

August 4, 2010  
5:30 P.M.

Cowles Council Chambers  
491 East Pioneer Avenue  
Homer, Alaska

## WORK SESSION Advisory Planning Commission AGENDA

1. Call To Order, 5:30 P.M.
2. Discussion of Items on the Regular Meeting Agenda
3. Spit Signage – Dotti Harness-Foster
4. Staff Report PL 10-71, Draft Spit Comprehensive Plan *(Please refer to page 7 of the regular meeting packet.)*
5. Reconsideration of a Vote on July 21, 2010 of Staff Report PL 10-57, Draft Steep Slope Ordinance
6. Public Comments  
The public may speak to the Planning Commission regarding matters on the work session agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).
7. Commission Comments
8. Adjournment



**REGULAR MEETING  
AGENDA**

**1. Call to Order**

**2. Approval of Agenda**

**3. Public Comment**

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

**4. Reconsideration**

- A. Reconsideration of a Vote on July 21, 2010 of Staff Report PL 10-57, Draft Steep Slope Ordinance

**5. Adoption of Consent Agenda**

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

1. Approval of Minutes of July 21, 2010
2. Time Extension Requests
3. Approval of City of Homer Projects under HCC 1.76.030 g.
4. KPB Coastal Management Program Reports

*Page 1*

**6. Presentations**

- A. Sue Christiansen – “Request from landowners in Oscar Munson Subdivision to vacate Ocean Drive Loop Right of Ways

**7. Reports**

- a. City Planner’s Report-Staff Report PL 10-70

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**8. Public Hearings**

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

**9. Plat Consideration**

**10. Pending Business**

- A. Staff Report PL 10-71, Draft Spit Comprehensive Plan
- B. Staff Report PL 10-72, Draft Steep Slope Ordinance

*Page 7*

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**11. New Business**

**12. Informational Materials**

A. City Manager's Report

*Page 83*

B. Letter dated July 27, 2010 to property or business owners, from Dotti Harness-Foster regarding Spit Signage

*Page 91*

**13. Comments of The Audience**

Members of the audience may address the Commission on any subject. (3 minute time limit)

**14. Comments of Staff**

**15. Comments of The Commission**

**16. Adjournment**

Meetings will adjourn promptly at 10 p.m. An extension is allowed by a vote of the Commission.

The next regular meeting will be held on August 18, 2010 at 7:00p.m. There will be a work session at 5:30p.m.

Session 10-12, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 7:00 p.m. on July 21, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, HIGHLAND, MINSCH, SINN

ABSENT: COMMISSIONERS KRANICH, DRUHOT

STAFF: CITY PLANNER ABOUD  
PLANNING CLERK ROSENCRANS

### APPROVAL OF AGENDA

The agenda was approved by consensus of the Commission.

### PUBLIC COMMENT

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

There were no public comments.

### RECONSIDERATION

No items were scheduled for reconsideration.

### ADOPTION OF CONSENT AGENDA

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

- A. Approval of the June 16 and 24, 2010 regular meeting minutes
- B. Time Extension Requests
- C. Approval of City of Homer Projects under HCC 1.76.030 g
- D. KPB Coastal Management Program Reports

The consent agenda was approved by consensus of the Commission.

### PRESENTATIONS

There were no presentations scheduled.

### REPORTS

- A. Staff Report PL 10-61, City Planner's Report

City Planner Abboud reviewed his report.

**PUBLIC HEARINGS**

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

**A. Staff Report PL 10-64, CUP 10-06, 1033 Skyline Drive/Becker**

City Planner Abboud reviewed the staff report; stated staff is recommending approval of the request for a conditional use permit. The public hearing was opened.

Dave Becker, owner of property at 1033 Skyline Drive, explained to the planning commission that before being annexed in 2003, they were outside of city limits. The property and buildings were not out of compliance. After discussion with the police chief, it was agreed that a repeater was needed to provide better reception for officers and improve public safety. There was an urgency to get the repeater operating due to the high volume of activity the police department was expecting over the 4<sup>th</sup> of July weekend. It was not explained to him initially which permits were necessary to proceed, so he is now applying for a conditional use permit to be in compliance with current city code.

Bill Glynn, neighboring property owner, stated he had no objection to Mr. Becker developing his property as he wished as long as same rules apply for everyone. He stated he has adhered to city code in terms of setback requirements, driveway and encroachment requirements. He said in doing so, he had to move a tower, thus losing customers. Mr. Glynn also expressed the same rules should apply to parking as people have parked in his space when there isn't enough room across the street.

Mr. Becker replied Chief Robl would like to see minimal parking, to avoid liability and the attraction for some to park, climb towers, etc. He responded that no one he knows is parking in Mr. Glynn's space anymore; it was temporary, and only when his contractor was working on site.

With only four commissioners present there was a lack of a quorum, the public hearing was closed. Discussion followed.

**SINN/BOS-MOVED TO CONTINUE DELIBERATIONS ON STAFF REPORT PL 10-64, CUP 10-04 WHEN THERE ARE FIVE COMMISSIONERS PRESENT.**

Motion carried.

**B. Staff Report PL 10-65, Variance at 1033 Skyline Drive/Becker**

City Planner Abboud reviewed the staff report; stated staff is recommending approval of the request for a variance. The public hearing was opened.

Dave Becker, owner of property at 1033 Skyline Drive, explained the property was surveyed and the plat was done in 1954, so there were no set back requirements at the time. When the property was annexed in 2003, it was recognized the building in question was not in compliance. To move the building would put it in a dangerous spot and access would be difficult.

Bill Glynn mentioned that his property is steep as well, and he had to use many yards of fill on his property in order to comply, and access it.

Public hearing closed.

Commissioner Bos asked Mr. Becker if he would consider this to be the last building opportunity on the lot, and where he would choose to put another structure. Mr. Becker stated he would consider other development on the property, and if he were aware of the rules up front he would have considered moving the building further down the slope. The site was chosen because it was the best place for the tower.

City Manager Wrede addressed the issue and concurred this was the best place for the repeater, timing was important due to the necessity to increase public safety. He clarified that when he gave Mr. Becker the go ahead, he was clear that the developer is responsible for obtaining all necessary permits. The miscommunication was that the permits weren't specified up front.  
Public hearing closed.

**SINN/BOS-MOVED TO CONTINUE DELIBERATIONS ON STAFF REPORT PL 10-6, Variance 10-01, WHEN THERE ARE FIVE COMMISSIONERS PRESENT.**

Motion carried.

#### **PLAT CONSIDERATION**

A. Staff Report PL 10-60, Stream Hill Park Unit 2, Resubdivision of Lots 35 & 45 Preliminary Plat  
City Planner Abboud reviewed the staff report; stated staff is recommending approval of the plat.

**SINN/BOS-MOVE TO APPROVE STAFF REPORT PL10-60 WITH STAFF RECOMMENDATIONS.**

Motion carried.

#### **PENDING BUSINESS**

A. Staff Report PL 10-57, Draft Steep Slope Ordinance

The commission continued their discussion from the work session.

Consensus of 50% slope, discussion of 40% versus 50, and what is the right number, 32-40.

**HIGHLAND/SINN-MOVE TO FORWARD STAFF REPORT PL 10-57 FORWARD TO PUBLIC HEARING.**

Discussion followed regarding percentage of slope.

**HIGHLAND/SINN-MOVE TO AMEND STAFF REPORT PL 10-57 TO CHANGE SLOPE TO NO MORE THAN 45%.**

Motion carried.

B. Staff Report PL 10-58, Draft Spit Comprehensive Plan

HIGHLAND/BOS-MOVED TO CONTINUE DISCUSSION OF STAFF REPORT SR PL 10-58 AT THE NEXT WORK SESSION.

Motion carried.

C. Staff Report PL 10-59, Draft Rezone Ordinance

The commission continued their discussion from the work session.

