



# City of Homer Planning & Zoning

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February 20, 2008

Max Best, Planning Director  
Kenai Peninsula Borough  
144 North Binkley Street  
Soldotna, AK 99669

**SUBJECT: Homer Non-motorized Trails and Transportation Plan, 2005 Homer Area Transportation Plan and the Homer Town Center Development Plan**

Attached are the 2004 Homer Non-Motorized Trails and Transportation Plan (NMTTP) and City of Homer Ordinance 04-35 which adopts the Final Homer Non-Motorized Trails and Transportation Plan and amends the Homer Comprehensive Plan to include the NMTTP and recommends adoption by the Kenai Peninsula Borough.

Also attached is the 2005 Homer Transportation Plan and City of Homer Ordinance 05-35(A) which amends the Homer Comprehensive Plan to include the Transportation plan and recommends adoption by the Kenai Peninsula Borough.

The Homer Town Center Development Plan and City of Homer Ordinance 06-08(A) which adds the Plan to the Homer Comprehensive Plan and recommends adoption by the Kenai Peninsula Borough.

The NMTTP was funded by a grant from the Alaska Department of Economic and Community Development. The plan creates a comprehensive non-motorized transportation and trails plan and is intended to be incorporated as a chapter in the Homer Comprehensive Plan.

This plan was developed with extensive public input, including two public meetings during the development phase, two meetings to present the "assessment report", and two meetings to present the draft NMTTP. Comments from these meetings were incorporated into a final draft NMTTP which was presented to the various City committees and Commissions for review. The Homer Advisory Planning Commission held a public hearing on May 19, 2004 and at the June 2, 2004 meeting recommended the City Council adopt the plan. The City Council held a public hearing on July 7, 2004 and adopted Ordinance 04-35 on August 9, 2004.

The 2005 Transportation Plan was initiated in 2001 to identify needs, guide planning and aid funding efforts for transportation projects. This study was funded, in part, by the Alaska Department of Transportation and Public Facilities. The plan was completed, but not adopted, in 2001. In the Fall of 2003 the City of Homer Road Standards Committee began reviewing the draft document. This Committee held numerous meetings and made amendments to the plan. The plan was then forwarded to the Homer Advisory Planning Commission for their review. The Planning Commission held numerous work sessions and two public hearings, December 1, 2004 and January 5, 2005 respectively. The

Commission recommended the City Council adopt the Transportation Plan. The City Council held a public hearing on June 27, 2005 on the plan. At this same meeting they adopted Ordinance 05-35(A), which adopts the Transportation Plan, amends the Comprehensive Plan to include the Transportation Plan and recommends adoption by the Kenai Peninsula Borough.

The Town Center Development Plan is a result of a grassroots planning effort that began in 1998, initiated by the Kachemak Heritage Land Trust. The Homer City Council created the Town Center Development Committee (TCDC), by resolution. The TCDC held their first meeting in October 2003. City Planning personnel served as staff to the TCDC. The Committee met regularly. In February 2005 the City of Homer hired a landscape architect, Laura Ballock, to work with the TCDC in illustrating their vision of Town Center. Laura Ballock introduced the TCDC to the concept of "systems" based planning. She took the work of the committee; the vision, guiding principles and the likes and dislikes of previous plans considered, utilized the systems approach and created alternatives A and B as presented in the plan. It is important to remember that Alternatives A and B are based on a flexible framework. The advantage of the systems approach is that it is not based on a fixed scenario but is changeable and adaptable over time. This makes it especially suitable to phased development.

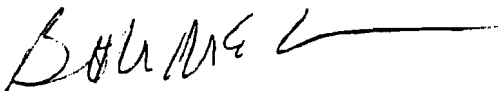
The Town Center Development Plan also includes an Action Plan. The Action Plan is intended to help maintain momentum in bringing Town Center to fruition. The Action Plan is grouped in short term, mid term and long-range time frames and identifies tasks, lead department/agency as well as a time frame for completion.

The public review draft of the Town Center Development Plan was completed and the Committee held a community "Open House" to present the plan on June 9, 2005. The open house was well attended, with over 78 people signing in. With a presentation at the July 9, 2005 Homer Advisory Planning Commission meeting, the Committee handed off the Plan to the Commission. The Commission held a public hearing to take comments on the Town Center Plan at the September 7, 2005 meeting. At this meeting the Commission voted to recommend the City Council adopt the Town Center Development Plan with no amendments. The Commission further recommended their preferred development alternative is Option A as presented in the Plan.

