABSTAIN:
66 ABSENT:
67
68 First Reading:
69 Public Hearing:
70 Second Reading:
71 Effective Date:



Memorandum 22-168

TO: Mayor Castner and Homer City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Elizabeth Walton, Finance Director
DATE: October 5, 2022
SUBJECT: Utility Rate Model CARMA Capital Projects

Purpose of Ordinance:

Homer City Council amended the City of Homer Water and Sewer Rates by approving Ordinance 22-61. The utility rate model that was used to generate the updated rates included funding operational costs and selected capital projects identified in the City's Water and Sewer Financial Plan.

Identified FY23 Projects:

The City of Homer has established a Water and Sewer Financial Plan. The FY23 Utility Rate Model incorporated this plan and now rate payers are funding capital projects. Some of these projects were funded using ARPA funds (Ordinance 22-60) and are notated as such. Below is a list of the FY23 projects and the funding source.

Water Capital Improvement Projects:

- WTP Filter Media Train (1 each/year) \$100,000 – ARPA funded
- RWP-1 Balance Motor/Shaft \$50,000 – ARPA funded
- Hydrant Replacement (10/year) \$100,000 – Rate funded
- Fleet Replacement \$50,000 – Rate funded
- WTP Sludge Drying Bed \$100,000 – ARPA funded
- Replace Water Meters \$50,000 – Rate funded

Sewer Capital Improvement Projects:

- Replace UV System \$430,000 – ARPA funded
- WWTP MCC Spare Parts \$30,000 – Rate funded
- Replace Cracked Incinerator \$75,000 – Rate funded
- Beluga Lift Station \$20,000 – Rate funded
- Lagoon Liner \$25,000 – Rate funded
- Replace Lift Station Access Hatch \$50,000 – ARPA funded \$36,685.16 (remainder is rate funded)

- Sludge Drying Beds \$25,000 – Rate funded
- Fleet Replacement \$50,000 – Rate funded

Legislation Walkthrough:

Council approved Ordinance 22-61, which amended the Water and Sewer Rates. The explicit authorization and appropriation for the capital improvement projects was missing from that ordinance. Due to the fact that the rate model is funding these projects, the Utility Operations Fund Fund Balance has to transfer matching funds to respective Utility CARMA funds to fund the projects. The Utility Rate Model incorporated a draw on Utility Operations Fund Fund Balance to provide for a rate buyback. The proposed ordinance addresses the rate buyback and the absence of legislation authorizing the capital project spending.

In the future, the authorization and appropriation language for capital improvement projects will be included in the Ordinance amending Water and Sewer Rates.

Recommendation:

Pass Ordinance transferring \$438,515 from Utility Operations Fund Fund Balance to Utility Capital Asset Repair and Maintenance Allowance (CARMA) Fund and appropriating \$200,000 from the Water CARMA Fund and \$238,515 from the Sewer CARMA Fund to fund projects identified in the Water and Sewer Financial Plan as detailed below:

Water Capital Improvement Projects (\$200,000):

- Hydrant Replacement (10/year) \$100,000
- Fleet Replacement \$50,000
- Replace Water Meters \$50,000

Sewer Capital Improvement Projects (\$238,515):

- WWTP MCC Spare Parts \$30,000
- Replace Cracked Incinerator \$75,000
- Beluga Lift Station \$20,000
- Lagoon Liner \$25,000
- Replace Lift Station Access Hatch \$13,315 (remainder of \$50,000 project funded through ARPA funding)
- Sludge Drying Beds \$25,000
- Fleet Replacement \$50,000

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Transfer to Fund Utility Model Capital Projects</u>	DATE	<u>10/06/2022</u>
DEPARTMENT	<u>Finance</u>	SPONSOR	<u>City Manager/Finance Director</u>
REQUESTED AMOUNT	<u>\$ 438,515</u>		

DESCRIPTION	<p>Council approved Ordinance 22-61, which amended the Water and Sewer Rates. The explicit authorization and appropriation for the capital improvement projects was missing from that ordinance. Due to the fact that the rate model is funding these projects, the Utility Operations Fund Fund Balance has to transfer matching funds to respective Utility CARMA funds to fund the projects. The Utility Rate Model incorporated a draw on Utility Operations Fund Fund Balance to provide for a rate buyback. The proposed ordinance addresses the rate buyback and the absence of legislation authorizing the capital project spending.</p> <p>In the future, the authorization and appropriation language for capital improvement projects will be included in the Ordinance amending Water and Sewer Rates.</p>
-------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

FUNDING SOURCE 1: Utility Operations FB	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 806,629</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 208,716</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 438,515</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 159,398</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-68

An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code 21.12, Rural Residential District; Homer City Code 21.14, Urban Residential District; Homer City Code 21.12 Residential Office District; Homer City Code 21.18, Central Business District; Homer City Code 21.20 Town Center District; Homer City Code 21.22, Gateway Business District; Homer City Code 21.24, General Commercial 1 District; Homer City Code 21.26, General Commercial 2 District; And Homer City Code 21.27, East End Mixed Use District, Regarding Conditional Uses in each District..

Sponsor: City Manager/Port Director

1. City Council Regular Meeting October 10, 2022 Introduction

Memorandum 22-169 from City Planner as backup.

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

3
4 Planning Commission

5
6 **ORDINANCE 22-68**

7
8 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
9 AMENDING HOMER CITY CODE SECTIONS 21.12, RURAL
10 RESIDENTIAL DISTRICT; 21.14, URBAN RESIDENTIAL DISTRICT;
11 21.16 RESIDENTIAL OFFICE DISTRICT; 21.18, CENTRAL BUSINESS
12 DISTRICT; 21.20, TOWN CENTER DISTRICT; 21.22, GATEWAY
13 BUSINESS DISTRICT; 21.24, GENERAL COMMERCIAL 1 DISTRICT;
14 21.26, GENERAL COMMERCIAL 2 DISTRICT; AND HOMER CITY
15 CODE 21.27, EAST END MIXED USE DISTRICT REGARDING
16 CONDITIONAL USES IN EACH DISTRICT.

17
18 WHEREAS, It is in the interests of the City to make allowances for uses in districts
19 according to the guidance set forth in the 2018 Homer Comprehensive Plan and the Purpose
20 of the districts described in Homer City Code; and

21
22 WHEREAS, A Conditional Use Permit (CUP) should be a consideration for uses which,
23 due to form or function, may require special conditions in order to minimize possible negative
24 externalities; and

25
26 WHEREAS, Some uses may be inappropriate for a district in consideration of the
27 purpose of the district and the negative externalities that may be found in the use itself, or
28 those of the district itself; and

29
30 WHEREAS, The Homer Planning Commission has reviewed the subjects and actions of
31 past CUP permits that have been routinely granted with few, if any, special conditions; and

32
33 WHEREAS, The Homer Planning Commission, using the guidance of the 2018 Homer
34 Comprehensive Plan and the Purpose statements found in code for the zoning districts, has
35 identified conditional uses and structures that would be more appropriately listed as
36 permitted uses or eliminated.

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

39
40 Section 1. Homer City Code Chapter 21.12, Rural Residential District is amended to
41 read as follows:

42
43 21.12.020 Permitted uses and structures.

45 The following uses are permitted outright in the Rural Residential District:

46

47 ~~s. One detached~~ **Up to four** dwelling units, excluding mobile homes, ~~as an accessory building~~
48 ~~to a principal single family dwelling~~ on a lot subject to the requirements of HCC 21.12.040
49 **and located in an area depicted for Urban Residential zoning by the Future Land Use**
50 **Map in the 2018 Homer Comprehensive Plan.**

51

52 Section 2. Homer City Code Chapter 21.14, Urban Residential District is amended as
53 follows:

54

55 21.14.020 Permitted uses and structures.

56

57 The following uses are permitted outright in the Urban Residential District:

58

59 **r. Townhouse developments**

60

61 **s. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
62 **excluding mobile homes.**

63

64 21.14.030 Conditional uses and structures.

65

66 The following uses may be permitted in the Urban Residential District when authorized by
67 conditional use permit issued in accordance with Chapter 21.71 HCC:

68

69 a. Planned unit development, excluding all industrial uses;

70

71 ~~b. Townhouse developments;~~

72

73 ~~b.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;

74

75 ~~c.~~ Religious, cultural and fraternal assembly;

76

77 ~~e. Hospitals;~~

78

79 ~~f.d.~~ Pipelines and railroads;

80

81 Section 3. Homer City Code Chapter 21.16, Residential Office District is amended as
82 follows:

83

84 21.16.020 Permitted uses and structures.

85

86 The following uses are permitted outright in the Residential Office District:

87

88 **s. Townhouses**

89

90 **t. Mortuaries**

91

92 **u. Day care facilities; provided, however, that outdoor play areas must be fenced;**

93

94 **v. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
95 **excluding mobile homes.**

96

97 **w. Group care homes.**

98

99 21.16.030 Conditional uses and structures.

100

101 The following uses may be permitted in the Residential Office District when authorized by
102 conditional use permit issued in accordance with Chapter 21.71 HCC:

103

104 a. Planned unit developments, excluding all industrial uses;

105

106 ~~b. Townhouses;~~

107

108 ~~eb.~~ Public or private schools;

109

110 ~~ec.~~ Hospitals and medical clinics;

111

112 ~~ed.~~ Public utility facilities and structures;

113

114 ~~f. Mortuaries;~~

115

116 ~~g. Day care facilities; provided, however, that outdoor play areas must be fenced;~~

117

118 ~~he.~~ More than one building containing a permitted principal use on a lot;

119

120 ~~i. Group care homes;~~

121

122 ~~j. Helipads, but only as an accessory use incidental to a hospital conditional use;~~

123

124 ~~kf.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
125 that it is the only wind energy system of any capacity on the lot;

126

127 ~~lg.~~ Other uses approved pursuant to HCC 21.04.020.

128

129 21.16.040 Dimensional requirements.

130

131 The following dimensional requirements shall apply to all structures and uses in the
132 Residential Office District:

133
134 e. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
135 nor shall any lot contain building area in excess of ~~30~~**40** percent of the lot area, without an
136 approved conditional use permit.

137
138 Section 4. Homer City Code Chapter 21.18, Central Business District is amended to read
139 as follows:

140
141 21.18.020 Permitted uses and structures.

142
143 The following uses are permitted outright in the Central Business District, except when such
144 use requires a conditional use permit by reason of size, traffic volumes, or other reasons set
145 forth in this chapter:

146
147 **ll. Greenhouses and garden supplies.**

148
149 **mm. Up to 4 buildings on a lot excluding mobile homes, except as provided for in HCC**
150 **21.18.030.**

151
152 **nn. Group care homes and assisted living homes**

153
154 **mm. Indoor and outdoor recreational facilities.**

155
156 21.18.030 Conditional uses and structures

157
158 The following uses may be permitted in the Central Business District when authorized by
159 conditional use permit issued in accordance with Chapter 21.71 HCC:

160
161 a. Planned unit developments, excluding all industrial uses;

162
163 ~~b. Indoor recreational facilities and outdoor recreational facilities;~~

164
165 ~~eb.~~ Mobile home parks;

166
167 ~~dc.~~ Auto fueling stations;

168
169 ~~ed.~~ Public utility facilities and structures;

170
171 ~~fe.~~ Pipeline and railroads;

172
173 ~~g.~~ Greenhouses and garden supplies;

- 174 ~~hf.~~ Light or custom manufacturing, repair, fabricating, and assembly, provided such use,
175 including storage of materials, is wholly within an enclosed building;
176
177 ~~ig.~~ Shelter for the homeless, provided any lot used for such shelter does not abut a residential
178 zoning district;
179
180 ~~jh.~~ More than one building containing a permitted principal use on a lot;
181
182 ~~k. Group care homes and assisted living homes;~~
183
184 ~~li.~~ Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to
185 Heath Street;
186
187 ~~mj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
188 that it is the only wind energy system of any capacity on the lot;
189
190 ~~nk.~~ Other uses approved pursuant to HCC 21.04.020.

191
192 21.18.040 Dimensional requirements.
193

194 The following dimensional requirements shall apply to all structures and uses in the Central
195 Business District:
196

- 197 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
198 nor shall any lot contain building area in excess of ~~30~~40 percent of the lot area, without an
199 approved conditional use permit.
200

201 Section 5. Homer City Code Chapter 21.20, Town Center District is amended as follows:
202

203 21.20.020 Permitted uses and structures
204

205 The following uses are permitted outright in the Town Center District, except when such use
206 requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth
207 in this chapter:
208

209 **aa. Greenhouse and garden supplies**
210

211 **bb. Indoor and outdoor recreational facilities**
212

213 **cc. Group care and assisted living facilities.**
214

215 **dd. Self-service laundries**
216

217 21.20.030 Conditional uses and structures.

218

219 The following uses may be permitted in the Town Center District when authorized by
220 conditional use permit issued in accordance with Chapter 21.71 HCC:

221

222 a. Planned unit developments, limited only to uses otherwise permitted in this district;

223

224 b. Indoor recreational facilities;

225

226 ~~c. Greenhouses and garden supplies;~~

227

228 ~~d.~~ **d.** Light or custom manufacturing, repair, fabricating, and assembly, provided such use,
229 including storage of materials, is wholly within an enclosed building;

230

231 ~~e. Group care homes and assisted living homes;~~

232

233 ~~f.~~ **f.** Other uses approved pursuant to HCC 21.04.020;

234

235 ~~g.~~ **g.** Outdoor recreational facilities;

236

237 ~~h.~~ **h.** Customary accessory uses to any of the permitted uses listed in the TCD district; provided,
238 that a separate permit shall not be issued for the construction of any type of accessory building
239 prior to that of the main building;

240

241 ~~i. Self-service laundries;~~

242

243 ~~j. Retail sales of hardware, appliances and furniture, building supplies and materials, but only~~
244 ~~if such use, including storage of goods and materials, is wholly contained within one or more~~
245 ~~enclosed buildings;~~

246

247 ~~k. Plumbing, heating and appliance repair shops, but only if such use, including storage of~~
248 ~~goods and materials, is wholly contained within one or more enclosed buildings;~~

249

250 ~~l.~~ **l.** One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is
251 the only wind energy system on any capacity of the lot.

252

253 Section 6. Homer City Code Chapter 21.22, Gateway Business District is amended as
254 follows:

255

256 21.22.020 Permitted uses and structures.

257

258 The following uses are permitted outright in the Gateway Business District, except when such
259 use requires a conditional use permit by reason of size, traffic volumes, or other reasons set

260 forth in this chapter:

261
262 **r. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
263 **excluding mobile homes.**

264
265 21.22.040 Dimensional requirements.

266
267 The following dimensional requirements shall apply to all structures and uses in the Gateway
268 Business District:

269
270 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
271 nor shall any lot contain building area in excess of ~~30~~**40** percent of the lot area, without an
272 approved conditional use permit.

273
274 Section 7. Homer City Code Chapter 21.24, General Commercial District 1 is amended
275 as follows:

276
277 21.24.020 Permitted uses and structures.

278
279 The following uses are permitted outright in the General Commercial 1 District, except when
280 such use requires a conditional use permit by reason of size, traffic volumes, or other reasons
281 set forth in this chapter:

282
283 **mm. Townhouses;**

284
285 **nn. Day care facilities; provided, however, that outdoor play areas must be fenced;**

286
287 **oo. Indoor and outdoor recreational facilities;**

288
289 **pp. More than one building containing a permitted principal use on a lot.**

290
291 21.24.030 Conditional uses and structures.

292
293 The following uses may be permitted in the General Commercial 1 District when authorized by
294 conditional use permit issued in accordance with Chapter 21.71 HCC:

295
296 a. Campgrounds;

297
298 b. Crematoriums;

299
300 c. Multiple-family dwelling;

301
302 d. Public utility facility or structure;

- 303 e. Mobile home parks;
304
305 f. Planned unit developments;
306
307 ~~g. Townhouses;~~
308
309 ~~hg. Pipelines and railroads;~~
310
311 ~~ih. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or~~
312 ~~UR zoning district;~~
313
314 ~~j. More than one building containing a permitted principal use on a lot;~~
315
316 ~~k. Day care facilities; provided, however, that outdoor play areas must be fenced;~~
317
318 ~~li. Other uses approved pursuant to HCC 21.04.020;~~
319
320 ~~m. Indoor recreational facilities;~~
321
322 ~~n. Outdoor recreational facilities.~~

323
324 21.24.040 Dimensional requirements.
325

326 The following dimensional requirements shall apply to all structures and uses in the General
327 Commercial 1 District:
328

- 329 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
330 nor shall any lot contain building area in excess of ~~30~~40 percent of the lot area without an
331 approved conditional use permit.
332

333 Section 8. Homer City Code Chapter 21.26, General Commercial District 2 is amended
334 as follows:
335

336 21.26.020 Permitted uses and structures.
337

338 The following uses are permitted outright in the General Commercial 2 District, except when
339 such use requires a conditional use permit by reason of size, traffic volumes, or other reasons
340 set forth in this chapter:
341

342 **x. Impound yards;**
343

344 **y. More than one building containing a permitted principal use on a lot;**
345

346 **z. Indoor and outdoor recreational facilities.**

347

348 **21.26.030 Conditional uses and structures.**

349

350 The following uses may be permitted in the General Commercial 2 District when authorized by
351 conditional use permit issued in accordance with Chapter 21.71 HCC:

352

353 ~~a. Mobile home parks;~~

354

355 ~~ba.~~ Construction camps;

356

357 ~~eb.~~ Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and
358 other earth products and batch plants for asphalt or concrete;

359

360 ~~ec.~~ Bulk petroleum product storage above ground;

361

362 ~~ed.~~ Planned unit developments, excluding residential uses;

363

364 ~~fe.~~ Campgrounds;

365

366 ~~gf.~~ Junk yard;

367

368 ~~hg.~~ Kennels;

369

370 ~~ih.~~ Public utility facilities and structures;

371

372 ~~ji.~~ Pipelines and railroads;

373

374 ~~k.~~ Impound yards;

375

376 ~~lj.~~ Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural
377 or office residential zoning district;

378

379 ~~m.~~ More than one building containing a permitted principal use on a lot;

380

381 ~~n.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;

382

383 ~~o.~~ Group care homes and assisted living homes;

384

385 ~~pk.~~ Other uses approved pursuant to HCC 21.04.020;

386

387 ~~q.~~ Indoor recreational facilities;

388

389 ~~r. Outdoor recreational facilities.~~

390

391 21.26.040 Dimensional requirements.

392

393 The following dimensional requirements shall apply to all structures and uses in the General
394 Commercial 2 District:

395

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

399

400 Section 9. Homer City Code Chapter 21.27, East End Mixed Use District is amended as
401 follows:

402

403 21.27.020 Permitted uses and structures.

404

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

408

409 **pp. Indoor and outdoor recreational facilities.**

410

411 21.27.030 Conditional uses and structures.

412

413 The following conditional uses may be permitted in the East End Mixed Use District when
414 authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

415

416 ~~j. Indoor recreational facilities;~~

417

418 ~~k. Outdoor recreational facilities;~~

419

420 21.27.040 Dimensional requirements.

421

422 The following dimensional requirements shall apply to all structures and uses in the East End
423 Mixed Use District:

424

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

428

429 Section 10. This ordinance shall take effect upon its adoption by the Homer City
430 Council.

431

432 Section 11. This ordinance is of a permanent and general character and shall be
433 included in the City code.

434
435 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this ____ day of
436 _____ 2022.

437
438 CITY OF HOMER

439
440 _____
441 KEN CASTNER, MAYOR

442
443 ATTEST:

444
445
446 _____
447 MELISSA JACOBSEN, MMC, CITY CLERK

448
449 YES:

450 NO:

451 ABSTAIN:

452 ABSENT:

453
454 First Reading:

455 Public Reading:

456 Second Reading:

457 Effective Date:



City of Homer

www.cityofhomer-ak.gov

Planning

491 East Pioneer Avenue
Homer, Alaska 99603

Planning@ci.homer.ak.us

(p) 907-235-3106

(f) 907-235-3118

MEMORANDUM 22-169

TO: MAYOR CASTNER AND THE HOMER CITY COUNCIL
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: OCTOBER 4, 2022
SUBJECT: CONDITIONAL USES

In an effort to consider the appropriateness of Conditional Use Permits (CUP's), I have been working with the Planning Commission to review Conditional Use Permits (CUP) that have come before the Planning Commission in the last ten years. We have found that a majority of the permits have been approved with few, if any, conditions. Some of these have been repetitive and become routine approvals. We then examined the districts and considered the conditional use appropriateness with intent of the district found in the Comprehensive Plan and the purpose statement found in City Code.

After examination, we found that several conditional uses were acceptable to become permitted uses that could be permitted through the Planning Office without going through the time and expense of a public hearing with the Planning Commission. Additionally, over the course of examination, the Commission found some uses that were inappropriate for the district and should be eliminated. Staff report PL22-59 provides a summary of the changes found in the draft ordinance.

The Commission feels that CUP's should be reserved for uses or structures that are likely to be in need of conditions that may not be addressed code. The draft ordinance provides an allowance for uses and structures found appropriate for the district with current underlying regulations.

The Commission worked on the subject in a work session and during four regular meetings including a public hearing on September 21st and recommends that the Homer City Council adopt the draft ordinance.

Attachments:

Draft Ordinance

Staff Reports 22-59, 22-56, 22-48, 22-44 and corresponding meeting minutes



City of Homer

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Staff Report PL 22-59

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: SEPTEMBER 7, 2022
SUBJECT: CONDITIONAL USE PERMIT (CUP) REDUCTION

Introduction

We are holding a public hearing on the proposed ordinance, as the Planning Commission has reevaluated the need for conditional uses that have been routinely approved with no or few conditions. Many of the conditional uses have been moved to permitted uses, which allows those uses and structures to be approved administratively according to the various regulations applicable to the district without going through a hearing and gaining the approval of the Planning Commission. Additionally, a few uses have been removed from code entirely because of their impact on the district (rail roads) or, more likely, because of the impact of the district on the use, such as day cares in a district supporting heavy industrial uses.

I have modified the ordinance according to the feedback of the Commissioners at the last meeting. Additionally, I have made some minor changes after consideration of intent and impact. A comprehensive review of the proposed amendments are found below.

Rural Residential

Added allowance for up to 4 dwellings according to density allowance and when located in an area for consideration of Urban Residential zoning as identified by the Land Use Recommendations map in the Comprehensive Plan, according to existing density allowances.

Urban Residential

Moved townhouses to permitted use and allowed up to 4 dwellings subject to dimensional requirements of multi-family floor area ratio standards. Eliminated hospitals and railroads.

Residential Office

Moved townhouse, mortuaries, daycare facilities, group homes and up to four dwellings subject to multi-family floor area ratios to permitted uses. Changed requirement for a CUP regarding building area coverage from 30% to 40%. Eliminated hospitals and helipads.

Central Business District

Moved greenhouses, group homes, assisted living homes, indoor and outdoor recreational facilities, and up to 4 buildings on a lot excluding mobile homes, excepted as provided for in HCC 21.18.030(b) to permitted uses. Amended building area coverage from 30% to 40% required for a CUP. Removed railroads.

Changes noted here include reducing the building area coverage from the suggested 50% to 40% to make a better allowance for 4 building on a lot so as to not to have to specify floor area ratios for dwellings verses other structures. Additionally, recognized the allowance for mobile home parks in the district to avoid unintended conflicts in code.

Town Center District

Added greenhouses, indoor and outdoor recreational facilities, group care and assisted living facilities, and self-service laundries to permitted uses. Also eliminated the retail sales of hardware etc. and plumbing and etc. as these 'laundry lists' of uses are unnecessary and would be allowed by the current permitted uses pertaining to retail businesses (HCC 21.20.020(a)) and plumbing etc. (HCC 21.20.020(s)).

Gateway Business District

Added up to 4 dwelling units subject to floor area ratios of multi-family and moved from 30% to 40% building coverage required for a CUP.

General Commercial 1

Moved townhouses daycare facilities, indoor and outdoor recreational facilities, and more than one building on a lot to permitted uses. Moved standard for CUP from 30% lot coverage to 40%. Eliminated railroads.

General Commercial 2

Added impound yards, more than on building containing a permitted principle use on a lot and indoor and our door recreation facilities to permitted uses. Eliminated mobile home parks, day care facilities, group and assisted living homes from the district as they are incompatible with the intent district. Removed requirement for over 8000 sf and 30% building coverage to trigger a CUP.

East End Mixed Used District

Moved indoor and outdoor recreational facilities to permitted uses. Removed requirement for over 8000 sf and 30% building coverage to trigger a CUP.

Staff Recommendation

Hold a public hearing and make a recommendation for adoption to City Council.

Attachment Draft Ordinance

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

3
4 Planning Commission

5
6 **ORDINANCE 22-xx**

7
8 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING
9 HOMER CITY CODE SECTIONS 21.12, RURAL RESIDENTIAL DISTRICT;
10 21.14, URBAN RESIDENTIAL DISTRICT; 21.16 RESIDENTIAL OFFICE
11 DISTRICT; 21.18, CENTRAL BUSINESS DISTRICT; 21.20, TOWN CENTER
12 DISTRICT; 21.22, GATEWAY BUSINESS DISTRICT; 21.24, GENERAL
13 COMMERCIAL 1 DISTRICT; 21.26, GENERAL COMMERCIAL 2 DISTRICT;
14 AND HOMER CITY CODE 21.27, EAST END MIXED USE DISTRICT
15 REGARDING CONDITIONAL USES IN EACH DISTRICT.
16

17 WHEREAS, It is in the interests of the City to make allowances for uses in
18 districts according to the guidance set for in the 2018 Homer Comprehensive Plan and
19 the Purpose of the districts described in Homer City Code; and
20

21 WHEREAS, A Conditional Use Permit (CUP) should be a consideration for uses
22 which, due to form or function, may require special conditions in order to minimize
23 possible negative externalities; and
24

25 WHEREAS, Some uses may be inappropriate for a district in consideration of
26 the purpose of the district and the negative externalities that may be found in the use
27 itself, or those of the district itself; and
28

29 WHEREAS, The Homer Planning Commission has reviewed the subjects and
30 actions of past CUP permits that have been routinely granted with few if any special
31 conditions; and
32

33 WHEREAS, The Homer Planning Commission has found several conditional
34 uses and structures that fit within the guidance of the 2018 Homer Comprehensive
35 Plan and the Purpose statements found in code for the corresponding districts that
36 would be more appropriately listed as permitted uses and structures or eliminated.
37

38 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
39

40 Section 1. Homer City Code Chapter 21.12, Rural Residential District is amended to
41 read as follows:
42

43 21.12.020 Permitted uses and structures.
44

45 The following uses are permitted outright in the Rural Residential District:

46

47 ~~s. One detached~~ **Up to four** dwelling units, excluding mobile homes, ~~as an accessory building~~
48 ~~to a principal single family dwelling~~ on a lot subject to the requirements of HCC 21.12.040
49 **and located in an area depicted for Urban Residential zoning by the Future Land Use**
50 **Map in the 2018 Homer Comprehensive Plan.**

51

52 Section 2. Homer City Code Chapter 21.14, Urban Residential District is amended as
53 follows:

54

55 21.14.020 Permitted uses and structures.

56

57 The following uses are permitted outright in the Urban Residential District:

58

59 **r. Townhouse developments**

60

61 **s. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
62 **excluding mobile homes.**

63

64 21.14.030 Conditional uses and structures.

65

66 The following uses may be permitted in the Urban Residential District when authorized by
67 conditional use permit issued in accordance with Chapter 21.71 HCC:

68

69 a. Planned unit development, excluding all industrial uses;

70

71 ~~b. Townhouse developments;~~

72

73 ~~b.~~ **b.** Day care facilities; provided, however, that outdoor play areas must be fenced;

74

75 ~~c.~~ **c.** Religious, cultural and fraternal assembly;

76

77 ~~e. Hospitals;~~

78

79 ~~f.~~ **d.** Pipelines and railroads;

80

81 Section 3. Homer City Code Chapter 21.16, Residential Office District is amended as
82 follows:

83

84 21.16.020 Permitted uses and structures.

85

86 The following uses are permitted outright in the Residential Office District:

87

88 **s. Townhouses**

89

90 **t. Mortuaries**

91

92 **u. Day care facilities; provided, however, that outdoor play areas must be fenced;**

93

94 **v. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
95 **excluding mobile homes.**

96

97 **w. Group care homes.**

98

99 21.16.030 Conditional uses and structures.

100

101 The following uses may be permitted in the Residential Office District when authorized by
102 conditional use permit issued in accordance with Chapter 21.71 HCC:

103

104 a. Planned unit developments, excluding all industrial uses;

105

106 ~~b. Townhouses;~~

107

108 ~~eb.~~ Public or private schools;

109

110 ~~ec.~~ Hospitals and medical clinics;

111

112 ~~ed.~~ Public utility facilities and structures;

113

114 ~~f. Mortuaries;~~

115

116 ~~g. Day care facilities; provided, however, that outdoor play areas must be fenced;~~

117

118 ~~he.~~ More than one building containing a permitted principal use on a lot;

119

120 ~~i. Group care homes;~~

121

122 ~~j. Helipads, but only as an accessory use incidental to a hospital conditional use;~~

123

124 ~~kf.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
125 that it is the only wind energy system of any capacity on the lot;

126

127 ~~lg.~~ Other uses approved pursuant to HCC 21.04.020.

128

129 21.16.040 Dimensional requirements.

130

131 The following dimensional requirements shall apply to all structures and uses in the
132 Residential Office District:

133
134 e. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
135 nor shall any lot contain building area in excess of ~~30~~**40** percent of the lot area, without an
136 approved conditional use permit.

137
138 Section 4. Homer City Code Chapter 21.18, Central Business District is amended to read
139 as follows:

140
141 21.18.020 Permitted uses and structures.

142
143 The following uses are permitted outright in the Central Business District, except when such
144 use requires a conditional use permit by reason of size, traffic volumes, or other reasons set
145 forth in this chapter:

146
147 **ll. Greenhouses and garden supplies.**

148
149 **mm. Up to 4 buildings on a lot excluding mobile homes, except as provided for in HCC**
150 **21.18.030.**

151
152 **nn. Group care homes and assisted living homes**

153
154 **mm. Indoor and outdoor recreational facilities.**

155
156 21.18.030 Conditional uses and structures

157
158 The following uses may be permitted in the Central Business District when authorized by
159 conditional use permit issued in accordance with Chapter 21.71 HCC:

160
161 a. Planned unit developments, excluding all industrial uses;

162
163 ~~b. Indoor recreational facilities and outdoor recreational facilities;~~

164
165 ~~eb.~~ Mobile home parks;

166
167 ~~dc.~~ Auto fueling stations;

168
169 ~~ed.~~ Public utility facilities and structures;

170
171 ~~fe.~~ Pipeline and railroads;

172
173 ~~g.~~ Greenhouses and garden supplies;

- 174 ~~hf.~~ Light or custom manufacturing, repair, fabricating, and assembly, provided such use,
175 including storage of materials, is wholly within an enclosed building;
176
177 ~~ig.~~ Shelter for the homeless, provided any lot used for such shelter does not abut a residential
178 zoning district;
179
180 ~~jh.~~ More than one building containing a permitted principal use on a lot;
181
182 ~~k. Group care homes and assisted living homes;~~
183
184 ~~li.~~ Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to
185 Heath Street;
186
187 ~~mj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
188 that it is the only wind energy system of any capacity on the lot;
189
190 ~~nk.~~ Other uses approved pursuant to HCC 21.04.020.

191
192 21.18.040 Dimensional requirements.

193
194 The following dimensional requirements shall apply to all structures and uses in the Central
195 Business District:

- 196
197 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
198 nor shall any lot contain building area in excess of ~~30~~**40** percent of the lot area, without an
199 approved conditional use permit.

200
201 Section 5. Homer City Code Chapter 21.20, Town Center District is amended as follows:

202
203 21.20.020 Permitted uses and structures

204
205 The following uses are permitted outright in the Town Center District, except when such use
206 requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth
207 in this chapter:

208
209 **aa. Greenhouse and garden supplies**

210
211 **bb. Indoor and outdoor recreational facilities**

212
213 **cc. Group care and assisted living facilities.**

214
215 **dd. Self-service laundries**

216

217 21.20.030 Conditional uses and structures.

218
219 The following uses may be permitted in the Town Center District when authorized by
220 conditional use permit issued in accordance with Chapter 21.71 HCC:

- 221
222 a. Planned unit developments, limited only to uses otherwise permitted in this district;
223
224 b. Indoor recreational facilities;
225
226 ~~c. Greenhouses and garden supplies;~~
227
228 ~~d.~~ **d.** Light or custom manufacturing, repair, fabricating, and assembly, provided such use,
229 including storage of materials, is wholly within an enclosed building;
230
231 ~~e. Group care homes and assisted living homes;~~
232
233 ~~f.~~ **f.** Other uses approved pursuant to HCC 21.04.020;
234
235 ~~g.~~ **g.** Outdoor recreational facilities;
236
237 ~~h.~~ **h.** Customary accessory uses to any of the permitted uses listed in the TCD district; provided,
238 that a separate permit shall not be issued for the construction of any type of accessory building
239 prior to that of the main building;
240
241 ~~i. Self-service laundries;~~
242
243 ~~j. Retail sales of hardware, appliances and furniture, building supplies and materials, but only~~
244 ~~if such use, including storage of goods and materials, is wholly contained within one or more~~
245 ~~enclosed buildings;~~
246
247 ~~k. Plumbing, heating and appliance repair shops, but only if such use, including storage of~~
248 ~~goods and materials, is wholly contained within one or more enclosed buildings;~~
249
250 ~~l.~~ **l.** One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is
251 the only wind energy system on any capacity of the lot.
252

253 Section 6. Homer City Code Chapter 21.22, Gateway Business District is amended as
254 follows:

255
256 21.22.020 Permitted uses and structures.

257
258 The following uses are permitted outright in the Gateway Business District, except when such
259 use requires a conditional use permit by reason of size, traffic volumes, or other reasons set

260 forth in this chapter:

261
262 **r. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
263 **excluding mobile homes.**

264
265 21.22.040 Dimensional requirements.

266
267 The following dimensional requirements shall apply to all structures and uses in the Gateway
268 Business District:

269
270 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
271 nor shall any lot contain building area in excess of ~~30~~**40** percent of the lot area, without an
272 approved conditional use permit.

273
274 Section 7. Homer City Code Chapter 21.24, General Commercial District 1 is amended
275 as follows:

276
277 21.24.020 Permitted uses and structures.

278
279 The following uses are permitted outright in the General Commercial 1 District, except when
280 such use requires a conditional use permit by reason of size, traffic volumes, or other reasons
281 set forth in this chapter:

282
283 **mm. Townhouses;**

284
285 **nn. Day care facilities; provided, however, that outdoor play areas must be fenced;**

286
287 **oo. Indoor and outdoor recreational facilities;**

288
289 **pp. More than one building containing a permitted principal use on a lot.**

290
291 21.24.030 Conditional uses and structures.

292
293 The following uses may be permitted in the General Commercial 1 District when authorized by
294 conditional use permit issued in accordance with Chapter 21.71 HCC:

295
296 a. Campgrounds;

297
298 b. Crematoriums;

299
300 c. Multiple-family dwelling;

301
302 d. Public utility facility or structure;

- 303 e. Mobile home parks;
304
305 f. Planned unit developments;
306
307 ~~g. Townhouses;~~
308
309 ~~hg. Pipelines and railroads;~~
310
311 ~~ih. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or~~
312 ~~UR zoning district;~~
313
314 ~~j. More than one building containing a permitted principal use on a lot;~~
315
316 ~~k. Day care facilities; provided, however, that outdoor play areas must be fenced;~~
317
318 ~~li. Other uses approved pursuant to HCC 21.04.020;~~
319
320 ~~m. Indoor recreational facilities;~~
321
322 ~~n. Outdoor recreational facilities.~~

323
324 21.24.040 Dimensional requirements.

325
326 The following dimensional requirements shall apply to all structures and uses in the General
327 Commercial 1 District:

- 328
329 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
330 nor shall any lot contain building area in excess of ~~30~~40 percent of the lot area without an
331 approved conditional use permit.

332
333 Section 8. Homer City Code Chapter 21.26, General Commercial District 2 is amended
334 as follows:

335
336 21.26.020 Permitted uses and structures.

337
338 The following uses are permitted outright in the General Commercial 2 District, except when
339 such use requires a conditional use permit by reason of size, traffic volumes, or other reasons
340 set forth in this chapter:

341
342 **x. Impound yards;**

343
344 **y. More than one building containing a permitted principal use on a lot;**

345

346 **z. Indoor and outdoor recreational facilities.**

347

348 **21.26.030 Conditional uses and structures.**

349

350 The following uses may be permitted in the General Commercial 2 District when authorized by
351 conditional use permit issued in accordance with Chapter 21.71 HCC:

352

353 ~~a. Mobile home parks;~~

354

355 ~~ba.~~ Construction camps;

356

357 ~~eb.~~ Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and
358 other earth products and batch plants for asphalt or concrete;

359

360 ~~ec.~~ Bulk petroleum product storage above ground;

361

362 ~~ed.~~ Planned unit developments, excluding residential uses;

363

364 ~~fe.~~ Campgrounds;

365

366 ~~gf.~~ Junk yard;

367

368 ~~hg.~~ Kennels;

369

370 ~~ih.~~ Public utility facilities and structures;

371

372 ~~ji.~~ Pipelines and railroads;

373

374 ~~k.~~ Impound yards;

375

376 ~~lj.~~ Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural
377 or office residential zoning district;

378

379 ~~m.~~ More than one building containing a permitted principal use on a lot;

380

381 ~~n.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;

382

383 ~~o.~~ Group care homes and assisted living homes;

384

385 ~~pk.~~ Other uses approved pursuant to HCC 21.04.020;

386

387 ~~q.~~ Indoor recreational facilities;

388

389 ~~r. Outdoor recreational facilities.~~

390

391 21.26.040 Dimensional requirements.

392

393 The following dimensional requirements shall apply to all structures and uses in the General
394 Commercial 2 District:

395

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

399

400 Section 9. Homer City Code Chapter 21.27, East End Mixed Use District is amended as
401 follows:

402

403 21.27.020 Permitted uses and structures.

404

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

408

409 **pp. Indoor and outdoor recreational facilities.**

410

411 21.27.030 Conditional uses and structures.

412

413 The following conditional uses may be permitted in the East End Mixed Use District when
414 authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

415

416 ~~j. Indoor recreational facilities;~~

417

418 ~~k. Outdoor recreational facilities;~~

419

420 21.27.040 Dimensional requirements.

421

422 The following dimensional requirements shall apply to all structures and uses in the East End
423 Mixed Use District:

424

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

428

429 Section 10. This ordinance shall take effect upon its adoption by the Homer City
430 Council.

431

Commission or they can take it to the Borough. If they submit something different to the Borough, the Borough will contact the City and ask if the Planning Commission wants to review this again which due to the response we have gotten he will tell them yes. It might be a small thing and you can reconfigure a lot but it would be worth reviewing it again at this body to get a positive recommendation up to the Borough.

Commissioner Stark commented on the application being within the legal rights but the negative response from the public and neighboring properties that the Applicants should work further with the City Planner to address the concerns expressed tonight. He then stressed they are voting on the preliminary plat.

Commissioner Highland expressed the main the concern is that if this Commission votes to recommend approval it goes to the Borough and they will approve it and this Commission will not see it again.

City Planner Abboud confirmed that the Applicant could bring this action to the Borough even though the Commission did not recommend approval.

STARK/HIGHLAND MOVED TO AMEND MOTION TO REDUCE THE NUMBER OF LOTS.

A brief discussion on just recommending the number of lots be reduced without being specific on the number of lots to reduce to; over regulations on development; provide the opportunity to the applicants to reduce the number of lots and bring it back to the Commission; amending the motion does exactly that as the Applicant has expressed a willingness to work with the city and neighbors.

VOTE. NO. SMITH, CHIAPPONE, CONLEY

VOTE. YES. HIGHLAND, STARK

Motion failed.

There was no further discussion on the main motion.

VOTE. YES. CHIAPPONE, STARK

VOTE. NO. HIGHLAND, CONLEY, SMITH.

Motion failed.

Chair Smith called for a recess at 8:50 p.m. He called the meeting back to order at 8:58 p.m.

PUBLIC HEARINGS

A. Staff Report 22-59, Conditional Uses and Structures - Draft Ordinance Amending Title 21 Sections 21.12. Rural Residential District; 21.14, Urban Residential District; 21.16 Residential Office District 21.18 Central Business District; 21.20 Town Center District; 21.22 Gateway Business District; 21.24 GC1 General Commercial District 1; 21.26 GC2 General Commercial District 2; 21.27 East End Mixed Use District Regarding Conditional Uses in Each District. Planning Commission.

Staff Report 22-59 Conditional Use Permit Reduction

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

City Planner Abboud reviewed Staff Report 22-59 and noted the actions taken by the Planning Commission in each of the zoning districts. He noted the ordinance provides the input from the Commissioners at the September 7, 2022 regular meeting. City Planner Abboud stated that he has made some minor changes on intent and impact and provided the comprehensive review on the proposed amendments.

Chair Smith open the Public Hearing.

Karen Marks, city resident, commented that she appreciated the Commissions work on this and believed it will move toward an easier business climate and provides the time to work on those things that exceptionally difficult.

Jon Faulkner, 35 year city resident, owner operator of Lands' End Resort urged the Commission to consider a broader outreach as this significant change warrants more than social media, newspaper, and radio as they don't quite capture getting the word out to the community. He believed that this was a community consensus-driven process, and should use direct mail to advise the community. He believed that would be worth the costs of a dollar per resident at 3200 residents. He lives here and very specifically engaged and he learned about this because of attending the meeting to comment on another matter, but he believes that there are a lot of people like himself who care a great deal about this town and they may not be aware of some of these significant changes that this Commission is putting a lot of time into and Mr. Faulkner applauded the Commission for that effort. He then stated that he is an expert in development as he has spent a lifetime doing it. Condominium, hotel, residential, etcetera, etcetera. He believed that if you are truly interested in affordable housing because it is becoming the same word and almost a justification for everything that is being done he would like the Commission to apply the brakes on it for a bit and think about the context of these changes. What developer like himself might actually think about building affordable housing? An 8000 square foot limitation is the biggest impediment in his view to multifamily inexpensive housing. You are not going to get it from detached houses and that is where you keep focusing your energy. He referenced the development by Alex Treweiler located in Old Town as being a successful model. Mr. Faulkner provided an example of developing an 8000 square foot lot and the difficulties that would present to a developer. He requested the Commission to think about direct mailing the residents so that they can gain consensus on these changes.

Ken Castner, stated that when he became Mayor it was his ambition to reduce the number of conditional use permits, because that's been the root of almost all city litigation in court, and he urged the Commission at that time to either allow it or not. When there is a condition that can be permitted under certain set of circumstances, you are going to tell them how they have to conform. So there is a conformity issue, as well as the application where what you have effectively done through this change, and I congratulate you on doing it, because he believes it brings certainty by definitively stating what is either allowed or not. A person can still go for a conditional use permit, but with the expectation that there is going to be conditions.

Chair Smith seeing no further persons coming forward to provide testimony closed the public hearing. He then deferred to questions from the Commission.

Commissioner Highland noted a typographical error on line 18 of the draft ordinance, the word should be "forth" not "for" as written. She then questioned the number of residents in Homer is more in the number of 5500 referring to the comment from Mr. Faulkner regarding mailing notice of action to all city residents.

City Planner Abboud provided clarification that there are a few more opportunities to comment on this action as it will be going before the City Council. He then provided additional clarification and purpose for the changes that the Commission is recommending.

Chair Smith requested a motion and second.

HIGHLAND/CONLEY MOVE TO ADOPT STAFF REPORT 22-59 AND FORWARD DRAFT ORDINANCE AMENDING HOMER CITY CODE SECTIONS 21.12 RURAL RESIDENTIAL DISTRICT; 21.14, URBAN RESIDENTIAL DISTRICT; 21.16 RESIDENTIAL OFFICE DISTRICT; 21.18, CENTRAL BUSINESS DISTRICT; 21.20, TOWN CENTER DISTRICT;

21.22, GATEWAY BUSINESS DISTRICT; 21.24, GENERAL COMMERCIAL 1 DISTRICT; 21.26, GENERAL COMMERCIAL 2 DISTRICT; AND HOMER CITY CODE 21.27, EAST END MIXED USE DISTRICT REGARDING CONDITIONAL USES IN EACH DISTRICT TO CITY COUNCIL.

Commissioners commented on the time spent and the efforts expending in putting the information together to make all the changes.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Memorandum from Deputy City Clerk re: Final Draft Recommendations for Ordinance 22-42

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

City Planner Abboud reviewed the Memorandum prepared by Deputy City Clerk Krause. Chair Smith requested any amendments from the Commission, noting that the Clerk has requested all amendments be made by a motion.

HIGHLAND/STARK MOVED TO AMEND THE MEMORANDUM, RECOMMENDATION NUMBER TWO, TO STRIKE LANGUAGE AFTER THE WORD "PLANS".

Chair Smith noted that this amended statement was more representative of the overall discussion by the Commission to be sent to Council.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith requested additional amendments to the memorandum and hearing none he then requested a motion and second to adopt the memorandum as amended.

HIGHLAND/STARK MOVED TO ADOPT THE MEMORANDUM REGARDING RECOMMENDATIONS ON ORDINANCE 22-42 AS AMENDED AND FORWARD TO CITY COUNCIL FOR THE SEPTEMBER 26, 2022 MEETING.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.



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Staff Report PL 22-56

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: SEPTEMBER 7, 2022
SUBJECT: CUP REDUCTION

Introduction

I have made a draft ordinance for the Commission to review and make any changes necessary prior to holding a public hearing. It is quite a large ordinance with 10 sections and additional eyes on it will be valuable. The information about the districts are left in the staff report so that the recommendations may be reviewed for any concerns of the Commission.

A few minor changes have been made after looking at the revisions and considering all the ramifications. The major goal of the ordinance is to address the CUP's that have become routine and required the most minimal input from the Commission for approval. These items should be considered in context of the intent of the district in the Comprehensive Plan as well as the purpose of the district in code. While there is always a chance to improve the code, especially when we have exposed this amount, I don't want to stray too much from the concept of addressing CUP's as described above. This could quickly become a project of a much larger magnitude that would require a great amount of preparation and thought on additional recommendations. We also are embarking on a proposed revision of the Comprehensive Plan with a subsequent revision of code to ensure that we enact the plan. I don't want to get too far ahead of the time when we will be considering the internal workings of code.

I am noting what was changed according to the individual districts after the district summaries and have highlighted those items found to have been moved or been removed in code by the ordinance. I have landed on the permitting of up to 4 structures supporting residential units in districts supporting multifamily dwellings. Please provide feedback on the amount and consider if it should be something different. It is generally thought that the uses that have been moved to permitted uses have reasonable considerations in the district for their support.

Commissioners are requested to take a close look and move to make changes as they see fit. Pipelines and railroads are not removed yet, please vote on a motion if you wish. This will create a record on an item that was not address in the staff reports. Of course, make a motion and vote on anything else you feel needs to be changed and to accept the changes.

Analysis

Rural Residential (RR)

Comprehensive Plan

- **Intent** The R-3 district is intended to provide areas for low density residential development and limited agricultural pursuits.
- **Primary Use** Low-density residential development in outlying locations, generally with less services and/or lower level of service than in urban areas.
- **Other Uses, Allowances, and Specifications**
 - Areas generally not served by water and sewer, nor likely to be served in the near future.
 - Larger lot sizes or cluster subdivisions to preserve sense of open space.
 - Allows accessory housing units by right (subject to standards).
 - Allows bed and breakfasts by right, subject to standards (for purposes of this plan B&B defined as lodging where owner proprietor resides on site)
 - Allows home-based businesses by right, subject to standards; allows some larger non-retail business activities subject to administrative review.
- **Development standards**
 - Option for higher densities and cluster development. Encourage open space subdivisions as alternative to more typical lot layouts.
 - Ensure newer housing is compatible with character of older neighborhoods.

Homer City Code (HCC)

The purpose of the Rural Residential District is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

- a. Planned unit development, limited to residential uses only;
- b. Religious, cultural and fraternal assembly;
- c. Cemeteries;
- d. Kennels;
- e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;
- f. Mobile home parks;
- g. Public utility facilities and structures;
- h. Pipelines and railroads;
- i. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- j. Day care facilities; provided, however, that outdoor play areas must be fenced;
- k. Group care home;
- l. Assisted living home;
- m. [More than one building containing a permitted principal use on a lot;](#)
- n. Indoor recreational facilities;

- o. Outdoor recreational facilities;
- p. Public school and private school;
- q. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot

a. Lot Size.

1. The minimum lot area shall be 40,000 square feet, plus 40,000 square feet for each dwelling unit in excess of one unit in areas not served by public sewer and water.
2. Each lot shall contain a minimum of 20,000 square feet, plus 20,000 square feet per dwelling unit in excess of one unit if one of the following conditions exists:
 - a. The lot is served by public water supply approved by the State Department of Environmental Conservation; or
 - b. The lot is served by public or community sewer approved by the State Department of Environmental Conservation.
3. Each lot shall contain a minimum of 10,000 square feet, plus 10,000 square feet per dwelling unit in excess of one unit if the lot is served by both public water and sewer that satisfy both conditions of subsection (a)(2) of this section.

Staff: Added allowance for up to 4 dwellings according to density allowance and when located in an area for consideration of Urban Residential zoning as identified by the Land Use Recommendations map in the Comprehensive Plan.

Urban Residential (UR)

Comprehensive Plan

UR (URBAN RESIDENTIAL)

- **Intent** The R-1 district is intended to provide more intense residential development in the city core, in a manner that matches Homer's small town character and encourages increased densities near pedestrian-oriented commercial areas.
- **Primary Use** Medium and medium-high density residential including single-family, duplex, and multiple-family; allow for a variety in housing types and housing price levels.
- **Other Uses, Allowances, and Specifications**
 - Areas generally served by water and sewer; central locations with excellent access to a range of urban services and facilities.
 - Residential is primary use; but allows for other uses where these uses maintain residential character.
 - Moderate lot size minimums (for example, 6000 square foot lots for single family homes).

- Allows bed and breakfasts by right, allows second units and duplexes by right (both subject to standards). (For purposes of this plan, a B&B is defined as lodging where owner proprietor resides on site.)
- Allows home-based businesses by right (subject to standards).
- **Development standards**
 - Encourage attractive, diverse housing types (vs. “cookie-cutter” subdivisions).
 - Ensure newer housing is compatible with character of older neighborhoods (for example, by requiring transitional densities, buffer uses).

Homer City Code (HCC)

The Urban Residential District is primarily intended to provide a sound environment for medium-density residential occupancy including single-family, duplex and low-rise multiple-family dwellings of various types and designs and other compatible uses as provided in this chapter.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit development, excluding all industrial uses;
- b. [Townhouse developments](#);
- c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- d. Religious, cultural and fraternal assembly;
- e. Hospitals;
- f. Pipelines and railroads;
- g. Storage of heavy equipment or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- h. Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;
- i. Group care home;
- j. Assisted living home;
- k. [More than one building containing a permitted principal use on a lot](#);
- l. Indoor recreational facilities;
- m. Outdoor recreational facilities;
- n. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.

Dimensional requirements *(these are standards commonly referred to in other districts)*

2. Multiple-family dwelling containing three or more units shall meet the following standards:
 - a. The total floor area shall not be more than four-tenths the lot area;

b. The total open area shall be at least 1.1 times the total floor area. Open area is any portion of the lot not covered or used for parking spaces and maneuvering.

Staff: Moved townhouses to permitted use and allowed up to 4 dwellings subject to dimensional requirements of multi-family floor area ratio standards.

Residential Office (RO)

Comprehensive Plan

RO (RESIDENTIAL OFFICE)

- **Intent** The intent of the RO district is to allow for a range of residential and residential compatible uses. While allowing office, certain commercial and other business uses, buildings and sites must have a scale and character similar to single family detached or small multi-family homes. This district serves as a transition zone between commercial and residential neighborhoods.
- **Primary Use** Provide a mix of low-density to medium-density residential uses with certain specified businesses and offices which may include professional services, administrative services and/or personal services, but does not include direct retail or wholesale transactions except for sales which are incidental to the provision of services.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services, close to other urban services.
 - Moderate lot size minimums (for example, 7500 square feet); allows for attached housing.
 - Guide use to create/maintain an attractive highway environment
- **Design and development standard**
 - Required (not advisory) standards to maintain residential character/residential scale of buildings (e.g., height, setbacks, parking location, signage).
 - Advisory design guidelines regarding building style (e.g., use of materials, architectural style).
 - Allow for limited commercial signage, consistent with overall goal of retaining a largely residential character.

Homer City Code (HCC)

The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance

the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, excluding all industrial uses;
- b. [Townhouses](#);
- c. Public or private schools;
- d. Hospitals and [medical clinics](#);
- e. Public utility facilities and structures;
- f. [Mortuaries](#);
- g. [Day care facilities](#); provided, however, that outdoor play areas must be fenced;
- h. [More than one building containing a permitted principal use on a lot](#);
- i. [Group care homes](#);
- j. Helipads, but only as an accessory use incidental to a hospital conditional use;
- k. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- l. Other uses approved pursuant to HCC 21.04.020.

Dimensional requirements

- e. No lot shall contain more than 8,000 square feet of building area (all buildings combined), [nor shall any lot contain building area in excess of 30 percent of the lot area](#), without an approved conditional use permit.

Staff: Added townhouse, mortuaries, daycare, group homes and up to four dwellings subject to multi-family floor area ratios to permitted uses. Moved requirement for a CUP regarding building area coverage from 30% to 40%. Also eliminated the retail sales of hardware etc. and plumbing and etc. as these 'laundry lists' of uses are unnecessary and would be allowed by the current permitted uses pertaining to retail businesses (HCC 21.20.020(a)) and plumbing etc. (HCC 21.20.020(s)).

Medical District (M)

Comprehensive Plan

MEDICAL DISTRICT

Intent: Acknowledge demand for medical services will increase with a larger, aging population. Enact zoning regulations that allow medical services to expand with the growing need for life long medical care, in a localized area near the hospital.

Homer City Code (HCC)

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

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

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

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: No change.

Central Business District (CBD)

Comprehensive Plan

CBD (CENTRAL BUSINESS DISTRICT)

- **Intent** The intent of the CBD commercial district is to provide a mixed use business district in the core area of Homer, with greater allowance for vehicular use than in the Downtown district, but still with a character that encourages pedestrian use.
- **Primary Use** Provide a centrally located area within the City for a mixture of urban uses and activities, including general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and related businesses, civic uses, recreation, and residential uses. Allow a mixture of residential and commercial uses but conflicts resolved in favor of business.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - On-site parking required (option for shared parking with an approved parking plan).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right
- **Development standards include:**
 - Create an attractive, pedestrian-oriented environment (e.g., landscaped parking, standards to humanize buildings such as clearly articulated entries).
 - Advisory guidelines regarding design character, so buildings and other structures within the district are compatible with one another and with the surrounding area.
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

Community Design Manual – Applicable to uses and structures requiring a CUP

Chapter 1. Architecture, Chapter 2. Site Design, Chapter 3. Lighting (applicable to all uses).

These Chapter's apply to all non-residential uses and uses with more than 12 residential units in the Central Business District.

Homer City Code (HCC)

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

- a. Planned unit developments, excluding all industrial uses;
- b. **Indoor recreational facilities and outdoor recreational facilities;**

- c. Mobile home parks;
- d. Auto fueling stations;
- e. Public utility facilities and structures;
- f. Pipeline and railroads;
- g. Greenhouses and garden supplies;
- h. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- i. Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;
- j. More than one building containing a permitted principal use on a lot;
- k. Group care homes and assisted living homes;
- l. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;
- m. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- n. Other uses approved pursuant to HCC 21.04.020.

4. If approved by a conditional use permit, the setback from a dedicated right-of-way, except from the Sterling Highway or Lake Street, may be reduced.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: Moved greenhouses, group homes, assisted living homes, indoor and outdoor recreational facilities, and up to 4 dwelling units subject to multi-family floor areas ratios to permitted uses. Moved building area coverage from 30% to 50% for a CUP.

Town Center District (TC)

Town Center Plan

The following goals and objectives from the Homer Comprehensive Plan (1999 Update) are particularly relevant to planning for development in Homer's Town Center:

- Improve the attractiveness and usability of the business core to encourage use of the area.
- Encourage a balance of open space and attractive, retail-oriented development of vacant land in the business/core area.
- Actively pursue a theme for Pioneer Avenue. Support the establishment of a Town Square and connecting green spaces through town.
- Develop an integrated system of trails, sidewalks, and walkways to connect City parks, schools, recreational areas, and the downtown core area.
- Encourage and enhance the cultural and educational amenities of Homer.
- Guide growth and development in areas planned or zoned Central Business District (CBD) to provide a centrally located business/commercial area and focal point for the community.
- The City, in cooperation with private business owners, shall research and evaluate steps involved in creating and enabling a Pioneer Avenue theme and town square to become a reality.
- Work with the community to develop a centralized Town Square that includes a cultural center, interfacing with existing organizations and institutions to explore partnerships and shared parking.
- Investigate innovative funding mechanisms to provide funding for development of the Town Square with cultural and other facilities and public art programs

Homer City Code (HCC)

The primary purpose of the Town Center District is to provide a centrally located area in Homer for a core business area and a community focal point. Pedestrian-friendly designs and amenities are encouraged.

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

- a. Planned unit developments, limited only to uses otherwise permitted in this district;
- b. Indoor recreational facilities;
- c. Greenhouses and garden supplies;
- d. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- e. Group care homes and assisted living homes;
- f. Other uses approved pursuant to HCC 21.04.020;
- g. Outdoor recreational facilities;

h. Customary accessory uses to any of the permitted uses listed in the TCD district; provided, that a separate permit shall not be issued for the construction of any type of accessory building prior to that of the main building;

i. Self-service laundries;

j. Retail sales of hardware, appliances and furniture, building supplies and materials, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings;

k. Plumbing, heating and appliance repair shops, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings;

l. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system on any capacity of the lot

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

A conditional use permit is required for every use that:

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

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

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

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

Staff: Added greenhouses, indoor and outdoor recreational facilities, group care and assisted living facilities, and self-service laundries to permitted uses.

Gateway Business District (GBD)

Comprehensive Plan

G-MU (Gateway Mixed Use)

- **Intent** The intent of the G-MU district is to provide land uses that primarily cater to the tourism and visitor industry of Homer and to promote year round activity. The gateway district serves as the primary roadway entry into Homer. It will provide an attractive built environment and promote those uses that will not compete with the DT, CBD and GC districts.
- **Primary Use** Promote mixed-use development, with emphasis on the visitor industry. Serve needs and interests of the visitor industry, as well as year-round

- residents and Homer's role as the Gateway to Kachemak Bay (not to conflict w/CBD). Minimize future traffic congestion along the Sterling Highway corridor and preserve the experience residents and visitors have when entering Homer by way of the Sterling Highway.
- Commercial uses are primary objective; focus on “Gateway” appropriate businesses such as visitor amenities, hotels – no gas stations, fast-food, strip development.
 - **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
 - **Development standards**
 - Advisory guidelines re “Gateway” design character.
 - Encourage parking behind buildings (through appropriate set-back rules).
 - Design standards that create an entry point the community can be proud of - attractive, pedestrian-oriented to a degree (e.g., landscaped parking).
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

Community Design Manual – Applicable to uses and structures requiring a CUP

Chapter 1. Architecture, Chapter 2. Site Design, Chapter 3. Lighting (applicable to all uses).

These Chapter’s apply to all non-residential uses and uses with more than 12 residential units in the Central Business District.

Homer City Code (HCC)

The purpose of the Gateway Business District is primarily to promote mixed use development, with an emphasis on visitor-oriented business. Conflicts between residential and business uses are resolved in favor of business. Among the goals of the Gateway Business District regulations are the minimization of future traffic congestion along the Sterling Highway corridor, and preservation of the favorable experience residents and visitors have when entering Homer by way of the Sterling Highway.

The following conditional uses may be permitted in the Gateway Business District when authorized in accordance with Chapter 21.71 HCC:

- a. More than one building containing a permitted principal use on a lot.
- b. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.

c. Other uses approved pursuant to HCC 21.04.020.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: Added up to 4 dwelling units subject to floor area ratios of multi-family and moved from 30% to 40% building coverage required for a CUP.

General Commercial 1 (GC1)

Comprehensive Plan

- **Intent** The intent of the GC-1 district is to provide for auto-oriented business.
- **Primary Use** Provide for a diverse array of commercial, retail, and civic uses; commercial uses are primary objective. Applied in locations where the auto is primary means of access.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Residential densities – for example, residential uses up to 6 units per acre allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
 - On-site parking required (option for shared parking with an approved parking plan).
 - Guide use to create/maintain an attractive highway environment.
- **Development standards** include:
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).
 - Provide for safe pedestrian circulation.

Homer City Code (HCC)

The General Commercial 1 (GC1) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area, and to provide business locations in proximity to arterials and transportation centers. It is also intended to minimize congestion and adverse effects on adjacent residential districts and on the appearance of the community.

The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Campgrounds;
- b. Crematoriums;
- c. Multiple-family dwelling;
- d. Public utility facility or structure;
- e. Mobile home parks;
- f. Planned unit developments;
- g. Townhouses;
- h. Pipelines and railroads;
- i. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;
- j. More than one building containing a permitted principal use on a lot;
- k. Day care facilities; provided, however, that outdoor play areas must be fenced;
- l. Other uses approved pursuant to HCC 21.04.020;
- m. Indoor recreational facilities;
- n. Outdoor recreational facilities.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: Moved townhouses daycare facilities, indoor and outdoor recreational facilities, and more than one building on a lot to permitted uses. I left multi-family as a conditional use as the GC1 district is really meant to support commercial and multi-family should have some oversight to whether or not the conditions of a particular lot are better to support dwellings, which are not allowed otherwise. Moved standard for CUP from 30% lot coverage to 40%.

General Commercial 2 (GC2)

Comprehensive Plan

- **Intent** The intent of the GC-2 district is to locate commercial and industrial uses where access to transportation infrastructure is a primary consideration. This district will also serve as a reserve to allow for future commercial and industrial expansion.
- **Primary Use** Promote a sound heavy commercial area within the community with good access to main roads, and reserve land for future industrial expansion. Designed to permit manufacturing, processing, assembly, packaging, or treatment of products within enclosed utilities and facilities required to serve these uses. Residential uses permitted, recognizing the primacy of light industrial and commercial activities. Residential uses limited; certain retail enterprises limited. Performance standards for heavy commercial uses, especially where the district abuts other zoning districts. Allows for heavier commercial uses – manufacturing, processing, packaging, and support of airport activities / needs.
- **Other Uses, Allowances, and Specifications**
 - Accessible by vehicle/direct access.
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD
 - On-site parking required.
- **Development standards include:**
 - Minimal – basic guidelines for parking, minimal setbacks
 - Encourage basic landscaping, screening

Homer City Code (HCC)

The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited.

The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Mobile home parks;
- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;
- l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;
- m. More than one building containing a permitted principal use on a lot;
- n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- o. Group care homes and assisted living homes;
- p. Other uses approved pursuant to HCC 21.04.020;
- q. Indoor recreational facilities;
- r. Outdoor recreational facilities.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: Added impound yards, more than on building containing a permitted principle use on a lot and indoor and our door recreation facilities to permitted uses. Eliminated mobile home parks, day care facilities, group and assisted living homes from the district as they are incompatible with the intent district. Removed requirement for over 8000 sf and 30% building coverage to trigger a CUP.

East End Mixed Use District (EEMU)

Comprehensive Plan

- **Intent** The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and to ensure such uses, which are important to Homer's economy, continue to have a viable location.
- **Primary Use** Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but residential/retail and commercial conflicts will be resolved in favor of commercial/industrial uses.
- **Other Uses, Allowances and Specifications**
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD.
 - On-site parking required.
 - Guide use to create/maintain an attractive highway environment.
- **Development standards**
 - Minimal – basic guidelines for parking, setbacks.
 - Encourage basic landscaping.
 - Properties adjacent to the Conservation zone should use best management practices when developing near the southern edge of the property. Strategies may include, but are not limited to, 100 foot buffer zones along the southern property lines adjacent to the conservation areas, tree retention (bird habitat, moose cover), habitat and vegetation retention, and storm water and pollution management techniques. Developers are encouraged to use a combination of techniques to minimize impacts within 100 feet of the south property line and to provide for storm water filtration. Development is encouraged to concentrate on the northern portions of these lots.

Homer City Code (HCC)

The East End Mixed Use (EEMU) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area. The district is meant to accommodate a mixture of existing and accessory residential with nonresidential uses. When a conflict exists between residential and nonresidential uses conflicts shall be resolved in favor of nonresidential uses.

The following conditional uses may be permitted in the East End Mixed Use District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC:

- a. Construction camps;

- b. Extractive enterprises, including crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- c. Auto fueling stations;
- d. Bulk petroleum product storage;
- e. Planned unit developments;
- f. Junk yard;
- g. Kennels;
- h. Public utility facilities and structures;
- i. Impound yards;
- j. Indoor recreational facilities;
- k. Outdoor recreational facilities;
- l. Other uses approved pursuant to HCC [21.04.020](#).

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: Moved indoor and outdoor recreational facilities to permitted uses. Removed requirement for over 8000 sf and 30% building coverage to trigger a CUP.

Staff Recommendation

Discuss changes and make motions to make any changes and recommend for public hearing.

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 22-XX

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.12, RURAL RESIDENTIAL DISTRICT; HOMER CITY CODE 21.14, URBAN RESIDENTIAL DISTRICT; HOMER CITY CODE 21.12 RESIDENTIAL OFFICE DISTRICT; HOMER CITY CODE 21.18, CENTRAL BUSINESS DISTRICT; HOMER CITY CODE 21.20 TOWN CENTER DISTRICT; HOMER CITY CODE 21.22, GATEWAY BUSINESS DISTRICT; HOMER CITY CODE 21.24, GENERAL COMMERCIAL 1 DISTRICT; HOMER CITY CODE 21.26, GENERAL COMMERCIAL 2 DISTRICT; HOMER CITY CODE 21.27, EAST END MIXED USE DISTRICT

WHEREAS,

WHEREAS,

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code Chapter 21.12, Rural Residential District is amended to read as follows:

21.12.020 Permitted uses and structures.

The following uses are permitted outright in the Rural Residential District:

- a. Single-family dwelling;
- b. Duplex dwelling;
- c. Multiple-family dwelling, only if the structure conforms to HCC 21.14.040(a)(2);
- d. Public parks and playgrounds;
- e. Rooming house, bed and breakfast and hostel;
- f. Home occupations, provided they conform to the requirements of HCC 21.51.010;
- g. Agricultural activities, including general farming, truck farming, livestock farming, nurseries, and greenhouses; provided, that:
 1. Other than normal household pets, no poultry or livestock may be housed and no fenced runs may be located within 100 feet of any residence other than the dwelling on the same lot;
 2. No retail or wholesale business sales office is maintained on the premises;

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

- 48
49 h. Private stables;
50
51 i. Private floatplane tie-down as an accessory use incidental to residential use;
52
53 j. Storage of personal commercial fishing gear in a safe and orderly manner and separated by at least
54 five feet from any property line as an accessory use incidental to residential use;
55
56 k. As an accessory use incidental to residential use, the private outdoor storage of noncommercial
57 equipment, including noncommercial trucks, boats, and not more than one recreational vehicle in a
58 safe and orderly manner and separated by at least five feet from any property line, provided no stored
59 equipment, boat or vehicle exceeds 36 feet in length;
60
61 l. Other customary accessory uses incidental to any of the permitted uses listed in the RR district;
62 provided, that no separate permit shall be issued for the construction of any detached accessory
63 building prior to that of the main building;
64
65 m. Temporary (seasonal) roadside stands for the sale of produce grown on the premises;
66
67 n. Mobile homes, subject to the requirements of HCC 21.54.100;
68
69 o. Day care homes; provided, however, that outdoor play areas must be fenced;
70
71 p. Recreational vehicles, subject to the requirements of HCC 21.54.320;
72
73 q. Open space, but not including outdoor recreational facilities described in HCC 21.12.030;
74
75 r. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10
76 kilowatts;
77
78 s. ~~One detached~~ **Up to four** dwelling units, excluding mobile homes, ~~as an accessory building to a~~
79 ~~principal single family dwelling~~ on a lot subject to the requirements of HCC 21.12.040 **and located in**
80 **an area designated for Urban Residential zoning by the Future Land Use Map in the 2018 Homer**
81 **Comprehensive Plan.**

82
83 Section 2. Homer City Code Chapter 21.14, Urban Residential District is amended as follows:

84
85 21.14.020 Permitted uses and structures.

86
87 The following uses are permitted outright in the Urban Residential District:

- 88
89 a. Single-family dwelling, excluding mobile home;
90
91 b. Duplex dwelling, excluding mobile home;
92
93 c. Multiple-family dwelling, only if the structure conforms to HCC 21.14.040(a)(2) and excluding mobile
94 home;

- 95
96 d. Public parks and playgrounds;
97
98 e. Home occupations, provided they conform to the requirements of HCC 21.51.010;
99
100 f. Rooming house, bed and breakfast and hostel;
101
102 g. Private floatplane tie-up facility as an accessory use incidental to residential use;
103
104 h. As an accessory use incidental to residential use, storage of personal commercial fishing gear in a
105 safe orderly manner and separated by at least five feet from any property line;
106
107 i. As an accessory use incidental to residential use, the private outdoor storage of noncommercial
108 equipment, including noncommercial trucks, boats, and not more than one recreational vehicle in a
109 safe and orderly manner and separated by at least five feet from any property line, provided no stored
110 equipment, boat or vehicle exceeds 36 feet in length;
111
112 j. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory to a residential use
113 in a manner consistent with the requirements of all other provisions of the Homer City Code and as long
114 as such animals are pets of the residents of the dwelling and their numbers are such as not to
115 unreasonably annoy or disturb occupants of neighboring property;
116
117 k. Customary accessory uses to any of the permitted uses listed in the UR district; provided, that no
118 separate permit shall be issued for the construction of any detached accessory building prior to that of
119 the main building;
120
121 l. Day care homes; provided, however, that outdoor play areas must be fenced;
122
123 m. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
124
125 n. Open space, not including outdoor recreational facilities;
126
127 o. Public schools and private schools;
128
129 p. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10
130 kilowatts;
131
132 q. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-
133 family dwelling on a lot.

134
135 **r. Townhouse developments**

136
137 **s. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
138 **excluding mobile homes.**

139
140 **21.14.030 Conditional uses and structures.**
141

142 The following uses may be permitted in the Urban Residential District when authorized by conditional
143 use permit issued in accordance with Chapter 21.71 HCC:

- 144
- 145 a. Planned unit development, excluding all industrial uses;
- 146
- 147 ~~b. Townhouse developments;~~
- 148
- 149 ~~eb.~~ Day care facilities; provided, however, that outdoor play areas must be fenced;
- 150
- 151 ~~ec.~~ Religious, cultural and fraternal assembly;
- 152
- 153 ~~ed.~~ Hospitals;
- 154
- 155 ~~fe.~~ Pipelines and railroads;
- 156
- 157 ~~gf.~~ Storage of heavy equipment or boats over 36 feet in length as an accessory use incidental to a
158 permitted or conditionally permitted principal use;
- 159
- 160 ~~hf.~~ Private stables and the keeping of larger animals not usually considered pets, including paddocks
161 or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental
162 to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or
163 annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;
- 164
- 165 ~~ih.~~ Group care home;
- 166
- 167 ~~ji.~~ Assisted living home;
- 168
- 169 ~~kj.~~ More than one building containing a permitted principal use on a lot;
- 170
- 171 ~~lk.~~ Indoor recreational facilities;
- 172
- 173 ~~ml.~~ Outdoor recreational facilities;
- 174
- 175 ~~nm.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is
176 the only wind energy system of any capacity on the lot.
- 177

178 Section 3. Homer City Code Chapter 21.16, Urban Residential Office District is amended as
179 follows:

180

181 21.16.020 Permitted uses and structures.

182

183 The following uses are permitted outright in the Residential Office District:

184

- 185 a. Single-family and duplex dwelling, excluding mobile homes;
- 186
- 187 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and excluding
188 mobile homes;

- 189
190 c. Public parks and playgrounds;
191
192 d. Rooming house, bed and breakfast and hostel;
193
194 e. Home occupations; provided they conform to the requirements of HCC 21.51.010;
195
196 f. Professional offices and general business offices;
197
198 g. Personal services;
199
200 h. Museums, libraries and similar institutions;
201
202 i. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
203
204 j. Religious, cultural and fraternal assembly;
205
206 k. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner and
207 separated by at least five feet from any property line as an accessory use incidental to a permitted or
208 conditionally permitted principal use;
209
210 l. Private exterior storage of the occupant's personal noncommercial equipment, including
211 noncommercial trucks, boats, campers and not more than one recreational vehicle in a safe and orderly
212 manner and separated by at least five feet from any property line as an accessory use incidental to a
213 permitted or conditionally permitted principal use;
214
215 m. Other customary accessory uses to any of the permitted uses listed in the Residential Office District;
216 provided, that no separate permit shall be issued for the construction of any detached accessory
217 building prior to that of the main building;
218
219 n. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a manner
220 consistent with the requirements of the Homer City Code and as long as such animals are kept as pets
221 and their numbers are such as not to unreasonably annoy or disturb occupants of neighboring
222 property;
223
224 o. Day care homes; provided, however, that outdoor play areas must be fenced;
225
226 p. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
227
228 q. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10
229 kilowatts;
230
231 r. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-
232 family dwelling on a lot.

233
234 **s. Townhouses**
235

236 **t. Mortuaries**

237

238 **u. Day care facilities; provided, however, that outdoor play areas must be fenced;**

239

240 **v. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
241 **excluding mobile homes.**

242

243 **w. Group care homes.**

244

245 21.16.030 Conditional uses and structures.

246

247 The following uses may be permitted in the Residential Office District when authorized by conditional
248 use permit issued in accordance with Chapter 21.71 HCC:

249

250 a. Planned unit developments, excluding all industrial uses;

251

252 ~~b. Townhouses;~~

253

254 ~~eb.~~ Public or private schools;

255

256 ~~dc.~~ Hospitals and medical clinics;

257

258 ~~ed.~~ Public utility facilities and structures;

259

260 ~~f. Mortuaries;~~

261

262 ~~g. Day care facilities; provided, however, that outdoor play areas must be fenced;~~

263

264 ~~he.~~ More than one building containing a permitted principal use on a lot;

265

266 ~~i. Group care homes;~~

267

268 ~~jh.~~ Helipads, but only as an accessory use incidental to a hospital conditional use;

269

270 k. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the
271 only wind energy system of any capacity on the lot;

272

273 l. Other uses approved pursuant to HCC 21.04.020.

274

275 21.16.040 Dimensional requirements.

276

277 The following dimensional requirements shall apply to all structures and uses in the Residential
278 Office District:

279

280 a. The minimum lot size is 7,500 square feet.

281

282 b. Building Setbacks.

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1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

2. Residential buildings shall be set back from all other lot boundary lines according to the number of stories as follows:

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

3. Nonresidential buildings shall be set back 15 feet from all other lot boundary lines, except that this setback may be reduced to not less than the setback that would apply under subsection (b)(2) of this section if the reduction is approved by the State Fire Marshal.

c. The maximum building height shall be 35 feet.

d. Detached accessory buildings may not occupy more than 25 percent of a required rear or side yard and no portion of a required front yard, and shall be located at least five feet from the nearest part of a main building and five feet from all property lines.

e. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of ~~30~~**40** percent of the lot area, without an approved conditional use permit.

Section 4. Homer City Code Chapter 21.18, Central Business District is amended to read as follows:

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;
- b. Personal service establishments;
- c. Professional offices and general business offices;
- d. Restaurants, clubs and drinking establishments that provide food or drink for consumption on the

- 330 premises;
- 331
- 332 e. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- 333
- 334 f. Hotels and motels;
- 335
- 336 g. Mortuaries;
- 337
- 338 h. Single-family, duplex, and multiple-family dwellings, including townhouses, but not including mobile
- 339 homes;
- 340
- 341 i. Floatplane tie-up facilities and air charter services;
- 342
- 343 j. Parks;
- 344
- 345 k. Retail and wholesale sales of building supplies and materials, only if such use, including storage of
- 346 materials, is wholly contained within one or more enclosed buildings;
- 347
- 348 l. Customary accessory uses to any of the permitted uses listed in the CBD district; provided, that a
- 349 separate permit shall not be issued for the construction of any detached accessory building prior to
- 350 that of the main building;
- 351
- 352 m. Mobile homes, provided they conform to the requirements set forth in HCC 21.54.100;
- 353
- 354 n. Home occupations, provided they conform to the requirements of HCC 21.51.010;
- 355
- 356 o. Ministorage;
- 357
- 358 p. Apartment units located in buildings primarily devoted to business or commercial uses;
- 359
- 360 q. Religious, cultural, and fraternal assembly;
- 361
- 362 r. Entertainment establishments;
- 363
- 364 s. Public, private and commercial schools;
- 365
- 366 t. Museums and libraries;
- 367
- 368 u. Studios;
- 369
- 370 v. Plumbing, heating and appliance service shops, only if such use, including the storage of materials,
- 371 is wholly within an enclosed building;
- 372
- 373 w. Publishing, printing and bookbinding;
- 374
- 375 x. Recreational vehicle parks only if located south of the Sterling Highway (Homer Bypass) from Lake
- 376 Street west to the boundary of the Central Business District abutting Webber Subdivision, and from

377 Heath Street to the west side of Lakeside Village Subdivision, provided they shall conform to the
378 standards in HCC 21.54.200 and following sections;

379
380 y. Taxi operation limited to a dispatch office and fleet parking of no more than five vehicles;
381 maintenance of taxis must be conducted within an enclosed structure, and requires prior approval by
382 the City Planner of a site, access and parking plan;

383
384 z. Mobile food services;

385
386 aa. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this
387 zoning district;

388
389 bb. Day care homes and facilities; provided, however, that outdoor play areas must be fenced;

390
391 cc. Rooming house, bed and breakfast and hostel;

392
393 dd. Auto repair and auto and trailer sales or rental areas, but only on Main Street from Pioneer Avenue
394 to the Sterling Highway, excluding lots with frontage on Pioneer Avenue or the Sterling Highway,
395 subject to the following additional requirements: Vehicles awaiting repair or service, inoperable
396 vehicles, vehicles for parts, and vehicles awaiting customer pickup shall be parked indoors or inside a
397 fenced enclosure so as to be concealed from view, on all sides. The fence shall be a minimum height of
398 eight feet and constructed to prohibit visibility of anything inside of the enclosure. The portion of any
399 vehicle exceeding eight feet in height may be visible outside of the fence. Vehicle parts (usable or
400 unusable), vehicle service supplies, and any other debris created in the repair or servicing of vehicles
401 shall also be stored indoors or inside the fenced enclosure out of view of the public;

402
403 ee. Farmers' market;

404
405 ff. Dormitory;

406
407 gg. Financial institutions;

408
409 hh. As an accessory use, one small wind energy system per lot having a rated capacity not exceeding 10
410 kilowatts;

411
412 ii. One detached dwelling unit, excluding mobile homes, as an accessory building to a principal single-
413 family dwelling on a lot;

414
415 jj. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as
416 defined by State law;

417
418 kk. Medical clinics.

419
420 **ll. Greenhouses and garden supplies.**

421
422 **mm. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
423 **excluding mobile homes or for commercial use.**

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nn. Group care homes and assisted living homes

mm. Indoor and outdoor recreational facilities.

21.18.030 Conditional uses and structures

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

- a. Planned unit developments, excluding all industrial uses;
- ~~b. Indoor recreational facilities and outdoor recreational facilities;~~
- ~~eb.~~ Mobile home parks;
- ~~dc.~~ Auto fueling stations;
- ~~ed.~~ Public utility facilities and structures;
- ~~fe.~~ Pipeline and railroads;
- ~~g. Greenhouses and garden supplies;~~
- ~~hf.~~ Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- ~~ig.~~ Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;
- ~~jh.~~ More than one building containing a permitted principal use on a lot;
- ~~k. Group care homes and assisted living homes;~~
- ~~ij.~~ Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;
- ~~mj.~~ One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- ~~nk.~~ Other uses approved pursuant to HCC 21.04.020.

21.18.040 Dimensional requirements.

The following dimensional requirements shall apply to all structures and uses in the Central Business District:

471 a. Lot Size.

472

473 1. The minimum lot area shall be 6,000 square feet. Lawful nonconforming lots of smaller size
474 may be newly developed and used if off-site parking is provided in accordance with the City
475 parking code, Chapter 21.55 HCC;

476

477 2. Multiple-family dwelling containing three or more units shall meet the standards in HCC
478 21.14.040(a)(2);

479

480 3. Townhouses shall meet the standards in HCC 21.53.010.

481

482 b. Building Setbacks.

483

484 1. Buildings shall be set back 20 feet from all dedicated rights-of-way, except as allowed by
485 subsection (b)(4) of this section.

486

487 2. Nonresidential buildings shall be set back five feet from all other lot boundary lines except
488 the minimum setback shall be two feet from all other boundary lines when firewalls are
489 provided and access to the rear of the building is otherwise provided (e.g., alleyways) as defined
490 by the State Fire Code and enforced by the State Fire Marshal.

491

492 3. Residential buildings shall be set back five feet from all other lot boundary lines.

493

494 4. If approved by a conditional use permit, the setback from a dedicated right-of-way, except
495 from the Sterling Highway or Lake Street, may be reduced.

496

497 5. Alleys are not subject to a 20-foot setback requirement. The setback requirements from any
498 lot line abutting an alley will be determined by the dimensional requirements of subsections
499 (b)(1) and (2) of this section.

500

501 6. Any attached or detached accessory building shall maintain the same yards and setbacks as
502 the main building.

503

504 c. Building Height. The maximum building height shall be 35 feet.

505

506 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall
507 any lot contain building area in excess of ~~30~~**50** percent of the lot area, without an approved conditional
508 use permit.

509

510 e. Building Area and Dimensions – Retail and Wholesale.

511

512 1. The total floor area of retail and wholesale business uses within a single building shall not
513 exceed 75,000 square feet.

514

515 2. No conditional use permit, planned unit development, or variance may be granted that
516 would allow a building to exceed the limits of subsection (e)(1) of this section and no
517 nonconforming use or structure may be expanded in any manner that would increase its

518 nonconformance with the limits of subsection (e)(1) of this section.

519

520 Section 5. Homer City Code Chapter 21.20, Town Center District is amended as follows:

521

522 21.20.020 Permitted uses and structures

523

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

526

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

529

530 b. Personal service establishments;

531

532 c. Offices;

533

534 d. Restaurants, clubs and drinking establishments which provide food or drink for consumption on
535 the premises;

536

537 e. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;

538

539 f. Hotels and motels;

540

541 g. Single-family, duplex, and multiple-family dwellings, but not including mobile homes or
542 townhouses;

543

544 h. Townhouses subject to the standards of HCC 21.53.010(c), (f), (h), (i), and (o) only;

545

546 i. Parks;

547

548 j. Financial institutions;

549

550 k. Retail sale of building supplies and materials, only if such use, including storage of materials, is
551 wholly contained within an enclosed building;

552

553 l. Home occupations, provided they conform to the standards in HCC 21.51.010;

554

555 m. Dwelling units and nonresidential uses in the same building, if each use is otherwise allowed
556 by this chapter;

557

558 n. Religious, cultural and fraternal assemblies;

559

560 o. Entertainment establishments;

561

562 p. Private, public, and commercial schools;

563

564 q. Museums and libraries;

- 565
566 r. Studios;
567
568 s. Plumbing, heating and appliance service shops, only if such use, including the storage of materials,
569 is wholly within an enclosed building;
570
571 t. Publishing, printing and bookbinding;
572
573 u. Mobile food services on City-owned land only;
574
575 v. Transient or itinerant merchants, provided all activities shall be limited to uses permitted outright
576 under this zoning district, and only on City-owned land;
577
578 w. Day care homes and facilities; provided, however, that play areas must be fenced;
579
580 x. Rooming house, bed and breakfast and hostel;
581
582 y. Farmers' market;
583
584 z. More than one building containing a principal permitted use on a lot.

585
586 **aa. Greenhouse and garden supplies**

587
588 **bb. Indoor and outdoor recreational facilities**

589
590 **cc. Group care and assisted living facilities.**

591
592 **dd. Self-service laundries**

593
594 21.20.030 Conditional uses and structures.

595
596 The following uses may be permitted in the Town Center District when authorized by conditional use
597 permit issued in accordance with Chapter 21.71 HCC:

- 598
599 a. Planned unit developments, limited only to uses otherwise permitted in this district;
600
601 b. Indoor recreational facilities;
602
603 ~~c. Greenhouses and garden supplies;~~
604
605 ~~dc.~~ Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including
606 storage of materials, is wholly within an enclosed building;
607
608 ~~e. Group care homes and assisted living homes;~~
609
610 ~~fd.~~ Other uses approved pursuant to HCC 21.04.020;
611

- 612 ~~ge.~~ Outdoor recreational facilities;
613
614 ~~hf.~~ Customary accessory uses to any of the permitted uses listed in the TCD district; provided, that a
615 separate permit shall not be issued for the construction of any type of accessory building prior to that
616 of the main building;
617
618 ~~i.~~ Self-service laundries;
619
620 ~~j.~~ Retail sales of hardware, appliances and furniture, building supplies and materials, but only if such
621 use, including storage of goods and materials, is wholly contained within one or more enclosed
622 buildings;
623
624 ~~k.~~ Plumbing, heating and appliance repair shops, but only if such use, including storage of goods and
625 materials, is wholly contained within one or more enclosed buildings;
626
627 ~~le.~~ One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only
628 wind energy system on any capacity of the lot.
629

630 Section 6. Homer City Code Chapter 21.22, Gateway Business District is amended as follows:
631

632 21.22.020 Permitted uses and structures.
633

634 The following uses are permitted outright in the Gateway Business District, except when such use
635 requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this
636 chapter:
637

- 638 a. Retail business;
639
640 b. General business offices and professional offices;
641
642 c. Restaurants and clubs;
643
644 d. Hotels and motels;
645
646 e. Single-family, duplex, and multiple-family dwellings, including townhouses, but not including mobile
647 homes;
648
649 f. Open space;
650
651 g. Financial institutions;
652
653 h. Home occupations, provided they conform to the standards in HCC 21.51.010;
654
655 i. Dwelling units and nonresidential uses (if otherwise allowed by this chapter) in the same building;
656
657 j. Religious, cultural, and fraternal assembly;
658

- 659 k. Entertainment establishments;
660
661 l. Museums and libraries;
662
663 m. Public and private schools;
664
665 n. Studios;
666
667 o. Rooming house, bed and breakfast and hostel;
668
669 p. Personal service establishments;
670
671 q. Customary accessory uses to any of the permitted uses listed in the GBD district; provided, that
672 separate permit shall not be issued for the construction of any type of accessory building prior to that
673 of the main building.