**NEW BUSINESS**

**INFORMATIONAL MATERIALS**

A. City Manager's Report dated June 28, 2010

**COMMENTS OF THE AUDIENCE**

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

**COMMENTS OF STAFF**

There were no comments from staff.

**COMMENTS OF THE COMMISSION**

There were no comments from the commission.

**ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 9:04 p.m. The next regular meeting is scheduled for August 4, 2010 at 7:00 p.m. in the City Hall Cowles Council Chambers. There is a worksession at 5:30 p.m. prior to the meeting.

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Shelly Rosencrans, Planning Clerk

Approved: \_\_\_\_\_



# City of Homer Planning & Zoning

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## STAFF REPORT PL 10-70

**TO:** Homer Advisory Planning Commission  
**FROM:** Rick Abboud, City Planner  
**MEETING:** August 4, 2010  
**SUBJECT:** Planning Director's Report

### July 26<sup>th</sup> City Council Meeting

**Ordinance 10-36**, An Ordinance of the City Council of Homer, Alaska, Amending Homer City Code Title 21 Re: Permitted Uses in GC1 District. Roberts. Recommended dates: Introduction July 26, 2010, Public Hearing and Second Reading August 9, 2010

Pulled.

**Ordinance 10-38**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 10-21 to Authorize the Purchase of Property within the Bridge Creek Watershed, Kenai Peninsula Borough Parcel No. 17307031 within the Bridge Creek Watershed (N 663 ft. of NE 1/4, SE 1/4, East of Skyline Drive, T 6S R 13W Sec 7) with funds from the Water Depreciation Reserve Account for the purpose of protecting the watershed and providing alternate access to property north of the City's Water Treatment Plant. City Manager. Recommended dates: Introduction July 26, 2010, Public Hearing and Second Reading August 9, 2010.

ADOPTED without discussion.

**Memorandum 10-99**, From City Clerk Re: Vacate a Portion of the 33-Foot Public Right-of-Way Easement and Utility Easement Along the West Boundary of Government Lot 37, West of Kachemak Drive, as Reserved in the Original BLM Patent No. 1142509 in Book 6 Page 218 of the Homer Recording District, All Within Section 14, Township 6 South, Range 13 West, Seward Meridian, Alaska; KPB File No. 2010-79; Location: City of Homer.

APPROVED with discussion.

### Activities:

Staff vacations, sign wars, junk car removal/outreach.





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## STAFF REPORT PL 10-71

**TO:** Homer Advisory Planning Commission  
**FROM:** Rick Abboud, City Planner  
**MEETING:** August 4, 2010  
**SUBJECT:** Draft Spit Comprehensive Plan

**Please bring the track changes version of the plan with you from your last packet.**

### Goals of the August 4th meeting:

1. Finish reviewing the goals
2. Revisit the topics the Commission wanted to further discuss

## GENERAL INFORMATION

There were several places in the Plan the Commission wanted to revisit. The attached document includes the changes the Commission made, and notes the places the Commission wanted more discussion. Look



for a large asterisk marking those locations.

### Staff recommendations:

Finish reviewing goals (if not already done)

Finish looking at Chapter 4 environment?

Discuss areas marked with an asterisk in the clean copy document and make any amendments.

## STAFF COMMENTS/RECOMMENDATIONS:

Planning Commission

## ATTACHMENTS

1. Draft Spit Comprehensive Plan/7-21-10, Clean Copy



# Chapter I. Introduction

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1 Goal statement (Perhaps on the cover?): (notes for staff/consultant: add table of contents,  
2 maybe executive summary, appendix items, add a map w land marks somewhere up front,  
3 could use Hockey rink as divider if 2 pages are needed)

4 Goal: Wise land management of the Spit and its resources to accommodate its  
5 natural processes, while allowing fishing, tourism, other marine related  
6 development, and open space/recreational uses.

7 The Homer Spit is an intriguing natural phenomenon. It is one of the longest occupied natural  
8 sandspits in the world, extending southeast from the City of Homer, approximately 4.5 miles  
9 into Kachemak Bay. The Spit is a natural, dynamic system which is constantly being shaped by  
10 deposition and erosion of sediments. The Spit is sensitive to changes in the natural  
11 environment and to human activities, both on the Spit itself and in the uplands of the mainland.

12 The Homer Spit is a lot of things to a lot of different and diverse groups of people. The Spit was  
13 the site of the town's first settlement and survived the 1964 Good Friday earthquake. In more  
14 recent times, it has emerged as the centerpiece for Homer's tourism industry. It is a working  
15 port and harbor, a wildlife refuge, a place for outdoor recreation, and a place for employment  
16 and business. An economic engine for the region, it is the center of Homer's thriving fishing  
17 industry and has become one of Alaska's most popular tourism destinations.

18 As one enters the City from the north and experiences the view of Kachemak Bay, the  
19 surrounding mountains and glaciers, the focus of your attention is naturally drawn to the Spit as  
20 a place you have to visit. This update of the City of Homer Spit Comprehensive Plan is similar to  
21 that view, focusing attention on current issues, defining a vision, and setting a course of action  
22 for the future.

23 The Homer Spit Comprehensive Plan was excluded from the overall city comprehensive plan  
24 update which began in 2006. It was determined the Spit was such an important community  
25 feature it deserved and required its own planning effort. Some of the issues identified by the  
26 City to address in the plan include:

- 27 • Increasing traffic congestion
- 28 • Parking
- 29 • New demands for public services

- 30 • Future land use, zoning, and development
- 31 • Encouraging economic development without compromising the unique character and
- 32 "flavor" of the Spit

33 Future comprehensive planning efforts should integrate the Spit with the rest of the  
34 community, rather than separating these geographic areas into different planning documents.

## 35 Purpose of the Plan

36 The Comprehensive Plan describes existing conditions and defines a preferred future  
37 development plan. The Plan recommends public improvements for this unique and special  
38 place and addresses future land use and zoning, parking, pedestrian issues and conservation.  
39 The Plan will serve to guide the Planning Commission, the City Council and other community  
40 leaders and businesses as they make decisions related to the Spit for years to come.

## 41 The Planning Process

42 The planning process began in April 2009 with a contract for professional services. The  
43 planning process has included ongoing public involvement opportunities, including to date four  
44 public planning workshops, as well as ongoing input, work sessions, and discussion with the  
45 Planning Commission.

46 A project website was established from the project outset to provide information to interested  
47 persons. The website, [www.homerspitifutureplan.com](http://www.homerspitifutureplan.com), provided meeting notices, summaries  
48 of community meetings, and draft documents. It also provided an email feedback function that  
49 a number of people used to provide comments.

50 In August 2009 public involvement workshops were provided to introduce the project and  
51 identify community concerns, issues, and opportunities.

52 In September a second round of workshops were held, which were well attended by interested  
53 citizens, property, and business owners. Back to back workshops on September 10, 2009  
54 featured a time for drop-in informal discussion (3:00 to 5:00 pm) and then a presentation and  
55 planning workshop (6:30 pm to 8:30 pm). These open house events included opportunities to  
56 comment on maps of the Spit, a presentation about the planning process, and  
57 comments/suggestions from participants. In addition, a number of people submitted comments  
58 through the project website. These comments and ideas were used as a basis for planning  
59 recommendations, and representative quotations are included throughout the report.

