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MEMORANDUM

TO: PHIL BRYSON AND THE KENAI PENNISULA BOROUGH PLANNING COMMISSION

FROM: RICK ABBOUD, HOMER CITY PLANNER *RA*

DATE: MAY 3, 2010

SUBJECT: ORDINANCE 09-40(S), HOMER COMPREHENSIVE PLAN

The Homer Advisory Planning Commission (HAPC) has prepared an extensive amendment to the Homer Comprehensive Plan. With recommendation from the HAPC, the Homer City Council adopted Ordinance 09-40(S). The HAPC and the Homer City Council request your recommendation that the Kenai Peninsula Borough Assembly adopt this extensive amendment.

**CITY OF HOMER
HOMER, ALASKA**

City Manager

ORDINANCE 09-40(S)

AN ORDINANCE OF THE HOMER CITY COUNCIL
ADOPTING THE 2008 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 arcawide basis in accordance with AS 29.40; and

WHEREAS, As provided in Kenai Peninsula Borough Code 21.01.025, cities in the Borough requesting extensive comprehensive plan amendments may recommend to the Kenai Peninsula Borough Planning Commission a change to the city comprehensive plan; and

WHEREAS, The City of Homer has prepared a extensive comprehensive plan amendments in the form of the 2008 Homer Comprehensive Plan; and

WHEREAS, A comprehensive plan is a public declaration of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the City; and

WHEREAS, The 2008 Homer Comprehensive Plan will guide the development of the City of Homer; and

WHEREAS, The Homer Advisory Planning Commission and other City 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 Planning Commission and Assembly adopt the 2008 Homer Comprehensive Plan.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The 2008 Homer Comprehensive Plan is hereby adopted as the City of Homer Comprehensive Plan, superseding the 1999 Comprehensive Plan update and the 1989 Comprehensive Plan.

Section 2. The previously adopted Homer Non-Motorized Transportation and Trail Plan (2004), Homer Area Transportation Plan (2005) and the Homer Town Center Development Plan (2006), remain part of the Homer Comprehensive Plan.

Section 3. Subsection (b) of Homer City Code 21.02.010, Comprehensive Plan—Adoption, is amended to read as follows:

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b. The following documents, as initially approved and subsequently amended, are adopted by reference as comprising the Homer Comprehensive Plan.

1. Homer Comprehensive Plan (2008)
2. Homer Non-Motorized Transportation and Trail Plan (2004)
3. Homer Area Transportation Plan (2005)
4. Homer Town Center Development Plan (2006)


Section 4. The City hereby recommends that the Kenai Peninsula Borough Planning Commission and Assembly adopt the 2008 Homer Comprehensive Plan as extensive comprehensive plan amendments under Kenai Peninsula Borough Code 21.01.025, and as an element of the Official Borough Comprehensive Plan within the City of Homer planning area of the Borough.

Section 5. Sections 1 through 3 of this ordinance shall take effect upon the adoption of the 2008 Homer Comprehensive Plan by the Kenai Peninsula Borough Assembly. The remainder of this ordinance shall take effect upon its adoption by the Homer City Council.

Section 6. Section 3 of this ordinance is of a permanent and general character and shall be included in the city code. The remainder of this ordinance is not of a permanent nature and is a non code ordinance.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 26th day of April, 2010.

CITY OF HOMER


BETH WYTHE, MAYOR PRO TEMPORE

ATTEST


JO JOHNSON, CMC, CITY CLERK

YES: 5

NO: 1

ABSTAIN: 0

ABSENT: 0

First Reading: 9/14/09

Public Hearing: 10/12/09, 10/24/09, 11/23/09, 1/25/10, 2/08/10, 2/22/10, 3/08/10, 4/12/10

Second Reading: 4/26/10

Effective Date: 4/27/10

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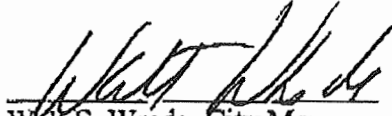
Reviewed and approved as to form:

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Walt E. Wrede, City Manager

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Date: 4/29/11

Thomas F. Klinkner, City Attorney

Date: _____

Public Hearing and Second Reading April 26, 2010.

Memorandum 10-58 from Public Works Director as backup.

Mayor Pro Tempore Wythe opened the public hearing. In the absence of public comment Mayor Pro Tempore Wythe closed the public hearing.

Council adjourned to Executive Session at 6:37 p.m. and reconvened at 6:47 p.m.

Councilmember Roberts stated Council met with the attorney who advised them and they are ready to proceed with the meeting.

Mayor Pro Tempore Wythe called for a motion for the adoption of Ordinance 10-21 by reading of title only for second and final reading.

LEWIS/HOWARD - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ORDINANCE(S)

- ✱ A. **Ordinance 09-40(S)**, An Ordinance of the Homer City Council Adopting the 2008 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough. City Manager. Introduction September 14, 2009, Public Hearings October 12 & 26, November 23, 2009, January 25, February 8 & 22, March 8, 2010 and April 12, 2010. Worksession November 9, 2009. Hearing March 22, 2010 and Second Reading April 26, 2010.