674
675 **r. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)**
676 **excluding mobile homes.**

677
678 21.22.030 Conditional uses and structures.

679
680 The following conditional uses may be permitted in the Gateway Business District when authorized in
681 accordance with Chapter 21.71 HCC:

- 682
683 a. More than one building containing a permitted principal use on a lot.
684
685 b. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only
686 wind energy system of any capacity on the lot.
687
688 c. Other uses approved pursuant to HCC 21.04.020.

689
690 21.22.040 Dimensional requirements.

691
692 The following dimensional requirements shall apply to all structures and uses in the Gateway Business
693 District:

- 694
695 a. Lot Size.
696
697 1. The minimum lot area shall be 20,000 square feet. Lawfully existing smaller lot sizes may be
698 newly developed and used subject to the provision of off-site parking as specified in the City
699 parking code, Chapter 21.55 HCC;
700
701 2. Multiple-family dwellings shall meet the standards in HCC 21.14.040(a)(2);
702
703 3. Townhouses shall meet the standards in HCC 21.53.010.

704
705 b. Building Setbacks.

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1. Buildings shall be set back 20 feet from all dedicated rights-of-way, except as allowed by subsection (b)(4) of this section.
2. Commercial buildings shall be set back five feet from all other lot boundary lines, except the minimum setback shall be two feet from all other boundary lines when firewalls are provided and access to the rear of the building is otherwise provided (e.g., alleyways) as defined by the State Fire Code and enforced by the State Fire Marshal.
3. Residential buildings shall be set back five feet from all other lot boundary lines.
4. If approved by a conditional use permit, the setback from a dedicated right-of-way may be reduced.
5. Alleys are not subject to a 20-foot setback requirement from dedicated rights-of-way. The setback requirements from any lot line abutting an alley will be determined by the dimensional requirements of subsections (b)(2) and (3) of this section.
6. Any attached or detached accessory building shall maintain the same yards and setbacks as the main building.

c. Building Height. The maximum building height shall be 35 feet.

d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of ~~30~~40 percent of the lot area, without an approved conditional use permit.

e. Building Area and Dimensions – Retail.

1. The total floor area of retail business uses within a single building shall not exceed 8,000 square feet.
2. In buildings with more than 8,000 square feet of building area retail business use (not including the area for stocking and warehousing) is limited to no more than 8,000 square feet of floor area.

Section 7. Homer City Code Chapter 21.24, General Commercial District 1 is amended as follows:

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;

- 753
- 754 c. Dwelling units located in buildings primarily devoted to business uses;
- 755
- 756 d. Auto repair;
- 757
- 758 e. Auto and trailer sales or rental areas;
- 759
- 760 f. Auto fueling stations and drive-in car washes;
- 761
- 762 g. Building supply and equipment sales and rentals;
- 763
- 764 h. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- 765
- 766 i. Garden supplies and greenhouses;
- 767
- 768 j. Heavy equipment and truck sales, rentals, service and repair;
- 769
- 770 k. Hotels and motels;
- 771
- 772 l. Lumberyards;
- 773
- 774 m. Boat and marine equipment sales, rentals, service and repair;
- 775
- 776 n. Mortuaries;
- 777
- 778 o. Open air businesses;
- 779
- 780 p. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- 781
- 782 q. Manufacturing, fabrication and assembly;
- 783
- 784 r. Publishing, printing and bookbinding;
- 785
- 786 s. Recreation vehicle sales, rental, service and repair;
- 787
- 788 t. Retail businesses;
- 789
- 790 u. Trade, skilled or industrial schools;
- 791
- 792 v. Wholesale businesses, including storage and distribution services incidental to the products to be
793 sold;
- 794
- 795 w. Welding and mechanical repair;
- 796
- 797 x. Parks and open space;
- 798
- 799 y. Appliance sales and service;

- 800
801 z. Warehousing, commercial storage and mini-storage;
802
803 aa. Banks, savings and loans, credit unions and other financial institutions;
804
805 bb. Customary accessory uses to any of the permitted uses listed in the GC1 district; provided, that no
806 separate permit shall be issued for the construction of any type of accessory building prior to that of
807 the main building;
808
809 cc. Dry cleaning, laundry, and self-service laundries;
810
811 dd. Taxi operation;
812
813 ee. Mobile food services;
814
815 ff. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this
816 zoning district;
817
818 gg. Recreational vehicle parks, provided they shall conform to the standards in Article II of Chapter
819 21.54 HCC;
820
821 hh. Day care homes; provided, that a conditional use permit was obtained for the dwelling, if required
822 by HCC 21.24.030; all outdoor play areas must be fenced;
823
824 ii. Rooming house and bed and breakfast;
825
826 jj. Dormitory;
827
828 kk. As an accessory use, one small wind energy system per lot;
829
830 ll. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as
831 defined by State law;
832
833 **mm. Townhouses;**
834
835 **nn. Day care facilities; provided, however, that outdoor play areas must be fenced;**
836
837 **oo. Indoor and outdoor recreational facilities;**
838
839 **pp. More than one building containing a permitted principal use on a lot.**
840
841 21.24.030 Conditional uses and structures.
842
843 The following uses may be permitted in the General Commercial 1 District when authorized by
844 conditional use permit issued in accordance with Chapter 21.71 HCC:
845
846 a. Campgrounds;

- 847
848 b. Crematoriums;
849
850 c. Multiple-family dwelling;
851
852 d. Public utility facility or structure;
853
854 e. Mobile home parks;
855
856 f. Planned unit developments;
857
858 ~~g. Townhouses;~~
859
860 ~~hg. Pipelines and railroads;~~
861
862 ~~ih. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR~~
863 ~~zoning district;~~
864
865 ~~ji. More than one building containing a permitted principal use on a lot;~~
866
867 ~~k. Day care facilities; provided, however, that outdoor play areas must be fenced;~~
868
869 ~~lj. Other uses approved pursuant to HCC 21.04.020;~~
870
871 ~~m. Indoor recreational facilities;~~
872
873 ~~n. Outdoor recreational facilities.~~

874
875 21.24.040 Dimensional requirements.
876

877 The following dimensional requirements shall apply to all structures and uses in the General
878 Commercial 1 District:

- 879
880 a. Lot Size. The minimum lot size is 10,000 square feet.
881
882 b. Building Setbacks.
883
884 1. All buildings shall be set back 20 feet from all dedicated rights-of-way. Alleys are not subject to a 20-
885 foot setback requirement. The setback requirements from any lot line abutting an alley will be
886 determined by the dimensional requirements of subsections (b)(2) and (3) of this section;
887
888 2. Buildings shall be set back five feet from all other lot boundary lines unless adequate firewalls are
889 provided and adequate access to the rear of the building is otherwise provided (e.g., alleyways) as
890 defined by the State Fire Code and enforced by the State Fire Marshal;
891
892 3. Any attached or detached accessory building shall maintain the same yards and setbacks as the main
893 building.

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c. Building Height. The maximum building height shall be 35 feet.

d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of ~~30~~40 percent of the lot area without an approved conditional use permit.

e. Building Area and Dimensions – Retail and Wholesale.

1. In that area south of Beluga Lake, identified as the Ocean Drive GC1: the total square feet of floor area of retail and wholesale business uses within a single building shall not exceed 75,000 square feet.

2. In that area east of Alder Lane, identified as the East End Road GC1: the total square feet of floor area of retail and wholesale business uses within a single building shall not exceed 75,000 square feet.

3. In that area west of Baycrest Park, identified as Scenic Gateway GC1: the total square feet of floor area of retail and wholesale business uses within a single building shall not exceed 35,000 square feet.

4. No conditional use permit, planned unit development, or variance may be granted that would allow a building to exceed the limits of subsections (e)(1), (2) and (3) of this section and no nonconforming use or structure may be expanded in any manner that would increase its nonconformance with the limits of subsections (e)(1), (2) and (3) of this section.

f. Screening. When one or more side or rear lot lines abut land within an RO, RR, or UR district or when a side or rear yard area is to be used for parking, loading, unloading or servicing, then those side and rear yard areas shall be effectively screened by a wall, fence, or other sight-obscuring screening. Such screening shall be of a height adequate to screen activity on the lot from outside view by a person of average height standing at street level.

Section 8. Homer City Code Chapter 21.26, General Commercial District 2 is amended as follows:

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. Manufacturing, fabrication and assembly;

d. Research and development laboratories;

e. Trade, skills or industrial schools;

- 941 f. Publishing, printing and bookbinding facilities;
942
943 g. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair,
944 excluding storage of vehicles or equipment that is inoperable or in need of repair;
945
946 h. Storage and distribution services and facilities, including truck terminals, warehouses and storage
947 buildings and yards, contractors' establishments, lumberyards and sales, or similar uses;
948
949 i. Airports and air charter operations;
950
951 j. Underground bulk petroleum storage;
952
953 k. Cold storage facilities;
954
955 l. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
956
957 m. Mobile commercial structures;
958
959 n. Accessory uses to the uses permitted in the GC2 district that are clearly subordinate to the main use
960 of the lot or building, such as wharves, docks, restaurant or cafeteria facilities for employees; or
961 caretaker or dormitory residence if situated on a portion of the principal lot; provided, that separate
962 permits shall not be issued for the construction of any type of accessory building prior to that of the
963 main building;
964
965 o. Taxi operation;
966
967 p. Mobile food services;
968
969 q. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this
970 zoning district;
971
972 r. Recreational vehicle parks, provided they shall conform to the standards in Chapter 21.54 HCC;
973
974 s. Hotels and motels;
975
976 t. Dormitory;
977
978 u. As an accessory use, one small wind energy system per lot;
979
980 v. Open air business;
981
982 w. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as
983 defined by State law;
984
985 **x. Impound yards;**
986
987 **y. More than one building containing a permitted principal use on a lot;**

988

989 **z. Indoor and outdoor recreational facilities.**

990

991 **21.26.030 Conditional uses and structures.**

992

993 The following uses may be permitted in the General Commercial 2 District when authorized by
994 conditional use permit issued in accordance with Chapter 21.71 HCC:

995

996 ~~a. Mobile home parks;~~

997

998 b. Construction camps;

999

1000 c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth
1001 products and batch plants for asphalt or concrete;

1002

1003 d. Bulk petroleum product storage above ground;

1004

1005 e. Planned unit developments, excluding residential uses;

1006

1007 f. Campgrounds;

1008

1009 g. Junk yard;

1010

1011 h. Kennels;

1012

1013 i. Public utility facilities and structures;

1014

1015 j. Pipelines and railroads;

1016

1017 ~~k. Impound yards;~~

1018

1019 l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office
1020 residential zoning district;

1021

1022 ~~m. More than one building containing a permitted principal use on a lot;~~

1023

1024 ~~n. Day care facilities; provided, however, that outdoor play areas must be fenced;~~

1025

1026 ~~o. Group care homes and assisted living homes;~~

1027

1028 p. Other uses approved pursuant to HCC 21.04.020;

1029

1030 ~~q. Indoor recreational facilities;~~

1031

1032 ~~r. Outdoor recreational facilities.~~

1033

1034 **21.26.040 Dimensional requirements.**

1035
1036 The following dimensional requirements shall apply to all structures and uses in the General
1037 Commercial 2 District:

1038
1039 a. Lot Size. The minimum lot size is 10,000 square feet.

1040
1041 b. Building Setbacks.

1042
1043 1. Buildings shall be set back 20 feet from all dedicated rights-of-way. Alleys are not subject to a 20-foot
1044 setback requirement. The setback requirements from any lot line abutting an alley will be determined
1045 by the dimensional requirements of subsection (b)(2) of this section.

1046
1047 2. Buildings shall be set back 10 feet from all other lot boundary lines.

1048
1049 3. Any accessory building shall maintain the same yards and setbacks as the main building.

1050
1051 c. Building Height.

1052
1053 1. The maximum building height is 35 feet, except as provided in subsection (c)(2) of this section.

1054
1055 2. If approved by conditional use permit, buildings up to 55 feet in height may be allowed.

1056
1057 ~~d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall~~
1058 ~~any lot contain building area in excess of 30 percent of the lot area without an approved conditional~~
1059 ~~use permit.~~

1060
1061 e. Building Area and Dimensions – Retail and Wholesale.

1062
1063 1. The total floor area of retail and wholesale business uses within a single building shall not exceed
1064 75,000 square feet.

1065
1066 2. No conditional use permit, planned unit development or variance may be granted that would allow
1067 a building to exceed the limits of subsection (e)(1) of this section and no nonconforming use or structure
1068 may be expanded in any manner that would increase its nonconformance with the limits of subsection
1069 (e)(1) of this section.

1070
1071 Section 9. Homer City Code Chapter 21.27, East End Mixed Use District is amended as follows:

1072
1073 21.27.020 Permitted uses and structures.

1074
1075 The following uses are permitted outright in the East End Mixed Use District, except when such use
1076 requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this
1077 chapter:

1078
1079 a. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair;

1080
1081 b. Drive-in car washes;

- 1082
1083 c. Building supply and equipment sales and rentals;
1084
1085 d. Garden supplies and greenhouses;
1086
1087 e. Boat and marine equipment sales, rentals, manufacturing, storage yard, service and repair;
1088
1089 f. Welding and mechanical repair;
1090
1091 g. Restaurants, including drive-in restaurants, clubs and drinking establishments;
1092
1093 h. Religious, cultural, and fraternal assembly;
1094
1095 i. Studios;
1096
1097 j. Personal services;
1098
1099 k. Agricultural activities, including general farming, truck farming, nurseries, tree farms and
1100 greenhouses;
1101
1102 l. Private stables;
1103
1104 m. Storage of heavy equipment, vehicles or boats;
1105
1106 n. Plumbing, heating and appliance service shops;
1107
1108 o. Home occupations on a lot whose principal permitted use is residential, provided they conform to
1109 the requirements of HCC 21.51.010;
1110
1111 p. Mortuaries and crematoriums;
1112
1113 q. Open air businesses;
1114
1115 r. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
1116
1117 s. Manufacturing, fabrication and assembly;
1118
1119 t. Retail businesses;
1120
1121 u. Trade, skilled or industrial schools;
1122
1123 v. Wholesale businesses, including storage and distribution services incidental to the products to be
1124 sold;
1125
1126 w. Parks and open space;
1127
1128 x. Warehousing, commercial storage and mini-storage;

- 1129
1130 y. Recreational vehicles, subject to the standards in HCC 21.54.320(a), (b) and (c);
1131
1132 z. Dry cleaning, laundry, and self-service laundries;
1133
1134 aa. Mobile food services;
1135
1136 bb. As an accessory use, one small wind energy system per lot;
1137
1138 cc. Production, processing, assembly and packaging of fish, shellfish and seafood products;
1139
1140 dd. Research and development laboratories;
1141
1142 ee. Storage and distribution services and facilities, including truck terminals, warehouses and storage
1143 buildings and yards, contractors' establishments, lumberyards and sales, or similar uses;
1144
1145 ff. Cold storage facilities;
1146
1147 gg. Mobile commercial structures;
1148
1149 hh. Single-family and duplex dwellings, only as an accessory use incidental to a permitted principal use;
1150 provided, that no permit shall be issued for the construction of an accessory dwelling prior to the
1151 establishment of the principal use;
1152
1153 ii. The repair, replacement, reconstruction or expansion of a single-family or duplex dwelling, including
1154 a mobile home, that existed lawfully before its inclusion in the GC1, GC2 or EEMU zoning districts,
1155 notwithstanding any provision of Chapter 21.61 HCC to the contrary; provided, that a mobile home may
1156 not be used to replace or expand such a dwelling;
1157
1158 jj. Customary accessory uses to any of the uses permitted in the EEMU district that are clearly
1159 subordinate to the main use of the lot or building, including without limitation wharves, docks, storage
1160 facilities, restaurant or cafeteria facilities for employees; or caretaker or employee dormitory residence
1161 if situated on a portion of the same lot as the principal use; provided, that no permit shall be issued for
1162 the construction of any type of accessory building prior to the establishment of the principal use;
1163
1164 kk. Taxi operation;
1165
1166 ll. Itinerant merchants, provided all activities shall be limited to uses permitted outright under this
1167 zoning district;
1168
1169 mm. More than one building containing a permitted principal use on a lot;
1170
1171 nn. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use to a
1172 residential use in a manner consistent with the requirements of all other provisions of the Homer City
1173 Code and as long as such animals are pets of the residents of the dwelling and their numbers are such
1174 as not to unreasonably annoy or disturb occupants of neighboring property;
1175

1176 oo. Marijuana cultivation facilities, manufacturing facilities, retail facilities, and testing facilities as
1177 defined by State law;

1178
1179 **pp. Indoor and outdoor recreational facilities.**

1180
1181 21.27.030 Conditional uses and structures.

1182
1183 The following conditional uses may be permitted in the East End Mixed Use District when authorized by
1184 conditional use permit issued in accordance with Chapter 21.71 HCC:

1185
1186 a. Construction camps;

1187
1188 b. Extractive enterprises, including crushing of gravel, sand and other earth products and batch plants
1189 for asphalt or concrete;

1190
1191 c. Auto fueling stations;

1192
1193 d. Bulk petroleum product storage;

1194
1195 e. Planned unit developments;

1196
1197 f. Junk yard;

1198
1199 g. Kennels;

1200
1201 h. Public utility facilities and structures;

1202
1203 i. Impound yards;

1204
1205 ~~j. Indoor recreational facilities;~~

1206
1207 ~~k. Outdoor recreational facilities;~~

1208
1209 l. Other uses approved pursuant to HCC 21.04.020.

1210
1211 21.27.040 Dimensional requirements.

1212
1213 The following dimensional requirements shall apply to all structures and uses in the East End Mixed Use
1214 District:

1215
1216 a. Lot Size.

1217
1218 1. The minimum area of a lot that is not served by public sewer or water shall be 40,000 square
1219 feet.

1220
1221 2. The minimum area of a lot that is served by either a public water supply approved by the
1222 State Department of Environmental Conservation or a public or community sewer approved by

1223 the State Department of Environmental Conservation shall be 20,000 square feet.

1224

1225 3. The minimum area of a lot that is served by both a public water supply approved by the State
1226 Department of Environmental Conservation and a public or community sewer approved by the
1227 State Department of Environmental Conservation shall be 10,000 square feet.

1228

1229 b. Building Setbacks.

1230

1231 1. All buildings shall be set back 20 feet from all dedicated rights-of-way other than alleys,
1232 except that adjacent to rights-of-way that lead to Kachemak Bay and have been determined to
1233 be unsuitable for road construction by resolution of the City Council, all buildings shall be set
1234 back from the boundary of the right-of-way according to the number of stories as follows:

1235

1236	Number of Stories	Setback (in feet)
1237	1	5
1238	1 ½	6
1239	2	7
1240	2 ½	8

1241

1242 2. The setback requirements from any lot line abutting an alley will be determined by the
1243 dimensional requirements of subsections (b)(3) and (4) of this section;

1244

1245 3. Buildings shall be set back five feet from all other lot boundary lines unless adequate firewalls
1246 are provided and adequate access to the rear of the building is otherwise provided (e.g.,
1247 alleyways) as defined by the State Fire Code and enforced by the State Fire Marshal;

1248

1249 4. Any attached or detached accessory building shall maintain the same yards and setbacks as
1250 the main building.

1251

1252 c. Building Height.

1253

1254 1. The maximum building height shall be 35 feet, except as provided in subsection (c)(2) of this
1255 section.

1256

1257 2. When authorized by a conditional use permit, the maximum building height for a building
1258 used solely for commercial purposes shall be 75 feet. A building for which a conditional use
1259 permit has been issued under this subsection shall not contain dwelling units.

1260

1261 ~~d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall~~
1262 ~~any lot contain building area in excess of 30 percent of the lot area without an approved conditional~~
1263 ~~use permit.~~

1264

1265 e. Building Area and Dimensions – Retail and Wholesale. The total floor area of retail and wholesale
1266 business uses within a single building shall not exceed 75,000 square feet. No conditional use permit,
1267 planned unit development, or variance may be granted that would allow a building to exceed the limits
1268 of this subsection, and no nonconforming use or structure may be expanded in any manner that would
1269 increase its nonconformity with the limits of this subsection.

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f. Screening.

1. When one or more side or rear lot lines abut land within an RO, RR, or UR district or when a side or rear yard area is to be used for parking, loading, unloading or servicing, then those side and rear yard areas shall be effectively screened by a wall, fence, or other sight-obscuring screening. Such screening shall be of a height adequate to screen activity on the lot from outside view by a person of average height standing at street level.

2. Outside storage of materials, equipment and trash/dumpsters adjacent to East End Road and Kachemak Drive shall be screened. Screening may consist of walls, fences, landscaped berms, evergreen plantings, or any combination thereof.

Section 10. This ordinance shall take effect upon its adoption by the Homer City Council.

Section 11. 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 _____ 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSON, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

- This will be funded if granted by the Federal Government
- Progress being made slowly on the Permitting Software which is needed to reduce current workload
- Met with the contractors regarding the Homer Transportation Plan and they are focusing on the humanelement
- Participating with Nine Star, KPEDD, SPH Foundation and Representative Vance attended regarding public transportation options for the Homer Community outside of taxi vouchers, accessible transportation, bus service that is available.
- Grading Permitting is in progress and defining requirements
- Short Term Rental regulations are being drafted and will be presented to the Planning Commission this coming winter.

Deputy City Clerk Krause confirmed that attendance at Council meeting can be done by Zoom. There were no volunteers and Chair Smith noted that he can submit a written report.

Commissioner Stark commented on the needs of the community for accessible transportation and questioned if the Commission or City has ever offered incentives for a Homer based bus business. He then mentioned the seasonal services offered. Commissioner Stark stated that the City could utilize existing services and believes that there is a number of residents, including college students, which would benefit from such a service.

City Planner Abboud responded by providing information on the CARTS service that is offered in Kenai/Soldotna area but stated that Homer does not have the same makeup and there is a voucher system employed by organizations which, it was realized later, requires the local cab companies to take deep discounts on the rates. He stated that they could look into the idea of having a service that goes up and down the peninsula and maybe the City offering vouchers at the front desk.

PUBLIC HEARINGS

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 22-56, Review of Conditional Uses and Structures

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

City Planner Abboud commented on the draft ordinance requesting the Commission input on the content to make sure he did not overlook anything or was not what was agreed upon. He then reviewed his Staff Report 22-56 for the Commission and facilitated discussion on the draft ordinance. He covered the following points:

- Purpose of the ordinance is to reduce the number of conditional use permits for typical uses considered routine in the district
- Commission can remove Item h under Rural Residential by motion
- Clarified that amendments can be made even after this is forwarded to Council
- Permitting up to four structures, supporting residential units in districts, supporting multi-family dwellings these are actions considered routine in the districts

- He did not remove pipelines or railroads at this time but requested a motion so that there was basis for the removal
 - o He responded that a motion at this time would be okay if that was the desire of the commission.
 - Question was posed if the Commission wanted to remove pipeline as the definition of that may not be oil pipeline
 - City Planner Abboud read the definition into the record
 - The Commission was requested to separate the issue of railroads and pipelines

HIGHLAND/BARNWELL MOVED TO REMOVE RAILROADS THROUGHOUT HOMER CITY CODE TITLE 21 IN RELATION TO ALLOWED OR PERMITTED USES.

There was a brief discussion on the motion as stated, where a railroad would be constructed in Homer and comments that it would be great to have a railroad from Homer to Anchorage.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Barnwell questioned if tiny homes would be included in mobile homes, referring to item f. page 19 of the packet under Rural Residential.

City Planner Abboud responded that it would depend if the tiny home was on a chassis with wheels then they would be considered an RV. He then commented on the removal of railroads would be moved to unpermitted uses throughout city code as applicable.

A discussion ensued regarding the construction standards between RV and tiny homes; if the tiny home did not have wheels then it would not be considered an RV; when the City building code is developed the requirement will require tiny homes connected to water and sewer on a permanent foundation, not movable per se. Currently it is hard to separate them since the definitions are similar. Additional points discussed were removing uses such as mobile home parks in Rural Residential and Commissioners were requested to focus on Conditional Uses at this time.

City Planner Abboud explained what he would like to do is to bring those issues to a separate meeting since he would like to discuss where they are allowed, impacts, non-conformities and implications of having a mobile home park as well as the newest existing park was put in the 1970's or 1980's. It was noted that that mobile home parks are allowed in the CBD.

Further comment on the standards of construction for tiny homes versus the construction of mobile homes within the context of affordable housing and that the Commission could spend an hour or more on the subject of tiny homes but that is a topic as there is more in the topic that needs to be addressed.

Chair Smith noted that this topic is not before the Commission and they can address the items as requested by City Planner and come back later in this meeting or at a future meeting.

City Planner Abboud continued discussion regarding the following:

- Clarification on the statement on page 19, under “Other Uses, Allowances and Specifications, fifth bullet point – “...allows some larger non-retail business activities subject to administrative review”, this was in the Comprehensive Plan and subject to the Commission review and or determination.
- Page 19, item m. “More than one building...” Allowing up to two without conditional use permit was already allowed, if there is the space, even without water and sewer.
 - o The change would allow up to four dwellings but if the applicant was requesting six then it would require a CUP, refer to the draft ordinance line 78.
- Line 33, ordinance which relates to Rural Residential appears to be the same as Urban Residential, was always allowed and it is relation to the dimensional requirements.
- The definition of Bed and Breakfast still applies, regarding line 37 on page 36 of the ordinance.
- There was no reference to CUP in rural residential similar to line 140 because no changes were made in this section of code.
 - o The Clerk noted that when the ordinance is presented to Council the sections that are not amended will be included
 - o Further discussion and clarification provided that the following statement was overlooked “The following uses may be permitted in the Rural Residential District when authorized by conditional use permit issued in accordance with Chapter 21.71 HCC”
- The Commission agreed that “hospitals” were to be removed and should only be in the Medical District

Chair Smith requested a motion and second.

HIGHLAND/BARNWELL MOVED TO REMOVE HOSPITALS, LINE 153, FROM THE URBAN RESIDENTIAL DISTRICT CONDITIONAL USES AND STRUCTURES.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Highland stated that on Line 268 of the ordinance, Urban Residential Office District, “Helipads” should be removed.

Chair Smith requested a motion and second.

HIGHLAND/BARNWELL MOVED TO REMOVE HELIPADS, LINE 268, FROM THE URBAN RESIDENTIAL OFFICE DISTRICT CONDITIONAL USES AND STRUCTURES.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud proceeded with his review of the proposed amendments in the following districts:

- Central Business District
 - o Under Permitted Uses and Structures added:
 - Greenhouse and garden supplies
 - Allow up to 4 buildings on a lot for use as a dwelling
 - Group care homes and assisted living homes
 - Indoor and outdoor recreational facilities
 - o Under Conditional Uses and Structures removed:
 - Indoor and outdoor recreational facilities
 - Greenhouse and garden supplies
 - Group care homes and assisted living homes
 - o Under Dimensional Requirements increased the building area of a lot from 30% to 50%
- Town Center District
 - o Under Permitted Uses and Structures added:
 - Greenhouses and garden supplies
 - Indoor and outdoor recreational facilities
 - Group care and assisted living facilities
 - Self-service laundries
 - o Under Conditional Uses and Structures removed:
 - Green houses and garden supplies
 - Indoor and outdoor recreational facilities
 - Group care and assisted living facilities
 - Self-service laundries
 - Retail sales of hardware, appliance and furniture, building supplies and materials, but only if such use is wholly contained within one or more enclosed buildings
 - Plumbing, heating and appliance repair shops but only if such use including storage of goods and materials in wholly contained within one or more enclosed buildings
- Gateway Business District
 - o Under Permitted Uses and Structures added:
 - Up to 4 buildings on a lot for use as a dwelling subject to HCC21.14.040 (a2)(a-b) excluding mobile homes
 - o Under Dimensional Requirements amended building area of lot from 30% to 40%
- General Commercial District 1
 - o Need more GC1 for the City
 - o Under Permitted Uses and Structures added:
 - Townhouses
 - Day care facilities provided that outdoor play areas must be fenced
 - Indoor and outdoor recreational facilities
 - More than one building containing a permitted principal use on a lot
 - o Under Conditional Uses and Structures removed:
 - Townhouses
 - Day care facilities provided that outdoor play areas must be fenced
 - Indoor and outdoor recreational facilities
 - More than one building containing a permitted principal use on a lot
 - o Under Dimensional Requirements amended building area from 30% to 40%
- General Commercial District 2

- Under Permitted Uses and Structures added:
 - impound yards
 - More than one building containing a permitted principal use on a lot
 - Indoor and outdoor recreational facilities
- Under Conditional Uses and Structures removed:
 - Mobile home parks
 - Impound yards
 - More than one building containing a permitted principal use on a lot
 - Day Care facilities
 - Group care homes and assisted living homes
 - Indoor and outdoor recreational facilities
- Under dimensional requirements removed:
 - No lot shall contain more than 8000 square feet of building area nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit.
- East End Mixed Use District
 - Under Permitted Uses and Structures added:
 - Indoor and outdoor recreational facilities
 - Under Conditional Uses and Structures removed:
 - Indoor and outdoor recreational facilities
 - Under Dimensional Requirements removed:
 - No lot shall contain more than 8000 square feet of building area nor shall any lot contain building area in excess of 30 percent of the lot area without an approved conditional use permit.

Chair Smith requested further discussion on the proposed amendments, hearing none he requested a motion and second.

HIGHLAND/BARNWELL MOVED TO ADOPT STAFF REPORT 22-56 AND FORWARD THE DRAFT ORDINANCE FOR PUBLIC HEARING.

Chair Smith requested procedural requirements on bringing forth discussion on mobile home parks and tiny homes at this point in the meeting or if that should be addressed as a separate issue under New Business at a future meeting before voting on the motion.

City Planner Abboud provided input expressing a preference that he would prefer to schedule a worksession for the Commission to discuss those topics and share their opinions before putting it on a regular meeting agenda.

There was no further discussion on the motion before the Commission.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.



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Staff Report PL 22-48

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: AUGUST 3, 2022
SUBJECT: CUP REDUCTION

Introduction

I have amended the original staff report with a section, "8.3.22". This contains my understanding of where the Commission's interest was to the suggested revisions at the last meeting. Please review these and make any additional recommendations. After this I will craft an ordinance for review and schedule a review of the Marine District with the Port and Harbor Commission.

In an effort to be more efficient with the use of planning resources and encourage developments recommended through the comprehensive plan and city code, I am performing a comprehensive review of how we may lower the prevalence of Conditional Use Permits (CUP) to consider allowing items as a permitted use, disallowing altogether, or modifying them. I will review district by district in order to provide the best context and perspective. Along the way we may start thinking or recommending a more streamlined or consistent language for uses.

We will be using a format throughout the document the first lists the intent of the district as proposed by the Comprehensive Plan then applicability of the Community Design Manual when applicable. This is to put a prospective on how a use and/or density and design concerns are be supported in a district. Next, is a list of the code that makes a use or structure a Conditional Use. I used colored font to highlight the opportunities for change. This will be a long discussion and likely take several meetings to address.

Analysis

Rural Residential (RR)

Comprehensive Plan

- **Intent** The R-3 district is intended to provide areas for low density residential development and limited agricultural pursuits.
- **Primary Use** Low-density residential development in outlying locations, generally with less services and/or lower level of service than in urban areas.
- **Other Uses, Allowances, and Specifications**

- Areas generally not served by water and sewer, nor likely to be served in the near future.
- Larger lot sizes or cluster subdivisions to preserve sense of open space.
- Allows accessory housing units by right (subject to standards).
- Allows bed and breakfasts by right, subject to standards (for purposes of this plan B&B defined as lodging where owner proprietor resides on site)
- Allows home-based businesses by right, subject to standards; allows some larger non-retail business activities subject to administrative review.
- **Development standards**
 - Option for higher densities and cluster development. Encourage open space subdivisions as alternative to more typical lot layouts.
 - Ensure newer housing is compatible with character of older neighborhoods.

Homer City Code (HCC)

The purpose of the Rural Residential District is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

- a. Planned unit development, limited to residential uses only;
 - b. Religious, cultural and fraternal assembly;
 - c. Cemeteries;
 - d. Kennels;
 - e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;
 - f. Mobile home parks;
 - g. Public utility facilities and structures;
 - h. Pipelines and railroads;
 - i. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
 - j. Day care facilities; provided, however, that outdoor play areas must be fenced;
 - k. Group care home;
 - l. Assisted living home;
 - m. [More than one building containing a permitted principal use on a lot;](#)
 - n. Indoor recreational facilities;
 - o. Outdoor recreational facilities;
 - p. Public school and private school;
 - q. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot
- a. Lot Size.
1. The minimum lot area shall be 40,000 square feet, plus 40,000 square feet for each dwelling unit in excess of one unit in areas not served by public sewer and water.

2. Each lot shall contain a minimum of 20,000 square feet, plus 20,000 square feet per dwelling unit in excess of one unit if one of the following conditions exists:
 - a. The lot is served by public water supply approved by the State Department of Environmental Conservation; or
 - b. The lot is served by public or community sewer approved by the State Department of Environmental Conservation.
3. Each lot shall contain a minimum of 10,000 square feet, plus 10,000 square feet per dwelling unit in excess of one unit if the lot is served by both public water and sewer that satisfy both conditions of subsection (a)(2) of this section.

Staff: The overwhelming amount of CUP's in the RR District are for 'more than one', 16 out of 20 in the last ten years to be exact. This is mostly a result of the extension of water and sewer services into the district. Ideally, the zoning would change as service is extended into subdivisions, especially those that are centrally located and designated on the Land Use Recommendations Map. We can consider the allowance of 'more than one' with the recommendations of the Future Land Use Map. The lot size requirements with the provision of water and/or sewer are listed above for reference.

Recommended revisions: Allow development of units according to the provision of water and sewer services subject to screening of dumpsters (screening of dumpsters for any multi-family (3 or more) is to be material for all the districts). The rest of the conditions typically addressed in CUP's for this district include a reminder to follow lighting rules and proof of compliance with DEC regulation, which is required by terms of a zoning permit. Only once did we ask that development adjust the sighting to provide an increased buffer for the existing neighbors.

While our code allows anyone in the RR district to reduce the space necessary for dwelling to one per 10,000 square feet, we should consider areas where we would want to preserve the a rural density standard. I am a proponent of creating more opportunity for density, I believe that there is room and some expectation of rural areas maintaining the rural standards of one dwelling unit per 40,000 square feet regardless of the provisioning of city water and sewer. Ideally, this is best accomplished with reference in the comprehensive plan.

It is a good time to review the rest of the CUP's listed above. I have found that the occurrences of the other CUP's are minimal and they are structures and activities not necessarily associated with the vision for RR. It is also a time to consider if such activity should be allowed at all. Discuss.

8.3.22

Discussion about maintaining rural standards where appropriate and consideration of allowance of a number of additional structures in consideration of special standards according to provisioning of water and sewer. We could consider a number that would be allowed without a CUP. I believe at least four units and up to six could be permitting without requiring a CUP in areas designated for consideration of upzone in future land use recommendation

found in the comprehensive plan. This would limit the number of units in areas outside of upzoning consideration of the comprehensive plan to two dwelling unit as the special allowance for the district may allow without a CUP.

Urban Residential (UR)

Comprehensive Plan

UR (URBAN RESIDENTIAL)

- **Intent** The R-1 district is intended to provide more intense residential development in the city core, in a manner that matches Homer’s small town character and encourages increased densities near pedestrian-oriented commercial areas.
- **Primary Use** Medium and medium-high density residential including single-family, duplex, and multiple-family; allow for a variety in housing types and housing price levels.
- **Other Uses, Allowances, and Specifications**
 - Areas generally served by water and sewer; central locations with excellent access to a range of urban services and facilities.
 - Residential is primary use; but allows for other uses where these uses maintain residential character.
 - Moderate lot size minimums (for example, 6000 square foot lots for single family homes).
 - Allows bed and breakfasts by right, allows second units and duplexes by right (both subject to standards). (For purposes of this plan, a B&B is defined as lodging where owner proprietor resides on site.)
 - Allows home-based businesses by right (subject to standards).
- **Development standards**
 - Encourage attractive, diverse housing types (vs. “cookie-cutter” subdivisions).
 - Ensure newer housing is compatible with character of older neighborhoods (for example, by requiring transitional densities, buffer uses).

Homer City Code (HCC)

The Urban Residential District is primarily intended to provide a sound environment for medium-density residential occupancy including single-family, duplex and low-rise multiple-family dwellings of various types and designs and other compatible uses as provided in this chapter.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit development, excluding all industrial uses;
- b. [Townhouse developments](#);
- c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- d. Religious, cultural and fraternal assembly;

- e. Hospitals;
- f. Pipelines and railroads;
- g. Storage of heavy equipment or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- h. Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;
- i. Group care home;
- j. Assisted living home;
- k. More than one building containing a permitted principal use on a lot;
- l. Indoor recreational facilities;
- m. Outdoor recreational facilities;
- n. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.

Dimensional requirements *(these are standards commonly referred to in other districts)*

- 2. Multiple-family dwelling containing three or more units shall meet the following standards:
 - a. The total floor area shall not be more than four-tenths the lot area;
 - b. The total open area shall be at least 1.1 times the total floor area. Open area is any portion of the lot not covered or used for parking spaces and maneuvering.

Staff: We have had 5 CUP's in the UR District in the last ten years, 2 'more than one', a daycare facility (denied), indoor recreation/more than one, and a townhouse. Not as much opportunity here for reductions.

Recommended revisions: I believe that we could consider allowing 'more than one' while applying the density standards of multi-family to 3 or more units on a lot (I suggest that this be carried forth to all other districts when served with water and sewer). This would not be out of line with the multi-family standards which are allowed outright. The only difference is that they are not found in a single structure. I also feel that this standard should also apply to townhouse.

8.3.22

This discussion landed on the thought of limiting the number of structures allow to be permitting out right. I would like to confirm a number that would comply with the current density standards of multifamily

Residential Office (RO)
Comprehensive Plan

RO (RESIDENTIAL OFFICE)

- **Intent** The intent of the RO district is to allow for a range of residential and residential compatible uses. While allowing office, certain commercial and other business uses, buildings and sites must have a scale and character similar to single family detached or small multi-family homes. This district serves as a transition zone between commercial and residential neighborhoods.
- **Primary Use** Provide a mix of low-density to medium-density residential uses with certain specified businesses and offices which may include professional services, administrative services and/or personal services, but does not include direct retail or wholesale transactions except for sales which are incidental to the provision of services.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services, close to other urban services.
 - Moderate lot size minimums (for example, 7500 square feet); allows for attached housing.
 - Guide use to create/maintain an attractive highway environment
- **Design and development standard**
 - Required (not advisory) standards to maintain residential character/residential scale of buildings (e.g., height, setbacks, parking location, signage).
 - Advisory design guidelines regarding building style (e.g., use of materials, architectural style).
 - Allow for limited commercial signage, consistent with overall goal of retaining a largely residential character.

Homer City Code (HCC)

The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, excluding all industrial uses;
- b. [Townhouses](#);
- c. Public or private schools;
- d. Hospitals and [medical clinics](#);
- e. Public utility facilities and structures;

- f. Mortuaries;
- g. Day care facilities; provided, however, that outdoor play areas must be fenced;
- h. More than one building containing a permitted principal use on a lot;
- i. Group care homes;
- j. Helipads, but only as an accessory use incidental to a hospital conditional use;
- k. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- l. Other uses approved pursuant to HCC [21.04.020](#).

Dimensional requirements

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

Staff: We have had 16 CUP's in the RO district in the last ten years including 7 'more than one', 5 medical clinics (one more than 8000sf, mostly found in subsequent medical district), 4 - 8000sf, and 2 daycare facilities (math does add up due to multiple CUP triggers).

Recommended revisions: Townhouses and 'more than one' can be handled as previously suggested. I see mortuaries and group care homes as something that the district can reasonable support, as it is not direct wholesale or retail which is not provisioned in the district, these along with medical clinic would only be a CUP when provisioned with more than 8,000sf in a lot. I see no reason require a CUP for daycare in the district. This leaves us with a discussion of the 'more than 30% building area. Perhaps we could discuss the '8000', if any are uncomfortable with the number. I do high recommend that the '30%' does not disappear in concept but we should move the bar.

8.3.22

The Commission discussed the removal of hospitals from the lists of uses. Confirm suggested conditionally permitted uses to change to permitted use and to consider going from 30% to 40% building area coverage.

Medical District (M)

Comprehensive Plan

MEDICAL DISTRICT

Intent: Acknowledge demand for medical services will increase with a larger, aging population. Enact zoning regulations that allow medical services to expand with the growing need for life long medical care, in a localized area near the hospital.

Homer City Code (HCC)

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

The following uses may be permitted in the Medical District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

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

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: The Medical District is new and has not recorded a CUP. I do not suggest any amendments.

8.3.22

No change

Central Business District (CBD)

Comprehensive Plan

CBD (CENTRAL BUSINESS DISTRICT)

- **Intent** The intent of the CBD commercial district is to provide a mixed use business district in the core area of Homer, with greater allowance for vehicular use than in the Downtown district, but still with a character that encourages pedestrian use.
- **Primary Use** Provide a centrally located area within the City for a mixture of urban uses and activities, including general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and related businesses, civic uses, recreation, and residential uses. Allow a mixture of residential and commercial uses but conflicts resolved in favor of business.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - On-site parking required (option for shared parking with an approved parking plan).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right
- **Development standards include:**
 - Create an attractive, pedestrian-oriented environment (e.g., landscaped parking, standards to humanize buildings such as clearly articulated entries).
 - Advisory guidelines regarding design character, so buildings and other structures within the district are compatible with one another and with the surrounding area.
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

Community Design Manual – Applicable to uses and structures requiring a CUP

Chapter 1. Architecture, Chapter 2. Site Design, Chapter 3. Lighting (applicable to all uses).

These Chapter's apply to all non-residential uses and uses with more than 12 residential units in the Central Business District.

Homer City Code (HCC)

The following uses may be permitted in the Central Business District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, excluding all industrial uses;
- b. [Indoor recreational facilities and outdoor recreational facilities;](#)

- c. Mobile home parks;
- d. Auto fueling stations;
- e. Public utility facilities and structures;
- f. Pipeline and railroads;
- g. Greenhouses and garden supplies;
- h. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- i. Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;
- j. More than one building containing a permitted principal use on a lot;
- k. Group care homes and assisted living homes;
- l. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;
- m. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- n. Other uses approved pursuant to HCC [21.04.020](#).

4. If approved by a conditional use permit, the setback from a dedicated right-of-way, except from the Sterling Highway or Lake Street, may be reduced.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: There have been 25 CUP's in the CBD in the last ten years. These were for a wide variety of reasons, including many with multiple triggers. There were 9 'more than one's' (including 4 that were greater than 8000sf), 8 setback reductions, 7 'more than 8000sf' (commonly with additional triggers), 2 manufacturing, 2 'more than 30%', a greenhouse, mobile home park, group care, auto fueling station, and an amendment.

Recommended revisions: Move recreational facilities, auto fueling, greenhouses, more than one, group care and assisted living to permitted uses. Consider moving the bar for 30% building coverage, something like 50% would be more appropriate for an area where we encourage density. (This is a district under guidance of CDM, CUP requires review). I am still formulating the value of the 30% building coverage, its purpose is unclear in my understanding of our regulation and what exactly we are looking to address. It is something that rarely or possibly has never been the sole reason for a CUP.

8.3.22

Accepted suggestions for change from conditional use to permitted use, move 30% coverage to 40%, and consider up to 4 permitted structures.

Town Center District (TC)

Town Center Plan

The following goals and objectives from the Homer Comprehensive Plan (1999 Update) are particularly relevant to planning for development in Homer's Town Center:

- Improve the attractiveness and usability of the business core to encourage use of the area.
- Encourage a balance of open space and attractive, retail-oriented development of vacant land in the business/core area.
- Actively pursue a theme for Pioneer Avenue. Support the establishment of a Town Square and connecting green spaces through town.
- Develop an integrated system of trails, sidewalks, and walkways to connect City parks, schools, recreational areas, and the downtown core area.
- Encourage and enhance the cultural and educational amenities of Homer.
- Guide growth and development in areas planned or zoned Central Business District (CBD) to provide a centrally located business/commercial area and focal point for the community.
- The City, in cooperation with private business owners, shall research and evaluate steps involved in creating and enabling a Pioneer Avenue theme and town square to become a reality.
- Work with the community to develop a centralized Town Square that includes a cultural center, interfacing with existing organizations and institutions to explore partnerships and shared parking.
- Investigate innovative funding mechanisms to provide funding for development of the Town Square with cultural and other facilities and public art programs

Homer City Code (HCC)

The primary purpose of the Town Center District is to provide a centrally located area in Homer for a core business area and a community focal point. Pedestrian-friendly designs and amenities are encouraged.

The following uses may be permitted in the Town Center District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, limited only to uses otherwise permitted in this district;
- b. [Indoor recreational facilities](#);
- c. [Greenhouses and garden supplies](#);
- d. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- e. [Group care homes and assisted living homes](#);
- f. Other uses approved pursuant to HCC [21.04.020](#);
- g. [Outdoor recreational facilities](#);
- h. Customary accessory uses to any of the permitted uses listed in the TCD district; provided, that a separate permit shall not be issued for the construction of any type of accessory building prior to that of the main building;
- i. [Self-service laundries](#);
- j. [Retail sales of hardware, appliances and furniture, building supplies and materials, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings](#);
- k. [Plumbing, heating and appliance repair shops, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings](#);
- l. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system on any capacity of the lot

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: Only one CUP as development has never taken off in the TC district.

Recommended revisions: recreational facilities, greenhouses, group care, assisted living, and laundries should be acceptable within our regulations. The retail sales of hardware and etc. along with plumbing and etc. should be eliminated and treated as permitted equivalents (and sometime we should look at the permitted uses as to not ‘pigeon hole’ specific details of retail operations).

8.3.22

Commission was amenable to suggested changes including the elimination of J and K from conditionally permitted uses. We would need to consider the changing of Permitted Uses of HCC 21.20.020 k. ~~Retail sales of building supplies and materials, only if such use, including storage of materials, is wholly contained within an enclosed building;~~

Retail sales are required to be wholly contained in an enclosed build per HCC 21.20.080 Nuisance standards b. Storage of Items for Sale. Products for sale may be displayed outdoors in unscreened areas only during the open hours of the business. This does not apply to outdoor storage of items for sale when outdoor storage or sale is permitted in the zoning district, nor does it apply to items normally kept outdoors, such as motor vehicles.

Gateway Business District (GBD)

Comprehensive Plan

G-MU (Gateway Mixed Use)

- **Intent** The intent of the G-MU district is to provide land uses that primarily cater to the tourism and visitor industry of Homer and to promote year round activity. The gateway district serves as the primary roadway entry into Homer. It will provide an attractive built environment and promote those uses that will not compete with the DT, CBD and GC districts.
- **Primary Use** Promote mixed-use development, with emphasis on the visitor industry. Serve needs and interests of the visitor industry, as well as year-round residents and Homer's role as the Gateway to Kachemak Bay (not to conflict w/CBD). Minimize future traffic congestion along the Sterling Highway corridor and preserve the experience residents and visitors have when entering Homer by way of the Sterling Highway.
- Commercial uses are primary objective; focus on “Gateway” appropriate businesses such as visitor amenities, hotels – no gas stations, fast-food, strip development.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right; higher densities with administrative review or use dimensional standards like CBD above.

- **Development standards**
 - Advisory guidelines re “Gateway” design character.
 - Encourage parking behind buildings (through appropriate set-back rules).
 - Design standards that create an entry point the community can be proud of - attractive, pedestrian-oriented to a degree (e.g., landscaped parking).
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

Community Design Manual – Applicable to uses and structures requiring a CUP

Chapter 1. Architecture, Chapter 2. Site Design, Chapter 3. Lighting (applicable to all uses).

These Chapter’s apply to all non-residential uses and uses with more than 12 residential units in the Central Business District.

Homer City Code (HCC)

The purpose of the Gateway Business District is primarily to promote mixed use development, with an emphasis on visitor-oriented business. Conflicts between residential and business uses are resolved in favor of business. Among the goals of the Gateway Business District regulations are the minimization of future traffic congestion along the Sterling Highway corridor, and preservation of the favorable experience residents and visitors have when entering Homer by way of the Sterling Highway.

The following conditional uses may be permitted in the Gateway Business District when authorized in accordance with Chapter [21.71](#) HCC:

- a. More than one building containing a permitted principal use on a lot.
- b. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.
- c. Other uses approved pursuant to HCC [21.04.020](#).
- d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 30 percent of the lot area, without an approved conditional use permit.

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;

- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: So far, we have had one property with a CUP in the GBD for 'more than one', the same property amended the CUP.

Recommended revisions: Follow previous recommendation for dealing with more than one and consider moving the bar for 30% building area lot coverage.

8.3.22

Move 30% to 40% building coverage.

General Commercial 1 (GC1)

Comprehensive Plan

- **Intent** The intent of the GC-1 district is to provide for auto-oriented business.
- **Primary Use** Provide for a diverse array of commercial, retail, and civic uses; commercial uses are primary objective. Applied in locations where the auto is primary means of access.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Residential densities – for example, residential uses up to 6 units per acre allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
 - On-site parking required (option for shared parking with an approved parking plan).
 - Guide use to create/maintain an attractive highway environment.
- **Development standards** include:
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).
 - Provide for safe pedestrian circulation.

Homer City Code (HCC)

The General Commercial 1 (GC1) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area, and to provide business locations in proximity to arterials and transportation centers. It is also intended to minimize congestion and adverse effects on adjacent residential districts and on the appearance of the community.

The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Campgrounds;
- b. Crematoriums;
- c. [Multiple-family dwelling](#);
- d. Public utility facility or structure;
- e. Mobile home parks;
- f. Planned unit developments;
- g. [Townhouses](#);
- h. Pipelines and railroads;
- i. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;
- j. More than one building containing a permitted principal use on a lot;
- k. [Day care facilities; provided, however, that outdoor play areas must be fenced](#);
- l. Other uses approved pursuant to HCC [21.04.020](#);
- m. [Indoor recreational facilities](#);
- n. [Outdoor recreational facilities](#).

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: We have had 9 CUP's in the GC1 District. All of these except a multi-family dwelling involved 'more than one' (5 were on Lakeshore Dr.).

Recommended revisions: Recreational facilities can be permitted uses. I recommend that 'more than one' be allowed by right using current regulations. 30% building area should be reconsidered. This district brings up the concept of consideration for me of the general thought of differences between 'multi-family' and multiple individual structures, would we ever want

to think of the congregation of small structures to be treated like multi-family. This could be an approach for the inclusion of ‘tiny homes’ in the zoning regime.

8.3.22

I would like to pick up the conversation here. We did have some conversation about elimination of pipelines and railroads from code. If we did remove these items, they could fall under the provision for Unlisted Uses per HCC 21.04.020 and go through a process of consideration by the Commission.

General Commercial 2 (GC2)

Comprehensive Plan

- **Intent** The intent of the GC-2 district is to locate commercial and industrial uses where access to transportation infrastructure is a primary consideration. This district will also serve as a reserve to allow for future commercial and industrial expansion.
- **Primary Use** Promote a sound heavy commercial area within the community with good access to main roads, and reserve land for future industrial expansion. Designed to permit manufacturing, processing, assembly, packaging, or treatment of products within enclosed utilities and facilities required to serve these uses. Residential uses permitted, recognizing the primacy of light industrial and commercial activities. Residential uses limited; certain retail enterprises limited. Performance standards for heavy commercial uses, especially where the district abuts other zoning districts. Allows for heavier commercial uses – manufacturing, processing, packaging, and support of airport activities / needs.
- **Other Uses, Allowances, and Specifications**
 - Accessible by vehicle/direct access.
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD
 - On-site parking required.
- **Development standards include:**
 - Minimal – basic guidelines for parking, minimal setbacks
 - Encourage basic landscaping, screening

Homer City Code (HCC)

The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited.

The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. [Mobile home parks](#);

- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;
- l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;
- m. More than one building containing a permitted principal use on a lot;
- n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- o. Group care homes and assisted living homes;
- p. Other uses approved pursuant to HCC [21.04.020](#);
- q. Indoor recreational facilities;
- r. Outdoor recreational facilities.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: No CUP's have been issued in GC2

Recommended revisions: We can transfer several conditional uses to permitted when considering the purpose of the district including petroleum storage, impound yards, more than one, and recreation facilities. A discussion can be had regarding the appropriateness of things like mobile home parks, daycares, group and assisted living homes. These uses generally

would not upset the goings on of a commercial district, it's more about protecting themselves from the possible negative externalities of the allowed uses.

As the district is to support heavy commercial and industrial activities, we should eliminate CUP for spatial limits and let development regulations guide the development.

East End Mixed Use District (EEMU)

Comprehensive Plan

- **Intent** The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and to ensure such uses, which are important to Homer's economy, continue to have a viable location.
- **Primary Use** Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but residential/retail and commercial conflicts will be resolved in favor of commercial/industrial uses.
- **Other Uses, Allowances and Specifications**
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD.
 - On-site parking required.
 - Guide use to create/maintain an attractive highway environment.
- **Development standards**
 - Minimal – basic guidelines for parking, setbacks.
 - Encourage basic landscaping.
 - Properties adjacent to the Conservation zone should use best management practices when developing near the southern edge of the property. Strategies may include, but are not limited to, 100 foot buffer zones along the southern property lines adjacent to the conservation areas, tree retention (bird habitat, moose cover), habitat and vegetation retention, and storm water and pollution management techniques. Developers are encouraged to use a combination of techniques to minimize impacts within 100 feet of the south property line and to provide for storm water filtration. Development is encouraged to concentrate on the northern portions of these lots.

Homer City Code (HCC)

The East End Mixed Use (EEMU) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area. The district is meant

to accommodate a mixture of existing and accessory residential with nonresidential uses. When a conflict exists between residential and nonresidential uses conflicts shall be resolved in favor of nonresidential uses.

The following conditional uses may be permitted in the East End Mixed Use District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Construction camps;
- b. Extractive enterprises, including crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- c. Auto fueling stations;
- d. Bulk petroleum product storage;
- e. Planned unit developments;
- f. Junk yard;
- g. Kennels;
- h. Public utility facilities and structures;
- i. Impound yards;
- j. Indoor recreational facilities;
- k. Outdoor recreational facilities;
- l. Other uses approved pursuant to HCC [21.04.020](#).

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: We have had 4 CUP's in the EEMU District, 3 for the same lot that kept expanding operations, all for more than 8000sf.

Recommended revisions: As the district is noted for the support of commercial and heavy industrial, we should consider eliminating CUP for coverage. We can use developmental regulations to permit, screening is required by code.

Marine Commercial District (MC)

Comprehensive Plan

MC (MARINE COMMERCIAL) (See also 2011 Homer Spit Comprehensive Plan)

Provide adequate space for the commercial needs which service and support water-dependent industries and facilities; encourage adequate separation between allied but potentially incompatible commercial and industrial uses while providing proximate locations for the mutual benefit of such water-oriented commercial and water dependent industrial uses. Commercial enterprise permitted to the extent that it services and supports the water-dependent industries which are important to Homer's economic base (e.g., fishing, marine transportation, off-shore energy development, recreation, and tourism) and to the extent that location elsewhere creates unnecessary hardship for the users of such commercial services. Performance standards are required to minimize the impact of commercial development on the natural features on which it depends.

Homer City Code (HCC)

The purpose of the Marine Commercial District is primarily for water-related and water-dependent uses and the business and commercial uses that serve and support them, including but not limited to fishing, marine transportation, off-shore energy development, recreation and tourism. It is recognized that unique natural features of Homer's marine environment contribute significantly to the economic and social environments; therefore, performance standards are required to minimize the impact of development on the natural features on which they depend.

The following uses may be permitted in the Marine Commercial District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Drinking establishments;
- b. Public utility facilities and structures;
- c. Hotels and motels;
- d. Lodging;
- e. More than one building containing a permitted principal use on a lot;
- f. Planned unit developments, limited to water-dependent and water-related uses, with no dwelling units except as permitted by HCC [21.28.020\(o\)](#);
- g. Indoor recreational facilities;
- h. Outdoor recreational facilities;
- i. The location of a building within a setback area required by HCC [21.28.040\(b\)](#). In addition to meeting the criteria for a conditional use permit under HCC [21.71.030](#), the building must meet the following standards:
 1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and
 2. Have a design that is compatible with that of the structures on the adjoining property.

b. Setbacks. No building may be located in a required setback area without an approved conditional use permit.

d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 70 percent of the lot area without an approved conditional use permit.

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: We have had 6 CUP's in the MC District. 3 of those involved setback reductions. Also we have had a restaurant, more than one's, 2 overslope, lodging, heliport, and a 8000sf. It would be a good process to get feedback from the Port and Harbor Commission to incorporate into our discussion.

Marine Industrial (MI)

Comprehensive Plan

MI (MARINE INDUSTRIAL) (See also 2011 Homer Spit Comprehensive Plan)

Provide adequate space for those industrial uses that require direct marine access for their operation and to encourage the most efficient utilization of land. Promote marine-dependent industries important to Homer's economic base (e.g., fishing, fish processing, marine transportation, off-shore oil development, and tourism); give priority to those uses, and minimize conflicts among industrial, commercial and recreational uses.

Homer City Code (HCC)

The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited.

The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Mobile home parks;
- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;
- l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;
- m. More than one building containing a permitted principal use on a lot;
- n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- o. Group care homes and assisted living homes;
- p. Other uses approved pursuant to HCC [21.04.020](#);
- q. Indoor recreational facilities;
- r. Outdoor recreational facilities.

2. If approved by conditional use permit, buildings up to 55 feet in height may be allowed.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: We have had 6 CUP's in the MI District, the Harbor Building (overslope), bulk petro/8000sf/30%, 2 other similar uses (later rezoned to MC), and a PUD for a restroom/guard

shack. Again, I would like to run the concept by the Port and Harbor Commission for their recommendations.

Staff Recommendation

Continue discussion on items and address new issues and any requests for additional information in subsequent meetings

Attachments

CUP report 2011-2021
CUP disposition

<u>CUP</u>	<u>address</u>	<u>zone</u>	<u>reason</u>	<u>disposition</u>	<u>special conditions* beyond required codes</u>	<u>notes</u>
2011-01	n/a	BCWPD/ Conservation	buffers for timber harvesting	approved	time limit/tree survey	
2011-02	4755 Homer Spit Rd	MI	bulk petroleum storage/more than 8000sf/more than 30% lot coverage	approved	none	
2011-03	4136 Hohe St	RO	day care facility	approved	none	
2011-04	880 East End Rd	RO	more than one building/medical clinic/more than 8000sf	approved	pave/screen dumpster	
2011-06	4241 Homer Spit Rd	MC	restaurant/hotel/more than one building/more than 8000sf	approved	architectural features/design	
2011-07	1295 Mission Rd	RR	more than one building	approved	population cap w/I DEC regulation	
2011-08	533 E Pioneer Ave	CBD	amend CUP - landscaping	approved	landscaping/screen dumpster	
2011-09	3406 Main St	CBD	more than one building/setback reduction	approved	none	
2011-10	5155 Kachemak Dr	GC1	more than one building/more than 8000sf	approved	install water	
2011-11	3300 Sterling Hwy	GC1	more than one building/more than 8000sf/Public Utility or Structure	approved	none	
2011-13	1033 Skyline Dr	RR	amend CUP/public utility or structure	approved	none	
2012-01	4744 Homer Spit Rd	MI	other similar uses found in MC	approved	fence/planters/dumpster screening	
2012-02	3800 Sterling Hwy	RR	commercial greenhouse	approved	time limit/lighting	
2012-03	4770 Homer Spit Rd	MI	other similar uses found in MC	approved	resolve setbacks/fence/boardwalk	
2013-01	1401 Candlelight Ct	RR	more than one building	approved	none	
2013-02	4667 Freight Dock Rd	MI	PUD - restroom/guard shelter	approved	none	
2013-03	580 E Pioneer Rd	CBD	setback reduction	approved	none	
2013-04	4661 Kachemak Dr	RR	more than one building	approved	none	
2013-05	1496 Lakeshore Dr	GC1	multi-family dwelling	approved	wetland buffer/screen dumpster/landscaping	
2013-06	265 E Pioneer Ave	CBD	setback reduction	approved	parking plan/screen dumpster/stormwater deadline	
2013-07	3851 Homer Spit Rd	MC	heliport	denied	n/a	
2013-08	4834 Kachemak Dr	RR	more than one building	approved	none	
2013-09	3651 Sterling Hwy	RR	more than one building	approved	proof of DEC compliance - water supply	
2013-10	4914 Kachemak Dr	RR	more than one building	approved	none	
2013-11	203 W pioneer Ave	CBD	setback reduction	approved	landscaping/screen dumpster/landscaping time limit	
2013-12	5700 Easy St	RR	public utility facility and structures (communication tower)	approved*	off site impacts/lighting	project discontinued after remand order
2013-13	3850 Heath St	CBD	more than one building	approved*	many	project discontinued after remanded approve and further litigation
2014-01	4165 Mattox Rd	UR	more than one building	approved	lighting/ screen dumpster	
2014-02	560 Noview Ave	UR	day care facility	denied	n/a	
2014-03	4725 Kachemak Dr	RR	more than one building	approved	lighting	

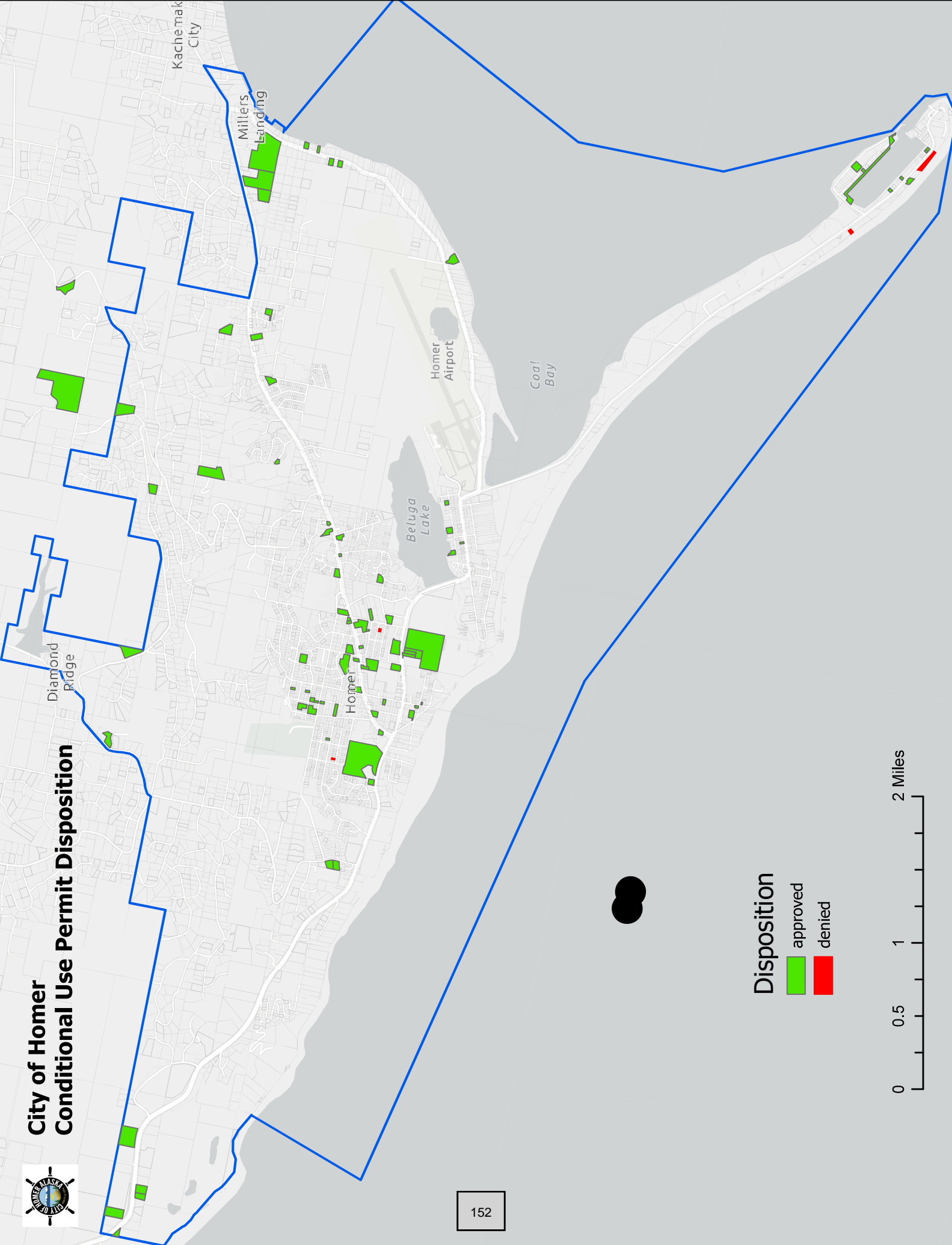
<u>CUP</u>	<u>address</u>	<u>zone</u>	<u>reason</u>	<u>disposition</u>	<u>special conditions* beyond required codes</u>	<u>notes</u>
2014-04	188 Skyline Dr	BCWPD	more than one building/other similar uses	approved	none	
2014-05	320 W Pioneer Ave	CBD	setback reduction	approved	lighting/landscaping	appealed - prevailed in court
2014-06	4311 Freight Dock Rd	MC, MI, SBHOD	overslope/setback reduction	approved	screen dumpster/lighting	
2014-07	564 E Pioneer Ave	CBD	reduced setback	approved	gain non-conforming status	
2014-10	1164 East End Rd	RO	daycare facility	approved	limit hrs/lighting/move nonconforming accessory	
2015-01	2315 East End Rd	RR	more than one building	approved	lighting/ depict easements/screen dumpster	
2015-02	3575 Heath St	CBD	more than one building/more than 8000sf/public facilities and structures	approved	landscaping	
2015-03	4166 Homer Spit Rd	MC	setback reduction/more than one building	approved	parking design	
2015-04	5185 Slavin Dr	RR	more than one building	approved	lighting	
2015-05	315 Klondike Ave	TCD	increase setback	approved	parking design	
2015-06	4242 Calhoun St	UR	more than one building	approved	screen dumpster/driveway design/fence	
2015-07	1242 Ocean Dr	GC1	more than one building	approved	FM approval/W&S connect/screen dumpster/time limit	
2016-01	3902 Shelford St	RO	medical clinic/more than one	approved	FM approval/landscaping/lighting	
2016-02	3936 Svedlund St	RO	more than on building/more than 8000sf	approved	vacate lot line/lighting/screen dumpster/drainage plan	
2016-03	500 Sterling Hwy	UR	indoor rec/more than one building	approved	DEC approval/lighting/access road FM approved	
2016-04	4060 Heath St	CBD	more than one building/public utility facilities and structures	approved	none	
2016-05	5185 Slavin Dr	RR	more than one building	approved	none	
2016-06	4136 Bartlett St	RO	medical clinic/more than 8000sf	approved	pave parking/pedestrian path,/landscaping/screen dumpster	
2017-01	2080 Shannon Ln	RR	more than one building	approved	lighting/screen dumpster/move development 50'	
2017-02	210 Olsen Ln	CBD	more than one building,decrease setback,more than 8000sf	approved	pedestrian trail/screen dumpster/lighting	
2017-03	61447 Florence Martin Ct	BCWSPD	more than 6000sf grading	approved	erosion control/bmp for road	
2017-04	3101 Kachmek Dr	RR	more than one building	approved	lighting	
2017-05	3301 East End Rd	EEMU	more than 8000sf	approved	stormwater plan	
2017-06	3965 Sterling Hwy	RR	bluff setback	approved	time limit/inspection/landscaping/limit disturbance	
2017-07	4300 Freight Dock Rd	MI	tower	approved	seal feed lines/no alteration w/o approval/lighting	

<u>CUP</u>	<u>address</u>	<u>zone</u>	<u>reason</u>	<u>disposition</u>	<u>special conditions* beyond required codes</u>	<u>notes</u>
2017-08	91 Sterling Hwy	CBD	more than 8000sf	approved	approve lighting plan/landscaping	
2018-01	94 Sterling Hwy	CBD	auto fueling station	approved	fence/lighting plan	
2018-02	302 E Pioneer Ave	CBD	decrease setback	approved	lighting	appealed - sustained in Supreme Court
2018-03	152 W Danview	RO	more than one building	approved	lighting/ screen dumpster	
2018-04	680 Sterling Hwy	GBD	more than one building	approved	lighting/screen dumpster/time limit	
2018-05	4201 Rhonda St	RO	more than one building	approved	lighting/dumpster	
2018-06	1170 Lakeshore Dr	GC1	more than on building/multi-family dwelling	approved	lighting	
2018-08	1344 Lakeshore Dr	GC1	more than one building	approved	lighting	
2018-09	267 Cityview St	RO	medical clinic/more than 8000sf	approved	lighting/screen dumpster/sunset	appealed - remand points addressed - approved
2018-10	3301 East End Rd	EEMU	more than 8000sf	approved	none	
2018-11	3779 Bartlett St	CBD	more than 800sf/more that one building	approved	lighting	
2018-12	3725 West Hill Rd	RR	more than one building	approved	lighting/screen dumpster/adjust parking	
2018-13	3771 West Hill Rd	RR	more than one building	approved	lighting/screen dumpster	
2018-14	205 W Fairview Ave	RO	medical clinic	approved	lighting/screen dumpster	
2019-01	267 Cityview St	RO	remand CUP 2018-02	approved	lighting	
2019-02	625 Grubstake Ave	CBD	more than 8000sf/unlisted uses	approved	lighting/screen dumpster/landscaping	
2019-03	3641 Sterling Hwy	RR	more than one building	approved	lighting/signage/placement of leachfield	
2019-04	397 E Pioneer Ave	CBD	group care home/more than 30% building area	approved	FM certificate/fencing/landscaping/time limit/screen dumpster/color palate	withdrew after intent to appeal
2019-05	210 W Fairview	RO	medical clinic	approved	lighting/screen dumpster	
2019-06	3301 East End Rd	EEMU	more than 8000sf	approved	none	
2019-07	Lot 31 Spit Rd Sub Amened	OSR	parking lot	denied	n/a	
2019-08	4155 Pennock St	RO	more than one building	approved	lighting/screen dumpster	
2020-01	104 E Pioneer Ave	CBD	more than one building/manufacturing/more than 8000sf	approved	parking/lighting/screen dumpster	
2020-02	680 Sterlig Hwy	GBD	amend - more than one building	approved	time limit/outdoor lighting/screen dumpster	
2020-03	436 Soundview Ave	UR	townhouse	approved	lighting	
2020-04	3385 East End Rd	EEMU	more than 8000sf	approved	landscaped screening	
2020-05	1081A Freight Dock Rd	MC	overslope/lodging	approved	screen trash container and electrical boxes	
2020-06	3935 Svedlund St	RO	morer than 8000sf	approved	lighting	
2020-07	62890 Skyline	BCWSPD	stream buffer	approved	sediment and erosion control plan	
2020-08	151 W Bayview Ave	RO	more than one building	approved	lighting/screen dumpster	

<u>CUP</u>	<u>address</u>	<u>zone</u>	<u>reason</u>	<u>disposition</u>	<u>special conditions* beyond required codes</u>	<u>notes</u>
2020-09	3657 Main St	CBD	manufacturing/more than one building	approved	lighting	
2020-10	750 Nedosik Rd	RR	more than one building	approved	lighting	
2020-11	4936 Clover Ln	RR	more than one building	approved	lighting	
2020-12	3972 Bartlett St	RO	more than one building	approved	lighting	
2020-14	541 Bonanza Ave	CBD	moblie home park	denied	n/a	
2020-15	106 W Bunnell	CBD	setback reduction/more than 30% building area	approved	setback standard/lighting/screen dumpster/screen parking lot	appealing - applicant withdrew
2021-01	1308 Lakshore Dr	GC1	more than one building	approved	no RV occupancy/lightning	
2021-02	89 Sterling Hwy	CBD	more than one building	approved	parking spaces/parking landscaped buffer/lighting	
2021-03	870 Smokey Bay Way	CBD	manufacturing	approved	none	
2021-04	90 Sterling Hwy	CBD	more than 8000sf	approved	none - design manual application	
2021-05	4262 Homer Spit Rd	MC	setback reduction	approved	none	
2021-06	1308 Lakshore Dr	GC1	amended - more than one building	approved	lighting	
2021-07	1554 Homer Spit Road	GC1	more than one	approved	lighting	
2021-08	3860 Kachemek Way	CBD	greenhouse	approved	lighting	



City of Homer Conditional Use Permit Disposition



Disposition

- approved
- denied



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

2. DEDICATE A 15 FOOT UTILITY EASEMENT ADJACENT TO MISSION ROAD
3. DEDICATE A 30 FOOT DRAINAGE EASEMENT CENTERED ON THE DRAINAGE.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Staff report 22-47, Hamm Subdivision Preliminary Plat

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

City Planner Abboud provided a summary of Staff Report 22-47. He noted the items that were included in the laydown materials and stated that a motion should contain a third condition regarding adding a 15 foot drainage and utility easement on the western lot line.

The Clerk confirmed for the Chair that there was no applicant present.

Chair Smith opened the floor to the Commission for questions.

City Planner Abboud provided clarification on the Borough requirement for cul-de-sacs and explained the reasoning behind the exception to KPB 20.30.100

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

HIGHLAND/VENUTI MOVED TO ADOPT STAFF REPORT 22-47 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING COMMENTS:

1. INCLUDE A PLAT NOTE STATING PROPERTY OWNER SHOULD CONTACT THE ARMY CORP OF ENGINEERS PRIOR TO ANY ONSITE DEVELOPMENT OR CONSTRUCTION ACTIVITY TO OBTAIN THE MOST CURRENT WETLAND DESIGNATION (IF ANY). PROPERTY OWNERS ARE RESPONSIBLE FOR OBTAINING ALL REQUIRED LOCAL, STATE AND FEDERAL PERMITS.
2. THE CITY OF HOMER DOES NOT REQUEST THE DEDICATION OF COLLIE STREET OTHER THAN WHAT IS DEPICTED ON THE PLAT AND RECOMMENDS AN EXCEPTION TO KPB 20.30.100, CUL DE SACS.
3. ADD A 15 FOOT DRAINAGE AND UTILITY EASEMENT ON THE WESTERN LOT LINE.

There was no discussion

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report 22-48, Review of Conditional Uses and Structures

Chair Smith introduced the item by reading of the title.

City Planner Abboud reviewed Staff Report 22-48 for the Commission. He noted the status of the discussion from the previous meeting and facilitated discussion on the following points:

- making motions to effect the changes the Commission would like to make
- preference to waiting to make motions when there is a full commission present
- addressing pipelines and railroads as separate entities requiring different applications because while similar there are specific items for each
- Why the Commission is reviewing and considering changes to City Code regarding CUP's and the CUP process bring actions before the public, in the form of a Public Hearing, which if conditions are deleted the public would have no opportunity to express that they have concerns regarding those types of projects but then the CUP process does apply restrictions or possibly what could be determined as an unnecessary burden on the owner to go through; example was provided of more than one dwelling in the rural residential district
 - o refer to page 107 of the packet under Staff
- Preference to establish or use worksessions or special worksessions to discuss these issues
- Requesting motions from each Commissioner regarding their suggested amendments to be submitted to the Clerk and included in the packet for the next meeting. This would allow each Commissioner the opportunity to consider the motion.

Chair Smith volunteered to work with Commissioner Highland regarding her motions after the meeting when she expressed concerns on drafting the content of the motions.

There was no further discussion and it was noted that this item would be on the next meetings' agenda again by City Planner Abboud when he confirmed that he had enough information to continue.

NEW BUSINESS

A. Memorandum from Deputy City Clerk Re: Election of Officers

Chair Smith introduced the item and deferred to Deputy City Clerk Krause.

Deputy City Clerk Krause reviewed the memorandum provided in the packet.

Chair Smith requested a motion on the voting method.

VENUTI/HIGHLAND MOVED TO HAVE THE COMMISSION USE THE VOICE VOTE METHOD.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Smith opened the floor to nominations for the office of Vice Chair.

Commissioner Venuti inquired if Commissioner Highland would fulfill the office of Vice Chair if she was nominated.

Commissioner Highland expressed that she would but would also appreciate it if another Commissioner would take on the role.

Commissioner Venuti nominated Commissioner Highland for Vice Chair.

Commissioner Chiappone seconded the motion acknowledging that a second was not needed for the nomination.



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Staff Report PL 22-44

TO: HOMER PLANNING COMMISSION
FROM: RICK ABOUD, AICP, CITY PLANNER
DATE: JULY 20, 2022
SUBJECT: CUP REDUCTION

Introduction

In an effort to be more efficient with the use of planning resources and encourage developments recommended through the comprehensive plan and city code, I am performing a comprehensive review of how we may lower the prevalence of Conditional Use Permits (CUP) to consider allowing items as a permitted use, disallowing altogether, or modifying them. I will review district by district in order to provide the best context and perspective. Along the way we may start thinking or recommending a more streamlined or consistent language for uses.

We will be using a format throughout the document the first lists the intent of the district as proposed by the Comprehensive Plan then applicability of the Community Design Manual when applicable. This is to put a prospective on how a use and/or density and design concerns are be supported in a district. Next, is a list of the code that makes a use or structure a Conditional Use. I used colored font to highlight the opportunities for change. This will be a long discussion and likely take several meetings to address.

Analysis

Rural Residential (RR)

Comprehensive Plan

- **Intent** The R-3 district is intended to provide areas for low density residential development and limited agricultural pursuits.
- **Primary Use** Low-density residential development in outlying locations, generally with less services and/or lower level of service than in urban areas.
- **Other Uses, Allowances, and Specifications**
 - Areas generally not served by water and sewer, nor likely to be served in the near future.
 - Larger lot sizes or cluster subdivisions to preserve sense of open space.
 - Allows accessory housing units by right (subject to standards).
 - Allows bed and breakfasts by right, subject to standards (for purposes of this plan B&B defined as lodging where owner proprietor resides on site)

- Allows home-based businesses by right, subject to standards; allows some larger non-retail business activities subject to administrative review.
- **Development standards**
 - Option for higher densities and cluster development. Encourage open space subdivisions as alternative to more typical lot layouts.
 - Ensure newer housing is compatible with character of older neighborhoods.

Homer City Code (HCC)

The purpose of the Rural Residential District is primarily to provide an area in the City for low-density, primarily residential, development; allow for limited agricultural pursuits; and allow for other uses as provided in this chapter.

- a. Planned unit development, limited to residential uses only;
- b. Religious, cultural and fraternal assembly;
- c. Cemeteries;
- d. Kennels;
- e. Commercial greenhouses and tree nurseries offering sale of plants or trees grown on premises;
- f. Mobile home parks;
- g. Public utility facilities and structures;
- h. Pipelines and railroads;
- i. Storage of heavy equipment, vehicles or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- j. Day care facilities; provided, however, that outdoor play areas must be fenced;
- k. Group care home;
- l. Assisted living home;
- m. [More than one building containing a permitted principal use on a lot;](#)
- n. Indoor recreational facilities;
- o. Outdoor recreational facilities;
- p. Public school and private school;
- q. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot

a. Lot Size.

1. The minimum lot area shall be 40,000 square feet, plus 40,000 square feet for each dwelling unit in excess of one unit in areas not served by public sewer and water.
2. Each lot shall contain a minimum of 20,000 square feet, plus 20,000 square feet per dwelling unit in excess of one unit if one of the following conditions exists:
 - a. The lot is served by public water supply approved by the State Department of Environmental Conservation; or
 - b. The lot is served by public or community sewer approved by the State Department of Environmental Conservation.

3. Each lot shall contain a minimum of 10,000 square feet, plus 10,000 square feet per dwelling unit in excess of one unit if the lot is served by both public water and sewer that satisfy both conditions of subsection (a)(2) of this section.

Staff: The overwhelming amount of CUP's in the RR District are for 'more than one', 16 out of 20 in the last ten years to be exact. This is mostly a result of the extension of water and sewer services into the district. Ideally, the zoning would change as service is extended into subdivisions, especially those that are centrally located and designated on the Land Use Recommendations Map. We can consider the allowance of 'more than one' with the recommendations of the Future Land Use Map. The lot size requirements with the provision of water and/or sewer are listed above for reference.

Recommended revisions: Allow development of units according to the provision of water and sewer services subject to screening of dumpsters (screening of dumpsters for any multi-family (3 or more) is to be material for all the districts). The rest of the conditions typically addressed in CUP's for this district include a reminder to follow lighting rules and proof of compliance with DEC regulation, which is required by terms of a zoning permit. Only once did we ask that development adjust the sighting to provide an increased buffer for the existing neighbors.

While our code allows anyone in the RR district to reduce the space necessary for dwelling to one per 10,000 square feet, we should consider areas where we would want to preserve the a rural density standard. I am a proponent of creating more opportunity for density, I believe that there is room and some expectation of rural areas maintaining the rural standards of one dwelling unit per 40,000 square feet regardless of the provisioning of city water and sewer. Ideally, this is best accomplishes with reference in the comprehensive plan.

It is a good time to review the rest of the CUP's listed above. I have found that the occurrences of the other CUP's are minimal and they are structures and activities not necessarily associated with the vision for RR. It is also a time to consider if such activity should be allowed at all. Discuss.

Urban Residential (UR)

Comprehensive Plan

UR (URBAN RESIDENTIAL)

- **Intent** The R-1 district is intended to provide more intense residential development in the city core, in a manner that matches Homer's small town character and encourages increased densities near pedestrian-oriented commercial areas.
- **Primary Use** Medium and medium-high density residential including single-family, duplex, and multiple-family; allow for a variety in housing types and housing price levels.
- **Other Uses, Allowances, and Specifications**
 - Areas generally served by water and sewer; central locations with excellent access to a range of urban services and facilities.

- Residential is primary use; but allows for other uses where these uses maintain residential character.
- Moderate lot size minimums (for example, 6000 square foot lots for single family homes).
- Allows bed and breakfasts by right, allows second units and duplexes by right (both subject to standards). (For purposes of this plan, a B&B is defined as lodging where owner proprietor resides on site.)
- Allows home-based businesses by right (subject to standards).
- **Development standards**
 - Encourage attractive, diverse housing types (vs. “cookie-cutter” subdivisions).
 - Ensure newer housing is compatible with character of older neighborhoods (for example, by requiring transitional densities, buffer uses).

Homer City Code (HCC)

The Urban Residential District is primarily intended to provide a sound environment for medium-density residential occupancy including single-family, duplex and low-rise multiple-family dwellings of various types and designs and other compatible uses as provided in this chapter.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit development, excluding all industrial uses;
- b. [Townhouse developments](#);
- c. Day care facilities; provided, however, that outdoor play areas must be fenced;
- d. Religious, cultural and fraternal assembly;
- e. Hospitals;
- f. Pipelines and railroads;
- g. Storage of heavy equipment or boats over 36 feet in length as an accessory use incidental to a permitted or conditionally permitted principal use;
- h. Private stables and the keeping of larger animals not usually considered pets, including paddocks or similar structures or enclosures utilized for keeping of such animals as an accessory use incidental to a primary residential use; such use shall be conditioned on not causing unreasonable disturbance or annoyances to occupants of neighboring property, and on sufficient land to harbor such animals;
- i. Group care home;
- j. Assisted living home;
- k. [More than one building containing a permitted principal use on a lot](#);
- l. Indoor recreational facilities;
- m. Outdoor recreational facilities;
- n. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.

Dimensional requirements *(these are standards commonly referred to in other districts)*

2. Multiple-family dwelling containing three or more units shall meet the following standards:
 - a. The total floor area shall not be more than four-tenths the lot area;
 - b. The total open area shall be at least 1.1 times the total floor area. Open area is any portion of the lot not covered or used for parking spaces and maneuvering.

Staff: We have had 5 CUP's in the UR District in the last ten years, 2 'more than one', a daycare facility (denied), indoor recreation/more than one, and a townhouse. Not as much opportunity here for reductions.

Recommended revisions: I believe that we could consider allowing 'more than one' while applying the density standards of multi-family to 3 or more units on a lot (I suggest that this be carried forth to all other districts when served with water and sewer). This would not be out of line with the multi-family standards which are allowed outright. The only difference is that they are not found in a single structure. I also feel that this standard should also apply to townhouse.

Residential Office (RO)

Comprehensive Plan

RO (RESIDENTIAL OFFICE)

- **Intent** The intent of the RO district is to allow for a range of residential and residential compatible uses. While allowing office, certain commercial and other business uses, buildings and sites must have a scale and character similar to single family detached or small multi-family homes. This district serves as a transition zone between commercial and residential neighborhoods.
- **Primary Use** Provide a mix of low-density to medium-density residential uses with certain specified businesses and offices which may include professional services, administrative services and/or personal services, but does not include direct retail or wholesale transactions except for sales which are incidental to the provision of services.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services, close to other urban services.
 - Moderate lot size minimums (for example, 7500 square feet); allows for attached housing.
 - Guide use to create/maintain an attractive highway environment
- **Design and development standard**
 - Required (not advisory) standards to maintain residential character/residential scale of buildings (e.g., height, setbacks, parking location, signage).
 - Advisory design guidelines regarding building style (e.g., use of materials, architectural style).

- Allow for limited commercial signage, consistent with overall goal of retaining a largely residential character.

Homer City Code (HCC)

The Residential Office District is primarily intended for a mixture of low-density to medium-density residential uses and certain specified businesses and offices, which may include professional services, administrative services and personal services, but generally not including direct retail or wholesale transactions except for sales that are incidental to the provision of authorized services. A primary purpose of the district is to preserve and enhance the residential quality of the area while allowing certain services that typically have low traffic generation, similar scale and similar density. The district provides a transition zone between commercial and residential neighborhoods.

The following uses may be permitted in the Residential Office District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, excluding all industrial uses;
- b. [Townhouses](#);
- c. Public or private schools;
- d. Hospitals and [medical clinics](#);
- e. Public utility facilities and structures;
- f. [Mortuaries](#);
- g. [Day care facilities](#); provided, however, that outdoor play areas must be fenced;
- h. [More than one building containing a permitted principal use on a lot](#);
- i. [Group care homes](#);
- j. Helipads, but only as an accessory use incidental to a hospital conditional use;
- k. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- l. Other uses approved pursuant to HCC [21.04.020](#).