60 From the initial phase of public input, a number of major themes and issues emerged from the  
61 public comments:

- 62 • A desire to make the Spit a better, year-round destination for locals and visitors alike
- 63 • The Spit has great potential for economic/industrial development and the creation of year-  
64 round, family sustaining jobs. Tourism development should not compromise this potential  
65 and land should be designated for industrial-type development. A balanced mix of tourism  
66 and maritime industry is needed.
- 67 • The need for improved transportation alternatives, including bicycles, pedestrians and a  
68 shuttle bus.
- 69 • The recognition of the unique coastal bird habitat and sea mammal environment.
- 70 • Improve access, condition and amenities of existing parks and open places and consider  
71 adding more parks, open space, a kayak launch, fishing dock, and a community central  
72 gathering place
- 73 • Parking is a major issue
- 74 • Concern about future residential developments
- 75 • Reduce pedestrian/vehicle conflicts
- 76 • There is a desire for more overslope development (boardwalk of shops, restaurants, and  
77 services, etc.)
- 78 • Great opportunities for public art
- 79 • Consider zoning that is unique to the Spit

80 Over the fall, additional discussions, input and research were completed and a “framework  
81 document” was released in January 2010 as a focal point for community discussion and to  
82 solicit additional direction from City Planning staff, Planning Commission, and Port and Harbor  
83 Advisory Commission. As a result of the ensuing discussion, including discussion at two Planning  
84 Commission work sessions (April 7 & 21, 2010), it has become clear that additional time will be  
85 needed to develop a solid framework for the draft plan that more fully reflects community  
86 needs and concerns. Thus, on April 30, 2010 a Working Draft was created which both revises  
87 somewhat the January document, and also reformats for active editing. Although the draft is  
88 primarily for use by the Planning Commission, all work sessions focused on revising this

89 document will be held in an open forum, which will feature opportunities for the public to both  
90 listen and provide comments.

91 As the Commission shapes this document through the early part of the summer it is hoped that  
92 input, refinements, and edits will help provide a more solid framework for a future draft plan. It  
93 is anticipated that in late July a revised draft will be released to the public, and a highly  
94 publicized set of public meetings will be held in August.

95 In terms of the overall planning process, the Spit Comprehensive Plan process has followed a  
96 progression of research, community participation, study and brainstorming. Listed below are  
97 the major steps that will lead to a final plan for formal adoption as an element of the Homer  
98 Comprehensive Plan:

- 99 ● Gather Information
- 100 ● Research and Analysis
- 101 ● Community Involvement
- 102 ● Parking Study
- 103 ● Future Development Scenarios
- 104 ● Framework Plan
- 105 ● Community Review
- 106 ● Draft Comprehensive Plan
- 107 ● Planning Commission Review
- 108 ● Final Plan

109 Currently, a draft Framework Plan has been completed and is ready for community review. The  
110 Framework Plan serves as the basis for community discussion as the community reflects on the  
111 goals, objectives, and implementation plan for the Spit. The Homer Spit Comprehensive Plan  
112 will be the end product of this planning progression, and strongly reflect input from citizens, the  
113 Spit business community, the Planning Commission, and city staff.

114  
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16

## Chapter II. Background Data and Existing Conditions

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117

### The Homer Economy

118 The economy of Homer and surrounding region is based upon commercial fishing, government,  
119 services and tourism. The area has grown and prospered in recent years due to growth of these  
120 sectors. The Homer Spit is a major contributor to the regional economy as a the hub for the  
121 Kachemak Bay commercial fishing industry, and as one of Alaska's premier tourism  
122 destinations. ~~Sales tax revenues were down for the 2009 tax season which was attributed to~~  
123 ~~the downturn in the national economy and the resulting effect on tourism in Alaska.~~

124 The recently adopted 2008 Homer Comprehensive Plan addressed the community's economy,  
125 as summarized below:

- 126
- 127 • Homer needs room to grow, in a way that respects the community's character, as well as  
128 addresses concerns such as sprawl and climate change. The plan should designate locations  
129 and patterns for new growth, considering related needs like expanded water and sewer  
service.
  - 130 • The natural environment is important to Homer's economy and way of life. The community  
131 clearly desires to maintain the natural environment. New strategies will be needed to  
132 protect this environment as the community grows – particularly regarding drainage,  
133 erosion, and open space.
  - 134 • Homer has a diverse, vibrant economy that builds from the community's strengths and  
135 character. The community will need to work to enhance and preserve economic  
136 opportunity.
  - 137 • Tourism is likely to stay strong and grow.
  - 138 • Lastly, it is likely these trends will continue, and Homer will face new forms of challenges  
139 and opportunities tied to growth.

140

### Land Use

141 A variety of land uses have evolved over time on the Homer Spit and created a unique sense of  
142 place. Uses include marine-related industrial and commercial, including fishing and fish  
143 processing, the harbor and harbor related business, the marine highway terminal, port facilities,  
144 fuel storage, retail, lodging, camping, parking, recreational, conservation and public land uses.  
145 RV and tent camping is a major land use. Camping opportunities include tent camping on the

Appendix? Homer Spit Land Usage Summary, 2009			
#	Usage	Acreage	Percentage
0	Conservation	189.7	34.6%
1	Residential	8.19	1.5%
2	Commercial	14.67	2.7%
3	Industrial	62.64	11.4%
4	Campground	114.14	20.8%
5	Park	18.26	3.3%
6	Recreational	2.18	0.4%
7	Parking	33.34	6.1%

146 beach and several public and private  
 147 campgrounds. In the last decade, new  
 148 residential condominium units have been  
 149 developed near the end of the Spit. Combined  
 150 with a hotel resort/residential is a small but  
 151 very visible land use on the Spit.

152 A map showing locations of existing land uses  
 153 can be found in a separate pdf (2010-04-30  
 154 Spit Plan Existing Conditions Maps). The table  
 155 and pie chart above also show the  
 156 approximate distribution of land uses on the  
 157 Homer Spit.

158 Within the City of Homer's existing zoning  
 159 code there are currently four designations.  
 160 These include Marine Commercial (MC),  
 161 Marine Industrial (MI), Open Space-  
 162 Recreational (OSR), and Conservation (CO).  
 163 See appendix (add code into appendix)

164 **Natural Environment**

165 The coastal area of the Spit is a marine and  
166 tidal environment, attracting numerous shore  
167 birds and marine animals. The Spit is a  
168 nationally recognized birding area, and have  
169 international recognition due to the number  
170 of birds that pass through the area during  
171 annual migrations. The Mud Bay and Mariner Lagoon areas are part of the Western Shorebird  
172 Reserve Network (WSRN). Tides on the Kachemak Bay that can range more than 26 feet have  
173 created expansive tidal flats and a rich shore environment for wildlife. Kachemak Bay is also a  
174 state designated Critical Habitat Area.

8	Harbor	74.31	13.6%
9	Resort/Residential	7.25	1.3%
10	Marine Industrial	23.35	4.3%
TOTAL:		548.03	100%

175 Much of the Spit's upland environment has been altered over time. The Spit was severely  
176 impacted by the 1964 earthquake as the elevation significantly dropped, and areas of the Spit  
177 actually disappeared. Some of that displacement has rebounded since that time. Material  
178 from the subsequent excavation of the existing boat harbor and annual dredging have been  
179 used to fill the Spit and raise the elevation of the land to the present level.

180 **Tsunami**

181 Kachemak Bay is situated in an active seismic area of Alaska. A tsunami analysis entitled  
182 "Tsunami Hazard Maps of The Homer and Seldovia Areas, Alaska" was published by the State of  
183 Alaska Department of Natural Resources, Division of Geological & Geophysical Surveys, in 2005.  
184 This report considered two earthquake scenarios and estimated tsunami inundation for Homer  
185 and Seldovia, but did not model the inundation by waves that might be generated by local  
186 submarine or sub aerial landslides, or the inundation from a debris avalanche generated by  
187 eruption of nearby Augustine Volcano.

188 The summary of the study concludes "neither of the modeled scenarios results in inundation of  
189 the entire Homer Spit. However, it is important to note that the Border Ranges fault scenario  
190 results in flooding of a portion of the Spit and the road for a distance of approximately 0.3 mi  
191 (0.5 km) near the head of the Spit. Because this flooding may occur repeatedly during a  
192 tsunami, it is possible that the road may be washed out, cutting off the evacuation route from  
193 the Spit. Even though our numerical modeling does not show inundation of the entire spit for  
194 the scenarios we used, we recommend that evacuation of the Spit be a mandatory part of any  
195 tsunami evacuation plan."