The City Council held public hearings on the plan on October 24, 2005, February 27, 2006 and March 28, 2006. The Council adopted Ordinance 06-08(A) at the March 28, 2006 meeting.

Since the City of Homer is a first class city inside a second class borough, these plans are forwarded to the KPB Planning Commission and then the Borough Assembly for final adoption.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth McKibben", followed by a long horizontal line extending to the right.

Beth McKibben, AICP  
City Planner

**CITY OF HOMER  
HOMER, ALASKA**

City Manager

**ORDINANCE 04-35**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA ADOPTING THE FINAL HOMER NON MOTORIZED TRANSPORTATION AND TRAILS PLAN (NMTTP), AMENDING THE HOMER COMPREHENSIVE PLAN TO INCLUDE THE NMTTP AND RECOMMENDING ADOPTION BY THE KENAI PENINSULA BOROUGH.

WHEREAS, The Kenai Peninsula Borough as a second class borough shall provide for planning on an areawide basis in accordance with AS 29.40; and

WHEREAS, The City of Homer, as a first class city inside a second class borough, has prepared a Comprehensive Plan; and

WHEREAS, The Kenai Peninsula Borough adopted the "1999 Homer Comprehensive Plan Update," by Ordinance 99-64; and

WHEREAS, The City of Homer has developed the Homer Non-motorized Transportation and Trails Plan; and

WHEREAS, The Homer Non-motorized Transportation and Trails Plan will guide the development of the non-motorized transportation and trails system for the City of Homer; and

WHEREAS, The Homer Advisory Planning Commission and other Commissions and bodies have reviewed said plan and/or conducted public hearings; and

WHEREAS, The Homer City Council Adopted Resolution 04-57(A), Approving the Final Draft of the Homer Non Motorized Transportation and Trails Plan, and

WHEREAS, The Homer City Council, based upon the recommendation of the Homer Advisory Planning Commission, recommends that the Kenai Peninsula Borough adopt the Homer Non-motorized Transportation and Trails Plan as a part of the 1999 Homer Comprehensive Plan Update.

NOW, THEREFORE, BE IT ORDAINED by the City of Homer :

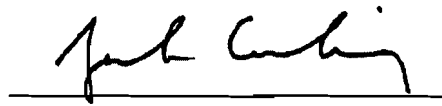
Section 1. That the Homer Non-Motorized Transportation and Trails Plan is hereby adopted as part of the 1999 Homer Comprehensive Plan Update.

Section 2. This Plan is hereby recommended to the Kenai Peninsula Borough for adoption as an element of the official Borough Comprehensive Plan within the City of Homer planning area of the borough.

Section 3. This ordinance not of a permanent nature and is a non code ordinance.

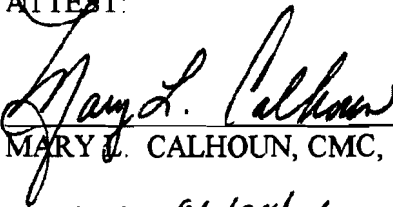
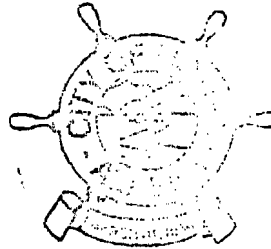
PASSED AND ENACTED by the Homer City Council this 9<sup>th</sup> day of Aug, 2004.

CITY OF HOMER



JACK CUSHING, MAYOR

ATTEST:

  
\_\_\_\_\_  
MARY L. CALHOUN, CMC, CITY CLERK

Introduction: 06/28/04  
Public Hearing: 07/26/04  
Second Reading: 08/09/04  
Effective Date: 08/10/04

Ayes: 6  
Noes: 0  
Abstain: 0  
Absent: 0

Reviewed and approved as to form and content:

Walt E. Wrede City Manager

Date Walt Wrede  
8/08/04 8/10/04 gg

Fiscal Note: NA  
/mlc

  
Gordon Tans, City Attorney

Date 8/11/04

**CITY OF HOMER  
HOMER, ALASKA  
ORDINANCE 05-35(A)**

City Manager

AN ORDINANCE OF THE CITY COUNCIL OF HOMER,  
ALASKA ADOPTING THE HOMER TRANSPORTATION PLAN,  
AMENDING THE HOMER COMPREHENSIVE PLAN TO  
INCLUDE THE TRANSPORTATION PLAN AND  
RECOMMENDING ADOPTION BY THE KENAI PENINSULA  
BOROUGH.