Dimensional requirements

- e. No lot shall contain more than 8,000 square feet of building area (all buildings combined), [nor shall any lot contain building area in excess of 30 percent of the lot area](#), without an approved conditional use permit.

Staff: We have had 16 CUP's in the RO district in the last ten years including 7 'more than one', 5 medical clinics (one more than 8000sf, mostly found in subsequent medical district), 4 - 8000sf, and 2 daycare facilities (math does add up due to multiple CUP triggers).

Recommended revisions: Townhouses and 'more than one' can be handled as previously suggested. I see mortuaries and group care homes as something that the district can reasonable support, as it is not direct wholesale or retail which is not provisioned in the district, these along with medical clinic would only be a CUP when provisioned with more than 8,000sf

in a lot. I see no reason require a CUP for daycare in the district. This leaves us with a discussion of the 'more than 30% building area. Perhaps we could discuss the '8000', if any are uncomfortable with the number. I do high recommend that the '30%' does not disappear in concept but we should move the bar.

Medical District (M)

Comprehensive Plan

MEDICAL DISTRICT

Intent: Acknowledge demand for medical services will increase with a larger, aging population. Enact zoning regulations that allow medical services to expand with the growing need for life long medical care, in a localized area near the hospital.

Homer City Code (HCC)

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

The following uses may be permitted in the Medical District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

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

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

A conditional use permit is required for every use that:

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

- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: The Medical District is new and has not recorded a CUP. I do not suggest any amendments.

Central Business District (CBD)

Comprehensive Plan

CBD (CENTRAL BUSINESS DISTRICT)

- **Intent** The intent of the CBD commercial district is to provide a mixed use business district in the core area of Homer, with greater allowance for vehicular use than in the Downtown district, but still with a character that encourages pedestrian use.
- **Primary Use** Provide a centrally located area within the City for a mixture of urban uses and activities, including general retail shopping, personal and professional services, educational institutions, entertainment establishments, restaurants and related businesses, civic uses, recreation, and residential uses. Allow a mixture of residential and commercial uses but conflicts resolved in favor of business.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - On-site parking required (option for shared parking with an approved parking plan).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right
- **Development standards include:**
 - Create an attractive, pedestrian-oriented environment (e.g., landscaped parking, standards to humanize buildings such as clearly articulated entries).
 - Advisory guidelines regarding design character, so buildings and other structures within the district are compatible with one another and with the surrounding area.
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

Community Design Manual – Applicable to uses and structures requiring a CUP

Chapter 1. Architecture, Chapter 2. Site Design, Chapter 3. Lighting (applicable to all uses).

These Chapter's apply to all non-residential uses and uses with more than 12 residential units in the Central Business District.

Homer City Code (HCC)

The following uses may be permitted in the Central Business District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, excluding all industrial uses;
- b. [Indoor recreational facilities and outdoor recreational facilities](#);
- c. Mobile home parks;
- d. [Auto fueling stations](#);
- e. Public utility facilities and structures;
- f. Pipeline and railroads;
- g. [Greenhouses and garden supplies](#);
- h. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- i. Shelter for the homeless, provided any lot used for such shelter does not abut a residential zoning district;
- j. [More than one building containing a permitted principal use on a lot](#);
- k. [Group care homes and assisted living homes](#);
- l. Drive-in car washes, but only on the Sterling Highway from Tract A-1 Webber Subdivision to Heath Street;
- m. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot;
- n. Other uses approved pursuant to HCC [21.04.020](#).

4. If approved by a conditional use permit, the setback from a dedicated right-of-way, except from the Sterling Highway or Lake Street, may be reduced.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or

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

Staff: There have been 25 CUP's in the CBD in the last ten years. These were for a wide variety of reasons, including many with multiple triggers. There were 9 'more than one's' (including 4 that were greater than 8000sf), 8 setback reductions, 7 'more than 8000sf' (commonly with additional triggers), 2 manufacturing, 2 'more than 30%', a greenhouse, mobile home park, group care, auto fueling station, and an amendment.

Recommended revisions: Move recreational facilities, auto fueling, greenhouses, more than one, group care and assisted living to permitted uses. Consider moving the bar for 30% building coverage, something like 50% would be more appropriate for an area where we encourage density. (This is a district under guidance of CDM, CUP requires review). I am still formulating the value of the 30% building coverage, its purpose is unclear in my understanding of our regulation and what exactly we are looking to address. It is something that rarely or possibly has never been the sole reason for a CUP.

Town Center District (TC)

Town Center Plan

The following goals and objectives from the Homer Comprehensive Plan (1999 Update) are particularly relevant to planning for development in Homer's Town Center:

- Improve the attractiveness and usability of the business core to encourage use of the area.
- Encourage a balance of open space and attractive, retail-oriented development of vacant land in the business/core area.
- Actively pursue a theme for Pioneer Avenue. Support the establishment of a Town Square and connecting green spaces through town.
- Develop an integrated system of trails, sidewalks, and walkways to connect City parks, schools, recreational areas, and the downtown core area.
- Encourage and enhance the cultural and educational amenities of Homer.
- Guide growth and development in areas planned or zoned Central Business District (CBD) to provide a centrally located business/commercial area and focal point for the community.
- The City, in cooperation with private business owners, shall research and evaluate steps involved in creating and enabling a Pioneer Avenue theme and town square to become a reality.
- Work with the community to develop a centralized Town Square that includes a cultural center, interfacing with existing organizations and institutions to explore partnerships and shared parking.
- Investigate innovative funding mechanisms to provide funding for development of the Town Square with cultural and other facilities and public art programs

Homer City Code (HCC)

The primary purpose of the Town Center District is to provide a centrally located area in Homer for a core business area and a community focal point. Pedestrian-friendly designs and amenities are encouraged.

The following uses may be permitted in the Town Center District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Planned unit developments, limited only to uses otherwise permitted in this district;
- b. [Indoor recreational facilities](#);
- c. [Greenhouses and garden supplies](#);
- d. Light or custom manufacturing, repair, fabricating, and assembly, provided such use, including storage of materials, is wholly within an enclosed building;
- e. [Group care homes and assisted living homes](#);
- f. Other uses approved pursuant to HCC [21.04.020](#);
- g. [Outdoor recreational facilities](#);
- h. Customary accessory uses to any of the permitted uses listed in the TCD district; provided, that a separate permit shall not be issued for the construction of any type of accessory building prior to that of the main building;
- i. [Self-service laundries](#);
- j. [Retail sales of hardware, appliances and furniture, building supplies and materials, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings](#);
- k. [Plumbing, heating and appliance repair shops, but only if such use, including storage of goods and materials, is wholly contained within one or more enclosed buildings](#);
- l. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system on any capacity of the lot

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: Only one CUP as development has never taken off in the TC district.

Recommended revisions: recreational facilities, greenhouses, group care, assisted living, and laundries should be acceptable within our regulations. The retail sales of hardware and etc. along with plumbing and etc. should be eliminated and treated as permitted equivalents (and sometime we should look at the permitted uses as to not ‘pigeon hole’ specific details of retail operations).

Gateway Business District (GBD)

Comprehensive Plan

G-MU (Gateway Mixed Use)

- **Intent** The intent of the G-MU district is to provide land uses that primarily cater to the tourism and visitor industry of Homer and to promote year round activity. The gateway district serves as the primary roadway entry into Homer. It will provide an attractive built environment and promote those uses that will not compete with the DT, CBD and GC districts.
- **Primary Use** Promote mixed-use development, with emphasis on the visitor industry. Serve needs and interests of the visitor industry, as well as year-round residents and Homer's role as the Gateway to Kachemak Bay (not to conflict w/CBD). Minimize future traffic congestion along the Sterling Highway corridor and preserve the experience residents and visitors have when entering Homer by way of the Sterling Highway.
- Commercial uses are primary objective; focus on “Gateway” appropriate businesses such as visitor amenities, hotels – no gas stations, fast-food, strip development.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Allow and encourage relatively high densities (sufficient concentration of uses to encourage circulation by foot).
 - Residential densities – for example, multi-family up to 6 units per acre - allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
- **Development standards**
 - Advisory guidelines re “Gateway” design character.
 - Encourage parking behind buildings (through appropriate set-back rules).
 - Design standards that create an entry point the community can be proud of - attractive, pedestrian-oriented to a degree (e.g., landscaped parking).
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).

Community Design Manual – Applicable to uses and structures requiring a CUP

Chapter 1. Architecture, Chapter 2. Site Design, Chapter 3. Lighting (applicable to all uses).

These Chapter's apply to all non-residential uses and uses with more than 12 residential units in the Central Business District.

Homer City Code (HCC)

The purpose of the Gateway Business District is primarily to promote mixed use development, with an emphasis on visitor-oriented business. Conflicts between residential and business uses are resolved in favor of business. Among the goals of the Gateway Business District regulations are the minimization of future traffic congestion along the Sterling Highway corridor, and preservation of the favorable experience residents and visitors have when entering Homer by way of the Sterling Highway.

The following conditional uses may be permitted in the Gateway Business District when authorized in accordance with Chapter [21.71](#) HCC:

- a. More than one building containing a permitted principal use on a lot.
- b. One wind energy system having a rated capacity exceeding 10 kilowatts; provided, that it is the only wind energy system of any capacity on the lot.
- c. Other uses approved pursuant to HCC [21.04.020](#).

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: So far, we have had one property with a CUP in the GBD for 'more than one', the same property amended the CUP.

Recommended revisions: Follow previous recommendation for dealing with more than one and consider moving the bar for 30% building area lot coverage.

General Commercial 1 (GC1)

Comprehensive Plan

- **Intent** The intent of the GC-1 district is to provide for auto-oriented business.
- **Primary Use** Provide for a diverse array of commercial, retail, and civic uses; commercial uses are primary objective. Applied in locations where the auto is primary means of access.
- **Other Uses, Allowances, and Specifications**
 - Areas served by public water and sewer, full range of other urban services.
 - Residential densities – for example, residential uses up to 6 units per acre allowed by right; higher densities with administrative review or use dimensional standards like CBD above.
 - On-site parking required (option for shared parking with an approved parking plan).
 - Guide use to create/maintain an attractive highway environment.
- **Development standards** include:
 - Control signage to maintain visual quality (for example, avoid large, highly illuminated signs).
 - Provide for safe pedestrian circulation.

Homer City Code (HCC)

The General Commercial 1 (GC1) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area, and to provide business locations in proximity to arterials and transportation centers. It is also intended to minimize congestion and adverse effects on adjacent residential districts and on the appearance of the community.

The following uses may be permitted in the General Commercial 1 District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Campgrounds;
- b. Crematoriums;
- c. Multiple-family dwelling;
- d. Public utility facility or structure;
- e. Mobile home parks;
- f. Planned unit developments;
- g. Townhouses;
- h. Pipelines and railroads;
- i. Shelter for the homeless, provided any lot used for such shelter does not abut an RO, RR, or UR zoning district;
- j. More than one building containing a permitted principal use on a lot;

- k. Day care facilities; provided, however, that outdoor play areas must be fenced;
- l. Other uses approved pursuant to HCC [21.04.020](#);
- m. Indoor recreational facilities;
- n. Outdoor recreational facilities.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: We have had 9 CUP's in the GC1 District. All of these except a multi-family dwelling involved 'more than one' (5 were on Lakeshore Dr.).

Recommended revisions: Recreational facilities can be permitted uses. I recommend that 'more than one' be allowed by right using current regulations. 30% building area should be reconsidered. This district brings up the concept of consideration for me of the general thought of differences between 'multi-family' and multiple individual structures, would we ever want to think of the congregation of small structures to be treated like multi-family. This could be an approach for the inclusion of 'tiny homes' in the zoning regime.

General Commercial 2 (GC2)

Comprehensive Plan

- **Intent** The intent of the GC-2 district is to locate commercial and industrial uses where access to transportation infrastructure is a primary consideration. This district will also serve as a reserve to allow for future commercial and industrial expansion.
- **Primary Use** Promote a sound heavy commercial area within the community with good access to main roads, and reserve land for future industrial expansion. Designed to permit manufacturing, processing, assembly, packaging, or treatment of products within enclosed utilities and facilities required to serve these uses.

Residential uses permitted, recognizing the primacy of light industrial and commercial activities. Residential uses limited; certain retail enterprises limited. Performance standards for heavy commercial uses, especially where the district abuts other zoning districts. Allows for heavier commercial uses – manufacturing, processing, packaging, and support of airport activities / needs.

- **Other Uses, Allowances, and Specifications**
 - Accessible by vehicle/direct access.
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD
 - On-site parking required.
- **Development standards include:**
 - Minimal – basic guidelines for parking, minimal setbacks
 - Encourage basic landscaping, screening

Homer City Code (HCC)

The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited.

The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Mobile home parks;
- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;
- l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;
- m. More than one building containing a permitted principal use on a lot;
- n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- o. Group care homes and assisted living homes;
- p. Other uses approved pursuant to HCC [21.04.020](#);
- q. Indoor recreational facilities;
- r. Outdoor recreational facilities.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: No CUP's have been issued in GC2

Recommended revisions: We can transfer several conditional uses to permitted when considering the purpose of the district including petroleum storage, impound yards, more than one, and recreation facilities. A discussion can be had regarding the appropriateness of things like mobile home parks, daycares, group and assisted living homes. These uses generally would not upset the goings on of a commercial district, it's more about protecting themselves from the possible negative externalities of the allowed uses.

As the district is to support heavy commercial and industrial activities, we should eliminate CUP for spatial limits and let development regulations guide the development.

East End Mixed Use District (EEMU)

Comprehensive Plan

- **Intent** The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and to ensure such uses, which are important to Homer's economy, continue to have a viable location.
- **Primary Use** Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but residential/retail and commercial conflicts will be resolved in favor of commercial/industrial uses.

- **Other Uses, Allowances and Specifications**
 - Allows for mixed use, live/work, provides larger lots than would be available in CBD.
 - On-site parking required.
 - Guide use to create/maintain an attractive highway environment.
- **Development standards**
 - Minimal – basic guidelines for parking, setbacks.
 - Encourage basic landscaping.
 - Properties adjacent to the Conservation zone should use best management practices when developing near the southern edge of the property. Strategies may include, but are not limited to, 100 foot buffer zones along the southern property lines adjacent to the conservation areas, tree retention (bird habitat, moose cover), habitat and vegetation retention, and storm water and pollution management techniques. Developers are encouraged to use a combination of techniques to minimize impacts within 100 feet of the south property line and to provide for storm water filtration. Development is encouraged to concentrate on the northern portions of these lots.

Homer City Code (HCC)

The East End Mixed Use (EEMU) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area. The district is meant to accommodate a mixture of existing and accessory residential with nonresidential uses. When a conflict exists between residential and nonresidential uses conflicts shall be resolved in favor of nonresidential uses.

The following conditional uses may be permitted in the East End Mixed Use District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Construction camps;
- b. Extractive enterprises, including crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- c. Auto fueling stations;
- d. Bulk petroleum product storage;
- e. Planned unit developments;
- f. Junk yard;
- g. Kennels;
- h. Public utility facilities and structures;
- i. Impound yards;
- j. Indoor recreational facilities;
- k. Outdoor recreational facilities;
- l. Other uses approved pursuant to HCC [21.04.020](#).

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection

Staff: We have had 4 CUP's in the EEMU District, 3 for the same lot that kept expanding operations, all for more than 8000sf.

Recommended revisions: As the district is noted for the support of commercial and heavy industrial, we should consider eliminating CUP for coverage. We can use developmental regulations to permit, screening is required by code.

Marine Commercial District (MC)

Comprehensive Plan

MC (MARINE COMMERCIAL) (See also 2011 Homer Spit Comprehensive Plan)

Provide adequate space for the commercial needs which service and support water-dependent industries and facilities; encourage adequate separation between allied but potentially incompatible commercial and industrial uses while providing proximate locations for the mutual benefit of such water-oriented commercial and water dependent industrial uses. Commercial enterprise permitted to the extent that it services and supports the water-dependent industries which are important to Homer's economic base (e.g., fishing, marine transportation, off-shore energy development, recreation, and tourism) and to the extent that location elsewhere creates unnecessary hardship for the users of such commercial services. Performance standards are required to minimize the impact of commercial development on the natural features on which it depends.

Homer City Code (HCC)

The purpose of the Marine Commercial District is primarily for water-related and water-dependent uses and the business and commercial uses that serve and support them, including but not limited to fishing, marine transportation, off-shore energy development, recreation and tourism. It is recognized that unique natural features of Homer's marine environment contribute significantly to the economic and social environments; therefore, performance

standards are required to minimize the impact of development on the natural features on which they depend.

The following uses may be permitted in the Marine Commercial District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Drinking establishments;
- b. Public utility facilities and structures;
- c. Hotels and motels;
- d. Lodging;
- e. More than one building containing a permitted principal use on a lot;
- f. Planned unit developments, limited to water-dependent and water-related uses, with no dwelling units except as permitted by HCC [21.28.020\(o\)](#);
- g. Indoor recreational facilities;
- h. Outdoor recreational facilities;
- i. The location of a building within a setback area required by HCC [21.28.040\(b\)](#). In addition to meeting the criteria for a conditional use permit under HCC [21.71.030](#), the building must meet the following standards:
 1. Not have a greater negative effect on the value of the adjoining property than a building located outside the setback area; and
 2. Have a design that is compatible with that of the structures on the adjoining property.

b. Setbacks. No building may be located in a required setback area without an approved conditional use permit.

d. No lot shall contain more than 8,000 square feet of building area (all buildings combined), nor shall any lot contain building area in excess of 70 percent of the lot area without an approved conditional use permit.

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Staff: We have had 6 CUP's in the MC District. 3 of those involved setback reductions. Also we have had a restaurant, more than one's, 2 overslope, lodging, heliport, and a 8000sf. It would

be a good process to get feedback from the Port and Harbor Commission to incorporate into our discussion.

Marine Industrial (MI)

Comprehensive Plan

MI (MARINE INDUSTRIAL) (See also 2011 Homer Spit Comprehensive Plan)

Provide adequate space for those industrial uses that require direct marine access for their operation and to encourage the most efficient utilization of land. Promote marine-dependent industries important to Homer's economic base (e.g., fishing, fish processing, marine transportation, off-shore oil development, and tourism); give priority to those uses, and minimize conflicts among industrial, commercial and recreational uses.

Homer City Code (HCC)

The purpose of the General Commercial 2 District is primarily to provide a sound area for heavy commercial and industrial uses within the community designed to permit manufacturing, processing, assembly, packaging, or treatment of products and other uses described in this chapter. Residential uses and certain retail enterprises are purposely limited.

The following uses may be permitted in the General Commercial 2 District when authorized by conditional use permit issued in accordance with Chapter [21.71](#) HCC:

- a. Mobile home parks;
- b. Construction camps;
- c. Extractive enterprises, including the mining, quarrying and crushing of gravel, sand and other earth products and batch plants for asphalt or concrete;
- d. Bulk petroleum product storage above ground;
- e. Planned unit developments, excluding residential uses;
- f. Campgrounds;
- g. Junk yard;
- h. Kennels;
- i. Public utility facilities and structures;
- j. Pipelines and railroads;
- k. Impound yards;
- l. Shelter for the homeless, provided any lot used for such shelter does not abut an urban, rural or office residential zoning district;
- m. More than one building containing a permitted principal use on a lot;
- n. Day care facilities; provided, however, that outdoor play areas must be fenced;
- o. Group care homes and assisted living homes;
- p. Other uses approved pursuant to HCC [21.04.020](#);
- q. Indoor recreational facilities;
- r. Outdoor recreational facilities.

2. If approved by conditional use permit, buildings up to 55 feet in height may be allowed.

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

A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

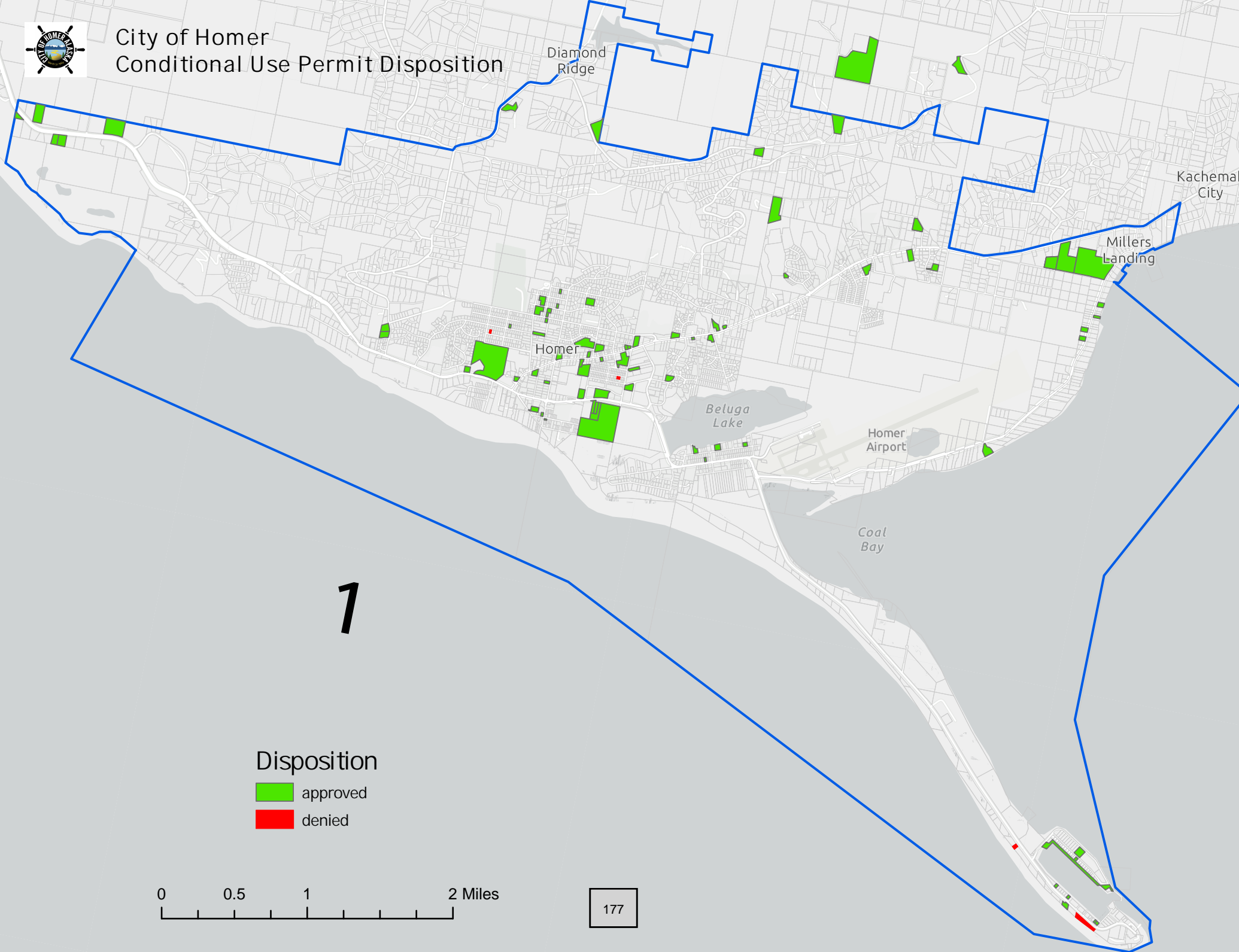
Staff: We have had 6 CUP's in the MI District, the Harbor Building (overslope), bulk petro/8000sf/30%, 2 other similar uses (later rezoned to MC), and a PUD for a restroom/guard shack. Again, I would like to run the concept by the Port and Harbor Commission for their recommendations.

Staff Recommendation

Continue discussion on items and address new issues and any requests for additional information in subsequent meetings

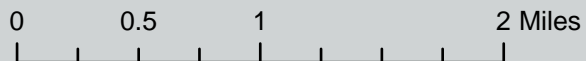


City of Homer Conditional Use Permit Disposition



Disposition

-  approved
-  denied



	A	B	C	D	E	F	G
1	CUP	address	zone	reason	disposition	special conditions* beyond required codes	notes
2	2011-01	n/a	BCWPD/Conservation	buffers for timber harvesting	approved	time limit/tree survey	
3	2011-02	4755 Homer Spit Rd	MI	bulk petroleum storage/more than 8000sf/more than 30% lot coverage	approved	none	
4	2011-03	4136 Hohe St	RO	day care facility	approved	none	
5	2011-04	880 East End Rd	RO	more than one building/medical clinic/more than 8000sf	approved	pave/screen dumpster	
6	2011-06	4241 Homer Spit Rd	MC	restaurant/hotel/more than one building/more than 8000sf	approved	architectural features/design	
7	2011-07	1295 Mission Rd	RR	more than one building	approved	population cap w/I DEC regulation	
8	2011-08	533 E Pioneer Ave	CBD	amend CUP - landscaping	approved	landscaping/screen dumpster	
9	2011-09	3406 Main St	CBD	more than one building/setback reduction	approved	none	
10	2011-10	5155 Kachemak Dr	GC1	more than one building/more than 8000sf	approved	install water	
11	2011-11	3300 Sterling Hwy	GC1	more than one building/more than 8000sf/Public Utility or Structure	approved	none	
12	2011-13	1033 Skyline Dr	RR	amend CUP/public utility or structure	approved	none	
13	2012-01	4744 Homer Spit Rd	MI	other similar uses found in MC	approved	fence/planters/dumpster screening	
14	2012-02	3800 Sterling Hwy	RR	commercial greenhouse	approved	time limit/lighting	
15	2012-03	4770 Homer Spit Rd	MI	other similar uses found in MC	approved	resolve setbacks/fence/boardwalk	
16	2013-01	1401 Candlelight Ct	RR	more than one building	approved	none	
17	2013-02	4667 Freight Dock Rd	MI	PUD - restroom/guard shelter	approved	none	
18	2013-03	580 E Pioneer Rd	CBD	setback reduction	approved	none	
19	2013-04	4661 Kachemak Dr	RR	more than one building	approved	none	
20	2013-05	1496 Lakeshore Dr	GC1	multi-family dwelling	approved	wetland buffer/screen dumpster/landscaping	
21	2013-06	265 E Pioneer Ave	CBD	setback reduction	approved	parking plan/screen dumpster/stormwater deadline	
22	2013-07	3851 Homer Spit Rd	MC	heliport	denied	n/a	
23	2013-08	4834 Kachemak Dr	RR	more than one building	approved	none	
24	2013-09	3651 Sterling Hwy	RR	more than one building	approved	proof of DEC compliance - water supply	
25	2013-10	4914 Kachemak Dr	RR	more than one building	approved	none	
26	2013-11	203 W pioneer Ave	CBD	setback reduction	approved	landscaping/screen dumpster/landscaping time limit	
27	2013-12	5700 Easy St	RR	public utility facility and structures (communication tower)	approved*	off site impacts/lighting	project discontinued after remand order
28	2013-13	3850 Heath St	CBD	more than one building	approved*	many	project discontinued after remanded approve and further litigation
29	2014-01	4165 Mattox Rd	UR	more than one building	approved	lighting/ screen dumpster	
30	2014-02	560 Noview Ave	UR	day care facility	denied	n/a	
31	2014-03	4725 Kachemak Dr	RR	more than one building	approved	lighting	
32	2014-04	188 Skyline Dr	BCWPD	more than one building/other similar uses	approved	none	
33	2014-05	320 W Pioneer Ave	CBD	setback reduction	approved	lighting/landscaping	appealed - prevailed in court
34	2014-06	4311 Freight Dock Rd	MC, MI, SBHOD	overslope/setback reduction	approved	screen dumpster/lighting	
35	2014-07	564 E Pioneer Ave	CBD	reduced setback	approved	gain non-conforming status	
36	2014-10	1164 East End Rd	RO	daycare facility	approved	limit hrs/lighting/move nonconforming accessory	
37	2015-01	2315 East End Rd	RR	more than one building	approved	lighting/ depict easements/screen dumpster	
38	2015-02	3575 Heath St	CBD	more than one building/more than 8000sf/public facilities and structures	approved	landscaping	
39	2015-03	4166 Homer Spit Rd	MC	setback reduction/more than one building	approved	parking design	
40	2015-04	5185 Slavin Dr	RR	more than one building	approved	lighting	

	A	B	C	D	E	F	G
1	CUP	address	zone	reason	disposition	special conditions* beyond required codes	notes
41	2015-05	315 Klondike Ave	TCD	increase setback	approved	parking design	
42	2015-06	4242 Calhoun St	UR	more than one building	approved	screen dumpster/driveway design/fence	
43	2015-07	1242 Ocean Dr	GC1	more than one building	approved	FM approval/W&S connect/screen dumpster/time limit	
44	2016-01	3902 Shelford St	RO	medical clinic/more than one	approved	FM approval/landscaping/lighting	
45	2016-02	3936 Svedlund St	RO	more than on building/more than 8000sf	approved	vacate lot line/lighting/screen dumpster/drainage plan	
46	2016-03	500 Sterling Hwy	UR	indoor rec/more than one building	approved	DEC approval/lighting/access road FM approved	
47	2016-04	4060 Heath St	CBD	more than one building/public utility facilities and structures	approved	none	
48	2016-05	5185 Slavin Dr	RR	more than one building	approved	none	
49	2016-06	4136 Bartlett St	RO	medical clinic/more than 8000sf	approved	pave parking/pedestrian path,/landscaping/screen dumpster	
50	2017-01	2080 Shannon Ln	RR	more than one building	approved	lighting/screen dumpster/move development 50'	
51	2017-02	210 Olsen Ln	CBD	more than one building,decrease setback,more than 8000sf	approved	pedestrian trail/screen dumpster/lighting	
52	2017-03	61447 Florence Martin Ct	BCWSPD	more than 6000sf grading	approved	erosion control/bmp for road	
53	2017-04	3101 Kachmek Dr	RR	more than one building	approved	lighting	
54	2017-05	3301 East End Rd	EEMU	more than 8000sf	approved	stormwater plan	
55	2017-06	3965 Sterling Hwy	RR	bluff setback	approved	time limit/inspection/landscaping/limit disturbance	
56	2017-07	4300 Freight Dock Rd	MI	tower	approved	seal feed lines/no alteration w/o approval/lighting	
57	2017-08	91 Stering Hwy	CBD	more than 8000sf	approved	approve lighting plan/landscaping	
58	2018-01	94 Sterling Hwy	CBD	auto fueling station	approved	fence/lighting plan	
59	2018-02	302 E Pioneer Ave	CBD	decrease setback	approved	lighting	appealed - sustained in Supreme Court
60	2018-03	152 W Danview	RO	more than one building	approved	lighting/ screen dumpster	
61	2018-04	680 Sterling Hwy	GBD	more than one building	approved	lighting/screen dumpster/time limit	
62	2018-05	4201 Rhonda St	RO	more than one building	approved	lighting/dumpster	
63	2018-06	1170 Lakeshore Dr	GC1	more than on building/multi-family dwelling	approved	lighting	
64	2018-08	1344 Lakeshore Dr	GC1	more than one building	approved	lighting	
65	2018-09	267 Cityview St	RO	medical clinic/more than 8000sf	approved	lighting/screen dumpster/sunset	appealed - remand points addressed - approved
66	2018-10	3301 East End Rd	EEMU	more than 8000sf	approved	none	
67	2018-11	3779 Bartlett St	CBD	more than 800sf/more than one building	approved	lighting	
68	2018-12	3725 West Hill Rd	RR	more than one building	approved	lighting/screen dumpster/adjust parking	
69	2018-13	3771 West Hill Rd	RR	more than one building	approved	lighting/screen dumpster	
70	2018-14	205 W Fairview Ave	RO	medical clinic	approved	lighting/screen dumpster	
71	2019-01	267 Cityview St	RO	remand CUP 2018-02	approved	lighting	
72	2019-02	625 Grubstake Ave	CBD	more than 8000sf/unlisted uses	approved	lighting/screen dumpster/landscaping	
73	2019-03	3641 Sterling Hwy	RR	more than one building	approved	lighting/signage/placement of leachfield	
74	2019-04	397 E Pioneer Ave	CBD	group care home/more than 30% building area	approved	FM certificate/fencing/landscaping/time limit/screen dumpster/color palate	withdrew after intent to appeal
75	2019-05	210 W Fairview	RO	medical clinic	approved	lighting/screen dumpster	
76	2019-06	3301 East End Rd	EEMU	more than 8000sf	approved	none	
77	2019-07	Lot 31 Spit Rd Sub Amened	OSR	parking lot	denied	n/a	
78	2019-08	4155 Pennock St	RO	more than one building	approved	lighting/screen dumpster	
79	2020-01	104 E Pioneer Ave	CBD	more than one building/manufacturing/more than 8000sf	approved	parking/lighting/screen dumpster	
80	2020-02	680 Sterlig Hwy	GBD	amend - more than one building	approved	time limit/outdoor lighting/screen dumpster	

	A	B	C	D	E	F	G
1	CUP	address	zone	reason	disposition	special conditions* beyond required codes	notes
81	2020-03	436 Soundview Ave	UR	townhouse	approved	lighting	
82	2020-04	3385 East End Rd	EEMU	more than 8000sf	approved	landscaped screening	
83	2020-05	1081A Freight Dock Rd	MC	overslope/lodging	approved	screen trash container and electrical boxes	
84	2020-06	3935 Svedlund St	RO	morer than 8000sf	approved	lighting	
85	2020-07	62890 Skyline	BCWSPD	stream buffer	approved	sediment and erosion control plan	
86	2020-08	151 W Bayview Ave	RO	more than one building	approved	lighting/screen dumpster	
87	2020-09	3657 Main St	CBD	manufacturing/more than one building	approved	lighting	
88	2020-10	750 Nedosik Rd	RR	more than one building	approved	lighting	
89	2020-11	4936 Clover Ln	RR	more than one building	approved	lighting	
90	2020-12	3972 Bartlett St	RO	more than one building	approved	lighting	
91	2020-14	541 Bonanza Ave	CBD	moblle home park	denied	n/a	
92	2020-15	106 W Bunnell	CBD	setback reduction/more than 30% building area	approved	setback standard/lighting/screen dumpster/screen parking lot	appealing - applicant withdrew
93	2021-01	1308 Lakshore Dr	GC1	more than one building	approved	no RV occupancy/lightning	
94	2021-02	89 Sterling Hwy	CBD	more than one building	approved	parking spaces/parking landscaped buffer/lighting	
95	2021-03	870 Smokey Bay Way	CBD	manufacturing	approved	none	
96	2021-04	90 Sterling Hwy	CBD	more than 8000sf	approved	none - design manual application	
97	2021-05	4262 Homer Spit Rd	MC	setback reduction	approved	none	
98	2021-06	1308 Lakshore Dr	GC1	amended - more than one building	approved	lighting	
99	2021-07	1554 Homer Spit Road	GC1	more than one	approved	lighting	
100	2021-08	3860 Kachemek Way	CBD	greenhouse	approved	lighting	

from Commissioners related to terminology in the Water/Sewer Design Criteria Manual and cost for the work done.

BARNWELL/VENUTI MOVED THAT THE UPDATED DESIGN CRITERIA MANUAL WILL BE VERY HELPFUL FOR THE FOR THE PLANNING COMMISSION, FOR THE CITY COUNCIL, FOR GOVERNMENT AGENCIES AND ENGINEERING INDUSTRY IN GENERAL. WE FULLY SUPPORT THE WATER/SEWER DESIGN CRITERIA MANUAL AND STANDARD CONSTRUCTION SPECIFICATIONS.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

B. Staff Report 22-44, Review of Conditional Uses and Structures

The Planning Commission continued their worksession review and discussion of Staff Report 22-44, Conditional Uses and Structures, picking back up at Rural Residential Zoning and working down through the General Commercial Districts. Up to that point Commissioners were generally in agreement with the changes proposed by staff in the staff report. It was suggested the Port and Harbor Advisory Commission review the marine districts and provide their recommendations back to the Planning Commission, and that they pick this back up at their next meeting.

No formal actions were taken.

INFORMATIONAL MATERIALS

A. City Manager's Reports for June 13, 2022 & June 27, 2022

B. Planning Commission 2022 Annual Calendar

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

City Planner Abboud had no comments.

City Clerk Jacobsen noted the Mayor had to leave when the Commission took their short recess, but he said he appreciates all that the Commission is doing.

COMMENTS OF THE COMMISSION

Commissioner Chiaponne said it was a good meeting and thanked the Commission for their work.

Commissioner Barnwell commented that it was a good meeting with good discussion. He thanked staff for all they do.

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

3 City Manager/
4 Finance Director

5 **RESOLUTION 22-071**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
8 ACCEPTING THE FISCAL YEAR 2021 BASIC FINANCIAL
9 STATEMENTS AND ACKNOWLEDGING THE MANAGEMENT LETTER
10 SUBMITTED BY THE CITY'S INDEPENDENT AUDITOR, BDO USA,
11 LLP AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
12 FINANCIAL REPORT.
13

14 WHEREAS, BDO USA, LLP conducted the annual audit, submitted the Fiscal Year 2021
15 Basic Financial Statements, and the management letter was delivered for review and
16 distributed to the Mayor and City Council September 2022; and
17

18 WHEREAS, BDO USA, LLP made a public presentation during the Regular Meeting of
19 September 26, 2022.
20

21 NOW, THEREFORE, BE IT RESOLVED by the City Council of Homer, Alaska, that the Fiscal
22 Year 2021 Basic Financial Statements is accepted and that the management letter is
23 acknowledged as submitted by BDO USA, LLP, the City's independent auditor.
24

25 PASSED AND ADOPTED by the Homer City Council this 26th day of September, 2022.
26

27 CITY OF HOMER
28
29

30 _____
31 KEN CASTNER, MAYOR
32

33 ATTEST:
34
35

36 _____
37 MELISSA JACOBSEN, MMC, CITY CLERK
38

Fiscal Note: N/A



City of Homer

www.cityofhomer-ak.gov

Finance Department

491 East Pioneer Avenue
Homer, Alaska 99603

finance@cityofhomer-ak.gov

(p) 907-235-8121

(f) 907-235-3140

Memorandum 22-177

TO: Mayor Castner and Homer City Council
 THROUGH: Rob Dumouchel, City Manager
 FROM: Elizabeth Walton, Finance Director
 DATE: October 5, 2022
 SUBJECT: FY21 Management Representation Letter

The purpose of this memo is to explain an internal control deficiency noted by BDO in relation to “segregation of duties.” This deficiency is only found in the management letter and is not disclosed as part of our financial statements. The City of Homer has been issued a “clean” audit and there are no findings to be disclosed. This memo is simply an effort to be as transparent as possible regarding the most recent audit.

Explanation:

BDO identified one control deficiency in the course of the audit:

Control Deficiencies Other Than Material Weaknesses or Significant Deficiencies	
<i>Segregation of Duties (IT) -</i>	During review of the City's ITGC's BDO noted that several members of management, including 2 members of the accounting staff in total, have the ability to modify and add users in the system. This creates a segregation of duties risk, and additional risk of management override. The City has not undertaken steps to create specific responsibilities or duties for each position and restrict access to reasonable modules within the accounting software.

At the time of the audit, four staff members had the ability to modify and add users in the system. Two from Finance (Finance Director and Controller), and two from IT. The auditors have told us that there should be zero in Finance with these powers. The access Finance has traditionally had allowed for a more streamlined user management process which accounted for our small, over-taxed IT division.

Corrective Action Plan:

The Finance Department will be working with the IT Department to evaluate this internal control and to determine viable solutions. Finance will also utilize our Financial Services RFP to gain outside support on developing better internal control policies in an effort to prevent future identification of control deficiencies.



City of Homer

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Finance Department

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(f) 907-235-3140

September 27, 2022

BDO USA, LLP
3601 C Street, Suite 600
Anchorage, AK 99503

Ladies and gentlemen:

We are providing this letter in connection with your audit of the financial statements of the City of Homer (the City) which comprise the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information as of June 30, 2021, and the respective changes in financial position and, where applicable, cash flows for the Period then ended, and the related notes to the financial statements, for the purpose of expressing an opinion as to whether the financial statements are presented fairly, in all material respects, in conformity with accounting principles generally accepted in the United States of America. We confirm that we are responsible for the preparation and fair presentation in the financial statements of financial position, changes in net position, and cash flows in conformity with accounting principles generally accepted in the United States of America.

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.

We confirm, to the best of our knowledge and belief, as of the date of this representation letter, as entered on the first page, the following representations made to you during your audit(s):

- (1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated November 18, 2021, for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America.
- (2) We have fulfilled our responsibility, as set out in the terms of the aforementioned audit engagement letter, for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- (3) The financial statements include all properly classified funds and other financial information of the primary government and all component units required to be included in the financial reporting entity by accounting principles generally accepted in the United States of America. All funds required to be presented as major funds are identified and presented as such.
- (4) We have made available to you:
 - (a) All financial records, and related data, including the names of all related parties and all relationships and transactions with related parties, as agreed upon in the terms of the aforementioned audit engagement letter.
 - (b) All additional information that you have requested from us for the purpose of the audit.

- (c) Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - (d) Minutes of the meetings of the City Council, and Committees of Council Members that were held from January 1, 2021 to the date of this letter, or summaries of actions of recent meetings for which minutes have not yet been prepared.
- (5) There have been no communications from regulatory agencies concerning noncompliance with or deficiencies in financial reporting practices.
- (6) You have identified and discussed with us in the course of the audit the deficiencies in our internal control over financial reporting listed immediately below.

Control Deficiencies Other Than Material Weaknesses or Significant Deficiencies	
<i>Segregation of Duties (IT) -</i>	During review of the City's ITGC's BDO noted that several members of management, including 2 members of the accounting staff in total, have the ability to modify and add users in the system. This creates a segregation of duties risk, and additional risk of management override. The City has not undertaken steps to create specific responsibilities or duties for each position and restrict access to reasonable modules within the accounting software.

- (7) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud or noncompliance. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud or noncompliance. We have no knowledge of any:
- (a) Fraud or suspected fraud involving management or involving employees who have significant roles in internal control, whether or not perceived to have a material effect on the financial statements.
 - (b) Fraud or suspected fraud involving others where the fraud could have a material effect on the financial statements.
 - (c) Allegations of fraud or suspected fraud affecting the Government received in communications from employees, former employees, regulatory agencies, law firms, predecessor accounting firms, or others.
 - (d) Instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse, whose effects should be considered when preparing the financial statements.
- (8) We have no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
- (9) The following, where applicable and material, have been properly recorded or disclosed in the financial statements:
- (a) The identity of all related parties and all related party relationships and transactions of which we are aware, including revenues, expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
 - (b) Arrangements with financial institutions involving compensating balances or other arrangements involving restrictions on cash balances and line-of-credit or similar arrangements.
 - (c) Guarantees, whether written or oral, under which the Government is contingently liable.

- (d) Significant estimates and material concentrations known to management that are required to be disclosed in accordance with accounting principles generally accepted in the United States of America. In that regard, all accounting estimates that could be material to the financial statements, including key factors and significant assumptions underlying those estimates, have been identified, and we believe the estimates are reasonable in the circumstances. The methods, significant assumptions, and the data used in making the accounting estimates and the related disclosures are appropriate to achieve recognition, measurement, and disclosure that is in accordance with accounting principles generally accepted in the United States of America.
- (e) The effects of all known actual or possible litigation, claims, and other liabilities or gain or loss contingencies that are required to be accrued or disclosed by accounting principles generally accepted in the United States of America, including:
- Pending or anticipated tax refunds, other potential or pending claims, lawsuits by or against any branch of government or others;
 - Written or oral guarantees, endorsements, or unused letters of credit;
 - Unusual guarantees; or
 - Labor claims or negotiations.

Accounting principles generally accepted in the United States of America require loss contingencies to be accrued if it is probable an asset has been impaired or a liability incurred at the statement of financial position date and the amount of loss can be reasonably estimated. Such contingencies must be disclosed, but may not be accrued, if the loss is reasonably possible (but not probable) or the loss is probable but the amount of loss cannot be reasonably estimated.

- (f) Commitments, such as:
- Major capital asset purchase agreements;
 - More-than-one-year employment arrangements or contracts with suppliers or customers, or one-year-or-longer term leases;
 - Deferred compensation, bonuses, pensions plans, or severance pay; or
 - Pending sale or merger of all or a portion of the business or of an interest therein or acquisition of all or a portion of the business, assets or securities of another entity;
- (g) Joint ventures or other participations, the detailed transactions of which are not carried on our books.
- (10) There are no:
- (a) Violations or possible violations of budget ordinances, laws or regulations and provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects could be material to the financial statements whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency.
- (b) Unasserted claims or assessments that our lawyer has advised us are probable of assertion and must be disclosed in accordance with accounting principles generally accepted in the United States of America.
- (c) Side agreements or other arrangements (either written or oral) that have not been disclosed to you.
- (d) Restrictions of net position that were not properly authorized and approved, or reclassifications of net position that have not been properly reflected in the financial statements.

- (11) Receivables recorded in the financial statements represent valid claims against debtors for transactions arising on or before the statement of financial position date and have been appropriately reduced to their estimated net realizable value.
- (12) The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- (13) We have appropriately disclosed the Government's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position are available and have determined that net position is properly recognized under the policy.
- (14) We have complied with all aspects of contractual agreements, including debt covenants, that would have a material effect on the financial statements in the event of noncompliance. We have also complied with the SEC disclosure rules for reporting annual financial information and material events to repositories in accordance with SEC Rule N.240, 15c2-12.
- (15) No discussions have taken place with your firm's personnel regarding employment with the City.
- (16) We are responsible for compliance with laws, regulations and provisions of contracts and grant agreements applicable to us and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts.
- (17) Components of net position (net investment in capital assets, restricted and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned and unassigned) are properly classified and, if applicable, approved.
- (18) Revenues are appropriately classified in the statement of activities within program revenues, contributions, and general revenues. Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- (19) We acknowledge our responsibility for presenting the supplementary information in accordance with accounting principles generally accepted in the United State of America and we believe it is fairly presented. The methods of measurement and presentation of the supplementary information have not changed from the prior period and we have disclosed to you any significant assumptions underlying the measurement and presentation of the supplementary information.
- (20) Required supplementary information is measured and presented in accordance with prescribed guidelines.
- (21) There have been no known or suspected breaches of sensitive information (e.g., personnel files) caused by cyber-attack or other means, or other cybersecurity incidents, where the breach or other incident could have a material effect on the financial statements.
- (22) In connection with any electronic presentation of the financial statements and your audit report thereon on our web site, we acknowledge that:
 - We are responsible for the preparation, presentation, and content of the financial statements in the electronic format.
 - If your audit report is presented on our web site, the full financial statements upon which you reported and to which you appended your signed report will be presented.
 - We will clearly indicate in the electronic presentation on our web site the financial information that is subject to your audit report. We will clearly differentiate any information that may also be presented by us on or in connection with our web site that was contained in the published version of the financial statements and other supplementary information, but which is not part of the audited financial statements or other financial information covered by your report.

- We have assessed the security over financial statement information and the audit report presented on our web site, and are satisfied that procedures in place are adequate to ensure the integrity of the information provided. We understand the risk of potential misrepresentation inherent in publishing financial information on our web site through internal failure or external manipulation.
- If the electronic financial statements are generally made available to the public on our web site, we will include a notification to the reader that such financial statements are presented for convenience and information purposes only, and while reasonable efforts have been made to ensure the integrity of such information, they should not be relied on. A copy of the printed financial statements will be provided on request.

To the best of our knowledge and belief, no events, have occurred subsequent to the statement of financial position date and through the date of this representation letter, as entered on the first page, that would require adjustment to or disclosure in the aforementioned financial statements.

Very truly yours,

Jenna DeLumeau, Controller



Elizabeth Walton, Finance Director

**CITY OF HOMER
HOMER, ALASKA**

City Manager
Public Works Director

RESOLUTION 22-073

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA APPROVING A TASK ORDER TO KINNEY ENGINEERING IN THE NOT TO EXCEED AMOUNT OF \$140,472 FOR THE DESIGN OF THE HEATH STREET PAVEMENT RESTORATION PROJECT AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The City Council appropriated \$500,000 to the Pavement Restoration Program (Ord 22-26); and

WHEREAS, Heath Street is one of multiple streets that needs pavement restoration; and

WHEREAS, The City Council will need to prioritize expenditures from the HART Road Fund to accomplish multiple pavement restoration projects and needs reliable cost estimates in order to do this; and

WHEREAS, Staff recommends awarding the design of the Heath Street Pavement Restoration Project to Kinney Engineering, a local engineering firm to which the City Council previously awarded a Term Contract (Resolution 22-038); and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, awards the Task Order for the Heath Street Pavement Restoration Project to Kinney Engineering in the not to exceed amount of \$140,472 and authorizes the City Manager to execute the appropriate documents.

PASSED AND ADOPTED by the Homer City Council this 10th day of October, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: Ordinance 22-26



MEMORANDUM 22-170

To: City Council
Through: Rob Dumouchel, City Manager
From: Janette Keiser, PE, Public Works Director
Date: October 4, 2022
Subject: Award of Heath Street Design Contract

Issue: The purpose of this memorandum is to request approval to issue a design contract to Kinney Engineering for the design of the Heath Street Pavement Restoration Project.

Background: The City Council appropriated \$500,000 to the Pavement Restoration Program (Ord 22-26) and in Resolution 2-052, authorized multiple task orders for the design of various projects including:

• Bay Avenue, B St & E St	Kinney Engineering	\$69,925
• Ohlson Lane/Bunnell Ave	Nelson Engineering	\$55,518
• Island View Court	HDL Engineering	\$69,320
• Grind & Pave Specs	HDL Engineering	<u>\$ 8,680</u>
		\$197,443

Our original assumption was that we would be able to avoid complete road reconstructions and instead accomplish pavement restoration using “grind/pave” techniques or some similar less intrusive and less expense strategy. We thought our available funding would go further. What we are finding with the design work that has proceeded so far, is that each of the roads we had hoped to restore, require more intensive work that we had planned. For example, the original conceptual cost estimate for the restoration of Bay Avenue, B St & E St was \$430,000, which involved mostly grinding the existing pavement and using it to repave the street. The current cost estimate is just over \$1 million, because the entire roadside drainage system needs to be re-established. For example, the existing culverts are seriously corroded. We are researching cost savings measures, such as using a chip/seal surface rather than a traditional asphalt surface, but the project will likely cost more than originally conceived.

In the case of Ohlson Lane/Bunnell Ave, there are substantial issues related to drainage, parking, traffic control and potentially, sidewalks. We are still in the process of working with the neighborhood to scope the project. The original estimate was \$560,000. The costs will probably be twice that.

The other street that was on the list of restoration is Heath Street. We had not yet asked for authorization to award a task order for the design of Heath Street because we were waiting to see how the other projects unfolded. It is now obvious we need to seriously prioritize the functional criticality and budget implications of the road reconstruction that is needed, which moves Heath Street, as one of Homer’s busiest streets, to the forefront. We need a reliable cost estimate for Heath Street. Thus, we would like to proceed with the design work sooner rather than later.

We asked HDL Engineering and Kinney Engineering, two engineering companies to which the City issued Term Contracts, to provide proposals to do the design work for Heath Street. One included geotechnical and drainage investigation and the other did not. The extra cost for the geotechnical and drainage investigation is worth the money because something is happening on Heath Street – there are shallow ruts in the pavement, caused by subgrade failure. The additional investigation work will identify the cause of this failure so it can be addressed during the design. When you reconcile the scopes of work, the estimated costs for the HDL proposal and Kinney proposal are similar. We’ve elected to award the contract to Kinney Engineering because there is benefit in having the work performed by a local engineer.

Recommendation:

That the City Council authorize the award of a contract to design the Heath Street Pavement Restoration Project to Kinney Engineering in the not to exceed amount of \$140,472, using monies already appropriated to the Pavement Restoration Program.

TO: Jan Keiser, P.E. (COH Public Works Director)

FROM: Randy Kinney, P.E. (Project Manager), Leon Galbraith, P.E. (Project Engineer)

DATE: October 4, 2022

SUBJECT: Heath Street Geotechnical Investigation Recommendations

The Heath Street project recommendation for a geotechnical investigation is based on two factors:

1. The record drawings provided to KE by the City of Homer do not contain any bore hole or soils investigation logs. We do not have a good idea of what the soil directly under the pavement looks like or consists of, especially at deeper depths. There is typically concern within the Homer area of underlying soft and compressible soils such as peat.
2. There is visible pavement and curb damage on the lower 800' of Heath Street, indicated by deep rutting and frost heaving curb/storm drain structures. The pavement surface has "flattened" in this area and there is no longer any crown or cross slope directing runoff to the curb lines. In a recent site visit with Paul (COH M&O), this area was of particular concern, and it was discussed how valuable a soils investigation would be to confirm the roadway backfill and subgrade in this location as a dig out here is likely needed.

The record drawing typical section for Heath Street (below) indicates 28" of Type IIA with 3" of D-1 and 3" of asphalt. From observations, this roadway carries a large percentage of heavy truck traffic as well as higher volumes of Homer year-round studded tire traffic. Geotextile fabric was included but Geogrid for lateral strength was not. Verifying the existing subgrade conditions in as many locations as possible with boreholes will help us determine the applicability of the COH 2011 Standard Construction Specification typical section. The Geotechnical investigation contractor will be on site for a complete day and has estimated being able to drill 5-6 boreholes at approximately 15' depth.

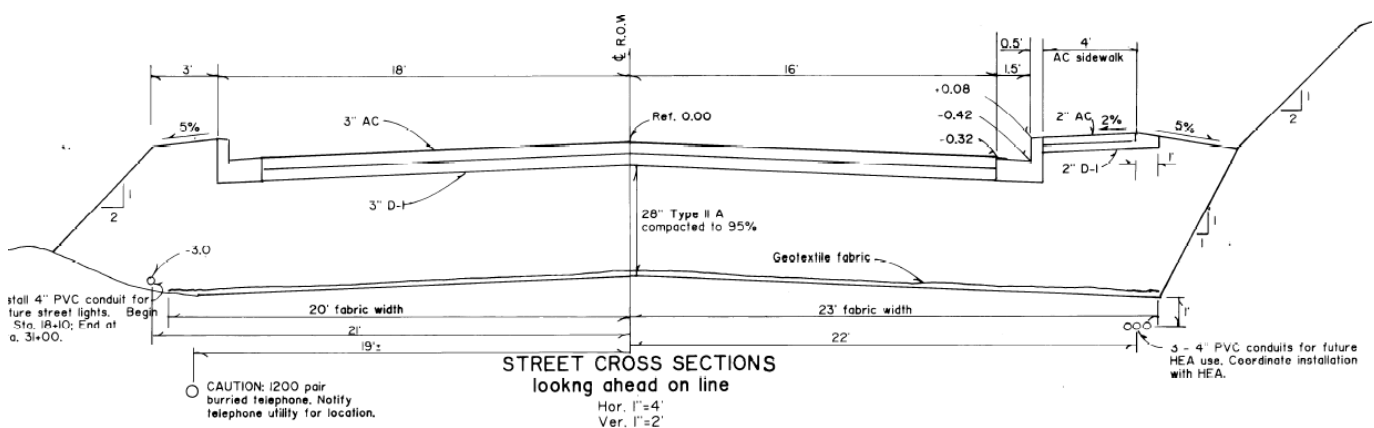


Figure 1: Heath Street As-built Typical Section

PRICE PER TASK SUMMARY

FIRM: Kinney Engineering, LLC				PROJECT TITLE: Heath Street Reconstruction			DATE: 10/4/2022	
GROUP	TASK	TASK NAME	LABOR (or FP)	EXPENSES	TOTAL COST	FIRM'S TOTAL PRICE	*SUB- CONTRACTS	PRICE PLUS SUBS
A	1	Survey and Geotechnical Report	\$ 14,125.00	\$ 15,479.10	\$ 29,604.10	\$ 29,604.10	\$11,340	\$ 40,944.10
A	2	35% Plans and Cost Estimate	\$ 38,327.50	\$ 105.00	\$ 38,432.50	\$ 38,432.50	\$ -	\$ 38,432.50
A	3	100% Plans, Cost Estimate and Technical Specifications	\$ 60,990.50	\$ 105.00	\$ 61,095.50	\$ 61,095.50	\$ -	\$ 61,095.50
ESTIMATED TOTALS			LABOR (or FP)	EXPENSES	TOTAL COST	FIRM'S TOTAL PRICE	*SUB- CONTRACTS	PRICE PLUS SUBS
FOR FIRM:			\$ 113,443.00	\$ 15,689.10	\$ 129,132.10	\$ 129,132.10	\$ 11,340.00	\$ 140,472.10

*Subcontractors for negotiated professional or technical services, products, etc. (Commodity items available to the general public at market prices, equipment use, and unit priced items are generally included in estimate as expenses.)

COST ESTIMATE PER TASK

FIRM: Kinney Engineering, LLC				PROJECT TITLE: Heath Street Reconstruction									
TASK NO: 1	TASK DESCRIPTION: Survey and Geotechnical Report									DATE: 4-Oct-22			
GROUP: A	METHOD OF PAYMENT: <input type="checkbox"/> F <input type="checkbox"/> FPI <input checked="" type="checkbox"/> T&E <input type="checkbox"/> CPFF <input type="checkbox"/>						PREPARED BY: Leon Galbraith / Randy Kinney						
SUB-TASK NO.	SUB-TASK DESCRIPTION	LABOR HOURS PER JOB CLASSIFICATION											
		Princ. Eng. (Kinney)	Senior Professional Engineer 1 (Galbraith)	Senior Professional Engineer 3 (Woster)	Professional Engineer JR (Halcomb)	CADD Technician - Sr	Sr. Elec Engineer (Parker)						
TOTAL LABOR HOURS		5	22	30	16	8							
* LABOR RATES (\$/HR)		\$245.00	\$170.00	\$200.00	\$135.00	\$125.00							
LABOR COSTS (\$)		\$1,225.00	\$3,740.00	\$6,000.00	\$2,160.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

EXPENSES					TOTAL PRICE	COMMENTS:
SUB-TASK NO.	ITEM(S)	QUANTITY	UNIT PRICE			
	Discovery Geotechnical Drilling Boreholes	1	\$12,142.00	\$12,142.00	1. Survey KE Time to coordinate, review and cleanup sub's survey CAD files. 2. Geotechnical Drilling Expense includes traffic control and all driller's expenses for 5-6 boreholes. 3. Leon will coordinate, observe and ensure sample collection for drilling operations. 4. City of Homer will request locates prior to drilling and survey efforts.	
	Soil Testing (AK Test Lab or other)	1	\$2,500.00	\$2,500.00		
	Misc	1	\$100.00	\$100.00		
				\$0.00		
				\$0.00		
				\$0.00		
TOTAL EXPENSES:					\$14,742	FIRM'S TOTAL COST OF LABOR (or Fixed Price): \$14,125
						IF CPFF, TOTAL INDIRECT COST @ 0.00% \$0
						FIRM'S TOTAL EXPENSES + 5% Markup: \$15,479
						FIRM'S TOTAL COST (no Subcontracts or Fee) \$29,604

FIRM:	Geovera Surveys					TOTAL SUBCONTRACTOR PRICES +5% Markup: \$11,340
AMOUNT:	\$10,800					

COST ESTIMATE PER TASK

FIRM: Kinney Engineering, LLC				PROJECT TITLE: Heath Street Reconstruction																	
TASK NO.: 2	TASK DESCRIPTION: 35% Plans and Cost Estimate								DATE: 4-Oct-22												
GROUP: A	METHOD OF PAYMENT: FP <input type="checkbox"/> FPF <input type="checkbox"/> T& <input checked="" type="checkbox"/> CPFF <input type="checkbox"/>								PREPARED BY: Leon Galbraith / Randy Kinney												
SUB-TASK NO.	SUB-TASK DESCRIPTION	Sheets	LABOR HOURS PER JOB CLASSIFICATION																		
			Princ. Eng. (Kinney)	Senior Professional Engineer 1 (Galbraith)	Senior Professional Engineer 3 (Woster)	Professional Engineer JR (Halcomb)	CADD Technician - Sr	Sr. Elec Engineer (Parker)													
2.0	35% Plans and Cost Estimate		4																		
2.1	Drawings	25																			
	Cover Sheet, 1 sheet	1	0.5	2				4													
	Key Map, 1 sheet	1	Not in 35% Submittal																		
	Legend / Abbreviations, 1 sheet	1	Not in 35% Submittal																		
	Notes, 1 sheet	1	Not in 35% Submittal																		
	Estimate of Quantities, 1 sheet	1	Not in 35% Submittal																		
	Pay Item Summary Tables, 2 sheets	2	Not in 35% Submittal																		
	Typical Sections, 1 sheet	1	1.5	6				22													
	Roadway and Storm Drain Plan & Profile, 6 sheets	6	10.5	42				158													
	Signing and Striping and Illumination plans, 3 sheets	3	Not in 35% Submittal																		
	Sign Summary, 1 sheet	1	Not in 35% Submittal																		
	Intersection / Approach Typ Plans 1 sheet	1	Not in 35% Submittal																		
	Review Std. Dwgs, Determine Applicability		Not in 35% Submittal																		
	Additional Road / Drainage Details 2 sheets	2	Not in 35% Submittal																		
	Fire Hydrant Replacement Detail 1 sheet	1	Not in 35% Submittal																		
	Light fixture retrofit & LC Summary 1 sheet	1	Not in 35% Submittal																		
	Cross Sections	2	Not in 35% Submittal																		
2.2	Specifications		Not in 35% Submittal																		
2.3	Cost Estimates		1	12				4													
TOTAL LABOR HOURS			17.5	62	0	0	188	0	0	0	0	0	0	0	0						
* LABOR RATES (\$/HR)			\$245.00	\$170.00	\$0.00	\$0.00	\$125.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00						
LABOR COSTS (\$)			\$4,287.50	\$10,540.00	\$0.00	\$0.00	\$23,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00						
EXPENSES												COMMENTS: 1. Project Length = 2,600'. All Plan views will be 1"=40' on 11 x 17 sheet size to keep plan views at approximately 450' per sheet. 2. Drainage improvements include replacing storm drain catch basins ONLY. NO storm drain manholes and NO storm drain pipes. 3. No ADEC permitting included.									
SUB-TASK NO.	ITEM(S)				QUANTITY	UNIT PRICE	TOTAL PRICE														
	Misc Costs				1	\$100.00	\$100.00														
							\$0.00														
							\$0.00														
							\$0.00														
							\$0.00														
FIRM'S TOTAL COST OF LABOR (or Fixed Price):																					
IF CPFF, TOTAL INDIRECT COST @								0.00%													
FIRM'S TOTAL EXPENSES + 5% Markup:																					
FIRM'S TOTAL COST (no Subcontracts or Fee)																					
TOTAL EXPENSES:								\$100													
SUB-CONTRACTORS: Firm Initials and Price Per Task												FIRM'S TOTAL COST (no Subcontracts or Fee)					\$38,433				
FIRM:																					
AMOUNT:																					
TOTAL SUBCONTRACTOR PRICES +5% Markup:																					\$0

COST ESTIMATE PER TASK

FIRM: Kinney Engineering, LLC				PROJECT TITLE: Heath Street Reconstruction											
TASK NO: 3	TASK DESCRIPTION: 100% Plans, Cost Estimate and Technical Specifications										DATE: 10/4/2022				
GROUP: A	METHOD OF PAYMENT: FP <input type="checkbox"/> FPPE <input type="checkbox"/> T&I <input checked="" type="checkbox"/> CPFF <input type="checkbox"/>						PREPARED BY: Leon Galbraith, Randy Kinney								
SUB-TASK NO.	SUB-TASK DESCRIPTION	Sheets	LABOR HOURS PER JOB CLASSIFICATION												
			Princ. Eng. (Kinney)	Senior Professional Engineer 1 (Galbraith)	Senior Professional Engineer 3 (Woster)	Professional Engineer JR (Halcomb)	CADD Technician - Sr	Sr. Elec Engineer (Parker)							
3.0	100% Plans, Cost Estimate and Technical Specifications		8												
3.1	Design team review meeting & address 35% comments		4	4											
3.2	Drawings 25														
	Cover Sheet, 1 sheet	1.00	0.5	2				4							
	Key Map, 1 sheet	1.00	0.5	2				6							
	Legend / Abbreviations, 1 sheet	1.00	0.5	2				6							
	Notes, 1 sheet	1.00	0.5	2				6							
	Estimate of Quantities, 1 sheet	1.00	0.5	2				6							
	Pay Item Summary Tables, 2 sheets	2.00	1	4				12							
	Typical Sections, 1 sheet	1.00	0.5	2				10							
		-													
	Roadway and Storm Drain Plan & Profile, 6 sheets	6.00	4.5	18				68							
	Signing and Striping and Illumination plans, 3 sheets	3.00	3	12				46							
	Sign Summary, 1 sheet	1.00	0.5	2				6							
	Intersection / Approach Typ Plans 1 sheet	1.00	1	4				16							
	Review Std. Dwgs, Determine Applicability	-	0.5	2				2							
	Additional Road / Drainage Details 2 sheets	2.00	1	4				12							
	Fire Hydrant Replacement Detail 1 sheet	1.00	0.5	2				6							
	Light fixture retrofit & LC Summary 1 sheet	1.00	0.5	2				6	8						
	Cross Sections	2.00	1	4				12							
3.3	DOT ROW Approach Permit(s)			4				8							
3.4	QA / QC Review & address comments		8	8				8							
3.5	Technical Specifications		2	12											
3.6	Cost Estimates		2	12				8							
TOTAL LABOR HOURS			40.5	106	0	0	248	8	0	0	0	0	0	0	0
* LABOR RATES (\$/HR)			\$245.00	\$170.00	\$0.00	\$0.00	\$125.00	\$256.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LABOR COSTS (\$)			\$9,922.50	\$18,020.00	\$0.00	\$0.00	\$31,000.00	\$2,048.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSES												COMMENTS: 1. Project Length = 2,600'. All Plan views will be 1"=40' on 11 x 17 sheet size to keep plan views at approximately 450' per sheet. 2. Drainage improvements include replacing storm drain catch basins and lead pipes only. No storm drain manholes and no storm drain trunk pipes. 3. No ADEC permitting included.			
SUB-TASK NO.	ITEM(S)	QUANTITY	UNIT PRICE	TOTAL PRICE											
	Misc Costs	1	\$100.00	\$100.00											
				\$0.00											
				\$0.00											
				\$0.00											
				\$0.00											
				FIRM'S TOTAL COST OF LABOR (or Fixed Price):								\$60,991			
				IF CPFF, TOTAL INDIRECT COST @								0.00%	\$0		
				TOTAL EXPENSES:	\$100							FIRM'S TOTAL EXPENSES + 5% Markup:	\$105		
SUB-CONTRACTORS: Firm Initials and Price Per Task												FIRM'S TOTAL COST (no Subcontracts or Fee)	\$61,096		
FIRM:															
AMOUNT:														TOTAL SUBCONTRACTOR PRICES +5% Markup:	\$0

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

3 City Manager/
4 Public Works Director

5 **RESOLUTION 22-074**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
8 ADOPTING THE CITY OF HOMER 2022 NON-MOTORIZED
9 TRANSPORTATION AND TRAILS IMPLEMENTATION PLAN.

10
11 WHEREAS, The City of Homer adopted a Non-Motorized Transportation and Trails Plan
12 (NMTTP) in 2004; and

13
14 WHEREAS, THE City is working to update the NMTTP as part the City's plan to update
15 the Master Transportation Plan; and

16
17 WHEREAS, new information and strategies require immediate attention; and

18
19 WHEREAS, the City has developed a 2022 Implementation Plan to guide the
20 development of non-motorized transportation within the City in the near future; and

21
22 WHEREAS, the 2022 Implementation Plan has been reviewed and approved by the Park,
23 Arts, Recreation and Culture Commission.

24
25 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
26 adopts the 2022 Implementation Plan to the Non-Motorized Transportation and Trails Plan, to
27 be effective upon the date of adoption and to expire on the date when the City Council adopts
28 the updated Non-Motorized Trails and transportation Plan.

29
30 PASSED AND ADOPTED by the Homer City Council on this 10th day of October, 2022.

31
32 CITY OF HOMER

33
34 _____
35 KEN CASTNER, MAYOR

36
37 ATTEST:

38
39 _____
40 MELISSA JACOBSEN, MMC, CITY CLERK

41
42 Fiscal Note: N/A



MEMORANDUM 21-171

To: City Council
Through: Rob Dumouchel, City Manager
From: Janette Keiser, PE, Public Works Director
Date: October 3, 2022
Subject: Adoption of City of Homer 2022 Non-Motorized Transportation and Trails Implementation Plan

Issue: The purpose of this memorandum is to recommend adoption of the City of Homer 2022 Non-Motorized Transportation and Trails Implementation Plan.

Background: The first City of Homer Comprehensive Sidewalk and Trail Plan for the Homer Area was developed in 1984. It was updated in the form of a Non-Motorized Transportation and Trails Plan (NMTTP), developed *circa* 1996 and adopted in 2004. The 2004 NMTTP has been universally recognized as being outdated. We are planning to update it as part of the Master Transportation Plan update process, which is currently underway. In the meantime, new land uses, real estate developments and strategies have emerged, which require immediate attention. Earlier this year, staff developed a 2022 Implementation Plan to serve as an interim work plan to guide the development of non-motorized transportation within the City in the near future, until such time as the updated NMTTP was complete.

We reviewed the 2022 Implementation Plan with the Park, Arts, Recreation and Culture Commission, which endorsed it. The 2022 Implementation Plan has not yet been adopted by the City Council.

The City Council is planning to amend HCC 11.04, which addresses the design and construction of new streets in the City, which are planned to be adopted for City maintenance. The purpose of the amendments is to require such new streets, unless exempted, to include provisions for non-motorized transportation. The amendments, among other things refers to the 2022 Implementation Plan. The City Council should formally adopt the 2022 Implementation Plan, with the understanding that it will expire on the date the City Council adopts the updated Non-Motorized Trails and transportation Plan, which is expected to be in late 2023.

Recommendations:

That the City Council pass a resolution adopting the 2022 Implementation Plan to the Non-Motorized Transportation & Trails Plan.

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

3 City Manager/
4 Public Works Director

5 **RESOLUTION 22-075**

6
7 A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
8 AUTHORIZING THE CITY MANAGER TO INCREASE EAST
9 ROAD SERVICES INDEFINITE DELIVERY INDEFINITE
10 QUANTITY (IDIQ) CONTRACT IN THE AMOUNT OF \$39,000
11 TO CONSTRUCT THE ADAMS LANE BIKE PATH.
12

13 WHEREAS, The City Council authorized the design of the Adams Lane Bike Path and the
14 design is now complete; and
15

16 WHEREAS, The City proposes to construct the bike path using the East Road Services
17 IDIQ contract under the Non-Motorized Transportation Opportunity Program for \$39,000; and
18

19 WHEREAS, The authorized limit of the East Road Services IDIQ contract has been
20 reached; and
21

22 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby
23 authorizes the City Manager to issue a new Task Order in the amount of \$39,000 to East Road
24 Services to construct the Adams Lane Bike Path.
25

26 PASSED AND ADOPTED by the Homer City Council on this 10th day of October, 2022.
27

28 CITY OF HOMER

29
30
31 _____
32 KEN CASTNER, MAYOR
33

34 ATTEST:
35
36
37

38 _____
39 MELISSA JACOBSEN, MMC, CITY CLERK
40

Fiscal Note: Ord 22-25(A) - \$39,000



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 22-172

TO: City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, PE, Director of Public Works
DATE: September 29, 2022
SUBJECT: East Road Services IDIQ Contract – Adams Lane Bike Path

- I. **Issue:** The purpose of this memorandum is to propose an increase in East Road Services' IDIQ Contract to construct the Adams Lane bike path.
- II. **Background:** The City Council authorized, in Resolution 22-053, the design of the Adams Lane Bike Path and the design is now complete. We propose the construct the bike path using the East Road Services IDIQ contract. Funding is available in the Non-Motorized Transportation Opportunity Fund, but the IDIQ contract needs an additional appropriation of \$39,000 to cover this work.
- III. **Recommendations:** That the City Council authorize an increase in the East Road Services IDIQ Contract to construct the Adam Lane Bike Path at the cost of \$39,000

Adams Lane Bike Path



Legend

- Mileposts
- City Limits
- Highways
- Major Roads
- Roads
 - Town Medium Volume
 - Town Low/Seasonal; Other
 - Proposed
- ▭ Parcels

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. It is not to be used for navigation.

Notes

Type any notes here.

DATE PRINTED: 9/29/2022

Limits of Adams Ln
Bike Path

**CITY OF HOMER
HOMER, ALASKA**

City Manager/Port Director

RESOLUTION 22-076

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA SUPPORTING FULL FUNDING (\$8,236,815) FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY 2024 STATE CAPITAL BUDGET.

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

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

WHEREAS, The harbor facilities in Alaska are ports of refuge for ocean going vessels, and serve as essential transportation hubs to coastal Alaskan communities for supplies, trade in goods and services and connections to the world market for our exports and imports; and

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

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

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

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

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

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

45 WHEREAS, The municipalities of the Sitka, Whittier, and Wrangell/Meyers Chuck have
46 committed to contribute \$8,236,815 in local match funding for FY2024 towards harbor projects of
47 significant importance locally as required in the Harbor Facility Grant Program; and
48

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

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

55 WHEREAS, A survey done by the Alaska Municipal League of Alaska’s ports and harbors found
56 that from the respondents, the backlog of projects necessary to repair and replace former State-
57 owned harbors has increased to at least \$500,000,000; and
58

59 WHEREAS, Given that Alaska is a maritime state and that our harbors are foundational to both
60 our way of life and the economy of this great State it is in the public's best interest to maintain this
61 critical infrastructure by using State, Local and Federal funds to recapitalize the crucial harbor
62 moorage infrastructure statewide.
63

64 NOW THEREFORE BE IT RESOLVED that the Homer City Council urges full funding in the amount
65 of \$8,236,815 by the Governor and the Alaska Legislature for the State of Alaska’s Municipal Harbor
66 Facility Grant Program in the FY 2024 State Capital Budget in order to ensure enhanced safety and
67 economic prosperity among Alaskan coastal communities.
68

69 PASSED AND ADOPTED by the Homer City Council this 10th day of October, 2022.
70

71
72 CITY OF HOMER

73
74 _____
75 KEN CASTNER, MAYOR

76 ATTEST:

77
78 _____
79 MELISSA JACOBSEN, MMC, CITY CLERK
80

81 Fiscal note: N/A

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

3 City Manager
4 Public Works Director

5 **RESOLUTION 22-077**

6
7 A RESOLUTION OF THE CITY COUNCIL TO AWARD A CONTRACT
8 FOR THE SMALL BOAT HARBOR CATHODIC PROTECTION
9 PROJECT TO GLOBAL DIVING & SALVAGE, INC. IN THE AMOUNT
10 OF \$503,975 AND AUTHORIZING THE CITY MANAGER TO
11 NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.
12

13 WHEREAS, In accordance with the Procurement Policy the Invitation to Bid was
14 advertised the Homer News on September 1, 2022 and September 8, 2022, in the Peninsula
15 Clarion on September 4, 2022 and in the Anchorage Daily News on September 4, 2022, sent to
16 two in-state plans rooms, and posted on the City of Homer website; and
17

18 WHEREAS, Bids were due October 3, 2022 and 4 bids were received; and
19

20 WHEREAS, Global Diving & Salvage, Inc. was found to be the lowest responsive and
21 responsible bidder; and
22

23 WHEREAS, This award is not final until written notification is received by the firm from
24 the City of Homer.
25

26 NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska, awards the
27 contract for the Small Boat Harbor Cathodic Protection Project to Global Diving & Salvage, Inc.
28 in the amount of \$503,975 and authorizes the City Manager to execute the appropriate
29 documents.
30

31 PASSED AND ADOPTED by the Homer City Council this 10th day of October, 2022.
32

33 CITY OF HOMER

34
35 _____
36 KEN CASTNER, MAYOR
37

38 ATTEST:
39

40 _____
41 MELISSA JACOBSEN, MMC, CITY CLERK
42

43 Fiscal note: Municipal Harbor Grant/Port Reserves



MEMORANDUM 21-173

To: City Council
Through: Rob Dumouchel, City Manager
From: Janette Keiser, PE, Public Works Director
Date: October 3, 2022
Subject: **Award of Construction Contract for
Small Boat Harbor Cathodic Protection Project**

Issue: The purpose of this memorandum is to recommend award of a contract to Global Diving & Salvage, Inc.

Background: On October 3, bids were received for the above referenced projects. Competitive bidding was completed in accordance with the City's procurement regulations.

Responsive bids were received:

a. Global Diving & Salvage, Inc.	\$ 503,975
b. JF Brennan Company, Inc.	\$ 793,199
c. American Marine International	\$ 592,238
d. Ballard Marine Construction	\$ 513,750
e. Engineer's Estimate	\$ 856,200

Global Diving & Salvage, Inc. is the lowest responsive, responsible bidder.

Recommendations:

1. That the City Council pass a resolution awarding the construction contract for the Small Boat Harbor Cathodic Protection Project to Global Diving & Salvage, Inc., in the amount of \$503,975 and authorize the City Manager to execute all appropriate documents necessary to complete this project.

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-42

An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 11.04.120 to Clarify that all New Streets which Serve as Public Access Corridors shall have Sidewalks.

Sponsor: Davis/Erickson

1. City Council Regular Meeting July 25, 2022 Introduction

Postponed to September 26, 2022 and referred to Planning Commission, Parks Art Recreation & Culture Advisory Commission and Public Works

2. City Council Regular Meeting September 26, 2022 Public Hearing and Second Reading

Memorandum 22-165 from Planning Commission as backup

Memorandum 22-166 from Parks Art Recreation & Culture Advisory Commission as backup

1 CITY OF HOMER
2 HOMER, ALASKA

Davis/Erickson

3
4 ORDINANCE 22-42(S)(A)
5

6 AN ORDINANCE OF THE CITY OF HOMER ALASKA AMENDING
7 HCC.04.120 TO CLARIFY THAT ALL NEW STREETS WHICH SERVE AS
8 PUBLIC ACCESS CORRIDORS SHALL HAVE SIDEWALKS.
9

10 WHEREAS, The Homer Non-Motorized Trails and Transportation Plan states that “All
11 new road construction projects will include facilities designed for non-motorized
12 transportation,” which “may include sidewalks, safe crossings, separated/shared pathways,
13 wide outside lanes, paved shoulders and striped, signed bikeways,” **but with no enforcement**
14 **mechanisms or timelines**; and
15

16 WHEREAS, The City of Homer has not been consistently requiring pedestrian access
17 when new streets are being approved, in part because city code as currently formulated does
18 not clearly require sidewalks, but rather only easements for sidewalks, and even then only on
19 certain streets specified in a long-outdated map; and
20

21 WHEREAS, Numerous new roads have been built in town in the past several years that
22 lack any pedestrian access; **and**
23

24 **WHEREAS, Any new standards adopted in the final draft of the Master**
25 **Transportation Plan currently in process will not be applied retroactively to the projects**
26 **already approved by the City of Homer.**
27

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

30 Section 1. HCC 11.04.120 Street construction, design and dedication requirements –
31 General, is hereby amended to read as follows:
32

33 11.04.120 Sidewalks and non-motorized transportation corridors.
34

35 a. New streets to be accepted by the City and identified ~~which serve~~ as public access corridors
36 in the adopted Homer Non-Motorized Transportation and Trail Plan shall have **may be**
37 easements for sidewalks, bicycle paths or other non-motorized transportation facilities **a**
38 **dedicated pedestrian path or trail** to ensure convenient mobility and convenient access to
39 parks, recreation areas, trails, playgrounds, schools and places of public assembly **pedestrian**
40 **safety.**
41

42 b. New streets to be accepted by the City ~~and not identified as public access~~ **which do not**
43 **serve as** corridors in the ~~Non-Motorized Transportation and Trail Plan~~ may, at the developer's
44 option, have sidewalks, bicycle paths or other non-motorized transportation facilities.

45
46 c. Sidewalks, bicycle paths and other non-motorized transportation facilities shall be designed
47 in accordance with the design criteria of the City of Homer Design Criteria Manual, **and/or the**
48 **most current version of the Master Transportation Plan.**

49
50 Section 2. This ordinance is of a permanent and general character and shall be included
51 in the City Code.

52
53 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of _____, 2022.

54
55 CITY OF HOMER

56
57
58 _____
59 KEN CASTNER, MAYOR

60
61 ATTEST:

62
63
64 _____
65 MELISSA JACOBSEN, MMC, CITY CLERK

66
67
68 YES:

69 NO:

70 ABSTAIN:

71 ABSENT:

72
73 First Reading:

74 Public Reading:

75 Second Reading:

76 Effective Date:

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

Davis/Erickson

3
4 **ORDINANCE 22-42(S-2)**

5
6 AN ORDINANCE OF THE CITY OF HOMER ALASKA AMENDING
7 HOMER CITY CODE SECTIONS 11.04.120, 22.10.050 AND 22.10.051
8 TO SPECIFY WHEN NEW STREETS ARE REQUIRED TO PROVIDE
9 FOR NON-MOTORIZED TRANSPORTATION.
10

11 WHEREAS, The Homer Non-Motorized Trails and Transportation Plan states that *“All*
12 *new road construction projects will include facilities designed for non-motorized transportation,”*
13 *which “may include sidewalks, safe crossings, separated/shared pathways, wide outside lanes,*
14 *paved shoulders and striped, signed bikeways,”* but with no criteria, enforcement mechanisms
15 or timelines; and
16

17 WHEREAS, The City of Homer has not been consistently requiring pedestrian access
18 when new streets are being approved, in part because city code as currently formulated, does
19 not clearly require sidewalks, but rather only easements for sidewalks, and even then only on
20 certain streets specified in a long-outdated map; and
21

22 WHEREAS, Numerous new roads have been built in town in the past several years that
23 lack any type of non-motorized transportation facility; and
24

25 WHEREAS, Any new standards adopted in the final draft of the Master Transportation
26 Plan currently in process will not be applied retroactively to the projects already approved by
27 the City of Homer; and
28

29 WHEREAS, The City is in the process of updating the Master Transportation Plan and a
30 Non-Motorized Transportation Plan, which will address these matters, but the City Council has
31 determined immediate remedial action is in the City’s best interests and editorial adjustments
32 can be made at a later date, if required.
33

34 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
35

36 Section 1. HCC 11.04.120 Sidewalks and non-motorized transportation corridors is
37 hereby amended to read as follows:
38

39 11.04.120 Sidewalks and non-motorized transportation corridors.
40

41 ~~a. New streets to be accepted by the City and identified as public access corridors in the~~
42 ~~adopted Homer Non-Motorized Transportation and Trail Plan shall have easements for~~

43 ~~sidewalks, bicycle paths or other non-motorized transportation facilities to ensure convenient~~
44 ~~mobility and convenient access to parks, recreation areas, trails, playgrounds, schools and~~
45 ~~places of public assembly.~~

46

47 **a. The purpose of this section is to enhance public safety, convenience and mobility by**
48 **ensuring access by non-motorized traffic to places of public assembly to participate in**
49 **recreational, cultural, civic, educational and essential business activities.**

50

51 ~~b. New streets to be accepted by the City and not identified as public access corridors in the~~
52 ~~Non-Motorized Transportation and Trail Plan may, at the developer's option, have sidewalks,~~
53 ~~bicycle paths or other non-motorized transportation facilities.~~

54

55 **b. A new street to be accepted by the City for maintenance shall be required to include**
56 **dedicated facilities, within the property over which the street will traverse and at the**
57 **developer's cost, for non-motorized transportation, such as a sidewalk, path or trail,**
58 **unless specifically exempted, where any of the following conditions exist:**

59 **1. There is an existing non-motorized transportation facility on an adjacent**
60 **property, ROW or easement that could be extended to, and along, the new street.**

61 **2. The new street connects to, or comes within 100 linear feet, of an existing**
62 **destination, which provides recreational, cultural, civic, educational services or**
63 **essential business services.**

64 **3. The Homer 1986 Master Streets & Roads Plan, the 2005 Homer Non-**
65 **Motorized Trails and Transportation Plan (NMTTP), or the 2022 Trails Work Plan,**
66 **shows a non-motorized route connected to, or along, the new street.**

67 **4. The new street lies within an Area of Interest, as shown in the 2022 Trails**
68 **Work Plan or its successor documents.**

69 **6. The new street lies within the Central Business District, Urban Residential**
70 **Zone or Residential Office District.**

71

72 ~~c. Sidewalks, bicycle paths and other non-motorized transportation facilities shall be designed~~
73 ~~in accordance with the design criteria of the City of Homer Design Criteria Manual.~~

74

75 **c. Exceptions. Exceptions to the requirements of this Chapter may be approved by the**
76 **City Manager or designee for good cause shown including, but not limited to, the**
77 **following circumstances:**

78

79 **1. The topography or other pre-existing physical conditions do not allow a**
80 **non-motorized transportation route to be constructed per the Homer Design Criteria**
81 **Manual, if a sidewalk, or the Homer Trails Design Manual, if a path or trail.**

82 **2. A means of non-motorized transportation is not warranted because:**

83 **a. There is no route for non-motorized transportation that would**
84 **connect to any recreational, cultural, civic, educational services or essential**
85 **business services and**

86 **b. The existing and projected population density, for the property**
87 **through which the new road will traverse is, pursuant to the most recent version**
88 **of the Homer Comprehensive Plan, lower than the population densities projected**
89 **for the zoning districts identified in Paragraph B(6).**

90 **3. No alternative non-motorized transportation route is possible.**

91
92 **d. Drainage or Utility Easements. Non-motorized transportation routes may be installed**
93 **in utility or drainage easements, so long as the Public Works Director determines that**
94 **sufficient space, topography and other physical conditions allow for joint use.**

95
96 **e. Developer's Option. In the event a developer is not required to provide non-motorized**
97 **facilities but choses to do so anyway, the City will accept the non-motorized facilities for**
98 **maintenance, when the new street is accepted, so long as the non-motorized facilities are**
99 **designed and built in accordance with the City's design manuals.**

100
101 **f. Betterments. In the event the City desires to provide a non-motorized facility to a**
102 **design or construction standard that goes beyond what the developer is required to**
103 **provide, the City will reimburse the developer for the actual, documented cost of the**
104 **upgrade.**

105
106 **g. Design/Construction Standards. Any non-motorized facility developed under this**
107 **Chapter shall be designed in accordance with the Trail Level Design Parameters, set forth**
108 **in the current version of the City of Homer Trail Manual – Design Criteria and constructed**
109 **in accordance with the applicable provisions of the current version of the City of Homer**
110 **Construction Standards.**

111
112 **h. Liberal construction. The provisions of this chapter are remedial in nature and shall be**
113 **construed liberally so as to promote its purpose.**

114
115 **i. Appeal. Any person or persons who are affected by an action or determination taken**
116 **under this chapter may appeal said action under the appeals procedure outlined in**
117 **Chapter 21.93(e) and (f) denying an exception under HCC 22.10.055(e) and (f) shall be**
118 **taken directly to the Superior Court for the State of Alaska, within 30 days from the date**
119 **of such action.**

121 Section 2. Homer City Code Section 22.10.050 Improvement requirements is hereby
122 amended as follows:

123

124 **22.10.050 Improvement requirements – General.**

125 a. The Kenai Peninsula Borough shall not release any final plat for a subdivision in the
126 City for filing at the State Recorder’s office until the subdivider or developer of the subdivision
127 either enters a subdivision agreement for, or constructs and obtains written City approval of,
128 the following improvements, according to the standards and procedures required under HCC
129 Title 11:

130

- 131 1. Streets in all rights-of-way dedicated by the plat;
- 132 2. All other utilities and public improvements to be constructed in the rights-of-way and
133 easements dedicated by the plat, including water, sewer, electric, communications,
134 and gas lines, ~~as~~ **and** applicable **means for non-motorized transportation**; and
- 135 3. Abandonment or relocation of existing water or sewer service lines required due to
136 conflict with new or relocated property lines, as required by the Public Works
137 Department.