196 The report ends with the statement "because of the uncertainties inherent in this type of  
197 modeling, these results are not intended for land-use regulation." Thus, common sense must  
198 prevail in developing plans for the Homer Spit. Tsunami warning sirens and evacuation signs  
199 are currently in place and consideration should be given to provide additional warning siren  
200 locations and evacuation plans.

## 201 **Flood Hazard**

202 In 2003, the City of Homer joined the National Flood Prevention Program, and adopted  
203 regulations for development in flood zones. In general, the Federal Insurance Rate Maps  
204 identifies the Spit as a Coastal High Hazard Area. The Spit's shoreline is in the "Velocity Zone"  
205 which is characterized by coastal wave action with tidal surges and high energy, wind-  
206 generated wave action.

207 The Flood Standards aim to minimize exposure to flood damage while protecting the functions  
208 of the coastal zone. Meeting these development standards is costly. Buildings and boardwalks  
209 must be designed and certified by an engineer or surveyor that the pilings will withstand a 100-  
210 year flood event and that the structures are elevated properly. In order to provide this  
211 assurance, expensive engineering may be the required, further increasing development costs.  
212 Additionally, engineers and surveyors have disputed the elevations on the Flood Insurance Rate  
213 Maps. FEMA intends to resolve the inconsistencies with a new comprehensive coastal restudy  
214 of the Homer Spit starting in 2010, that may result in new flood plain mapping

## 215 **Climate Change**

216 Alaska is experiencing the impacts of global climate change. It is predicted that general  
217 warming of the oceans and potential melting of the Greenland and Antarctic ice sheets will  
218 impact coastal areas around the world, by raising water levels by the end of this century.  
219 Experts predict more frequent and severe storms, accelerating erosion of the shoreline. This  
220 forecasted effect of climate change will greatly impact the low lying Homer Spit and should be  
221 considered in planning efforts. The City of Homer's Climate Action Plan is an excellent  
222 resource.

## 223 **Transportation**

224 The Spit is served by the two-lane Sterling Highway (Homer Spit Road). The highway is under  
225 the jurisdiction of the Alaska Department of Transportation (ADOT). A map showing  
226 transportation facilities on the Spit can be found in a separate pdf (2010-04-30 Spit Plan Existing  
227 Conditions Maps).

228 A June 2009 traffic count indicates an average daily traffic (ADT) total of 3540 vehicles for the  
229 month. Annual traffic data from 2007 indicates an annual ADT of 4125 vehicles. The 2007  
230 monthly ADT data ranges from a low of 1636 vehicles in January to a high of 8959 vehicles in  
231 July. The highest daily traffic counts occurred on several consecutive days in May of 2007 and  
232 were in excess of 10,500 vehicles. The next highest daily counts occurred in July and were in  
233 excess of 10,000 vehicles.

234 The State Highway Marine Terminal is located adjacent to the Pioneer Dock. Ferry service  
235 provides access to Seldovia, Prince William Sound, and Kodiak Island, and the Aleutian Chain.

236 A separated bike and walking path parallels the highway from the mainland to just west of the  
237 Freight Dock Road. The City is currently planning the continuation of the bike and pedestrian  
238 path from its current terminus to the end of the Spit.

## 239 **\* Parking Study and Analysis (PC more discussion next draft)**

240 (include parking table from earlier draft)

241 With vehicular parking a primary issue on the Spit, a parking study was conducted as part of the  
242 planning process. The goal of the parking analysis is to address these parking issues:

- 243 • Pedestrian safety
- 244 • Short and long-term recommendations
- 245 • Signage
- 246 • Parking lot design
- 247 • Parking policies, such as free vs. charge, time limitations, etc.

248 Parking is also a primary community concern as expressed by public comments at planning  
249 workshops and email feedback from the project website.

## 250 **Existing Parking Facilities and Policies**

251 The Port and Harbor Department is responsible for management of parking on the Homer Spit.  
252 A map showing existing parking facilities is included on the following page.

253 Public parking facilities consist primarily of gravel open areas. Most parking is located around  
254 the harbor area, and at the fishing lagoon. In recent years, several parking areas located near  
255 the marina ramps have been paved and designated as fee parking.

256 Portions of public and private parking areas are located within the DOT right-of-way (ROW).  
257 The City is currently negotiating an agreement with the DOT for management of the parking  
258 areas located in the ROW.

259 Organizing the gravel open areas for an efficient parking pattern and traffic flow is a challenge.  
260 Temporary pylons and rope are often used as an attempt to guide and organize parking. There  
261 is no signage identifying parking areas, except for the paved fee parking sites.

262 There are no existing parking areas for the large number of RVs and other large vehicles that  
263 visit the Spit, resulting in sometimes chaotic parking patterns.

264 Other than the few paved areas designated for fee parking, all other areas are designated as  
265 free parking for up to seven (7) days. Thus, areas considered prime parking for day users and  
266 retail customers are used extensively by long-term parkers.

267 There are no areas designated for short-term parking and delivery/service vehicles for  
268 commercial areas.

## 269 **Parking Users**

270 Parking facilities on the Homer Spit serve a number of different groups and needs. Listed below  
271 are the users identified:

- 272 ● Vessel owners, crewmen, and clients
- 273 ● State Park taxi boat customers
- 274 ● Shop owners/ employees
- 275 ● Tourists and residents
- 276 ● Fish dock employees & commercial truck traffic for fish industry
- 277 ● Commercial delivery trucks
- 278 ● Ferry dock customers/crewman and commercial trucks
- 279 ● Residents from across the bay
- 280 ● Load and launch customers, trailers

- 281 • Vessels parked on the uplands
- 282 • Fishing lagoon fishermen
- 283 • Campers and RVs
- 284 • Federal, State & City employees
- 285 • People selling boats and vehicles

## 286 **Parking Analysis**

287 An important part of the parking study was creating a one day “snapshot” of parking utilization.  
288 This included estimating parking lot capacity and counting all parked vehicles in all public  
289 parking areas on an hourly basis. Following is an overview summary of the one day parking  
290 count study and analysis:.

- 291 • The parked vehicle count was made on Friday, July 10, 2009 between 7 am and 4 pm
- 292 • Considered a busy, typical summer day
- 293 • About 1,343+/- parking spaces were inventoried and counted every hour all day
- 294 • 1023 vehicles or 76% of the parking was occupied at the peak hour (2 pm)
- 295 • Up to 92% of all parking was occupied in retail and ramp areas at the peak hour
- 296 • 330 parking spaces, or 24.5% of all parking, was occupied by the same vehicle all day in  
297 various locations

298 Parking behavior observations were made during the count. The gravel parking surface creates  
299 inefficiencies as parkers have difficulty lining up. In addition, RVs require a larger parking space  
300 and can partially block driving lanes. There were people obviously camping in parking areas as  
301 well.

## 302 **Port of Homer**

303 The City of Homer is the major property owner on the Spit. A map showing all City-owned lands  
304 and areas that are leased by the City for income can be found in a separate pdf (2010-04-30  
305 Spit Plan Existing Conditions Maps).

306 The City also owns and operates port and harbor facilities. Harbor facilities serve a number of  
307 shipping, commercial fishing and recreational users and interests, as well as stimulate the local  
economy by providing facilities that support these major industries.

309 Facilities include:

- 310 ● Small Boat Harbor: The Small Boat Harbor has 893 reserved stalls, 6000 feet of transient  
311 mooring, a five lane boat launch and fish cleaning stations.
- 312 ● Fish Dock and Ice Plant: The Fish Dock operates for a nine month season. The dock has  
313 eight cranes. The ice plant has 200 ton of ice storage.
- 314 ● Deep Water Dock: 245 face with 40 feet of depth.
- 315 ● Pioneer Dock: 469 face with 40 feet of depth. The Pioneer Dock serves the Alaska Marine  
316 Highway Terminal located adjacent to the dock.