WHEREAS, The Kenai Peninsula Borough as a second class borough shall provide for planning on an areawide basis in accordance with AS 29.40; and

WHEREAS, The City of Homer, as a first class city inside a second class borough, has prepared a Comprehensive Plan; and

WHEREAS, The Kenai Peninsula Borough adopted the "1999 Homer Comprehensive Plan Update," by Ordinance 99-64; and

WHEREAS, The City of Homer has developed the Homer Transportation Plan; and

WHEREAS, The Homer Transportation Plan will guide the development of the motorized transportation for the City of Homer; and

WHEREAS, The Homer Road Standards Committee, Planning Commission and other Commissions and bodies have reviewed said plan and/or conducted public hearings; and

WHEREAS, The Homer City Council, based upon the recommendation of the Homer Advisory Planning Commission, recommends that the Kenai Peninsula Borough adopt the Homer Transportation Plan as a part of the Homer Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City of Homer:

Section 1. That the Homer Transportation Plan is hereby adopted as part of the Homer Comprehensive Plan.

Section 2. That recommendation is hereby made to the Kenai Peninsula Borough for adoption of the Homer Transportation Plan as an element of the Official Borough Comprehensive Plan within the City of Homer planning area of the Borough. Section

Section 3. This Ordinance is a non Code Ordinance.

Section 4. Memorandum 05-111, as amended is included.

Page Two  
Ordinance 05-35(A)  
City of Homer

The City contracted in 2001 to develop a Homer Area Transportation Plan. This plan was never adopted by the City Council. Last fall the City Council directed the Road Standards Committee to review the plan created by the consultant, and recommend any changes. Planning and Public Works staff worked with the Road Standards Committee in reviewing the plan. The draft update incorporates the changes proposed by the Road Standards Committee. The Committee forwarded their work to the City Council.

The City Council has directed the Planning Commission to review the draft plan. The Commission received a copy of the draft plan at the September 1, 2004 meeting.

Homer City Code 1.76.030 requires the Homer Advisory Planning Commission to develop, adopt, alter or revise, subject to approval by the Council a master plan for the physical development of the City. Such master plan with accompanying maps, plats, charts, descriptive and explanatory matter, shall show the Commission's recommendations for the development of the City territory, and may include, among other things:

Development of the type, location and sequence of all public improvements,

The relocation, removal, extension or change of buildings, properties and utilities,

The general extent and location of rehabilitation areas.

The Commission held numerous work sessions on the draft plan, working with staff and concerned residents of the Mountainview neighborhood. Two public hearings were held in December 2004 and January 5, 2005. Following are specific amendments agreed to by the Planning Commission over the course of the two public hearings and numerous worksessions and meetings.

Executive summary – page I-1 second paragraph – Homer population 2004 - 5,332

Page I-3 first paragraph to be amended to read as follows:

The Homer Area 2001 Transportation Plan was produced to be a comprehensive transportation-planning tool for the City of Homer. Additionally, the Non-Motorized Trails and Transportation Plan should be considered a companion document to the Transportation Plan, as it is the City of Homer's policy document for comprehensive long-range non-motorized transportation and trails system.

Page I-3 third paragraph to be amended as follows:

The 2001 Draft Transportation Plan was completed but not adopted. In Fall 2003 the City of Homer Road Standards Committee began reviewing the goals, objectives and recommendations of the 2001

Page Three  
Ordinance 05-35(A)  
City of Homer

Draft Transportation Plan. The Homer Advisory Planning Commission took up discussion of the Draft Transportation following the Road Standards Committee. This plan reflects the plan as recommended by the Planning Commission.

Page I-3 fourth paragraph to be amended as follows:

The Road Standards Committee and the Homer Advisory Planning Commission further recommend that where ever this plan recommends signalization, alternatives such as roundabouts be seriously considered.

Page I-18 add new section 3. 3 Mitigation Funding to read as follows:

The City of Homer currently requires projects that may increase traffic significantly to complete a traffic impact analysis (TIA). The TIA may require mitigation projects to alleviate the impacts expected from the increased traffic. Funding from these projects can be designated to supplement or fully fund specific projects. These might include traffic calming techniques and devices, alternative access, by-pass routes or rapid transit/shuttle services. Funding for sidewalks, trails or alternative transportation opportunities may be a condition identified as a mitigation activity if a required TIA warrants.

Page I-20 –correct goal four to remove the extra “progression”.