138 b. The Commission may exempt a plat from the provisions of subsection (a) of this section as
139 provided in HCC 22.10.040.

140

141 c. The subdivider shall be required to dedicate street rights-of-way according to the standards
142 and specifications of Chapter 11.04 HCC and the City of Homer Design Criteria Manual. **The**
143 **subdivider shall be required to dedicate ROW or easements required to support non-**
144 **motorized transportation facilities required by HCC 11.04.120.** Beyond a minimum of 60
145 feet, the subdivider may agree to a note attached to said subdivision plat providing sufficient
146 setback to allow future expansion of the right-of-way without removal of improvements.
147 Horizontal alignments are subject to City review; the City may require realignment of streets
148 on proposed plats if the alignments do not conform to Chapter 11.04 HCC and the Design
149 Criteria Manual. Final plat approval shall thus be subject to the approval of horizontal
150 alignments by the City Public Works Engineer.

151

152 d. All street and utility main improvements to be constructed as part of a subdivision
153 improvement **means for non-motorized transportation** project shall be constructed
154 according to the procedures of Chapter 11.20 HCC. The City shall accept no such improvements
155 unless a development agreement is executed prior to construction of such improvements.

156

157 e. All streets constructed as part of a subdivision improvement project shall be monumented
158 according to the procedures of Chapter 11.20 HCC (HCC 11.20.090(d)).

159

160 Section 3. Homer City Code Section 22.10.051 Easements and rights-of-way is hereby
161 amended as follows:

162

163 22.10.051 Easements and rights-of-way.

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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.

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.

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.~~ **The subdivider shall be required to dedicate ROW or easements required to support any non-motorized transportation facilities required by HCC 11.04.120**

d. The City Council may accept the dedication of easements or rights-of-way for non-motorized transportation facilities that are not required by subsection (c) of this section, if the City Council determines that accepting the dedication would be consistent with the adopted plans of the City.

Section 4. This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this ____ day of October, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

205 ABSENT:
206
207 First Reading:
208 Public Reading:
209 Second Reading:
210 Effective Date:
211



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

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(p) 907-235-3130

(f) 907-235-3143

Memorandum 22-166

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: PARKS ART RECREATION AND CULTURE ADVISORY COMMISSION
THRU: ROB DUMOUCHEL, CITY MANAGER
DATE: SEPTEMBER 26, 2022
SUBJECT: RECOMMENDATIONS ON ORDINANCE 22-42

Background:

City Council referred Ordinance 22-42 to the Parks, Art, Recreation & Culture (PARC) Advisory Commission for input at their regular meeting of July 25, 2022.

Ordinance 22-42 came before the PARC Advisory Commission at their regular meeting on August 18, 2022. City Planner Abboud presented his informed analysis on Ordinance 22-42 and how it applied to current standards and regulations. The Commission held a lengthy and robust discussion on the subject and made the following recommendation:

PARC Advisory Commission requests that the City Council extend the time the Commission has to provide recommendation(s) until after the Trails Symposium scheduled for October 1, 2022 so the Commission has more information available to provide quality recommendations.

The excerpt of the approved meeting minutes have been included for review.

August 18, 2022
Regular Meeting Minutes

NEW BUSINESS

D. Memorandum from City Planner re: Ordinance 22-42, Sidewalks

Chari Lewis introduced the item and thanking City Planner Abboud for his patience, invited him to speak to the Commission.

City Planner Abboud commented on the memorandum in the packet and his review of Ordinance 22-42. He noted the following points for consideration:

- There is only one parcel that this may apply
- Transportation Plan Update
- Requires additional work
- Brad Parsons will be attending the next worksession regarding Non-motorized Transportation options
- removing conflicts in city code
- Criteria needed for requiring sidewalks and where they are required
- Does not apply to existing agreements

City Planner Abboud facilitated comments and questions from the Commission regarding:

- Review is written through a vehicular viewpoint when transportation covers all forms of transportation and should include animal as well as pedestrian, cyclists, etc.
- Not all roads need sidewalks as currently all main through streets have sidewalks which may not be the safest place to through pedestrians
- No access from a cul-de-sac to these non-motorized corridors, navigable green spaces

Commissioner Harrald noted the time and if they were to continue, the Commission would need to extend the meeting time.

Chair Lewis requested a motion and second.

HARRALD/LOWNEY MOVED TO EXTEND THE MEETING TIME BY TWENTY MINUTES.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud continued his facilitation of the discussion and responding to Commission questions on the following points:

- Walkability
- Prioritization
- Limitation on City actions outside city limits and that is where it needs to be addressed
- Existing subdivisions development

- Addressing the density in Rural Residential zoning and rezone issues in Urban Residential zoning
- Results of the kickoff meeting with the transportation planner
 - o Public input on the level of service such as walkability
 - o Ability to make changes in the update
 - o Borough is constrained on the regulations and policies established by the City
- Pedestrian Access does not need to focus solely on sidewalks
- Previous developers stated that they will include green space and walkability but then no access or green space was provided
 - o No enforcement or lack of enforcement
 - o Incentives to developers including these features
- Review of remaining land that could be subdivided or include access and green space for walkability

Chair Lewis requested a motion and second.

Commissioners express some uncertainty on what recommendations they were expected to provide or action that they were to take on the ordinance.

City Planner Abboud provided clarification in response to numerous questions from the Commission on what action is being requested from the Commission.

Public Works Director Keiser stated that it is clear by the ordinance and amendments offered by City Council, they are well meaning, but would not be effective and possibly unenforceable. They are also slightly premature since the City is just starting review and update of the transportation planning which will address many of these issues. She suggested the Commission consider a recommendation to Council that the Commission fully supports the idea behind the ordinance but it is not timely. Additional work, research and drafting is required before the Commission can make sensible recommendation.

City Planner Abboud concurred with Public Works Director Keiser's suggestion.

HARRALD/LOWNEY MOVED THAT THE COMMISSION FULLY SUPPORTS THE IDEA BEHIND THE ORDINANCE BUT IT IS NOT TIMELY AS ADDITIONAL WORK AND RESEARCH IS REQUIRED BEFORE THE COMMISSION CAN MAKE A SENSIBLE RECOMMENDATION TO COUNCIL.

Discussion ensued on including stronger language to include a time period or date as requested by Councilmember Erickson and clarification when the ordinance was scheduled to be before the Council with the Commission's recommendations.

HARRALD MOVED TO AMEND THE MOTION TO POSTPONE THIS ITEM TO THE NEXT MEETING UNTIL MORE INFORMATION CAN BE PROVIDED.

Amendment died for lack of a second.

LOWNEY MOVED TO AMEND THE MOTION TO AFTER THE TRAILS SYMPOSIUM ON OCTOBER 1ST.

Amendment died for lack of a second.

Commissioner Harrald stated that she could pull her motion that is on the floor.

Chair Lewis requested clarification on the motions on the floor if any.

Deputy City Clerk Krause stated that no second was offered on the two proposed amendments. The main motion is on the floor but Commissioner Harrald has offered to pull her motion. It could be voted down since it was seconded.

City Planner Abboud reported that this ordinance was going before the Planning Commission at their September 7th meeting and Brad Parsons has been invited to the worksession to speak to the Commission on transportation planning and that at this time he did not have a definitive recommendation for Council.

ARCHIBALD/ MOVED TO AMEND THE MOTION TO FORWARD A RECOMMENDATION TO COUNCIL THAT THE COMMISSION HAS RESERVATIONS ON THE LANGUAGE IN ORDINANCE 22-42 AS IT ONLY ADDRESSES SIDEWALKS NOT WALKABILITY AND THE COMMISSION IS REQUESTING ADDITIONAL TIME IN LIGHT OF ALL THE PLANS BEING DEVELOPED.

Commissioner Archibald pulled his amendment from the floor for consideration upon hearing comments by Public Works Director Keiser and Commissioner Lowney on preference for waiting until after the Trails Symposium for any action on non-motorized transportation.

LOWNEY/ARCHIBALD MOVED TO AMEND THE MOTION TO REQUEST CITY COUNCIL EXTEND THE TIME TO ALLOW THE COMMISSION TO PROVIDE A RECOMMENDATION UNTIL AFTER THE SCHEDULED TRAILS SYMPOSIUM HAS BEEN CONDUCTED SO THE COMMISSION HAS MORE INFORMATION AVAILABLE TO PROVIDE QUALITY RECOMMENDATIONS.

There was a brief discussion on including a statement of support for more walkability. She did not want to provide the impression that the Commission did not want sidewalks.

There was a brief discussion on Council receiving a copy of the minutes and they will be aware of the Commissions opinions on sidewalks.

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

Motion carried.

There was no further discussion.

VOTE.(Main Motion as Amended)) NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

City Planner Abboud provided input on how the PARC Commission should interact with the Planning Commission in response to Commissioner Archibald, stating that the Planning Commission will address in city code how to respond to this subject.



Memorandum 22-165

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: HOMER PLANNING COMMISSION
THRU: ROB DUMOUCHEL, CITY MANAGER
DATE: SEPTEMBER 26, 2022
SUBJECT: RECOMMENDATIONS ON ORDINANCE 22-42

Background:

City Council referred Ordinance 22-42 to the Planning Commission for input at their regular meeting of July 25, 2022.

Ordinance 22-42 came before the Commission at the regular meeting on August 17, 2022. Councilmembers Erickson and Davis attended the worksession and provided comment on the Ordinance prior to the regular meeting.

At the September 7, 2022 meeting date the Commission devoted an entire worksession to discuss the ordinance and the intent of Council and addressed the item at their regular meeting under Pending Business.

Recommendations:

1. Vote Ordinance 22-42 down as written to allow:
 - a. The Planning Commission to expend the proper time to develop responsible and reasonable development standards to avoid possible future litigation and not dissuade desirable development; and
 - b. Update and refine the definitions regarding road descriptors; and
 - c. Provide the Commission further direction on the deliverables that City Council expects.
2. Currently the Master Transportation Plan is in development which will include updates to all adopted transportation related plans.
3. The Planning Department requires resources with expertise in Transportation Planning.
4. The Planning Commission is very supportive of implementing Non-Motorized Transportation.

Attachment:

Excerpt of the September 7, 2022 Approved Meeting Minutes

PENDING BUSINESS

B. Staff Report 22-57, Review of Ordinance 22-42, Sidewalks

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

City Planner Abboud provided a summary of Staff Report 22-57 for the Commission. He noted the points from the worksession; reviewed the discussion and recommendation from the Parks, Art, Recreation & Culture Advisory Commission; and that a future worksession will be had with Julie Engebretsen and Brad Parsons who will be making a presentation to the Commission in relationship with the current transportation planning when fully developed.

Chair Smith reiterated the recommendations of the City Planner and then noted the ordinance in the packet with proposed amendments.

City Planner Abboud facilitated discussion and responded to questions and comments on the following:

- Commission putting forth an ordinance that applies to the general requirements that developers must construct sidewalks/non-motorized transportation when proposing a development.
 - o Using generic terms within the ordinance since there is an unknown on where the development will be constructed, how large it will be, etc. This action may appease the citizenry that Council has taken steps to address their concerns.
 - o City Attorney input would be required
- The City has or maintains the road once they are constructed to the required standards. If a road exists does the City has the authority to require pedestrian amenities in current developments such as Quiet Creek or Lillian Walli.
 - o If it is platted with the dedication it does come under the authority of the City
- Commission express that their concerns are shared and would like to receive more direction or setting the stage to move forward.
- Concern expressed if the Commission issued some vague regulations or requirements that may lead to litigation. It would not be difficult to bring in experts to provide minimum standards required to develop those criteria for roads and developments to have pedestrian friendly travel options.
- The Commission will gain more information when they hear the presentation from Mr. Parsons.
- Commission should submit a memo to Council requesting an additional six weeks to submit their recommendations, stating the Commission is working on this.
- The list of documents shown in the packet on page 72 are dated – Design Criteria Manual April 1985 Revised February 1987; Master Roads & Streets Plan 1986; and The Non-Motorized Transportation & Trail Plan 2004
- The Ordinance 22-42 was submitted by Council those amendments are made by Councilmembers Davis and Erickson.
 - o This does not legally accomplish the intent of the Councilmembers as defined in Staff Reports 22-22-57, 22-54 and Memorandum dated August 8, 2022 re: Trails & Sidewalks in Code and Plans

City Planner Abboud reiterated the Council request to the Commission is to review this.

Deputy City Clerk Krause responded that Ordinance 22-42 is scheduled for Public Hearing and Second Reading and the Council referred it to the Planning Commission and Parks Commission for their recommendations. Council can adopt the Commission recommendations and postpone action, vote down or vote to approve this ordinance at their September 26th meeting. It is the decision of the Council.

City Planner Abboud stated that the recommendations need to come from the Commission and the Clerk is very competent and will draft the memorandum to Council from the list given. She is very good at that.

Discussion ensued on the content of the recommendations to Council by the Commission. Further discussion included points of why the Commission is requesting Council delay action on this subject due to the actions being taken by various personnel and recommending a moratorium on new developments like the moratorium on new medical office development when they were working on the creation of a medical district.

City Planner Abboud stated that he could not support a moratorium on development as there is no definitive time frame.

Commissioner Highland advocated for the Commission to include some time frame for action and regulations to be in place as Councilmembers Erickson and Davis requested.

City Planner Abboud facilitated further discussion on:

- Existing requirements for including easements in developments
- Requirements outlined in the Comprehensive Plan provide the Commission or City the authority for the requirement to have sidewalks
- The existing road standards, who then pays for the sidewalk to be installed
- Where would a future development be constructed within central location, the one possible location would only have a small cul de sac
 - o This leaves development in the outlying areas of the city
- Could a utility easement be used for pedestrian paths or sidewalks
 - o In theory a sidewalk could be built in a utility easement
 - o No requirements for a pedestrian access to be concrete or asphalt
 - o This would provide a dedication but City Code would require amendments

Deputy City Clerk Krause responded to Chair Smith that the minutes of the meeting are a permanent record and can be included or attached to the memorandum so Council is fully aware of the Commission's concern. The memorandum is submitted to Council in response to their referral of Ordinance 22-42 and it will then be their decision to take action or not on the Commission's recommendation.

City Planner Abboud noted that the information in his Staff Reports are available, he then stated that the funding would probably come to Planning, but currently they are working on the Public input portion.

Deputy City Clerk Krause noted that she did not get some of what would be consider valid points down, such as possible litigation, which can be included as well when the recording is listened to later.

HIGHLAND/BARNWELL MOVED THE PLANNING COMMISSION, SUBMITS A MEMORANDUM TO CITY COUNCIL REGARDING ORDINANCE 22-42 WITH THE FOLLOWING CONTENT AS READ BY DEPUTY CITY CLERK KRAUSE:

AFTER TWO MEETINGS AND TWO WORKSESSIONS OF ROBUST DISCUSSION REGARDING ORDINANCE 22-42 THE PLANNING COMMISSION RECOMMENDS TO CITY COUNCIL THE FOLLOWING ACTION:

1. VOTE ORDINANCE 22-42 DOWN AS WRITTEN TO ALLOW:
 - a. THE PLANNING COMMISSION TO BE ABLE TO EXPEND THE PROPER TIME TO DEVELOP RESPONSIBLE AND REASONABLE DEVELOPMENT STANDARDS TO AVOID FUTURE LITIGATION AND NOT DISUADE DESIRABLE DEVELOPMENT; AND

- b. CURRENTLY THE HOMER NON-MOTORIZED TRANSPORTATION & TRAILS PLAN IS IN THE BEGINNING PROCESS OF BEING UPDATED; AND
- c. DEFINITIONS REQUIRE REFINEMENT REGARDING ROAD DESCRIPTORS; AND
- d. THE PLANNING DEPARTMENT REQUIRES RESOURCES WITH EXPERTISE IN TRANSPORTATION; AND
- e. THE PLANNING COMMISSION IS REQUESTING FURTHER DIRECTION ON THE DELIVERABLES THAT CITY COUNCIL DESIRES; AND
- f. THE PLANNING COMMISSION IS VERY SUPPORTIVE OF IMPLEMENTING NON-MOTORIZED TRANSPORTATION.

BARNWELL/VENUTI MOVED TO AMEND THE MOTION TO CORRECT NON-MOTORIZED TRANSPORTATION & TRAILS PLAN TO TRANSPORTATION PLAN.

Chair Smith asked if there was any additional comments.

STARK/BARNWELL MOVED TO AMEND THE AMENDMENT TO INCLUDE AVOIDING FUTURE LITIGATION AND NOT DISSUADE DESIRABLE DEVELOPMENT AT THE END OF FIRST BULLET POINT.

There was a brief discussion on proposing another amendment.

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

Motion carried.

Deputy City Clerk Krause restated the primary amendment as amended to the main motion at the request of Chair Smith:

“Moved to amend the motion to correct “Non-Motorized Trails and Transportation Plan” to “Transportation Plan” and amend the first line after “development standards” by adding, “to avoid future litigation and not dissuade desirable development.”

Commissioner Highland requested clarification on the Transportation Plan versus Homer Non-motorized Trails and Transportation Plan.

City Planner Abboud stated that all the documents will be wrapped into one updated Transportation Plan and the consultant is working on all aspects that are elements of that plan.

There was a brief comment regarding the funding part is the scope of what they are working on includes sidewalks and specifying parameters and requirements are for the new developments.

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

Motion carried.

Chair Smith inquired if there was further discussion on the main motion as amended, noting the secondary and primary amendments to the motion that were just passed.

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

Motion carried.

City of Homer
TRAIL MANUAL
Design Criteria



City of Homer Design Criteria Manual
Article 5.13
Non-Motorized Trails and Public Access Easements
Adopted: February 9, 2009

Prepared By: Casey Planning & Design and Wm. J. Nelson & Associates, Kenai, Alaska

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A. INTRODUCTION

I. GENERAL

This is an article of the Homer Design Criteria Manual. It is supplemental to and based upon the Homer Non-Motorized Transportation & Trails Plan (HNMTTP). Criteria in this section provides specific direction for planning and designing trails in public access easements.

The HNMTTP articulates the goals of the community regarding trails, and provides city officials and developers specific direction for creating a comprehensive network of non-motorized transportation and recreation routes in the City of Homer. It states that “by establishing a truly superb trails network that enables visitors and residents alike to travel safely and comfortably through Homer without the need for an automobile, the community will capitalize on its outdoor culture and unmatched natural setting.”

a. Objectives

The intent of this article is to provide guidelines and design criteria for establishing public access easements and for designing trails within such easements. City of Homer officials will use the criteria provided in this chapter to review subdivision applications, easement proposals, and development plans for trails with public access easements. The criteria will help protect the health, safety and welfare of the public while minimizing maintenance, environmental impact, and liability concerns for the City of Homer.

Based on meeting the criteria set forth in this article, the City of Homer accepts public access easements and approved trails that are constructed within those easements. The City of Homer is responsible for maintenance of all accepted trails. The purpose of this article is to provide a uniform set of design criteria that results in trails that are planned and constructed appropriately for their location and purpose. It is also a resource for owners and designers in navigating the planning and construction process.

This article provides criteria for both the planning and design phases of a trail project. Planning criteria focuses on identifying the appropriate trail type, trail uses, location, alignment, connectivity, and access. Design criteria and guidelines address the specific design parameters and details needed to construct each trail in a manner that suits the location and use, for maximum access and minimal impacts and maintenance.

b. Applicability

Those who need to comply include:

- Subdivision projects that include a public access easement, whether it is required by Homer City Code, required or recommended in an adopted plan, or a voluntary effort by the owner;
- Projects proposing to dedicate a public access easement and construct a trail, either required or voluntary;
- Trail construction projects within already platted public access easements or within public recreation areas.

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c. How to Use This Document

Consult the Homer City Code and review the Homer Non-Motorized Transportation & Trails Plan (HNMTTP) to identify any trail requirements that apply to the property. After determining that a trail is required or desired on a piece of property, the owner, sub divider, designer, or project manager, herein referred to as the “**Responsible Party**”, reviews the Trail & Easement Planning section of this article to understand the review process and begin to identify which trail level best fits the project. By reviewing the Trail Level Design Parameters Matrix on page 16, the Trail Level Summaries, and the Trail Selection & Planning Criteria to analyze the site, the Responsible Party should be able to select a trail level that best suits the project. Use the Trail Design Criteria to assist with fine-tuning the alignment of the easement and the design of the trail.

Developers and project designers shall adhere to the criteria in this article and the referenced documents unless compliance with such criteria is found to be unsafe or in conflict with the goals of the Design Criteria Manual or the HNMTTP, or where physical conditions restrict the ability to meet design criteria. This article gives the City of Homer Public Works Director the ability to approve alternative design solutions where required by extenuating circumstances. The Responsible Party is responsible for ensuring all trail projects meet safety standards.

d. Abbreviations and Acronyms

AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
ADAAG	Americans with Disabilities Act Accessibility Guidelines
ATBCB	U.S. Architectural and Transportation Barriers Compliance Board
ADOT&PF	Alaska Department of Transportation and Public Facilities
FHWA	Federal Highway Administration
IMBA	International Mountain Bike Association
MUTCD	Manual on Uniform Traffic Control Devices
HNMTTP	Homer Non-Motorized Transportation and Trail Plan
OHM	Ordinary High Water Mark
UFAS	Uniform Federal Accessibility Standards
USDA	United States Department of Agriculture

2. CODES AND REGULATIONS

a. Homer City Code

Homer City Code 11.04.058 Design Criteria Manual--Adopted. The City of Homer adopts by reference the "Design Criteria Manual for Streets and Storm Drainage," dated April, 1985 and revised February 1987. The "Design Criteria Manual" shall augment the standards of this chapter and shall govern site reconnaissance, survey and soils and design for streets and storm drains. (Ord. 87-6(S) 1(part), 1987).

b. ADA Accessibility Requirements and Resources

The Americans with Disabilities Act (ADA), passed by Congress in 1990, prohibits discrimination on the basis of disability. **ADA Standards for Accessible Design** (Department of Justice title III regulation 28CFR Part 36, Appendix A) are the adopted regulations, and they apply to “Places of Public Accommodation and Commercial Facilities” (private sector), “State and Local Government Facilities”, and “Transportation Facilities”. www.access-board.gov

Additionally, there are design *guidelines* for accessibility that are written and produced by the U.S. Architectural and Transportation Barriers Compliance Board (aka ATBCB or Access Board) that may apply to pedestrian facilities, including trails. Whether or not these are adopted by the federal government, compliance is recommended, as they represent the current thinking and may likely become the adopted standards. The City of Homer expects all trail projects to adhere to applicable standards and to most recently developed guidelines.

Accessible Trail Design. It is the responsibility of the owner (Responsible Party) to determine which standards or guidelines apply to their project. The following information may be of assistance:

ADAAG (ADA Accessibility Guidelines) 2002 These are the Access Board’s accessibility guidelines, which include a combination of adopted standards and recommended guidelines. Recent (2004) supplements to ADAAG cover play areas, state and local government facilities, and some recreation facilities, such as amusement rides, fishing and boating facilities, golf courses, and sports facilities.

(DRAFT) Guidelines for Outdoor Developed Areas Additional supplements to ADAAG have been drafted by the ATBCB and (as of January 2009) but not yet approved, including guidelines for outdoor developed areas and public rights-of-way. These guidelines may apply to trail projects within the City of Homer. The federal government recognizes that not all trails can or should be constructed to be accessible, such as when it will result in irresponsible damage to the environment. Therefore, the ATBCB Guidelines for Outdoor Developed Areas include allowances and exemptions to providing accessible trails.

The design criteria for achieving “accessibility” on a **trail** is different than that for the pedestrian access routes for facilities currently required by ADA. A **trail**, as defined by the Access Board is **“a route that is designed, designated, or constructed for recreational pedestrian use or provided as a pedestrian alternative to vehicular routes within a transportation system.”**

Accessible trails are required when connecting to accessible trail heads or to other accessible trails, elements, or spaces. Where an accessible trail is provided, the amenities along that trail must also be accessible.

The U.S. Department of Transportation Federal Highway Administration (FHWA), which oversees implementation of accessibility standards within public rights-of-way, has produced **Designing Sidewalks and Trails for Access; A Best Practices Design Guide, 2001**.

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c. Environmental Permitting

The following list is provided as a resource for project planning and may not include all information necessary for all projects. The Responsible Party shall identify and obtain all necessary permits prior to easement dedication and/or trail construction.

For multi-agency information regarding environmental permitting on the Kenai Peninsula, contact the [Kenai River Center](#), 514 Funny River Road, Soldotna. 907-714-2478, or online at www.kenairivercenter.org Agencies located in this office indicated with *.

U.S. Army Corps of Engineers - Administers Section 404 of the Clean Water Act; oversees permitting for projects in waters of the U.S., including wetlands. Kenai Field Office, 805 Frontage Road, Kenai 907-283-3519. Online at www.poa.usace.army.mil/reg

State of Alaska at www.state.ak.us

Department of Environmental Conservation, Division of Water. For projects requiring a National Pollutant Discharge Elimination System (NPDES) permit, such as when construction activity disturbs more than 1 acre of land. www.dec.state.ak.us/

Department of Fish and Game, Division of Wildlife Conservation. A Special Area Permit is required for many land and water use activities, including any construction activity in a designated state refuge, critical habitat area, or sanctuary. www.adfg.state.ak.us/

* Department of Fish and Game, Division of Habitat. Authorization from this agency is needed for work in designated anadromous fish streams or other fish-bearing waters.

State of Alaska Department of Natural Resources, Division of Coastal & Ocean Management. For projects within the Kenai Peninsula Coastal District.

State of Alaska Department of Natural Resources, Division of Parks and Outdoor Rec., Office of History & Archaeology. Section 106 of the National Historic Preservation Act requires review of any project funded, licensed, permitted, or assisted by the federal government for impact on significant historic properties. www.dnr.alaska.gov

* **Kenai Peninsula Borough. Coastal Management Program, Floodplain Administration, Habitat Protection.** Issues permits and/or guidance for other agency permits for projects in coastal zones, and those within 50 feet of salmon streams. For more information contact the [Kenai River Center](#) or visit www.kenairivercenter.org

City of Homer - Contact the Planning & Zoning Department to determine whether the project requires any City of Homer development permits. Construction activities, such as clearing, grading or paving, can trigger the need for such permits. www.ci.homer.ak.us/

3. RESOURCE INFORMATION

a. References and Design Resources

The following resources were used in the development of design criteria for this article, and may provide additional useful information for project designers.

United States Access Board Resources www.access-board.gov

ADA Standards for Accessible Design

ADAAG 2002 - ADA Accessibility Guidelines for Buildings and Facilities provides design standards and design guidelines for numerous facilities.

ATBCB Guidelines for Outdoor Developed Areas, 2007 (DRAFT). Includes guidelines for accessibility on trails designed for pedestrian use.

ATBCB Guidelines for Public Rights-of-Way, 2005. Includes accessibility guidelines for sidewalks and pedestrian amenities within public rights-of-way.

American Association of State Highway and Transportation Officials (AASHTO) www.transportation.org

A Policy on Geometric Design of Highways and Streets.

Guide for Planning, Design, and Operation of Pedestrian Facilities, 2004

Guide for the Development of Bicycle Facilities, 1999.

USDA Forest Service www.fs.fed.us

U.S. Department of Transportation Federal Highway Administration www.fhwa.dot.gov www.fhwa.dot.gov/environment

Designing Sidewalks and Trails for Access. Best Practices Design Guide

MUTCD (Manual of Uniform Traffic Control Devices)

Wetland Trail Design and Construction

Equestrian Design Guidebook for Trails, Trailheads, and Campgrounds

Trail Construction and Maintenance Handbook

Rails-to-Trails Conservancy www.railstotrails.org

Trails for the Twenty-First Century

International Mountain Bike Association IMBA www.imba.com

Alaska Trails www.alaska-trails.org

INTRODUCTION

b. Definitions

ACCESSIBLE TRAIL - A trail designed for use by pedestrians which is constructed to meet the accessibility criteria established by ATBCB for trails in outdoor developed areas with respect to grades, cross-slope, amenities, and surfacing.

BICYCLE - A vehicle propelled solely by human power upon which a person may ride, having two, three or four wheels.

CROSS SLOPE - The slope measured perpendicular to the direction of travel. For the purposes of this article, cross-slope refers to the trail itself, versus the general side slope of the natural terrain upon which the trail is constructed.

FILL - Material placed above the original or natural ground lines.

FULL BENCH TRAIL - A trail constructed on a cut slope. No part of the trail is built over fill material.

GEOTEXTILE - See current edition of Homer Standard Construction Specifications.

GRADE - The slope parallel to the direction of travel, measured in percent. For example, a 1 foot change in vertical elevation on a 50 foot long section of trail has a 2% grade.

GRADE REVERSAL - A change in the direction of the running grade along a trail, from uphill, to downhill, and vice versa. Used to control erosion.

HALF RULE - A general rule used when determining the grade of a trail on a hillside. The trail grade should be no more than half the side slope grade.

INTERSECTION - Area where two or more trails or roadways meet or cross.

MEAN (ORDINARY) HIGH WATER MARK - A line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

MULTI-USE TRAIL - A trail designed for more than one type of user, or use, such as bicycles *and* pedestrians, or for transportation *and* recreation.

NFS (Non Frost Susceptible) - A classification for soil that is not as likely to be affected by seasonal freezing and thawing. Nonorganic soil containing less than three percent (3%) by weight, of grains smaller than .02mm obtained from minus three inch (3 in.) material.

NON-MOTORIZED - Trail recreation by modes such as bicycle, pedestrian, equestrian, skate, or ski. May include electric wheelchairs.

OBSTACLE - A physical object that limits the horizontal or vertical passage space, by protruding into the circulation route and reducing the clearance width of a trail.

INTRODUCTION

PAVEMENT - Surfacing constructed with asphaltic concrete (AC), Portland cement concrete (PCC) or dry laid concrete pavers.

PASSING SPACE - A widened section along a trail to allow for two users to more comfortably or safely pass one another.

PEDESTRIAN - A person on foot or who is using an assistive device, such as a wheelchair, for mobility. Pedestrians, for the purpose of this document, may include those using electrically powered mobility devices.

PPP (POROUS PAVEMENT PANELS such as GeoBlock or EcoGrid) - Porous pavement panels are three-dimensional, structural hi-density polyethylene panels designed to provide a durable wear surface and load distribution system.

PUNCHEON - Short-span footbridges or a series of short-span footbridges supported by sleepers.

RAMP - A sloped transition between two elevation levels. In reference to ADA accessibility, a portion of an accessible pedestrian walkway with a running grade $>5\% \leq 8.33\%$, for a maximum rise of 30 inches.

RESPONSIBLE PARTY - The property owner, either private or public.

SIDE SLOPE - Existing cross-slope of the natural terrain.

SIGHT DISTANCE - the length of a roadway visible to a trail user; the distance a person can see along an unobstructed line of sight.

SHOULDER - The area directly adjacent to either side of the trail surface.

TRAIL - As used in this article, a trail is a path or route identified and/or constructed for the purpose of non-motorized recreation and/or transportation. It may be located within an public access easement or right-of-way, or on public property.

TRAIL PROFILE - An elevation or cross-section through a trail easement, showing the proposed design of the trail and adjacent

TRAIL SEGMENT - That portion of a trail that lies between two intersections or destinations and is consistent in its design and use for it's entire length. Most trails are composed of multiple trail segments.

TRAIL SPUR - A short segment of trail that leads off a trail and connects the user to a nearby point of interest, such as an overlook, restroom, or picnic area.

TRIP GENERATOR - Any origin or destination that a trail user may be traveling to or from, including public facilities, residential or commercial areas, or another trail.

UNDERDRAIN - Drainage technique for allowing water to flow under the tread of low use, rustic trails, such as Level 1 or 2 trails.

VERTICAL CLEARANCE - Minimum unobstructed vertical passage space required along a sidewalk or trail.

B. TRAIL & EASEMENT PLANNING

I. GENERAL

This section provides guidelines for the planning of public access easements and non-motorized trails within and near the City of Homer. The criteria established in this section also provides the basis for review and approval by the City of Homer, prior to accepting public access easements or constructed trails. Proposed easements or trails that are in conflict with this article, the HNMTTP, the Homer Comprehensive Plan, or any other adopted plans, will not be approved.

The purpose is to ensure that access easements and trails are planned and designed to result in a cohesive network of safe, enjoyable, low maintenance trails that blend with the varied landscapes of Homer and offer year round transportation and recreation opportunities for the citizens and visitors of Homer.

2. PLANNING & APPROVAL PROCESS

The following is an outline of steps that the Responsible Party may need to follow to dedicate public access easements or to construct trails on public property or within public access easements or rights-of-way. This process may vary depending on the individual circumstances of each development project.

Table B-I Outline of the Planning & Approval Process

PLANNING PHASE I Preliminary Plat or Easement Dedication
<ul style="list-style-type: none">– Research and Analysis - The Responsible Party reviews adopted plans and ordinances for any trail requirements or recommendations, conducts site analysis, and uses Trail Planning Criteria to begin to identify an appropriate trail level, location, alignment and use.– Discuss the trail project with the City of Homer Planning & Public Works Departments, and environmental permitting agencies to identify issues and adjust the trail proposal.– Conduct preliminary engineering as necessary to fine-tune the trail level, location and alignment. Develop a trail plan & profile, typical sections, and cross-sections at 50 foot intervals, or as required by Public Works.– Submit a preliminary plat application or a proposal for easement dedication, based on the planning criteria of this chapter, to the City of Homer Planning Department. See following page for submittal requirements.
PLANNING PHASE II Final Plat, Easement Dedication, or Subdivision Agreement
<ul style="list-style-type: none">– Field locate and survey the final trail alignment as necessary to ensure it meets planning and design criteria.– Obtain environmental permits.– Submit final plat or easement dedication to City of Homer Planning Department.
CONSTRUCTION PHASE Subdivision Agreement or Construction Permit
<ul style="list-style-type: none">– Submit trail construction documents to the City of Homer Department of Public Works for review and approval.– Trail construction.– City of Homer inspection of the constructed trail.

B. TRAIL & EASEMENT PLANNING

3. SUBMITTAL REQUIREMENTS

Refer to Table B-2 for a list of the information that is required during the planning and approval process for trail easement and trail construction projects.

Table B-2 Submittal Requirements

PLANNING PHASE Preliminary Plat or Easement Dedication
<p>Project Narrative. A written description of the proposed project including:</p> <ul style="list-style-type: none"> - How the proposed trail is consistent with adopted plans; - Proposed Trail Level, easement width, trail width, running grades, amenities or structures; - The intended and expected transportation and recreational uses for the trail or for each segment of the proposed trail, and any foreseen challenges or opportunities; - Existing and future land use of the project area, including trails, structures, features, as well as any designated areas of preservation; - Character of surrounding areas, including land use type and density; - How and where the trail will connect to public areas or adjacent destinations; - Natural features and how the project will incorporate or work around them, such as topography, vegetation, rocks, beach, wetland, and creeks, as well as views into or beyond the project area; - Explanation as needed to justify a proposed trail that does not conform to adopted plans and ordinances, does not meet design criteria standards, or involves any special user conflicts or construction challenges. <p>Project Maps, Drawings, Information. Submit scaled plan drawings and/or maps with the following information. All sheets are required to illustrate the location of the proposed trail or easement.</p> <ul style="list-style-type: none"> - Context: Large scale map of the project area as it relates to surrounding areas. Identify all existing trails, easements, roads, public facilities, water bodies, natural features, land uses, and any other relevant features in and around the project area; - Topographic contours at 2 foot intervals; - Trail Route - identify the width, location and general alignment of the proposed easement on all plan views provided. Include locations of any existing trails or trails identified in any adopted plans, as well as proposed trail heads, amenities, points of interest; - Trail profile along the length of the trail, illustrating preliminary grades along the trail route; - Typical section of the trail, and cross-sections at intervals of 50 feet, or as required by the Department of Public Works. Identify existing and proposed slope across easement, proposed cut and fill requirements; - Wetlands, rivers, or other water bodies and all setbacks or areas with developmental restrictions; - Soils Information, mapped. For Level 1,2 & 3 trails: Conduct a field assessment, consult wetland maps to determine potential for saturated soils, post hole to 12 in. deep. For Level 4 & 5 trails: Soil boring to 4 ft .minimum and provide soils report as per Article 5.1.c. or as required by Public Works; - Vegetation - general vegetation areas; uplands, wetlands, pasture, etc.; - Site Analysis- show views into, beyond, or within the site, and land use conflicts or opportunities.
PLANNING PHASE II Final Plat or Easement Dedication
<ul style="list-style-type: none"> - Revised plat and updated project narrative, maps and drawings; - Environmental permits; - Any other information required by City of Homer Planning or Public Works Departments.
CONSTRUCTION PHASE Subdivision Agreement or Construction Permit
<p>Submit the following to the Department of Public Works for a Subdivision Agreement or Construction Agreement:</p> <ul style="list-style-type: none"> - Final plat or easement dedication and environmental permits; - Construction drawings.

B. TRAIL & EASEMENT PLANNING

4. REVIEW CHECKLIST

a. Planning Phase.

The following is a review checklist for the City of Homer to assess a proposed trail route or access easement:

- Conforms to all required and/or recommended trail routes for the project area, as found in Homer City Code and adopted plans. If not, there are justified reasons for deviation, such as: safety, excessive impact to surrounding area, land use conflict.
- All necessary environmental permits have been obtained. If not, demonstrates the permitting process is sufficiently underway with respect to the timeline of the trail project.
- Addresses any need for upgrading, re-locating or preserving of existing trail routes that do not meet the intent or design criteria of this article.
- The proposed trail level is appropriate for the existing land use and anticipated user groups and user volumes.
- Easement width meets minimum design criteria and is adequate to accommodate turns, structures, amenities and trail maintenance for the proposed trail.
- Proposed trail or easement route meets all planning and/or design criteria for the proposed trail level and uses, including:
 - Connectivity - compliments existing trails or walkways, provides logical and safe alignments, connections, and intersections;
 - Horizontal Alignment - safe and comfortable curves and sight distances, addresses views and slopes;
 - Design Fits Existing Conditions - Running grade, cut-fill, stairs, retaining structures, drainage, soils;
 - Minimizing Water Crossings - streams and wetlands;
- Maintenance Considerations - Proposed trail meets planning and design criteria while minimizing the use of structures.

b. Construction Phase.

The following is a review checklist for trail design / construction approval.

- Plans provide for appropriate level of trail hardening or surfacing, signage, amenities, structures, or other features as appropriate or necessary for the location and use.
- The trail design is consistent in its accessibility level, design and use throughout the entire length of the trail. If not, individual segments are consistent.
- Trail design is consistent with what was approved in the planning process.
- The trail design meets the minimum design criteria for the designated trail level and for the anticipated user groups.

TRAIL LEVEL DESIGN PARAMETERS

	LEVEL 1 Backcountry	LEVEL 2 Recreation Corridor	LEVEL 3 Semi-improved Trail	LEVEL 4 Fully Improved Trail	LEVEL 5 High Use Trail
Description and Application	A simple, narrow, potentially rugged natural surface trail primarily for recreation. Moderate skill needed, with steeper slopes, tight curves, and obstructions common. Uses may include hiking, snow-shoeing, skiing, equestrian, mountain biking. User volumes are very light.	An unimproved, informal, wide, flat or gently sloping natural surfaced trail corridor for single or multi-use recreation in rural or semi-rural areas or within public parks or recreation areas. Uses may include hiking, snow-shoeing, skiing, mountain biking, equestrian. User volumes are very light to moderate, depending on the use.	An informal trail through semi-urban to rural areas, used for access between neighborhoods and destinations, or for recreation. Accessibility may be limited. Use is primarily pedestrian, but may include bicycling, equestrian, snow-shoeing, skiing. User volumes light to moderate.	A wide multi-use trail with a firm surface meeting ADA accessibility standards for recreation trails. A transportation and recreational route through the developed areas of Homer and within residential neighborhoods. May accommodate occasional equestrians. User volumes moderate to heavy.	A wide, accessible paved trail that accommodates a wide variety of non-motorized users. These multi-use trails provide access between public spaces, sidewalks, civic & cultural buildings and other major destinations within the core civic and commercial areas of Homer. Two-way multi-use trail for pedestrians, in-line skates, bicycles. May be designed for equestrians. Heavy use.
Widths					
Easement	8 feet	20 feet	12 feet	15 feet	20 feet
Trail	6 - 24 inches	6 - 16 feet, depending on terrain and managed use	3 - 5 feet, depending on bicycle use	5 - 8 feet	8 - 12 feet, depending on user volumes.
Shoulders	None	None	None	12 in. for paved routes	24 in.
Surface					
Material/Type	Native materials. Planks, rocks, PPP or other turf reinforcement materials. Limited grading.	Native earth, ground cover and/or seeding. Boardwalk or turf reinforcement materials. Limited grading.	4 in. NFS gravel over geotextile. Boardwalk, PPP or other turf reinforcement materials.	Firm and stable, NFS gravel over geotextile. Paving optional. Boardwalk.	Uniform, firm and stable. Paved trail or boardwalk.
Obstacles	Roots, rocks, and log protrusions to 6 in., steps to 14 inches	Generally clear. Protrusions <6 in. No steps. Typically unimproved with no structures	Generally clear. Protrusions < 4 in. Steps discouraged.	Few or no obstacles, protrusions 2-3 in., Steps discouraged	Smooth, no obstacles. Protrusions < 2 in. Steps discouraged.
Structures	Minimal, rustic structures		Medium duty boardwalks and retaining structures	Bridges, railings, retaining walls.	Bridges, railings, retaining wall.
Clearance					
Vertical	6 ft. hiking; 8 ft. bicycle & equestrian, 10 ft. snowshoeing	12 feet	8 feet ; 12 feet for winter and equestrian use	9 feet; 12 feet for equestrian use	9 feet; 12 feet for equestrian use
Horizontal	36 in. with minimal encroachment	8 - 20 feet wide, depending on managed use	12 in. beyond tread, 24 in. for trees, signs, structures	12 in. beyond tread , 24 in. for trees, signs, structures	24 in. beyond tread , 36 in. for signs, trees, structures
Grade					
Target	< 12%	< 10%	< 8%	< 8%	< 5%
Maximum	30%, for <30 feet	15% for < 50 feet	For Level 5 and other accessible trails: 5% for any length, 8.33% for up to 30 feet, 12.5% for up to 10 feet. Otherwise: Level 3 = Max 15% for up to 50 feet, Level 4 = Max 10% for up to 50 feet.		
Cross Slope					
Target	3 - 10%	5%	3%	2%	2%
Max	Up to natural side-slope; 10% for bicycle use	10%	10%	3%	3%, at driveway crossings

B. TRAIL & EASEMENT PLANNING

5. TRAIL SELECTION & PLANNING CRITERIA

This section provides guidance and planning criteria for selecting the appropriate trail location, level, use and alignment for the project location. The criteria will help ensure that all trails are constructed to provide safe and convenient routes between destinations, improve the continuity and connectivity of the whole trail network, meet the needs of all users, minimize impacts to surrounding areas, and utilize construction methods that are economical and will result in long lasting, low maintenance trail facilities.

The Responsible Party should be prepared to discuss how the proposed easement and/or trail will meet the intent and requirements of this article, and how it will mitigate any specific challenges encountered with the project. Refer to Design Criteria section (pages 33-49) for additional trail design criteria.

a. Codes, Regulations and Plans

All proposed development projects are required to provide trails and easements where they are required by Homer City Code, the HNMTTP, the Homer Comprehensive Plan, the Town Center Plan, and other adopted plans. All proposed trails within the City of Homer shall be in accordance with the standards of this manual and meet the intent of the HNMTTP, and any other plans adopted by the City of Homer. If a proposed trail is not in accordance with plans and ordinances, submit sufficient explanation and support data to justify an alternative design solution.

The HNMTTP identifies locations of existing, proposed, and recommended trail corridors, and provides direction to community leaders and developers for the development of a functional network of trails. It represents the latest cooperative effort by the community to identify the future direction of Homer's trail system. Use this document for direction when planning for new trails or when reconstructing or relocating existing trails.

b. User Volumes and Types

The design of a trail must accommodate the use of the trail. It is easier to build a trail to suit the anticipated users than to control the users to match the design of the trail. For this reason, it is important to carefully research and analyze the project area to determine the anticipated volume and types of users. Generally, high volumes and wide ranges of user groups warrant wider, more developed trails with shorter segments between destinations and more signage and amenities. Some recreational uses require specialized design solutions. For further assistance, refer to [D. Trail Design Criteria](#).

i) User Volumes. Consider the following when establishing the anticipated volumes:

- How many destinations or trip generators within 1/4 mile of the trail corridor, including other trails.
- If the trail connects to any large volume trip generators, such as a school, a visitor's center, a library, a popular recreation area, or a busy commercial area, such as the Spit, or Pioneer Avenue;
- If the trail provides multiple connections to nearby trails or destinations.

B. TRAIL & EASEMENT PLANNING

ii) Use Types. Land use, existing and future (planned), establishes the basis for the type of trail users. Understanding the range and types of users that will use the trail is a critical component guiding the design of the trail.

Recreational Use. Trail conditions that attract recreational users:

- Connects to recreation destinations;
- Offers a scenic, or otherwise interesting route;
- Specially located and designed for a particular recreational use or event;
- Long routes, with few intersections or interruptions, especially loop trails;
- Wide, paved trails are attractive to in-line skaters and young families.

Transportation use. Trail conditions that serve transportation needs:

- Direct routes between destinations and trip generators;
- Few user conflicts;
- Frequent and convenient connections between trails, streets, sidewalks, parking areas and destinations;
- Safe and accessible trail routes and conditions.

Mixed Use. Trail conditions that attract a wide mix of user groups, including pedestrians, bicycles, in-line skates, strollers, wheelchairs, and children tend to require more width, structure, signage, and amenities:

- Paved trails;
- Trails that connect to a variety of generators, such as the Senior Center, a grocery store, a park, the library, a trailhead, and a neighborhood;
- Trails that provide access to a variety of destinations as well as an interesting and enjoyable route.

c. History, Access, & Connectivity

Each new trail segment improves the continuity and connectivity of Homer's trail network. Proposed trail easements are required to meet the following criteria:

- It is as accessible as possible, within reason;
- It connects to other nearby trails, where safe, reasonable and appropriate;
- Existing trails are not removed or disrupted. They are upgraded, relocated or realigned to ensure they meet the planning and design criteria of this article;
- The trail is continuous and provides for the same design, use and level of accessibility for each segment;
- The trail provides a logical connection between publicly accessible destinations for all trail users. Dead end trail segments are not allowed unless it is shown that there are plans for continuation of the trail in the near future;
- Provide trail heads and/or parking, as needed;
- Trails with higher use volumes and a wide variety of user groups are high level trails, such as Level 4 or 5;
- Lower level trails and those of lesser accessibility and limited uses are in locations with physical constraints, low user volumes, or where the trail segment is not providing a transportation link between generators and destinations;
- A trail segment that connects two other trails is designed to the same level as the other trails;
- Intersections are located and aligned to provide for adequate site stopping distances, maximum safety, and logical connections between destinations;

B. TRAIL & EASEMENT PLANNING

- Trails provide options and alternatives and avoid conflict or confusion;
- Where trails begin or end at another trail, those of lesser accessibility or more restrictive uses shall branch from those of higher level of accessibility, so as not to trap or inconvenience a trail user.

d. Topography & Natural Features

A well designed trail feels natural, tends to flow with the natural landscape, avoids steep climbs and unnecessary exposure to water, and endures over time with little maintenance. Existing conditions, such as slopes, water, soils, vegetation, roads and structures, all affect the planning and design of trails.

i) Objectives. The three primary objectives relating to trail alignment and terrain:

- Access - Providing a trail that is as safe and as accessible as possible.
- Environmental Impacts and Maintenance - Minimizing contact with hydric soils and surface water, either flowing across or along the trail.
- Experience - Creating an interesting and enjoyable trail experience.

ii) Criteria

1. Select a trail level that suits the landscape and align it to fit the terrain meet the design criteria for the trail's use;
2. Trail alignment should provide the most accessibility with the least impact to surroundings;
3. Avoid long segments where the trail travels only up or downhill. Provide grade reversals as needed to meet trail design criteria for water and erosion management;
4. Avoid excessive costs and engineering, (cut, fill, or structures) to make a particular trail design fit into the landscape. Balance costs and benefits to suit the trail location and use;
5. Locate trail or easement to avoid or minimize water crossings (creeks, seeps, wetlands). Re-route existing trails where practical;
6. Avoid intersections on curves or with maximum running grades.
7. Avoid stairs where possible, especially on multi-use trails;
8. Refer to Homer City Code Title 21 for steep slope requirements;
9. Align trail to minimize switchbacks, avoid problem soils, and protect existing natural features;
10. Align trail to take advantage of natural features and views, and to provide a variety of experiences.

e. Costs—Budget Planning

Construction costs should align with the trail level and the volume and type of use. Higher Trail Levels are inherently more expensive to construct and maintain. Balance trail priority, use, cost and benefit for the location and purpose of the trail.

Proper trail selection and design should minimize maintenance. Specialized use trails, such as groomed ski trails and equestrian trails may require more maintenance, as do those that interface with water, such as bridges or boardwalks.

C. HOMER TRAIL TIERS

I. GENERAL

The City of Homer's goals are to have non-motorized recreation trails and transportation corridors that provide a range of accessibility and experience for many types of users throughout the year.

This trail tier system is intended to provide for a logical hierarchy of public trails for access and recreation throughout the diverse developments and landscapes of Homer. Planning and design criteria are provided for each of the five standard trail types addressed in this chapter.

The objective is to have planning and design criteria that will result in trails that are planned and constructed appropriately for their purpose and their location. All trails will provide for maximum access for their users with minimum impacts and maintenance.

This section is intended to provide a brief overview of the planning and design criteria for each of the five (5) TRAIL LEVELS. These summaries are a starting point for the planning of an easement, and the design of a trail. The Responsible Party should refer to all applicable criteria in this Chapter and to the referenced resources, as needed, to plan and develop a trail that meets the City of Homer's objectives for a non-motorized transportation and trail system.

These trail levels should be applicable to most trail projects. If an alternative trail design is necessary, it should be as consistent as possible with the Forest Service trail design parameters and the criteria of this article. The City of Homer Public Works Director has the authority to accept alternate trail design solutions.

2. DESCRIPTION OF TRAIL TIERS

The trail matrix is a set of five (5) trail levels, with varying accessibility, widths, applicability, character and use. This section provides a two-page summary of planning criteria, design parameters, and a typical cross section for each trail level. The summaries are not intended to stand alone as the design criteria for any trail. The Responsible Party should consult all applicable criteria sections of this article when designing a specific trail.

- a. **Level 1 - Backcountry Trail.** For rural areas, rugged terrain and very low recreational use situations.
- b. **Level 2 - Recreation Corridor.** A basically unimproved natural terrain corridor primarily for groomed ski trails or low use, casual recreation routes, with little or no visible tread area.
- c. **Level 3 - Semi-Improved Trail.** A medium sized, constructed gravel trail, with limited accessibility, intended for a mix of recreational and transportation uses.
- d. **Level 4 - Fully Improved Trail.** A wide, accessible gravel or paved trail for medium to high use areas.
- e. **Level 5 - High Use Trail.** A wide paved, accessible trail, with amenities and structures for a mix of transportation and recreational uses.

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 1 - Backcountry

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

PLANNING CRITERIA

Location

- Rural, remote or lightly traveled recreational trails, typically in residential or undeveloped areas where a higher level trail is not feasible or appropriate.
- Branching off a higher level trail, with loops or connections to public access areas.
- Historic hiking routes through more remote areas, steep or rugged terrain. Alignment may change, as needed to meet design criteria.
- Connects to recreation destinations such as overlooks, trail heads, camping areas, and parks.

Use Recreational trail for very light volumes of traffic. May be designed and maintained for hiking, mountain biking, snow-shoeing, or equestrians.

Easement Width 8 feet minimum. More as needed to accommodate switchbacks, slopes, and trail maintenance operations.

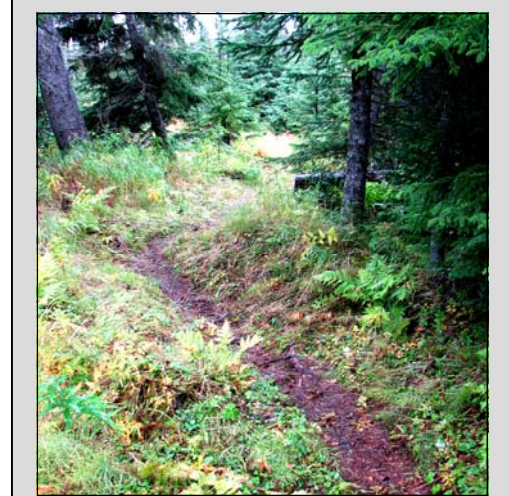
Trail Maintenance. Cut vegetation within clearance zones, and provide repairs or upgrades to trail surface, water crossings, signage and other amenities or structures, as needed, and as funding allows.

Topography Terrain can be quite varied, including flats or steep slopes, rocky, wet, wooded, or open. Topography must allow for a trail alignment that meets design criteria with little or no structures, cut or fill.

Alignment Level I trails are primarily recreation routes through semi-rural to remote areas. They connect neighborhoods, parks, trailheads, and other recreation destinations.

- The alignment of the easement must be finalized in the field, to ensure a feasible route that meets the objectives and the trail design criteria, and which utilizes existing features that will enhance the user's experience;
- Re-align any problematic portions of an existing trail as needed to provide a safe and sustainable trail route;
- Refer to IMBA "Trail Solutions" and USDA Forest Service Trails Management Handbook and "Trail Construction and Maintenance Notebook" - resources for planning and building Level I trails;
- Take advantage of natural features by meandering trail to align views, wrap around rocks or other features, and generally follow the natural flow of the terrain;
- Provide switchbacks as needed to meet design criteria;
- Erosion Control Criteria:
 - Follow the **half rule** as developed by IMBA; trail grade should be no more than 1/2 the side slope grade.
 - Align trail to follow natural dips in the terrain, or to create dips (grade reversals) along the trail, every 20-50 feet. These prevent water from flowing along, and eroding, the trail. They also enhance the trail experience.

Soils, Water & Hydrology Saturated soils are highly susceptible to erosion. Avoid seeps and other areas with saturated soils. Minimize the crossing of creeks, rivers and wetlands, which is more expensive to build and more difficult to maintain.



Level I Trail Description

A simple, narrow, potentially rugged natural trail primarily for recreation. Moderate skill needed, with steeper slopes, tight curves, and obstacles common.

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 1 - Backcountry

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

TRAIL DESIGN CRITERIA

Trail Width & Shoulders. 6 - 24 inch wide tread on native soil, or boardwalk. No shoulder necessary.

Surface. Native, with limited grading. Rock, soil, or wood where needed to cross wet areas. Roots, rocks and log protrusions to 6 inch, steps to 14 inches.

Clearance.

- Vertical clearance - 6 feet for hiking, 8 feet for bicycle, 10 feet for equestrian and snowshoeing.
- Horizontal clearance - Minimum 36 in. width.

Grade

- Target grade <12%, with grade reversals every 20-50 feet.
- Maximum 20% for trails where underlying soils are sand, silt, or clay. 20%- 30% for gravel or rock base.
- For grades over 30%, natural trail base and surface should be composed of angular rock, large rock or solid rock. Use steps to minimize erosion and steep grades.

Cross Slope of Trail

- Target cross slope - 3-10%. Flowing toward the down hill side of the tread.
- Maximum - up to natural side slope, 10% for bicycles.

Signage

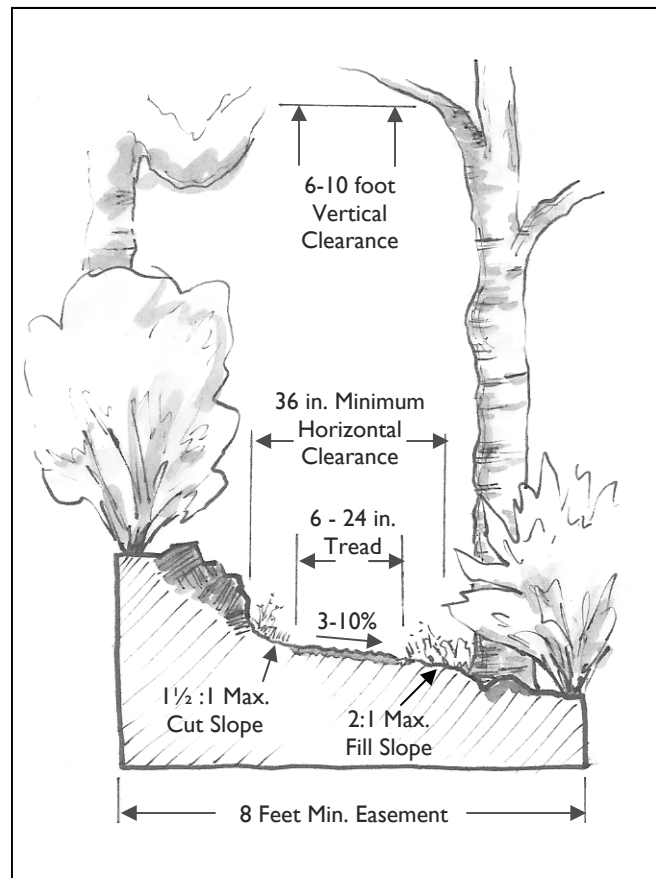
- Trail markers, as needed, to navigate trail year round.
- Resource protection information and trail identification signs including trail name, length, and any use restrictions or accessibility warnings posted at each end of the trail.
- Directional signage with trail name and length, at all trail intersections.

Amenities

- Trail head, with parking and trail signage.

Structures

- Minimal use of structures. Rustic plank with sleeper logs typical for low volume water crossings. Porous pavement panels or underdrains for short wet crossings.
- Steps constructed with on-site material such as rocks and logs.



CROSS SECTION - LEVEL I BACKCOUNTRY

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 2 - Recreation Corridor

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

PLANNING CRITERIA

Locations

- Groomed X-country ski trail corridors, or light use trails in public parks and recreation areas.
- Within utility easements, where the corridor has historic use as a recreational route and there are no existing or anticipated use conflicts or concerns with utilities or adjacent land use.
- Light use trail connections between residential areas and recreation destinations, where topography allows for gentle grades with little or no cut / fill.
- Wetland Routes - unimproved ski or snowshoe routes across wetlands, for winter use only.

Use Primarily a recreation route for light to heavy volumes of traffic, depending on the use. Heavy use for winter only. May be designed for one-way or two-way bicycle trails, classic and/or skate skiing, hiking and snow-shoeing, or equestrian use.

Easement Width 20 feet minimum. Wider, as needed, for safe turns, intersections, or where use requires a wider clear zone.

Trail Maintenance Mowing optional. Cut vegetation within clearance zones, and provide repairs or upgrades to trail surface, water crossings, signage and other amenities or structures, as needed, and as funding allows. Winter grooming optional. Seasonal installation of trail signs or markings on winter use trails, as needed.

Topography Generally located in flat to gently sloping areas. Must be able meet design criteria for the intended use with minimal disruption to natural terrain. Side slope: Max. approx. 20% (~2.5 feet difference) across a 12 foot wide easement, 10% is recommended for bicycle routes.

Alignment

- The route may align with an existing utility easement corridor, if topography meets Level 2 running grade and cross-slope criteria. Occasional areas of moderate cut / fill allowed to level cross-slopes or soften grade changes.
- Wide curves. Meander as necessary to construct the trail with minimum disturbance to natural surroundings.
- Never align trail to run directly up or down slope. Provide turns and grade reversals to prevent erosion.
- Connects to similar trails, trail heads or recreation areas.
- Access trail to a Level 1 trailhead.
- Avoid alignments that result in maximum grades within 20 feet of intersections.
- Water Crossings: Minimize or avoid crossing ground seeps, creeks, wetlands, or other water bodies, other than for winter use only routes.

Soils, Water & Hydrology Saturated soils are highly susceptible to erosion. Avoid seeps and other areas with seasonally saturated soils. Minimize the crossing of creeks, rivers and wetlands. These structures are more expensive to construct and maintain. Avoid constructing trails along side slopes of 20% or greater.



Level 2 Trail Description

A basically unimproved, informal, wide, flat or gently sloping natural surfaced trail corridor cleared and/or mowed for single or multi-use recreation in rural or semi-rural areas or within public parks or recreation areas.

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 2 - Recreation Corridor

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

TRAIL DESIGN CRITERIA

Trail Width & Shoulders 6 - 16 foot wide grass corridor for a variety of low volume year-round recreational use. A worn central tread area may occur naturally over time.

- 6 foot wide trail in areas with challenging terrain, more cross-slope, wet soils, or other restrictions.
- 8-12 foot wide corridors are the standard - a mix of hiking, snowshoeing, biking, informal skiing, low volume equestrian.
- 16 foot wide corridor for ski routes that are groomed for both classic and skate ski.

Surface Native earth or ground cover with limited grading, imported material and/or seeding. Porous pavement panels or turf reinforcement materials may be used in wet areas. Generally clear, with protrusions <6 inches. No steps or retaining structures.

Clearance

- Vertical clearance - 12 feet minimum above both trail and shoulders.
- Horizontal clearance - Vegetation clear zone 8-20 feet, depending on use. 2 feet beyond each side of trail.

Grade

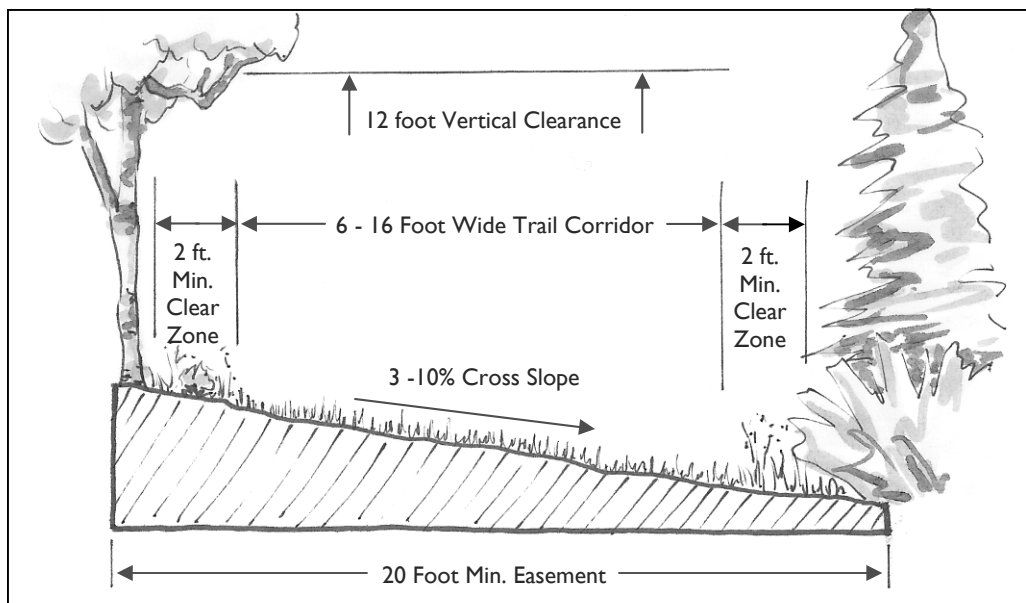
- Target grade: <10%. Maximum: 15% for distances up to 50 feet.

Cross Slope of Trail

- Target cross slope - 5% Maximum, where natural cross slope warrants: 10%

Signage & Amenities

- Trail markers as needed to navigate trails year-round.
- Trail information signage posted at each end of the trail: Trail system map (if appropriate), trail name, length, use restrictions or accessibility warnings, and resource protection information.
- Directional signage with trail name and length, at all trail intersections.



CROSS SECTION - LEVEL 2 RECREATION CORRIDOR

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 3 Semi-Improved Trail

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

PLANNING CRITERIA

Location

- Connections within and between residential areas where use volumes are not high, or where topography precludes meeting Level 4 Trail criteria.
- Light use, or specialized use trails within public parks and recreation areas.
- Rural trails with light to moderate traffic and year-round informal recreational use.

Use Primarily a recreational route for light volumes of traffic. May be designed for one-way or two-way bicycle trails or for equestrian use. Winter use may include snow-shoeing or classical skiing, depending on terrain.

Easement Width 12 feet minimum. Wider easements as needed for curves, side slopes, and maintenance.

Trail Maintenance Yearly maintenance of gravel surface, clearance zones, signage, and amenities. Cut vegetation within clearance zones, and provide repairs or upgrades to trail surface, water crossings, signage and other amenities or structures, as needed, and as funding allows. Winter grooming optional.

Topography Allows for construction to meet design criteria. Existing side slope within easement; Max. approx. 20% (~2.5 feet difference) across 12 foot wide easement.

Alignment Level 3 trails provide casual recreation and transportation routes through semi-rural to rural areas. They connect neighborhoods, parks, or other recreation destinations.

- The route can meander as necessary to construct the trail with minimum disturbance to natural surroundings.
- Route should not run directly up slope, but rather traverse a slope at <math><30^\circ</math> angle to the slope, with occasional grade reversals.
- Trail has public access at all ends, such as other trails of equal or greater Level, a parking lot, street ROW, park, school, etc.
- Connects to Level 5 or Level 4 trails. A Level 1 trail may branch from a Level 3 trail.
- Avoid alignments that require maximum grades within 20 feet of intersections with trails, rights-of-way or parking areas.
- Stairs are only allowed on Level 3 trails when an alternate alignment is not reasonable and when grades would otherwise exceed Level 3 maximums.
- Water Crossings: Minimize or avoid crossing ground seeps, creeks, wetlands, or other water bodies. Align crossings at 90° to water flow, choose narrow crossings, avoid crossing river bends or near naturally eroding banks.

Soils, Water & Hydrology Saturated soils are highly susceptible to erosion. Avoid seeps and other areas with saturated soils. Minimize the crossing of creeks, rivers and wetlands, which is more expensive to build and more difficult to maintain. Avoid constructing trails along side slopes of 20% or greater.

Level 3 Trail Description

An informal trail through semi-urban to rural areas, used for access between neighborhoods and destinations, or for recreation. Accessibility may be limited.



City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 3 Semi-Improved Trail

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

TRAIL DESIGN CRITERIA

Trail Width & Shoulders 3 - 5 foot wide improved trail.

- 3 - 4 foot wide trail - for routes with lower volumes of traffic, and one-way or no bicycle use.
- 5 foot wide trail - for routes with moderate to high pedestrian volumes and/or two-way bicycle or equestrian uses.
- Trails should widen in areas of switchbacks, turns, steep side slopes, and as needed near structures or amenities.

Surface 4 inches NFS gravel over geotextile fabric, which may be placed over native vegetation. Alternate surfacing: porous pavement panels filled with native or imported material. Medium duty boardwalk or bridges where needed. Generally clear, with protrusions <4 inches and steps to 10 inches.

Clearance

- Vertical clearance - 8 feet minimum. Optimum 12 feet for winter and equestrian users.
- Horizontal clearance - 12 in. beyond trail edge. 24 in. from signs, trees or structures.

Grade

- Target grade < 8%, with grade reversals as needed to control erosion.
- 15% maximum for up to 50 feet.

Cross Slope of Trail

- Target cross slope - 3%, flowing to downside of tread, or to uphill side, if a drainage ditch is provided.
- Maximum - 10%

Signage

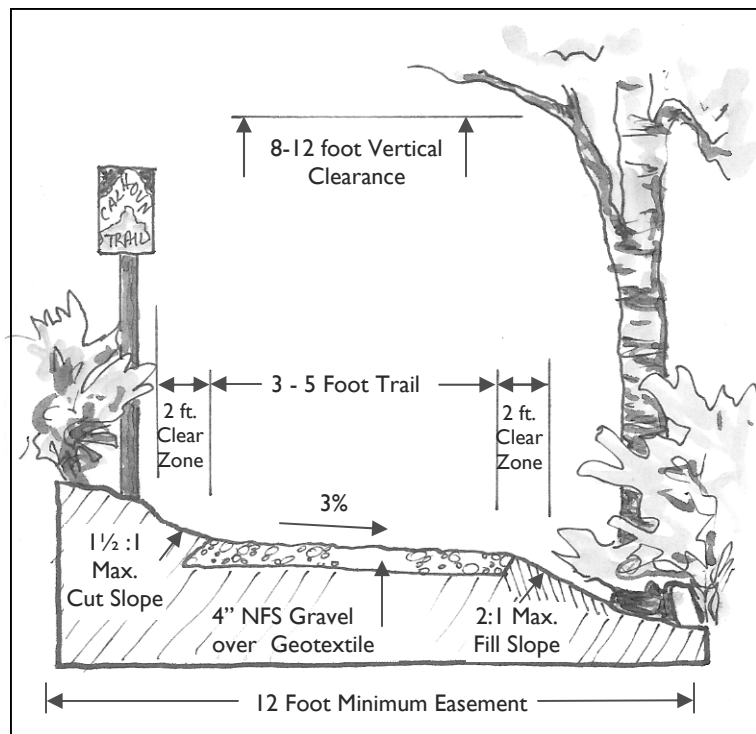
- Trail markers (as needed) to navigate winter use trails.
- Trail information signage posted at each end of the trail: Trail system map (if appropriate), trail name, length, use restrictions or accessibility warnings, and resource protection information.
- Directional signage with trail name and length, at all trail intersections.

Amenities

- Few amenities, as approved by City of Homer, such as bear proof trash receptacles, trail heads, benches for rest or viewing, interpretive signs, such as at interesting historic or natural features.

Structures

- Medium duty structures, as needed.
- Elevated plank crossing of wetlands, creeks.
- Few railings or boardwalks.
- Log, timber or rock retaining structures for cut / fill edges, as needed.



CROSS SECTION - LEVEL 3 SEMI-IMPROVED TRAIL

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 4 - Fully Improved Trail

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

PLANNING CRITERIA

Location

- For transportation and recreation routes through core civic or commercial areas and residential neighborhoods with moderate use levels.
- Where recreational use volumes are high and full accessibility is not critical.
- Moderate pedestrian activity, especially where accessibility is not critical.
- Where a Level 5 trail width is needed to accommodate volumes and user groups, but costs or topography preclude construction of a fully accessible route.

Use Two-way transportation routes with light to moderate volumes of primarily pedestrian & bicycle traffic. They may be designed for use by skiers and equestrians, where appropriate.

Easement Width 15 feet minimum.

Trail Maintenance Maintenance of clearance zones, trail surface, water crossings, signage and other amenities or structures, as needed, and as funding allows. Regular maintenance of approved trash receptacles. Winter maintenance, as use volumes dictate, and funding allows.

Topography Allows for construction with maximum running grades <8%, Existing side slope within easement: Max. approx. 12% (~2 feet difference) across width of easement, unless using retaining structures.

Alignment Level 4 trails provide comfortable, moderately accessible transportation and recreation routes with the following criteria:

- The route provides a fairly direct connection between major destinations, with spurs and exits where possible.
- Trail has public access at all ends.
- Avoid using stairs, where possible.
- Connects to Level 5 or Level 4 trails. Lower level trails may branch from a Level 4.
- Avoid alignments that require maximum grades within 20 feet of intersections with trails, rights-of-way or parking areas.
- Water Crossings: Minimize or avoid crossing ground seeps, creeks, wetlands, or other water bodies. Align necessary crossings at 90° to water flow, choose narrow crossings, avoid eroding banks.

Soils, Water & Hydrology Saturated soils are highly susceptible to erosion. Avoid seeps and other areas with saturated soils. Minimize the crossing of creeks, rivers and wetlands, which is more expensive to build and more difficult to maintain. Avoid constructing trails along side slopes of 20% or greater.

Level 4 Trail Description

A wide multi-use trail with a firm surface meeting ADA accessibility standards for recreation trails. A transportation and recreational route through the developed areas of Homer and within residential neighborhoods.



City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 4 - Fully Improved Trail

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

DESIGN CRITERIA

Trail Width & Shoulders 5 - 8 foot wide paved or gravel trail.

- 5 - 6 foot wide trail - for routes with lower volumes of traffic, and fewer recreational users.
- 7 - 8 foot wide trail - for routes with bicycles and/or moderate to high user volumes.
- PAVED TRAILS - where a Level 5 trail is recommended, but topography or other physical conditions prevent construction to Level 5 standards, a paved Level 4 trail is acceptable. Any Level 4 trail can be paved. Provide a minimum 12 in. gravel shoulders on all paved trails.

Surface Firm and stable. Smooth, few or no obstacles. Protrusions <3 in. Steps to 8 in. Remove surface vegetation and organic soils. For gravel trails: 2 in. leveling course over 8 in. NFS gravel over geotextile. For paved trails: 2 in. AC pavement over 2 in. leveling course over 24 in. NFS gravel over geotextile. Alternate surfacing: PPP filled with native or imported material.

Clearance

- Vertical clearance - 9 feet above trail and shoulders, 12 feet for equestrian use.
- Horizontal clearance - Minimum 12 in. beyond trail edge. 24 in. from signs and trees.

Grade & Accessibility

- Accessible trails: Target grade ≤ 5%, 8.33% for up to 200 feet, 10% for up to 30 feet, 12.5% for up to 10 feet. No more than 30% of trail length shall exceed 8.33%.
- Maximum: 10% for up to 50 feet.
- Stairs used where absolutely necessary and pedestrians are the primary user group.

Cross Slope of Trail

- Gravel trails - 3%
- Paved trails - 2%
- Shoulders - 10% Max.

Signage

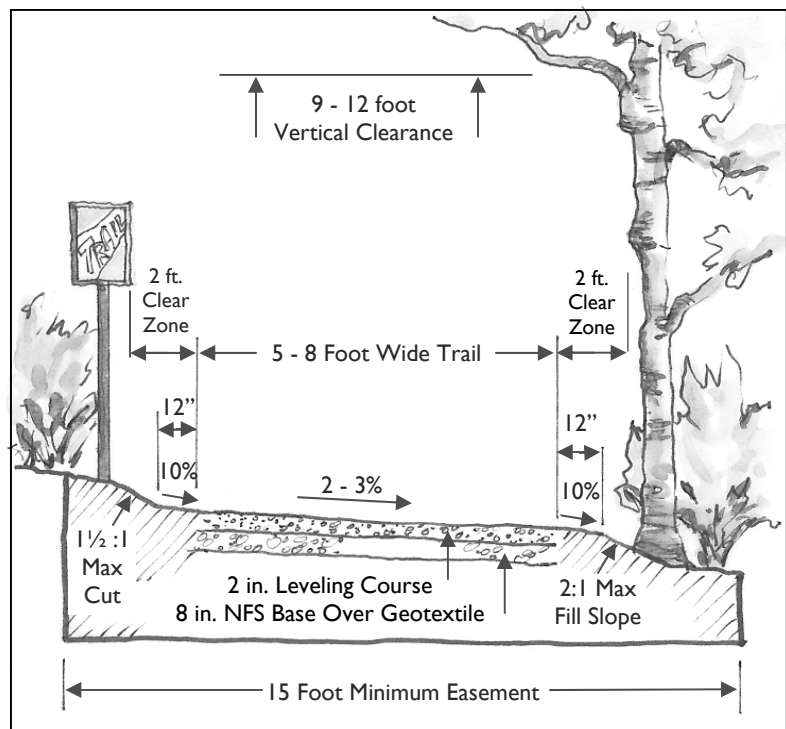
- Trail information signage posted at ends and intersections, as necessary, such as a trail system map, trail name, use restrictions, accessibility warnings, and resource protection information.
- Directional signs for nearby destinations, traffic control and warnings for intersections or other trail conditions.
- Directional signage with trail name and length, at all trail intersections.

Amenities

- Amenities common. Lighting, bear proof trash & recycling receptacles, maps, benches for rests or viewing, and interpretive signs, as approved.

Structures

- Heavy duty structures, as needed: bridges, boardwalks, retaining structures, railings.



CROSS SECTION - LEVEL 4 FULLY IMPROVED TRAIL

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 5 - High Use Trail

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

EASEMENT PLANNING CRITERIA

Locations

- Where required or recommended in Codes or Plans adopted by the City of Homer.
- Long, regional commuter routes.
- On-site pedestrian routes, as required by ADAGG, and any accessible connections between these and nearby pedestrian routes, such as sidewalks.
- Connections between Level 5 Trails and nearby streets, trails, public areas, or other destinations.
- Where high volumes and/or varied types of users are known or anticipated to use the existing route.

Use Accommodates two-way traffic of pedestrians, cyclists, in-line skaters, wheelchair users, and others. May be year-round for pedestrians, bicyclists, and wheelchairs.

Easement Width 20 feet wide minimum. Additional width may be needed to accommodate bridges, cut / fill needs, curves, trail amenities, or maintenance.

Trail Maintenance Maintain clearance zones, trail surface, water crossings, signage and other amenities or structures, as needed, and as funding allows. Regular maintenance of approved trash receptacles. Full winter maintenance as use dictates and funding allows.

Topography Must allow for an accessible trail without excessive cut / fill requirements; Structural slope management techniques, such as retaining walls, are encouraged as needed to meet design criteria with minimal impact to surrounding areas.

Alignment The primary objective is to provide accessible pedestrian transportation routes or high use recreation routes. Alignment should be based on the following criteria:

- Efficient and direct routes between origins and destinations;
- Avoid creating tunnels or blind corridors with restricted visibility;
- Avoid trail alignments that direct views into private residences;
- Align trail, where possible, to provide views of natural features and destinations;
- Water Crossings: Minimize or avoid crossing ground seeps, creeks, wetlands, or other water bodies. Align necessary crossings at 90° to water flow, choose narrow crossings, avoid eroding banks.

Soils, Water & Hydrology Saturated soils are highly susceptible to erosion. Avoid seeps and other areas with saturated soils. Minimize the crossing of creeks, rivers and wetlands, which is more expensive to build and more difficult to maintain. Avoid constructing trails along side slopes of 20% or greater.

Level 5 Trail Description

A wide, accessible paved trail that accommodates a wide variety of non-motorized users.



These multi-use trails provide access between public spaces, sidewalks, civic & cultural buildings and other major destinations within the core civic and commercial areas of Homer. Winter maintenance can allow for convenient year round use of these transportation and recreation routes.

City of Homer
Non-Motorized Trail Planning & Design Criteria Summary
Level 5 - High Use Trail

NOTE: This is a summary. Refer to Article 5.13 Non-Motorized Trails and Public Access Easements for full description of criteria.

TRAIL DESIGN CRITERIA

Trail Width & Shoulders. 8- 12 foot wide paved trail with 2 foot wide gravel shoulders.

- 8 foot Trail - for routes with lower volumes of traffic, few recreational users, or space limitations.
- 10 foot wide trail sections are the standard.
- 12 foot wide trails are recommended where traffic volumes are high, bicycles and in-line skates are common, near intersections with other trails or streets, as the trail approaches a bridge, where grades exceed 5% and handrails are provided, or near points of interest along the trail.
- ALTERNATE TRAIL DESIGN - Where trail is highly recreational, with bicycles, equestrians, joggers, an alternative design of 6 foot wide paved trail with 4 foot shoulders on each side or a trail with one 2 foot and one 6 foot wide shoulder is allowable. Or, provide a separated dual trail, one paved, one gravel, with a vegetated median in-between.

Surface. Uniform, firm and stable. Pavement or boardwalk. Smooth, no obstacles. Protrusions <2 inches. Construct using 2 in. AC pavement over 2 in. leveling course over 24 in. NFS gravel over geotextile fabric.

Clearance.

- Vertical clearance - 9 feet above trail and shoulders, 12 feet for equestrian use.
- Horizontal clearance - Minimum 24 inches beyond trail edge. 36 inches for posts and structures.

Grade

- Accessible Trails: Target grade ≤ 5%, 8.33% for up to 200 feet, 10% for up to 30 feet, 12.5% for up to 10 feet. No more than 30% of trail length shall exceed 8.33%.

Cross Slope of Trail

- Target cross slope - 2% Shoulders - 10% Max.
- Maximum, where needed for driveway crossings or other intersections - 3%

Signage

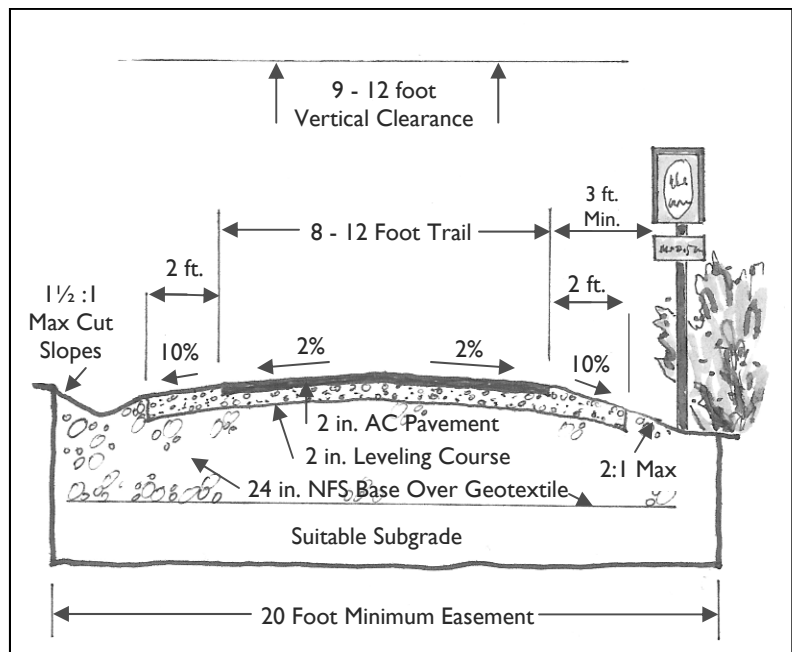
- Trail information signage posted at ends and intersections, as necessary: Trail system map (if appropriate), trail name, use restrictions or accessibility warnings, and resource protection information.
- Directional signs for nearby destinations, traffic control and warnings for intersections or other trail conditions.
- Directional signage with trail name and length, at all trail intersections.

Amenities

- Amenities common. Lighting, bear proof trash & recycling receptacles, maps, benches for rests or viewing, and interpretive signs, such as at historic or natural features.

Structures

- Heavy duty structures, as needed: bridges, boardwalks, retaining structures, railings.



CROSS SECTION - LEVEL 5 HIGH USE TRAIL

D. TRAIL DESIGN CRITERIA

I. GENERAL

The City of Homer's goals include having non-motorized trails that provide for a range of accessibility and experiences, through varying terrain and neighborhoods for a range of users. Such a system of trails will provide year round transportation and recreation routes throughout the City of Homer.

Accessible trails are expected within the central development area of Homer, connecting pedestrians to schools, parks, the hospital, the library, residential neighborhoods, businesses, and other public facilities.

a. Objectives

This section provides design criteria for trail alignment, width, grade, cross-slope, clearance, materials, steps, railings, signage, boardwalks, ramps, switchbacks, water crossings, structures, bridges, and specialized uses. It is for use by project engineers when designing a trail and by City of Homer staff when reviewing applications for subdivisions, easement dedications, or trail construction.

The objective is to provide design criteria for most typical trail situations; however, the design criteria in this article does not dismiss the responsibility of the trail engineer or designer from appropriately addressing all site conditions and applying design solutions that are safe, structurally sound, attractive, and functional. Refer to the list of resources in section A.3.a. of this article when more specific design research is necessary for unique circumstances or issues.

2. TRAIL ALIGNMENT

Trail alignment refers to the horizontal and vertical curvatures of the trail, and is responsible for ensuring the safety and comfort of trail users. Many factors are involved in determining a safe and effective alignment for a specific trail, including user volumes and types, and the condition, width and grade of the trail. For example, a wide, paved trail with an 8% grade will produce faster speeds and require broader curves and longer sight stopping distances.

a. Design Speed

Design all trails based on the preferred speed of the fastest users, which are typically bicyclists and cross-country skiers. According to AASHTO's Guide for the Development of Bicycle Facilities, 1999, a paved shared use trail (Level 4 or 5) should be designed for a minimum speed of 20 mph, which is the appropriate maximum speed for a bicyclist on a paved trail. The design speed should increase to 30 mph if the grade exceeds 4 percent or where strong winds are prevalent.

On unpaved trails, such as Levels 1, 2, 3 or 4, a design speed of 15 mph is adequate. For ski trails with 0-4 percent grade, use a design speed of 15 mph, for grades 4-10 percent, 20 mph, and for grades over 10 percent, 25 mph. Where ski racing events are expected, higher design speed may be necessary.

D. TRAIL DESIGN CRITERIA

b. Horizontal Alignment

Horizontal alignment addresses the curvature of a trail corridor, and must be calculated to accommodate the user group with the greatest needs in order to provide a safe and comfortable trail facility. AASHTO recommends using the bicycle to calculate horizontal alignment on multi-use trails that are used by bicycles. The bicycle has a tendency to lean into a curve as needed to round a corner while traveling at top speed, but without a high rate of superelevation, the lean may result in the pedals striking the trail surface. Increasing the superelevation beyond 3%, however, does not comply with ADA requirements for pedestrian facilities. Therefore, multi-use trails need to accommodate a wider curve radius in order to accommodate both the speed of cyclists and the comfort of all pedestrians.