## 317 Parks and Recreation

318 The City Public Works Department operates parks and recreation facilities on the Homer Spit  
319 including two campgrounds, public restrooms, and a RV dump station. Although there are many  
320 recreational needs and opportunities on the Spit, these must be balanced within the overall  
321 context of the existing City of Homer Comprehensive Plan Parks and Recreation priorities,  
322 currently planned CIP projects, and staff and maintenance resources and capacity.  
323

24 **Chapter III. Vision 2030**

---

325 (deleted this for next draft) The framework provided in this section is intended as a platform for  
326 further discussion to help the broader community define its goals, objectives and future actions  
327 desired as a foundation for the final Homer Spit Comprehensive Plan. To date, we have heard  
328 the beginnings of a direction and key issues relating to what the future Homer Spit is desired to  
329 be.

330 It is clear that the Homer Spit is a defining physical and social element of the larger Homer  
331 community and of Southcentral Alaska. Visitors and residents treasure this "jewel" of Alaska  
332 and its unique mix of art, culture, sport, recreation, and environmental assets. The community  
333 wishes to protect and continue this mix, but at the same time wishes to promote commercial

334 and \* maritime? industrial vitality. \* See also Goal 1.1 and go back after reviewing plan.

335 Also, the community wishes to provide better connections for pedestrians and non-motorized  
336 users to improve access and safety.

7 (delete next draft) Ongoing citizen participation and community feedback, and additional  
338 direction from City Planning staff, Planning Commission, and Port and Harbor Advisory  
339 Commission are now critical to moving forward from this draft to the final preparation of the  
340 new Comprehensive Plan for the Homer Spit. It is intended that over the next few months this  
341 section will be extensively edited and reviewed, with a final outcome provided to the public for  
342 review mid to late summer 2010.

343 The Spit is unusual in that so much of it is owned by the City of Homer. In addition to standard  
344 municipal responsibilities such as parks and public facilities, the city also leases land to private  
345 companies. There are two types of goals that arise from this arrangement of land ownership: 1  
346 There are universal concepts and goals that apply to all lands regardless of ownership such as  
347 zoning, and 2, there are policies the city as a land owner should examine.

348 The Vision is outlined in terms of four overarching categories with subcategories: (Reorder  
349 goals to match the order of goals in the goals chapter. Make sure there is text here that backs  
350 up every goal in the goal section.)

- 351 1. Land Use and Community Design  
352 2. Transportation

353 3. Economic Vitality

354 4. Natural Environment

## 355 1. Land Use and Community Design

356 In terms of guiding future development and design on the Spit, zoning regulations are a critical  
357 foundation. Realistically, although four zoning categories are present, development will only be  
358 focused into two districts: MI- Marine Industrial and MC-Marine Commercial. Yet, as described  
359 following, there are currently a number of issues with this zoning, specific to the Spit.

360 The minimum lot sizes are 6,000 square feet in the MI District and 20,000 square feet in the MC  
361 District respectively. These minimums are for new platted lots. The uniform size and grid  
362 pattern that this promotes does not make sense for all development on the Spit given the  
363 underlying curvilinear land form and the premium value of land. Allowing a more site-  
364 responsive and variable approach would help enhance the more eclectic, compact  
365 development pattern that has historically evolved, and that gives the Spit its interesting  
366 character. Buildings should also be designed to maintain the human scale and preserve views of  
367 the surrounding bay and mountains. A combination of lower building height regulations and  
368 conditional use allowances for buildings up to 35 feet should be considered.

369

370 Goal: rewrite zoning ordinance to allow great flexibility for setbacks, lot size

371 Encourage developments to provide amenities such as bike racks, benches, picnic table,  
372 trashcans and landscape features such as planters and art.

373 Another set of zoning issues on the Spit relate to what uses are permitted, or are conditional  
374 use:

375 • Currently, resort and resort/residential land uses are conditionally permitted in the MC-  
376 Marine Commercial District as a planned unit development.

377 • Several common commercial uses are conditional uses in the MI-Marine Industrial uses,  
378 such as restaurants.

379 How should MC and MI change?

380 Although these existing measures help limit the potential overexpansion of commercial and  
381 residential development, more carefully tailored tools are desired that better address the  
382 demand for these uses, while preserving the waterfront and other fishing and marine  
383 transportation and economic uses.

384 Another issue relates to existing parking requirements. There should be a clear policy on  
385 required off-street parking. Separate, private, off-street parking facilities can create more traffic  
386 and detract from the pedestrian environment. An alternative is to waive parking requirements  
387 in lieu of a onetime parking system contribution or assessment, or requiring annual permit  
388 purchases.

389 A final zoning consideration relates to the current required setbacks. Do these make sense and  
390 contribute to the desired development pattern, and are they necessary for health and safety  
391 reasons, such as fire protection?

392 Beyond zoning, each future land use has a number of key issues, opportunities, and  
393 consideration that need to be considered within the final comprehensive plan. These are  
394 addressed separately, followed by broad overarching goals for Land Use and Community  
395 Design.

### 396 **1.A Industrial Development**

397 The Spit has great potential for future industrial development related to the fishing, marine and  
398 shipping industries. Key issues include the need to:

- 399 • Better utilize the limited land available for industrial and economic development
- 400 • Reserve sufficient land by the deep water dock for future industrial development.
- 401 • Encourage development related to the fishing, fish processing, and boating  
402 industries.

403 Future industrial development should be clustered in specific locations as designated on the  
404 land use plan. However, it is important that industrial activities can have deleterious impacts  
405 to scenic resources that are valued by the public. Carefully considered screening of industrial  
406 land use should be considered where industrial activity takes place adjacent to other existing  
407 development and transportation routes. However, care must be exercised to ensure that  
408 screening does not then restrict views to scenic resources.

409 The existing fish dock, ice plant, and processing plant are key economic generators on the Spit  
410 but they are potentially threatened by incompatible land uses. Further the mix of land uses in  
411 the area and the undefined circulation sometimes creates hazards to pedestrians and others  
412 that pass through the area.

413 The area east of the harbor basin by the deep water dock is a bright spot in industrial activity on  
414 the Spit and receives high use. However, competing uses and traffic patterns may encroach  
5 into the activity in this area and create safety hazards in the future. This area requires

416 attention to provide for separation of uses and reservation of land for future industrial  
417 development.

### 418 **1.B Commercial Development**

419 Some commercial development on the Spit has contributed to a haphazard and “temporary”  
420 character, and blocked the view shed. As more commercial opportunities are desired, the  
421 Overslope area at the harbor basin offers excellent opportunities for commercial growth and a  
422 controlled and established character to the Spit. These opportunities are available in particular  
423 on the north and west sides of the harbor basin as noted on the development Framework Plan  
424 map 3. The development plan shows a proposed configuration of approximately 60,000 square  
425 feet of new overslope development. This level of leaseable square footage devoted to small  
426 shops, restaurants, service businesses or other uses should be sufficient to meet demands well  
427 into the future. While this opportunity has tremendous economic opportunities, the character  
428 of that development must be carefully considered. The City of Homer should consider  
429 developing appropriate standards and design guidelines for new development to maintain the  
430 character of the Homer Spit.

431 Buildings should be no more than one or two stories to maintain a human scale and to preserve  
432 views of the surrounding bay and mountains. CREATE goal to address temporary  
433 character/haphazardness (visual clutter like signage, need for pedestrian corridors/flow).  
434 Almost all of the above is about overslope...what if new development is not overslope? How  
435 else are we addressing the character of development on the spit?