Memorandum 10-11, 10-56, and 10-62 from City Planner and Planning Technician as backup.

Motion on the floor from February 8, 2010: MOTION FOR THE ADOPTION OF ORDINANCE 09-40 (S) FOR SECOND AND FINAL READING.

ROBERTS/HOWARD – MOVED TO AMEND CHAPTER 10 PG. 10-1 TO ADD A NEW SENTENCE AS THE LAST SENTENCE UNDER PROCESS FOR REVISING THE COMPREHENSIVE PLAN: THE TIME FRAMES IN THE IMPLEMENTATION TABLES ARE NOT BINDING, BUT ARE SUGGESTED SEQUENTIAL STEPS.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

HOWARD/ROBERTS - MOVED TO AMEND CHAPTER 4 PG. 4-5 UNDER COMMERCIAL AND MIXED USE DISTRICTS TO DELETE THE PARAGRAPH NC NEIGHBORHOOD COMMERCIAL WEST HILL.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS - MOVED TO AMEND CHAPTER 4 PG. 4-16 UNDER IMPLEMENTATION STRATEGIES DELETE THE LAST SENTENCE: "THE NEIGHBORHOOD COMMERCIAL AREAS ON WEST HILL ...".

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

ROBERTS/LEWIS - MOVED TO AMEND APPENDIX B PG. B8 UNDER DEVELOPMENT STANDARDS DELETE REFERENCES TO THE WEST HILL NC AREA.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VOTE: (main motion as amended to adopt Ordinance 09-40(S) YES. WYTHE, ZAK, HOWARD, LEWIS, ROBERTS

VOTE: NO. HOGAN

Motion carried.

- B. **Ordinance 10-22**, An Ordinance of the Homer City Council Accepting and Appropriating a Federal Emergency Management Agency (FEMA) and Department of Homeland Security (DHS) Grant in the Amount of \$194,275.00 (95%) with a Local Match of \$10,225.00 (5%) to Provide Assistance to Firefighters and Authorizing the City Manager to Execute the Appropriate Documents. City Manager/Fire Chief. Recommended dates: Introduction April 26, 2010, Public Hearing and Second Reading May 10, 2010.

Mayor Pro Tempore Wythe called for a motion for the introduction and first reading of Ordinance 10-22 by reading of title only.

HOWARD/LEWIS - SO MOVED.

There was no discussion.

VOTE: YES. NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

CITY MANAGER'S REPORT

ORDINANCE REFERENCE SHEET
2009 ORDINANCE
ORDINANCE 09-40

An Ordinance of the Homer City Council Adopting the 2008 Homer Comprehensive Plan and Recommending Adoption by the Kenai Peninsula Borough.

Sponsor: City Manager

1. City Council Regular Meeting September 14, 2009 Introduction
2. City Council Committee of the Whole Meeting September 28, 2009 Discussion
 - a. Written public comments
3. City Council Regular Meeting October 12, 2009 Public Hearing
 - a. Substitute Ordinance 09-40(S)
4. City Council Regular Meeting October 26, 2009 Public Hearing
 - a. Substitute Ordinance 09-40(S)
5. City Council Regular Meeting October 26, 2009 Public Hearing and Second Reading
 - a. Substitute Ordinance 09-40(S)
6. City Council Regular Meeting November 23, 2009 Public Hearing and Second Reading
 - a. Substitute Ordinance 09-40(S)
7. City Council Regular Meeting January 11, 2010 Second Reading
 - a. Written public comments
8. City Council Regular Meeting January 25, 2010 Public Hearing
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
 - b. Written public comments
9. City Council Regular Meeting February 8, 2010 Public Hearing and Second Reading
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
 - b. Written public comments

10. City Council Regular Meeting February 22, 2010 Public Hearing
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
 - b. Written public comments
11. City Council Regular Meeting March 8, 2010 Public Hearing
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
 - b. Written public comments
12. City Council Regular Meeting March 22, 2010 Second Reading
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
13. City Council Regular Meeting April 12, 2010 Public Hearing
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
 - b. Memorandum 10-56 from City Planner and Planning Technician as backup
 - c. Comprehensive Plan Land Use Recommendations Map
 - d. Excerpt from City Council Regular Meeting Minutes of March 22, 2010
 - e. West Homer Water and Sewer Map
 - f. East Homer Water and Sewer Map
 - g. Hillside Acres Water and Sewer LID Final Assessment Roll and Maps
14. City Council Regular Meeting April 26, 2010 Second Reading
 - a. Memorandum 10-11 from City Planner and Planning Technician as backup
 - b. Memorandum 10-56 from City Planner and Planning Technician as backup
 - c. Memorandum 10-62 from City Planner and Planning Technician as backup
 - d. Comprehensive Plan Land Use Recommendations Map
 - e. Excerpt from City Council Regular Meeting Minutes of March 22, 2010
 - f. West Homer Water and Sewer Map
 - g. East Homer Water and Sewer Map
 - h. Hillside Acres Water and Sewer LID Final Assessment Roll and Maps