For Level 2, 3, 4 & 5 trails, use the formulas on this page to calculate curvature requirements, based on bicycle speed.

Table D-1

Desirable Minimum Radii for Paved Multi-Use Trails Based on 15° Lean Angle (AASHTO, 1999)	
Design Speed (V)	Minimum Radius (R)
mph	Feet (ft)
12	36
20	100
25	156
30	225

Use the following simple equation to determine the minimum radius of curvature for any given lean angle:

$$R = \frac{0.067 V^2}{\tan \Theta}$$

- R = Minimum radius of curvature (m) or (ft)
- V = Design Speed (km/h) or (mph)
- Θ = Lean angle from vertical (degrees)

Table D-2

Desirable Minimum Radii for Paved Multi-Use Trails Based on 2% Superelevation Rates and 20° Lean Angle (AASHTO, 1999)		
Design Speed (V)	Friction Factor (f) (paved surface)	Minimum Radius (R)
mph		ft
12	0.31	30
20	0.28	90
25	0.25	155
30	0.21	260

For gravel trails and situations where the lean angle approaches 20°, the following formula can be used:

$$R = \frac{V^2}{15 (e / 100 + f)}$$

- Where:
- R = Minimum radius of curvature (ft)
 - V = Design Speed (mph)
 - e = Rate of bikeway superelevation (%)
 - f = Coefficient of friction

D. TRAIL DESIGN CRITERIA

c. Stopping Sight Distance

Trail users need adequate time to see and react to unexpected obstacles or situations along a trail. Appropriate stopping site distances help to prevent accidents and provide a safe and comfortable environment for trail users. Proper design is based on the trail's design speed and is accomplished by the vertical and horizontal curvature and clearing limits of the trail corridor. The following summarizes AASHTO recommendations for providing effective Stopping Sight Distances. Consult AASHTO for more detailed information, diagrams and tabulated charts.

Stopping distance is a function of the trail user's perception and reaction time, the initial speed they're traveling, the coefficient of friction between the trail user and the trail (tires, wheels, skis), and the stopping ability of the user (brakes, etc.). Since many users tend to 'hug' the middle of the trail, lateral clearance on horizontal curves should be calculated based on the sum of the stopping sight distances for trail users traveling in opposite directions. If this is not feasible, place warning signs (in accordance with MUTCD), widen the trail through curves, and/or install centerlines.

For Minimum Stopping Site Distance vs. Grades for Various Design Speeds:

$$S = \frac{V^2}{30(f \pm G)} + 3.67V$$

For Minimum Length of Crest Vertical Curve (L) Based on Stopping Sight Distance:

$$\begin{aligned} \text{When } S > L \quad L &= 2S - 900 / A \\ \text{When } S < L \quad L &= AS^2 / 900 \end{aligned}$$

Height of cyclist's eye = 4.5 feet Height of object = 0 feet
Minimum Length of Vertical Curve = 3 ft.

For Minimum Lateral Clearance on Horizontal Curves:

$$\begin{aligned} M &= R [1 - \cos (28.65S / R)] \\ S &= R / 28.65 [\cos^{-1} (R-M / R)] \end{aligned}$$

A = Algebraic grade difference (%)
S = Stopping sight distance (ft)
V = Velocity (mph)
f = Coefficient of friction (use 0.25)
G = Grade rise/run (ft/ft)
L = Minimum length of vertical curve (ft)
R = Radius of centerline of lane (ft)
M = Distance from centerline of lane to obstruction (ft)

SOURCE: AASHTO, Guide for the Development of Bicycle Facilities, 1999

D. TRAIL DESIGN CRITERIA

d. Intersections

Safety on a trail becomes most critical at intersections, especially those between a trail and a roadway. Placement and treatment of trail intersections can make all the difference when it comes to the safety and function of a trail system. Consult AASHTO and MUTCD for additional guidance when designing trail intersections. Trail intersections are subject to the following design criteria:

i) Criteria for All Intersections:

- Adequate stopping site distances and warning signs should be provided to ensure users will stop before the intersection;
- Provide clear sight lines to see on-coming traffic from all directions;
- All intersections and approaches should be as close to perpendicular as possible and on relatively flat grades. Exceptions include ski trails, or other recreational trails that utilize triangular intersections;
- Where an unpaved path crosses a paved path or road, a paved apron should be provided for the unpaved trail, extending a minimum 10 feet from the paved path or road (AASHTO 1999);
- Widen the intersection area if high volumes of traffic are present, or if the users tend to bunch up or move slowly, such as children, groups, or the elderly.
- Place warning signs 400 feet in advance of intersections.

ii) Trail with Trail Intersections:

- Stop signs are required on one of the two trails, typically the lower level, lower volume, or lower speed trail. See section 8 of this article for additional safety and signage information;
- All intersections on higher level trails should be signed to alert users as to the type of crossing and the expected type of traffic;
- Assign right of way to each intersection, giving one trail priority and requiring the other to stop or yield. Consider the comfort and convenience of the trail user, any unique behavioral characteristics of the user, and trail conditions (approach grades, curves, visibility issues).



Figure D-1. Visibility and signage at trail intersections.

iii) Trail with Road Intersections:

- If alternate locations for the intersection are available, the most favorable intersection condition should be selected;
- Establish right-of-way and provide traffic control in accordance with MUTCD;
- Sign type, size and location should be in accordance with MUTCD;
- Stop signs should be visible from 200 feet.

D. TRAIL DESIGN CRITERIA

3. GRADE & CROSS SLOPE

This section discusses design criteria for running grade, cross slope, cut / fill, and the use of retaining structures. Grade and cross slope affect the safety, comfort, and sustainability of a trail. Keeping water off a trail is critical to minimizing erosion and reducing puddles and ice build-up on the trail surface.

It is the City of Homer's intent that trails are designed for maximum access with minimum impact. Proposed running grades and accessibility levels are subject to approval by City of Homer Planning or Public Works Departments.

a. Running Grade

Accessibility, topography, soils, construction methods, project budget, and trail use all play a role in determining the appropriate running grade of a trail. In general, grades should be kept to a minimum, especially on long inclines. Comfort and accessibility are a priority on all trails.

i) General Criteria for all Trails.

- Construct all Level 3, 4 & 5 trails to be accessible, unless exemptions apply;
- Apply the "half rule" on all trails, which says that the trail grades should be no more than half the side slope grade;
- Provide grade reversals to manage the flow of water;
- Plan switchbacks to navigate side slopes greater than 15%, to add interest to the trail, and to avoid using maximum grades for long distances. Place switchbacks at relatively flat areas or natural benches. Fewer, longer switchbacks are preferable to frequent, short ones. Switchbacks are not recommended on trails used by bicycles or for skiing.
- Use climbing turns on side slopes <15%.

ii) **Required ADA Accessibility.** Full ADA accessibility (<5% grade) is preferred for higher level trails, but is only required by law on trails that provide primary pedestrian access to facilities that are ADA accessible. For these trails, Table D.3 applies.

iii) **Accessible Trails.** Although not required by law, the Access Board has developed criteria for accessible trails in outdoor developed areas. Level 3, 4 and 5 trails should meet the criteria in Table D.4, unless they meet the exemption criteria.

iv) **Accessible Trail Exemptions.** Portions of trails that meet the following may be exempt from accessibility criteria:

- Compliance would cause substantial harm to cultural, historic, religious, or significant natural features of characteristics.

Table D-3

<p style="text-align: center;"><u>ADA Pedestrian Accessibility Standards</u> Grades \leq 5% (1:20) Ramps \leq 8.33% (1:12) for maximum vertical rise \leq 30 in. Level landings, 60 x 60 in., are required at each end of a ramp. Hand rails are required for most ramps; Consult ADAAG for more details.</p>

Table D-4

<p style="text-align: center;"><u>ATBCB Criteria for Accessible Trails</u> 1:20 (5%) any length 1:12 (8.33%) for up to 200 feet 1:10 (10%) for up to 30 feet 1:8 (12.5%) for up to 10 feet No more than 30% of the total trail length shall exceed 1:12</p> <p style="text-align: center;"><u>Rest Area Criteria</u> Resting areas are required at intervals no greater than the above permitted lengths. 60 inch length, at least as wide as the widest trail segment adjacent to the rest area.</p>

D. TRAIL DESIGN CRITERIA

- Compliance would substantially alter the nature of the setting or the purpose of the facility, or portion of the facility.
- Compliance would require construction methods or materials that are prohibited by Federal, State, or Local Regulations or Statutes.
- Compliance would not be feasible due to terrain or the prevailing construction practices.

v) Running Grade Criteria by Trail Level.

LEVEL 1: Maximum grade is based primarily on the ability of the trail to resist erosion caused by trail use, surface water, or wet soils. Target grade <12%. Maximum 20% for trails where underlying soils are sand, silt, or clay. 20%- 30% for gravel or rock base. For grades over 30%, natural trail base and surface must be composed of angular rock, large rock or solid rock. Provide grade reversals every 20-50 feet. Construct steps to minimize erosion.

LEVEL 2: Target grade: <10%. Maximum: 20% for distances up to 50 feet. Use on-site cut and fill to soften dips or peaks in trail corridor.

LEVEL 3: Target grade: < 8%. Maximum: 15% for up to 50 feet.

LEVEL 4/5: Target grade: ≤ 5%. Maximum: 8.33% for up to 200 feet, 10% for up to 30 feet, 12.5% for up to 10 feet. No more than 30% of trail length shall exceed 8.33%.

b. Grade Reversals

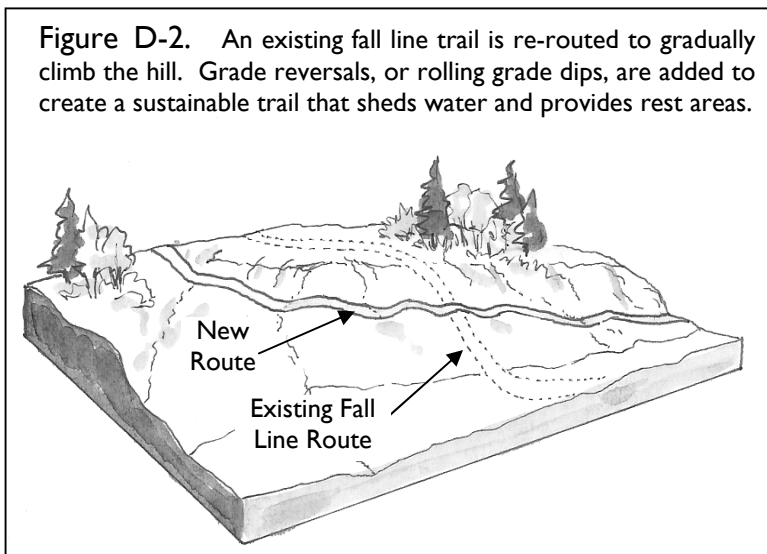
A grade reversal is a change in the direction of running grade, from an upslope grade to a down slope grade. They are used on unpaved trails to prevent erosion that is caused by water running *along* the surface of a trail versus *across* the trail. They should be provided every 20-50 feet along the trail corridor.

c. Cross-Slope & Cut / Fill

All trails require enough cross-slope to shed water off the trail surface, but not so much that it impacts the comfort or safety for the trail user. Managing surface water drainage along a trail corridor is critical to maintaining a safe and long lasting trail. Poorly managed drainage can erode soils and destroy vegetation. Keeping water moving across the surface of a trail will prevent ponding, erosion, and icing.

Steep side slopes (> 30%) are a common obstacle to the construction of trails on Homer's hillside terrain, and often trigger the need for extensive cut and fill to "fit" a trail into a hillside. Careful planning can minimize expense and environmental damage.

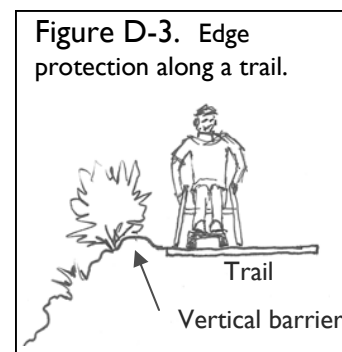
Figure D-2. An existing fall line trail is re-routed to gradually climb the hill. Grade reversals, or rolling grade dips, are added to create a sustainable trail that sheds water and provides rest areas.



D. TRAIL DESIGN CRITERIA

i) General Cross-Slope and Cut / Fill Criteria:

- All construction-related disturbance, including areas of cut or fill, shall occur within the limits of the easement;
- Limits of cut and fill should be in proportion to the construction level of the trail. For example: low level trails justify very little cut / fill, high level trails may utilize the entire easement for most of the length of the trail;
- Maximum 1½ :1 (75%) cut slopes, maximum 2:1 (50%) fill slopes. Where soils are unstable, sandy, or saturated, 3:1 (33%) max slopes are recommended.
- For trails along side slopes of 30% or greater, construct the trail on the cut bench portion only. Avoid locating the trail on fill portions of the side slope;
- Provide retaining structures, as needed to minimize disturbance and to improve accessibility on Level 3, 4 or 5 trails;
- Construct trails to ensure water flows across or under the trail surface, not along the trail. Where it is necessary to run the water along the trail, it should be contained in a ditch with provisions made to protect against erosion. Ditch length should be minimized by diverting runoff across the trail at the nearest point feasible.
- To accommodate vision-impaired or wheelchair users on Level 4 or 5 trails with an adjacent fill slope, provide a vertical barrier along the cut slope edge of the shoulder, such as vegetation, or a minimum 3 in. curb or barrier.



ii) Criteria by Trail Level

LEVEL 1: Target cross slope is 3-10%. Maximum is up to the natural side slope. If the trail is designed for mountain bikes, cross slope maximum is 10%. Very minimal cut and fill. Little or no use of (rustic) retaining methods.

LEVEL 2: Target cross slope: 5%. Maximum: 10%. For ski trails, if bicycles are not allowed, steeper side slopes may be allowed. Minimal cut and fill as necessary to meet criteria and soften dips, ruts, bumps or peaks.

LEVEL 3: Target cross slope is 3%. Maximum is 10%. Cut and fill as needed to meet design criteria. Rock or timber used for most retaining needs.

LEVEL 4: Gravel trails: Target cross slope: 3%, Max.: 4%. Paved trails: target cross slope: 2%, Max.: 3%. Cut and fill may be significant, as needed to meet design criteria. May likely extend to edges of easement for much of the trail length. Imported materials for retaining structures common.

LEVEL 5: Target cross-slope is 2%. Where necessary, such as when crossing driveways, a cross-slope of 3% is allowable. Paved surfaces must be uniform enough to prevent ponding and icing. Shoulders should slope away from the paved sections of the trail with a target slope of 3%, and a maximum of 10%. Cut and fill may extend to the outer edges of the easement. Retaining structures common.

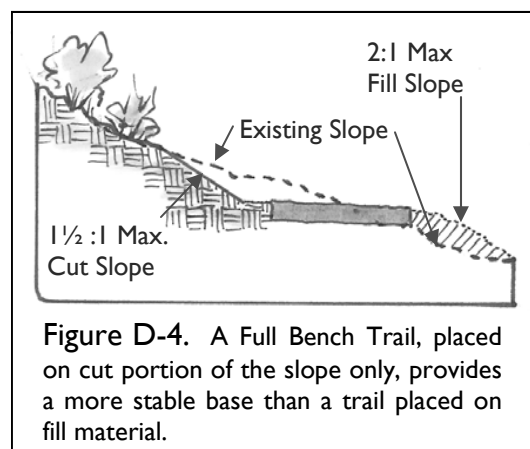


Figure D-4. A Full Bench Trail, placed on cut portion of the slope only, provides a more stable base than a trail placed on fill material.

iii) Re-vegetation. All cut / fill slopes should be vegetated with native species. Attempts should be made to salvage and stockpile existing vegetation for re-use on cut / fill slopes. Avoid reseeding with non-native species.

D. TRAIL DESIGN CRITERIA

4. WIDTHS

The complete trail cross-section is composed of the easement, the trail surface, the shoulders, and the clearance zone. The desired width is primarily related to the volume and mix of users. Secondary considerations include topography, curves, intersections, structures, and amenities.

Table D-5

REQUIRED EASEMENT WIDTHS	
LEVEL 1:	8 Feet
LEVEL 2:	20 Feet
LEVEL 3:	12 Feet
LEVEL 4:	15 Feet
LEVEL 5:	20 Feet

a. Easement Width

The following criteria apply to easement widths:

- A narrower portion of easement may be allowed when available space is limited by existing structures or property boundaries, for a short duration of the trail, and the narrow segment of the trail does not create a safety hazard or an uncomfortable trail segment of trail;
- Vary the easement width as needed to accommodate switchbacks or turns;
- Wider easement sections are allowed where existing side slopes require additional cut and fill, and retaining structures are not feasible, and the widened area is not extensive.

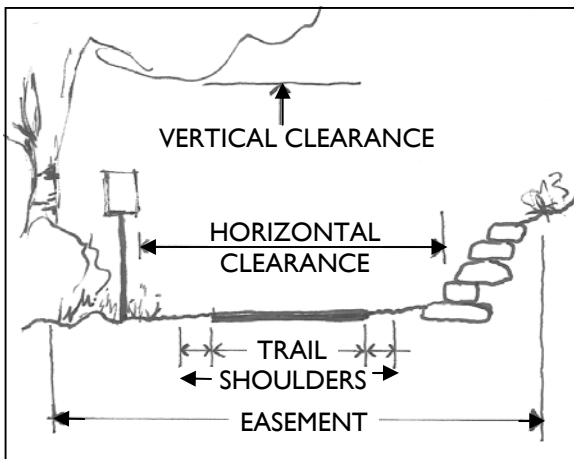
b. Trail Width

The width of the trail surface, or tread, is determined by the volume and type of users, as well as the nature of the terrain and the trail surface. Always provide for the user with the most demanding needs.

LEVEL 1: Trail tread width may range from 6 - 24 inches. Consistent width along the length is preferred, but not required on this level of trail. Natural obstacles and topography may both affect variability of the tread width. Provide 24 in. width when the trail is expected to attract mountain biking, equestrians, snow-shoeing, or skiing.

LEVEL 2: There is typically not a constructed trail tread for recreation corridors. They are a specified width of area that is cleared of woody vegetation and obstacles, mowed (optional), and identified with trail markers for use as a recreation corridor. Minimum width for an un-programmed low use corridor is 6 feet. Groomed ski trail routes require up to a 16 foot wide mowed corridor.

FIGURE D-5 Trail Profile



LEVEL 3: Widths may range from 3-5 feet. Safety may be a concern on narrow trails with a mix of pedestrians, bicycles and equestrians, even if the volumes are low. It cannot be expected that bicycles will use these routes as “one-way” trails, or stay off them altogether, so it is imperative that they be designed to mitigate potential hazards. For trails that will expect regular use by bicycles, overall use volumes are moderate, or hills are frequent, the width should be 5 feet. Narrower trails are allowed for lower use trails, but horizontal clearance and sight stopping distance should both be increased, curves widened, and passing areas provided at a minimum of every 1000 feet.

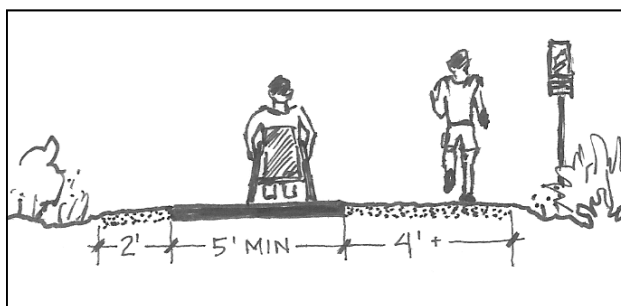
D. TRAIL DESIGN CRITERIA

LEVEL 4: Widths can range from 5 feet to 8 feet wide. Increase widths for trails with higher volumes of traffic, or a wide mix of uses, such as equestrians, joggers, bikes, children, etc. Additional width should be provided as needed for a curve, rest areas or amenities, a passing zone, a transition to a bridge, or at intersections.

LEVEL 5: Widths can range from 8 - 12 feet wide. AASHTO recommends a minimum width of 10 feet for two-directional paved multi-use trail. Where lower volumes of traffic are expected, grades are relatively flat, and views are open, the narrower width is allowable. Wider trails are recommended for areas of high use, with frequent amenities, interruptions or intersections, busy areas with mixed land use, or frequent use by all types of users, including equestrians.

ALTERNATE. Joggers and equestrians prefer gravel surfaces. An alternative trail section may be appropriate where a wide mix of users frequent the trail. Options include an 8 foot wide paved trail with 4 foot shoulders on each side, or with one 6 ft. and one 2 ft. shoulder. A dual trail solution is another alternative for accommodating equestrians more comfortably along side a busy paved trail.

FIGURE D-6 Alternate Trail Profile.



c. Shoulders

Shoulders along side a paved trail offer a transition zone along side the trail, as well as stability for the paved surface. Shoulders are typically needed along all trails, where they abut cut/fill slopes, bridges or other structures, for comfort and safety.

LEVEL 1: Typically none. On bridges, provide minimum 6 in. on each side.

LEVEL 2: Typically none. If a bridge or boardwalk is needed, an additional 2 feet of clearance on each side is recommended.

LEVEL 3: Provide 2 foot wide shoulders for crossing bridges or boardwalks, with or without railings. Provide a 12 in. shoulder between trail edge and cut / fill areas.

LEVEL 4: Provide a 2 foot wide buffer on each side on bridges or boardwalks, with or without railings. Provide 12 in. shoulders between trail edge and cut / fill areas. 2 ft. gravel shoulders required on paved trails.

LEVEL 5: Minimum 2 foot wide gravel shoulders required on all trails.

d. Passing Space

Where Level 3 trails are less than 5 feet wide, 60 x 60 in. passing spaces are required at least every 1000 feet. These areas are to be constructed adjacent to the trail, using the same construction method as the adjacent trail.

D. TRAIL DESIGN CRITERIA

e. Horizontal and Vertical Clearance

One of the most critical factors in developing safe and comfortable trail facilities is the provision of adequate clearance from obstacles that may be found along a trail. Sufficient clearances are needed for visibility and sight distance, trail maintenance, user comfort, passing room, snow storage, crowding, and emergency situations.

Much variability is found in trail clearances, and is based upon the trail design and setting, the various user groups, and the overall volume of users. Adjust clearance as needed for special user groups and maintenance vehicles.

Horizontal clearance refers to the width of clear space from the surface and sides of a trail corridor that is free of obstructions such as rocks, shrubs, amenities, sign posts, trees, railings.

Vertical criteria refers to the height of the clear zone. Trail users are higher when on bicycles, horses or skates, and snow conditions often raise the trail few feet, or more. Highly developed trail settings require a higher vertical clearance, due to our natural shy distance in these environments, compared to our tolerance for tree branches near our heads in wilderness settings.

- LEVEL 1: Horizontal: Maintain 36 inch wide clear zone.
Vertical: 6 ft. Hiking, 8 ft. bicycle & equestrian, 10 ft. snowshoe.
- LEVEL 2: Horizontal: 2 feet additional clearance beyond the edge of the designated trail corridor, or more as needed for ski run-out.
Vertical: 12 feet
- LEVEL 3: Horizontal: 2 feet beyond outer edge of trail to any trees, posts, railings, or signs. 12 in. beyond for other vegetation and cut / fill slopes.
Vertical: 8 ft. for most trails, 12 ft. for equestrian and winter uses.
- LEVEL 4: Horizontal: Minimum 2 feet beyond outer edge of trail to any trees, posts, railings, or signs. 12 in. beyond for other vegetation and cut / fill slopes.
Vertical: 9 ft. for most uses, 12 ft. for equestrians.
- LEVEL 5: Horizontal: Minimum 3 feet beyond trail edge (1 foot beyond shoulder) for any vertical obstructions, such as signs, railings, trees. 2 feet beyond outer edge of trail for vegetation and cut / fill slopes.
Vertical: 9 ft. for most uses, 12 ft. for equestrians.

D. TRAIL DESIGN CRITERIA

5. TRAIL CONSTRUCTION

Trails should be constructed to last a very long time. High quality construction results in a more safe, enjoyable and low maintenance trail. Design higher level trails to withstand snow removal or maintenance vehicles, such as trucks.

a. Trail Base

The base material, or structure, under the trail surface is responsible for the trail's ability to endure loads and repeated freeze-thaw cycles. A soils investigation is required prior to trail design and will have a bearing on the engineering of the trail. More highly constructed or rigid trail surfaces, such as pavement, bridges and boardwalks, require more highly engineered base structure, such as excavating native material and replacing with NFS material, or using piles that are driven to a depth of at least 5 feet. Light use trails require minimal engineering.

b. Trail Surface

Trail surfaces vary with user groups, seasons, volumes and trail locations.

- i) **Pavement.** Preferred for high use areas. Paved trails are best for accommodating commuter bicycles, in-line skates, wheelchairs and strollers. Edge reinforcement is recommended where the width of the trail is such that maintenance vehicle tires will likely be at the edge of the pavement.
- ii) **Gravel Surfacing.** Suitable for many uses, and is preferred for jogging and equestrian use, but is not as accessible or durable as pavement.
- iii) **Natural Surface.** Appropriate for very light summer use, and for winter use. Horses and bicycles can easily damage natural surface trails, especially in wet conditions.
- iv) **PPP - Porous Pavement Panels.** Synthetic trail hardening materials are useful in a variety of situations. They are most applicable for wet conditions on Level 1, 2 or 3 trails.
- v) **Other surfacing.** Rock, wood, recycled plastic, treated wood, metal.

c. Criteria for Trail Levels

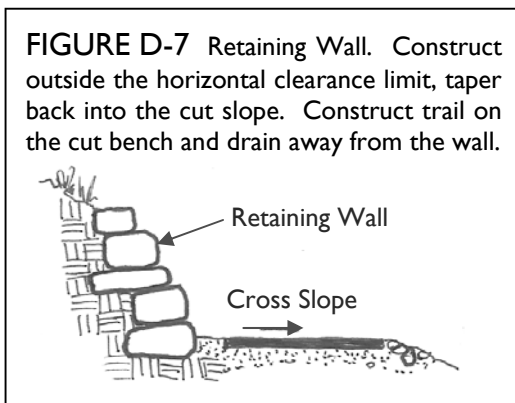
- LEVEL 1: Base - Native materials. Surface: native rock, gravel, or earth. For wet crossings use logs, PPP, or other turf reinforcement materials.
- LEVEL 2: Base - Native materials. Surface: existing vegetation mat. For wet crossings, use log, metal, synthetic, PPP or other turf reinforcement.
- LEVEL 3: Base - Native materials. Surface: 4 in. NFS gravel over geotextile fabric. Wet crossings: wood, metal, synthetic, PPP or other turf reinforcement.
- LEVEL 4: Gravel Trails. Base: Remove vegetation and organic soils. 8 in. NFS gravel over geotextile over suitable soil. Surface: 2 in. leveling course.
Paved (or future paved) trails. Base: 24 in. NFS gravel over geotextile. Surface: 2 in. AC pavement over 2 in. leveling course. For wet crossings, wood, metal, synthetic.

D. TRAIL DESIGN CRITERIA

LEVEL 5: Base: Remove vegetation and organic soils. 24 in. NFS gravel over geotextile over suitable soils. Surface: 2 in. AC pavement over 2 in. leveling course. For bridges and wet crossings: wood, synthetic, recycled plastic, treated wood, or metal.

6. STRUCTURES

Where trails cross creeks or traverse areas where existing grades or side slopes are too steep to construct the trail without excessive disruption to adjacent areas, structures may be necessary.



a. Retaining Walls

Construct all retaining walls outside the horizontal clearance limit of the trail. Retaining walls higher than 24 in. on the down slope side of a trail are discouraged. Where necessary, they should include a railing, for safety. Retaining wall materials vary depending on the level of the trail, with rock, concrete block, or timbers used on higher level trails and on-site materials, such as logs or rocks used on lower level trails. Where seeps occur behind retaining walls, provide method to ensure drainage through and under the wall.

b. Steps or Stairs

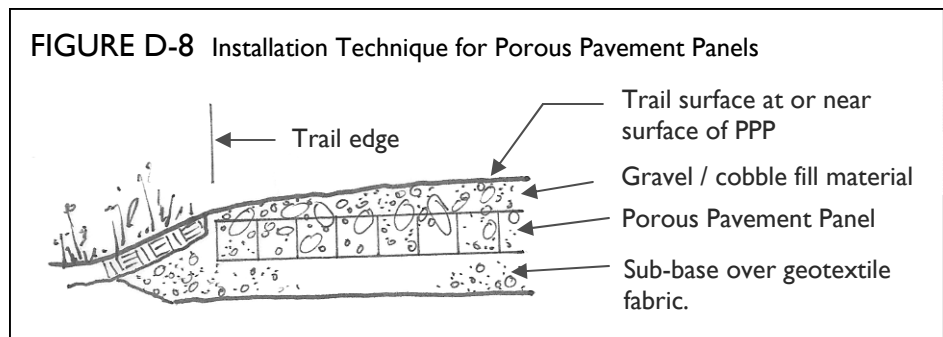
Steps and stairs are obstacles to many trail users, and are to be avoided, where possible. As needed, construct steps on Level 1 trails using on site materials, such as rocks. Only when all other options, including ramps, have been ruled out, are stairs allowed on Level 3, 4 or 5 trails. When stairs are necessary, consider providing long perron style steps, as strollers and wheelchairs can maneuver them easier.

c. Ramps

Along required ADA accessible pedestrian routes, sections of trail greater than 5% may be considered ramps, and are allowed for limited lengths (see section 3. GRADE & CROSS SLOPE).

d. PPP (Porous Pavement Panels)

These are three dimensional structural grids designed to provide a durable wear surface and load distribution system in wetland and other degradable soils



D. TRAIL DESIGN CRITERIA

e. Bridges

Bridges should be designed for pedestrian live loads and for maintenance or emergency vehicles if they may be expected to cross the bridge. Bridge decking should be designed with bicycle safe expansion joints or planks laid perpendicular to the trail direction unless bicycles are not allowed or not expected. Bridge widths should be the same as that of the approach trail plus 2 feet clear area on each side. Bridge decking should be flush with the approaching trail surface.

f. Railings

Railings are provided for safety on elevated trail segments, such as bridges. All railings should be engineered to withstand all loads that may be expected to occur on the bridge. The type of railing that is required is determined by the accessibility level of the trail, and fall into three basic types:

i) Urban Setting. Railings in highly pedestrian urban settings must meet International Building Code (IBC) requirements. Railings must be at least 42 inches high with vertical rails to prevent climbing, and be spaced to not allow a 4-inch sphere to pass through. Railings are required on ADA accessible ramps.

ii) Rural Bridges. Handrails on bridges or crossings, that are elevated at 30 inches or more, on accessible trails, such as Level 4 & 5 trails, need to meet AASHTO standards for pedestrian highway bridges. These standards require a 6-inch sphere must not pass through the railing in the bottom 27 inches, and an 8-inch sphere must not pass through the area higher than 27 inches. It also requires that the top railing is at least 42 inches for bicycles use, and 54 inches high for equestrian traffic. Rails should also be horizontal to prevent wheels and other objects from catching. All accessible trail bridges that do not have a rail system must have a minimum 3 inch high curb.

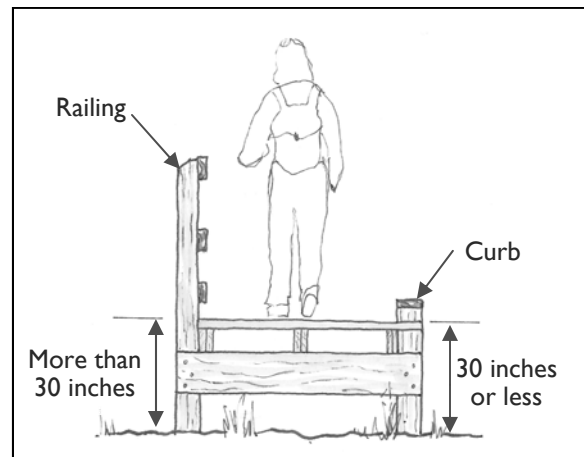
iii) Remote Bridges. For bridges in remote areas with a drop of 30 in. or more, railing requirements must meet OSHA standards. For typical crossings along Level 1, 2 & 3 trails, handrails are required to be at least 42 inches high for pedestrian traffic and 54 inches high for bicycle and equestrian traffic. They must include an intermediate rail so that vertical distances between rails do not exceed 15 inches between 2x4 wood rails or 19 inches between steel rails.

iv) Railing Exceptions. Not all trail bridges require railings. An analysis should be completed to identify and evaluate the bridge's potential users and the hazards of not having a rail system, including situations where a railing is provided on only one side. As a general rule, a remote trail or bridge with a drop of 8 feet or more, should have a pedestrian railing system.



FIGURE D-9 Bridge, railing and typical warning sign on a Level 5 Trail (Urban setting).

FIGURE D-10



D. TRAIL DESIGN CRITERIA

7. WETLANDS, WATER CROSSINGS & DRAINAGE

a. General Crossing Criteria for all Trails:

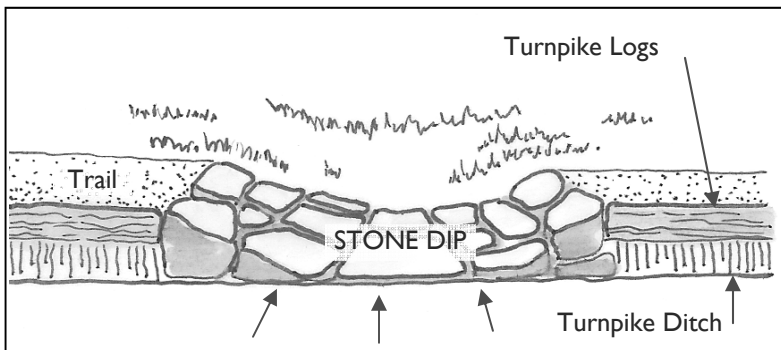
- Route the trail to minimize the number and length of crossings;
- Allow for water to pass freely under the trail, with minimal use of piping, culverts, or other constructed passage;
- Best alignment for crossing rivers, streams, and creeks: At a 90° angle on high ground, at a narrow point along the stream and away from curves or eroding soils;
- Best methods for seeps, saturated soils and wetlands: minimize crossing distance, avoid the need for fill, elevate and construct the structure to allow flow of water and growth of plant materials;
- All crossings shall be as wide as the approaching trail, with 1-2 feet additional clearance on each side, depending on the volume and type of users, and the level of the trail.

b. Crossing Techniques

Many techniques are available for use in crossing wet areas along trails. Choose the crossing technique that best suits the users, the volume of use, the trail level, and the specific location. For additional guidelines on wetland crossings, see USDA Forest Service manual titled Wetland Trail Design and Construction, 2007. An investigation of soils and water will help avoid surprises when constructing trails in

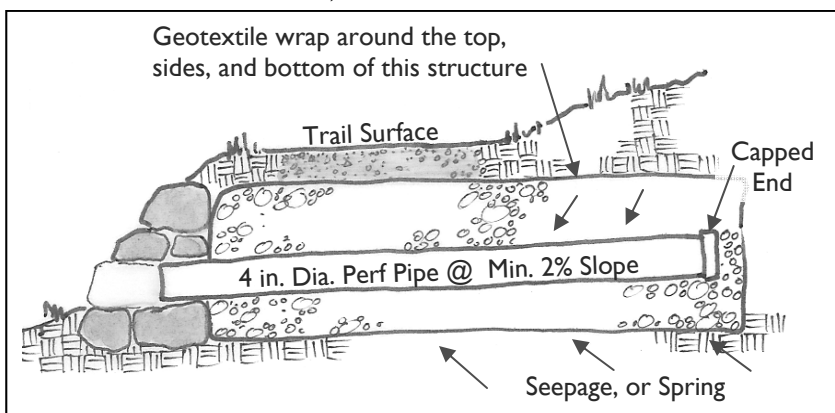
the hillside terrain. Problematic soil conditions may not be visible until a trail has experienced heavy use.

FIGURE D-10



i) Dips. Simple and effective ways to drain wet areas. The slope angle and depth vary with soil and water conditions. Stones help reinforce the dip. Geotextile may be installed underneath to prevent fines from washing out.

FIGURE D-11 Underdrain, or French Drain



ii) French Drains or Underdrains. For crossings over areas of low flow, on low level trails. Trail is constructed over a bed of round rock and perforated pipe, covered with fabric.

SOURCE OF DRAWINGS:
Wetland Trail Design and Construction, USDA Forest Service, 2007.

D. TRAIL DESIGN CRITERIA

iv) **Planks with Piles, Cribbing or Bents.** An elevated trail technique where one or more tread planks are laid parallel to the trail corridor, attached to piles, cribbing, or bents. Choice of support method depends on type of wetland, range of water depth, user volumes, size of trail. Piles are not recommended on low level trails, due to the depth needed to prevent frost heaving.

v) **Puncheons.** A crossing technique for low water areas that utilizes sleepers. Some have linear planks, others also have stringers to support perpendicular decking, which is necessary for bicycle travel.

vi) **Boardwalks.** These are the most substantially constructed form of elevated crossings. They use piles, diagonal bracing, stringers, and planking laid perpendicular to the direction of travel. They often include curbed edges or railings, and can be constructed to suit many user groups, including bicycles and wheelchairs.

vii) **Other Techniques.** Avoid using ditches, culverts or other channelization techniques to divert water, as they may create issues with landslides and super-saturation of soils. Corduroy, turnpikes and causeways are all variations of at-grade wetland crossings, each with their pros and cons. Use of these may be appropriate in some situations, but they are typically not the most environmentally friendly.

c. Materials

Choose materials that are long-lasting and environmentally safe. More investment is expected on higher level trails.

FIGURE D-12 Log Cribbing with Two Sleepers

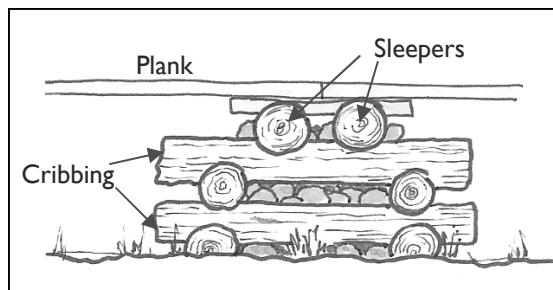


FIGURE D-13 Bog Bridge with Sleepers, or Single Plank Boardwalk

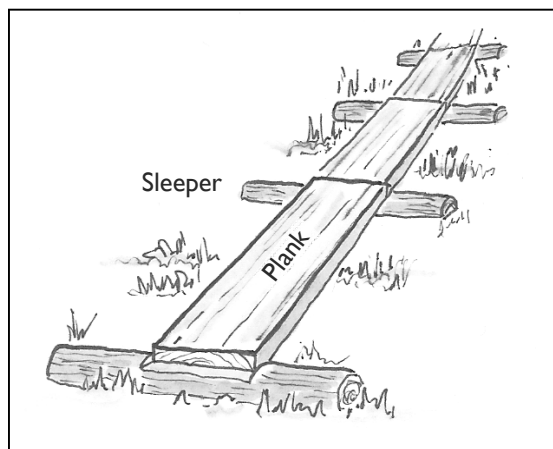


FIGURE D-15 Puncheon

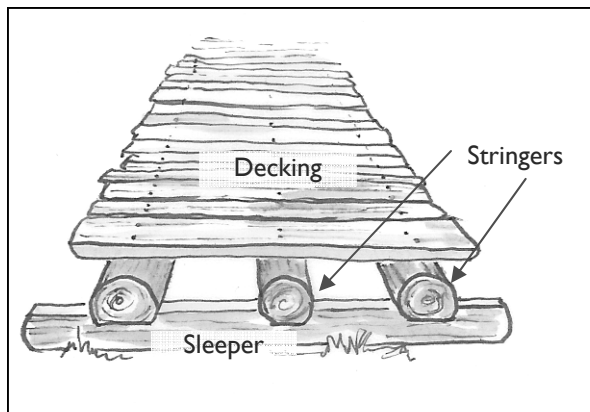
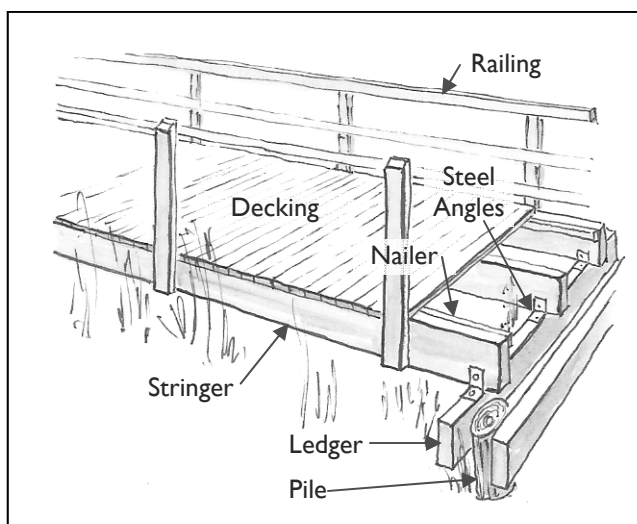


FIGURE D-14 Boardwalk



SOURCE OF DRAWINGS: Wetland Trail Design and Construction, USDA Forest Service, 2007.

D. TRAIL DESIGN CRITERIA

8. TRAFFIC CONTROL, ACCESS & SAFETY

a. Signage & Striping

Signing and marking are essential to ensure the safety, compatibility and enjoyment of multi-use trails. In general, uniform application of traffic control devices, as described in the MUTCD shall be used and will tend to encourage proper behavior. Additional criteria for signage located in D.2.d Intersections.

i) Trail Identification Signs. Locate at access points, trailheads, intersections, and at regular intervals along trail corridors. For consistency, use standard tan on brown recreation identification signs. Identification signage may include trail name, allowed and/or restricted uses, trail rules, accessibility level, directional information, and trail length information, as appropriate. Customized trail identification or character signs may be used in addition to standardized brown recreation signs.



FIGURE D-16 Trail signage.

ii) Traffic Control Signage. Provide as needed on trails or roadways, in compliance with MUTCD standards, including shapes and colors, where feasible.

iii) Directional Signs. are intended to be simple diagrams informing trail users as to trail direction and alignment, and are especially important in busy, high-use locations.

iv) Regulatory and Warning Signs. Use for hazards, cautions or for other traffic control information, in accordance with MUTCD. Place no less than 50 feet in advance of the hazard.

v) Sign Placement. Signs are intended to be post mounted 4-5 feet above trail grade to bottom of sign (MUTCD). Recommended distance from the edge of the trail or shoulder ranges from 1-7 feet, depending on the type of sign, volumes of users, mix of user groups, trail width, and potential for speed.

vi) Striping. Provide centerline striping on paved trails where bicycle traffic is heavy, on curves, and as needed to assist with trail safety. General guidance on marking is provided in the MUTCD.



FIGURE D-17 Boulder used for access restriction.

b. Other Safety Criteria

Provide Detectable Warnings, as required by ADAAG, on the surface of curb ramps, and at other areas where pedestrian ways blend with vehicular ways. Provide detectable edges (no less than 3 in.) along the edge of a trail that abuts a hazard, such as a steep drop, or obstacle.

c. Motorized Vehicle Access and Restriction

Motorized vehicles are prohibited from all trails, except as needed for maintenance or emergencies. In addition to signage, vertical barriers such as bollards, either removable or permanent, posts, vegetation, or boulders may be used to limit vehicular access. Set bollards 48-60 inches apart, and use removable bollards for maintenance access by authorized vehicles.

D. TRAIL DESIGN CRITERIA

d. Trail Heads & Parking

Provide adequate parking, signage and staging areas as needed to accommodate various recreational activities on trails. Amenities such as maps, educational information, trash receptacles, seating, and other trail information are all possible features found at trail heads. Place trail heads and parking areas at the most logical locations along the trail, typically at ends.

9. AMENITIES

Trails are expected to serve many purposes including transportation, recreation, education and social interaction. Amenities, such as benches, trash receptacles, lighting, interpretive panels, and structures are appropriate and necessary for a trail network that meets these objectives. Generally, the higher level trails require more amenities. All amenities should be located outside the trail's clear zone. All amenities provided on accessible trails must also be accessible.

a. Benches

Benches are integral to recreation facilities, and can be used to provide seating for resting, socializing, or viewing. They should be provided at crests of hills, at midpoints of long inclines, in conjunction with other trail amenities, near recreation areas such as playgrounds, and at overlooks or viewpoints along a trail. All benches should meet ATBCB Guidelines for Recreation Facilities.

b. Trash & Recycling Receptacles

Provide bear proof facilities for trash and recycling along higher level trails in locations such as trail heads, rest areas, & interpretive facilities. Locate these facilities for easy maintenance.

c. Lighting

Lighting provides safety and comfort on trails used for transportation, which is primarily Level 4 and Level 5 trails. Where ambient lighting from nearby areas is not adequate to light the trail, additional pedestrian scale lighting may be advisable on these trails, especially at intersections.

d. Information

Trail maps, interpretive information is useful and appropriate in many circumstances along trails, such as to provide information on nearby historic, cultural or natural features. Such amenities enhance the user experience and also protect those community assets. Provide a minimum 4 feet clearance between informational amenities, such as interpretive signs and kiosks, and the edge of the trail.

e. Bicycle Racks

Provide bicycle racks at trail heads, parking areas, and other destinations along the trail corridor. Provide a minimum 4 feet clearance between bicycle racks and the trail.



FIGURE D-18 Trail widens to accommodate interpretive signage.

D. TRAIL DESIGN CRITERIA

10. SPECIAL USES AND CONSIDERATIONS

Where a trail will accommodate a variety of uses, design it for the mode of travel requiring the most demanding design, construction, and maintenance specifications.

a. Winter Only Trails

Level 2 - Recreation Corridors may be located through wetlands, with the intent that these routes are not used during summer months, and that the entire trail segment, or loop, is managed and identified as winter use only. These routes require seasonally installed, removable, vertical identification markers to guide trail groomers and trail users.

b. Ski Trails

Ski trails typically refer to one or two-way groomed x-country tracks and/or skate ski lanes. Minimum widths for classical ski trails is 6 feet. Minimum for a groomed skate track is 12 feet. Grooming for skate skiing with a classical track along side requires 16 feet.

When calculating design speed, turning radii, and sight stopping distance for ski trails, the effects of icy conditions must be considered, as well as any increased speed expected for specific events or races. A skier's speed may be as much as 30 mph at the bottom of a long hill. And, their turning and stopping ability are both impaired. Additional widths and clearances, as well as 'run out' zones are recommended to avoid accidents. On one-way ski trails, doubling travel time is not necessary for calculating sight stopping distance, and hills can be managed for one way travel, providing clearances only where needed for one direction of downhill travel.

c. Mountain Biking

Assume that mountain bikes will find their way to every type of trail. If designing a trail specifically for mountain biking, refer to design guidelines developed by the IMBA when designing the trail. Always design for pedestrians to share the trail.

d. In-line Skates

For paved multi-use trails that may attract In-line skaters, a minimum 10 foot width is advisable to accommodate a wide mix of users.

e. Beach Access Routes

The U.S. Access Board provides design criteria for beach access in their draft guidelines for Recreational Facilities and Outdoor Developed Areas, 2007.

D. TRAIL DESIGN CRITERIA

f. Equestrian Use

Designing for equestrians involves many special considerations. Horses prefer not to travel on paved surfaces. Horse hooves are very destructive to natural surface trails, especially in wet or soft conditions. Gravel and stone surfaces are the most resilient to horse traffic. Porous pavement panel products can also be very durable and compatible surface hardening materials where equestrians are present.

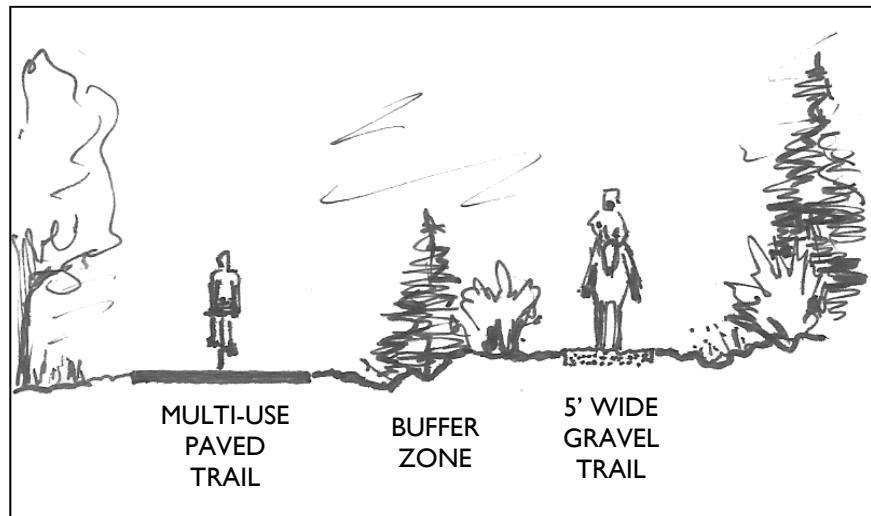
Compatibility with other user groups can also be an issue. Typically, horses are more comfortable in the presence of pedestrians or motorized vehicles than they are around bicycles. Separation, or at least a wide trail profile, is recommended when both bicycles and equestrians frequent the trail.

Increase horizontal clearance (2-3 feet each side of the trail) for equestrian use. Provide 10-12 feet vertical clearance depending on the character of the trail. Low development setting - 10 foot clearance. Highly developed settings - 12 feet.

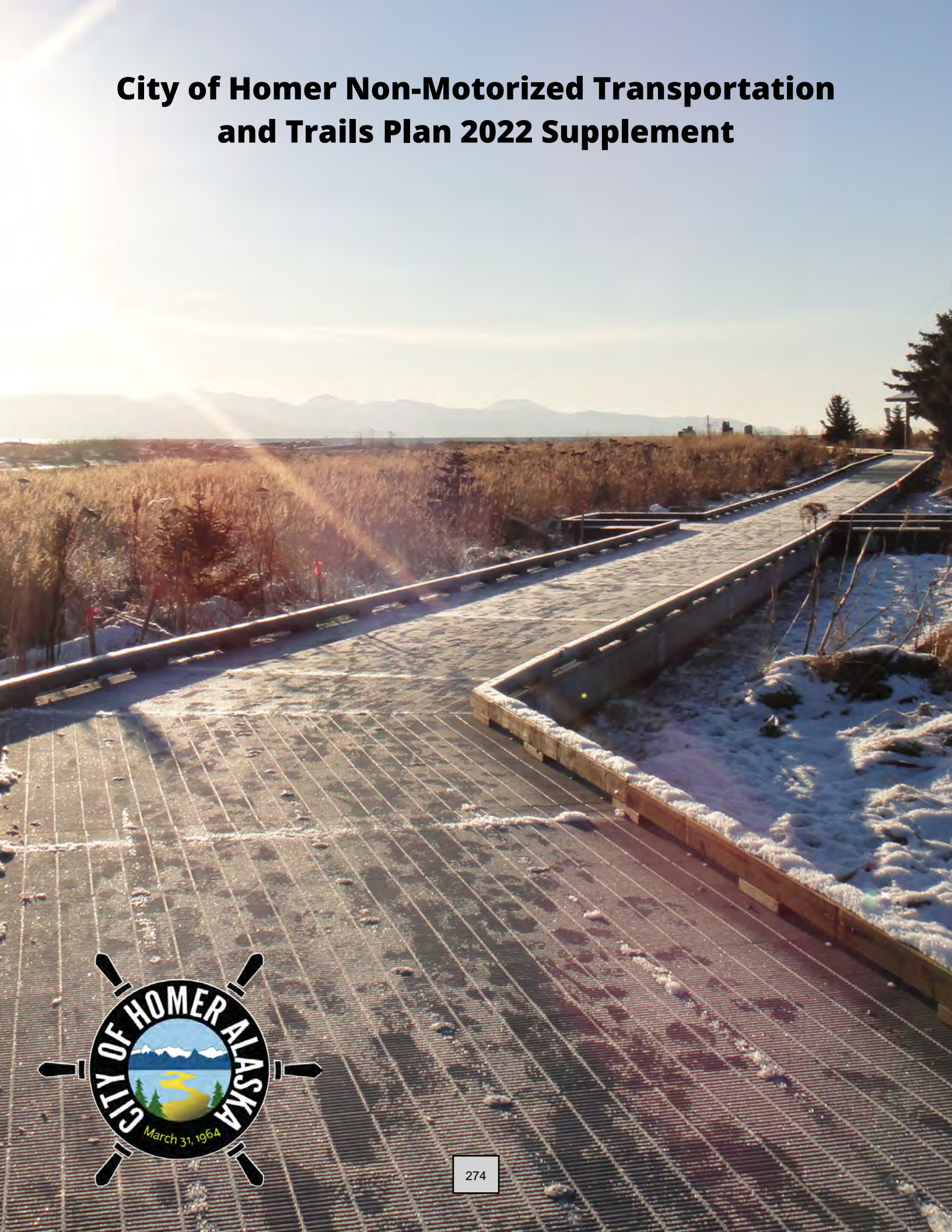
For trails that are design for equestrian use, at grade crossings are preferred to bridges, and should be used when practical.

For additional information and design criteria for equestrian facilities, refer to the [Equestrian Design Guidebook for Trails, Trailheads, and Campgrounds](#), produced by the USDA Forest Service, 2007.

FIGURE D-19 Example of a divided trail for equestrian routes where space is available.



City of Homer Non-Motorized Transportation and Trails Plan 2022 Supplement



City of Homer
Non-Motorized Transportation and Trails Plan
2022 Supplement

I. Overview

The City of Homer Non-Motorized Transportation and Trails Plan (“NMTTP”) was created by DOWL Engineers in 2004 as a planning document to guide the development of trails, paths, and sidewalks in the City of Homer. This 2022 Supplement does not necessarily replace the 2004 NMTTP. Rather, it addresses some immediate issues related to new/pending development, changing priorities, resources, and standards to facilitate sensible near-term planning and implementation of non-motorized transportation. A more comprehensive replacement NMTTP will be developed later.

This Supplement was developed by a team consisting of:

- Rob Dumouchel, City Manager
- Rick Aboud, Planning Director
- Julie Engebretsen, Deputy City Planner
- Matt Steffy, Parks Superintendent
- Aaron Yeaton, GIS Technician
- Janette Keiser, PE, Public Works Director



II. Approach

This Supplement considered possible non-motorized transportation routes from two perspectives:

- Perspective #1 – Which areas of the City, affected by recent or proposed development as well as important destinations, would benefit from new non-motorized transportation routes?
- Perspective #2 – Where were new routes needed to improve the function of existing non-motorized routes by providing connectivity or accessibility?

Perspective #1 – Which areas of the City, affected by recent or proposed development as well as important destinations, would benefit from non-motorized transportation routes?

The team identified four primary Areas of Interest, shown in Figure A. These areas were selected because of the extent to which recent development has affected, or the potential for future development could affect, the way people flow from the developments to important destinations. Further the four areas were identified as high priority due to their lack of non-motorized infrastructure as well as their proximity to schools, new residential construction, and recreational opportunities.

Area of Interest #1 – West Homer (See Figure B)

This area is currently undergoing rapid development. The City is attempting to address pedestrian access through this area by coordinating with developers involved with on-going design/construction as well as adjacent land owners. For example, West Fairview Avenue will be connected to Eric Lane, as part of a pending development. This connection should have a sidewalk/path at least on one side. Further,

discussions are underway with a landowner at the current terminus of West Fairview to develop trails across their property that would connect Fairview Avenue south to Soundview Avenue by accessing a City culvert easement.



Fairview Ave looking east

The Reber Trail currently connects to the terminus of West Fairview Avenue, providing a popular scenic hike and transportation route to Reber Road off of West Hill Road. Trails counters have measured up to 500 people per week using this trail. The northern-most 300 feet is steep, making it very difficult for most users to climb year round, and particularly dangerous in the winter. This section needs an additional switchback to improve the accessibility of this trail.

Fairview Avenue should allow non-motorized use from Bartlett Street to West Hill Road, through a combination of widened shoulders, sidewalks and trails. Connectivity to West Hill could be through Seascape Drive.

A non-motorized route on West Hill Road should be installed to direct pedestrians and bicyclists from the Sterling Highway to the Reber Trail. This would protect non-motorized traffic from the most dangerous switchback on West Hill Road. It would also connect with the City's non-motorized network, at Eric Lane and further north, at the Reber Trail.

The Karen Hornaday Park should be connected with a wilderness trail to a City-owned parcel on the ridge above the Park. This would provide access to, and use of, this parcel.

Area of Interest #2 – East Homer (See Figure C)

There has been, and continues to be, a lot of development in this area, which is home to multiple important destinations including the Quiet Creek residential subdivision, Homer High School and Glacier View Baptist Church. There are dedicated trail easements in the Quiet Creek subdivision that should connect to the existing trail system on the High School property.

There is a small connector that comes down South Slope Drive to (New) Nelson Avenue that should be developed and maintained.

There is also a dedicated easement that connects Old Nelson Avenue to the High School and the Glacier View Baptist Church and ultimately, to the existing sidewalk along East End Road. A path should be developed in this easement.



South Slope Connector Path

Area of Interest #3 – Town Center (See Figure D)



ADA ramp on Poopdeck Extension Trail

The Town Center consists of a mixture of land ownership, including Cook Inlet Regional Incorporated, Kachemak Heritage Land Trust, City of Homer, and various private parcels. Access is needed from east to west branching off of the existing Poopdeck Trail system. The Poopdeck Trail system is one of Homer’s most popular trails. Trail counters have measured up to 160 users/week.

Area of Interest #4 – Beluga Slough (See Figure E)

The Beluga Slough area, rich natural resources, is owned/maintained by the USFWS and the City of Homer. There is an existing boardwalk and trail that connects the Islands and Oceans Visitor Center with Bishop’s Beach Park. Numerous local natural resource agencies have expressed a high level of interest in extending the boardwalk to prevent pedestrians from straying into the slough, and its surrounding wetlands. This is because this straying adversely impacts the slough’s ecological function as well as breeding migratory birds. Also, the slough is listed as salmon habitat in Alaska’s anadromous inventory.

The goal is to ultimately connect the boardwalk from its existing location to the intersection of Lake Street and the Sterling Highway. There are two possible ways of accomplishing this. The first possible route crosses private land owned by the Aspen Hotel and sticks to the edge of the green, upland-ish areas of the slough.



The second possible route is situated entirely on City property, coming off the end of East Bunnell Avenue. Multiple natural resource agencies would be interested in this route and possibly, willing and able to partner with the City in its development, including: Islands & Oceans, Kachemak Bay National Estuarine Research Reserve, and Center for AK Coastal Studies.

Perspective #2 – Where were routes needed to improve the function of existing non-motorized routes by providing connectivity or accessibility? This perspective addressed the function of trails, etc., as elements of transportation infrastructure to get to and from destinations, not just as recreational assets.

From this perspective, the following projects that would improve connectivity and/or accessibility, were identified. These projects are listed in order of priority and are shown on Figure B. Most of these routes fall within the Areas of Interest and are listed in the City of Homer Public Works Department 5-year Capital Improvement Program.

A. Sidewalks	Area of Interest
1. Main Street – North of Pioneer	General
2. West Fairview Avenue	West Homer
3. Ben Walters Way	General
4. Svedlund/Herndon to Senior Center	General
5. Main Street – South of Pioneer to Sterling Highway	Town Center
6. Main Street – Sterling Highway to Bishop’s Beach	General
B. Trails	
1. Karen Hornaday Park – ADA Pedestrian Access Trail	West Homer
2. Upper Reber Trail grade improvements	West Homer
3. Old Nelson Trail	East Homer
4. Bishop Beach Sculpture Trail	Beluga Slough
5. Bishop Beach Wetland Trail	Beluga Slough
6. Beluga Slough Boardwalk Extension	Beluga Slough
C. Paths	
1. East Fairview Avenue	East Homer

City of Homer: Pedestrian Features and Connectivity Gaps

Figure A



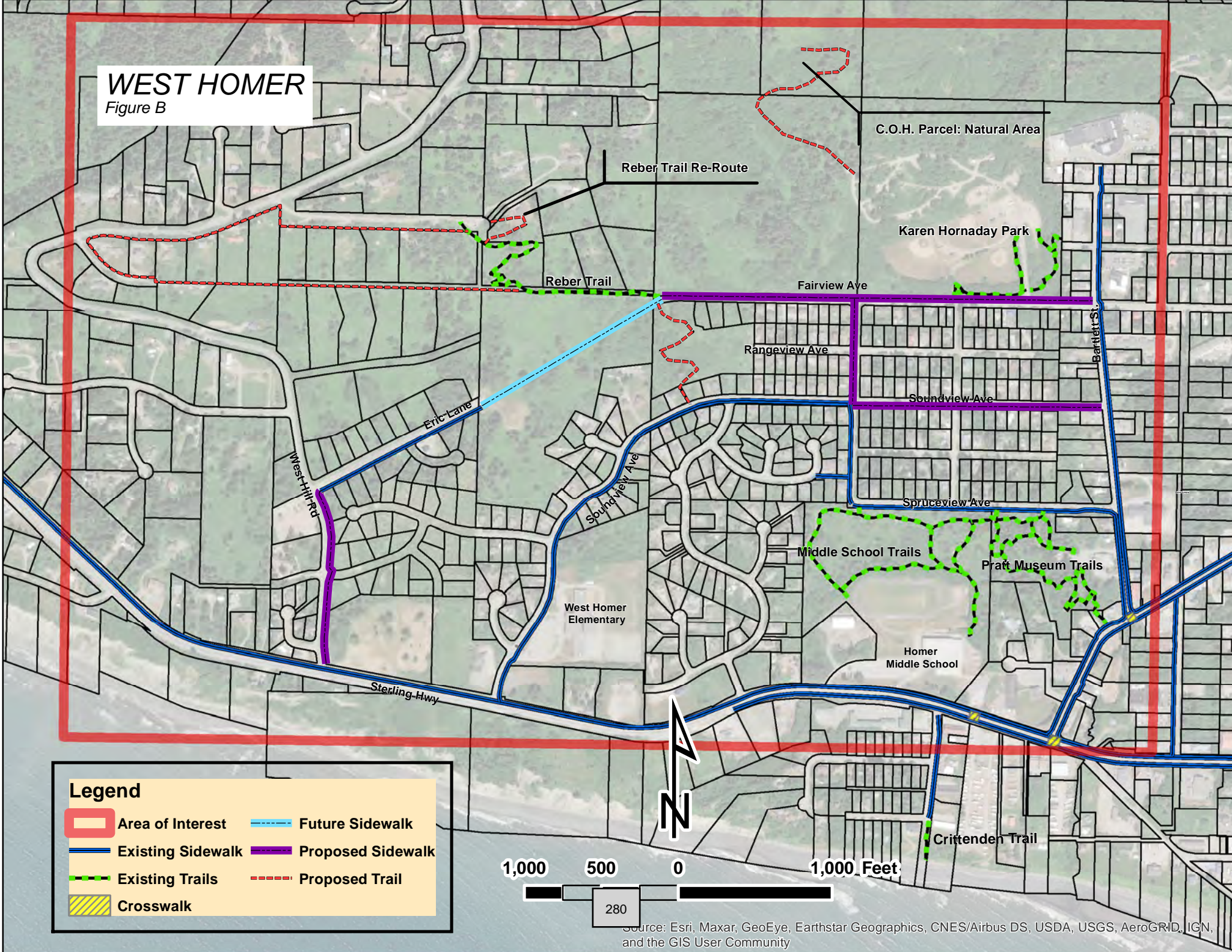
Legend

- Connectivity Gaps
- Trails
- Trail Connector
- Sidewalk
- Crosswalk
- Future Sidewalk

0.5 0.25 0 0.5 Miles

WEST HOMER

Figure B



Legend

- Area of Interest
- Existing Sidewalk
- Proposed Sidewalk
- Existing Trails
- Proposed Trail
- Future Sidewalk
- Crosswalk

1,000 500 0 1,000 Feet

280

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

EAST HOMER

Figure C



South Slope Connector

East Hill Rd.

Nelson Ave

Sanjay Court Route

Old Nelson Easement Route





Homer H.S. Complex

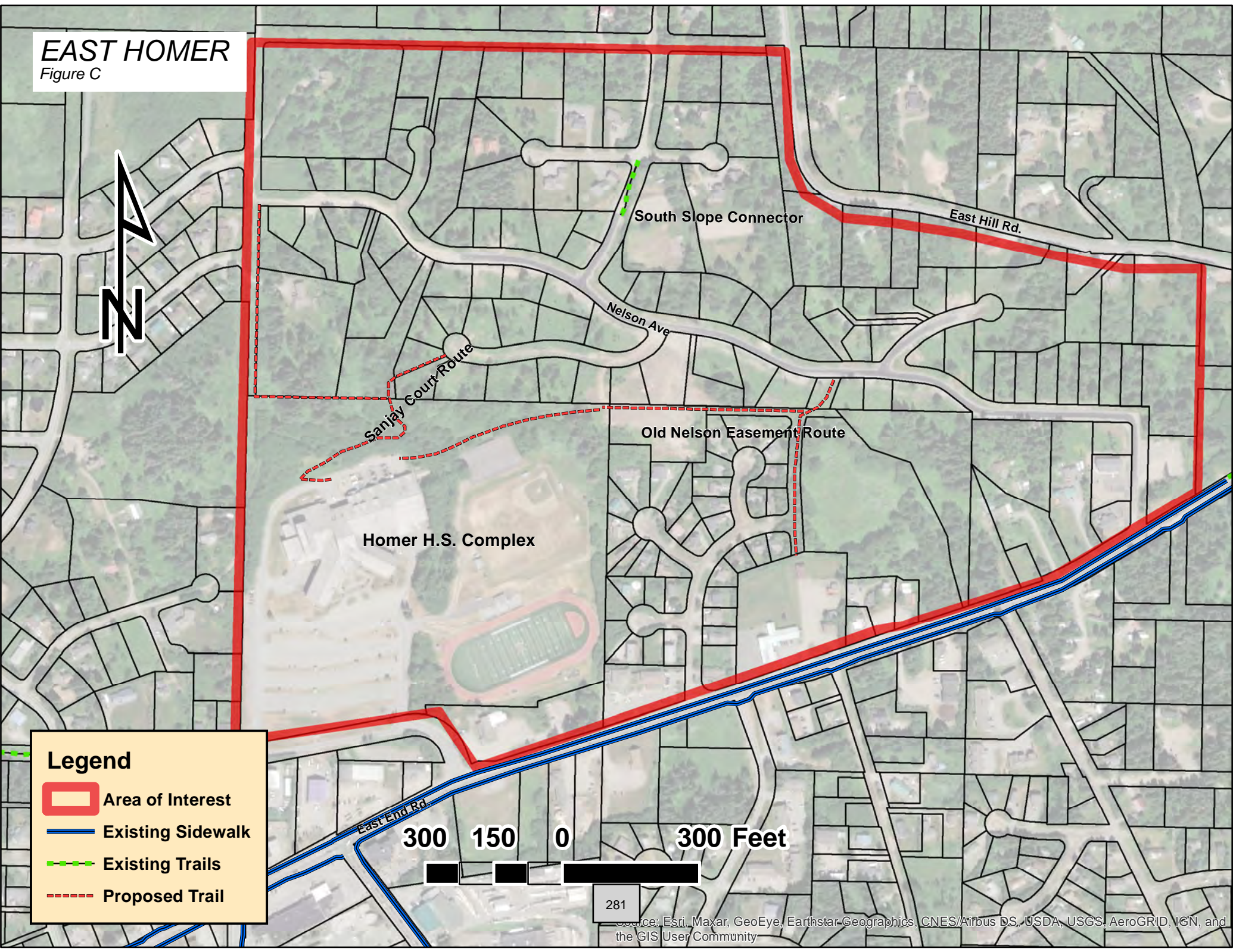
East End Rd.

300 150 0 300 Feet

281

Legend

-  Area of Interest
-  Existing Sidewalk
-  Existing Trails
-  Proposed Trail



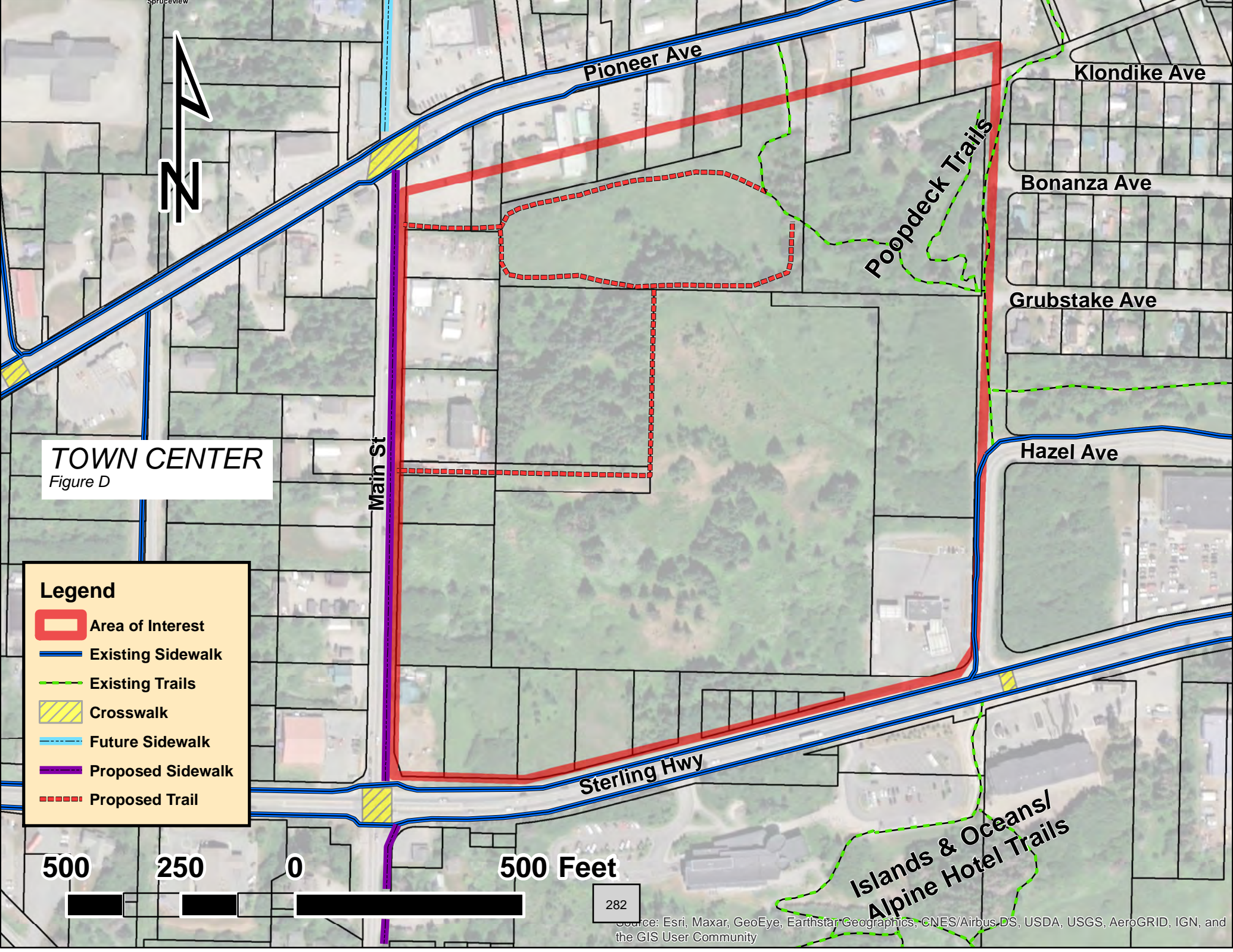


TOWN CENTER

Figure D

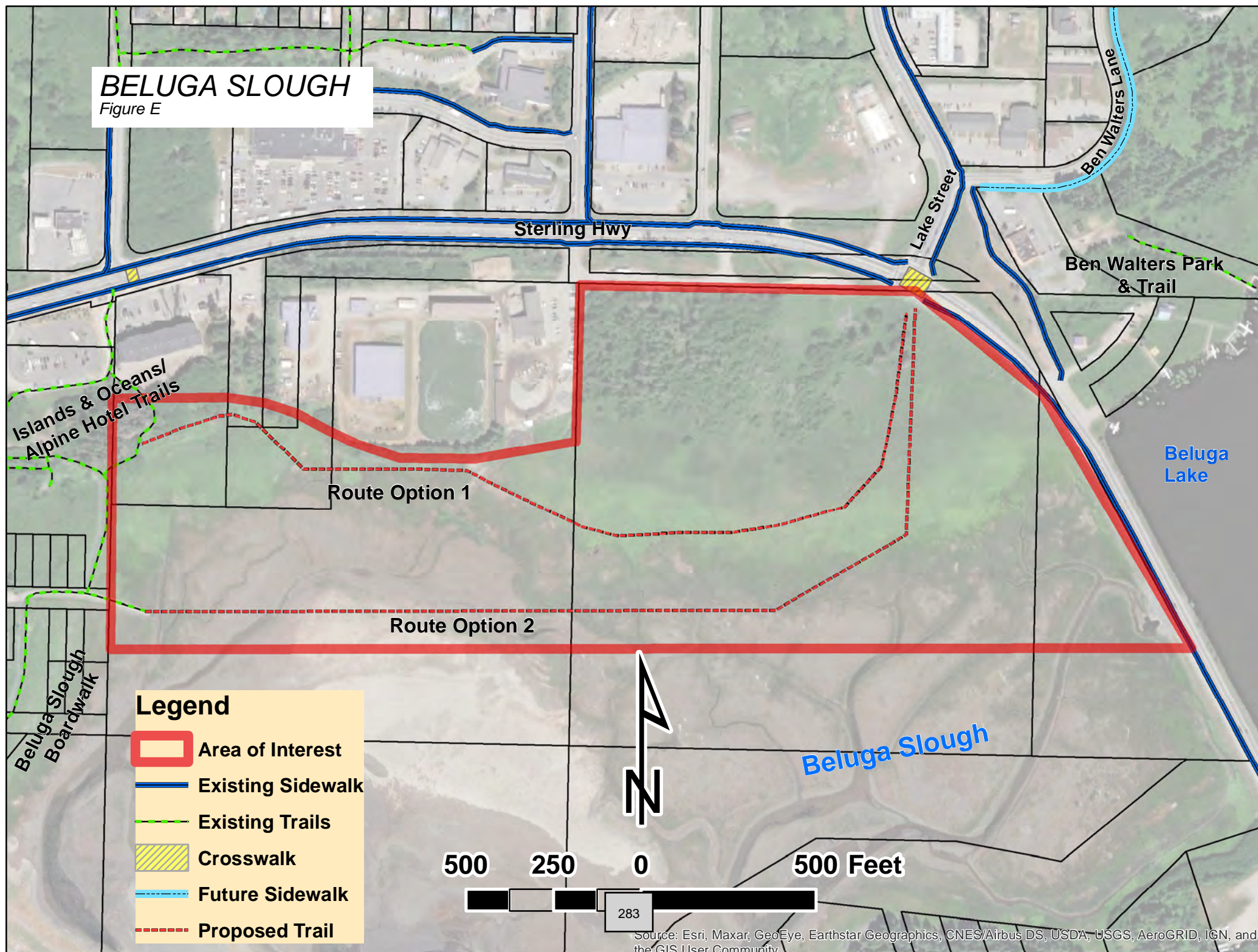
Legend

-  Area of Interest
-  Existing Sidewalk
-  Existing Trails
-  Crosswalk
-  Future Sidewalk
-  Proposed Sidewalk
-  Proposed Trail



BELUGA SLOUGH

Figure E



Legend

- Area of Interest
- Existing Sidewalk
- Existing Trails
- Crosswalk
- Future Sidewalk
- Proposed Trail

500 250 0 500 Feet

283

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-62

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Operating Budget by Appropriating \$10,000 from the General Fund Unassigned Fund Balance to Fund Part of the Homer Business Advisory Position for the Alaska Small Business Development Center, and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents.

Sponsor: Venuti/Erickson

1. City Council Regular Meeting September 26, 2022 Introduction
Memorandum 22-160 from Economic Development Manager as backup.
2. City Council Regular Meeting October 10, 2022 Public Hearing and Second Reading

**CITY OF HOMER
HOMER, ALASKA**

Venuti/Erickson

ORDINANCE 22-62

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING THE FY23 OPERATING BUDGET BY APPROPRIATING \$10,000 FROM THE GENERAL FUND UNASSIGNED FUND BALANCE TO FUND PART OF THE HOMER BUSINESS ADVISOR POSITION FOR THE ALASKA SMALL BUSINESS DEVELOPMENT CENTER, AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE APPROPRIATE DOCUMENTS.

WHEREAS, The 2018 Comprehensive Plan Chapter 7 Goal 2 States: Encourage the retention and creation of more year round, higher wage jobs; and

WHEREAS, The Alaska Small Business Development Center (AKSBDC) provides no-cost, confidential, individual business coaching to grow small businesses in Homer; and

WHEREAS, The AKSBDC is requesting the city provide funding in the amount of \$10,000 to partially fund the local half time Homer Business Advisor position, and

WHEREAS, The Homer position is conveniently located within the Homer Chamber of Commerce, which provides the office space and supports free of charge; and

WHEREAS, The EDC considers this investment to be of minimal cost and of great benefit to local businesses to have local advisor services; and

WHEREAS, The Homer City Council supports the work of the AKSBDC and requests an annual presentation on the activities of the Homer office.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The FY23 Operating Budget is hereby amended by appropriating \$10,000 from the General Fund Unassigned Fund Balance for the purpose of funding a portion of the Homer Business Advisor of the Alaska Small Business Development Center.

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
100	General Fund	\$10,000



City of Homer

www.cityofhomer-ak.gov

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121

(f) 907-235-3140

Memorandum 22-160

TO: Mayor Castner and Homer City Council
THROUGH: Julie Engebretsen, Economic Development Manager
FROM: Economic Development Advisory Commission
DATE: September 15, 2022
SUBJECT: Recommendation on funding for the Homer Business Advisor Position

The Alaska Small Business Development Center (AKSBDC) has approached the City of Homer with a request for \$10,000 to help fund the part time Homer Business Advisor position. Robert Green, Homer Business Advisor, will be giving Council a presentation on what services the SBDC provides, and the economic impact of those services on Homer businesses. (I won't duplicate that information here.)

Council may recall approving funding of \$25,000 for this position in FY 22. For FY23 and the future, the Kenai Peninsula Borough increased its funding to SBDC to support the Homer position. This additional funding reduced the local match needed from the City. With the rising costs of providing services, the AKSBDC found they still had a fiscal gap of \$10,000 to continue these services in Homer. Robert Green will be giving the Council a presentation on September 26th, and will be available to answer any questions.

The Economic Development Commission recommends the City Council approve the funding request.

Recommendation: Provide funding to the AK SBDC for one year in the amount of \$10,000.

Attachments

July 12, 2022 letter from Jon Bittner, Executive Director AK SBDC

EDC Minutes of 8/23/22



July 12, 2022

City of Homer
491 E. Pioneer Ave
Homer, AK 99603

Dear Mayor Castner, City Council, and City Staff,

This letter serves as our quarterly report for the period April 1 to June 30, 2022. The Homer Business Advisor, Robert Green, has been busy this quarter working with clients preparing for summer tourist season. In May, the Kenai Peninsula Borough increased SBDC funding, which reduced the requirement from the City of Homer from \$25,000 to \$10,000 for the next fiscal year. There is strong demand for SBDC services in Homer, with 29% of our active peninsula clients in the area, so local support to retain the Homer Business Advisor position is crucial for the local economy. We are doing our best to keep the financial burden low for the City of Homer, so we can continue to provide excellent local support to business owners and entrepreneurs in the area. Here is a summary of deliverables to the Homer community during the quarter (year):

Client Hours: 132.1 (328.5)	Jobs Supported: 152 (266)
Total Clients: 34 (77)	Capital Infusion: \$933,400 (\$1,116,900)
New Businesses Started or Bought: 3 (8)	Client Surveys: 80% positive (88% positive)

The contract rate for a business advisor is \$55 per hour, which includes salary, benefits, fixed, and administrative expenses. In addition to local expertise, the Alaska SBDC provides IBISWorld industry reports, retailing for \$925 each, and ProfitCents financial analyses, valued at \$2,750 each, to clients free of charge. Here is a summary of value provided to the Homer community during the quarter (year):

Business Advisor: \$13,860 (\$27,555)
IBISWorld Industry Reports: \$10,175 (\$19,425)
ProfitCents Financial Analyses: \$8,250 (\$24,750)
Total: \$32,285 (\$71,730)

We would like to thank the City of Homer for their support of the Homer Business Advisor position. Not only has Robert excelled in Homer, but he has become a valued part of the Alaska SBDC staff. We greatly appreciate the knowledge, experience, and consistency he brings to our team. Please do not hesitate to contact us if you have any questions.

Sincerely,

DocuSigned by:

Jon Bittner

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Jon Bittner

Executive Director
Alaska SBDC

Chair Marks inquired on the intentions of Aspen Hotels using the Beluga Trail, and whether the lack of having it would impact visitors. Ms. Engebretsen shared her professional opinion on the project from a planning perspective and has strong reservations against it. She agreed with Commissioner Person that there isn't really a community advocate for it.

Discussion ensued on the motion on the floor and if there were any negative impacts from removing the project.

VOTE: YES: GAMBLE, PERSON, MARKS, BROWN
NO: CHEROK, PEREZ, AREVALO

Motion carried.

- B. Funding Request for the Alaska Small Business Development Center (AK SBDC) Homer Office
 - i. July 12, 2022 Letter from Jon Bittner, Executive Director AK SBDC
 - ii. AK SBDC Presentation from Fall 2021

Chair Marks introduced the agenda item by reading the title. She spoke to the previous request approved by City Council that helped fund the part-time position for Robert Green to work as the Homer representative. This request is to cover additional costs for the position after the University of Alaska, where this position falls under per this arrangement, discovered the initial budget did not cover the full wages per the University's wage requirements. She noted a presentation by Mr. Green would be possible if more information is needed.

GAMBLE/PEREZ MOVED TO RECOMMEND TO CITY COUNCIL TO APPROVE THE FUNDING REQUEST FOR \$10,000 TO SUPPORT A PART-TIME EMPLOYEE IN HOMER FOR THE ALASKA SMALL BUSINESS DEVELOPMENT CENTER.

Commissioner Brown requested clarification on what City Council's thoughts were when this was before them earlier this year, and where the SBDC offices were located. Economic Development Manager Engebretsen summarized how those councilmembers who had a hand in economic development understood that supporting small business development was very important for our Homer economy, and that Council should support that development. She noted there was a kind of ideological split about what the government's role is in that. Ms. Engebretsen further explained how the main office is located in Kenai, which is largely paid by the Borough. The office in Seward is funded significantly by the City of Seward. Homer pays the least amount on the peninsula towards their office.

Chair Marks explained how these funds are applied to operating the SBDC in Homer. She clarified what she considered a misunderstanding during Council's discussion on the subject; there is in fact other assistance coming from other government bodies: the Borough was providing income. And the Chamber of Commerce was providing assistance through free office rent and essentially a receptionist, phone service, and internet. Chair Marks commented that when this goes before Council, she will be emphasizing these clarifying points, and how this funding is for salary.

Commissioner Person noted that at the Council meeting, some councilmembers did not want to support the funding request as they already offered nonprofit funding through the Homer Foundation. Chair Marks responded by noting that the SBDC is not a nonprofit and while some may think going up to the Central Peninsula office or reaching out virtually may not be difficult for some, there are others and some situations that greatly benefit from having a live person locally.

Commissioner Perez commented on the statistical information provided in the SBDC's letter and proposal. He voiced his hesitancy to support the additional funding but acknowledged we are a small community, the growth and dollar amounts are relatively small, but it would be nice to see what those numbers look like a year out before determining if we have to commit more.

Commissioner Arevalo clarified with Ms. Engebretsen on the previous monies allocated, and what portion of that was from COVID-related funds. Commissioner Arevalo commented on her reasons for supporting the initial funding request. It's not subsidizing a private business or normal nonprofits, it's subsidizing a service that the City can't provide based on its own infrastructure regarding economic development. That ties into their SWOT analysis and a good reason to invest in it.

VOTE: YES: PEREZ, AREVALO, CHEROK, GAMBLE, MARKS
NO: PERSON, BROWN

Motion carried.

C. June 14, 2022 Regular Meeting Minutes

Commissioner Brown requested Consent Agenda Item A be moved to New Business for discussion.

Chair Marks requested a motion.

AREVALO/PERSON MOVED TO APPROVE THE JUNE 14TH MEETING MINUTES.

Commissioner Brown requested clarification on the last sentence under the Housing Staff Report that read "Aspen was constructing employee housing units..." It was clarified by Economic Development Manager Engebretsen that it was in relation to the Aspen Hotel.

Commissioner Brown Engebretsen inquired if the commission had discussed plans to have much larger community input, in reference to a statement made under the agenda item Balance of Quality of Life, Change, and Community Growth Discussion. Ms. Engebretsen clarified that Commissioner Perez had asked if they could use a survey to get the SWOT analysis out to the larger public for more input, and she had responded saying it's a great idea but it's a Comprehensive Plan-level of effort and how that impacts staff's and the commission's time.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

INFORMATIONAL MATERIALS

- A. EDC 2021-2022 Strategic Plan/Goals
- B. City Manager's Report for August 8, 2022
- C. EDC 2022 Calendar

Chair Marks spoke to the informational materials. She noted the update from Public Works Director Keiser has been moved to the EDC's September meeting.

Discussion ensued on selecting volunteers for giving Council reports. Feedback was provided to Deputy City Clerk Tussey to update the EDC's meeting calendar.