Page I-21 objective 5 to be amended to read as follows:

This plan shall determine if there are traffic advantages for new corridors. Advantages will be measured by the change in percent volume reduction on other roadways.

Page I-21 objective 11 – end sentence after reconstruction projects. Add language to read as follows:

The East End Road bike trail will lead to a dramatic increase in pedestrian and bicycle traffic along the north side of East End Road. Safe pedestrian and bicycle crossings will be needed to allow trail users to cross to the south side of East End Road at appropriate locations.

Page I-21 new objective added to read as follows:

Criteria for street design will be developed so that “local” roads are neither over-nor under designed for their uses and community context. Local roads and their rights-of-way and radii (curb, turning, and center lane) will be no wider than necessary to meet neighborhood needs for access and safety and will be designed to calm vehicular traffic (e.g. reduce vehicles speeds to 25 mph or less). Subdivision standards for residential areas will be revisited to include traffic calming techniques such as narrower roads to encourage slower traffic movement.

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City of Homer

Page I-21 new objective added to read as follows:

Areas used intensively by pedestrians, such as the Homer Spit, will be considered for additional traffic calming measures.

Page I-26 2nd paragraph in section 6.2 last sentence amended to read as follows :

They found that signalization, or other means of traffic control is warranted, even in the lower volume winter season.

Page I-31 add new bullet under Improvement Alternatives

Implementation of Non-Motorized Transportation and Trails Plan

Page I-32 amend third paragraph to read as follows:

The modern roundabout should be considered as a traffic mitigating solution at any intersection where traffic flow is a concern. Many communities are turning to roundabouts as a solution to their traffic problems, and numerous studies show them to have a superior safety record [~~and reduced construction~~] and maintenance costs to intersections with signals or stop signs. The modern roundabout increases capacity and improves traffic flow, and is easily negotiated by large trucks and RV's. In addition, studies have shown that pedestrian safety increases due to increased driver awareness and slower speeds. Homer is a perfect candidate for the modern roundabout given the seasonal fluctuation of the number of vehicles on our roads. In conclusion, there will be less wait-time, (leading to a higher level of service), more efficient fuel usage, fewer accidents, decreased costs, and better traffic flow by employing the modern roundabout. For more information, please refer to [www.alaskaroundabout.com](http://www.alaskaroundabout.com). The Homer Planning Commission recommends the modern roundabout be utilized as a replacement for signalization at any intersection where traffic flow is considered a problem. **Any proposed roundabouts should accommodate the largest form of transportation traditional to the intersection.**

Page I-32 insert new paragraph after the third paragraph to read as follows:

In addition to roundabouts the Homer Planning Commission recommends that other alternatives to signalization also be considered, such as a one-way couplet. (Figure....). One-way couplets are designed so that traffic flow is maximized and circulates traffic as blood circulates through the body, in one-way streams. This means stops are minimized. [~~For example this concept could route traffic into one-way patterns along the following streets:~~

~~— East on Sterling Highway starting at Pioneer Avenue intersection~~



Page Five  
Ordinance 05-35(A)  
City of Homer

~~North on Lake Street starting at the Sterling Highway intersection~~

~~West along Pioneer Avenue.~~

~~Traffic traveling on the Sterling Highway would continue without stopping at the Pioneer Avenue and Lake Street intersection turning either north or south on Lake Street. Traffic coming north on the two-way portion of Lake Street from Ocean Drive would merge into the one-way portion. At Pioneer Avenue and the Sterling Highway intersection, no stop would be required for a right-hand turn to head north. A left-hand turn would return onto the one-way portion of the Sterling Highway. Left hand turns would be with traffic eliminating across traffic turns. Heath Street, Main Street, and Greatland Street would be two-way connectors. Left hand turns on these connectors additionally would be with traffic, again eliminating across traffic turns.~~

~~The figure to be amended to take out street names and labeled as "Example Only".]~~

Page I-33 add new bullet under Corridor Improvements

Consider implementing the recommendations of the Non-Motorized Transportation and Trails Plan, thereby reducing vehicular traffic.

Page I-35 bullet discussing Heath Street extension amended to read as follows:

The route for the proposed extension will extend Heath Street north and then east to East Hill Road. The Planning Commission recommends that if the Heath Street extension is developed, Mountain View Drive and Elderberry Court be converted to one way east only from Kachemak Way to Heath Street. This will reduce the possibility for these streets becoming impacted with excess traffic. Alternatively, Mountain View and Elderberry could be maintained as dead end streets, the goal being to maintain the area as a quiet, pedestrian friendly neighborhood, discouraging or not allowing through traffic.