436 One issue that is sometimes found difficult to address is the issue of how to regulate  
437 commercial versus industrial development. More definition is needed with respect to  
438 commercial use to address the character of commercial development as it has occurred on the

439 Homer Spit. \* go back and talk about ‘visitor related commercial’ land use

### 440 **1.C Resort/Residential Development**

441 ~~A lodging facility, the existing Land’s End Resort, has been located on the Spit for many years.~~  
442 In recent years, a new residential condominium development was constructed on the Spit  
443 adjacent land, creating a large resort/residential and lodging facility, as a planned unit  
444 development. Community concerns over additional residential development were expressed at  
445 planning workshops. Concerns included the height of buildings blocking views, and safety

446 related to tsunami and flooding. Although some of these concerns and objections may be  
447 overcome through design, the concern over tsunami and severe flood/weather events is real.

448  
449 Both formal permitted lodging facilities and campgrounds, and informal, unpermitted lodging  
450 and camping are present on the Spit. While there may be community concern about additional  
451 lodging, camping and residential uses, the uses are already there. A residential option should be  
452 considered as part of the planning process. A clear policy is needed and appropriate regulations  
453 created and enforced to meet public health and safety concerns. Lodging and nightly rental  
454 facilities can be located above existing and future commercial developments. By permitting  
455 these activities, the City can better regulate them and ensure facilities meet building, health,  
456 and safety codes.

457  
458 Need to talk about opportunity areas somewhere, but maybe not here under residential/resort.  
459 Maybe their own category? And talk about broad uses of opportunity area...maybe not so much  
460 the residential possibilities

461  
462 ~~The future land use plan identifies several locations where resort/residential may be~~  
463 ~~appropriate. See maps 1 and 2 for the areas marked "opportunity area". Development of these~~  
464 ~~sites for resort/mixed residential use would be compatible near Land's End. That said, many~~  
465 ~~residents would like to see that opportunity site left open for uses that better preserve views~~  
466 ~~and public enjoyment of the end of the Spit.~~

467 ~~These opportunity areas could be used for many things to add to the visitor industry or for~~  
468 ~~other commercial/industrial uses. They are areas that merit broader thinking about what would~~  
469 ~~be in the long term interests of community and the economy, while balancing property rights~~  
470 ~~and environmental concerns.~~

### 471 ***(Move?) 1.D Conservation/Natural Environment***

472 The public clearly indicated its recognition of the value of the tidal habitat, beaches, and views  
473 available on the Homer Spit. These areas are not just important as habitat for a myriad of  
474 shorebirds, waterfowl, fish, mammals, and plant life, but are important to the identity of the  
475 community of Homer. Protection of these areas is endemic to any development or use that is  
476 allowed on the Homer Spit.

477 This planning effort recognizes the value of the natural environment of the Homer Spit by  
478 recommending continued preservation of this unique marine tidal habitat as conservation

479 areas. In addition, public access to important use and viewing areas should be preserved, and  
480 where required, improved.

481 **1.E Parks and Recreation**

482 A new community park and gathering area was a priority identified during the planning  
483 workshops. A possible site identified in the public process is a portion of the city campground  
484 west of the harbor basin and Freight Dock Road. This site would seem to be appropriate and  
485 would require reconfiguration of the road and the existing boat launch area. A proposed  
486 reconfiguration would create more space for overslope and commercial development.

487 A concept plan was prepared for the proposed park area showing a pavilion, amphitheater,  
488 kayak launch, children's play area, walkways and beach volleyball courts.

489 Other improvements for existing parks are noted on the Framework Plan including:

490 **End of the Road Park:** storm watch pavilion, restrooms, a fishing dock, better definition of the  
491 parking area and an improved turn around for vehicles.

492 **Seafarer's Memorial Park:** It is suggested this park be expanded slightly to give it more  
493 prominence. This is another excellent location for a multi-seasonal storm watch pavilion and public  
494 restrooms.

495 **Coal Point Park:** The existing small park located adjacent to the fish dock has a parking area that is  
496 too big and a small, but wonderful green space with excellent views of the harbor and fish dock. Shrink  
497 the parking lot and expand the green space. The park could be connected to the vacant lot next to the  
498 Pioneer Dock along the beach, providing additional open space.

499 In addition, the City of Homer Capital Improvement Plan (2010) includes the following Parks and  
500 Recreation projects: is this really important to keep? Do we want a list of parks on the Spit? How is this  
501 laundry list of CIP projects helping future policies and goals? Delete most of it and go back to goals for  
502 public parks overall? Need to refer to 2008 comp plan parks/rec/culture chapter for a master plan, and  
503 point out any big items not addressed in spit plan (like benches and picnic tables and fire pits) STAFF do  
504 more work here

505 **Fishing Lagoon Improvements:** The Nick Dudiak Fishing Lagoon (also known as the "Fishing  
506 Hole") is a man-made marine embayment approximately 5 acres in size, stocked to provide  
507 sport fishing harvest opportunity. It is extremely popular with locals and visitors alike. During  
508 the summer when salmon are returning, approximately 100 bank anglers may be present at any  
509 one time between 7 a.m. and 10 p.m.

510 The lagoon embayment itself requires ongoing maintenance including removal of a gravel bar  
511 at the entrance, lengthen and increase the height of the northern-most terminal groin using rip-

512 rap armor stone from the City's small stockpile, rebuild the north berm using beach  
513 nourishment methods dredge the lagoon approximately 3 feet to remove deposits from tidal  
514 action, and to plant wild rye grass sprigs to stabilize the inner basin slope.

515 **Mariner Park Improvements:** As one of Homer's most popular recreation areas, Mariner  
516 Park attracts campers, beach walkers, kite-flyers, trail users, birders, people with dogs, and  
517 others who come to enjoy the views and open-air recreation opportunities. Homer's growing  
518 population and tourist visitation are placing greater demand on Mariner Park, increasing the  
519 need for recreation and safety enhancements.

520 The following have been identified as specific areas for improvement in the next six years:

- 521 • Construct a plumbed restroom facility
- 522 • ~~Develop a bike trail from "Lighthouse Village" to Seafarer's Memorial Park ( it was only to~~  
523 ~~Mariner park)~~
- 524 • Expand the park and move the vehicle entrance to the north (will help improve pedestrian  
525 safety when crossing the road to the trail)
- 526 • Construction of a tunnel under the Spit Road to provide safe access to the Homer Spit Trail
- 527 • ~~Fee camping sites~~ ALL city camping is fee camping
- 528 • Picnic/barbeque area

529 ~~At the base of the Spit, adjacent to the Mariner Park, is a tidal area impacted by coastal sediment~~  
530 ~~transport. Historically, this area was permitted for fill, but never was completely implemented. This~~  
531 ~~area should be considered for expansion of the city campground.~~

532 **Goals for Land Use and Community Design (prioritize in future?) (make sure all**  
533 **goals are listed here)**

534 **1.1** Maintain the variety of land uses that establish the unique "Spit" character and mix of land  
535 uses.

536 **1.2** Improve the permanence and character of new commercial development.

537 **1.3** Provide public facilities that attract residents and visitors to the Spit for recreational  
538 purposes.

539 **1.4** All development should recognize, value, and complement the unique natural resources on  
540 the Homer Spit.

541 1.5 Respond to seasonal land use demand fluctuations.

542 1.6 Protect public access to and enjoyment of the Spit's unique natural resources.

## 543 2. Transportation

### 544 **2.A Marine Transportation**

545 Comprehensive Planning for the Spit must take care as it addresses land issues to remember  
546 that the Spit is a critical regional marine transportation link. Maintaining infrastructure, and  
547 enhancing and expanding the port facilities, freight capacity, and multi-modal access links are  
548 critical. Multi-modal refers to the ability to move people and cargo by more than one method  
549 of transportation, such as barge, truck, air and rail. These will provide for improved  
550 transportation of goods and materials in and out of Homer, and also help move people both  
551 regionally and along the Alaska's Pacific Coast.