COMMENTS OF THE AUDIENCE

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Homer Business Advisor Position - Partial Funding</u>	DATE	<u>09/21/2022</u>
DEPARTMENT	<u>City Council</u>	SPONSOR	<u>Venuti/Erickson</u>
REQUESTED AMOUNT	<u>\$ 10,000</u>		

DESCRIPTION	<p>The 2018 Comprehensive Plan Chapter 7 Goal 2 States: Encourage the retention and creation of more year round, higher wage jobs.</p> <p>The Alaska Small Business Development Center (AKSBDC) provides no-cost, confidential, individual business coaching to grow small businesses in Homer. The AKSBDC is requesting the city provide funding in the amount of \$10,000 to partially fund the local half time Homer Business Advisor position. The Homer position is conveniently located within the Homer Chamber of Commerce, which provides the office space and supports free of charge. The EDC considers this investment to be of minimal cost and of great benefit to local businesses to have local advisor services.</p> <p>The Homer City Council supports the work of the AKSBDC and requests an annual presentation on the activities of the Homer office.</p>
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FUNDING SOURCE(S)	GF Unassigned FB	GF CARMA	GF FLEET CARMA	PORT RESERVES	WATER CARMA
	100%	0%	0%	0%	0%
	HAWSP	HART-ROADS	HART-TRAILS	PORT FLEET RESERVES	SEWER CARMA
	0%	0%	0%	0%	0%

FUNDING SOURCE 1: <small>General Fund Unassigned Fund Balance</small>	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 7,510,994</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 1,545,000</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 10,000</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 5,955,994</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-63

An Ordinance of the City Council of Homer, Alaska Amending Accepting and Appropriating a Grant with the Alaska Energy Authority in the Amount of \$79,500 for the Design of a Micro-Hydro Unit in Homer's Water System and Authorizing a Sole Source Contract to InPipe Energy for Design Services of the Micro-Hydro Unit(s) in the Amount of \$79,500.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting September 26, 2022 Introduction
Memorandum 22-161 from Public Works Director as backup.
2. City Council Regular Meeting October 10, 2022 Public Hearing and Second Reading

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 22-63**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
8 ACCEPTING AND APPROPRIATING A GRANT WITH THE ALASKA
9 ENERGY AUTHORITY IN THE AMOUNT OF \$79,500 FOR THE
10 DESIGN OF A MICRO-HYDRO UNIT IN HOMER'S WATER SYSTEM
11 AND AUTHORIZING A SOLE SOURCE CONTRACT TO INPIPE
12 ENERGY FOR DESIGN SERVICES OF THE MICRO-HYDRO UNIT(S) IN
13 THE AMOUNT OF \$79,500.

14
15 WHEREAS, The City of Homer has in 2009 and 2014 explored the feasibility of utilizing
16 micro-hydro generators in the City's water mains, without success; and

17
18 WHEREAS, in early 2022, Public Works was approached by InPipe Energy, which offered
19 to write an application for Alaska Energy Authority (AEA) grant funding for a micro-hydro
20 project, using new technology, which combined the functions of micro-hydroelectric
21 generation with pressure management, meaning we could replace the aging Pressure
22 Reducing Stations (PRVs) and generate small amounts of electricity at the same time; and

23
24 WHEREAS, The AEA notified the City the AEA had included the design portion of Homer's
25 Energy Recovery Project on its list of "*Renewable Energy Fund Round 14 Recommended Projects*
26 *to the Legislature*" and the project was funded through the Legislature's Capital Budget,
27 effective July 1, 2022 and further, the AEA is ready to offer the City a grant agreement in the
28 amount of \$79,500, which is represents the costs of engineering and permitting; and

29
30 WHEREAS, While earlier feasibility reports were not favorable, circumstances have
31 changed in that (1) the technology has progressed and (2) the federal government has
32 increased the incentives for renewable energy, which substantially decreases the capital costs;
33 and

34
35 WHEREAS, Accepting this grant gives the City the opportunity to take one last look at
36 the possibilities of micro-hydro power, at no cost to the City, except for in-kind staff time; and

37
38 WHEREAS, A sole source contract with InPipe Energy to perform design services is
39 appropriate, per HCC 3.16.060, because InPipe is (1) the only available source of their
40 proprietary technology, which could tip the scales in favor of financial feasibility and (2) in
41 performing design services, InPipe would be providing consultant and technical services,
42 which are designated exemptions to competitive bidding requirements.

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NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The City Council of Homer, Alaska hereby accepts and appropriates a grant agreement with the Alaska Energy Authority in the amount of \$79,500 for the design of a micro-hydro unit in homer’s water system as follows:

Revenue:		
<u>Fund</u>	<u>Description</u>	<u>Amount</u>
xxx-xxxx	Alaska Energy Authority Grant	\$79,500

Section 2. The City Manager is hereby authorized to enter into a sole source contract with InPipe Energy in the amount of \$79,500 for design services of the micro-hydro unit(s) as follows:

Expense:		
<u>Fund</u>	<u>Description</u>	<u>Amount</u>
xxx-xxxx	Design Services	\$79,500

Section 3. This is a budget amendment Ordinance, is not permanent in nature and shall not be codified.

ENACTED BY THE HOMER CITY COUNCIL this 10th day of October, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

- 85
- 86 First Reading:
- 87 Public Hearing:
- 88 Second Reading:
- 89 Effective Date:



Memorandum 22-161

TO: City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, PE, Director of Public Works
DATE: September 14, 2022
SUBJECT: Sole Source procurement of concrete septic tanks

I. **Issue:** The purpose of this Memorandum is to recommend acceptance of a grant to further explore using the pressure differentials in our water mains to generate electricity.

II. **Background:**

A. **History of micro-hydro research:** In 2009, Public Works commissioned a feasibility study of using its water mains for micro-hydro generators. The idea was to install hydroelectric turbines in three pressure reducing stations (PRVs). The conclusion was that the project was not feasible for a variety of reasons. One of the primary reasons was the variable flow; that is, the water flow during the daytime was much more than the water flow at night. What was needed to even out the flows, and make the cost/benefit ratio more attractive was a new water storage tank.

In 2014, Public Works commissioned a second feasibility study, this time, including, in the computations, a new .75 million gallon water storage tank, which the City had planned to built. Further, the PRVs were coming to the end of their useful lives and needed to be replaced. This meant that it might be possible for some of the capital costs for the micro-hydro equipment to be folded into the PRV replacement costs. Even with that, while the cost/benefit ratio was somewhat higher, the conclusion was that the systems were still too small to be not cost effective. Technology to take advantage of the low generation amounts was still not feasible.

Last year, Public Works was approached by a company, InPipe Energy, which wanted to explore the possibility of using Homer's water mains for micro-hydro. The company had been referred to the City of Homer by the Alaska Energy Authority as a community that was interested in micro-hydro power. InPipe offered to write an application for Alaska Energy Authority (AEA) grant funding for a micro-hydro project. I was skeptical because, while I understood and believed in the concept, earlier efforts to prove it in Homer had been unsuccessful. However, InPipe had a new technology, which combined the functions of micro-hydroelectric generation with pressure management, meaning we could

replace the aging PRVs and generate electricity at the same time. Since they were going to look into this and produce the grant application at no cost to the City, I took them up on their offer.

They looked at the same PRVs the previous consultants evaluated, studying the earlier reports and collecting updated data regarding water flow and pressures. InPipe concluded the cost/benefit ratio had improved to the point they were willing to invest their own time and energy in pursuing further concepts. They prepared a grant application, which we submitted to the AEA in January 2022. I didn't expect much to come of it. Months later, the AEA notified us they had included the design portion of Homer's Energy Recovery Project on its list of "Renewable Energy Fund Round 14 Recommended Projects to the Legislature" and the project was funded through the Legislature's Capital Budget, effective July 1, 2022. I was stunned!

- B. AEA Grant Agreement.** The AEA is ready to offer us a grant agreement in the amount of \$79,500, which is what we showed in the Grant Application for the costs of engineering and FERC permitting. If we want to move forward, the City Council needs to authorize the City Manager to accept the grant and execute the appropriate documents. We recommend doing this because we believe, that while results are not yet guaranteed, it is worthwhile to take another few steps forward.

While earlier feasibility reports were not favorable, several things have changed. First, the technology has progressed. It is now possible to retrofit the PRVs with new equipment that will manage the pressure and general small volumes of electricity, at the same time. Second, InPipe advises us that the federal government has increased the incentives for renewable energy, which substantially decreases the capital costs. Accepting this grant gives us the opportunity to take one last look at the possibilities, at almost no cost to the City. While there is an in-kind match requirement, this can be paid with staff labor, which we do anyway to service the PRVs. If the micro-hydro idea doesn't work out, we are not losing much. If it does work out, it could become a huge asset to the City and a model for this renewable technology.

- C. InPipe Energy.** We further recommend that the City Manager be authorized to enter into a sole source contract with InPipe Energy to perform the design services required to take the next steps. If it weren't for InPipe Energy, we wouldn't have taken this next look at the possibilities and InPipe is the only available source of their proprietary technology, which could tip the scales in favor of financial feasibility.
- D. Recommendations:** We recommend that the City Council authorize the City Manager to execute (1) a grant agreement with the AEA and (2) a sole source contract with InPipe Energy.

Appendix C Grantee Proposal/Scope of work

Submit Mechanical and Electrical Engineering Final Design including a Notice of FERC exemption (regulatory/permitting).

Milestones	Reimbursable Tasks	Grant Budget	Match Budget	Total Budget	Start Date	End Date	Deliverables
Final Design	Design review meeting, finalize design (Mechanical Engineering Design)	\$45,000		\$45,000			Mechanical design drawings
	Design review meeting, finalize design (Electrical Engineering Design)	\$30,000		\$30,000			Electrical design drawings
Regulatory	FERC Exemption	\$4,000		\$4,000			Notice of FERC exemption
Total		\$79,500		\$79,500			

Inflation Reduction Act HydroXS-related provisions

Enables HydroXS projects to qualify for incentives

- Definition of hydrokinetic energy extended to include systems in “pressurized water used in a pipeline (or similar man-made water conveyance which is operated for the distribution of water.”
- Reduced minimum project size changed to 25 kW from 150 kW.

Extends Investment Tax Credit (ITC)

- Renews the full 30% credit rate and creates a provides a 10-yr. extension
- Provides adders up to an additional 20% for projects that satisfy domestic content and energy community (brownfield site) requirements.
 - InPipe can meet criteria for an additional 10% (domestic content)
 - Potential +10% if at any time after 2009 had significant employment or tax revenues that are attributable to the extraction, processing, transport or storage of coal, oil or natural gas industries


Provides direct pay and transferability alternatives for tax credits

- Tax-exempt entities (including municipalities and other state and local governmental entities) can directly utilize incentives through a “direct pay” option

Hydroelectric production incentive (US DOE Section 242) program

- Provides a 2.3 cents/kWh incentive for the first 10 years of energy production for new hydro projects

Clean Energy
Smart Water
Better World



Floyd Bayiha
Sales Engineer
floyd@inpipeenergy.com
310-600-0075

INPIPE
ENERGY

City Sustainability Goals

- First City in Alaska to develop local Climate Action Plan
- Revolving energy fund for projects that reduce energy use in municipal facilities
- 2018 Comprehensive Plan objectives
 - "The City of Homer will be a community leader in implementing policies that promote energy efficiencies"
 - "The City of Homer will play an active role in influencing regional policies that promote the research, development, and use of sustainable energy alternatives"

**City of Homer
Climate Action Plan Implementation Project
Final Report**



Preliminary Assessment

- **In-PRV Overview**
- **Summary**
 - Hydraulics analysis for City of Homer sites meets key minimum requirements
 - Pressure differential
 - Flow rate
 - Energy generation capacity and production
 - Economic drivers support project feasibility
 - Available utility programs
 - Incentives and funding options
- **Next Steps**
 - Collaboration to pursue funding
 - Virtual site visits
 - MOU
 - Additional data gathering

In-PRV Overview

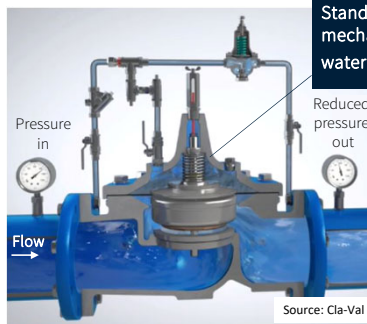
InPipe Energy has developed a solution that precisely manages pressure and provides a new source of low cost, renewable energy, reduces carbon, saves water and extends the life of critical infrastructure



Clean Energy. Smart Water. Better World.



Wasted energy in pressure control



The mechanical mechanism used by traditional control valves wastes energy (up to 350 kW, 3.8M lbs. CO₂/Yr. per valve)





Clean Energy. Smart Water. Better World.

6



The In-PRV is a pressure recovery valve

The In-PRV™ produces renewable energy and accurately controls pressure




-  Turn-key, software and sensor-based, modular solution, installs efficiently onto water pipelines and electric grid
-  Offsets carbon emissions otherwise lost with wasted energy
-  Digitally-enabled, providing mission critical data and control
-  Lowest cost-of-energy for a distributed renewable energy source



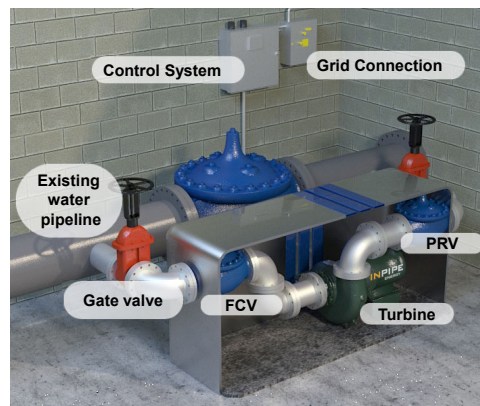
Patents pending

How it works

The In-PRV™ (Pressure Recovery Valve) accurately controls pressure while generating renewable energy

-  Installs easily with existing infrastructure
-  Connects to the grid the same way as solar systems
-  1/3 the cost of current approaches

INTERNATIONAL AND US PATENTS PENDING



Site Suitability and Energy Production

Site data and assumptions

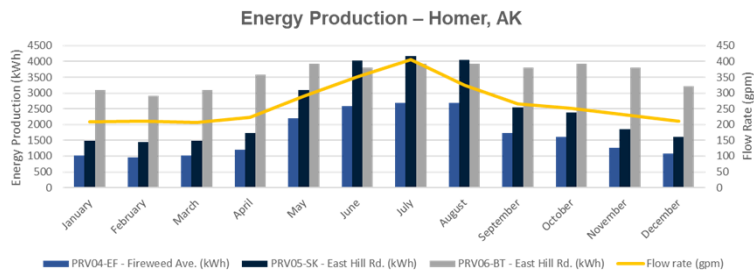
Site Name	Location	Inlet/outlet size	Inlet PSI	Outlet PSI	Differential PSI	Available Head (ft.)
PRV04-EF	Fireweed Ave	4"	86	32	54	124.74
PRV05-SK	East Hill Rd.	4"	103	29	74	170.94
PRV06-BT	East Hill Rd.	3"	149	50	99	228.69

In-PRV Energy Production

Site Name	Location	Differential PSI	Available Head (ft.)	Estimated Annual Energy Production
PRV04-EF	Fireweed Ave	54	124.74	20,000 kWh/yr.
PRV05-SK	East Hill Rd.	74	170.94	30,000 kWh/yr.
PRV06-BT	East Hill Rd.	99	228.69	43,000 kWh/yr.




- Size of Project Total (3) Locations: 19 kW
- Estimated Annual Total Production: 93,000 kWh/year

In-PRV Energy Production Profile



- Consistent production characteristics
- Size of Project Total (3) Locations: 19 kW
- Estimated Annual Total Production: 93,000 kWh/year

Potential Financing Options

Funding source	Description	Comments
 City of Homer	City owns project (revolving funds)	Project pays for loan servicing, City retains benefits, subsidized capital cost
 Alaska Energy Authority	Renewable Energy Fund (REF) provides grant funding to finance in-state clean energy projects	Reduces out-of-pocket project costs, accelerates payback Due date January 18, 2022
 Homer Electric	Energy efficiency grant options	Reduces out-of-pocket project costs, accelerates payback,

10 steps to a successful project

1. Hydraulic Analysis and Potential Energy Assessment ✓
2. Site Visit
3. Economic Assessment
4. Memorandum of Understanding
 - Align our interests with all the stakeholders
 - Procurement
5. Design Proposal
 - System layout
 - Schedule
6. Installation Contractor Quote
7. Contract
8. Regulatory/Permitting submittals
9. PPA/Interconnection
10. Installation

Next steps

- Collaborate to apply for funding
- Virtual site visits
- MOU
- Additional data gathering

What could be more sustainable?

Floyd Bayiha

Sales

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310-600-0075

INPIPE
ENERGY



Skagit PUD HydroXS Project Summary

InPipe Energy and Skagit Public Utility District completed the East Division Street Energy Recovery Project at Skagit PUD’s East Division Street booster pump station in Mount Vernon, WA in July, 2021. Skagit PUD’s installation is the first pressure recovery project in Washington state that utilizes the HydroXS from InPipe Energy, a new smart water and micro-hydro system that generates electricity by harvesting excess pressure from municipal water pipelines. By recovering the energy embedded in excess water pressure and converting it into electricity, the system generates up to 100,000 kilowatt-hours (kWh) or more of electricity per year while providing pressure management that helps save water and extend the life of the pipeline. The electricity produced offsets the use of grid power at the pump station, saving Skagit PUD (and its ratepayers) money and replacing the equivalent of 3.5 million pounds of fossil-fuel-based carbon emissions. This system has operated without incident. The project was made possible with assistance from Puget Sound Energy (PSE), as part of their “Beyond Net Zero Carbon” initiative, and a Coal Transition Board Grant from TransAlta energy company.

“Converting excess water pressure into clean, renewable energy is a win for the environment and our ratepayers,” said George Sidhu, Skagit PUD General Manager. “Environmental stewardship is one of Skagit PUD’s core values; and in our actions, we want to preserve our region’s natural resources. As a public utility, we’re always looking to innovate and create greater efficiencies in the operation of our water system, and the East Division Street micro-hydro project checks all the boxes,” Sidhu added.

“The world’s water infrastructure is energy and carbon intensive,” said Gregg Semler, president, and CEO of InPipe Energy. “We see a large, global opportunity for water agencies to meet their mission while also battling the impact of climate change. The sustainability of our nation’s water systems is paramount, yet water agencies are being constantly challenged with rising energy costs and aging infrastructure. By providing a more precise way to manage pressure in pipelines – while also producing electricity – our In-PRV product helps water agencies offset their energy costs while saving water, reducing carbon and extending the life of their infrastructure.”

In January 2021, Puget Sound Energy set its aspirational “Beyond Net Zero Carbon” energy company goal. Through this initiative, PSE targets reduction of its own carbon emissions to net zero and goes beyond by helping other sectors to enable carbon reduction across the state of Washington.

“We value the opportunity to provide this energy efficiency program grant to Skagit PUD to help them be more efficient and build resilience,” said PSE President and CEO Mary Kipp. “This partnership reflects our commitment to combat climate change by reducing our own carbon emissions to net zero and helping other sectors to enable carbon reduction across the state of Washington.”

TransAlta, which is in the process of phasing out its last coal-fired power plant in Centralia, Wash., by 2025, has committed to supporting local communities and renewable energy development through its Coal Transition Board Grant process.

“We are committed to the development of innovative new forms of renewable energy, and this energy recovery project at Skagit PUD sets a great example for the role water utilities can play in making both water and energy more sustainable,” said John Kousinioris, CEO of TransAlta. “We are excited about the potential for the In-PRV to produce carbon-free electricity from water pipelines across North America.”

“Water is a critical resource in Skagit County as it relates to power generation, and this project demonstrates our regional leadership,” Sidhu said.

The HydroXS Pressure Recovery Valve

Skagit PUD’s pump station is the second installation of the In-PRV in a municipal water pipeline. The first, in the city of Hillsboro, Oregon, came online in September 2020 and is on track to produce 200,000 kWh or more of electricity each year.



Here’s how the system works:

Water agencies typically deliver water to customers by gravity feed and use control valves, called pressure-reducing valves (PRVs), to manage pressure in their water pipelines. PRVs help protect pipelines from leaks and deliver water to customers at safe pressure.

Normal PRVs use friction to burn off excess pressure, which is dissipated as heat. All of that energy is, essentially, wasted.

InPipe Energy’s In-PRV pressure recovery valve system performs like a highly precise control valve. But it takes the process one step further by converting the excess pressure into a new source of carbon-free electricity.

The In-PRV is the first system that combines software, micro-hydro and control technology as a turnkey product that can be installed quickly, easily and cost-effectively throughout water systems with smaller-diameter pipelines and wherever pressure must be reduced.

From profile published in Water World:

<https://www.waterworld.com/water-utility-management/energy-management/press-release/14206651/system-produces-renewable-energy-from-municipal-water-pipeline-in-wa>

Video link:

<https://www.youtube.com/watch?v=pKQF2bufqdo>

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-64

An Ordinance of the City Council of Homer, Alaska Accepting and Appropriating an FY23 Designated Legislative Grant from the State of Alaska for the Purpose of New Large Vessel Harbor Matching Funds for an Army Corps of Engineers General Investigation and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents.

Sponsor: City Manager

1. City Council Regular Meeting September 26, 2022 Introduction
2. City Council Regular Meeting October 10, 2022 Public Hearing and Second Reading

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

3 City Manager

4 **ORDINANCE 22-64**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
7 ACCEPTING AND APPROPRIATING AN FY2023 DESIGNATED
8 LEGISLATIVE GRANT FROM THE STATE OF ALASKA FOR THE
9 PURPOSE OF NEW LARGE VESSEL HARBOR MATCHING FUNDS
10 FOR AN ARMY CORPS OF ENGINEERS GENERAL INVESTIGATION
11 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
12 APPROPRIATE DOCUMENTS.

13
14 WHEREAS, Homer's Port and Harbor facility is a regional transportation hub and
15 significant economic driver; and

16
17 WHEREAS, Expanding the facility to include a purpose-built basin for large vessels has
18 long been the top Legislative priority project in the City's Capital Improvement Plan as it fills
19 the unmet moorage needs of the local and regional large vessel fleet, increases the resilience
20 of Alaska's transportation system, supports the US Coast Guard and national security interests,
21 promotes economic vitality across Alaskan industries and creates local living-wage jobs; and

22
23 WHEREAS; Planning for and developing the large vessel harbor involves cooperative
24 efforts among the US Army Corps of Engineers, the State of Alaska and the City, and requires a
25 Federal feasibility study (General Investigation) and project authorization; and

26
27 WHEREAS, The three-year General Investigation completes project planning including,
28 but not limited to: design alternatives, economic impacts, public and stakeholder input,
29 environmental review, permitting, construction methods and costs. The end result of the
30 study is a Benefit Cost Ratio that may justify Federal authorization of and funding for
31 construction; and

32
33 WHEREAS, The \$3,000,000 cost of the General Investigation is shared between the
34 USACE (50%), the State of Alaska (25%) and the City of Homer (25%); and

35
36 WHEREAS, The City committed its share of matching funds in 2020 via City of Homer
37 Ordinance 20-06 and Federal matching funds are anticipated through a FY23 Congressionally
38 Designated Spending Request by Senator Lisa Murkowski which was approved by the
39 Subcommittee on Energy and Water Development, and Related Agencies; and

40
41 WHEREAS, The City is pleased to have been awarded \$750,000 in State of Alaska
42 matching funds through an FY2023 Designated Legislative Grant 23-DC-041.

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NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer City Council hereby accepts and appropriates an FY23 Designated Legislative Grant from the State of Alaska in the amount of \$750,000 as follows:

Revenue:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415	Alaska Designated Legislative Grant 23-DC-041	\$750,000

Expenditure:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
415	Large Vessel Harbor Expansion General Investigation	\$750,000

Section 2. The City Manager is authorized to execute the appropriate documents.

Section 3. This is a budget amendment ordinance, is temporary in nature, and shall not be codified.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 10th day of October, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

Introduction:

Public Hearing:

Second Reading:

Effective Date:



DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

Designated Legislative Grant Program
Grant Agreement

Grant Agreement Number 23-DC-041		Vendor Number CIH84724	Amount of State Funds \$750,000.00	
GAE	Appropriation Unit 087391004	Lapse Date 06/30/2027	Project Title: New Large Vessel Harbor: Matching Funds for Army Corps of Engineers General Investigation	
Grantee			Department Contact Person	
Name City of Homer			Name Lindsay Reese	
Street/PO Box 491 E. Pioneer Ave			Title Grants Administrator 2	
City/State/Zip Homer, Alaska 99603			Street/PO Box 550 W. 7th Avenue Ste 1650	
Contact Person Jenny Carroll, Special Projects and Communications Coordinator			City/State/Zip Anchorage, Alaska 99501	
Phone 907-235-8121	Fax 907-235-3148		Phone 907-269-7906	Fax 907-269-4563
Email jcarroll@ci.homer.ak.us			Email Lindsay.reese@alaska.gov	

AGREEMENT

The Alaska Department of Commerce, Community, and Economic Development, Division of Community and Regional Affairs (hereinafter 'Department') and **City of Homer** (hereinafter 'Grantee') agree as set forth herein.

Section I. The Department shall pay the Grantee for the performance of the project work under the terms outlined in this Agreement. The amount of the payment is based upon project expenses incurred, which are authorized under this Agreement. In no event shall the payment exceed **\$750,000.00**.

Section II. The Grantee shall perform all of the work required by this Agreement.

Section III. The work to be performed under this Agreement begins **April 15, 2022** and shall be completed no later than **June 30, 2027**.

Section IV. The Agreement consists of this page and the following:

ATTACHMENTS

- Attachment A: Scope of Work
1. Project Description
 2. Project Budget
 3. Project Management
 4. Reporting
- Attachment B: Payment Method
- Attachment C: Standard Provisions

AMENDMENTS

Any fully executed amendments to this Agreement

APPENDIX

Appendix A: State Laws and Regulations

Grantee		Department	
Signature		Signature	
Printed Name and Title Rob Dumouchel, City Manager		Printed Name and Title Pauletta Bourne, Grants Administrator 3	
Date		Date	

Attachment A Scope of Work

1. Project Description

The purpose of this FY 2022 Designated Legislative Grant in the amount of \$750,000.00 *pursuant to the provisions of AS 37.05.315, Grants to Municipalities, SLA 2022, HB281, Chapter 11, Section 14, Page 122, and Line 12* is to provide funding to the City of Homer for use towards the New Large Vessel Harbor: Matching Funds for Army Corps of Engineers General Investigation. The objective of this project is for the City of Homer to enter into a project feasibility cost share agreement (PFCSA) with the Corps of Engineers, Alaska District to conduct a 3-year General Investigation (GI) and a Chief's Report on a proposed navigation improvement to build a large vessel harbor to the north of Homer's existing small boat harbor. The GI will provide the economic, environmental, geophysical, and engineering analysis necessary to develop a final cost benefit ratio on a preferred design and launches the preconstruction design and engineering phase.

This project may include the following items:

- Contractual

Additional expenditures must be reasonable and relative to the project objective and may require preapproval by the department.

No more than five percent (5%) of the total grant award may be reimbursed for Administrative expenses for projects involving equipment purchase or repairs and no more than ten percent (10%) of the total grant award may be reimbursed for Administrative expenses for all other projects. To be reimbursed for eligible administrative costs, expenses must be reported on the Designated Legislative Grant Financial/Progress Report form.

2. Project Budget

Cost Category	Total Project Costs
Project Funds	\$750,000.00
Administration	\$0.00
Total Grant Funds	\$750,000.00

3. Project Management

This project will be managed by the Grantee.

Signatory authority for execution of the Grant Agreement and subsequent amendments is granted to the chief administrator. For grants appropriated to a municipality, the mayor is the chief administrator unless the municipality operates a managerial form of government; then the city manager/administrator acts as the chief administrator. For named recipients and unincorporated communities, the executive director or highest-ranking official will act as chief administrator.

The chief administrator may delegate authority for executing the Grant Agreement and amendments to others within the Grantee's organization via the Signatory Authority Form. The chief administrator also designates

financial and performance progress reporting authority via the Signatory Authority Form. Such delegation is limited to others within the Grantee's organization unless otherwise approved by the Department.

The Grantee must establish and maintain separate accounting for the use of this grant. The use of grant funds in any manner contrary to the terms and conditions of this Grant Agreement may result in the subsequent revocation of the grant and any balance of funds under the grant. It may also result in the Grantee being required to return such amounts to the State.

If applicable under state law, grantees must be registered and in good standing with the Department of Commerce, Community and Economic Development's Division of Corporations, Business and Professional Licensing.

4. Reporting

The Grantee shall submit a Designated Legislative Grant Financial/Progress Report Form provided by the Department each month, or quarterly, with the concurrence of the Department, during the life of the Grant Agreement. Grant Financial/Progress Report Forms are due thirty (30) days after the end of the month or quarter being reported. The report period is the first of the month through the last day of the month. If quarterly reporting is approved, the report period is the first day of the first month through the last day of the third month of the quarter. The final Financial/Progress Reports must be submitted within thirty (30) days following completion of the project.

Attachment B Payment Method

1. Reimbursement Payment

Upon receiving and approving a Grantee's Financial/Progress Report, the Department will reimburse the Grantee for expenditures paid during the reporting period, in accordance with this Grant Agreement. The Department will not reimburse without approved Financial/Progress Reports, prepared and submitted by the Grantee on the form provided by the Department. Before approving the financial/progress report for payment, the Department may require the Grantee to submit documentation of the costs reported (e.g., copies of vendor billings/invoices and proof of payment, general ledger expenditure report).

2. Advance Payment

In most instances, the Department will make payment to a Grantee on a cost reimbursable basis. If cost reimbursement significantly inhibits the Grantee's ability to implement the project, the Department may advance to the Grantee an amount not to exceed a projected thirty (30) day cash need, or twenty percent (20%) of the amount in Section I, whichever is less.

Before the Department will issue an advance, the Grantee must submit a "Request for Advance Payment" form along with documentation of costs associated with the advance. The "Request for Advance Payment" form can be obtained from the Department electronically or in hard copy.

All advances will be recovered with the Grantee's next Financial/Progress Report form. Should earned payments during the terms of this Grant Agreement be insufficient to recover the full amount of the advance, the Grantee will repay the unrecovered amount to the Department when requested to do so by the Department, or at termination of the Grant Agreement.

3. Withholding of Ten Percent (10%)

The Department may withhold ten percent (10%) of the amount in Section I until the Department determines that the Grantee has satisfactorily completed the terms of this Grant Agreement, including all required reporting of the project.

Attachment C Standard Provisions

Article 1. Definition

“Department” refers to the Department of Commerce, Community, and Economic Development with the State of Alaska.

Article 2. Indemnification

It is understood and agreed that this Grant Agreement is solely for the benefit of the parties to the Grant Agreement and gives no right to any other party. No joint venture or partnership is formed as a result of the Grant Agreement.

The Grantee, its successors and assigns, will protect, save, and hold harmless the Department and the State of Alaska and their authorized agents and employees, from all claims, actions, costs, damages, or expenses of any nature whatsoever by reason of the acts or omissions of the Grantee, its subcontractors, assigns, agents, contractors, licenses, invitees, employees, or any person whomever arising out of or in connection with any acts or activities authorized by this Grant Agreement. The Grantee further agrees to defend the Department and the State of Alaska and their authorized agents and employees in any litigation, including payment of any costs or attorney’s fees for any claims or actions commenced thereon arising out of or in connection with acts or activities authorized by this Grant Agreement. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the sole negligence of the Department of the State of Alaska or their authorized agents or employees, provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Department and the State of Alaska and their agents or employees, and (b) the Grantee, its agents or employees, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee, or Grantee’s agents or employees.

Article 3. Legal Authority

The Grantee certifies that it possesses legal authority to accept grant funds under the State of Alaska and to execute the project described in this Grant Agreement by signing the Grant Agreement document. The Grantee’s relation to the Department and the State of Alaska shall be at all times as an independent Grantee.

Article 4. Waivers

No conditions or provisions of this Grant Agreement can be waived unless approved by the Department in writing. The Department’s failure to insist upon strict performance of any provision of the Grant Agreement, or to exercise any right based upon a breach thereof, or the acceptance of any performance during such a breach, shall not constitute a waiver of any right under this Grant Agreement.

Article 5. Access to Records

The Department and duly authorized officials of the State of Alaska shall have full access and the right to examine, excerpt, or transcribe any pertinent documents, papers, records, and books of the Grantee, and of persons or organizations with which the Grantee may contract, involving transactions related to the project and this Grant Agreement.

Article 6. Reports

The Grantee, at such times and in such forms as the Department may require, shall furnish the Department with such periodic reports as it may request pertaining to the activities undertaken pursuant to this Grant Agreement, including the final close-out report, the costs and obligations incurred in connection therewith, and any other matters covered by this Grant Agreement.

Article 7. Retention of Records

The Grantee shall retain financial and other records relating to the performance of this Grant Agreement for a period of six years from the date when the final financial status report is submitted to the Department, or until final resolution of any audit findings, claims, or litigation related to the grant.

Article 8. Assignability

The Grantee shall not assign any interest in this Grant Agreement and shall not transfer any interest in the same (whether by assignment or novation).

Article 9. Financial Management and Accounting

The Grantee shall establish and maintain a financial management and accounting system that conforms to generally accepted accounting principles.

Article 10. Program Income

Program income earned during the award period shall be retained by the Grantee and added to the funds committed to the award and used for the purpose and under the conditions applicable to the use of award funds.

Article 11. Amendments and Modifications

The Grantee or the Department may request an amendment or modification of this Grant Agreement. However, such amendment or modification shall not take effect until approved, in writing, by the Department and the Grantee.

Article 12. Procurement

Grantees may utilize their own written procurement procedures, provided they reflect applicable state and local laws and regulations and conform to the standards identified in AS 36.30.

Article 13. State Excluded Parties List Report

The grantee is responsible for ensuring that all sub-grantees or sub-contractors are not listed on the 'Excluded Parties List Report', which identifies those parties excluded from receiving State contracts.

Article 14. Recordkeeping

The Grantee agrees to keep such records as the Department may require. Such records will include information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. They will also include information pertaining to project performance and efforts to comply with the provisions of the Grant Agreement.

Article 15. Obligations Regarding Third-Party Relationships

None of the Work specified in this Grant Agreement shall be contracted by the Grantee without prior approval of the Department. No permission for subcontracting shall create, between the Department or the State of Alaska and the subcontractor, any contract or any relationship.

The Grantee shall remain fully obligated under the provisions of this Grant Agreement notwithstanding its designation of any third party or parties of the undertaking of all or any part of the project described herein. Any subcontractor that is not the Grantee shall be required by the Grantee to comply with all applicable provisions of this Grant Agreement.

The Grantee shall bind all subcontractors to each and every applicable Grant Agreement provision. Each subcontract for work to be performed with funds granted under this Grant Agreement shall specifically include a provision that the Department and the State of Alaska are not liable for damages or claims from damages arising from any subcontractor's performance or activities under the terms of the subcontracts.

Article 16. Conflict of Interest

No officer or employee of the Department; no member, officer, or employee of the Grantee or its designees or agents; no member of the governing body of the jurisdiction in which the project is undertaken or located; and no other official of such locality or localities who exercises any functions or responsibilities with respect to the project during his or her tenure, shall have any personal or pecuniary gain or interest, direct or indirect, in any contract, subcontract, or the proceeds thereof, for work to be performed in connection with the project assisted under this Grant Agreement.

The Grantee shall incorporate, or cause to incorporate, in all such contracts or subcontracts, a provision prohibiting such interest pursuant to the purpose of this provision.

Article 17. Political Activity

No portion of the funds provided hereunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office or influence the approval or defeat of any ballot issue.

Article 18. Notices

The Grantee shall comply with all public notices or notices to individuals required by applicable state and federal laws and shall maintain a record of this compliance.

Article 19. Prohibition Against Payment of Bonus or Commission

The assistance provided under this Grant Agreement shall not be used in payment of any bonus or commission for the purpose of obtaining approval or concurrence under this contract provided, however, that reasonable fees of bona fide technical consultant, managerial, or other such services, other than actual solicitation, are not hereby prohibited if otherwise eligible as project costs.

Article 20. Termination by Mutual Agreement

This Grant Agreement may be terminated, in whole or in part, prior to the completion of contract project activities when both parties agree that continuation is not feasible or would not produce beneficial results commensurate with the further expenditure of funds. The Department will determine whether an environmental review of the cancellation is required under State and/or Federal law. The parties must agree on the termination conditions, including effective date and the portion to be terminated. The Grantee shall not incur new obligations for the terminated portion after the effective date, and shall cancel as many outstanding obligations as possible. The Department shall make funds available to the Grantee to pay for allowable expenses incurred before the effective date of termination.

Article 21. Termination for Cause

If the Grantee fails to comply with the terms of this Grant Agreement, or fails to use the grant for only those purposes set forth herein, the Department may take the following actions:

- A. Suspension – After notice in writing by certified mail to the Grantee, suspend the grant and withhold any further payment or prohibit the Grantee from incurring additional obligations of grant funds, pending corrective action by the Grantee or a decision to terminate. Response must be received within fifteen (15) days of receipt of the written notice.
- B. Termination – Terminate the grant in whole or in part, at any time before the final grant payment is made. The Department shall promptly notify the Grantee in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Payments made to the Grantee or recoveries by the Department shall be in accordance with the legal rights and liabilities of the parties.

Article 22. Withdrawal of Funds

In the event funding from the state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Grant Agreement and prior to normal completion, the Department may terminate the agreement, reduce funding, or re-negotiate subject to those new funding limitations and conditions. A termination under this article shall be implemented under the same conditions as a termination under Article 20 of this Attachment.

Article 23. Recovery of Funds

In the event of a default or violation of the terms of the Grant Agreement by the Grantee, the Department may institute actions to recover all or part of the project funds paid to the Grantee. Repayment by the Grantee of grant funds under this recovery provision shall occur within thirty (30) days of demand.

All remedies conferred on the Department by this agreement or any other instrument or agreement are cumulative, not exclusive, and may be exercised concurrently or consecutively at the Department’s option.

Article 24. Disputes

Except as otherwise provided in this agreement, any dispute concerning a question of fact arising under this agreement that is not disposed of by mutual agreement shall be decided by the Department, which shall reduce its decision to writing and mail, or otherwise furnish a copy thereof, to the Grantee. The decision of the Department shall be final and conclusive.

This “Disputes” clause does not preclude the consideration of questions of law in connection with the decision provided for in the preceding paragraph provided that nothing in the Grant Agreement shall be construed as making final the decisions of any administrative official, representative, or board on a question of law.

Article 25. Jurisdiction

This Grant Agreement shall be governed by the laws and statutes of the State of Alaska. The venue of any suit hereunder may be in the Superior Court for the First Judicial District, Juneau, Alaska.

Article 26. Ownership of Project/Capital Facilities

The Department makes no claim to any capital facilities or real property improved or constructed with funds under this Grant Agreement and, by this grant of funds, does not and will not acquire any ownership interest or title to such property of the Grantee. The Grantee shall assume all liabilities arising from the ownership and operation of the project and agrees to hold the Department and the State of Alaska harmless from any and all causes of action arising from the ownership and operation of the project.

Article 27. Site Control

If the grant project involves the occupancy and use of real property, the Grantee assures that it has the legal right to occupy and use such real property for the purposes of the grant, and further that there is legal access to such property.

As a minimum requirement, the Grantee should obtain a “sufficient interest” that allows the Grantee the right to use and occupy the site for the expected useful life of the building, structure or other improvement. Generally, the interest obtained should be for at least 20 years. A sufficient interest depends upon the nature of the project and the land status of the site.

Article 28. Insurance

The Grantee is responsible for obtaining any necessary liability insurance and maintain in force at all times during the performance of this Grant Agreement the insurance policies identified below. All insurance policies shall comply with, and be issued by insurers licensed to transact the business of insurance under Alaska Statute AS 21. The Grantee shall require any contractor hired to work on the project be licensed, bonded and insured for at least the amount of the project and if appropriate provide and maintain Professional Liability Insurance.

- A. Workers' Compensation Insurance for all employees engaged in work under this Grant Agreement, coverage as required by AS 23.30.045, and; where applicable, any other statutory obligations including but not limited to Federal U.S.L. & H. and Jones Act requirements.
- B. Commercial General Liability Insurance covering all business premises and operations used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$300,000 combined single limit per occurrence and annual aggregates where applicable.
- C. Comprehensive Automobile Liability Insurance covering all vehicles used by the Grantee in the performance of this project and Grant Agreement with coverage limits not less than \$100,000 per person/\$300,000 per occurrence bodily injury and \$50,000.00 property damage.
- D. Professional Liability Insurance covering all errors, omissions or negligent acts of the contractor, subcontractor or anyone directly or indirectly employed by them, made in the performance of this contract which result in financial loss to the State. Limits required are per the following schedule:

Contract Amount Minimum Required Limits

Under \$100,000 \$100,000 per occurrence/annual aggregate

Article 29. Subcontracts for Engineering Services

In the event that the Grantee subcontracts for engineering services, the Grantee will require that the engineering firm certify that it is authorized to do business in the State of Alaska. In the event that the engineering firm is also the project administrator, the Grantee shall require that the bond or insurance shall be for not less than the amount of the entire project.

Article 30. Governing law

This Grant Agreement is governed by the laws of the State of Alaska. The Grantee shall perform all aspects of this project in compliance with the appropriate laws and regulations. It is the responsibility of the Grantee to ensure that all permits required for the construction and operation of this project by the Federal, State, or Local governments have been obtained.

Article 31. Budget Flexibility

Notwithstanding the provisions of Article 11, Attachment C, the Grantee may revise the project budget in Attachment A without a formal amendment to this agreement. Such revisions are limited within each line item to a maximum of ten percent (10%) of the line item or \$10,000, whichever is less, over the entire term of this agreement. Such budget revisions shall be limited to changes to existing budget line items. Budget revisions may not be used to increase any budget item for project administrative expenses. Changes to the budget beyond the limits authorized by this provision may only be made by a formal amendment to this agreement.

Article 32. Equal Employment Opportunity (EEO)

The Grantee may not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood. The Grantee shall post in a conspicuous place, available to employees and applicants for employment, a notice setting out the provisions of this paragraph.

The Grantee shall state, in all solicitations or advertisements for employees to work on state funded projects, that it is an equal opportunity employer (EEO) and that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

The Grantee shall include the provisions of this EEO article in every contract relating to this Grant Agreement and shall require the inclusion of these provisions in every agreement entered into by any of its contractors, so that those provisions will be binding upon each contractor or subcontractor.

Article 33. Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against persons with disabilities. Title I of the ADA prohibits discrimination against persons with disabilities in employment and provides that a reasonable accommodation be provided for applicants and employees. Title II of the Act prohibits public agencies from discriminating against individuals with disabilities in the provision of services, programs, or activities. Reasonable accommodation must be made to ensure or allow access to all services, programs, or activities. This section of the Act includes physical access to public facilities and requires that public entities must, if necessary, make modifications to their facilities to remove physical barriers to ensure access by persons with disabilities. All new construction must also be accessible to persons with disabilities. A public entity's subgrantees or contractors must also comply with the ADA provisions. Grantees are responsible for assuring their compliance with the ADA.

Article 34. Public Purposes

The Grantee agrees that the project to which this Grant Agreement relates shall be dedicated to public purposes for its useful life. The benefits of the project shall be made available without regard to race, religion, color, national origin, age, physical handicap, sex, marital status, changes in marital status, pregnancy, or parenthood.

If the Grantee is a non-municipal entity and if monies appropriated under this grant constitute the sole or principal funding source for the acquisition of equipment or facilities, the Grantee agrees that in the event a municipal corporation is formed which possesses the power and jurisdiction to provide for such equipment or facilities, the Grantee shall offer, without compensation, to transfer ownership of such equipment or facilities to the municipal corporation.

If the Grantee is a non-profit corporation that dissolves, the assets and liabilities from the grant project are to be distributed according to statutory law, AS 10.20.290-10.20.452.

Article 35. Operation and Maintenance

Throughout the life of the project, the Grantee shall be responsible for the operation and maintenance of any facility, equipment, or other items acquired under this grant.

Article 36. Assurance

The Grantee shall spend monies awarded under this grant only for the purposes specified in this Grant Agreement.

Article 37. Current Prevailing Rates of Wage

Certain grant projects are constrained by the provisions of AS 36. PUBLIC CONTRACTS. To the extent that such provisions apply to the project which is the subject of this Grant Agreement, the Grantee shall pay the current prevailing rates of wage to employees as required by AS 36.05.010. The Grantee also shall require any contractor to pay the current prevailing rates of wage as required by AS 36.05.010.

Article 38. Severability

If any provision under this Grant Agreement or its application to any person or circumstance is held invalid by any court of rightful jurisdiction, this invalidity does not affect other provisions of the contract agreement which can be given effect without the invalid provision.

Article 39. Performance

The Department's failure to insist upon the strict performance of any provision of the Grant Agreement or to exercise any right based upon breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any rights under this Grant Agreement.

Article 40. Sovereign Immunity

If the Grantee is an entity which possesses sovereign immunity, it is a requirement of this grant that the Grantee irrevocably waive its sovereign immunity with respect to state enforcement of this Grant Agreement. The waiver of sovereign immunity, effected by resolution of the entity's governing body, is herein incorporated into this Grant Agreement.

Article 41. Audit Requirements

The Grantee must comply with the audit requirements of the Alaska Administrative Code set forth in **2AAC45.010. AUDIT REQUIREMENTS**. An entity that expends a cumulative or total, equal to the state single audit threshold during the fiscal year is required to have a state single audit. A copy of the most current **2AAC45.010** adopted regulations is available at the Alaska Department of Administration's State Single Audit website: <http://doa.alaska.gov/dof/ssa/index.html>.

Current audit compliance supplements and guides specific to programs under AS 37.05.315 Grants to Municipalities, AS 37.05.316 Grants to Named Recipients, and AS 37.05.317 Grants to Unincorporated Communities can be found at http://doa.alaska.gov/dof/ssa/audit_guide.html.

Article 42. Close-Out

The Department will advise the Grantee to initiate close-out procedures when the Department determines, in consultation with the Grantee, that there are no impediments to close-out and that the following criteria have been met or soon will be met:

- A. All costs to be paid with grant funds have been incurred with the exception of close-out costs and any unsettled third-party claims against the Grantee. Costs are incurred when goods and services are received or contract work is performed.
- B. The last required performance report has been submitted. The Grantee's failure to submit a report will not preclude the Department from effecting close-out if it is deemed to be in the State's interest. Any excess grant amount that may be in the Grantee's possession shall be returned by the Grantee in the event of the Grantee's failure to finish or update the report.
- C. Other responsibilities of the Grantee under this Grant Agreement and any close-out agreement and applicable laws and regulations appear to have been carried out satisfactorily or there is no further State interest in keeping the grant open for the purpose of securing performance.

Appendix A State Laws and Regulations and Permits

Grantees are responsible for all applicable state laws, regulations and permits; including but not limited to the following list which most commonly affects Grantees.

Municipality Public Facility Operations and Maintenance—AS 37.05.315(c)

In accepting a grant under AS 37.05.315 for construction of a public facility, a municipality covenants with the State that it will operate and maintain the facility for the practical life of the facility and that the municipality will not look to the State to operate or maintain the facility or pay for its operation or maintenance. This requirement does not apply to a grant for repair or improvement of an existing facility operated or maintained by the State at the time the grant is accepted if the repair or improvement for which the grant is made will not substantially increase the operating or maintenance costs to the State.

Restriction on Use—AS 37.05.321

A grant or earnings from a grant under AS 37.05.315 - 37.05.317 may not be used for the purpose of influencing legislative action. In this section “influencing legislative action” means promoting, advocating, supporting, modifying, opposing, or delaying or seeking to do the same with respect to any legislative action but does not include the provision or use of information, statistics, studies, or analyses in written or oral form or format. A grant or earnings from a grant made under AS 37.05.315 - 37.05.317 may not be used for purposes of travel in connection with influencing legislative action unless pursuant to a specific request from a legislator or legislative committee.

Hiring Preferences—AS 36.10

This chapter of the Alaska Statutes applies to grants for public works projects and requires compliance with the hiring preferences under AS 36.10.150 – 36.10.175 for employment generated by the grant.

Historic Preservation Act—AS 41.35

This chapter of the Alaska Statutes applies to public construction of any nature undertaken by the State, or by a governmental agency of the State, or by a private person under contract with or licensed by the State or a governmental agency of the State. The Department of Natural Resources must be notified if the construction is planned for an archaeological site. The Department of Natural Resources may stop the construction to determine the extent of the historic, prehistoric, or archaeological values.

Fire Protection—AS 18.70

This chapter of the Alaska Statutes requires the Alaska Department of Public Safety (the State Fire Marshal) to adopt regulations (currently in the form of Uniform Fire Code, as amended) establishing minimum standards for:

1. Fire detection and suppression equipment;
2. Fire and life safety criteria in commercial, industrial, business, institutional, or other public buildings used for residential purposes containing four or more dwelling units;
3. Any activity in which combustible or explosive materials are stored or handled in commercial quantities;
4. Conditions or activities carried on outside a building described in (2) or (3) likely to cause injury to persons or property.

Procurement Preference for State Agricultural and Fisheries Products—AS 29.71.040

This chapter of the Alaska Statutes applies to municipalities that use state funds to purchase agricultural and fisheries products. The law requires:

1. When agricultural products are purchased, only such products harvested in the state shall be purchased whenever priced no more than seven percent above products harvested outside the state, and of like quality compared with agricultural products harvested outside the state.
2. When fisheries products are purchased, only fisheries products harvested or processed within the jurisdiction of the state shall be purchased whenever priced no more than seven percent above products harvested or processed outside the jurisdiction of the state, available, and of like quality compared with fisheries products harvested or processed outside the jurisdiction of the state.

Alaska Product Preferences—AS 36.15

This chapter of the Alaska Statutes applies to projects financed by state money in which the use of timber, lumber, and manufactured lumber products is required, only timber, lumber and manufactured lumber projects originating in this state from local forests shall be used wherever practicable. The law requires the insertion of this clause in calls for bids and in all contracts awarded.

Permits and Environmental Procedures

The Alaska Department of Environmental Conservation (ADEC) regulates all activities in Alaska that might pollute the air, water or soil. There are dozens of ADEC permits related to constructing and operating public buildings. The law requires the following permits, including others designated by the commissioner. The following list is not intended to be all-inclusive.

- Air Emissions Permit
- Anadromous Fish Protection Permit
- Authorization for Tidelands Transportation
- Brine or Other Salt Water Waste Disposal Permit
- Burning Permit during Fire Season
- Coal Development Permit
- Critical Habitat Area Permit
- Dam Construction Permit
- Driveway Permit
- Encroachment Permit
- Miscellaneous State Land Use Permit
- Mineral and Geothermal Prospecting Permits
- Occupied Tide and Submerged Land
- Open Burning Permit
- Permit for Use of Timber or Materials
- Permit to Appropriate Water
- Pesticides Permit
- Preferred Use Permit
- Right-of-Way and Easement Permits
- Solid Waste Disposal
- Special Land Use Permit
- State Game Refuge Land Permit
- State Park Incompatible Use Permit
- Surface Oiling Permit
- Surface Use Permit
- Tide and Submerged Lands Prospecting Permit
- Tidelands Permit
- Tidelands Right-of-Way or Easement Permit
- Utility Permit
- Waste Water Disposal Permit
- Water Well Permit

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-65

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Accepting and Appropriating a 2022 Commercial Passenger Vessel Tax Program Grant from the State of Alaska for \$35,445 and a Commercial Passenger Vessel Tax Program 2022 Pass-Through Grant from the Kenai Peninsula Borough in the Amount of \$35,445 to Rebuild Crane #7 on Homer Fish Dock and Authorizing the City Manager to Negotiate and Execute the Appropriate Documents.

Sponsor: City Manager/Port Director

1. City Council Regular Meeting September 25, 2022 Introduction

Memorandum 22-162 from Port Director as backup.
2. City Council Regular Meeting October 10, 2022 Public Hearing and Second Reading

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

3 City Manager/
4 Port Director

5 **ORDINANCE 22-65**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY23 CAPITAL BUDGET BY ACCEPTING AND
9 APPROPRIATING A 2022 COMMERCIAL PASSENGER VESSEL TAX
10 PROGRAM GRANT FROM THE STATE OF ALASKA FOR \$35,445 AND
11 A COMMERCIAL PASSENGER VESSEL TAX PROGRAM 2022 PASS-
12 THROUGH GRANT FROM THE KENAI PENINSULA BOROUGH IN
13 THE AMOUNT OF \$35,445 TO REBUILD CRANE #7 ON HOMER FISH
14 DOCK AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE
15 AND EXECUTE THE APPROPRIATE DOCUMENTS.
16

17 WHEREAS, Over the years, the City of Homer has received revenues commensurate with
18 local cruise ship landings from the State of Alaska and the Kenai Peninsula Borough under the
19 Commercial Vessel Passenger Tax (CPVT) Program; and
20

21 WHEREAS, In the absence of cruise ship travel in 2022 due to the novel coronavirus
22 pandemic, the State of Alaska has made CPVT Program funds available to qualifying
23 jurisdictions using American Rescue Plan Act (ARPA) funds; and
24

25 WHEREAS, The State of Alaska has awarded the City of Homer \$35,445 in 2022 CPVT
26 revenues via a federal pass-through of ARPA funds; and
27

28 WHEREAS, The Kenai Peninsula Borough authorized the additional \$35,445 in 2022
29 CPVT revenues via a federal pass-through of ARPA funds; and
30

31 WHEREAS, Use of the 2022 CPVT Program funds must adhere to the ARPA guidance; and
32

33 WHEREAS, ARPA eligible use guidelines allows the City of Homer to accept the funds as
34 revenue replacement and to utilize them to support a pay-go project; and
35

36 WHEREAS, The City has identified the rebuild of Crane #7 on Homer's Fish Dock as an
37 eligible pay-go capital project for the funds.
38

39 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
40

41 Section 1. The Homer City Council hereby amends the FY23 Capital Budget by
42 accepting the State of Alaska Commercial Vessel Passenger Tax Program ARPA pass through

43 grant and the Kenai Peninsula Borough Commercial Vessel Passenger Tax Program ARPA pass
44 through grant for calendar year 2022 in the amount of \$35,445 each as follows:

45

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
46 460-0927	State of Alaska CPVT CY2021 Pass-Through Grant	\$35,445
47 460-0927	KPB CPVT CY2021 Pass-Through Grant	<u>\$35,445</u>
48	Total:	\$70,890

49

50

51 Section 2. The Homer City Council hereby amends the FY23 Capital Budget by
52 appropriating the State of Alaska Commercial Vessel Passenger Tax Program ARPA pass
53 through grant and the Kenai Peninsula Borough Commercial Vessel Passenger Tax Program
54 ARPA pass through grant for calendar year 2022 totaling \$70,890 to rebuild Crane #7 on Homer
55 Fish Dock as follows:

56

57 Transfer to:

<u>Fund</u>	<u>Description</u>	<u>Amount</u>
58 415-xxxx	Fish Dock Crane #7 Rebuild	\$70,890

59

60

61 Section 3. This is a budget amendment Ordinance, is not permanent in nature and shall
62 not be codified.

63

64 Section 4. The City Manager is authorized to negotiate and execute the appropriate
65 documents.

66

67 ENACTED BY THE HOMER CITY COUNCIL this 10th day of October, 2022.

68

69 CITY OF HOMER

70

71

72 _____

73 KEN CASTNER, MAYOR

74

75 ATTEST:

76

77

78 _____

79 MELISSA JACOBSEN, MMC, CITY CLERK

80

81 YES:

82 NO:

83 ABSTAIN:

84 ABSENT:

- 85
- 86 First Reading:
- 87 Public Hearing:
- 88 Second Reading:
- 89 Effective Date:



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 22-162

TO: HOMER CITY COUNCIL

THRU: ROB DUMOUCHEL, CITY MANAGER

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: SEPTEMBER 15, 2022

SUBJECT: ACCEPTING 2022 COMMERCIAL PASSENGER VESSEL TAX (CPVT) THROUGH GRANTS FROM THE STATE OF ALASKA AND THE KENAI PENINSULA BOROUGH FOR THE RE-BUILD OF FISH DOCK CRANE #7

A May 3, 2022 Memo from Special Projects Coordinator Jenny Carroll informed City Council of staff's intent to apply to use 2022 CPVT funds to offset the cost of rebuilding Crane #7 and, once approved by the Kenai Peninsula Borough, to bring an Ordinance before Council to accept and appropriate the grant funds for the project.

On September 6, 2022, The Kenai Peninsula Borough Assembly enacted Ordinance 2022-19-12, which approved the pass through of CVTP grant funds in the amount of \$35,445 to the City of Homer. The City has also received the same amount of CVTP funds directly from the State, but those funds have not been appropriated yet. The Ordinances before you accepts and appropriates these 2022 CVTP grant funds for the crane project and amends the FY22-23 Capital Budget to allocate \$69,110 from the Port and Harbor Reserve Fund to supplement the grant funds and get the job done.

Sole Source Justification

The City issued an open RFP in 2013 for the rebuild of cranes 5, 6 and 8. The lowest bid was Oil & Gas Supply Company, owned and run by Sean Harwager, which has been renamed Great Northern Hydraulics. The contract was awarded to them in 2014 with a comprehensibly satisfying result. More recently, in January of 2022 when Crane #4 needed an emergency repair to be operable for the 2022 fishing season, staff called around to the known in-state businesses who perform crane rebuilds like this. Quotes were obtained from Great Northern Hydraulics, LLC and AP Mechanical & Crane Services. Desperate Marine LLC in Homer was also contacted but stated they didn't have the employee time or shop space to accommodate such a project at this time. The A P Mechanical & Crane Services quote came in as the higher of the two, and

included subcontracting out the winch, rams and hose work to Great Northern Hydraulics, further confirming that Great Northern Hydraulics was the only local option and led to the request for this sole source contract.

It's anticipated that the rebuild will take a minimum of two months, and it's necessary that this work is completed during the winter maintenance season as the fishing fleet heavily utilize these cranes during the fishing season, set to start in March. Last year these cranes created \$183,840.58 in harbor revenue, and 1,609 crane hours were logged as boats geared up and delivered their fresh fish for processing, sale, and consumption.

Great Northern Hydraulics, LLC has an excellent working history with the City, has extensive and detailed knowledge of Fish Dock cranes through the previous crane repairs they performed, has been a competitive bidder in previous RFP cycles, and it is the only local business that can complete the rebuild entirely within its shop in a timely manner to return the crane to public use for spring fisheries.

Great Northern Hydraulics LLC has provided a quote for Crane #7 Rebuild in the amount of \$140,000. Council approval of the pass-through CPVT funds will allow us to use a combination of \$70,890 in pass through funds and \$69,110 from the Port Reserves to complete this project.

RECOMMENDATION

Staff recommends accepting and appropriating the \$70,890.00 in Commercial Passenger Vessel Tax proceeds to rebuild Crane #7 and amending the FY 22-23 budget to allocate \$69,110 from the Port and Harbor Reserves to complete funding for the project. Staff additionally recommends Council approval of a sole source contract with Great Northern Hydraulics in the amount of \$140,000 to perform the work.

Attached:

- May 3, 2022 Memorandum to Mayor Castner and City Council from Jenny Carroll, Special Projects Coordinator
- Kenai Peninsula Borough Ordinance 2022-19-12
- Great Northern Hydraulics, LLC quote for the re-build of Crane #7



City of Homer

www.cityofhomer-ak.gov

Administration

491 East Pioneer Avenue
Homer, Alaska 99603

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Castner and City Council
FROM: Jenny Carroll, Special Projects and Communications Coordinator
THROUGH: Rob Dumouchel, City Manager
DATE: May 3, 2022
SUBJECT: 2022 Commercial Vessel Passenger Tax Grant

The City of Homer annually receives revenues commensurate with local cruise ship landings from the State of Alaska and the Kenai Peninsula Borough under the Commercial Passenger Vessel Tax Program. In the absence of cruise ship visits in 2021 due to COVID-19, the State of Alaska is again making CVPT Program Funds available to qualifying jurisdictions using American Rescue Plan Act (ARPA) funds. Use of these funds must adhere to ARPA guidance.

The 2022 CVPT amount available to the City of Homer is \$70,910, with half coming directly from the State of Alaska and half coming as a pass-through from the Kenai Peninsula Borough. The Borough will soon be sponsoring an Ordinance authorizing the pass-through grant to the City of Homer, but requires that we first request the grant funds and identify how we plan to use them.

Staff has reviewed eligible projects and will be proposing to the Borough to accept the CVPT ARPA pass through funds as revenue replacement and to utilize them in a pay-as-you-go project: refurbishing Crane #7 on the City owned and managed Fish Dock in the Port & Harbor.

The Fish Dock has seven fixed pedestal cranes for harbor patron use through a special use contract. The cranes are 35 years old. City staff maintain the cranes, which are inspected annually by OSHA certified inspectors. To keep them operational and employ improvements in technology and safety, rebuilding the cranes incrementally over time has been a priority for the Enterprise and the Port Commission.

Because of Crane 7's age and that it is one of two of our ten-ton cranes and has extensive wear, we estimate the cost of the rebuild between \$95,000 and \$100,000, which is substantially less than the cost of replacement. If awarded, the CPVT ARPA grant will cover most of the cost, with the balance provided by the Homer Port and Harbor reserves. The process to refurbish a crane takes approximately 6 weeks to complete. If approved, we'll plan for work to commence during the 2023 winter shutdown.

Once approved by the Kenai Peninsula Borough, staff will bring an Ordinance before City Council to accept and appropriate the grant funds for the project.

Great Northern Hydraulics, LLC
 907-335-0045
 42720 Kenai Spur Hwy
 Kenai, AK 99611
 sales@gnhyd.com

ESTIMATE

Date	
5/13/2022	CRANE #7

Name / Address
City of Homer Port & Harbor 491 E Pioneer Avenue Homer, AK 99603

Requested By

Description	Qty	Rate	Total
<p>LABOR AND MATERIAL TO REMOVE CRANE #7, PERFORM COMPLETE TEARDOWN, SAND BLAST AND PAINT ALL PARTS, LINE BORE AND INSTALL NEW BUSHINGS AND PINS, REBUILD AND RESEAL ALL CYLINDERS, CLEAN AND MODIFY HYDRAULIC TANK, INSTALL NEW WINCH, WIRE ROPE, AND HEADACHE BALL, REPAIR ELECTRIC MOTOR AS NEEDED, INSTALL NEW HYDRAULIC VALVE WITH HYDRAULIC PILOT CONTROLS, ALL ADAPTORS TO BE STAINLESS STEEL, FAB ALL NEW HOSES, FAB NEW DIAMOND PLATE VALVE STAND AND TUBING COVER, INSTALL STAINLESS STEEL TUBING FROM PILOT CONTROLS TO VALVE, INSTALL NEW WEAR PADS, INSTALL NEW PRESSURE FILTERS, RETURN FILTERS AND SUCTION STRAINERS, APPLY ALL NEW WARNING DECALS AND SIGNAGE, FILL CRANE WITH NEW HYDRAULIC FLUID, ASSEMBLE WITH ALL NEW MOUNTING HARDWARE, FUNCTION TEST CRANE AFTER ASSEMBLY.</p> <p>THIS QUOTE REFLECTS THE CURRENT PRICING ON PARTS. DUE TO CURRENT ECONOMIC CONDITIONS AND TIME FRAME OF DOING THE CRANE THE PRICES COULD CHANGE.</p> <p>THIS QUOTE DOES NOT INCLUDE FREIGHT. LEAD TIME AND DELIVERY DATES BASED UPON CURRENT INFORMATION AND ARE SUBJECT TO CHANGE</p>	1	140,000.00	140,000.00
This quote is only good for 30 days		Total	\$140,000.00

Introduced by: Mayor
Date: 08/23/22
Hearing: 09/06/22
Action: Enacted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2022-19-12**

AN ORDINANCE ACCEPTING AND APPROPRIATING THE COMMERCIAL PASSENGER VESSEL TAX PROCEEDS RECEIVED FROM THE STATE OF ALASKA UNDER THE FEDERAL PASS-THROUGH PROGRAM, AMERICAN RESCUE PLAN ACT OF 2021 IN THE AMOUNT OF \$612,640 AND ALLOCATING \$577,195 TO THE CITY OF SEWARD AND \$35,445 TO THE CITY OF HOMER

WHEREAS, House Bill 69, which appropriated funding to the Commercial Passenger Vessel (“CPV”) Excise Tax shared tax program, was passed by the State Legislature and signed by the Governor on July 7, 2021; and

WHEREAS, House Bill 69 appropriated funds from the American Rescue Plan Act (“ARPA”) of 2021 to supplement the same amount that was shared to eligible ports of call for calendar year 2021, and the disbursements will be equal to the disbursements in calendar year 2020; and

WHEREAS, the total amount received by the Borough from the State of Alaska for the 2020 calendar year CPV is \$612,640.00; and

WHEREAS, the City of Seward and the City of Homer are eligible ports of call that can request their share of the funds to be received for improvement projects eligible under the U.S. Treasury ARPA Interim Guidance; and

WHEREAS, the funds used by the cities of Seward and Homer must comply with ARPA requirements using final treasury and federal guidance;

NOW, THEREFORE, BE IT ORDERED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The amount of \$612,640.00 received from the State of Alaska for the commercial passenger vessel excise tax collection program be appropriated from the miscellaneous grant fund balance to account 271.94910.22CPV.43011, contract services, for payment to the City of Seward in the Amount of \$577,195 and to the City of Homer in the amount of \$35,445 to be used for projects eligible under the under the U.S. Treasury American Rescue Plan Act of 2021 Final Guidance.

SECTION 2. That the mayor is authorized to execute grant agreements and any other documents deemed necessary to expend the funds and to fulfill the intents and purposes of this ordinance.

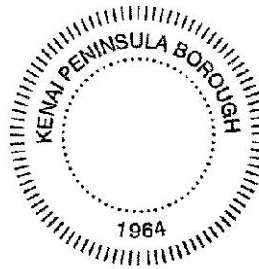
SECTION 3. That this ordinance is retroactively effective on July 1, 2022.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 6TH DAY OF SEPTEMBER, 2022.


Brent Johnson, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk



Yes: Bjorkman, Chesley, Cox, Derkevorkian, Ecklund, Elam, Hibbert, Tupper, Johnson
No: None
Absent: None

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-66

An Ordinance of the City Council of Homer, Alaska Amending the FY23 Capital Budget by Appropriating \$69,110 from the Port Reserve Fund to Rebuild Crane #7 on Homer Fish Dock and Authorizing a Sole Source Contract with Great Northern Hydraulics, LLC.

Sponsor: City Manager/Port Director

1. City Council Regular Meeting September 25, 2022 Introduction
Memorandum 22-162 from Port Director as backup.
2. City Council Regular Meeting October 10, 2022 Public Hearing and Second Reading

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

3 City Manager/
4 Port Director

5 **ORDINANCE 22-66**

6
7 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
8 AMENDING THE FY23 CAPITAL BUDGET BY APPROPRIATING
9 \$69,110 FROM THE PORT RESERVE FUND TO REBUILD CRANE #7
10 ON HOMER FISH DOCK AND AUTHORIZING A SOLE SOURCE
11 CONTRACT GREAT NORTHERN HYDRAULICS, LLC.
12

13 WHEREAS, Cranes on Homer’s Fish Dock are used heavily during the commercial fishing
14 season, logging a total of 1,609 hours and generating \$183,840 in harbor revenue as boats gear
15 up and deliver catch for processing and sale; and
16

17 WHEREAS, Crane #7, given its age and hours logged, is overdue for a rebuild according
18 to the Port & Harbor Maintenance Schedule, which the Crane’s maintenance log confirms; and
19

20 WHEREAS, The estimated cost to rebuild Crane #7 is \$140,000; and
21

22 WHEREAS, The City has identified the rebuild of Crane #7 as a pay-go capital project
23 eligible for 2022 Commercial Passenger Vessel Tax (CPVT) revenue grants from the State of
24 Alaska and Kenai Peninsula Borough; and
25

26 WHEREAS, Utilizing \$70,890 in 2022 CPVT revenues significantly offsets the cost of this
27 needed maintenance; and
28

29 WHEREAS, Completing the project to return Crane #7 to service for the upcoming
30 commercial fishing season requires an appropriation from the Port Reserve Fund to complete
31 the project; and
32

33 WHEREAS, Since Great Northern Hydraulics, LLC has extensive and detailed knowledge
34 of Fish Dock cranes through previous crane repairs performed for the City, and it is the only
35 local business that can complete the rebuild entirely within its shop in a timely manner to
36 return the crane to public use for spring fisheries, a sole source contract is justified.
37

38 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
39

40 Section 1. The FY23 Capital Budget is hereby amended by appropriating \$69,110 to
41 complete repairs on Fish Dock Crane #7 as follows:
42
43

44	<u>Fund</u>	<u>Description</u>	<u>Amount</u>
45	456-0380	Fish Dock Crane #7 Rebuild	\$69,110

46

47 Section 2. The City Manager is authorized to enter into a sole source contract with
48 Great Northern Hydraulics, LLC in an amount not to exceed \$140,000 for the rebuild of Crane
49 #7.

50

51 Section 3. This Ordinance is a budget Ordinance only, is not permanent in nature, and
52 shall not be codified.

53

54 ENACTED BY THE HOMER CITY COUNCIL this 10th day of October, 2022.

55

56 CITY OF HOMER

57

58

59

60

KEN CASTNER, MAYOR

61

62 ATTEST:

63

64

65

66 MELISSA JACOBSEN, MMC, CITY CLERK

67

68 YES:

69 NO:

70 ABSTAIN:

71 ABSENT:

72

73 First Reading:

74 Public Hearing:

75 Second Reading:

76 Effective Date:



City of Homer

www.cityofhomer-ak.gov

Port and Harbor

4311 Freight Dock Road
Homer, AK 99603

port@cityofhomer-ak.gov

(p) 907-235-3160

(f) 907-235-3152

Memorandum 22-162

TO: HOMER CITY COUNCIL

THRU: ROB DUMOUCHEL, CITY MANAGER

FROM: BRYAN HAWKINS, PORT DIRECTOR/HARBORMASTER

DATE: SEPTEMBER 15, 2022

SUBJECT: ACCEPTING 2022 COMMERCIAL PASSENGER VESSEL TAX (CPVT) THROUGH GRANTS FROM THE STATE OF ALASKA AND THE KENAI PENINSULA BOROUGH FOR THE RE-BUILD OF FISH DOCK CRANE #7

A May 3, 2022 Memo from Special Projects Coordinator Jenny Carroll informed City Council of staff's intent to apply to use 2022 CPVT funds to offset the cost of rebuilding Crane #7 and, once approved by the Kenai Peninsula Borough, to bring an Ordinance before Council to accept and appropriate the grant funds for the project.

On September 6, 2022, The Kenai Peninsula Borough Assembly enacted Ordinance 2022-19-12, which approved the pass through of CVTP grant funds in the amount of \$35,445 to the City of Homer. The City has also received the same amount of CVTP funds directly from the State, but those funds have not been appropriated yet. The Ordinances before you accepts and appropriates these 2022 CVTP grant funds for the crane project and amends the FY22-23 Capital Budget to allocate \$69,110 from the Port and Harbor Reserve Fund to supplement the grant funds and get the job done.

Sole Source Justification

The City issued an open RFP in 2013 for the rebuild of cranes 5, 6 and 8. The lowest bid was Oil & Gas Supply Company, owned and run by Sean Harwager, which has been renamed Great Northern Hydraulics. The contract was awarded to them in 2014 with a comprehensibly satisfying result. More recently, in January of 2022 when Crane #4 needed an emergency repair to be operable for the 2022 fishing season, staff called around to the known in-state businesses who perform crane rebuilds like this. Quotes were obtained from Great Northern Hydraulics, LLC and AP Mechanical & Crane Services. Desperate Marine LLC in Homer was also contacted but stated they didn't have the employee time or shop space to accommodate such a project at this time. The A P Mechanical & Crane Services quote came in as the higher of the two, and

included subcontracting out the winch, rams and hose work to Great Northern Hydraulics, further confirming that Great Northern Hydraulics was the only local option and led to the request for this sole source contract.

It's anticipated that the rebuild will take a minimum of two months, and it's necessary that this work is completed during the winter maintenance season as the fishing fleet heavily utilize these cranes during the fishing season, set to start in March. Last year these cranes created \$183,840.58 in harbor revenue, and 1,609 crane hours were logged as boats geared up and delivered their fresh fish for processing, sale, and consumption.

Great Northern Hydraulics, LLC has an excellent working history with the City, has extensive and detailed knowledge of Fish Dock cranes through the previous crane repairs they performed, has been a competitive bidder in previous RFP cycles, and it is the only local business that can complete the rebuild entirely within its shop in a timely manner to return the crane to public use for spring fisheries.

Great Northern Hydraulics LLC has provided a quote for Crane #7 Rebuild in the amount of \$140,000. Council approval of the pass-through CPVT funds will allow us to use a combination of \$70,890 in pass through funds and \$69,110 from the Port Reserves to complete this project.

RECOMMENDATION

Staff recommends accepting and appropriating the \$70,890.00 in Commercial Passenger Vessel Tax proceeds to rebuild Crane #7 and amending the FY 22-23 budget to allocate \$69,110 from the Port and Harbor Reserves to complete funding for the project. Staff additionally recommends Council approval of a sole source contract with Great Northern Hydraulics in the amount of \$140,000 to perform the work.

Attached:

- May 3, 2022 Memorandum to Mayor Castner and City Council from Jenny Carroll, Special Projects Coordinator
- Kenai Peninsula Borough Ordinance 2022-19-12
- Great Northern Hydraulics, LLC quote for the re-build of Crane #7

CITY OF HOMER
FINANCIAL SUPPLEMENT

PROJECT NAME	<u>Fish Dock Crane #7 Rebuild</u>	DATE	<u>09/21/2022</u>
DEPARTMENT	<u>Port and Harbor</u>	SPONSOR	<u>City Manager/Port Director</u>
REQUESTED AMOUNT	<u>\$ 69,110</u>		

DESCRIPTION	<p>The estimated cost to rebuild Crane #7 is \$140,000.</p> <p>The City has identified the rebuild of Crane #7 as a pay-go capital project eligible for 2022 Commercial Passenger Vessel Tax (CPVT) revenue grants from the State of Alaska and Kenai Peninsula Borough. Utilizing \$70,890 in 2022 CPVT revenues significantly offsets the cost of this needed maintenance; and</p> <p>Completing the project to return Crane #7 to service for the upcoming commercial fishing season requires an appropriation from the Port Reserve Fund to complete the project.</p>
-------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

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

FUNDING SOURCE 1: Port Reserves	FUNDING SOURCE 2:	FUNDING SOURCE 3:
Current Balance <u>\$ 2,792,704</u>	Current Balance _____	Current Balance _____
Encumbered <u>\$ 580,698</u>	Encumbered _____	Encumbered _____
Requested Amount <u>\$ 69,110</u>	Requested Amount _____	Requested Amount _____
Other Items on Current Agenda <u>\$ 0</u>	Other Items on Current Agenda _____	Other Items on Current Agenda _____
Remaining Balance <u>\$ 2,142,896</u>	Remaining Balance _____	Remaining Balance _____
FUNDING SOURCE 4:	FUNDING SOURCE 5:	FUNDING SOURCE 6:
Current Balance _____	Current Balance _____	Current Balance _____
Encumbered _____	Encumbered _____	Encumbered _____
Requested Amount _____	Requested Amount _____	Requested Amount _____
Remaining Balance _____	Remaining Balance _____	Remaining Balance _____

ORDINANCE REFERENCE SHEET
2022 ORDINANCE
ORDINANCE 22-69

An Emergency Ordinance of the City Council of Homer, Alaska Appropriating \$40,000 from the Homer Accelerated Roads and Trails Road Fund to Repair Alder Lane and Authorize an Increase in the East Road Services Indefinite Delivery Indefinite Quantity (IDIQ) Contract for this Work.

Sponsor: City Manager/Public Works Director

1. City Council Regular Meeting October 10, 2022

Memorandum 22-175 from City Planner as backup.

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

3 City Manager/
4 Public Works Director

5 **ORDINANCE 22-69**
6

7 AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF HOMER,
8 ALASKA, APPROPRIATING \$40,000 FROM THE HOMER
9 ACCELERATED ROADS AND TRAILS ROAD FUND TO REPAIR ALDER
10 LANE AND AUTHORIZE AN INCREASE IN THE EAST ROAD SERVICES
11 IDIQ CONTRACT FOR THIS WORK.
12

13 WHEREAS, The City only maintains the first 400 feet of Alder Lane, with the rest of the
14 almost 1000 feet of road being the responsibility of the property owners; and
15

16 WHEREAS, The Alder Lane Water Main Extension Project adversely impacted Alder Lane,
17 making parts of it almost impassable when wet; and
18

19 WHEREAS, Public Works proposes to remedy the situation by digging out an additional
20 250 feet of road, beyond what the City already maintains, in much the same way we have been
21 digging out frost boils on other substandard roads, thereby returning all of the traveled way to
22 driving condition and enabling the City to extend its road maintenance; and
23

24 WHEREAS, This work needs to be done before it snows, making it imperative to do it
25 as soon as possible because last year it snowed in late October; and
26

27 WHEREAS, Public Works proposes to do this work using East Road Services' IDIQ
28 contract at an estimated cost of \$40,000.
29

30 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
31

32 Section 1. The City of Homer's 2022-23 Capital Budget is hereby amended by
33 appropriating \$40,000 from the HART-Roads Fund emergency repair of Alder Lane as follows:
34

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
160-xxxx	HART Roads	\$40,000

35
36
37

38 Section 2. The East Road Services IDIQ is increased by \$40,000 to perform this work.
39

40 Section 3. This is an emergency ordinance and is effective for 60 days pursuant to HCC
41 1.08.040.
42

43 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 10th day of October, 2022.

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45

CITY OF HOMER

46

47

48

KEN CASTNER, MAYOR

49 ATTEST:

50

51

52 _____
MELISSA JACOBSEN, MMC, CITY CLERK

53

54 YES:

55 NO:

56 ABSTAIN:

57 ABSENT:

58

59 First Reading:

60 Public Hearing:

61 Second Reading:

62 Effective Date:



City of Homer

www.cityofhomer-ak.gov

Public Works

3575 Heath Street
Homer, AK 99603

publicworks@cityofhomer-ak.gov

(p) 907- 235-3170

(f) 907-235-3145

Memorandum 22-175

TO: City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Janette Keiser, PE, Director of Public Works
DATE: September 29, 2022
SUBJECT: East Road Services IDIQ Contract

I. **Issue:** The purpose of this memorandum is to request an emergency ordinance to repair Alder Lane.

II. **Background:** Alder Lane is about 1000 feet long. The City maintains the first 400 feet. The rest of the road is the responsibility of the property owners. The original project to extend a water main down Alder Lane did not include upgrading the entire length of the road. The design called for most of the water line itself, 1200 LF, to be installed outside of the traveled way. The greatest impact to the road would have resulted from the trenches excavated across the traveled way for the purpose of installing water service lines. The plans called for these trenches to be backfilled as structural trench sections; that is, capable of supporting traffic.

The rainy weather and poor native soils as well as the construction contractor's inexperienced workers combined to turn what was already a sub-standard road into, when it is wet, an almost impassable mess. We propose to remedy the situation by digging out an additional 250 feet of road, beyond what we already maintain, in much the same way we have been digging out frost boils on other substandard roads. This would return the traveled way to driving condition and enable us to extend our road maintenance. This work needs to be done before it snows so it is imperative we do it as soon as possible. Last year, it snowed in late October.

We propose to do this work using East Road Services' IDIQ contract at an estimated cost of \$40,000. We will be withholding payment from the Alder Lane water line contractor. It won't be enough to cover all the costs, but it will deter them from coming back to Homer.

III. **Recommendations:** That the City Council authorize an emergency ordinance to (1) appropriate \$40,000 from the HART Road Fund and (2) increase the East Road Services IDIQ contract by \$40,000 to repair Alder Lane.



City of Homer

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Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Rob Dumouchel, City Manager
DATE: October 6, 2022
SUBJECT: City Manager's Report for October 10, 2022 Council Meeting

Main Street Sidewalk Construction

We're just waiting on a break in the weather to pave the sidewalk... almost done!

Master Transportation Plan and Trail Symposium

On October 1st, the City and Homer Drawdown co-hosted the Homer Pathways Forward: Non-Motorized Transportation Symposium. Thanks to Homer Drawdown and Kachemak Campus for this event partnership! The event was well attended and the public had a lot of great comments and suggestions. It was great to be back in person and see community members fully engaged. There were many take-aways, but one theme stood out: The sidewalks and paths that people most care about are on roads the City doesn't own. We will be discussing this more in the future.



Next up for the Transportation Plan are two surveys; one is a survey monkey, and the other is a mapping tool where people can make comments with a pinpointed location. You can find the project website and surveys here: <https://www.cityofhomer-ak.gov/publicworks/transportation-plan>. Paper survey copies are available at the Library and City Hall. Economic Development Manager Julie Engebretsen and Brad Parsons of the Independent Living Center will be providing broad project overviews to all City Boards and Commissions during the month of October. An update will be provided to Council at the October 24th meeting. The next community meeting is scheduled for Wednesday, November 9th at the college.

Comprehensive Plan and Zoning Code RFP

Two major priorities set in the Council's 2022 visioning work session were the updates of the Comprehensive Plan and the Zoning Code. A staff working group, together with councilmembers Aderhold and Davis, collaborated to create an RFP for consulting services. We have chosen to put them out for proposal together to ensure a smooth transition from Comprehensive Plan to Zoning Code rewrite. We don't typically bring draft RFPs to Council, but this is a particularly large/important project and we wanted to make sure the Council had a chance to see this document before it hits the street. You will notice that the RFP contains instructions not to exceed \$650,000. Based on experience, current market conditions, and general market research, we believe that this multi-year project can be accomplished at or below that number. We have not yet asked Council for an appropriation, but I have mentioned throughout the last year that these updates were projects I had in mind as potential uses of the \$1.5M Council moved into the General Fund CARMA account earlier this year (Ordinance 22-09).

Homeland Security Site Visit

We recently received a visit from an audit team working for the State's office of Homeland Security. They came to review our Homeland Security grants for 2018, 2019, 2020, and 2021. The audit consisted of an extensive review of our financial files for each grant year and an on-site evaluation of various equipment to ensure the accuracy of our grant equipment inventory reports. Our financial files were found to be in very good order and our equipment inventory report checks were also positive. The team complimented Homer for doing things the right way and submitting required reports as needed and on time. The visit took half the time anticipated largely due to our team's strong performance in grant management.

AMLJIA Board of Trustees

The Alaska Municipal League (AML) Board of Directors and the Alaska Municipal League Joint Insurance Association (AMLJIA) Board of Trustees have voted to approve me as an AMLJIA trustee. I will officially take my seat on the Board at their December meeting held during the AML conference. To prepare for the transition, I attended the most recent quarterly meeting of the AMLJIA Board of Trustees in Anchorage. I also participated in a strategic planning session. The board meets quarterly and will pay for any required travel.

Cities of Opportunity Cohort

I nominated Economic Development Manager Julie Engebretsen to participate in a statewide cohort for the Alaska Municipal League's new "Cities of Opportunity" program. She was accepted to the program which is now underway. The cohort will meet monthly over the next year with an emphasis on economic development and healthy communities, in concert with the Alaska Conference of Mayors. Determinants of economic development and community health include the physical, social, economic, and work and service environments. The cohort includes up to twenty municipal leaders to share experiences and challenges, evaluate community data trends, identify potential local government roles, produce a road map for local action, and connect with strategic partners to discuss implementation. At the first meeting, Julie was able to share with other communities the success of Homer's Community Health Needs Assessments, and the

partnerships created through MaPP. Julie is looking forward to sharing our learned experiences with colleagues in other Alaskan communities, as well as to learn from their successes.

Budget Priorities and Planning

We are scheduled to have a discussion regarding Council budget priorities at our next meeting (October 24th), there will also be a public hearing. This will be the first of many opportunities to talk about what you want to see in the FY24/25 budget.

As part of an initiative to increase outreach to boards and commissions early in the budget process, Finance Director Walton has been meeting with different bodies to talk about the FY24/25 budget. She met with the Library Advisory Board and Port Commission in their respective September meetings to discuss the FY24/25 budget process and to answer any budget related questions. The FY24/25 budget schedule was distributed and discussed. Future capital planning and spending was a hot topic in both meetings. Director Walton is also scheduled to meet with the Economic Development Commission (EDC) on Tuesday, October 11th. The plan is to share the FY24/25 budget schedule and to be available to answer any questions the EDC has regarding the budget process.

Caselle Fiscal Year Conversion

With the completion of the FY21 audit, we were able to make some large structural changes to our Caselle account to accommodate for the change of fiscal year initiated by Ordinance 20-89. Caselle staff led the transition, with support from Finance and IT staff. This software modification was the last major piece of our transition from a calendar year to a fiscal year. Finance is currently confirming that the transition was completed appropriately.

Enclosures:

1. October Employee Anniversaries
2. Comprehensive Plan and Zoning Code Update memo and RFQ/RFP



City of Homer

www.cityofhomer-ak.gov

Office of the City Manager

491 East Pioneer Avenue
Homer, Alaska 99603

citymanager@cityofhomer-ak.gov

(p) 907-235-8121 x2222

(f) 907-235-3148

Memorandum

TO: MAYOR CASTNER AND CITY COUNCIL
FROM: Andrea Browning
DATE: October 10, 2022
SUBJECT: October 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.

Paul Raymond	Public Works	9	Years
Charles Lee	Police	2	Years
Emily Larson	Fire	1	Year



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(f) 907-235-3148

Memorandum

TO: Mayor Castner and Homer City Council
FROM: Ryan Foster, Special Projects Coordinator
DATE: September 27, 2022
SUBJECT: Request for Proposal/Request for Qualifications for Updating the Comprehensive Plan and Zoning Code

An update of the Comprehensive Plan and modernization of the Zoning Code was identified as a Council priority during the 2022 Visioning work session held in March at the Pratt Museum. The Title 21 Zoning and Planning Code has been updated in sections over the years, but it has not had a significant update in decades. It is generally viewed as difficult to work with by the public and City staff and unable to achieve the vision and goals currently set out in the Comprehensive Plan. The Comprehensive Plan underwent a technical update in 2018, but since the Zoning and Planning Code implements the vision of the Comprehensive Plan, it is highly recommended to undergo a full update of the Comprehensive Plan in advance of a Code rewrite.

Given the above current situations, City staff are proposing to move forward on a two-phase project, starting with a new Comprehensive Plan and ending with a complete update of the Title 21 Zoning and Planning Code. In hiring a consultant firm to fully update the two most important regulatory documents for planning and development in the City of Homer, staff recommends a two-stage process:

- Stage 1 - Request for Qualifications (RFQ): Reviewed and scored by a selection committee.
- Stage 2 - Request for Proposals (RFP): Those firms selected through the RFQ process will then submit an RFP, with a not to exceed amount of \$650,000, for review by a selection committee that will evaluate the proposals and make a recommendation to the City Manager.

An additional component necessary for project success is a budget of \$30,000 for advertising, outreach, and materials, such as food, for public meetings.