Page I-35 bullet discussing Poopdeck Trail amended to read as follows:

Poopdeck Trail reconstructed as a road. Should traffic conditions warrant the development of Poopdeck Road it will be developed with a separated pedestrian pathway.

Page I- 35 bullet discussing Greatland Street amended as follows:

The proposed route will intersect Pioneer Avenue at Bartlett. The Planning Commission recommends that if Greatland Street is extended to Pioneer Avenue that it be a right turn only intersection, reducing the backup of traffic trying to cross Pioneer Avenue. This will keep traffic entering Pioneer Avenue separated from the Bartlett Street intersection. It should be noted this recommendation will

conflict with the proposed one-way couplet.

Page I-35 bullet discussing Fairview west to Fairview amended to read as follows:

This route will include traffic calming techniques. [~~which will maintain the neighborhood character and not encourage through traffic~~].

Page I-35 after recommendations of the Road Standards Committee add a new section to read as follows:

The Planning Commission recommends that before the Heath Street extension is developed other improvements, such as but not limited to, intersection improvements at East Hill and East End Road be considered.

The Planning Commission further recommends **the development of** safe pedestrian/bicyclist crossings across East End Road [~~shall be developed~~] at Paul Banks Elementary School and on the route to Jack Gist Park. In addition, a crossing [~~shall~~] **should** be provided near Rochelle or Sabrina Road to promote safe travel between neighborhoods south of East End Road and the bike trail to the north.

Page I-37 add to the end of section 7.3 the following:

In some instances, benefits to traffic, pedestrians, bicyclists, and/or emergency vehicles will warrant connecting two or more collector streets via a route that functionally transforms a local street into an actual or potential thoroughfare. (The effect of the proposed Heath Street extension on Mountain View Dr. would be an example.) Wherever a proposed connection of this type elicits concerns from potentially affected residents, the city will initiate a “neighborhood-driven design” process to evaluate the proposal. All decisions concerning the proposed connection will be made through this process.

Once concern from affected residents has indicated the need for a “neighborhood-driven design” process, the city will initiate the following steps:

- Contact in writing all residents of affected local streets to explain the proposed connection and the “neighborhood-driven design” process.

- Schedule a meeting between city representative(s) and neighborhood representatives to begin the process of documenting all concerns (on all sides) and brainstorming ways to address these.

- Meet as appropriate to resolve concerns. Solutions may involve eliminating or re-routing the connection, designing the connection using one or more “traffic calming” approaches, one-way streets, or opening the connection only in emergencies (e.g., via locked bollards).

Page Seven  
Ordinance 05-35(A)  
City of Homer

Throughout the process, document discussions and post this and other useful information on the city's website.

Notify affected residents in writing of all decisions reached.

Page I-37 Add new section 7.5 to read as follows:

Any upgrade in streets, culverts and bridges (new and old) will be designed to accommodate the 1% flood event. Any upgrades in streets, culverts and bridges will be designed to protect or minimize adverse impacts of flooding or erosion to neighboring properties or resources.

Page I-37 –Amend next to last sentence in section 8.1 to read as follows:

Changing Poopdeck to a roadway, with a separated path, and extension of Heath Street also provides considerable circulation benefits.

Appendix C and D – map titles to be more descriptive.

Attached map illustrated one-way couplet concept as identified in the amendment for page I-32. This will need a title for final printing.

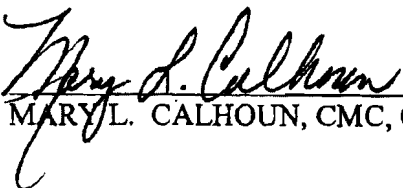
Recommendation:

The Homer Advisory Planning Commission recommends the Homer City Council include the amendments in a revised draft of the Transportation Plan, hold a public hearing, adopt the plan and forward to the Kenai Peninsula Borough for adoption as an update to the Comprehensive Plan.

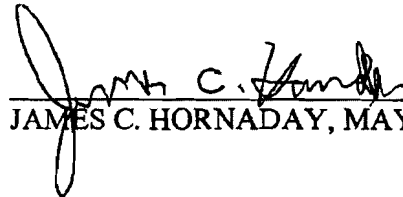
PASSED AND ENACTED by the Homer City Council this 27th day of June, 2005.