### 552 **2.B Road and Trail Access**

553 The City of Homer should continue to work with DOT on use and management of the Sterling  
554 Highway right-of-way through the Spit commercial area. A concept has been prepared as part  
555 of this planning process that shows the realignment of several highway segments. Moving  
556 Homer Spit Road may be cost prohibitive but this concept could to be further developed. It has  
557 potential to provide substantial benefits, including consolidation of parking areas, reduction of  
558 pedestrian conflicts, and traffic calming. Potential issues result from moving the road closer to  
559 the beach, such as storm spray and erosion concerns.

560 The proposed bike path extension was originally conceptualized to be located along the harbor  
561 basin. However, this concept creates conflicts with proposed overslope development, and  
562 safety issues with mixing bicycles, pedestrians, shoppers, and marina users. An alternative  
563 concept would locate the bike path along the highway, with sufficient separation for the  
564 comfort and safety of pedestrians. The bike path, situated in a median of saw grass, would add  
565 natural green space and create the opportunity to define specific driveway locations for the  
566 large parking area.

### 567 **2.C Parking Management**

#### 568 **Parking Management Ideas and Recommendations**

569 The framework plan recommends a number of actions to organize and manage parking on the  
570 Spit. These ideas focus on parking management, separating as much as possible different long  
571 and short term parking uses, redefining parking areas, and charging a fee for long-term parking.

572 A large, fold-out map (#3) is located at the end of this document and provides the general  
573 Framework Plan for future parking on the Homer Spit.

574 **Free Parking:**

575 Free parking for 4 hours should be provided in key locations to support retail and commercial  
576 business on the Spit. The free parking areas should be patrolled during peak periods to enforce  
577 compliance and parking tickets issued for violations.

578 **Permit Parking for Slip Rentals and Employees:**

579 Seasonal slip customers and employees should be issued permits for designated areas. The idea  
580 is to not necessarily charge a fee for this parking but rather to manage where this parking  
581 occurs. Parking for slip rentals is proposed adjacent to several of the marina ramps.

582 **Permits for Long Term Parking:**

583 Fee permits for those who need to leave a vehicle on the spit for a longer term should be  
584 required. Under the current situation, people can leave a vehicle parked anywhere for up to 7  
585 days, and it is difficult to enforce this term. There is no incentive not to leave a car on the Spit  
586 for extended periods of time.

587 **Loading Zones and Handicap Parking:**

588 The commercial and retail businesses located on the Spit require numerous deliveries. Specific  
589 loading zones should be identified and designated.

590 Handicap parking spaces are needed near marina ramps and retail areas. Designate handicap  
591 parking on the existing paved parking areas adjacent to the marina ramps.

592 **Compress the Existing Boat Trailer Parking Area:**

593 Currently, an area larger than required is being used for boat trailer parking. Average daily use  
594 is approximately 80 to 100 trailers parked during peak summer season, falling to a peak of 45  
595 during fall and spring months. However, up to 165 trailer parking spaces may be required  
596 during the winter king salmon derby.

597 The boat trailer parking area should be compressed for better utilization, enforcement of  
598 policies and maintenance. The area should be large enough to accommodate peak use. The  
599 land not being used for boat trailer parking can be available for future economic development,

600 but making the area smaller now will help identify exactly how much trailer parking is  
601 necessary.

602 **Parking Signage:**

603 Parking users need guidance and information to know where and how to park. Currently,  
604 parking areas are not clearly identified and policies are not well communicated. Clear  
605 identification of parking areas, occupancy rules and fees through an attractive, informative and  
606 consistent signage system will help resolve many of the parking problems.

607 **Create Specific Parking Lot Entrances:**

608 The large parking area that borders the south side of the harbor is wide open and vehicles can  
609 enter the parking area anywhere. This creates unsafe turning movements and chaos in the  
610 parking lot. RVs are prone to hang up on the elevation change present alongside the Spit Road.  
611 To improve safety & efficiency, specific driveways should be created at key locations related to  
612 layout and traffic flows.

613 **Parking Management:**

614 Parking facilities and land are valuable assets, especially on the Homer Spit, where land  
615 resources are limited. Public parking must be managed to balance the needs of the many  
616 different parking user groups. Consider creating a parking subcommittee to develop parking  
617 policies and improvement projects. Consider creating a mechanism for City Parking leases to  
618 private businesses to meet parking requirements.

619 **Goals for Transportation on the Homer Spit: MOVE this up to beginning of**  
620 **section 2 so you see the goal and then the supporting information.**

- 621 **2.1** Enhance and protect the Spit's critical role in regional marine transportation.
- 622 **2.2** Improve traffic flow and safety on the Sterling Highway. (dredge spoils plan)
- 623 **2.3** Provide adequate and safe facilities for pedestrians and bicyclists.
- 624 **2.4** Provide improved multi-modal transportation on and to the Spit.
- 625 **2.5** Improve organization, wayfinding, and management of parking.

626 **3. Economic Vitality**

627 **3.A Port and Harbor**

628 The City of Homer has been attempting to secure funding for a major expansion project.  
629 The Corps of Engineers conducted an economic feasibility study of the project, funded by  
630 the State of Alaska, the Corps and the City of Homer. The results of this study do not look  
631 favorable for a harbor expansion in the short term future. The Port is a economic major  
632 asset to the Community and continued efforts should be made to maintain the port and  
633 incrementally improve it. A long range plan for the port and harbor facilities is warranted;  
634 the last plan was completed in 1984. Significant improvements have been made since then,  
635 and it is time to look forward to the next 25 years of port operations, regardless of the  
636 success of the expansion project.

637 **3.B Multi-Seasonal Use**

638 As a winter city, Homer should create more opportunities to make the Spit a year round  
639 destination for both locals and visitors. The maritime climate does limit winter possibilities for  
640 activities like outdoor ice skating and cross country skiing. However, walking, running, storm  
641 watching, beach combing, and bird and mammal watching are all activities that can be  
642 enhanced with access and facilities designed for all season use.

643 **Goals for Economic Development on the Homer Spit (move to beginning of**  
644 **section)**

645 **3.1** Improve the local economy and create year-round jobs by providing opportunities for new  
646 business and industrial development appropriate for the Homer Spit.

647 There is a draft land use plan, which supports the goals outlined in this chapter. Two large fold-  
648 out maps (#1 & #2) supplement this draft document and provide the general Framework Plan  
649 for future land use on the Spit. The plan does not make sweeping changes to the existing  
650 development pattern or use of the Spit. It does address future use of underutilized property,  
651 designates specific areas for economic development, and provides for reorganization of land to  
652 create a community park and gathering place.

653 **Insert a paragraph about shorebird and other festivals, economic draw,**  
654 **importance of events and partnerships, refer to appropriate 2008 plan chpt 7, 8**  
655 **topics**

657

658

659

660

661 **4. Natural Environment?**

---

662 Insert w comments of Commission from July 21<sup>st</sup> meeting See P:\spit comp plan\5 5 draft\draft chapter 4  
663 7/21/2010

664

---

665

666

667 **Chapter IV. Goals, Objectives & Strategies**

---

668 Insert goals clean copy goals and objectives here. There are 2 files. Section 1 revised goals, and  
669 sections 2-3 goals.

670

1 Chapter 4 goals have not been formatted to fit with the rest yet.

672

673

674

675

676

677 Appendix items

678 Land use table

679 Purpose of existing MC and MI districts

680 Zoning Map

681 Leased land map, current land use map, parks recs and open space map

2

683 Cut transportation map, does not show enough detail to be useful.



# 1 **DRAFT Chapter 4. Natural Environment**

---

2 The Homer Spit and Kachemak Bay offer rich coastal waters for marine habitat. Many years  
3 have been spent acquiring and protecting habitat on the Spit. Most recently, the Exxon Valdez  
4 Oils Spill (EVOS) worked with the city to acquire land in the Louie's Lagoon area and create  
5 conservation easements.<sup>3</sup> The Kachemak Heritage Land Trust has also been instrumental in  
6 partnering with the City for further conservation easements.