Comprehensive Plan Update (Phase I)

What it is: A Comprehensive Plan establishes, at a high level, a vision, goals, and objectives for the future development of the City. A new Comprehensive Plan would directly influence and guide the complete update of the Title 21 Zoning and Planning Code, established as Phase II of this project. This plan also helps determine the best approach to the topics of parking, density, form/layout, mobility/connectivity, building height, sustainability, green infrastructure, and coordinating land use and transportation plans to name a few.

What Homer gets:

1. Delivery of a completely updated Comprehensive Plan.
2. A vision and guidance for the update of the Title 21 Zoning and Planning Code.
3. Public and key stakeholder outreach to better inform and guide the Comprehensive Plan.
4. Detailed consideration of the topics of parking, density, form/layout, building height, mobility/connectivity, sustainability, and green infrastructure.
5. Alignment of the Comprehensive Plan with Council Goals, Master Transportation Plan and Non-Motorized Trails and Transportation Plan (currently under development), Homer Spit Plan, and the Town Center Development Plan.
6. Presentation of the Comprehensive Plan to the Planning and Zoning Commission, Economic Development Commission, and City Council public hearings for recommendation and approval.
7. Consultants, by taking on the bulk of the project (with a limited support role by City staff), free up City staff to continue to provide day-to-day services, ensures on-time project deliverables, and utilizes consultant subject matter expertise.

What Homer receives when complete: A Comprehensive Plan that guides the future development of the City over the next 20 years and addresses the unique planning challenges of the community, such as limited developable land, a strong demand for housing, and consideration of our unique geographical and topographical conditions.

Title 21 Zoning and Planning Code Update (Phase II)

What it is: The City's Title 21 Zoning and Planning Code defines the processes, establishes zoning districts, and associated development standards for land use development in the City. The Zoning and Planning Code is the regulatory framework that implements the vision, goals, and objectives established in the Comprehensive Plan.

What Homer gets:

1. Delivery of a completely updated Title 21 Zoning and Planning Code.
2. A modernized code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code.
3. A code that provides for the implementation of the vision of the new Comprehensive Plan.
4. Consultants conduct all public and key stakeholder outreach to better inform and guide the new code.
5. Alignment of the new Title 21 Zoning and Planning Code with the new Comprehensive Plan, Master Transportation Plan and Non-Motorized Trails and Transportation Plan (currently under development), Homer Spit Plan, and the Town Center Development Plan.
6. Presentation of the new Title 21 Zoning and Planning Code to Planning and Zoning Commission and Council public hearings for recommendation and approval.
7. Consultants, by taking on the bulk of the project (with a limited support role by City staff), free up City staff to continue to provide day-to-day services, ensures on-time project deliverables, and utilizes consultant subject matter expertise, especially in writing code.

What Homer receives when complete: An updated Title 21 Zoning and Planning Code that will allow the City to realize the vision and goals defined in the Comprehensive Plan with updated processes and development standards. In addition, greater efficiency, clarity, and user friendliness will be built into the zoning code.

Attachments

Request of Qualifications for Comprehensive Plan and Zoning Code Update

Request for Proposal for Comprehensive Plan and Zoning Code Update

City of Homer

Request for Qualifications

City of Homer Comprehensive Plan and Zoning and Planning Code Update

Issue date: Issue date: TBD



Submittal Deadline:

4:30 pm, TBD

City of Homer Comprehensive Plan and Zoning and Planning Code Updates

Issue date: TBD

The City of Homer is soliciting qualifications from qualified firms to perform the work for **City of Homer Comprehensive Plan and Zoning and Planning Code Updates**.

The first Homer Comprehensive Plan was adopted in 1954. The most current comprehensive plan is the 2018 edition, which received a technical update. A new Comprehensive Plan is necessary to establish a current vision, goals, and objectives for the future of the City and a new zoning code will be required to implement that vision.

The City wishes to have this work conducted immediately upon issuance of contract.

RECEIPT OF QUALIFICATIONS DEADLINE: Qualifications will be accepted until 4:30 p.m., Alaska Standard Time, TBD. Qualifications shall be submitted via hard copy at the City Clerk's Office, City of Homer, 491 E Pioneer Ave, Homer, AK 99603. All proposers must submit a City of Homer Plan Holders Registration form to be on the Plan Holders List to be considered responsive.

SCOPE OF WORK: The work will consist of two phases. Phase I: helping the City of Homer complete a new Comprehensive Plan, and Phase 2: helping the City of Homer update the Zoning and Planning Code. The work will include involvement with stakeholders, including, but not limited to the City Council, City staff, community members, and community interest organizations. Timeline for completion of this work is two years, one year for each phase of the project.

EVALUATION CRITERIA: The City will select firms to interview. The City will enter negotiations with one firm deemed to provide the best value for the project, including cost and other factors. Interested parties shall submit the following items with their Statements of Qualifications:

1. Letter of interest.
2. Description of the team and its ability to meet City of Homer needs.
3. Statements of Qualifications shall include the following information:
 - a. Name(s) of firm serving as prime and any subconsultants as well as Organization Chart.
 - b. A brief history of the firm(s) serving on the team, including applicable licenses.

c. Resumes of key personnel, which shall include, as a minimum, the following personnel:

- i. Project Manager
- ii. Design Lead
- iii. Economic Lead
- iv. Code Writing Lead

e. Information demonstrating team’s record of performance on past projects for communities similar in size and character to the City of Homer. Provide names and telephone numbers of five client contacts for reference purposes.

f. Information demonstrating team’s record of performance with cost control and project scheduling.

g. Five writing samples demonstrating team’s effectiveness writing (i) complex text for lay audiences and (ii) enforceable code. Writing samples may contain graphics.

Scoring of firms

- 1. Team’s past experience with projects of comparable size and complexity: 100 Points
- 2. Team’s past experience with cost control and project scheduling 100 Points
- 3. Experience of Key Personnel 100 Points
- 4. Writing samples 100 Points
- 5. Positive report from references: 100 Points

Total: 500 Points

**Request for Proposals
By the City of Homer, Alaska
Professional Services to Update
Homer’s Comprehensive Plan and Zoning and Planning Code**

Proposals for professional services to update the City of Homer’s Comprehensive Plan and Zoning and Planning Code will be received at the Office of the City Clerk, City Hall, City of Homer, 491 East Pioneer Avenue, Homer, Alaska until 4:00 P.M., Date: TBD, 2022. The time of receipt will be determined by the City Clerk’s time stamp.

The project consists of furnishing all labor, materials, equipment, tools, supervision, and other facilities necessary to perform the desired services. The City reserves the right to negotiate the scope of work with the selected firm to meet budgetary goals. If a negotiation is unsuccessful, the City may enter negotiations with the next highest rated firm. The work includes, but is not limited to the following:

- Develop a City of Homer Comprehensive Plan
- Fully Update the Zoning and Planning Code

Please direct all questions regarding this project to:

**Ryan Foster, Special Projects Coordinator
City of Homer, Administration
491 E. Pioneer Avenue
Homer, Alaska 99603
907-299-8529**

Homer reserves the right to accept or reject any or all proposals, to waive irregularities or informalities in the proposals, and to award the contract to the respondent that best meets the selection criteria.

Dated this XXth day of Month, 2022.

CITY OF HOMER

Robert Dumouchel, City Manager

Request for Proposals
By the City of Homer, Alaska
Professional Services to Update the
City of Homer’s Comprehensive Plan and Zoning and Planning Code

The City of Homer, Alaska is requesting proposals from pre-qualified firms who were pre-qualified as result of the City’s earlier Request for Statements of Qualification process. Proposals from firms who have not been pre-qualified will not be accepted

The following subjects are discussed in this RFP to assist you in preparing your proposal.

- I. Introduction
- II. Scope of Services
- III. General Requirements
- IV. Proposal Format and Content
- V. Evaluation Criteria and Selection Process
- VI. Schedule

I. Introduction

The City of Homer is soliciting proposals from prequalified teams to produce a comprehensive plan and fully update the zoning and planning code. These documents will help guide future development and growth for the City of Homer with an outlook of 20 years.

The City of Homer is growing up. We are a relatively young city facing a transition point in our history. We are an eclectically developed pioneer community at the end of the road in Alaska, on its way to becoming a more intentionally developed small city, endeavoring to be best in class for municipal governance, services, and quality of life. Homer is a very significant city in Alaska, in part, because we are the transition point between the road system and numerous off-road communities. We also have a highly active port & harbor which is likely to experience a significant expansion during the Comprehensive Plan's useful life.

Homer is motivated to become the best small city in Alaska, and it all starts with planning. We are extremely excited to conduct a significant update to our Comprehensive Plan and Zoning and Planning Code. It is important to understand that this update is not about maintaining the status quo, it's about transformative change as it relates to land use, while still maintaining Homer's community character.

The first Homer Comprehensive Plan was adopted in 1954. The most current comprehensive plan received a technical update in 2018. Since 1999, the City has adopted a Non-Motorized Trails and Transportation Plan, a Transportation Plan, Homer Spit Plan, and the Town Center Development Plan, which are additional components to the Comprehensive Plan.

The City expects that public involvement will be a grass-roots effort emphasizing outreach to, and contribution from, a variety of stakeholders, including citizens, businesses, community groups/organizations, local agencies, City advisory boards/commissions, and the City Council. The City further expects the community participation plan will be innovative and consider the use of focus groups as well as intensive short-term teams or work groups, such as workshops, to identify issues, create a community vision, and to assist in establishing the goals and objectives.

The goal is for both phases (Phase I: the comprehensive plan and Phase II: zoning and planning code update) to be completed within two years after award of the contract; however, complex issues may require more in-depth study, which may result in an extension of the completion date and negotiation to amend the contract. As in many Alaskan communities, the summer months are the "busy months" for Homer residents. One distinctive aspect of Homer is that many seasonal business operators live elsewhere during the winter months. The Proposer should develop a schedule that is flexible enough to allow busy residents and business owners/operators the opportunity for significant input throughout the planning process, while recognizing the seasonal nature of the community.

II. Scope of Services

The project consists of furnishing all labor, materials, equipment, tools, supervision, and other facilities necessary to develop a Homer Comprehensive Plan and a Zoning and Planning Code Update as a two-phased project in accordance with the standards and criteria of the City of Homer.

Phase I: Comprehensive Plan

The project goals for updating the comprehensive plan are

1. Create a fully updated Comprehensive Plan.
2. Determine the best approaches to the topics of housing, parking, density, form/layout, building height, sustainability, mobility/connectivity, and coordinating with the motorized and non-motorized transportation (the Master Transportation Plan is currently being updated).
3. Identify strategic actions that the City can proactively engage in to ensure the success of the Comprehensive Plan, e.g., site acquisition, infrastructure investment, etc.
4. Provide a vision and guidance for the Phase II update of the Title 21 Zoning and Planning Code.
5. Conduct public and key stakeholder outreach to better inform and guide the Comprehensive Plan.
6. Align the Comprehensive Plan with other City plans such as Master Transportation Plan, Capital Improvement Plan, and City Council Goals.
7. Deliver the Comprehensive Plan to the Planning Commission, Economic Development Commission, and City Council public hearings for recommendation and approval.
8. City staff provide project support with a project manager, participation/facilitation in outreach events, and information/feedback to consultants.

The development of the Homer Comprehensive Plan will include, but not be limited to, the following tasks:

Task 1. Background Research and Analysis

In Task 1, the consultant will complete a review of all-relevant planning, financial, and development documents that relate to development, planning regulation, and protection of Homer's built and natural environment. Examples of such documents include:

- 2018 Homer Comprehensive Plan Update
- Town Center Development Plan
- Homer Spit Comprehensive Plan
- Community Design Manual
- ADA Transition Plans
- Climate Action Plan
- Long Range Transportation Plan
- 2005 Homer Area Transportation Plan (currently being updated)
- Non-Motorized Transportation and Trails Plan (currently being updated)
- Adopted Water and Sewer Master Plan
- Census and growth projections
- Homer City Code (in particular Title 21 Zoning and Planning Code)
- Capital Improvement Plan/Legislative Requests/State Transportation Improvement Program Requests

- City of Homer Annual Budget
- Beach Policy
- Homer Land Allocation Plan
- 2022 Local Hazard Mitigation Plan
- State of Alaska tourism information
- State of Alaska planning enabling legislation
- Review of KPB planning and platting powers, with city granted planning powers of the city and extraterritorial power over the Bridge Creek Water Protection District

At the completion of Task 1 the consultant should be knowledgeable with the history, social and land use development patterns, culture, environmental opportunities/challenges, development constraints, infrastructure, and fiscal issues facing Homer.

Task 2. Public Participation Process

The design of an effective public participation process is a critical element for the successful completion of the Homer Comprehensive Plan and Zoning and Planning Code Updates. The consultant shall design and implement a public participation process that ensures members of the public are actively involved in the planning effort. The consultant should identify methods that do not require long standing commitments of time by members of the public yet provide for meaningful input. The use of charrettes/workshops, open houses, work sessions, online web pages/surveys, focus groups, and study circles or other suitable methods is encouraged. The consultant will work with City staff throughout the public participation process, to provide:

- Meeting Coordination
- Facilitation of Meetings
- Open Houses
- Advertisements
- Informational Handouts
- Newsletters and Other Mailings
- On-going Updates

The proposal shall identify the Public Participation Team that will be responsible for the production, publication, and distribution of informational materials and mailings. The Proposal shall include a Public Participation Matrix, which identifies the expected points of engagement with the public, identifying the recommended roles for City staff, community stakeholders, and the consultant personnel.

Task 3. Site Analysis and Identification of Issues and Concerns

Task 3 utilizes information from the background research, site visits, and constraints mapping to analyze, and create maps and analysis illustrating the City’s existing conditions. The mapping and analysis shall include:

- Brief Study Area Overview
- Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
- Existing Land Use(s)
- Existing Zoning
- Land Use and Community Design (including density, layout, and form)
- Housing
- Mobility and Transportation Network including parking
- Infrastructure (Gray and Green)

- Sustainability
- Environmental Issues/Hazards/Constraints including Flood Regulations
- Public Facilities and Services
- Recreation Facilities
- Economic Development/Opportunities
- Local Government Boundaries
- Slope Hazard Analysis

Key issues, concerns, and constraints shall be identified.

Task 4. Preparation of Goals, Objectives, and Recommendations

Based upon the information obtained in the previous tasks, the consultant shall collaborate with the community to develop goals, objectives, and recommendations.

Task 5. Development or re-development strategies

In addition, the consultant shall prepare an overall development and/or redevelopment strategy and more specific policies for the use of the land – utilization of city owned land, land acquisition and/or disposal strategies, infrastructure improvements, commercial areas, public open space, and facilities.

Task 6. Preparation of Future Growth and Development Alternatives

The consultant shall review projections of future population and economic growth and the resulting impact on land use and development patterns. Alternatives will include evaluation and discussion of future development, redevelopment, conservation practices, and impacts on public infrastructure.

The alternatives shall be described in both a narrative and graphic/mapping manner. The purpose of these alternatives is to allow the public to become more aware of the impacts of future growth in Homer and to assist in developing goals, objectives, and recommendations. The identification of the most preferred development scenario is part of this task.

Task 7. Recommendations for Implementation

Task 7 shall consist of preparing recommendations for achieving the goals, objectives, and recommendations of the Comprehensive Plan Update. Standard implementation techniques such as zoning and subdivision regulation changes should be considered, as well as other techniques such as growth management, impact fees, encouraging walkable development centers or nodes, etc. In addition, this task shall result in the following:

- A timeframe for identified actions.
- A table allocating responsibilities for actions among the various governmental agencies and where applicable, not-for-profit organizations having interests in conducting the programs.
- A schedule of proposed Capital Improvement Projects.
- A general description of any land use development regulations or incentives that may be adopted by the City to achieve the goals, policies, and guidelines set forth in the plan.
- A description of other procedures that the City may use in monitoring and evaluating the implementation of the plan.
- A statement describing proposed programs of public services or changes in existing programs to include estimates of the needed increase in personnel, equipment, supplies, and related matters.

- The proposed development criteria to be incorporated into any recommended or existing land development regulations.
- Identification of potential funding sources for projects or other issues identified during the planning process.
- A description of measures to be implemented to promote economic, social, and environmental sustainability.

Task 8: Presentations

The consultant will be required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback. The consultant is also expected to present the plan when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Economic Development Advisory Commission; Parks, Art, Recreation, and Culture Advisory Commission; and Port and Harbor Commission may be warranted. A minimum of six presentations should be included with the possibility of more to be negotiated.

Task 9: Final Plan

Draft a final Comprehensive Plan based on findings from Tasks 1-8 working closely with City staff and providing an opportunity for public review and comments on draft version(s).

Project Schedule

The proposal should include a schedule of major milestones for a one-year project for Phase I. The City anticipates the schedule should include, but not be limited to, the following stages:

- Project Start-Up
- Task 1 – Data Collection, Background Research and Analysis
- Task 2 – Public Participation Process
- Task 3 – Site Analysis and Identification of Issues and Concerns
- Task 4 – Preparation of Goals, Objectives, and Recommendations
- Task 5 – Development or re-development strategies
- Task 6 – Preparation of Future Growth and Development Alternatives
- Task 7 – Recommendations for Implementation
- Task 8 – Presentations
- Task 9 – Final Plan

Deliverables

All documents, reports, studies, illustrations, and maps are to be produced in a digital and PDF format. Information will be transferred to the City electronically and 25 hard copies will also be provided. All deliverables will be considered Works for Hire; that is, owned by the City of Homer upon payment of consultant’s invoices.

Website with hyperlinks (to be kept current through the end of the consultant’s contract)

Draft and Final Documents:

- Formatted for an 8 1/2” x 11” Document with 3-ring binder
- Provide all electronic files used in the creation of the report and illustrations such as GIS Shapefiles, Word files, PDFs, PowerPoint, InDesign, Illustrator, Sketchup, etc.

Maps in Documents should meet the following specifications:

- ESRI GIS Mapping Products
 1. ESRI Shapefile Format and any associated ArcGIS/ArcMap project files/.mxd. An Adobe PDF file is also required of any GIS map product.
 2. All GIS data should be geo-referenced to NAD27, Alaska State Plane Zone 4
- Color
- 11” x 17”, folded (maximum size for inclusion in a bound document)

Phase II: Zoning Code Update

The project goals for updating the zoning code are:

1. Modernize the code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands while improving efficiency and user friendliness into the code.
2. Identify best code format and create a new code that enables development to take place as a mixture of uses, rather than large areas of single land use or greenfield development.
3. Align with and implement the vision of the Comprehensive Plan.
4. Conduct all public and key stakeholder outreach to better inform and guide the updated Title 21 Zoning and Planning Code.
5. Align the updated Title 21 Zoning and Planning Code to support implementation of related City plans such as Transportation Master Plan, Stormwater, and Water/Sewer Plan.
6. Present the updated Title 21 Zoning and Planning Code to the Planning Commission and City Council public hearings for recommendation and approval.
7. City staff provide project support with a project manager, participation/facilitation in outreach events, and information/feedback to consultants.

The development of the Homer Title 21 Zoning and Planning Code should include, but not be limited to, the following tasks:

Task 1. Data Collection, Background Research and Analysis

Conduct analysis utilizing existing maps for future development and/or potential infill and utilizing feedback from City staff along with constraints mapping. Existing conditions analysis and mapping should include (much of this task can utilize information developed in Phase I of the project):

- Key Demographic Considerations (summary of existing demographic information such as population, employment, housing, and projections)
- Existing Land Use(s)
- Existing Zoning
- Mobility and Transportation Network
- Infrastructure
- Environmental Conditions/Constraints

Task 2. Technical Review of Existing Code and Recommendations

Conduct a technical review to evaluate the strengths and limitations of the current Title 21 Zoning and Planning Code and make preliminary recommendations for updating and making the

document consistent with overall City policies, including the goals of the Comprehensive Plan. Provide a review based on discussions with and feedback received from code administrators and code users including City Staff, design professionals, and the local development community. The Project Team should also draw from its planning experience with other communities and knowledge of land use regulatory tools. The review should evaluate the suitability of the existing Zoning and Planning Code by determining deficiencies and inadequate elements that may create inconsistent interpretations. Submit a diagnostic report that also identifies the steps required to make the Zoning and Planning Code consistent with existing practices in the City, as well as national best practices.

Task 3. Public Participation Process

Provides for public/stakeholder participation to create the overall guiding vision for the new Zoning Code. This shall include providing for a public review of the draft code, as well as a public hearing process at the Planning Advisory Commission and City Council.

Task 4. Preparation of Vision, Values, Goals, Objectives, and Recommendation for Code Type

Recommend the best code format and draft a new code that enables the vision and goals of the comprehensive plan to be implemented, while considering alignment with other City plans and goals. Modernize the code by bringing the standards up to date by applying measures that reflect contemporary best practices, land use trends, and market demands, while improving efficiency and user friendliness into the code. Consider future development to take place as a mixture of uses, rather than large areas of single land use or greenfield development.

Task 5. Draft Code

Draft a new code based on findings from Tasks 1-4 working closely with City staff and providing an opportunity for public review and comments of draft version(s).

Task 6. Presentations

The consultant is required to undertake a series of presentations at various stages of the planning effort to the Planning Commission and City Council. The purpose of these presentations is to provide information and obtain feedback. The consultant is also expected to present the code when formally reviewed and considered by the Planning Commission and City Council. Presentations to other boards and commissions, such as the Economic Development Advisory Commission; Parks, Art, Recreation, and Culture Advisory Commission; and Port and Harbor Commission may be warranted. A minimum of four presentations should be included (identifying whether they are in-person or virtual) with the possibility of more to be negotiated.

Task 7. Final Code

Draft a final Zoning and Planning Code based on findings from Tasks 1-6, working closely with City staff and providing an opportunity for public review and comments of draft version(s).

Project Schedule

The proposal should include a schedule of major milestones for a 1-year project for Phase II. The City anticipates the schedule should include, but not limited to, the following stages:

- Project Start-Up
- Task 1 – Data Collection, Background Research and Analysis
- Task 2 – Technical Review of Existing Code and Recommendations
- Task 3 – Public Participation Process
- Task 4 – Preparation of Vision, Values, Goals, Objectives, and Recommendation for Code Type
- Task 5 – Draft Code
- Task 6 - Presentations
- Task 7 – Final Code

Deliverables

All documents, reports, studies, illustrations, and maps are to be produced in a digital and PDF format. Information will be transferred to the City electronically and 25 hard copies will also be provided. All work products will be considered Works for Hire; that is, owned by the City of Homer once the consultant’s invoices are paid.

Website with hyperlinks (maintained through the end of the consultant’s contract)

Draft and Final Documents:

- Formatted for an 8 1/2” x 11” Document with 3-ring binder
- Provide all electronic files used in the creation of the report and illustrations such as GIS Shapefiles, Word files, PDFs, PowerPoint, InDesign, Illustrator, Sketchup, etc.
- Publish Code online

Maps in Documents should meet the following specifications:

- ESRI GIS Mapping Products
 1. ESRI Shapefile Format and any associated ArcGIS/ArcMap project files .mxd). An Adobe PDF file is required of any GIS map product.
 2. All GIS data should be geo-referenced to NAD27, Alaska State Plane Zone 4
- Color
- 11” x 17”, folded (maximum size for inclusion in a bound document)

III. General Requirements

The following information is presented as a general guideline for the preparation of the proposals, though not intended to be an exhaustive list of project requirements.

- A. It is the responsibility of the Proposers to estimate the actual level of effort required to complete the work.
- B. Homer will provide Over the Shoulder review of draft planning documents to provide timely comment and input.
- C. All deliverables shall be in a format and on media approved by the City. Upon completion, the Owner shall be furnished with digital files of all documents.

IV. Proposal Format and Content

Direct questions regarding this proposal to Ryan Foster, Special Projects Coordinator, City of

Homer, (907) 299-8529 or rfoster@ci.homer.ak.us.

Proposals, which do not address the items listed in this section, may be considered incomplete and may be deemed non-responsive by the City.

PROPOSAL FORMAT

- A. Letter of Transmittal
- B. Proposed Work Plan
 - 1. Include a Work Plan that illustrates how you will perform the Work and demonstrates your understanding of the project
 - 2. Include a proposed schedule demonstrating how you anticipate the Work will flow so you can complete the project in a timely manner.
 - 3. Identify major challenges that might interfere with your ability to complete the project in a timely manner.
- C. Fee Proposal and Rate Schedule
 - 1. Submit a Fee Proposal to perform the Scope of Services described in your Work Plan.
 - 2. Provide an exact statement of the services to be provided within the fees proposal and fee schedule to be used in billing for services, including out-of-scope services.
 - 3. Provide a Fee Schedule showing fully loaded billing rates for the personnel who will be working on the Project.
- D. Submit one (1) original and six (6) hard copies of the completed Proposal in a sealed, opaque envelope marked as follows:

**City of Homer
Comprehensive Plan and Zoning and Planning Code Update**

PROPOSAL DATED _____, 2022.

The Proposals shall be addressed to:

City of Homer, City Clerk
491 East Pioneer Avenue
Homer, Alaska 99603

Proposals shall be received at the office of the City Clerk until 4:00 PM, Date TBD.

V. Evaluation Criteria and Selection Process

The City of Homer reserves the right to reject any and all proposals submitted and shall not be liable for any costs incurred by any proposer in response to this solicitation or for any work done prior to the issuance of a notice to proceed.

A selection committee will evaluate the proposals and make a recommendation to the City

Manager. The committee will use the following criteria in deriving a numerical score for each proposal:

a. **Work Plan.** The various elements of the Work Plan will be evaluated for clarity, effectiveness, and compliance with RFP requirements.

Task 1	100 Points
Task 2	100 Points
Task 3	100 Points
Task 4	100 Points
Task 5	100 Points
Task 6	100 Points
Task 7	100 Points

b. **Schedule.** The Proposer's Schedule will be evaluated for its expected ability to achieve the effectiveness results in a timely manner. 200 Points

c. **Price.** Evaluated based on the do not exceed amount of \$650,000 100 Points

TOTAL POSSIBLE POINTS = 1000

VI. Schedule

Proposals due:	4:00 pm	Date: TBD
Award design contract:		Date: TBD
Notice to proceed:		Date: TBD
Completion of contract:		Date: TBD

**CITY OF HOMER
HOMER, ALASKA**

Aderhold/City Clerk

RESOLUTION 22-066

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA
APPROVING THE 2022 COUNCIL OPERATING MANUAL UPDATE.

WHEREAS, Homer City Council established the Council Operating Manual in 1983 and has been amended by resolution as needed over the years; and

WHEREAS, The Council Operating Manual was thoroughly reviewed and edited to remove redundancies, clarify language, add additional information, and give it a modern and fresh look; and

WHEREAS, Council reviewed the draft 2022 Council Operating Manual update and provided recommendations at their Committee of the Whole meeting on July 25, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska hereby approves the 2022 Council Operating Manual Update.

PASSED AND ADOPTED by the Homer City Council this ___day of ____, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal note: NA



CITY COUNCIL
OPERATING
MANUAL



1 **CITY COUNCIL OPERATING MANUAL**

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The City Council Operating Manual was approved by City Council on October 10, 1983, and has been amended regularly by resolution with the growth of the City and Council requirements. This manual is a reference point for directives not appropriately placed elsewhere, a standard operating procedure for questions most frequently asked by Council Members, and an outline and tool for orientation of new Council Members. The balance of these policies are as follows and should be reviewed and updated regularly. The manual is also useful to the public for understanding how the Council operates and what to expect from Council Members.

I. Policies of the Homer City Council

In 1983 the Homer City Council directed that policy directives be drafted to promote routine handling of various categorical business practices. Personnel policies were amended in accordance with policy directives dealing specifically with personnel matters and are found in the City of Homer Personnel Regulations Manual. The balance of these policies are as follows and will be updated regularly.

General Statements

The City of Homer is a first class general law city incorporated March 31, 1964.

Mayor and Council are elected officials. The Mayor is not a member of the Council and may vote only in the case of a tie vote.

The Mayor of the City of Homer presides over meetings of the City Council, has the power to veto action of the Council (which may be overridden with a 2/3 vote of the Council), and acts in an official capacity through the City Clerk.

The City Council is a body of six elected officials empowered by State Statute and Homer City Code to represent the citizenry in decisions on their behalf. Four members of the Council constitute a majority for quorum and voting purposes.

Alaska Statute Title 29 is the chapter that addresses municipal government. Mayor and Council Members are strongly encouraged to familiarize themselves with Title 29 and the rules that are explicit in the statute.

The City of Homer adopted a manager plan form of government. The Homer City Council appoints the Manager by a majority vote of its membership and the Manager takes direction from the Council as a whole.

Elected Officials from Homer typically take part in the Alaska Municipal League (AML) Annual Conference (December), Winter Legislative Conference (February), and Summer Legislative Conference (August). The Annual Conference is held in Anchorage and provides valuable training for newly elected officials, opportunities for city leaders to meet on a wide variety of topics important to municipalities across the state, and voting to set municipal legislative priorities. The Winter Legislative Conference, held in Juneau during the legislative session, is an important opportunity to hear from state agencies and to meet with state legislators on city priorities. The Summer Legislative Conference rotates among municipalities and discussion topics vary based on current legislative issues.

90 **Policy Directives**

91

- 92 • [Council Relations with Employees & Department Heads:](#)

93

94 The Council acts as a whole, not as individuals, when interacting with employees regarding City business.

95

- 96 • [Council Relation with City Attorney](#)

97

98 Contact with the Attorney by individual Council Members is expected to be judicious, always considering the
99 fiscal impact. ~~Specific information requested from the City Attorney by an individual must be in writing to the~~
100 ~~City Attorney and copied to each Council Member.~~ **The City Attorney is hired by Council and Council works**
101 **with the Attorney through the City Manager.**

102

103 Legal opinions on sensitive, controversial, or potentially costly matters will be brought before the full Council
104 for action and should be in written form whenever possible. "Legal Opinions" are defined as paper products
105 and not intended to include advice/information provided verbally. Legal opinions will be given to all members
106 at the same time it is given to the individual member.

107

108 When more than one solicited legal opinion exists on the same subject, the City Attorney's opinion overrides.

109

- 110 • ~~[Council Conduct– Statement of Mayor and Council on Behalf of the City of Homer & Use of City Letterhead](#)~~

111

112 Statements of the Mayor and Council on behalf of the City are based on consensus and resolve of the Council
113 body and substantiated by official record.

114

115 **Council Members should not distribute letters independently on City letterhead. Letters sent on behalf**
116 **of the City Council must come before the Council for review and approval.**

117

- 118 • [Council Member/Mayor Absences](#)

119

120 Every effort should be made to give advance notice of absences. Absences should be coordinated in order to
121 provide the highest possible attendance at Council Meetings. Notice may be given under Council Member
122 Comments at the end of a council meeting, or by contacting the City Clerk, Mayor, or City Manager.

123

- 124 • [City Council and Commission and Board Minutes](#)

125

126 It is a general consensus that the official record of proceedings, the minutes of City Council and Commission
127 meetings, will be in the "action" format which state clearly the subject considered and the action. Points made
128 in deliberation shall be reflected only. Individual comments of the Council, Commissions and Board are
129 summarized under "Council Comments", "Commission Comments" or "Board Comments". Statements for the
130 record are prefaced with a directive that the comment "is for the record." Public Comments, Public Testimony
131 on Public Hearing Items and Audience Comments shall reflect the subject of the comment or testimony,
132 whether the commenter/testifier is for or against the subject of his/her comments/testimony and shall reflect,
133 in synopsis format, any historical perspective.

134

- 135 • [City Council Meetings](#)

136

137 **Homer City Council meets regularly on the second and fourth Monday of each month. The regular**
138 **meeting schedule for City Council and Advisory Bodies is adopted annually by resolution and it has been**
139 **a practice to schedule one Council meeting in the months of July, November and December.** It is the policy
140 of the City Council to avoid holding regular or special meetings on State and Federal holidays. ~~It is the custom~~
141 ~~of the Homer City Council to cancel the second regular meeting in December.~~

- [Mayor Pro Tem](#)

144
145 At the first meeting of the Council following certification of the municipal election each year, there shall be
146 appointed a Mayor Pro Tempore, by majority vote of Council, to act as Mayor during the Mayor's temporary
147 absence or disability. HCC 2.08.080

148
149 The Mayor Pro Tem shall, in the absence of the Mayor, act as Mayor of the City of Homer ~~as though they~~
150 ~~themselves had taken the Oath of Office of Mayor~~ with all duties, responsibilities and power of the Office of the
151 Mayor for the City of Homer, including agenda deadline and review, appointments to boards and commissions,
152 Mayoral Proclamations and Recognitions, and other duties of the Mayor.

153
154 The Mayor Pro Tem, when acting in that capacity, does not lose the privilege or duty to discuss and vote as
155 Council Member.

156
157 In the event both the Mayor and Mayor Pro Tem are unable to preside, the most senior member will serve as
158 the Presiding Officer and assume the duties as identified for Mayor Pro Tem.

- [Orientation of New Council Members](#)

161
162 A general orientation to municipal government, Council conduct and expectations will take place in close
163 proximity to being sworn into office. The **City Manager, City Clerk, Information Technology Manager, and**
164 **Mayor (unless newly elected)** is responsible for providing orientation program **for newly elected officials.**

- [Release of Telephone, Mailing Address and Location of City Council and Commissions](#)

166
167
168 It is the policy of the City of Homer to release all available information on any **elected** official unless otherwise
169 directed by the individual **elected** official.

- [Fiscal Notes](#)

171
172
173 Every action item on Council's Agenda is to include both negative and/or positive financial impact. If a fiscal
174 note is not required or not applicable the action item is to be so marked. (Memorandum 90-239)

- ~~[Use of City Letterhead](#)~~

176
177
178 ~~Council Members should not distribute letters independently on City letterhead. Letters sent on behalf of the~~
179 ~~City Council must come before the Council for review and approval.~~

- [Political Endorsement](#)

180
181
182

183 The Homer City Council takes no position in the endorsement of any political race. Since the Mayor is not a
184 member of the voting body and is an elected official, there is nothing to prohibit his using his title to endorse a
185 political candidate.

- 186 • [Political Agendas](#)

187
188
189 **The Homer City Council will take no position on political agendas that would have an adverse impact on**
190 **the City of Homer.**

191
192 **The City Council will not take positions that adversely affect the City of Homer.**

- 193 • [Lobbying Activities](#)

194
195
196 City Council annually adopts by Resolution the City’s five year Capital Improvement Plan (CIP) and Legislative
197 Priorities for the upcoming fiscal year.

198
199 When working with a contract lobbyist or lobbying on behalf of the City, the City Council will adopt resolutions
200 or approve memorandums in support of capital projects or legislation which will direct Council’s position.

201
202 When opportunities arise for Mayor and Council Members to lobby on behalf of the City, City staff and/or the
203 contract lobbyist will prepare a schedule of meetings with legislators and other State officials to address
204 specific matters related to Council supported capital projects or legislation. If a Council Member chooses to
205 address non-city related legislative issues or positions, they should make separate appointments outside of
206 and so as not to conflict with the staff/lobbyist prepared schedule.

207
208 Upon returning from travel on City business, including lobbying trips or other trips made on behalf of the City,
209 the City Manager, Council Members and Mayor will file written reports for inclusion in the next Council meeting
210 packet under Announcements/Presentations/Reports

- 211 • [Amendments to the Council Operating Manual](#)

212
213
214 Amendments to City Code that are adopted by Ordinance and are referenced in this manual and in the
215 Appendices will be updated by the City Clerk and will not require approval by resolution. All other amendments
216 to the Council Operating Manual will be approved by resolution.

217 218 **II. Procedures and General Information**

219 Robert's Rules, Homer City Code (HCC) and Alaska State Statues (AS) govern powers and operations of the
220 Council. Title 29 specifically deals with municipalities; however, other State Statutes can affect specific
221 subjects of consideration. The following is a quick reference for Council Members confronted with the first
222 exposure as an elected government official.

223 **Bylaws**

224 By-laws for Council procedure govern the procedures of the City Council are found in HCC 2.08.040.

225 **Attendance**

226 ~~By laws for Council procedure provides that~~ Unexcused absences from three consecutive meetings is adequate
227 basis for declaring the seat vacant. Notification of intent to be absent is the primary prerequisite to being
228 excused.

229 Notification of future absences can be made at any Council meeting under Comments of the Council.

230

231 Notification of absence between meetings is accomplished by advising the Mayor, City Clerk or City Manager.

232

233 During opening remarks, the Mayor, or designated presiding officers declares the status of any absence for the
234 record.

235

236 Council Members may state objections to absences either when authorization for an absence is required by a
237 Council Member or declared excused by the Mayor.

238

239 **Teleconference**

240 The preferred procedure for City Council meetings is that the Mayor and all Council Members should be
241 physically present at the designated time and location within the City for the meeting. However, physical
242 presence may be waived and the Mayor and any member(s) may participate in a Council meeting by
243 teleconference, subject to the procedures and limitations provided in HCC 2.08.

244 Mayor and Council Members may attend a maximum of three meetings telephonically during the twelve month
245 period commencing November 1st of each year.

246 Mayor or Council Members shall notify the City Clerk at least 5 days prior to the scheduled time for the meeting
247 their request to participate telephonically. The City Clerk will notify the Mayor and Council Members of the
248 request three days prior to the scheduled meeting time.

249 *Procedures regarding telephonic participation are in HCC 2.08.100-2.08.120.*

250 **Executive Session**

251 An executive session is an agenda item of a special or regular meeting that provides an opportunity for Council
252 to meet privately to discuss and possibly provide direction to the City Manager and/or the City Attorney
253 regarding sensitive and confidential issues. Alaska Statutes and Homer City Code govern matters that may be
254 discussed in an executive session as follows:

255

256 (1) Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the
257 government unit;

258 (2) Subjects that tend to prejudice the reputation and character of any person, provided the person may
259 request a public discussion;

260 (3) Matters which by law, municipal charter, or ordinances are required to be confidential;

261 (4) Confidential records, matters involving consideration of government records that by law are not subject
262 to public disclosure;

263 (5) Attorney-client privilege;

264 (6) Exemption for adjudicatory deliberations and decision-making; and

265 (7) Organizational votes.

266 On the Council's Agenda only the Statute number and section are required to be listed as the reason for
267 Executive Session. The issue to be discussed is to be listed in parenthesis after the reason for executive session.

268 This section is not applicable to quasi-judicial bodies.

269 ~~A regular or special meeting may be recessed or adjourned to executive session. Future times for executive~~
270 ~~sessions may be set by motion.~~ A duly constituted, called meeting with a quorum present is required for
271 consideration of an executive session motion. Vote on the motion is taken by roll call **and if it passes, Council**
272 **will enter into executive session.**

273 When the executive session is complete, the Mayor will reconvene in the public meeting and Council may take
274 action if necessary.

275 Any Council Member, the Mayor or City Manager may place consideration of an executive session on the
276 agenda. ~~When placed before agenda closing, the question is decided by 2/3 vote.~~

277 During Executive Session:

278 (1) Stick to the issue

279 (2) No action; limited exceptions

280 (3) Decision-making in ad judicatory proceeding (quasi-judicial matters)

281 It's imperative to remember that discussion that takes place in executive session is confidential and is not to
282 be shared with anyone outside of executive session.

283 **Conflict of Interest, Partiality, and Code of Ethics**

284 HCC 1.18.010 explains that the proper functioning of democratic government requires ethical behavior by
285 public officials. Ethics involves the commitment to take individual responsibility in creating a government that
286 has the trust and respect of its citizens. The purpose of HCC 1.18 is to set reasonable standards of conduct for
287 City officials and the City Manager so that the public may be assured that its trust in such persons is well placed
288 and that City officials and the City Manager themselves are aware of the standards of conduct demanded.

289
290 However, recognizing that Homer is a small community, with a limited number of people interested in serving
291 as community leaders, it is not the intent of HCC 1.18 to set unreasonable barriers that will serve only to deter
292 aspirants from public service.

293
294 Mayor and Council Members must familiarize themselves with HCC 1.18 to understand when Council business
295 may present a conflict and the process for addressing conflict of interest.

296
297 At the meeting after the Mayor announces the business item and before a motion or discussion takes place the
298 Council Member announces they have a conflict of interest and states the conflict and the Mayor will make a
299 ruling on the conflict. The Mayor's ruling may be overridden by a majority of the Council. A Council Member
300 may move to disqualify another member if they do not disqualify themselves.

301
302 If a Council Member is determined to have a conflict of interest, they must leave the dais and return upon
303 completion of the business item.

304

305 Key Steps are:

306 1) notification of substantial financial interest which then leads to

307 2) Mayor or Presiding Officer determination of whether financial interest is substantial.

308 ~~To abstain from voting without giving notice may be a disservice to the other Council Members. An abstention~~
309 ~~counts as a negative vote (Robert's Rules of Order).~~

310 *All procedures regarding conflict of interest and code of ethics are in HCC Chapter 1.18 Conflicts of Interest,*
311 *Partiality.*

312 **Council Vacancy**

313 Alaska Statute 29.20.180 and HCC 2.08.050 delegate responsibility for the appointment to a vacated Council
314 seat exclusively to the City Council. Upon the Council's acceptance of a vacancy the City Clerk shall prepare an
315 advertisement soliciting applications for candidates for appointment to the vacated seat to be submitted
316 within a time certain. Applications, which are a public record, shall be submitted on a form approved by Council
317 who shall schedule interviews of the candidates. Upon conclusion of the interviews Council shall appoint in its
318 sole discretion the candidate to fill the vacated seat. A Council Member appointed in accordance with HCC
319 2.08.050 shall serve until the next regular election, when a successor shall be elected to serve the balance of the
320 term.

321 **Public Comment/Testimony and Audience Comment Time Limits for City Council, Commission, and Board** 322 **Meetings**

323 The meeting chairperson shall note for the audience's benefit that there is a three-minute time limit each time
324 there is a place in the agenda for public comment/testimony or audience comments. Any individual wishing to
325 address the City Council or any of its Advisory Bodies shall adhere to a three-minute time limit. It is the
326 responsibility of the Chair to announce under Public Comments, Public testimony on public hearing items and
327 Audience Comments that there is a three-minute time limit. Time limits may be adjusted by the two minutes
328 up or down with the concurrence of the body in special circumstances only such as agenda content and public
329 attendance.

330

331 ~~Any person making personal, impertinent, threatening or slanderous remarks or who shall become boisterous~~
332 ~~while addressing the Council, shall be forthwith, by the presiding officer barred from further audience at the~~
333 ~~meeting before the Council, unless permission to continue be granted by a majority vote of the Council.~~

334 ~~Any Council Member may rise to a Point of Order regarding this issue.~~

335 **Emergency Operations**

336 **The Mayor has the authority to declare an emergency as outlined in the City's Emergency**
337 **Operations Plan (EOP). The EOP outlines the role of the Mayor and Council Members in the event**
338 **of an emergency within the City of Homer. The Mayor and Council Members are strongly**
339 **encouraged to familiarize themselves with the National Incident Management System (NIMS)**
340 **and completed IS-700 NIMS: An Introduction and ICS-100 AN Introduction to ICS Training**
341 **Courses available online at <http://training.fema.gov/emiweb/IS/crslist.asp>**

342

343 **Updates to the Council Operating Manual**

344 **The Council Operating Manual will be reviewed annually in June. Any revisions will be adopted by**
345 **resolution.**

346

347 **III. Open Meetings Act**

348 Alaska Statute 44.62.310 requires that all meetings of a governmental body of a public entity be open to the
349 public, and that reasonable notice of such meetings (including regular and special meetings, work sessions,
350 and committee meetings) must be given. This law is commonly referred to as the Open Meetings Act (OMA).

351

352 The OMA defines a meeting as a gathering of more than three members, or a majority of the members of the
353 governing body, whichever is less. Public officials should exercise caution when engaged in discussion about
354 municipal issues among themselves outside of a publicly noticed meeting, or on social media. This kind of
355 discussion can be construed as violating the OMA.

356

357 As a practical matter, people talk to one another about the things they have in common, and Council Members
358 are no exception. When members pass each other on the street or visit one another at home, it is natural that
359 the conversation includes City business. Council Members must be careful not to commit a vote or seek another
360 member's commitment on an issue before a topic can be discussed at a public meeting. Exchanging
361 information, ideas, and viewpoints can be valuable, but Council Members, and all public officials, must be
362 mindful of the provisions of the OMA.

363

364 Alaska courts have ruled strongly in favor of the OMA. Actions must be taken only at a properly noticed meeting
365 or the actions may be subject to avoidance. It can cost cities a great deal of money to defend officials against
366 charges of OMA violations. (*Excerpt from State of Alaska Primer for City Council Members*)

367

368 **IV. Agenda and Packet Deadline and Distribution Information**

369 **Tentative Agendas and Final Packet Documents**

370 Tentative and Preliminary Agenda items deadline is 5:00 p.m. on Thursday of the week preceding Council
371 packet week. Type of enactment, a working title, and draft documents must be submitted to the City Clerk
372 before the deadline. Tentative agendas are posted online the following day and distributed to the Library and
373 City Clerk's office kiosk.

374 All final packet materials are due no later than 11:00 a.m. on the Wednesday prior to the Council meeting for
375 packet review.

376 Any late agenda item from a Council Member not meeting the tentative agenda deadline must have approval
377 from the Mayor for inclusion in the packet.

378 **Agenda and Agenda Packet**

379 The Regular Council Meeting Agenda closes at 11:00 a.m., Wednesday preceding the meeting. Allowances will
380 be made for holidays.

381 The City Manager, Mayor and City Clerk review the agenda at 11:00 a.m. on Wednesday, preceding the meeting.

382 Agenda packets are typically posted on the City's website and available for downloading to devices on
383 Thursdays by 5:00 p.m. but no later than 5:00 p.m. on the Friday preceding the regular meeting.

384 **Special City Council Meeting**

385 Special Meetings may be called and agendas established by the Mayor or four (2/3) City Council
386 Members. Adequate notice must be given to provide for materials preparation and delivery of meeting notice
387 thirty-six (36) hours prior to the meeting.

388 **Emergency City Council Meeting**

389 Emergency Meetings may be called by unanimous consent of a quorum of Council, four Council Members. An
390 Emergency Meeting requires a justifiable reason, and the agenda will be limited to the emergency matter.
391 Public notice broadcast as soon as possible and repeated at least two times prior to meeting.

392 **Worksession, Special Meetings, and Executive Sessions**

393 A worksession may be called at any time, including beginning at 4:00 p.m. and ending not later than 4:50 p.m.
394 before a Regular Council Meeting, with proper notice to the public. The agenda and packet information may
395 be handed out at the worksession depending on the nature of the session. No formal action may be taken. A
396 worksession may be called by the Mayor or four Council Members. ~~Public notice requirements are relaxed but
397 should be at least broadcast as soon as possible and repeated at least two addition times prior to the
398 session. Reference: HCC 1.14.~~

399 **Committee of the Whole**

400 Committee of the Whole (COW) meets prior to every Regular Council Meeting beginning at 5:00 p.m. and ending
401 not later than 5:50 p.m. ~~when scheduled worksessions do not exceed 4:50 p.m. **COW provides a forum for
402 Mayor and Council Members to discuss and ask questions of City Department Heads and Division
403 Directors regarding items noticed on the regular agenda and on the COW agenda.** This is a device to enable
404 the full Council to give detailed consideration to a matter under conditions of freedom approximating those of
405 a committee. The results of any votes taken are not the final action of the Council and are recommendations.
406 The Mayor shall be the presiding officer. No text may be altered in any agenda item for Council's Regular
407 meeting; however, amendments may be recommended. No official action is taken at Committee of the Whole.~~

408 ~~The Committee of the Whole is the Mayor and Council's opportunity to ask questions of City Department Heads
409 and Division Directors regarding department issues on the regular agenda.~~

410 ~~The agenda shall be noticed the same as a Council's Regular meeting. Only those matters on the noticed
411 **consent and regular** agenda shall be considered; however, other items not on the Council's Regular meeting
412 agenda may be considered if **noticed on the Committee of the Whole agenda.** The agenda item is received
413 by the City Clerk no later than the Wednesday prior to the meeting. "Old business" shall be added to the
414 Committee of the Whole agenda and shall be those items that are not on Council's Regular Meeting agenda and
415 that were not discussed at the previous Committee of the Whole meeting due to insufficient time.~~

416 **V. City Council Agenda and Meeting Conduct Guidelines**

417 **Call to Order, Pledge Allegiance**

418 Four Council Members are required for a quorum. The Pledge of Allegiance will be said for **recited at** all Special
419 and Regular meetings.

420 **Approval of the Agenda**

421 The agenda may be approved by consensus of the Council. Only items on the noticed agenda may be
422 considered. Items may be removed by unanimous consent of the Council. The Mayor will read supplemental
423 items into the record prior to agenda approval.

424 **Mayoral Proclamations and Recognitions**

425 Mayoral recognitions and mayoral proclamations must be approved by the Mayor. A request must be made
426 timely for inclusion in the City Council packet. Official action of the City Council is not taken under this agenda
427 item.

428 **Public Comments on Items Already on the Agenda**

429 The public may comment for three minutes on items listed on the consent agenda or regular agenda, except
430 for public hearing items (heard under public hearings). No prior notice is required to comment. Members of the
431 public must state their first and last name and whether they are a city resident, for the record.

432 **Reconsideration**

433 Reconsideration is an opportunity to bring a motion back before Council after it's been dispensed with. A
434 member must have voted on the prevailing side to move for reconsideration.

435 If a member wishes to reconsider a motion during the meeting that it was voted on, the member may be
436 recognized by the Mayor when no other motions are pending and move for reconsideration. If the motion to
437 reconsider passes, the motion in question is back on the floor at that time.

438 If the meeting at which the motion was made is over, a member has 48 hours of the decision to give notice of
439 reconsideration to the Mayor, City Manager, or City Clerk. At the next Council meeting reconsideration will be
440 noticed on the agenda and the member will move for reconsideration. If the motion for reconsideration passes
441 the motion will be taken up under Pending Business, Ordinances or Resolutions - depending on the item.

442 **Consent Agenda**

443 Routine and non-controversial items may be included on the consent agenda and the items are
444 approved/adopted with one motion. These items may include minutes approval, advisory body appointments,
445 liquor and marijuana license renewals, travel authorizations, introduction of ordinances, and resolutions of a
446 general nature. Any item on the consent agenda can be moved to the regular agenda for consideration, at the
447 request of a Council Member.

448 **Visitors**

449 Visitor requests must be approved by the Mayor or City Manager. To be placed in the visitor's category, an
450 outline, letter, or other descriptive material must be provided (timely) for distribution in the City Council
451 Packet. No action is taken under this item and no questions from the audience are permitted.

452 **Announcements/Presentations/Reports**

453 Reports may include, but are not limited to, Kenai Peninsula Borough Assembly report, Advisory Body reports,
454 Worksession and Committee of the Whole reports, Mayor's report, and Travel reports. No action by Council will
455 be made here, although the Council may request a matter brought to their attention in a report be placed on
456 an agenda for a future meeting.

457 **Public Hearings**

458 The Mayor opens the public hearing. The public may comment for three minutes on each public hearing item.
459 No prior notice is required to comment. The public must state their first and last name and whether they are a
460 city resident, for the record. When public comment is complete, the Mayor will close the public hearing and
461 open the floor to Council for action.

462 **Ordinances**
463 Introduction (when not on the consent agenda) and subsequent readings of ordinances. Ordinances may be
464 placed on the agenda by the Mayor, Council Members, and City Manager.

465 **City Manager's Report**
466 The City Manager or his designee reports to the City Council. Questions and answers between the Council and
467 Manager are appropriate. Official action is not taken by the Council under this agenda item.

468 **Pending Business**
469 Matters postponed from previous meetings are taken up under pending business, except for subsequent
470 readings of ordinances.

471 **New Business**
472 Matters requiring Council action that are not resolutions or ordinances are taken up under new business.

473 **Resolutions**
474 Resolutions may be placed on the agenda by the Mayor, Council Members, and City Manager.

475 **Comments of the Audience**
476 The public may comment for three minutes on any matter. No prior notice is required to comment. Members
477 of the public must state their first and last name and whether they are a city resident, for the record.

478 **Comments of Attorney, Clerk, Manager, Mayor, Council**
479 Reserved for comments of the City Attorney, City Clerk, City Manager, and Mayor. Each Council Member may
480 comment regarding any subject whether or not on the agenda. This is an appropriate place to note or bring to
481 the attention of the Mayor, Council and Administration any miscellaneous business or point of interest.
482 Miscellaneous announcements, notifications of absence from future Council meetings, and requests for items
483 to appear on the agenda, are other areas appropriately covered. Notice of reconsideration may be given at this
484 time. No action is taken under comments.

485 **Adjournment/Notice of Next Regular Meeting**
486 Meetings will be concluded by or recessed by ~~midnight~~ **10:00 p.m.** unless Council votes to suspend the
487 rules. The balance of any business will be held over until call of the Chair. Notice of the next regular, and/or
488 special meeting will appear on the agenda following "adjournment".

489 **VI. Advisory Bodies**

490 City Council may create or abolish boards and commissions. Council shall create or abolish boards and
491 commissions via ordinance. Council shall establish the number of members of each board or commission, their
492 terms of office, and the purpose for which the board or commission is created via ordinance.

493 **Appointment to Board & Commissions**

494 Members of Boards and Commissions are appointed by the Mayor and confirmed by City Council.

495
496 Applications for appointment to board and commissions will be on file in the City Clerk's office for those
497 considered for appointment. The Mayor will submit a list the names of those considered to the City
498 Council. Representation of a wide community cross-section is desirable on the commissions and
499 boards. Replacements for vacancies may be recommended by the appropriate Commission or Board.

500

501 Appointment of a City representative on a board, commission, etc., that is not advisory to the City is made by
502 the Council.

503

504 **Creating Task Forces**

505 A city Task Force is a temporary body appointed by the City Council to study or work on a particular subject or
506 problem. Task Forces serve only in an advisory capacity to City Council; they retain no official, independent
507 authority and may not speak or act for the City Council.

508

509 Task Forces are created solely by City Council Resolution. At a minimum, the establishing resolution shall:

510

- 511 • Clearly articulate the Task Force purpose, scope of work and deliverables;
- 512 • Provide a timeframe for completion. Unless otherwise stated, a Task Force will cease to exist upon
513 completion of its charge as given by the City Council; and
- 514 • Fix an odd number of Task Force members of no less than five and no more than nine.

515

516 Additionally, City Council will consider whether it is in the best interest of the City to define requirements for
517 serving on the Task Force such as:

518

- 519 • A residency requirement to ensure that membership on the Task Force is representative of people in
520 the community (e.g., all appointees to a task force shall be residents of the City of Homer, defined as
521 maintaining their principal place of residence within Homer City limits or own and operate a business
522 within City limits);
- 523 • And/or any additional requirements or qualifications (e.g., professional qualifications or stakeholder
524 group representation).

525

526 **Appointment Structure**

527 The Mayor nominates appointees to a Task Force from a list of applicants; nominees must be approved by City
528 Council. All appointees shall serve at the pleasure of the Council and may be removed from their position by a
529 majority of the Council at any time without cause.

530

531 Advisory Boards or Commissions may request a Task Force be formed by submitting a memorandum to City
532 Council that includes their recommendations for the items listed above.

533

534 **VI. Tablet Useage Policy**

535 **Purpose**

536 The City of Homer recognizes that the use of digital communications has become necessary to conduct official
537 business. This policy strives to ensure that the Mayor and Council Members can be issued a device which will
538 enable them to utilize digital communications in a manner consistent with their role as an elected official and
539 applicable law.

540

541 **Ownership**

542 One tablet computer and accessory package (tablet) will be issued to the Mayor and each member of Council.
543 Tablets issued under this policy will remain the property of the City of Homer. The Mayor and members of
544 Council will have no ownership, interest, or right to title of the tablet.

545

546 Each recipient issued a tablet is responsible for the security and care of that tablet, regardless of where the
547 tablet is used.

548
549 All tablets will be covered by a hardware warranty and supplemental support plan through the manufacturer
550 or a third party. The exact details of the coverage and remaining term will be outlined on the equipment receipt
551 form.

552
553 Upon vacating elected or appointed seat, each tablet recipient will ensure that their tablet is returned to the
554 City Clerk, who will ensure that the tablet is reimaged and will reissue the unit to the next holder of that seat.

555 556 **License Agreements**

557 The City of Homer is the sole licensee of the software included with the tablet. Any copying, modification,
558 merging, or distribution of the software by the recipient, including written documentation, is prohibited. The
559 recipient is responsible for complying with any and all hardware, software and service provider licensing
560 agreements, terms of use, and applicable state and federal copyright and other intellectual property
561 protections. Violation of any such licenses, terms, or laws shall constitute a violation of this policy.

562 563 **Liability**

564 Recipients are responsible for all material sent by and/or stored on the tablet issued to them which they will
565 knowingly and intentionally send or store/install. Recipients accept responsibility for keeping their tablet free
566 from all inappropriate or dangerous files.

567
568 The City of Homer is not liable for any inappropriate material sent by and/or stored on tablets issued under this
569 policy outside of the scope of use expected by a city official.

570 571 **Email Usage**

572 The recipient of a device under this policy agrees to conduct all email communications which are stored on this
573 device through their assigned City email account. All emails sent through the City's email system are archived
574 and retained by the City in a manner consistent with the City's Record Retention Policy.

575
576 Syncing personal email accounts to the issued device, other than the recipient's assigned City email account,
577 is prohibited.

578 579 **Acceptable Use**

580 The City of Homer only authorizes use of its tablets in a manner that supports the recipient's role as an elected
581 official of the City.

582
583 The device may only be used for limited personal use; that does not interfere with the ability of the device to be
584 used for official intended purposes.

585
586 Use of the tablet for any political use including but not limited to campaigning is expressly forbidden.

587 588 **Privacy**

589 All communications made via devices covered under this policy are subject to disclosure under the Open
590 Records Act or for litigation purposes unless a privilege or exception exists that justify withholding the records.

591 592 **Installation of applications**

593 The installation of applications is limited to applications that are consistent with the terms listed in this policy
594 and are available through the tablet's application store.

595

596 Applications will only be licensed and installed by the Information Technology Manager and his staff.
597
598 Modification of the tablet's operating system to allow installation of applications not approved by the
599 manufacturer and/or not available through the "application store" is prohibited.
600

601 Applications for personal use that do not interfere with city use may be allowed by the IT Manager on a case by
602 case basis.
603

604 **Care of the Device**

605 Recipients are responsible for the general care of the device issued under this policy. The tablet must remain
606 free of any writing, drawing, stickers, or labels that are not property of the City. Only a clean microfiber cloth,
607 like what is used to clean eyewear, should be used when cleaning the screen.
608

609 **Loss and Damage**

610 Recipients of tablets under this policy are encouraged to keep the device safe and in good working order. If a
611 user demonstrates extreme negligence with a device, or loses a replacement device within 18 months of being
612 issued a replacement, then he or she may be financially responsible for the cost of the replacement.
613

614 Loss of or damage to a City of Homer tablet and/or accessory must be reported immediately to City staff.
615

616 Recipients must not modify, upgrade, or attempt to repair tablets and/or accessories issued under this policy
617 without the express permission of the City of Homer Information Technology Manager. All repairs must be made
618 through the provided protection plan. Repairs not covered by the supplied protection plan which are
619 determined to be caused by negligence, shall be covered by the recipient.
620

The Council Operating Manual has been amended by the following legislative enactments:

Reso 95-78(A)	Reso 03-81	Reso 09-116	Reso 21-017(A)
Reso 00-08	Reso 03-118(A)	Reso 13-035(A)	
Reso 01-24	Reso 03-140	Reso 16-122	
Reso 01-08(S)	Reso 06-54	Reso 19-012(S)(A)	
Reso 01-61	Reso 06-115(A)	Reso 19-051	

621



City of Homer

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Memorandum 22-176

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: OCTOBER 5, 2022
SUBJECT: 2022 COUNCIL OPERATING MANUAL UPDATE CHANGES SINCE SEPTEMBER 26th

Line 192 – Update language regarding Political Agenda

Line 486 – Adjournment time changed from midnight to 10:00 p.m.

Recommendation: Adopt resolution approving the 2022 Council Operating Manual updates.



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Memorandum 22-155

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: SEPTEMBER 2, 2022
SUBJECT: 2022 COUNCIL OPERATING MANUAL UPDATE

Council reviewed the 2022 Council Operating Manual Update at their July 25th Committee of the Whole the Whole Meeting. The following changes are reflected in this final draft presented for Council's approval.

Line 73 – Information regarding Title 29 was added (Council Member Lord)

Line 81 – Information regarding attendance at AML (Council Member Aderhold)

Line 187 - Reference to political agendas (Council Member Erickson)

Line 332 - Reference to Emergency Operations (Mayor)

Line 340 – Annual review information (Council Member Aderhold)

Line 385 - Cleaned up emergency meetings verbiage (Council Member Lord)

Line 389 - Remove special meetings from this section, its referenced in different section and this paragraph is specific to worksessions, not special meetings (Clerk)

Recommendation: Adopt resolution approving the 2022 Council Operating Manual updates.

Attachments: FEMA Fact Sheet
July 25th Committee of the Whole Memorandum



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Memorandum

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
FROM: MELISSA JACOBSEN, MMC, CITY CLERK
DATE: JULY 21, 2022
SUBJECT: COUNCIL OPERATING MANUAL UPDATE

At the 2020 Council Visioning Retreat Council Member Aderhold proposed the Council Operating Manual be revised to flow more logically, aid user friendliness, and include useful information not currently included. This is a project that moved to the back burner during COVID but the need wasn't forgotten. Council Member Aderhold and I have worked through sections and prepared this revised draft for your review. A link to the current version is included at the end of this memo.

Overall:

- The manual has been reformatted, a revised purpose statement was added, and redundancies were taken out so information appears once in its most relevant section.
- The appendices were removed and replaced with references to City Code in the appropriate places.
- The basic agenda layout for advisory bodies was removed as those are found in their orientation packets.
- Council bylaws were taken out and replaced with reference to their location in City Code.
- A table of contents has been added, but not finished. Since sections of the manual are still being adjusted, the table of contents will be completed when the final draft comes to you for adoption.

Specific to sections:

The Policies section remain in place at the beginning with minor revisions as follows:

- *Council Relation with City Attorney* was re-worded to reflect current practice.
- *General Statement of Mayor & Council* and *Use of City Letterhead* policies were combined with no changes to the verbiage.
- *Council Member absences* was updated to include how to give notice of absence.
- *City Council Meetings* was expanded to include meeting schedule information.
- *Mayor Pro Tem* reference to the oath of office was stricken, elected officials are administered the same oath.
- *Orientation of New Council Members* was changed to add staff members who are involved in orientation.
- *Lobbying Activities* was updated to reflect current practice.

Procedures and General Information updates include:

- *Executive session* was updated to include clarifying information to explain what it is, how it works, and to bring awareness to the confidentiality of e-sessions.
- *Conflict of Interest, Partiality, and Code of Ethics* was reworded and makes the reader aware that HCC 1.18 addresses the topics and how disclosing conflict of interest is dealt with at the meeting.

Open Meetings Act was added as a section and includes a reference to social media.

Agenda and Packet Deadline & Distribution Information updates include edits under *Worksessions, Special Meetings and Executive Session* and *Committee of the Whole* as reflected by the ~~strikeout~~ and bold underlined language.

Recommendation: Review, discuss, and provide feedback and a final draft will come back to Council for approval.

[Current 2021 Council Operating Manual](#)



FEMA

Fact Sheet

Revised: March 2007
NIMS Integration Center
202-646-3850

ELECTED OFFICIALS: WHAT YOU NEED TO KNOW ABOUT NIMS

The National Incident Management System (NIMS) was published by the Department of Homeland Security on March 1, 2004. It provides a comprehensive and consistent national approach to all-hazard incident management at all jurisdictional levels and across all functional emergency management disciplines.

Since most incidents occur and are handled by local government, the support of elected and appointed officials in the NIMS implementation process is crucial to the nation's success in preventing, preparing for, responding to and recovering from disasters – regardless of their cause.

The benefit of NIMS is especially evident at the local level, when the entire community prepares for and provides an integrated response to an incident. Elected and appointed officials need to be involved in all aspects of NIMS implementation to include the following:

- * Adopt NIMS at the community level for all government departments and agencies and encourage NIMS adoption and use by associations, utilities, non-government organizations and the private sector.
- * NIMS should be adopted through executive order, proclamation, resolution, or legislation as the jurisdiction's official all-hazards, incident response system.

The NIMS necessitates the use of the Incident Command System, the multi-agency coordination systems and a public information system. All these command and management systems rely on the direct involvement of elected and appointed officials in a community during an incident.

When implementing NIMS, all emergency plans and SOPs must incorporate NIMS components, principles and policies, including emergency planning, training, response, exercises, equipment, evaluation, and corrective action plans. Elected and appointed officials of a community need to be directly involved in these NIMS preparedness elements, especially when the community exercises its emergency management policies, plans, procedures and resources.

Jurisdictions will be required to meet the FY 2006 NIMS implementation requirements as a condition of receiving federal preparedness funding assistance in FY 2007. However, it is important to recognize that the NIMS is a dynamic system, and the doctrine as well as the implementation requirements will continue to evolve as our emergency management capabilities nationwide change based on the hazards and threats of the nation.

The NIC strongly recommends that elected and appointed officials complete IS-700 NIMS: An Introduction and ICS-100: An Introduction to ICS training courses. They are available online at:
<http://training.fema.gov/emiweb/IS/crslist.asp>

Supersedes Fact Sheet, Elected Officials, What You Need to Know About NIMS, dated Dec. 2005

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**CITY OF HOMER
HOMER, ALASKA**

Mayor/City Council

RESOLUTION 22-078

A RESOLUTION OF THE HOMER CITY COUNCIL ADOPTING THE
2023-2028 CAPITAL IMPROVEMENT PLAN AND ESTABLISHING
CAPITAL PROJECT LEGISLATIVE PRIORITIES FOR FISCAL YEAR
2024.

WHEREAS, A duly published hearing was held on October 10, 2022 to introduce the final draft of the 2023-2028 Capital Improvement Plan (CIP) and to obtain public comments on capital improvement projects and legislative priorities; and

WHEREAS, The Council received comments from all of the City of Homer Advisory Boards, Commissions and the public at a duly published works session meeting on August 26, 2022 worksession; and

WHEREAS, It is the intent of the City Council to provide the Governor, the State Legislature, State agencies, the Alaska Congressional Delegation, and other potential funding sources with adequate information and priorities regarding the City's capital project funding needs.

NOW, THEREFORE BE IT RESOLVED by the City Council of Homer, Alaska, that the "City of Homer Capital Improvement Plan 2023-2028" is hereby adopted as the official six-year capital improvement plan for the City of Homer.

BE IT FURTHER RESOLVED that the following capital improvement projects are identified as priorities for FY2024 State and Federal Legislative Requests:

1. Port of Homer: New Large Vessel Harbor
2. Slope Stability Program
3. Pioneer Avenue Gateway Redevelopment: Multi-Use Community Center
4. Karen Hornaday Park Public Restroom
5. Homer Harbor System 4 Float Replacement
6. New Public Works Facility
7. A-Frame Water Transmission Line Replacement
8. Homer Spit Erosion Mitigation
9. Fire Hall Expansion

BE IT FURTHER RESOLVED that the City Manager is hereby instructed to advise appropriate State and Federal representatives and personnel of the City's FY 2024 capital project priorities and take appropriate steps to provide necessary background information.

44 PASSED AND ADOPTED by a duly constituted quorum of the City Council for the City of
45 Homer on this 10th day of October 2022.

46

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CITY OF HOMER

48

49

KEN CASTNER, MAYOR

50

51

52 ATTEST:

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54

55

MELISSA JACOBSEN, CITY CLERK

56

57

58 Fiscal Note: N/A



City of Homer

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Administration

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MEMORANDUM 22-174

TO: Mayor Ken Castner and Homer City Council
THROUGH: Rob Dumouchel, City Manager
FROM: Jenny Carroll, Special Projects and Communications Coordinator
DATE: October 6, 2022
SUBJECT: 2023-2028 CIP Amendments and Adoption of the FY24 City of Homer CIP

Thank you for taking the time to review the CIP projects during your September 26, 2022 worksession. At present, the CIP is still in a draft form. To bring the CIP to its final form, the following changes require Council consideration and formal action:

- ▶ At the worksession, Councilmembers discussed and generally agreed to the following recommendations for projects to remove from the CIP. The projects will only be removed by formal Council action.

By Motion: Make a motion to remove the Public Restroom Accessibility Barrier Removal, Homer Intersection Improvements, Beluga Slough Trail Extension, Sterling Highway Reconstruction – Anchor Point to Baycrest Hill, Horizon Loop Trail, Phase 1 and Mariner Park Improvement projects from the CIP.

Council discussed the recommendation of removing the Sterling Highway Milepost 172 Drainage Improvements from the State Project section. It will stay in the State section unless approved for removal by Council motion.

- ▶ Three projects have been recommended to be moved within the CIP.

By Motion: Make a motion to approve the following moves: Move the Barge Mooring & Large Vessel Haul Out Repair Facility from the Legislative Priority section to the Mid-Range Section; and move the Deep Water/Cruise Ship Dock Expansion and Old Main Dock Removal and Disposal projects from the Mid-Range Section to the Long-Range Section.

- ▶ Several new projects were proposed for inclusion in the CIP. Adoption into the CIP requires Council approval through a formal motion.

By Motion: Propose inclusion of the following City of Homer projects: A-Frame Water Transmission Line Replacement, Beluga Sewage Lift Station, Fish Grinding Building Replacement, Homer Airport Terminal Improvements, Wayfinding & Streetscape Plan Implementation, Svedlund and Herndon Street Sidewalks Homer Harbor Dredging, and Homer Harbor System 5 Redesign.

- ▶ Three new transportation projects have been proposed since the September 26th CIP worksession. The HAP Loop – Homer All Ages & Abilities Pedestrian Pathway is proposed by Public Works and Economic Development staff. It was developed in consultation with the Independent Living Center after the Homer Non-motorized Trail Symposium October 1. Staff supports this project in that it brings connectivity to Homer’s central trail system, gives compelling justification for the Svedlund/Herndon and Main Street sidewalk projects and could potentially leverage Federal Highway Administration funding through the State’s upcoming Transportation Alternatives Program.

The other two projects are road surface transportation projects identified by Public Works Director Keiser after consultation regarding City road projects to propose for inclusion in the Community Transportation Program section of the Statewide Transportation Improvement Plan. Staff recommends approving these two projects in the CIP as they could potentially leverage Federal Highway Administration funding through the State’s upcoming Community Transportation Program to improve Homer’s road infrastructure.

By Motion: Propose inclusion of the following projects: HAP Loop, Heath Street Rehabilitation and Main Street Rehabilitation.

- ▶ After the September 26th CIP worksession, Councilmembers communicated their eight Legislative and Federal Priority project selections. I compiled your recommendations to determine a proposed priority ranking and provide them in the attached resolution for your consideration. Please note, two projects tied in their priority selection (Homer Spit Erosion Mitigation and the Fire Hall Expansion) so the Legislative priority project selections number nine in the Resolution.

By Motion: establish and approve City Council’s prioritized list of the nine Legislative Request projects.

After you approve changes to the CIP and finalize the Legislative Priorities, the Resolution adopting the City of Homer FY24 Capital Improvement Plan can be passed.

Draft City of Homer Capital Improvement Plan 2023-2028



491 E. Pioneer Avenue · Homer, Alaska 99603 · 907-235-8121



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September 23, 2023

To The Honorable Mayor and Homer City Council:

I am pleased to present the City of Homer 2023 through 2028 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 2023-2028 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.

The City updates 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

FY24 Draft CIP INTRODUCTION PAGES



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Funded Projects from the 2022-2027 Capital Improvement Plan

The City of Homer is pleased to report that the following projects have been completed:

- **Homer Harbor Cathodic Protection**
City secured an FY23 State of Alaska Municipal Harbor Facility Program matching grant to complete this project.
- **Parks, Play Areas & Campgrounds ADA Transition Plan**
ADA Committee members and City staff completed this project in-house.
- **Radio Communication System Upgrades**
Over the years, through grant assistance primarily from the Alaska State Homeland Security program, components of the City’s Public Safety Radio System have been upgraded to insure interoperability and stay within FCC compliance.

The following projects have been been partially funded:

- **Homer Volunteer Fire Department Fleet Management** - partial completion with purchase of a Pierce Enforcer 2500 gallon tender to replace Tanker 2 utilizing City of Homer funds approved in the FY22-23 Capital Budget.
- **New Large Vessel Harbor** - State matching funds for the Phase 1 General Investigation have been secured and Federal matching funds are pending.



Introduction: The Capital Improvement Program

A capital improvement plan (CIP) is a long-term guide for capital project expenditures. A capital expenditure is a major, nonrecurring budget item that results in a fixed asset with an anticipated life of at least three years.

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.
- 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 funding capital projects as part of the biennial budget process.
- Understand the impact of new capital projects on maintenance and operating costs so expenses are budgeted in advance to help avoid projects that the community cannot afford.

The City of Homer CIP contains a list of capital projects the community envisions for the future, identifies ways projects will benefit the community, highlights Legislative priority projects and presents a very general target construction schedule. 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. 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.

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 six-year plan is updated annually in accordance with a planning schedule approved 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.

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. The City of Homer solicits input from City advisory bodies, advertises for public input during the CIP public hearings, and invites the public to participate throughout the entire planning process, including the nomination and adoption stages of the 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?
- Is the project specifically recommended in other City of Homer long-range plans?
- Will the project significantly enhance City revenues or prevent significant financial loss?
- Is the project widely supported within the community?
- Is the project strongly supported by one or more City advisory bodies?
- 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?

Once the overall CIP list is finalized, the City Council names a subset of projects that will be the focus of efforts to obtain state and/or federal funding in the coming year. The overall CIP and the legislative priority list are approved by resolution.



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.



Legislative Request FY2024

To be updated after City Council selections

City of Homer FY2024 State & Federal Legislative Priorities
approved by
Homer City Council Resolution 22-XXX

1. **Port of Homer: New Large Vessel Harbor**
2. **Multi-Use Community Center, Phase 1**
3. **Slope Stability Program**
4. **Barge Mooring & Large Vessel Haul Out Repair Facility
(proposed to move to the Mid-Range section)**
5. **Homer Spit Erosion Mitigation**
- 6.
- 7.
- 8.



1. Port of Homer: New Large Vessel Harbor

FY 2024 - DRAFT Document

Project Description & Benefit: This project will construct a new multi-modal large vessel harbor to the north of Homer’s existing Port and Harbor. The new large vessel port will support economic development in Alaska by meeting demands of the marine industrial transportation sector and creating jobs. It also addresses navigational safety hazards and advances national security interests by accommodating the layover and repair needs of US Coast Guard ships deployed under the Arctic Security mission.

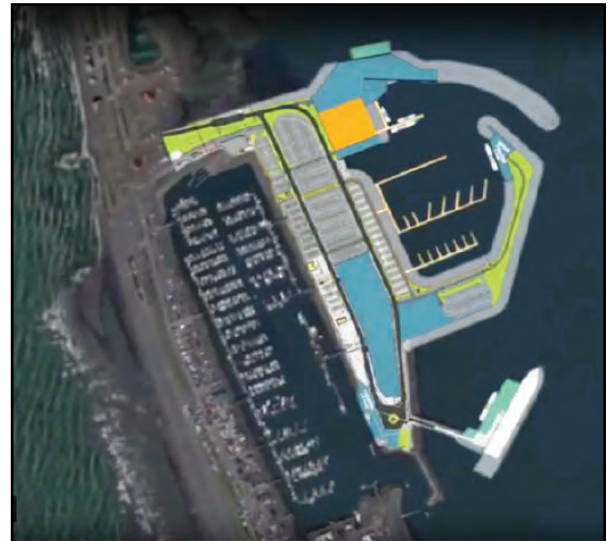
- Currently, large vessels are moored at System 4 and System 5 transient floats in Homer’s Small Boat Harbor. Due to shortage of moorage space, large vessels are rafted two and three abreast constricting passage lanes, creating navigational hazards and overstressing the harbor float system.
- The new facility will fill the unmet mooring needs of 60-100 large vessels that would home port in Alaska, but have been turned away due to their overall size, draft, or that we simply lack the space. These large vessels work in the commercial fishing, oil and gas, research, marine transportation and cargo industries. Port expansion will capture an estimated \$3.5 million in economic activity Alaska loses annually due to lack of moorage space and create Alaskan jobs by an estimated \$2.75 annually. Over a 50-year period, the cost to Alaska’s economy of doing nothing carries a present day value of \$93 million.
- The project will also meet the US Coast Guard’s long-term mooring needs for the Arctic Security and Search & Rescue missions. The large vessel harbor will be built to USCG specifications for layover and repair of fast cutters and other assets deployed to the Arctic.

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.

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 2019. Positive results led the USACE to recommend resuming work on the General Investigation (GI).

Federal funds for the GI have been secured through an FY23 appropriation and the City and State of Alaska have committed the 50% local match required to initiate the three-year study. The GI is scheduled to begin in Federal FY23.

Estimated Project Cost:	\$303,000,000	
General Investigation:	\$ 3,000,000	(Federal funds and local match completed FY23)
Construction Estimate:	\$300,000,000	
FY2024 Federal Request:	\$195,000,000	
FY2024 State Request:	\$ 70,000,000	
City of Homer:	\$ 35,000,000	



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. Pioneer Avenue Gateway Redevelopment: Multi-Use Community Center

FY 2024 - DRAFT Document

Project Description & Benefit: The Pioneer Gateway Redevelopment project completes a comprehensive revitalization plan and initiates cleanup on a 4.3-acre Brownfield site located in the heart of Homer’s commercial district at the corner of the Sterling Highway and Pioneer Avenue. This project would create an economically viable reuse program that can catalyze site cleanup and construction of a multi-use community center to meet Southern Kenai Peninsula community needs, while contributing to the overall economic development of Homer’s central business district. 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.

The community has long prioritized re-developing the site to better serve recreation needs and as a welcoming gateway for visitors to Homer. A 2015 City of Homer Parks, Art, Recreation and Culture (PARC) Needs Assessment validated this perceived need; a 2022 follow up assessment showed increased public demand for recreation space, reflecting the community’s high priority on access to public recreation and educational spaces. Public input describes the community center as a comprehensive multi-generational facility that offers something for people of all ages and identified a general-purpose gymnasium, multi-purpose space for safe walking/running, meeting and convention or events space, dedicated space for youth and emergency shelter as priority features.

Over the years, the City has performed a variety of structural and feasibility analyses, but contamination in the two former school buildings (asbestos, PCBs, mercury and lead-containing materials) requiring controlled removal and disposal has thwarted all efforts. The next steps to accomplishing the community goal of a new facility is twofold: finalizing design and site cleanup.

Plans & Progress: In 2018, a Council appointed Task Force completed several months of study and recommended building a new community facility, rather than trying to rehabilitate the current building. The retrofits needed to bring the building into modern code compliance exceeded the cost of new construction. In September 2021, City Council appropriated \$75,000 for professional services for public process, conceptual design and construction cost estimate for a new multi-use center, a big step towards refining the scope of the project and moving it forward. The next step is finalizing design, a feasibility study for ongoing operations and maintenance and a cleanup plan.

In spring of 2022, the City determined the smaller of the two former school buildings was unsafe for occupancy, and began planning demolition of that building. The City will proceed with demolition of the smaller building while planning for a new community facility.

Total Project Cost: \$15,795,666

FY24

Phase 1: Abate HazMat in both
HERC Buildings: \$ 176,377

Phase 2: Demolish HERC2 \$ 78,094

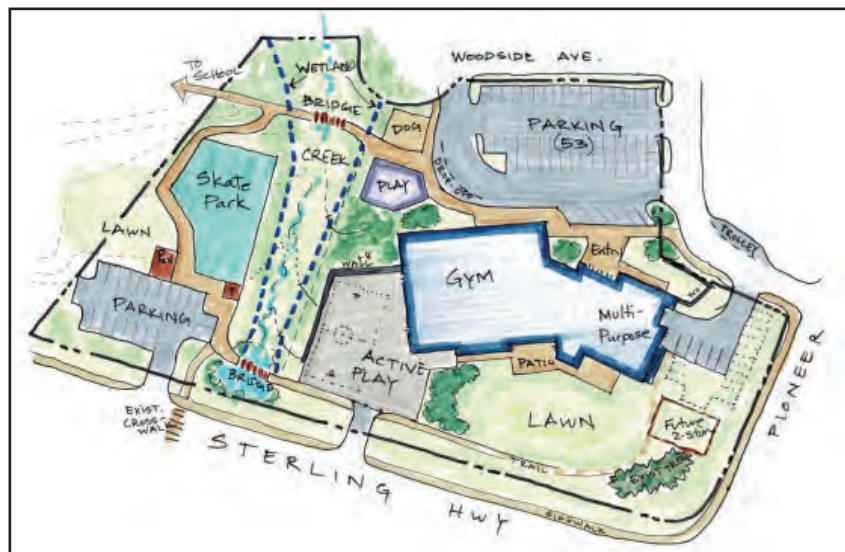
Final Design &
Feasibility Study \$ 350,000

FY25

Phase 3: Demolish HERC1 \$ 191,195

Construction \$15,000,000

FY2024 State Request: \$15,000,000
(City of Homer Match: \$795,666)



Conceptual design for a new community recreation facility to revitalize a Brownsfields site at the gateway to Homer.



3. Slope Stability Program

FY 2024 - DRAFT Document

Project Description & Benefit: One of the greatest risks to Homer’s natural and built environment is the stability of the steep slopes and coastal bluffs upon which much of Homer is built. These slopes are prone to sudden losses in stability, due in large part to the movement of water, whether it’s surface water that flows over the ground, storm water that falls from the sky or ground water that flows under the surface. When these waters combine, they saturate the soil, which makes the soil particles “slippery” and creates potential for slumping. The annual freeze-thaw cycle further exacerbates erosional loss.

Another major factor in Homer’s coastal erosion is an increase in impervious surfaces due to recent commercial and residential development booms. When stormwater quickly exits developed areas, discharge events downgradient result in extreme coastal erosion and loss of beach sediments critical for maintaining coastal stability.

Homes and businesses in the area have been impacted; homes have slid down steep slopes, forcing residents to abandon their homes. Roads have failed, and with them water/sewer, electrical and natural gas distribution line infrastructure, requiring emergency repairs to restore access. This is a problem affecting both the City and the State of Alaska, as multiple state highways have been, and are continuing to be, adversely affected by slope instability – including the Sterling Highway, Homer’s only road connection to the rest of mainland Alaska and Kachemak Drive, a tsunami evacuation route and connector road for commuter, recreational and commercial traffic to Homer’s Port & Harbor facility on the Homer Spit.

The City has been researching how these waters collectively affect steep slopes and coastline erosion and developing innovative mitigation measures. Conceptual plans for four specific projects have emerged from the research and together form the City’s Green Infrastructure Storm Water Management System. They include (1) the Kachemak Sponge Wetland Treatment System, a nature-based infrastructure project that would protect private and public properties as well as state-owned Kachemak Drive by acquiring using natural wetlands to collect and treat storm water. The project mitigates flooding and coastal erosion as well as recharges valuable peatlands. (2) The Baycrest Storm Drain Conveyance and Treatment System would protect the state-owned Sterling Highway and adjacent, downhill properties by mitigating flooding and coastal erosion. This project features a micro-hydro energy generating unit. (3) The Beluga Lake and (4) Beluga Slough Wetland Treatment Systems also use natural wetlands to manage storm water, protecting two state-owned roads, Main Street and Sterling Highway. They also protect the water quality of Beluga Slough and Beluga Lake, important habitat for shorebirds. Together, these projects will protect and recharge valuable peatlands, protect water quality, conserve critical moose and waterfowl habitat and mitigate coastal erosion for the long term.

Plans & Progress: The City has invested \$180,000 in field work to collect data on water quality, flow rates and the depth of the peatland’s active layers. Further, the City has completed design work and obtained appraisals of the peatlands to be acquired for the Kachemak Drive Wetland Treatment System, and is working with Kachemak Bay National Estuarine Research Reserve to secure Federal grant funds to acquire peatland properties.

Total Project Cost: \$8,140,000

- Kachemak Drive Wetland Treatment System \$4,400,000
- Baycrest Storm Drain Conveyance System \$2,300,000
- Beluga Lake Wetland Treatment System \$ 750,000
- Beluga Slough Wetland Treatment System \$ 690,000

FY2024 Funding Request: \$5,262,820

(City of Homer leveraged Match: \$2,877,180)



The Slope Stability Program utilizes nature based and low impact development techniques to mitigate erosional damage and protect water quality.



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

Habormaster and Port & Harbor Commission recommend moving this project to the Mid-Range Section because the uplands repair area is currently functional and other Port & Harbor projects have higher priority funding

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.



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

Total Project Cost: \$5,297,626

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

2025: Phase 3 Construction: \$5,000,000 (Project is shovel ready.)

FY2024 State Request for Phase 2: \$4,841,933 (City of Homer Match: \$158,067)

FY 2024 - DRAFT Document



5. Homer Spit Coastal Erosion Mitigation

FY 2024 - DRAFT Document

Project Description and Benefit: The City of Homer requests that the Alaska Department of Transportation and Public Facilities (AK DOT&PF) work cooperatively with the Army Corps of Engineers (USACE) and the City of Homer to design, permit and implement a long term erosion mitigation and maintenance plan to mitigate and stabilize erosion conditions on the Homer Spit. This project is needed to protect critical infrastructure on the Homer Spit.

The Homer Spit is a 4.5 mile long glacial spit composed of sands and gravel that offers recreational, commercial, industrial, and residential use. It is a valuable asset to the City of Homer and the State of Alaska due to its economic and recreational opportunities. It is also a unique, coastal feature and a valuable environmental resource with its extensive bird and marine habitat.

While typically in equilibrium, the Spit is undergoing a long period of erosion. Changes in storm patterns the past few years with milder summers and fewer strong southeasterly events may be affecting the sediment movement along the spit, allowing greater erosion and less seasonal accretion. The USACE addressed erosion concerns in 1992 with 1,000 feet of rock revetment in 1992, which they extended an additional 3,700 feet in 1998. This caused beach lowering adjacent to and further south of the rock revetment along the Spit. In that area, AK DOT&PF armored the highway in two emergency projects. These areas are subject to periodic overtopping, damaging the asphalt on the roadway shoulder

Erosional damage on the Spit, if left unchecked, will undermine the State-owned Sterling Highway that connects the Kenai Peninsula mainland to organizations like the United States Coast Guard and Alaska Marine Highway, and ultimately diminish the role the Homer Spit plays as a regional commerce center and transportation hub for Southcentral Alaska. Many private businesses located on the Homer Spit depend on the Sterling Highway as their gateway to conduct business; the Sterling Highway also accesses the City of Homer Port and Harbor critical infrastructure that supports United State Coast Guard facilities, the Alaska Marine Highway system, regional commercial marine transportation, the commercial fishing industry and the marine trades. The road is also an essential tsunami evacuation route. A coordinated, long-term maintenance plan is needed.