ATTEST:

  
MARY L. CALHOUN, CMC, CITY CLERK

CITY OF HOMER

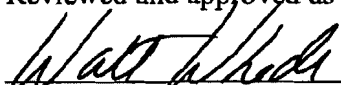
  
JAMES C. HORNADAY, MAYOR

Page Eight  
Ordinance 05-35(A)  
City of Homer

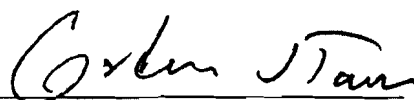
First Reading: June 13, 2005  
Public Hearing: June 27, 2005  
Second Reading: June 27, 2005  
Effective Date: June 28, 2005

Ayes: -5-  
Noes: -0-  
Abstain: -0-  
Absent: -1-

Reviewed and approved as to form and content:

  
Walt E. Wrede City Manager

Date: 7/5/05

  
Gordon Tans, City Attorney

Date: 7/8/05

Fiscal Note: NA

/mlc

**CITY OF HOMER  
HOMER, ALASKA**

City Council

**ORDINANCE 06-08(A)**

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA ADDING THE TOWN CENTER DEVELOPMENT PLAN TO THE HOMER COMPREHENSIVE PLAN AND RECOMMENDING ADOPTION BY THE KENAI PENINSULA BOROUGH.

WHEREAS, The Kenai Peninsula Borough as a second class borough shall provide for planning on an areawide basis in accordance with AS 29.40; and

WHEREAS, The City of Homer, as a First Class City inside a second class borough, has prepared a Comprehensive Plan; and

WHEREAS, The Kenai Peninsula Borough adopted the "1999 Homer Comprehensive Plan Update," by Ordinance 99-64; and

WHEREAS, Homer City Council adopted Resolution 05-95(A), Acknowledging the Town Center Development Committee Report - Plan and Directing the Initiation of First Action Items in the Town Center Development Plan, on Monday, September 26, 2005 during a Regular City Council Meeting; and

WHEREAS, Town Center Development Plan will guide the development of Homer's Town Center; and

WHEREAS, The Planning Commission has reviewed the Town Center Plan and conducted a public hearings; and

WHEREAS, The Homer City Council, based upon the recommendation(s) of the Homer Advisory Planning Commission and the Town Center Development Committee recommend that the Kenai Peninsula Borough adopt the Homer Town Center Development Plan as a part of the Homer Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City of Homer:

Section 1. That recommendation is hereby made to the Kenai Peninsula Borough that the Homer Town Center Plan, as amended, be added to the Homer Comprehensive Plan.

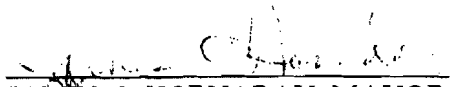
Section 2. Town Center Development Plan, as amended, is attached as Exhibit A.

Section 3. This Ordinance is a non Code Ordinance and is of a permanent nature.

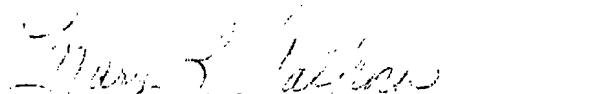
Page Two  
Ordinance 06-08(A)  
City of Homer

PASSED AND ENACTED by the Homer City Council this 28<sup>th</sup> day of March, 2006.

CITY OF HOMER

  
\_\_\_\_\_  
JAMES C. HORNADAY, MAYOR

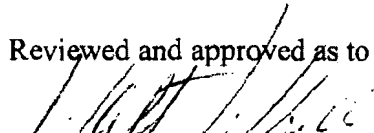
ATTEST:

  
\_\_\_\_\_  
MARY L. CALHOUN, CMC, CITY CLERK


First Reading: Formerly Ordinance 05-53, Planning Commission Process Completed, Reintroduced February 13, 2006  
Public Hearing: February 27, 2006 and March 28, 2006  
Second Reading: March 28, 2006  
Effective Date: March 29, 2006

Ayes: 6  
Noes: 0  
Abstain: 0  
Absent: 0

Reviewed and approved as to form and content:

  
\_\_\_\_\_  
Walt E. Wrede City Manager

Date: 4/4/06

  
\_\_\_\_\_  
Gordon Tans, City Attorney

Date: 10 April 2006

Fiscal Note: NA

/mlc

- dedication of 5 feet for Young Street per the Seldovia Planning Commission's recommendation.
18. The alley proposed for vacation is encompassed by parcels owned by the petitioner that are to be replatted into one parcel.

Commissioner Carluccio recused herself from voting and discussion because she voted on this agenda item at the Seldovia Planning Commission meeting.

**VOTE:** The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO RECUSED	COLLINS ABSENT	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD YES	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN ABSENT	8 YES 1 RECUSED 4 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

4. Ordinance 2008-18; Authorizing the Negotiated Sale at Other than Fair Market Value of Lot 3 Block 3 J Booth Recreational Subdivision, According to Plat No. 1966-643, Homer Recording District, Seward Meridian, Alaska Containing 0.26 Acres to Demian T. Sagerser.

Memorandum given by Max Best

PC Meeting: 7/21/08

The Kenai Peninsula Borough foreclosed on this property for delinquent taxes in 2000. The property was subsequently retained by Ordinance 2002-25. The prior owner has continued to occupy the property in trespass and relies on it as his primary residence. Land Management has worked with the prior owner for the past eight months and has had the opportunity to learn of his situation. In light of the hardships faced by this individual and his willingness to work cooperatively to resolve the situation, the administration proposes to sell the property back to the prior owner for an amount equivalent to that which was due at the time of foreclosure plus the estimated amount that would have become due in property taxes since that time, without exemption.

This negotiated sale would resolve a trespass situation and would allow the prior owner to maintain his residence in an equitable manner. Your consideration of this ordinance is greatly appreciated.

END OF MEMORANDUM

Vice Chairman Martin opened the meeting for public comment. Seeing and hearing no one wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.

**MOTION:** Commissioner Carluccio moved, seconded by Commissioner Gross to recommend enactment of Ordinance 2008-18; Authorizing the Negotiated Sale at Other than Fair Market Value of Lot 3 Block 3 J Booth Recreational Subdivision, According to Plat No. 1966-643, Homer Recording District, Seward Meridian, Alaska Containing 0.26 Acres to Demian T. Sagerser.

**VOTE:** The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS ABSENT	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD YES	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIAINEN ABSENT	9 YES 4 ABSENT

**AGENDA ITEM F. PUBLIC HEARINGS**

5. KPB ORDINANCE 2008-XX; An ordinance amending Chapter 2.56.030 of the Borough Code of Ordinances to incorporate the Homer Non-Motorized Transportation and Trail Plan, the 2005 Homer Area Transportation Plan and the Homer Town Center Plan into the City of Homer Comprehensive Plan

Staff Report reviewed by Crista Hippchen

PC Meeting: July 21, 2008

**BACKGROUND INFORMATION:** The three plans that are the subject of this ordinance were distributed a few weeks ago to the borough planning commissioners for review. The 2004 Homer Non-Motorized Trails and Transportation Plan, the 2005 Homer Area Transportation Plan, and the Homer Town Center Plan have all been adopted by ordinance by the Homer City Council. A letter from the former Homer city planner and the adopting ordinances are attached. The city planner letter briefly describes the methods used for developing the plans, including the funding sources and public hearing and adoption processes.

Pursuant to Alaska Statute 29.40.010, the Kenai Peninsula Borough provides for planning on an area wide basis. Therefore, comprehensive plans and any additional plan elements prepared for the City of Homer are forwarded to the borough planning commission and assembly for review and approval, and, upon adoption, become the comprehensive plan for that portion of the borough within the boundaries of the City of Homer.

According to Homer Planning and Zoning Department staff, the Homer Non-Motorized Transportation and Trail Plan is intended to be an additional chapter of the Homer Comprehensive Plan. The 2005 Homer Area Transportation Plan is intended to be incorporated into the existing transportation chapter of the Homer Comprehensive Plan. The Homer Town Center Plan is intended to be incorporated into the existing land use chapter of the Homer Comprehensive Plan.

The City of Homer has been working with a consultant to update its 1999 comprehensive plan with the intent to include the subject plans in the ways described above. However, the process has been slow and is now temporarily suspended until the newly hired city planner starts work in August 2008. Incorporating these three documents into the existing comprehensive plan will give the City a head start in working with the subject plan's policies, actions, goals, objectives and alternatives, and will assist with planning efforts for the systematic development and betterment of the City of Homer.

#### END OF STAFF REPORT

Vice Chairman Martin opened the meeting for public comment.

1. Julia Engebretsen, City of Homer  
Ms. Engebretsen was the acting City Planner for the City of Homer and was available to answer questions regarding the three proposed plans.

Vice Chairman Martin asked if there were questions. Hearing none the public hearing continued.