Plans & Progress: The USACE conducted two extensive studies with detailed erosion management information: a 2017 Dredged Material Management Guidance Manual and a 1989 investigation report, Storm Damage Reduction Final Interim Feasibility Report with Engineering Design and Environmental Assessment. More recently, in 2019, HDR analyzed environmental conditions and sediment transport and produced a Coastal Erosion Assessment of the Sterling Highway Termini on the Homer Spit which also considered concept alternatives (perched bench, groin field, offshore breakwater, sediment management and rock revetment) for improving resilience of existing roadway embankment. A rough order of magnitude for revetment is \$1.5 M per 100-foot station.

Due to the importance of road access on Homer Spit, a traditional revetment was recommended; however it strongly encouraged coupling any rock project with a beach renourishment program and sediment management plan for long term viability of the Spit. Dredging operations for the construction of Homer's new large vessel harbor will provide sufficient material to renourish the beach.

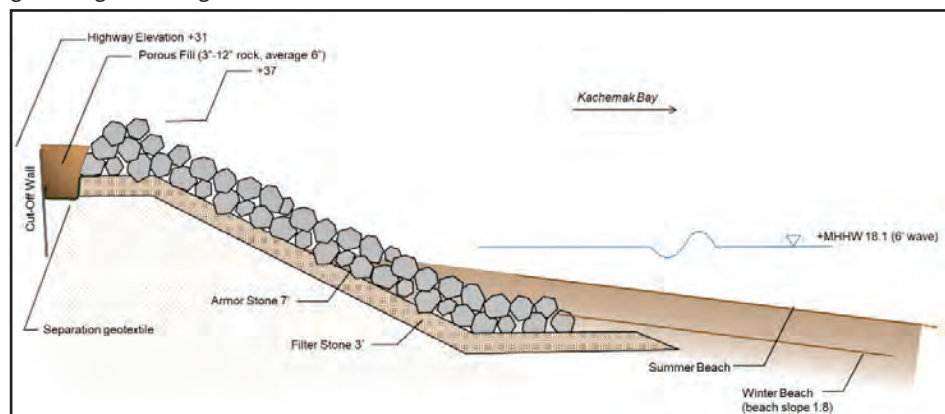
The project should progress in phases. Phase 1 is for the USACE to authorize beach renourishment on the Spit and implement the Dredged Material Management Plan to immediately mitigate erosional damage impacting the Spit Road and property while concurrently, initiating revetment engineering and design. Phase 2 is construction.

Total Project Cost: \$18,000,000

Phase 1: USACE Authorization for Beach Renourishment

Phase 2: Revetment Engineering & Design
\$ 3,000,000

Construction Estimate
\$15,000,000





6. TBD



FY 2024 - DRAFT Document



7. TBD

FY 2024 - DRAFT Document



8. TBD



FY 2024 - DRAFT Document



Mid-Range Projects

Part 2: Mid-Range Projects

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- **Parks and Recreation 16**
- **Port and Harbor 22**
- **Public Safety 32**
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- **Projects by Other Organizations 49**

FY 2024 - DRAFT Document



ADA Transition Projects

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- Nick Dudiak Fishing Lagoon Accessible Ramp & Fishing Platform13
- ~~Public Restroom Accessibility Barrier Removal14~~
- Removing Parking & Pavement Accessibility Barriers at City Facilities15

FY 2024 - DRAFT Document



City Hall Access Barrier Removal

FY 2024 - DRAFT Document

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

City Hall access barriers include:

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

Plans & Progress: Public Works Staff assisted the ADA Compliance Committee during the self-evaluation process, and together helped develop solutions and remedies which are included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project would ideally be addressed in conjunction with local paving and asphalt repair projects in 2023-24 to take advantage of the paving equipment and contractors that will be mobilized locally.

Total Project Cost: \$400,000

Schedule: 2023-2024

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 & Fishing Platform

FY 2024 - DRAFT Document

Project Description & Benefit: The Nick Dudiak Fishing Lagoon located on the Homer Spit is a man-made marine basin that the Alaska Department of Fish and Game annually stocks with king and silver salmon smolts to provide an easily accessible recreational sport fishing opportunity. This road accessible, shore based salmon fishing site attracts a wide array of sport anglers. When salmon return to the terminal fishery from May through September, over 250 anglers line the bank at any one time.

Due to its popularity, the City of Homer enlarged the lagoon to five acres (twice its original size) in 1994, and in 1999 added accessibility features (handicapped parking and a series of ramps and landings inside the fishing lagoon) to expand recreational sport fishing opportunities to anglers with mobility challenges. The City also maintains fish cleaning tables, restroom facilities, a small picnic area and adjacent campground to serve fishermen’s needs.

The existing twenty-year old ADA platform is subject to damage from tidal action, gravel build-up and ice scouring. Over the years, despite annual maintenance, it has succumbed to these forces and no longer serves its purpose of providing ADA access to the fishing waters. Parts of it have detached from the main body and are a safety hazard. A new access ramp and fishing platform, designed and located to resist these forces, is needed to restore accessibility to the Fishing Lagoon, improve the fishing experience, and if possible, reduce maintenance.

Once a final design and Fishing Hole location is determined, Phase 2 of the project will be to make improvements necessary to connect the ramp to uplands amenities such as accessible parking spaces, restrooms, the Fishing Hole campground and fish cleaning tables.

Plans & Progress: The City has been working in concert with Alaska Department of Fish and Game to design and seek funding to replace the ramp. In 2022, the City and State prepared conceptual design options for consideration. Initially, the preferred option is for floating access (similar to a dock) that provides over-water fishing opportunities. The floats will allow the dock to move up and down during tidal swings to provide ADA access to fishing for the entire tidal fluctuation. A gangway to the dock would be affixed to a fixed pier above the high water level. The floating portion of the dock and the gangway should be designed to be removable to avoid seasonal ice damage and to perform maintenance as necessary.

Total Project Cost: \$ 770,000

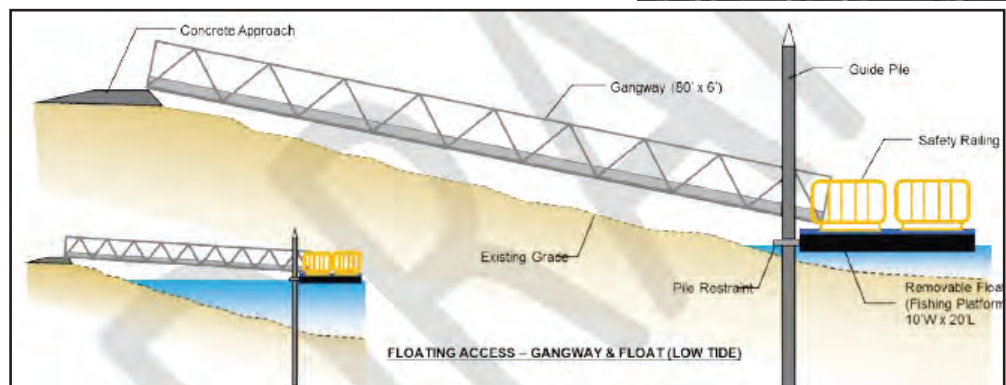
Concept Design \$ 30,000 Completed 2022;
City of Homer funds

Final Design \$70,000

Construction \$ 700,000

Schedule: Final Design 2023
Construction 2024

Priority Level: 1



A concept design of a removable gangway and floating fishing platform to restore ADA and access to the Nick Dudiak Fishing Lagoon.



The ADA Committee recommends removing this from the CIP as City Public **Public Restroom Accessibility Barrier Removal** Works staff has been correcting these issues over time and many are completed.

The ADA Committee requests annual updates from Public Works on items completed in the ADA Transition Plan.

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:

- relocating 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.

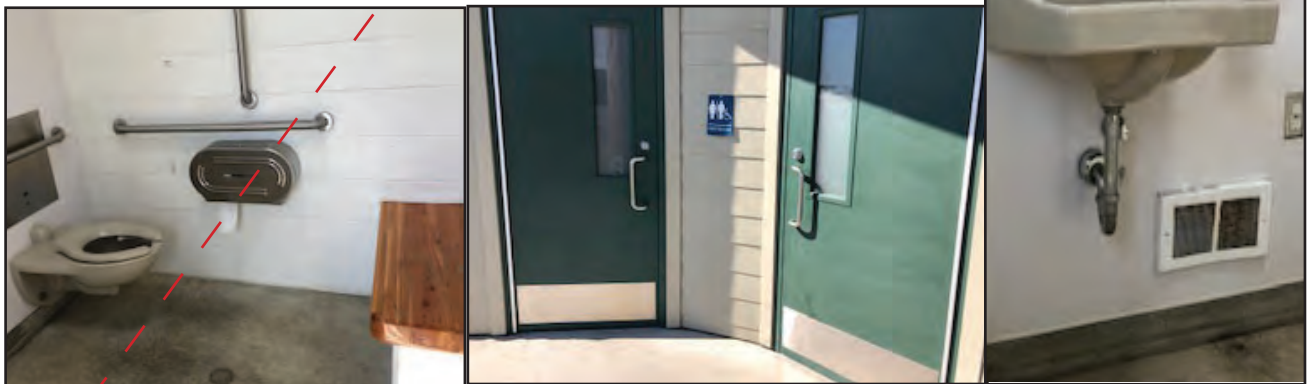
Total Project Cost: \$75,000

Airport Restroom & Water Fountain \$14,400 (funded in FY22 with City of Homer Capital Funds)

Schedule:

2024 Continuation of barrier removal in existing bathrooms \$60,600

Priority Level: 1



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

FY 2024 - DRAFT Document



Removing Parking and Pavement Accessibility Barriers at City Facilities

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, 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: City staff assisted the ADA Compliance Committee during the self-evaluation process and together developed solutions and remedies that were included in the Transition Plan. City Council approved the Transition Plan in Resolution 19-024. This project is expected to proceed incrementally. In 2021, accessible vehicle and van parking spaces were paved at Harbor Ramps 3, 4 and 5, and at public restrooms and compliant signage and pavement markings were completed.

Total Project Cost: \$385,600

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

Schedule:

2024: Facility Parking Lot Cross Slopes & Signage \$336,500

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.



Parks, Art, Recreation & Culture

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Bayview Park Restoration

Project Description & Benefit: Bayview Park is a neighborhood park at the top of Main Street. This project seeks to improve accessibility and safety of the Park and its playground elements so that the park is more user-friendly for preschool age children and for children with disabilities or mobility issues.

In 2011, volunteers with Homer's Early Childhood Coalition adopted Bayview Park and coordinated with Corvus Design to create a park master plan. While some elements of the plan have been implemented, much more work needs to be done to transform the park into a fun, safe and accessible destination for young families. Project goals include:

- Replacing the existing high-maintenance, and rickety white picket fence with a wood frame-chain link fence to improve the stability and durability of the fence. The fence also provides a level of safety for young children around the busy roads and deep water-filled ditches surrounding the park.
- Procuring and installing inclusive playground equipment and safety surfacing to reduce risk of injuries, new playground equipment to ADA standards, and extending ADA trail to the new elements.

Plans & Progress: . In 2022, the City will be installing an ADA accessible sidewalk to the park from Main Street as part of the new Main Street Sidewalk project. 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. The Kachemak Bay Rotary Club committed \$10,000 in 2022 to help procure new playground equipment, which the City plans to install with the help of community volunteers.

Total Project Cost: \$190,000

Schedule: 2022-2023

Priority Level: 1



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 Campground Renovations

FY 2024 - DRAFT Document

Project Description and Benefit: 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 pot holed, 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. Mariner Park Campground would also benefit from landscaping.

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.

Plans and Progress: This project is 80% shovel ready.

Total Project Cost: \$95,000

Mariner Park Campground	\$50,000
Fishing Hole Campground	\$45,000

Schedule: 2023-2024

Priority Level: 1



Mariner Campground at the base of the Homer Spit.



Homer Spit Trailhead Restroom

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: \$400,000

Schedule: 2025

Priority Level: 2



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

FY 2024 - DRAFT Document



Jack Gist Park Improvements, Phase 2

FY 2024 - DRAFT Document

Project Description & Benefit: Jack Gist Park has been founded in 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. Phase 3 will provide potable water (water main extension) and construct a plumbed restroom.

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. In 2022, the City will install a bike path connecting Jack Gist Park to two new nearby residential developments and to East End Road.

Phase 2 Project Cost: \$60,000

Schedule: 2024-2025

Priority Level: 2



One of the softball fields at Jack Gist Park.



Karen Hornaday Park Improvements Public Restroom

FY 2024 - 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, is outdated. Development of a new plan by the Park, Arts, Recreation and Culture Advisory Commission and adoption by City Council is necessary to configure and coordinate efforts to provide safe and accessible park entry for vehicles and pedestrians, and accessible park amenities in the play area and pavilion, which the park currently lacks.

Another major need is an 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.

Total Project Cost: \$425,000

Restroom Utilities & Construction: \$425,0000

Schedule: 2023

Priority Level: 1



High priorities for the park is finalizing a design to improve the safety and accessibility of park’s entry road, and constructing public restroom facilities.



Port and Harbor

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Deep Water/Cruise Ship Dock Expansion, Phase 1

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Staff & Port & Harbor Commission recommend moving this project to the Long-Term section. At this point there has been no change in the market to justify anything more than maintaining the current facility. Moving it to Long-term makes sense until such time as there is market demand.

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.

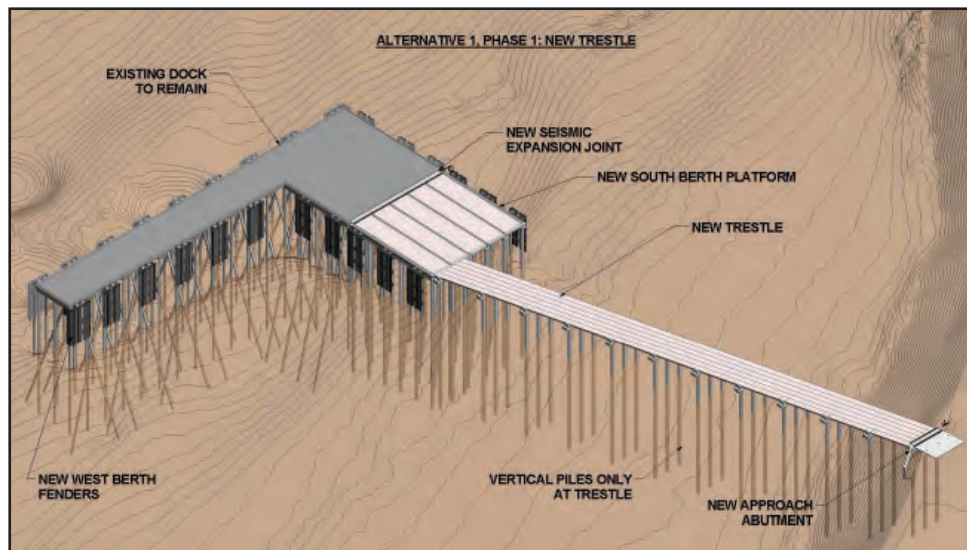
Total Project Cost: \$35,000,000

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

Design: \$1,750,000

Construction: \$32,000,000

Priority: 2



Deep Water/Cruise Ship Dock Expansion proposed design.



Harbor Ramp 8 Public Restroom

FY 2024 - DRAFT Document

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: \$400,000

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 Security Cameras: Ramp 1-5 Access Points

FY 2024 - DRAFT Document

Project Description and Benefit: This project will expand and enhance coverage capabilities of Homer Harbor’s current security camera system. The Port and Harbor Advisory Commission and staff have a long term goal of installing cameras on the west side of the basin at the access points to Ramp 1 through Ramp 5. Expanding the current camera system allows harbor officers to keep a monitored eye on these heavily trafficked areas.

Over the years, security cameras have come to play an ever increasing role in assisting staff to monitor harbor and vessel security because of the advantages they provide. Cameras allow harbor officers to monitor situations while completing other tasks the field or while on the radio helping other customers. Quick review of a recorded incident will also help an officer verify vessel status while not having to actually dedicate time to watching and waiting on scene. Cameras also provided an element of safety by allowing responding officers to view a situation before arrival; they can also be used to assist in monitoring evacuations from the Spit in the case of a tsunami or other natural disaster without putting officers in harms way.

Plans & Progress: City Council approved a capital budget request of \$20,000 for the design of the Ramp 1 through 5 camera system in the 2022/2023 budget. Once the design is completed, an accurate cost estimate will be available for installation and implementation of this important security systems upgrade.

Total Project Cost: \$120,000 (estimated)
System Design: \$20,000
Equipment Purchase and Installation: \$100,000 (TBD after system design)

Schedule: 2022-2023

Priority Level: 1



Security cameras, pictured here, center, allow harbor officers to gain situational awareness before responding to an event, to verify details of recorded events and monitor progress of evacuations or check on inundation during tsunami events.



Ice Plant Upgrade

Project description pending and may be available for laydown at the worksession.

FY 2024 - DRAFT Document

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

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

Plans & Progress: This project is proceeding in a three-phase approach. Phase 1 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

Staff recommend moving this project to the long range section as a derelict structure removal project, until there's a plan for a transformative element

and cost estimates.

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.

FY 2024 - DRAFT Document



Steel Grid Repair

Project Description and Benefit: The Steel Grid is a series of benches (steel 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 Steel 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 Steel Grid was originally built 42 years ago and accommodates vessels from 60 feet to 120 feet with a 200 ton limit. The grid was originally rated for vessels up to 400 tons but was downgraded to 200 ton max limit as it aged due to the condition of the supporting piles and benches. Maintenance and repairs of bents and fenders have kept this grid patched up and going for a good long while, but we’re now at a point when we need a larger project replacement. More may be revealed after an engineering inspection during Phase 1, but as of now, staff believe that the piers and wooden fenders are still serviceable. It is anticipated that only the grid itself would 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 or repair.

Total Project Cost:

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

Phase 2: Construction: (TBD after engineering and design phase.)

Schedule: 2024

Priority Level: 2



A marine vessel utilizing Homer Harbor’s steel grid for repairs.

FY 2024 - DRAFT Document



System 4 Vessel Mooring Float Replacment

FY 2024 - DRAFT Document

Project Description & Benefit: System 4 is made up mostly of floats that were constructed in 1964 for the original Homer Harbor. In the 2002 Transfer of Responsibility Agreement (TORA) project, those original floats were moved to create System 4. Within two years, the System's 207 slips for vessels ranging in size from 24 feet to 60 feet in length and over 1,000 linear feet of transient moorage was filled to maximum capacity. System 4 provides dockage for the Seldovia Fast Ferry Kachemak Explorer for passenger and freight loading. System 4 has two accessible gangways ramp 6 and 7 and is supported by a public restroom and public fish cleaning station located at the top of ramp 6.

The floats are over 30 years beyond their engineered life expectancy and should be replaced before they are condemned and need to be decommissioned.

Plans & Progress: Phase 1 floats HH, JJ, and headwalk float AAA 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.

In 2022, the City contracted R&M Engineers to provide a condition report and cost estimate for Phase 2 of the project. Phase 2 replaces CC, DD, EE and GG floats and the remainder of AAA that wasn't upgraded in 2014. It also upgrades the floats to include shore power and potable water. We also plan to extend AAA towards the load and launch ramp so that we can open up the fairways between the floats to give the vessels more room to safely navigate between the float systems.

Total Project Cost: \$8,000,000

Schedule:

2023 Design: \$800,000

2024-2027 Construction: \$7,200,000

Priority Level: 1



System 4 floats to be replaced.



Detail of aging Float DD.



Wood Grid Repair

FY 2024 - DRAFT Document

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

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

Homer’s Wood Grid was originally built 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: 2024

Priority Level: 1



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



Public Safety

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Fire Department Fleet Management

FY 2024 - DRAFT Document

Project Description & Benefit: To meet the community's fire protection needs and Insurance Services Office (ISO) requirements, Homer requires two Tankers for off-hydrant operations, three front-line Fire Engines and one Reserve Fire Engine. National Fire Protection Agency codes recommend maintaining apparatus with the latest safety features and operating capabilities to maximize firefighting capabilities while minimizing the risk of injuries. Apparatus in first-line service should not be more than 15 years old; apparatus over 25-years old and properly maintained should be placed in reserve status.

Many of the apparatus and specialized vehicles in the Homer Volunteer Fire Department fleet are 15 years to over 30 years old and at the end of their functional life. Functional capabilities and safety features of fire apparatus has greatly improved in the last fifteen years, including fully enclosed cabs, modern seat belt configurations, improved roll-over stability and braking systems. Apparatus over 25 years old also become unreliable. Systems fail, sidelining vehicles for lengthy repairs and putting both firefighters and the public at great 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 Department has developed a strategic, cost saving approach to meeting Homer's fire protection needs with the following top-prioritized replacements:

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-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. Replacing Brush-1 with a quick attack pumper truck will allow access to areas that will not support the weight or dimensions of larger fire trucks and can be used as a backup brush unit. \$185,000

Engine-4, at over 30-years old has well exceeded its functional lifespan and lacks modern safety and capability features that cause concern for operational ability and the safety of our first responders and the public. \$785,000

Ladder-1. Adding an aerial truck to HVFD's fleet will greatly enhance the City of Homer's firefighting capability. Over time, as Homer's population has grown, so has the size and complexity of its buildings making fighting fire from the ground no longer safe or practical. Currently, HVFD is only able to provide elevated hose streams from ground ladders, which severely limits the application of water and endangers the lives of firefighters. Aerial apparatus allow for application of water to the interior of a building without placing firefighters in immediate danger. They also allow for the rescue of people trapped in upper stories or on rooftops by fire or other incidents that impede the use of interior stairways.

Plans and Progress: HVFD developed a fleet replacement plan that places apparatus on standard replacement cycles consistent with NFPA requirements and community needs. Replacing Brush-1 and Engine-4 are the highest priority.

Total Project Cost: \$2,570,000
Quick Attack/Brush Truck: \$185,000
Engine 4 Replacement: \$785,000
Quint/Ladder Truck \$1,600,000

Schedule: 2023-2025

Priority Level: 1



HVFD's Brush-1 is a converted 1990 Ford truck which is NFPA non-complaint and has aged out of its functional life by 16 years.



Fire Hall Expansion, Phase 1

FY 2024 - DRAFT Document

Project Description & Benefit: In 2014, in response to aging and crowded conditions, the City assessed Homer’s emergency services space needs. Initial plans to correct building and space inadequacies 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: \$20,000,000

Design: \$1,500,000

Construction: \$18,500,000

Schedule: 2023

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

- **Ben Walters Lane Sidewalk Facility.....36**
- **New Public Works Facility.....37**
- **Raw Water Transmission Main Replacement.....38**
- **Water Storage/Distribution Improvements.....39**

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Ben Walters Lane Sidewalk Facility

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Project Description and Benefit: This project will provide approximately 6,150 feet of ADA-compliant sidewalk, curb and gutter on Ben Walters Lane from Lake Street to East End Road. 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 hazardous. The road is narrow and side drainage ditches are deep and often flowing with water.

A sidewalk facility will create a safe environment for pedestrians as well as young children biking to school and will fill a missing gap in connectivity between East Road and lower Lake Street sidewalks and connect to the East End Road bicycle and pedestrian path.

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. The City has commissioned the design of the facility and the project will be fully shovel ready in fall 2022.

Total Project Cost: \$1,673,436

Design & Survey: \$ 73,436 (City of Homer FY22 Capital funding)

Schedule: 2023

Priority Level: 1





New Public Works Facility

FY 2024 - DRAFT Document

Project Description & Benefit: The Public Works Department, located at the bottom of Heath Street, has outgrown its facilities. The current mechanic shops are too small to accommodate the city's large equipment and are out of space to house any new machinery. Due to lack of space the building maintenance shop was relocated to a derelict building off site will soon need a new location. Additionally, Homer's new Tsunami Inundation Map shows the potential for a 30' high wave moving through the Public Works complex. Public Works and associated heavy equipment are critical infrastructure for response and recovery activities before, during and after a disaster.

To help evaluate the risks to Public Works of personal injury and property damage from a tsunami and recommend possible mitigation options, Homer City Council appointed a Public Works Campus Task Force in 2020. The Task Force confirmed risks to the public works campus and additionally identified that the facility is suffering from obsolescence due to growth and technological changes over time. After evaluating different mitigation strategies (including creating tsunami resistant seawalls or perimeter mounds and constructing tsunami resistant buildings in same location), the Task Force advised relocating the mission critical portions of the Public Works campus (administration, building maintenance, City fueling station, rolling stock, piping, culverts, mechanics shop, motor pool shop and other essential equipment and materials) to a new location to mitigate loss and damage during a tsunami event and to provide for long-term stainability.

Based on an needs assessment, the new facility would require a 4.6 acre site. Ideally, the site would be located within or close to the Central Business District, and compatible with adjacent land uses. The facility will be sized to provide for current and future administrative and customer support personnel; road, drainage, building, water, sewer, motor pool maintenance activities; and equipment/materials storage

The existing Public Works site could be converted into public summer use open space (adjacent to the animal shelter, Beluga Slough, and conservation land) and provide space for environmentally sensitive snow storage in the winter.

Plans & Progress: This project will most likely be completed in three phases consisting of concept design and property acquisition followed by full design and construction. The proposed time frame is to purchase property in 2023; design the facility in 2023-24; begin construction in 2025, with a new facility ready for occupancy in 2026. Availability of funding would change these time periods.

Total Project Cost: \$12,027,750

Schedule:

2023: Property Acquisition	\$1,150,000
2023-2024: Facility Design	\$ 828,500
2025-26: Construction	\$9,949,250

Priority Level: 1



City of Homer existing Public Works facility.



Raw Water Transmission Main Replacement

FY 2024 - DRAFT Document

Project Description & Benefit: This project replaces the two 45-year old cast iron raw water transmission mains that transfer raw water from Bridge Creek Reservoir to the treatment plant. These aging cast iron transmission mains are susceptible to earthquake damage. Multiple repairs have already been made to these mains. The last two repairs made were in response to earthquake damage. Major damage to the raw water transmission mains would make it impossible to serve the town with treated drinking water for domestic use and would reduce the City's ability to provide adequate water pressure for fire protection. Both mains will be replaced with High Density Polyethylene (HDPE) pipe, which is extremely durable and is less susceptible to damage by earthquakes or other natural disasters.

One of water mains, at 8 inches, is under-sized to meet the maximum capacity of the Water Treatment Plant. The other main, a 10-inch line, is at capacity now. The Water Treatment Plant produces 2 million gallons a day. However, the capacity of the treatment can be increased to 2.9 million gallons a day to meet increased demand in the future. The 10-inch transmission main would not be able to provide the plant with enough water to serve the City's needs at this higher rate.

Plans & Progress: The plan is to replace both lines with larger 12-inch HDPE pipe. HDPE pipe is more resilient to damage by earthquakes or other natural disasters; larger pipes provide system redundancy and will be able to transport an adequate amount of raw water to the treatment plant for plant maximum daily flow both now and for future expansion of the treatment facility.

The City applied for a FEMA FY19 Hazard Mitigation Grant. The proposal ranked fifth out of 51 eligible projects by the State and was submitted to FEMA for review. In summer 2022, the City responded to FEMA's request for information and the project is likely to move forward to grant award by the end of 2022. In FY20 and FY21 Homer City Council approved a total of \$247,585 for design of the raw water main transmission project

Total Project Cost:	\$2,179,445
Design:	\$ 235,385 (Completed with City of Homer FY20 & FY21 Capital funding)
Construction:	\$1,944,060

Schedule: 2023
Priority Level: 1



HDPE pipes do not rust, rot or corrode and are more resilient to earthquakes than the cast iron pipes currently in use.



Water Storage/Distribution Improvements, Phase 3

FY 2024 - DRAFT Document

Project Description & Benefit: This project replaces aging water storage/distribution system components and makes other system improvements to increase water storage capabilities and drinking water quality, improve water system distribution and water transmission effectiveness and safeguard public health. A dependable water system ensures public safety and contributes to Homer’s growth and economic vitality.

The project also builds drinking water resilience. The storage tank on the water supply system’s west trunk will alleviate a drinking water storage deficiency. Current storage capacity gives Homer only a two-day supply of stored drinking water, making us vulnerable to critical water shortages. A 500-foot trunk line from the new tank will provide domestic water and firefighting capabilities to an unserved area in the city, and the pressure-reducing vault on this line will add system resiliency. The pressure-reducing vault will interconnect the two lines, allowing either trunk to distribute water to the other in the event one is damaged or out-of-service.

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 stations and the installation of micro-hydro turbines that can efficiently produce power back onto the grid, reducing the City’s electricity costs and creating green power.

Plans & Progress: : Project design was completed in 2014 utilizing \$485,000 in Special Appropriation project grant funds from the Environmental Protection Agency and \$399,214 (45%) in matching funds from the City. Phase 1 construction was completed in 2016 utilizing \$1,980,254 in FY16 State of Alaska Municipal Matching Grant program funds, \$848,680 City of Homer funds and benefitted property owner’s assessments. Phase 2 construction work should be completed in 2024 using ADEC grant monies and water reserve funds using State of Alaska Municipal Matching Grant program funds and City of Homer water reserve account funds.

Phase 3 construction can be completed after phase 2 is finished and funding has been identified.

Total Project Cost: \$10,438,214

- 2014 (Design, Completed): \$884,214
- 2016 Phase 1 Construction(Funded, Completed):\$1,980,000
- 2023-2024 Phase 2 Construction: \$1,600,000
- 2024 Phase 3 Construction: \$5,974,000

Priority Level: 1



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 .. 41
- East Hill Road Bike Lane 42
- ~~Homer Intersection Improvements..... 43~~
~~(Recommended for removal)~~
- Kachemak Drive Rehabilitation/Pathway 44
- Main Street Reconstruction..... 45
- Sterling Highway Milepost 172:
Drainage Improvements 46
- West Hill Road Bike Lane..... 47

Transportation projects outside City limits:

- ~~Sterling Highway Reconstruction;~~
~~—Anchor Point to Baycrest Hill..... 48~~
~~(Recommended for removal)~~

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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 entailed 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 accessibility barriers cited in the ADA Transition plan.



FY 2024 - DRAFT Document



East Hill Road Bike Lane

FY 2024 - DRAFT Document

Project Description and Benefit: This project would create a bike lane, in conjunction with an Alaska Department 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. 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 Department 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 of \$2,000,000 for the project has been developed by the City of Homer.





Homer Intersection Improvements

Staff recommends removing this project and proposing a new one, if needed, after Transportation Planning.

Project Description & Benefit: This project implements recommendations of the 2005 Homer Intersections Planning Study commissioned by the Alaska Department of Transportation and Public Facilities. The study analyzed the needs of twelve intersections according to traffic forecasts, intersection safety records, pedestrian concerns and intersection options. The benefit of the improvements will be to enhance traffic safety and quality of driving and pedestrian experiences, particularly as the community continues to grow.

The study noted six Homer intersections needing traffic controls to 1) provide gaps for turning vehicles and 2) provide safer crossings for pedestrians on Homer's main thoroughfares where traffic volumes are increasing and worsening in the summer months. DOT/PF have improved some of the intersections; the two remaining include Sterling Highway at Pioneer Avenue and Sterling Highway at Heath Street.

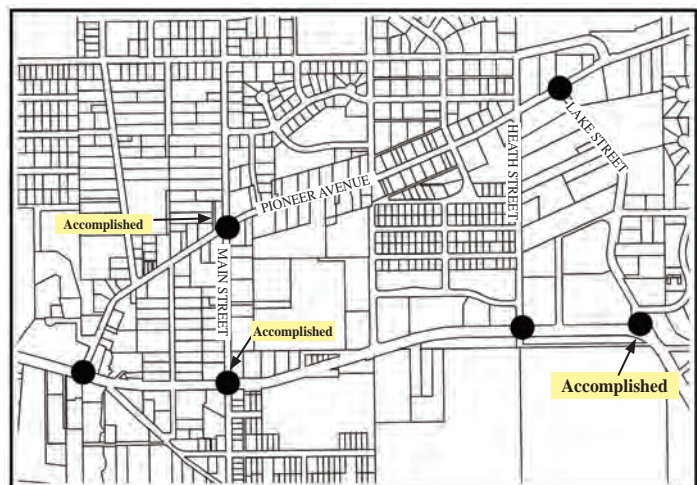
The intersection study also analyzed areas with poor or non-existent lane and crosswalk pavement markings, missing or inadequate crosswalk signage and heavy traffic volumes. City Council passed two resolutions formally requesting DOT&PF include additional enhanced pedestrian safety measures in two area road improvement projects: Pioneer Avenue and Lake Street. Resolution 18-034 asked DOT&PF to install a pedestrian crosswalk across Lake Street at Grubstake when DOT&PF installs sidewalks and repaves Lake Street. Resolution 19-029 requests DOT&PF include crosswalks with lighting features across Pioneer Avenue at intersections in the Pioneer Avenue Pavement Preservation Project.

The City also expects the State of Alaska to adhere to 2010 ADA standards when constructing, altering or repaving streets and intersections, including mandated curb ramps or other sloped areas at intersection having curbs or other barriers to entry from a street level pedestrian walkway. Further, while not mandated, the City's ADA Committee endorses upgrading Homer's four traffic signals to audible pedestrian signals and evaluating potential additional traffic control/pedestrian crosswalk installation in areas where there are major pedestrian traffic generators or where multi-use trails crosses the roadway.

Plans & Progress: DOT/PF installed a four-way stop with flashing overhead beacon at the Pioneer Avenue and Main Street intersection in 2016. They installed a traffic signal at the Main Street and Sterling Highway intersection in 2019.

In 2020, the Pioneer Avenue Pavement Preservation Project updated all curb ramps to current ADA requirements, replaced crosswalk markings at Bartlett, Main, Svedlund, Kachemak, and Heath with grooved-in thermoplastic; relocated the Svedlund crosswalk to make pedestrians more visible to drivers; relocated the Main Street crosswalk to align with the path on the south side of street; and repaired portions of the existing sidewalk to improve accessibility.

DOT/PF completed the Lake Street Rehabilitation in 2021. While it did 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.



FY 2024 - DRAFT Document



Kachemak Drive Non-Motorized Pathway

FY 2024 - DRAFT Document

Project Description & Benefit: This project constructs a separated non-motorized pathway along Kachemak Drive from East End Road to Ocean Drive. Kachemak Drive, a State-owned/operated road in the City of Homer, is a primary east-west transportation corridor. It is a 35-miles per hour, narrow, winding road with essentially no shoulders, only side-slopes and drainage ditches along most of its length.

It provides access to a state airport with general aviation businesses, light industrial businesses, private residents and it connects the Homer Spit to several marine storage and repair businesses, most notably Northern Enterprises, the largest industrial marine storage, repair and boat launch complex on the southern Kenai Peninsula. As a major truck route and commuter route for residents in Kachemak City and other communities further out East End Road, traffic is often heavy, with over 1,500 vehicles daily. Kachemak Drive is also a tsunami evacuation route and is the only alternate route connecting Homer to East End Road should emergencies close the primary west to east Pioneer Avenue route.

Kachemak Drive is also heavily used by pedestrians and cyclists. Bicycle traffic has increased over the years due to the advent of wide-tire winter bicycles and Homer's increasing popularity as a bicycle-friendly town. Recreational and commuter bicyclists and pedestrians use Kachemak Drive to connect to non-motorized paths along the Homer Spit, Ocean Drive, and East End Road. However Kachemak Drive is inherently unsafe for non-motorized users due to narrow lane width, the lack of shoulders, traffic levels and design speed. Cyclists are forced 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 condition is dangerous to motorists and cyclists, especially on curves and the hill leading up from the base of the Spit to the airport, where visibility is low -- creating the perfect storm for conflict between motorized and non-motorized users at best, and injury or fatalities at worst.

The benefit of constructing a two-lane, unpaved separated path that runs parallel to Kachemak Drive is two-fold. Foremost, it will significantly improve safety for non-motorized users, provide greater accessibility and pedestrian path connectivity, as well as a higher quality of life for residents and visitors alike. The project, if coupled with the Green Infrastructure Erosion Mitigation project will aid in road longevity by mitigating significant frost heaving caused by ground water.

Plans & Progress: The City has long identified this route as a high priority safety issue. In 2012, the City invested \$20,000 to develop a conceptual design for the first half-mile of a Kachemak Drive Path, from the intersection of Kachemak Drive and Ocean Drive to a parking area at the crest of a hill on Kachemak Drive. This work resulted in a recommended trail cross-section for an 8-foot wide path to be built on the south side of Kachemak Drive.

When Alaska DOT&PF began scoping a "1R" road project for Kachemak Drive, Homer City Council passed Resolution 21-065 requesting that DOT include accommodations for non-motorized users in the 1R project plan and evaluate a future project to create safe and sustainable pedestrian amenities along Kachemak Drive. The AK DOT&PF Preconstruction Manual states, "Expect bicycle traffic along most roads and streets. Where bicyclists are allowed, all new construction and reconstruction must provide for use by bicyclists and pedestrians."

The City proposes to partner with the State to accomplish this goal.

Estimated Project Cost: \$2,000,000



Bicyclists riding in the right-of-way after turning onto Kachemak Drive from the Homer Spit bicycle path..



Main Street Sidewalk: Pioneer Avenue South to Ohlson Lane

FY 2024 - DRAFT Document

Project Description & Benefit: This project will provide curb and gutter, sidewalks and storm drainage for the state-owned portion of Main Street from Pioneer Avenue south to Ohlson Lane.

Homer’s Main Street is a primary north-south corridor running from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop’s Beach). As such, it 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. It also supports residential traffic as the street is home to many single family residences, some multi-family residences, and leads to trails systems and one of the City’s most popular parks.

Despite its proximity to 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 city-owned 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. Further, City Council passed Resolution 06-70 in June 2006 requesting DOT & PF upgrade Main Street with a sidewalk facility.

In 2022, the City of Homer completed a \$1.4M project to install sidewalks on the city-owned portion of Main Street, from Pioneer Avenue North. Over the last several years, State of Alaska DOT & PF 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 then installed a traffic signal at the Sterling Highway and Main Street intersection. However, this work did not address pedestrian safety improvements on Main Street itself.

The City strongly supports development of a continuous pedestrian facility along the whole of Main Street, leveraging it’s funding to help secure State funding for the construction of an ADA accessible sidewalk located within the vehicular right-of-way on the west side of Main Street from Pioneer Avenue to its southern terminus. Some drainage work within the right-of-way would be required to properly direct storm water runoff to catchment basins and adjacent roadside ditches.

The City has already commissioned the design and survey of the corridor at a cost of \$110,700 and is seeking to partner with AK DOT&PF for construction funding.

Estimated Project Cost:
\$2,000,000

Cost includes a WAG of \$100,000 for storm drain improvements.



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

Staff recommended removing this project from the CIP. Addressed in Slope Stability Program in Legislative Priorities section. Will only be removed by Council action.

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.

In 2022, project managers of the Sterling Highway Reconstruction project have engaged with the City of Homer Public Works Director about analyzing water flow and drainage related to the project.



Aerial photo of the area downslope of the outfall from a Sterling Highway beehive collector.

FY 2024 - DRAFT Document



West Hill Road Bike Lane

Project Description and Benefit: This project creates a bike lane on West Hill Road.

West 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. Traffic on West Hill Road is growing as several new residential subdivisions are being developed, compounding the risks.

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.

Plans & Progress: The need for a non-motorized transportation element on West Hill Road was identified in the 2021 Update to Homer's Non-Motorized Transportation and Trail Plan. This project also aligns with transportation goals articulated in the City's Comprehensive Plan. An engineer's conceptual cost estimate of \$2,300,000 for the project has been developed by the City of Homer.



FY 2024 - DRAFT Document



Sterling Highway Reconstruction Anchor Point to Baycrest Hill

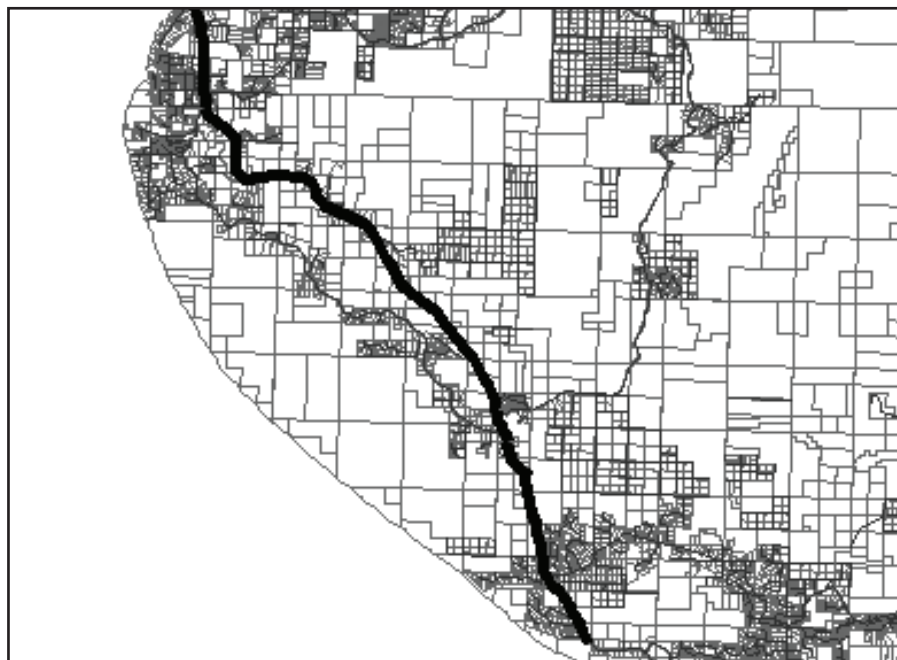
Staff recommends removing this project from the CIP. Project in STIP and planned for implementation..

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. \$1.7 million dollars was in the FY19 budget for Right of Way funding. DOT&PF's Statewide Transportation Improvement Plan indicates the project may go to construction phase in 2023. \$80.8 is currently budgeted..



Location of DOT&PF's Sterling Highway Reconstruction Project.

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Projects Submitted by Other Organizations

The City of Homer supports the following projects for which local non-profit organizations are seeking funding and recognizes them as being of significant value to the Homer community:

- **Beluga Slough Trail Extension 50**
- **Homer Hockey Association:
Kevin Bell Ice Arena Acquisition..... 51**
- **Homer Senior Citizens Inc.:
Alzheimer’s Unit 52**
- **Kachemak Shellfish Growers Association:
Kachemak Shellfish Hatchery 53**
- **Kachemak Ski Club:
Homer Rope Tow Access & Equipment Upgrades 54**
- **SPARC: Flooring Replacement 5516**

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Beluga Slough Trail Extension

The Economic Development Advisory Commission recommends removing this project from the CIP due to project challenges listed below and

that there is no specific nonprofit organization supporting it.

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 and the 2022 Supplement to the 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 2024 - 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. KBA is home ice for the Mariner-High School Co-Op Team with includes players from all of the secondary schools on the southern Kenai Peninsula.

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 and allow for major building maintenance. 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: \$1, 954,300



Christmas Eve public skate at Kevin Bell Arena is well attended.



Homer Senior Citizens Inc. Alzheimer's Unit

FY 2024 - DRAFT Document

Project Description & Benefit: Seniors are the fastest growing population for the State of Alaska. Homer is projected as the second city in the State which will see the most significant growth in this demographic. Homer Senior Citizens 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.

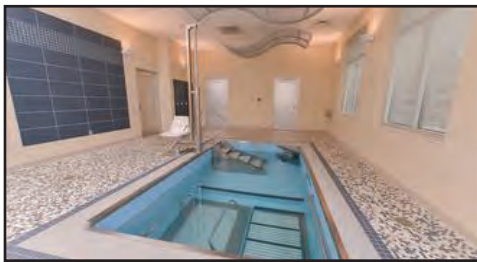
Plans & Progress: HSC has met with Hydro Worx to incorporate the Therapy Pool with the Alzheimer’s Unit. Projected 5-year profit will be approximately \$1,508,600. This does not include contractual arrangements with third party vendors.

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.

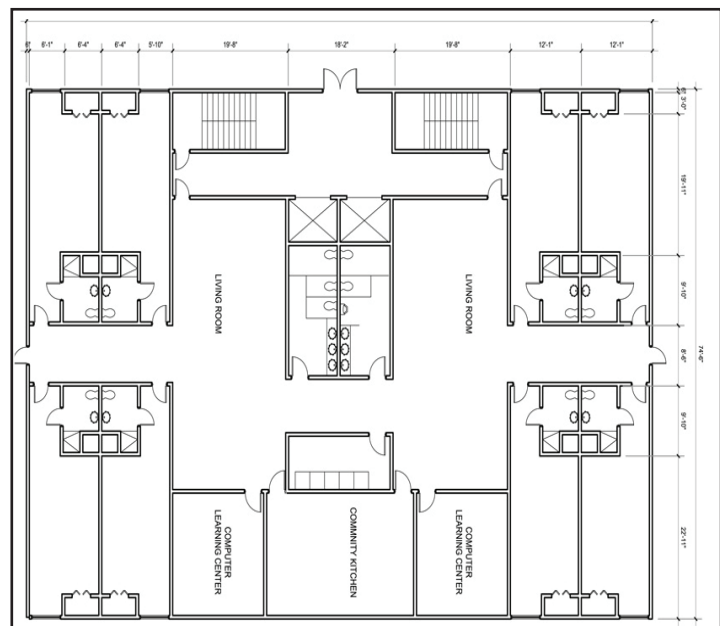
Due to COVID-19, we postponed plans with our architect to design the facility. We will begin discussions with the architect again this fall.

Total Project Cost: \$3,000,000

Funding Received as of date: \$99,950



Example of a HydroWorx Therapy Pool Room .





Kachemak Shellfish Mariculture Association Kachemak Shellfish Hatchery

FY 2024 - 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. 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 has been cleaned,sorted, graded and counted.



Kachemak Ski Club: Homer Rope Tow Access & Equipment Upgrades

FY 2024 - DRAFT Document

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 the skier access to and experience on the slopes, making it more welcoming for youngsters and newcomers. It relocates and refurbishes the hill’s aging electric bullwheel at the top of the slopes and grades the upper towpath to lower the rope’s haul angle to diminish the physical strain on skiers riding to the top of the hill. It also allows purchase of a portable rope tow device that can be positioned on the lower, more gently sloping part of the hill to increase the number of skiers who can be accommodated on busy days and improve access and skill development for new riders. It will also be used for snowsport instructional classes and special events, leaving the main rope tow open for other riders.

To augment natural features and offer entertaining challenges for more advanced skiers and snow boarders the project seeks to acquire terrain park features.

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, Kachemak Ski Club is developing a shared parking area with Homer’s Snowmads snow machine organization, directly across Ohlson Mountain Road from the Section Line entrance point. This new parking area will minimize the safety risks of double parking on Ohlson Mountain Road and dispersed pedestrian traffic in the roadway that now occurs during crowded weekends. While alternative grant funds will be pursued to fund the majority of the parking areas construction, it is anticipated that additional funds will be needed to complete the project: new signage and security features such as fencing and gates.

Total Project Cost: \$90,000

Relocation of Bull Wheel & Slope Grading: \$40,000

Equipment (auxiliary rope tow & terrain park features): \$35,000

Parking/access improvements: \$15,000



Youth enjoying Homer’s own downhill ski area.



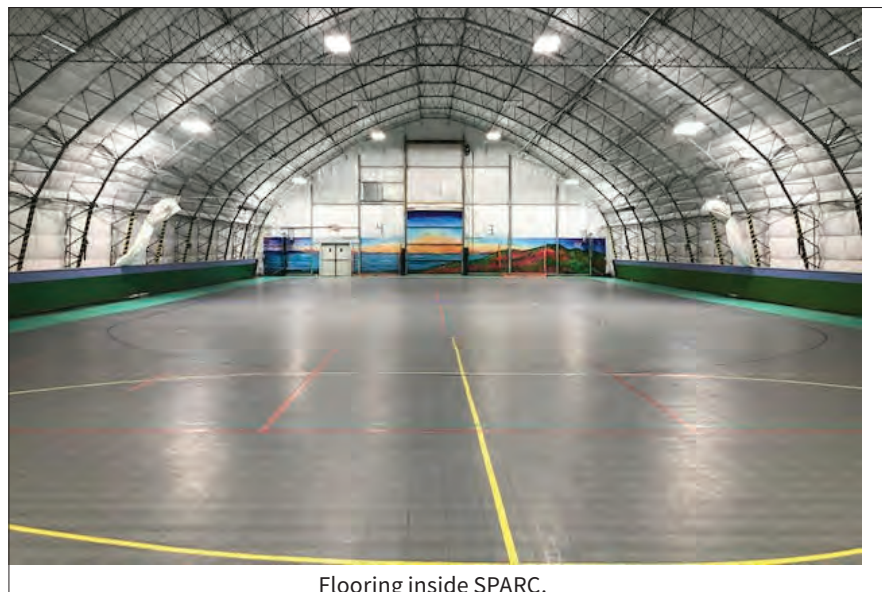
SPARC: Flooring Replacement

Project Description and Benefit: South Peninsula Athletic and Recreational Committee owns and manages the SPARC building on land abutting the Homer Middle School campus, leased for \$1/year from the Kenai Peninsula Borough, per a 20 year lease. This facility is a non-governmental recreational facility available for community use on a daily basis. A wide variety of activities occur there including pickleball, walking, soccer, roller-skating, and basketball. It also hosts large community events such as performances, celebrations of life, youth dances, and even a recent car/motorcycle show with food trucks and a vendor fair.

The SPARC flooring is plastic sport court tile over compacted NFS select fill, but there is a need for an improved floor to better accommodate the wide variety of activities in the building and allow for more regular and thorough cleaning. The long-term plan has always been to replace the inexpensive first floor, which was already well used when installed in 2017. The first step in replacing the floor will be the installation of a concrete slab to support whatever new flooring is selected. Currently the building has a layer of sand below the floor. The sand will be utilized for the base of the concrete for any replacement floor.

Plans & Progress: Since 2017, SPARC has been setting aside funds in a capital account to be applied to the costs of a floor upgrade. Currently the account is funded at \$45,000. In 2020, SPARC formed a Flooring Committee which was tasked with selecting the specific flooring by winter of 2021. The Flooring Committee was composed of representatives of various sports to provide input on the design and choice of flooring. The SPARC Board of Directors and committee members consulted with Alaskan Industries, Inc., an Alaskan firm that has installed dozens of gym floors around the state. Based on consultations with this firm, including a site visit from their founder, the SPARC chose a “Mondo Advanced” Flooring package, which meets all our unique uses and circumstances. A Letter of Interest to the Murdock Charitable Trust requesting funding for half the cost in the winter of 2021 resulted in an invitation to submit a full application for project funding. The application is pending.

Total Project Cost: \$478,681
Preconstruction and Administration: \$155,917
Construction: \$322,764



Flooring inside SPARC.

FY 2024 - DRAFT Document



Capital Improvement Long-Range Projects

FY 2024 - DRAFT Document

The following projects have been identified as long-range capital needs but have not been included in the Capital Improvement Plan because it is not anticipated that they will be undertaken within the six-year period covered by the CIP. As circumstances change, projects in the long-range list may be moved to the six-year CIP.

Local Roads

Fairview Avenue – Main Street to East End Road: This project provides for the design and construction of Fairview Avenue from Main Street to East End Road. The road is approximately 3,000 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. The project extends from the intersection of Main Street to the Homer High School, and finally to East End Road, and will provide an alternative to Pioneer Avenue for collector street access east/west across town. This roadway would benefit the entire community by reducing congestion on Pioneer Avenue, the major through-town road, and would provide a second means of access to the high school. It would also allow for development of areas not currently serviced by municipal water and sewer.

This improvement is recommended by the 2005 Homer Area Transportation Plan. Necessary right of way has already been dedicated by the Kenai Peninsula Borough across the High School property.

Cost: \$1.75 million

Fairview Avenue – Main Street to West Hill Road: This project provides for the design and construction of Fairview Avenue from Main Street to West Hill Road. The road is approximately 4,200 linear feet and the project will include paving, water and sewer mains, stub-outs, storm drains, and a sidewalk or trail. In conjunction with the Fairview to East End Road project, this project will benefit the entire community by providing an alternative to Pioneer Avenue for collector street access east/west across town, thereby reducing congestion on Pioneer Avenue and developing alternative access for emergency vehicle response. The need for the road extension has increased markedly with the development of three major residential subdivisions in the area.

This improvement is recommended in the 2005 Homer Area Transportation Plan.

Cost: \$3 million

Parks And Recreation

East Trunk/Beluga Lake Trail System: This project will create two connecting trails:

- The Beluga Lake Trail will partially encircle Beluga Lake with a raised platform trail that includes a wildlife observation site. The trail will connect neighborhoods and business districts on the north and south sides of the lake.
- The East Trunk Trail will provide a wide gravel pathway from Ben Walters Park east along the City sewer easement, along the north side of Beluga Lake (connecting with the Beluga Lake Trail), and eventually reaching East End Road near Kachemak City.

The completed trail system will connect Paul Banks Elementary School, the Meadowood Subdivision, and other subdivisions and residential areas to Ben Walters Park. It will additionally provide hiking, biking, and wildlife viewing opportunities around Beluga Lake. In addition, it will provide an important non-motorized transportation route.

The Beluga Lake Trail, a trail connection to Paul Banks Elementary School and East End Road are included in the 2004 City of Homer Non-Motorized Transportation and Trail Plan.

Cost: Beluga Lake Trail—\$1.5 M East Trunk Trail—\$2 M



Capital Improvement Long-Range Projects

Staff recommends removing this project; it is not in the Non-Motorized Transportation & Trails Plan 2022 Supplement and proposing new projects that align with the plans

Horizon Loop Trail, Phase 1: The Homer Horizon Loop Trail is proposed as a four to five mile route that would run clockwise from Karen Hornaday Park up and around the top of Woodard Creek Canyon, traverse the bluff eastward and then drop down to Homer High School. The parking lots of Karen Hornaday Park and Homer High School would provide trailhead parking. Those wishing to complete the loop will easily be able to walk from Homer High School to Karen Hornaday Park or vice versa via Fairview Avenue. A later stage of trail development will connect the Horizon Loop Trail with the Homestead Trail at Bridge Creek Reservoir.

Cost: Staff time.

priorities: areas affected by recent or proposed developments and routes that improve the function of existing routes by providing connectivity or accessibility.

Mariner Park Improvements: This project makes significant improvements to Mariner Park as called for in the park's Master Plan: construct a bike trail from the "Lighthouse Village" area to Mariner Park (\$325,000); construct a pavilion, additional campsites and interpretive kiosk (\$150,000); and improve the appearance of the park with landscaping (\$75,000.)

Staff recommends removing this project. A scaled down landscape element has been added to the the Mariner Park campground improvement project in mid range section.

Port & Harbor

Old Main Dock Removal and Disposal: This project removes the old Main Dock from inside the Pioneer Dock facility which is a derelict structure in the Port & Harbor. It is a safety hazard and potential liability for the City. 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 as a commercial pier in 2001, the City built the new Pioneer Dock around it, leaving the Main Dock in place. It has deteriorated to the point that it is unsafe even for an individual to walk on. This project removes and disposes of the structure in a method that satisfies safety and environmental requirements. Where possible, salvaged materials may be sold.

This project has been in the Mid-Range section. Staff and Port & Harbor Advisory

Commission recommend moving the project here, to the Long-Range section.

Deep Water/Cruise Ship Dock Expansion, Phase 1: Upgrades to and expansion of the Deep Water Dock Expansion will boost Homer Port & Harbor 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. Dock improvements will also fulfill a contingency planning requirement under Homeland Security provisions. The Port of Alaska, 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.

Cost: A \$1,250,000 feasibility study was completed in September 2016. Cost estimates are \$1,750,000 for design and \$32,000,000 for construction.

This project has been in the Mid-Range section. Staff and Port & Harbor Advisory Commission recommend moving the project here, to the Long-Range section.

FY 2024 - DRAFT Document



Capital Improvement Long-Range Projects

Utilities

Water Storage/Distribution Improvements Phase 4 - Spit Water Line: The existing Homer Spit water line is 40 years old and constructed of 10-inch cast iron pipe. In recent years it has experienced an increasing number of leaks due to corrosion. The condition has been aggravated by development on the Spit resulting in increased load from fill material on an already strained system. This project consists of slip lining approximately 1,500 linear feet of water main to the end of the Spit. Slip lining versus replacing the line will reduce cost while ensuring an uninterrupted water supply for public health, fire/life and safety needs, and protecting economic activities on the Spit. Grant funds from the EPA allowed the City to complete project design in 2014.

Cost: \$400,000

Bridge Creek Watershed Acquisition: Bridge Creek Reservoir is Homer's sole water source; land in this area owned by the City is protected by a watershed protection district. The City seeks to acquire additional land for the district to protect the watershed from development that could threaten the water supply, and to ensure the availability of land for future water supply. Conservation easements may also be utilized to restrict development that is incompatible with clean water.

Cost: \$1,000,000

Alternative Water Source: Currently Bridge Creek Reservoir is Homer's sole water source. Population growth within the City, increased demands for city water from residents outside City limits, increasing numbers of tourists and summer residents, and climate change has reduced surface water availability. These factors demonstrate the need for a new water source to augment the existing reservoir. An alternative water source also builds redundancy into this essential life/safety municipal infrastructure, making it possible to serve town with treated drinking water and adequate fire protection in the event of contamination or earthquake damage to Bridge Creek Reservoir.

Cost: \$16,750,000

West Hill Water Transmission Main and Water Storage Tank: Currently, water from the Skyline water treatment plant is delivered to Homer via two transmission mains. One main (12-inch) is located along East Hill Road and delivers water to the east side of town. The other (8-inch) runs directly down to the center of town. A third transmission main is needed to deliver water to the west side of town, provide water to the upper West Hill area, and provide backup support to the two existing transmission mains. A new water storage facility is also needed to meet the demands of a rapidly growing community. The addition of a third water transmission main has been identified in comprehensive water plans for over 20 years.

Cost: Design—\$500,000 Construction—\$4.5 M

STATE PROJECTS

Ocean Drive Reconstruction with Turn Lane: Ocean Drive is a segment of the Sterling Highway connecting Lake Street with the Homer Spit Road. It sees a great deal of traffic, particularly in the summer, and has become a safety concern. Currently, a bicycle lane runs on the south side of Ocean Drive. However, it is common for vehicles to use the bicycle lane to get around vehicles which have stopped in the east-bound traffic lane to make a left turn, presenting a significant risk to bicyclists and pedestrians using the bike lane. Attendance at the Homer Farmers Market during the summer season contributes significantly to traffic congestion in the area. In addition, Following complete streets design, this project creates a center turn lane, well-marked crosswalks, and a separated bike path to improve traffic flow on Ocean Drive and reduce risks to drivers, bicyclists, and pedestrians by creating. The project will also enhance the appearance of the Ocean Drive corridor by moving utilities underground and providing some landscaping and other amenities.



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Capital Improvement Plan Appendices

**CITY OF HOMER
2023-2028 CAPITAL IMPROVEMENT PLANNING PROCESS
FY 2024 LEGISLATIVE REQUEST DEVELOPMENT SCHEDULE**

ACTION	TIME FRAME
City Council Approval of CIP Planning Schedule	May 23, 2022
Solicit new/revised project information from City Departments, local agencies and non-profits	May 24, 2022
Input for New Draft Requested By	June 30, 2022
Prepare and Distribute Draft CIP to City Advisory Groups for Review and Input:	
Planning Commission	August 3
Park, Arts, Recreation and Culture Advisory Commission	August 18
Port and Harbor Advisory Commission	August 24
Economic Development Advisory Commission	August 23
ADA Committee	August 15
Administrative Review and Compilation	August 29 - September 6
City Council Worksession to Review Proposed Projects	September 12
Resolution on CIP - Legislative Request Public Hearing for CIP - Legislative Request	September 26
Adoption of Resolution by City Council	September 13
Administration Forwards Requests for Governor’s Budget	October 8
Distribution of CIP and State Legislative Request	October 8
Compilation/Distribution of Federal Legislative Request	October 2022 & January 2023



Capital Improvement Plan Appendices

Resolution page 1 placeholder



Capital Improvement Plan Appendices

Resolution page 2 placeholder



Capital Improvement Plan Appendices

City of Homer Financing Assumptions: Capital Improvement Program

Implementation of the City of Homer Capital Improvement Plan requires utilization of various financing mechanisms. Financing mechanisms available to the City of Homer include:

- Federal grants or loans
- State grants or loans
- General obligation bonds
- Limited obligation bonds
- Revenue bonds
- Special assessment bonds
- Bank loans
- Pay as you go
- Private sector development agreements
- Property owner contributions
- Lease or lease–purchase agreements

The use of any of the financing mechanisms listed above must be based upon the financial capability of the City as well as the specific capital improvement project. In this regard, financing the CIP should take into consideration the following assumptions:

1. The property tax cap of six-mill (at which point sales tax goes away) precludes use of this revenue source for major capital improvements. Available revenue should be utilized to fund operation and maintenance activities.
2. The operating revenue of enterprise funds (Port & Harbor, Water & Sewer) will be limited and as such, currently only fund operation and maintenance activities.
3. The utilization of Federal and State grants will continue to be significant funding mechanisms. Grants will be pursued whenever possible.
4. The 1½ percent sales tax approved by voters of Homer for debt service and CIP projects is dedicated at ¾ percent to sewer treatment plant debt retirement, with the remaining balance to be used in water and sewer system improvement projects, and ¾ percent to the Homer Accelerated Roads and Trails (HART) Program for building, improving and maintaining Homer’s roads and trails. The annual budget will transfer a minimum of \$550,000 of the ¾ percent dedicated sales tax exclusively for road and trail capital improvements and construction. The HART Program will require property owner contributions of \$30 per front foot for road reconstruction, with an additional \$17 per front foot for paving.
5. The Accelerated Water and Sewer Program will only be considered if the fund has a debt service of 1.25 or greater.
6. The private sector will be encouraged to finance, construct, and operate certain nonessential capital improvements (e.g., overslope development).
7. The utilization of bonds will be determined on a project-by-project basis.
8. The lease and/or lease–purchase of capital improvements will be determined on a project-by-project basis.



Proposed New Projects Table of Contents

City of Homer Projects

1. A-Frame Water Transmission Line Replacement
2. Beluga Sewage Lift Station
3. Fish Grinding Building Replacement
4. Homer Airport Terminal Improvements
5. Homer Harbor Dredging
6. Homer Harbor System 5 Redesign (proposed for Long Range Section)
7. Wayfinding & Streetscape Plan Implementation
8. Svedlund and Herndon Street Sidewalks
9. HAP Loop - Homer All Ages & Abilities Pedestrian Pathway
10. Heath Street Rehabilitation
11. Main Street Rehabilitation: Pioneer Avenue South

FY24 PROPOSED NEW PROJECTS - DRAFT



A-Frame Water Transmission Line Replacement

Project Description and Benefit: This project replaces an 800-foot section of cast iron water supply line in Homer's water utility system. The pipe, at 57-years-old, is brittle, corroded and on a 52-degree slope, making it extremely susceptible to catastrophic damage during seismic events.

This supply line is only line transmitting water to the west side of Homer, serving hundreds of customers, South Peninsula Hospital and two schools. Loss of this line our sole drinking water utility would have a devastating impact to public health and safety, and fire protection capability. Even short-term water supply disruption (due to serious but repairable seismic damage to the supply line) has serious consequences, including the impacts to hospital/ medical care facilities, the availability of machinery and spare parts for timely repair during a major disaster and the need to provide emergency drinking water.

Replacing the cast iron pipes with HPDE pipes protects this critical water utility infrastructure from seismic damage, significantly mitigating potential life, health and public safety losses associated with a major earthquake event. Loss of supply in the area's sole drinking water utility would have a devastating impact on public health and safety, fire protection capability and the economy. To mitigate the likelihood of a catastrophic break that would disrupt water supply and smaller ruptures that could compromise water quality, the cast iron pipe will be replaced with earthquake resilient High Density Polyethylene pipe.

The water main is critical infrastructure for the life, health and safety of Homer's 5,522 residents and additional residents in surrounding unincorporated areas who rely on the system for delivery of residential and commercial potable water and fire protection services. Demand for water distribution doubles during the summer (June to August), compared to the height of winter (December and January) due to the influx of seasonal residents and a burgeoning tourism industry.

Plans & Progress: .

Total Project Cost: \$804,092

Design: \$90,000

Construction: \$750,000

Schedule: 2023

Priority Level: 1

FY24 PROPOSED NEW PROJECTS - DRAFT



Beluga Sewage Lift Station

Project Description and Benefit: This project replaces aging sewer collection components. A dependable sewage collection and treatment system ensures public safety and contributes to Homer’s growth and economic vitality.

The Beluga Sewer Lift Station consists of a concrete control vault and an 8’ diameter concrete wet well. All the waste water from the Homer Spit, as well as many residential and commercial neighborhoods, flows into the wet well on its way to the Waste Water Treatment Plant. The septic waste water contains hydrogen sulfide gas, which oxidizes in the presence of moisture, producing sulfuric acid. The acid eats concrete and metal, damaging the piping, mechanical controls and concrete structure itself. A breach of the concrete structure would cause raw, septic sewage to flow into Beluga Slough, part of Kachemak Bay’s Critical Habitat, home to, among other creatures, nesting sand hill cranes. Failure of the mechanical equipment could cause the pumps to fail and the wet well to overflow.

The need to renovate this critical infrastructure was first identified during the formation of the 2006-2025 Homer Water & Sewer Master Plan. The City invested in the development of a conceptual engineering design, which has been completed. The Conceptual Engineering Report evaluated various options for renovating the lift station and developed a cost effective solution, which includes:

- Installing a fiberglass wet well into the existing concrete structural
- Replacing the valves and piping with stainless steel or plastic components;
- Installing more energy efficient and durable pumps; and
- Upgrading the instrumentation and control systems.

Plans & Progress: . Conceptual project design was completed in 2020, funded by the City’s Capital Asset Repair and Maintenance Account (CARMA).

Total Project Cost: \$1,200,000

Schedule: 2023-2024

Priority Level: 1

FY24 PROPOSED NEW PROJECTS - DRAFT



Fish Grinding Building Replacement

Project Description and Benefit: This project replaces the Fish Grinding Building located on the uplands within the Homer Small Boat Harbor, and completes site drainage improvements to meet DEC permitting requirements.

The building requiring replacement secures and protects a DEC-permitted industrial fish waste grinding system. They system processes a large volume of fish carcasses (on average 304,600 pounds annually) generated by non-commercial sport fishing activity and collected from the City’s public fish cleaning tables for environmentally sound disposal. This sport-caught fish waste is transported to the Fish Grinding Building in totes where it is mixed with salt water and ground, and then pumped to an underwater outfall located in Kachemak Bay adjacent to Homer’s Pioneer Dock.

The current building is a twenty-one year old, 600 square foot metal clad building. Over time, the humid, salty sea air and the saltwater slurry used in the fish grinding process have taken a corrosive toll on the building. The building is rusting out in several areas, compromising its structural integrity and degrading electrical fixtures. The new proposed building will be constructed on the same concrete footprint, utilize existing utility hook ups and designed with corrosion-resistant materials to protect the fish grinder and associated equipment from the elements, saving on costly equipment maintenance and repairs.

The project also completes site work to correct a site drainage/water quality issue cited in the recent EPA permit review. When totes are delivered to the Fish Grinding Building and awaiting processing, fish slurry inevitably leaks onto the ground and enters a storm drain rather than the outfall line. Site work will create a drainage system in the tote storage area to insure leakage is channeled into the outfall line. These two improvements insure that this important facility can continue to meet sport angler need while remaining compliant with EPA regulations.

Plans & Progress: Replacing the Fish Grinding building was submitted to Alaska Division of Fish & Game for ranking on their Capital Improvement Plan and consideration for funding under the Federal Aid in Sport Fish Restoration Act (Dingle-Johnson Act), which grants up to 75% of project costs.

Total Project Cost: \$275,000
Phase 1: Engineering and Design: \$25,000
Phase 2: Construction: \$250,000

Schedule: 2024

Priority Level: 1



Corrosion is compromising the Fish Grinding building’s structural integrity and degrading interior fixtures.

FY24 PROPOSED NEW PROJECTS - DRAFT



Homer Airport Terminal Improvements

FY24 PROPOSED NEW PROJECTS - DRAFT

Project Description and Benefit: The Homer Airport Terminal, built in 1994, suffers from obsolescence and deferred maintenance of its major systems such as the antiquated fire system, obsolete air handling system and failing exterior doors. While the interior lobby space offers an attractive welcome, some of the public features do not comply with the ADA, including the restrooms. The interior also needs renovation and refreshing to improve the desirability and function of its leased spaces. The exterior is showing its age – peeling paint is allowing the weather to penetrate the building’s protective siding. Broken and uneven sidewalks compromise ADA accessibility to the building, as does poorly delineated ADA accessible parking.

This project will complete repairs and renovations needed for ADA-compliance, energy efficiency, security and resilience. Improvements will benefit the Homer Airport, a Regional Airport that provides access to the intrastate air transportation system for all of the Southern Kenai Peninsula and Kachemak Bay region and supports light plane service to several small communities on the south shore of Kachemak Bay which otherwise are only accessed by boat. Aviation plays a critical role in the everyday life of rural Alaska towns; our economy, citizens, businesses, industries, and government agencies depend on aviation, often as a primary mode of transportation for travel, medical services, shipment of goods, and tourism. At times when highways are shut down, the airport facility is a lifeline. Addition of an emergency backup power generator will keep the terminal operational in times of emergency and power outages.

The project additionally benefits visitors. The City has developed a cohesive, City-wide plan for consistent and attractive wayfinding. Directional and informational signs at Homer’s gateways are the highest priority in Homer’s Wayfinding Plan. This project implements wayfinding designed for the Airport Terminal to help people get where they want to go and improve the visitor experience.

The AK Department of Transportation and Public Facilities owns the airport and leases space upon which the Homer Airport Terminal sits, to the City of Homer. The City is responsible for building maintenance, repair and renovations. The Terminal is a joint use passenger/cargo terminal comprised of a 8,673 SF, single-story building, including 1,200 SF of cargo terminal. The functional areas in the building include departure lounge/security, lobby/waiting area, airline space, baggage claim/bag car unloading, concessions, circulation, and administration/mechanical.

Total Project Cost: \$930,000

Interior Renovations \$550,000

- Bring public restrooms to ADA standards and address other remaining ADA compliance issues
- Replace HVAC and Fire, Life, Safety systems
- Replace automatic entry doors for security and to improve energy efficiency

Exterior Renovations \$275,000

- Provide ADA-compliant parking and access to terminal building
- Paint exterior siding
- Install wayfinding signage/kiosk and mural on building

Resilience Measure: \$105,000

- Install backup generator for emergency power

Schedule: 2024

Priority Level: 2



Homer Harbor Dredging

Project Description and Benefit: Due to sediment infiltration, Homer's small boat harbor is in need of dredging to restore design depth. The US Corps of Engineers is authorized as part of their mission to maintain the navigable channel from the harbor entrance all the way to the load and launch ramp. However, all the rest of the harbor is a local responsibility.

Plans & Progress: The project would first require a survey of the entire basin by a certified Marine surveyor capable of conducting a multi-beam survey that provides quantities of dredged material that would need to be removed to get the basin back to the original depths. Phase 2 will create an RFP and solicit bids for dredging the harbor. Depending on the results of the bids, we may need to prioritize our efforts and focus specific areas of concern first.

Total Project Cost: Estimate forthcoming from Harbormaster.

Schedule: 2024

Priority Level: 1



A dredge in Homer Harbor during the US Corps of Engineer's annual dredging of the harbor's navigable channel.

FY24 PROPOSED NEW PROJECTS - DRAFT



Harbor Float System 5 Redesign (proposed for Long Range Section)

Laydown: Project proposed by the Port & Harbor Commission and Harbor-master.

Project Description and Benefit: System 5, built in 1988, moors large industrial vessels within Homer's Small Boat Harbor. Over the years, as the number and size of large vessels has grown, the System has been used at and beyond its engineered capacity. System 5 will have to be replaced within the next ten years. In the next three years, the City will be conducting a US Corps of Engineers General Investigation into building a new harbor basin dedicated to these large vessels. Once constructed, the large vessel fleet will move off System 5, freeing up the area around System 5 (approximately 20% of the small boat harbor) to be redesigned. A newly designed System 5 will better accommodate the needs of the many small vessels on the harbor stall wait list and help define the maximum benefits of building the large harbor expansion. Conceptually, System 5's main float could be built closer to the bank and extend further toward the harbor entrance with a Tee out provide more moorage than the current system. This would also provide the option to prioritize the use of the float closest to the harbor entrance for vessels needing that kind of access (such as a Coast Guard small boat station, water taxi pickup and drop off, and emergency medical transport vessels) and to explore upgrading the old commercial ramp near System 5 to a drive down float to meet the needs of small cargo vessels, passenger loading and commercial fishing vessels. This project works with engineers to conceptually design options for System 5 and produce rough order magnitude cost estimates.

FY24 PROPOSED NEW PROJECTS - DRAFT



Svedlund/Herndon Street Sidewalks

FY24 PROPOSED NEW PROJECTS - DRAFT

Project Description and Benefit: This project constructs an ADA-compliant sidewalk connecting the Senior Center to Pioneer Avenue via Svedlund Street and to Main Street via Herndon Street. The Senior Center, an Assisted Living center and two independent senior housing developments are located on Svedlund and Herndon Streets, just one block from Pioneer Avenue and from Main Street. The construction of a safe, accessible route for residents to travel to Homer's Central Business District and Medical District is a relatively small project with great impact.

Seniors and disabled citizens face challenges with regard to mobility and independence in an automobile oriented society. For those who do not drive, maintaining a high quality of life depends upon the proximity and accessibility of the non-motorized transportation system. Being able to move about the community without having to rely on others is vital for maintaining physical and emotional wellbeing, and reduces the risk of isolation.

Plans & Progress: The plan is for installing a sidewalk, curb and gutter on the west side of Svedlund to Pioneer Avenue and on Herndon Street to Lee Street.

Total Project Cost: \$2,000,000

Svedlund from Senior Center to Pioneer Avenue: \$800,000 (Design and construction)

Lee Street to Main Street: \$1,200,000 (Design and construction)

Schedule: 2024

Priority Level: 2



Wayfinding & Streetscape Plan Implementation

FY24 PROPOSED NEW PROJECTS - DRAFT

Project Description and Benefit: Homer lacks coherent wayfinding for visitors and residents alike to find destinations by vehicle or on foot. The City hired Corvus Design to create a wayfinding plan for the City in 2021, which was adopted in 2022. Recommended improvements include working with the Alaska Department of Transportation (DOT) to revise many Sterling Highway signs, and install themed signage for drivers and pedestrians so they can easily find destinations. The work also included recommendations on benches, trash cans and landscaping which contribute to the small town character of downtown Homer.

Plans & Progress: The City of Homer adopted a wayfinding and streetscape design scheme in 2022.

Total Project Cost: \$271,000

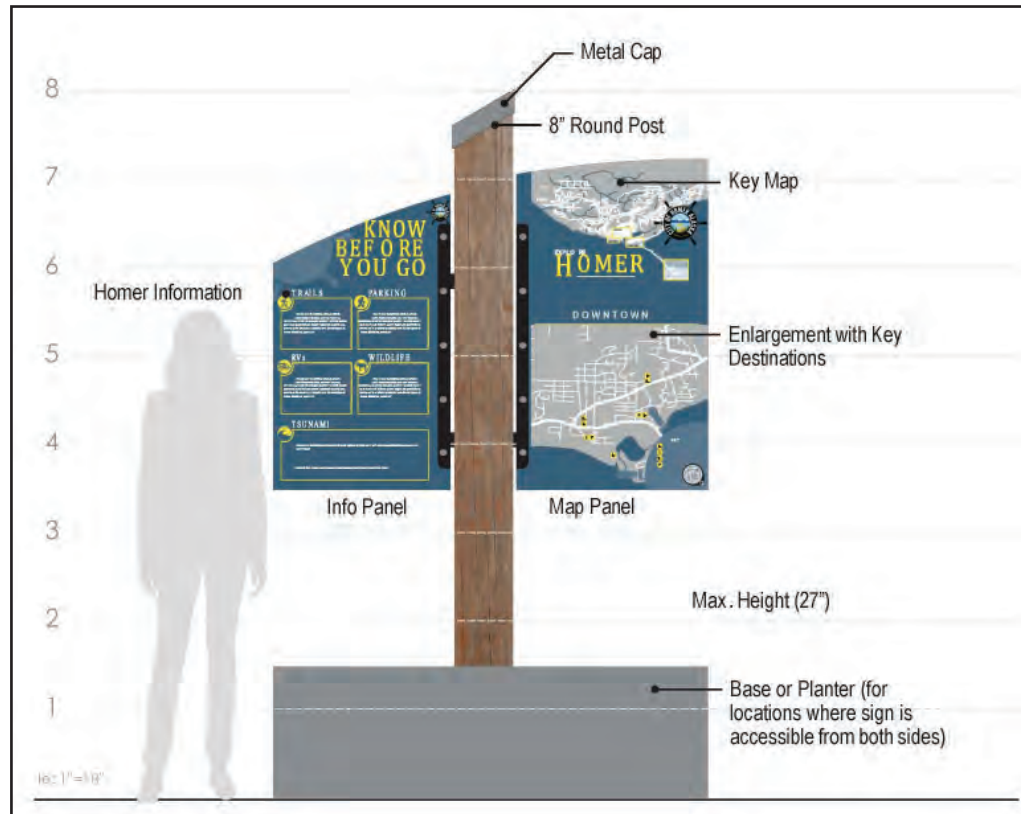
Phase 1: \$120,000

Installation of twenty-six Pioneer Avenue banners, twenty-six wayfinding signs, ten benches and begin DOT sign replacement.)

Phase 2: Installation of twenty six wayfinding signs, two gateway signs and an additional ten benches.

Schedule: Phase 1 2023

Priority Level: 2



Schematic design of wayfinding sign.



The HAP Loop: Homer All Ages & Abilities Pedestrian Path

Project Description and Benefit: This project bridges gaps in Homer’s pathways to significantly improve pedestrian access to everyday destinations, key facilities and recreational opportunities. The HAP Loop will provide equitable, safe and low-stress pedestrian facilities connecting area neighborhoods and the Senior Center to major service providers and businesses in Homer’s Central Business District and Old Town. The project serves local residents as an accessible route to traverse year-round for daily needs, activities, and exploration. Wayfinding signs and online tools will also identify and easily share the route with visitors. The Independent Living Center is currently developing “Accessible Homer” and a “Blue Path” online map that identifies ADA accessible routes, businesses, service providers, and recreational opportunities within Homer. Together these efforts will increase tourism access to and economic benefits to the Central Business District. Major destinations along the HAP Loop include: the Homer Public Library, supermarket, pharmacy, Post Office, financial institutions, recreational opportunities, and the Central Business District including Old Town. Improvements installed to the north and east of the Senior Center will provide a safe and accessible route to the hospital and medical district.

The HAP Loop contains two interconnected loops. The north loop connects the Senior Center on Svedlund Street south to East Pioneer Avenue, and west to Main Street along Herndon and Lee Streets, giving access to Homer’s main medical district. The south loop intersects the northern loop at Pioneer Avenue and Svedlund, where an enhanced crosswalk is desired. South of Pioneer Avenue, the route continues on City-maintained Poopdeck Trail to Klondike Avenue. Traveling east on Klondike Avenue, the route turns south on Lucky Shot Street until it connects to the sidewalk on Hazel Ave. From this location, the library, post office, police station, grocery store and pharmacy are all accessible. From Hazel Ave, pedestrians can travel south to the Sterling Highway, where a highly visible pedestrian crosswalk and safety island is desirable. The route then joins the existing trail through the Islands and Oceans Visitor Center, south to the Old Town neighborhood. Destinations include a public park, housing, restaurants, Bunnell Street Arts Center and State of Alaska Public Health and WIC offices. Leaving Old Town the route turns north on Main Street continuing uphill to Lee Avenue.

Much of this route is already constructed. To complete the loops, a sidewalk facility needs to be constructed on Svedlund Street from Pioneer Avenue to the Senior Center and from Herndon Street to Lee Drive to Main Street. Sidewalks are also required on the State-owned portion of Main Street south from the Sterling Highway to Ohlson Lane. Where the HAP Loop crosses Pioneer Avenue and the Sterling Highway, both arterial roads, crosswalk improvements (such as Rectangular Rapid Flashing Beacons, high-visibility pavement markings and/or curb extensions) are essential for pedestrian safety.

Plans & Progress: The City’s recent investment of \$1.4M to construct a sidewalk on Main Street from Pioneer Ave north completed one major missing portion of the HAP Loop. Private sector support included sidewalk construction by the Aspen Hotel in 2019, connecting the crosswalk at the Sterling Highway to the hotel and to the sidewalk leading to the Island and Ocean Visitor Center, and public trails. The City adopted a Wayfinding Plan in 2022; the City has funding to provide wayfinding improvements at several locations along the HAP route. The HAP Loop’s two main missing sidewalk connectors, Svedlund/Herndon and south Main Street, are identified as priority locations in the Homer Non-Motorized Transportation and Trail Plan and in Homer’s FY24 Capital Improvement Plan. Community meetings and a recent non-motorized transportation symposium highly prioritized pedestrian access on Main Street south to Ohlson Lane as well.

Total Project Cost: \$4,250,000

Svedlund from Senior Center to Pioneer Avenue: \$800,000 (Design and construction)

Lee Street to Main Street: \$1,200,000 (Design and construction)

Main Street South to Ohlson Lane: \$2,000,000

Pedestrian crosswalk improvements: \$250,000

Schedule: 2024

Priority Level: 1



Heath Street Rehabilitation

Project Description & Benefit: This project rehabilitates Heath Street, a collector street in Homer that runs north-south from Pioneer Avenue to the Sterling Highway. Heath Street provides critical access for Homer’s public safety responders: Homer Volunteer Fire Department at the top of Heath Street on Pioneer Avenue, Homer Police Department further south on Heath Street and Homer Public Works Department at the bottom of Heath Street on the Sterling Highway. Other major destinations on Heath Street include a US Post Office, the University of Alaska’s Kenai Peninsula College, a 55,000 square foot commercial building, financial institutions and the Homer Public Library.

Heath Street is a paved road that is showing signs of failing. The vehicle wheel tracks are depressed, almost like ruts in the asphalt. Public Works believe this is being caused by a failing storm drain system and inadequate draining that is allowing water to infiltrate the road bed causing soft spots. The condition is getting worse with each freeze-thaw cycle.

Plans & Progress: The City is in the process of performing soils investigations, survey and preliminary design to better understand the scope of the problem. Initial plan is to correct the storm drain system and repave Heath Street.

Estimated Project Cost: \$4,100,000

FY24 PROPOSED NEW PROJECTS - DRAFT



Main Street Rehabilitation

Project Description & Benefit: This project will rehabilitate storm drains and pavement on the state-owned portion of Main Street from Pioneer Avenue south to Ohlson Lane. Ideally this project will include a curb gutter and sidewalks to provide a safe means for pedestrians to travel from Ohlson Lane in Old Town north to Pioneer Avenue, making it a complete street.

Main Street is a primary north-south corridor running from Bayview Avenue (near the hospital) to Ohlson Lane (near Bishop's Beach). As such, it 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. It is a main commercial corridor and supports residential traffic as the street is also home to many single family residences, some multi-family residences, and leads to trails systems and one of the City's most popular parks.

The road condition has deteriorated over the past several years. The pavement is raveling and the drainage system is inadequate, allowing water to infiltrate the road bed. This adversely impacts the structural integrity of the road, particularly during freeze/thaw cycles. The lower portion suffers from potholes, triggering continual complaints from the traveling public. The storm drain systems needs to be rehabilitated.

Plans & Progress: The City has held off doing any technical work because it is a state road, but would like to work with the State to identify a mechanism to make these much needed improvements to Main Street.

Estimated Project Cost: \$4,300,000

FY24 PROPOSED NEW PROJECTS - DRAFT

**CITY OF HOMER
HOMER, ALASKA**

City Clerk/Canvass Board

RESOLUTION 22-079

A RESOLUTION OF THE CITY COUNCIL OF HOMER, ALASKA,
CERTIFYING THE RESULTS OF THE CITY OF HOMER REGULAR
ELECTION HELD OCTOBER 4, 2022 TO ELECT MAYOR FOR A TWO
YEAR TERM AND TWO CITY COUNCILMEMBERS FOR THREE YEAR
TERMS EACH.

WHEREAS, In compliance with Homer City Code 4.35, the Canvass Board of the City of Homer has opened, counted, and tallied the votes on absentee ballots including special needs ballots, and question ballots found to be valid, that were cast in the City of Homer Regular Election held on October 4, 2022; and

WHEREAS, The total number of voters voting in the City Regular Election was _____ and reflects the number of voters, not the number of votes cast or ballots counted; and

WHEREAS, In accordance with Homer City Code 4.35, the Canvass Board of the City of Homer had inspected the precinct reports, Election Central Logs and entered the the results of the absent and questioned ballots on the Certification of Election along with the results of the precinct counts; and

WHEREAS, The results of the City Regular Election held October 4, 2022, attached as Exhibit A, is presented in the Canvass Board's Certificate of Election in accordance with the Homer City Code.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby certifies the results of the City Regular Election held October 4, 2022, as presented in the Canvass Boards Certificate of Election, attached as Exhibit A, in accordance with the Homer City Code.

BE IT FURTHER RESOLVED that the following candidates are declared elected to office of City Councilmember, having received at least 17.5% of the votes cast for a three-year term of office:

COUNCILMEMBERS (TWO THREE YEAR TERMS)

BE IT FURTHER RESOLVED that the following candidate is declared elected to office of Mayor, having received at least 40% of the votes cast for a one-year term of office:

MAYOR (TWO YEAR TERM)

43
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BE IT FURTHER RESOLVED that the Canvass Board’s Certificate of Election (Exhibit A) be attached permanently as part of this Resolution.

PASSED AND ADOPTED by the City Council of Homer, Alaska, this 10th day of October, 2022.

CITY OF HOMER

KEN CASTNER, MAYOR

ATTEST:

MELISSA JACOBSEN, MMC, CITY CLERK

Fiscal Note: N/A