2. Bill Smith, 335 E. Bayview, Homer  
Mr. Smith stated he was a member of the Homer City Planning Commission when the Town Center Plan was adopted. He emphasized the plans that are shown in the Homer Town Plan were conceptual options and were not either a Plan A or a Plan B. The drawings were depictions of possibilities arriving from the Town Center Plan, which was derived from a two year collaborated process between the landowners in the town center area and the community. Mr. Smith asked that the plans be adopted because it had widespread support in the Homer City and the community.

Vice Chairman Martin asked if there were questions. Hearing none the public hearing continued.

Commissioner Carluccio asked Ms. Engebretsen for explanation regarding the roundabouts that were proposed for Homer. She understood that roundabouts were being done away with in other parts of the country because of safety issues. Ms. Engebretsen replied that both the Non-Motorized Transportation Plan and Trail Plan talk about the option for roundabouts intersections. The Department of Transportation has done an intersection study analyzing how much more right of way and additional cost would be needed. The citizens of Homer have discussed which intersection improvement would be better. She believed the City of Homer was taking it intersection by intersection since they don't all need traffic control at this time. In the future both will be looked at and the final decision would probably rest on who would be paying for it. Commissioner Carluccio felt a system of rules would need to be in place regarding the traffic rules in roundabout intersections.

Seeing and hearing no one else wishing to speak, Vice Chairman Martin closed the public comment period and opened discussion among the Commission.



**MOTION:** Commissioner Murphy moved, seconded by Commissioner Gross to recommend adoption of Ordinance 2008-\_\_\_; An ordinance amending Chapter 2.56.030 of the Borough Code of Ordinances to incorporate the Homer Non-Motorized Transportation and Trail Plan, the 2005 Homer Area Transportation Plan and the Homer Town Center Plan into the City of Homer Comprehensive Plan.

Commissioner Foster stated he was part of the Homer Advisory Planning Commission who put a lot of work into these plans. The Transportation Plan was approved with the planning commission changes. The Town Center Plan was done beautifully by the community group and was approved as they recommended. He echoed what Mr. Smith stated regarding the conceptual options. Commissioner Foster also stated the Homer Advisory Planning Commission put in a lot of work into the Non-Motorized Plan. He supported the motion of incorporating the three plans into the Homer Comprehensive Plan.

Commissioner Gross stated she was impressed with the three documents and read them in detail. She was happy to see the use of a stoplight over a roundabout at an intersection in Homer. It has been interesting to see all the improvements that have been done in the City of Homer and was happy to see that things were actually happening according to the plans.

Commissioner Carluccio supported the documents. She was very impressed with the documents and thoroughly enjoyed reading the Non-Motorized and Trail Plan.

Commissioner Foster stated the original Transportation Plan had a little bit more that existing neighborhoods should have connectability but one of the goals was to maintain the character of the neighborhoods. To maintain the integrity of the neighborhoods it was important to have some roads be dead ends. He stated that was one item that was addressed by listening to the community of Homer.

**VOTE:** The motion passed by unanimous consent.

BRYSON ABSENT	CARLUCCIO YES	COLLINS ABSENT	FOSTER YES	GROSS YES	ISHAM YES	JOHNSON ABSENT
LOCKWOOD YES	MARTIN YES	MCCLURE YES	MURPHY YES	PETERSEN YES	TAURIANEN ABSENT	9 YES 4 ABSENT

AGENDA ITEM G. ANADROMOUS STREAM HABITAT PROTECTION (KPB 21.18) - None

AGENDA ITEM H. VACATIONS NOT REQUIRING A PUBLIC HEARING - None

AGENDA ITEM I. SPECIAL CONSIDERATIONS

1. Bldg. Setback Exception; Nordby Subdivision No. 6 Tract A; KPB File 2008-176; KPBPC Resolution No. 2008-26; Location: City of Kachemak

Staff Report reviewed by Max Best

PC Meeting: 7/21/08

Petitioner(s): Robert Rude, Rude Revocable Trust

Submittal: (Summarized) The subject building was built too close to the 20-foot building setback by mistake. It was not intentional, and the owners were not aware of the situation until the preliminary survey for the subdivision had been completed.

The building is on a quiet side street with very minimal traffic. The small encroachment does not pose a hazard to the public. The surveyor scaled 41 feet from the closest building corner to the south edge of the gravel road.

Staff Discussion:

Borough Assessing records indicate the cottage was built in 2007. It is located on a straight section of Nordby Avenue.