7 This plan makes a distinction between places for people and places for wildlife. Open space and  
8 recreation uses are meant to be areas for "active" recreation by people – fishing, beach  
9 combing with the dog, etc. Goals for opens space and recreation can be found under section 1,  
10 Land Use and Community Design. Conservation areas are meant for "passive" human use, such  
11 as bird watching and photography. Conservation areas are defined through zoning,  
12 conservation easements, the Beach Policy and the legal boundaries of the Kachemak Bay  
13 Critical Habitat Area. Conservation areas are important to manage because they are spaces  
14 intended to be protected for wildlife habitat. Habitat in Kachemak Bay is irreplaceable and  
15 there are few alternatives in the region. Where else will 100,000 shorebirds land in May and  
16 feed on specific beach life to fuel up for the continuation of their journey?

17 Harbor operations and boat owner habits also play an important role in protecting Kachemak  
18 Bay resources. The City of Homer supports the Alaska Clean Harbor Pledge, which is a list of  
19 best management practices to address topics as such cleaning agents, garbage, recycling, storm  
20 water and sewage management. Private boat owners can also refer to the publication "Clean  
21 Boating for Alaskans."

22 **Goal 4.1:** Manage conservation areas and the natural resources of the Spit to ensure continued  
23 habitat and biological diversity.

24 **Objective:** Minimize human impact on conservation areas.

25 Strategy: Encourage only passive recreation activities in conservation areas.

26 Strategy: Adhere to existing conservation easements.

27 Strategy: Avoid development on city owned tidelands adjacent to Conservation  
28 areas, such as Louise's Lagoon and Mud Bay.

29 Strategy: Avoid all development that is not water dependant within the  
30 Kachemak Bay Critical Habitat Area, defined as 17.4 ft mean high tide.

31 Strategy: Improvements to public lands should focus active recreation on the  
32 west side of the Spit, Mariner Park, and the southern half of the Spit.

33 **Objective:** Purchase or obtain conservation easements on private lands on the east side  
34 of the Spit between Tide Street, and Kachemak Drive.

35 Strategy: Work with willing land owners to conserve land through methods such  
36 as conservation easements, or public or nonprofit ownership. Consider  
37 purchasing first right of refusal options, right of occupancy for remainder of  
38 lifetime or other less traditional methods that will ensure conservation of the  
39 properties at some point in the future.

40 **Goal 4.2:** Support environmentally responsible harbor operations by all user groups

41 **Objective:** Support and implement the Alaska Clean Harbor Pledge (City  
42 implementation via policies)

43 Strategy – make reference to 2008 comp plan, chapter 8 energy plan: solid  
44 waste/recycling, efficient city buildings, etc

45 Strategy: Stormwater runoff....issues....what would we like to say?

46

47

48 **Objective:** Support the concepts presented in the publication: "Clean Boating for  
49 Alaskans." (User group implementation via cooperation, not government regulation)

50 Strategy: Continue to support efforts to be greener...recreational boating habits  
51 (...partner with sailing club etc, to implement both the sustainable harbors and clean boating  
52 ideas) (Yes this needs some rephrasing)

53

54 Anything else?

55

6/30/10

Mayor Hornaday and Members of the Council,

I have reviewed the proposed Homer Spit comp plan and made comments at various stages of the public input process. I would like to submit to you directly two ideas that will save future councils many hours of debate.

The thirty acres on the North side of the harbor has very little development. It is not quite a blank slate but it is close. I would propose the Council set aside a 15' walking/ bike path easement around the entire area. It will be a beautiful place to go for a walk. Our recent cruise ship passengers have been walking down the middle of the road. Fifty years from now, if you set this easement aside, every person living in Homer will thank you.

My other suggestion is to come up with a drainage plan for the entire area now and require all development to conform to the drainage plan. The developed side of the spit is surrounded by water and you have to wear x-tra tufts to walk around after a hard rain. The road was put at the wrong height or the utilities were placed too high. It is always an embarrassment to me that nobody ever thought about drainage on the spit. Please don't repeat the mistake on the thirty acres.

Respectfully,

Brad Faulkner

*Possible capital improvement  
project for consideration by EDC*



Session 10-05, a Regular Meeting of the Port and Harbor Advisory Commission was called to order by Chair Ulmer at 5:00 p.m. on June 23, 2010 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS ULMER, CARROLL, ZIMMERMAN, HARTLEY,

ABSENT: COMMISSIONERS WEDIN, VELSKO, HOTTMANN

STAFF: PORT AND HARBOR DIRECTOR HAWKINS  
DEPUTY CITY CLERK JACOBSEN

**AGENDA APPROVAL**

HARTLEY/ZIMMERMAN MOVED TO APPROVE THE AGENDA.

The agenda was approved as written by consensus of the Commission.

**PUBLIC COMMENTS REGARDING ITEMS ON THE AGENDA**

There were no public comments.

**RECONSIDERATION**

There were no reconsiderations scheduled.

**APPROVAL OF MINUTES**

A. May 26, 2010 Regular Meeting Minutes

ZIMMERMAN/HARTLEY MOVED TO APPROVE THE MAY 26 MEETING MINUTES.

The meeting minutes were approved as written by consensus of the Commission.

**VISITORS**

**STAFF AND COUNCIL REPORT/COMMITTEE REPORTS/BOROUGH REPORTS**

A. Port and Harbor Director's Reports for May and June 2010

Port and Harbor Director Hawkins reviewed his staff reports and answered questions from the Commissioners.

**PUBLIC HEARING**

There were no public hearing scheduled.

**PENDING BUSINESS**

A. Request for Proposals Lots 9A, 10A, 19, 20, and 12A

Port and Harbor Director Hawkins said there were no proposals and this was provided for information.

B. Spit Comprehensive Plan

City Planner Abboud updated the Commission on what the PC and EDC have done. He said he

would take notes to pass on to the Planning Commission and suggested they may want to have discussion and prepare a formal recommendation if they see a need for specific changes.

Discussion points included:

- Types and location of residential uses as accessory uses. People should be able to live above their businesses, but not B&B's or rooms for rent. Fish processing businesses need to have a provision for staff on site 24 hours and need to have a sound location that can meet fire code, not campers and busses.
- Overslope and parking standards. The City should at least build the platform for overslope. Most won't do that for just 3 or 4 months of business.
- 1% for landscaping. Issues with landscaping on the spit as you can only grow particular things. It is an arts community, perhaps statues or murals.
- Recreation and Community Space. Parks are important. We need picnic and play areas for locals. Some camping may need to be displaced to provide a community space near the Pier One Theater area.
- Identification of land to be purchased for conservation areas.
- Enhance area around deep water dock. Currently there aren't many amenities for cruise ship passengers. There are not a lot of opportunities once the passengers disembark to direct them to the opportunities happening in our area. Currently there is no welcome or cultural experience for passengers. It is an industrial area so how do you combine the two. It is important to consider revenue from cruise ships to revenue from the industry of the port, and how the two work together.
- Traffic flow. There are very few accidents and congestion is bad for a very small part of the year. Eliminating big RVs parking along the road to improve visibility, having business owner's park away from their buildings, and fining jay walkers would solve a lot of the problem.
- Safe movement at the base of the spit. There should not be a cross walk where the speed limit is 45 mph. Put in a pedestrian culvert under the highway and people could park at Mariner Park.

He advised them that the Planning Commission hopes to have a draft for public review by the end of August.

**NEW BUSINESS**

**A. Capital Improvement Plan 2011-2016**

Port and Harbor Director Hawkins identified some of the changes in the document and current projects specific to the harbor.

Most of the Commissioner's listed their priorities and agreed to discuss them further at their next meeting to allow for more input from the other Commissioners.

Commissioner Carroll said he is interested in proposing an item for the list to revamp the ice house. It is an opportunity for economic development for several reasons including a market for wild fresh fish.

**B. Lease Committee Membership**

Commissioner Zimmerman volunteered to take the seat on the Lease Committee. There was no objection expressed by the Commissioners.

July 14, 2010

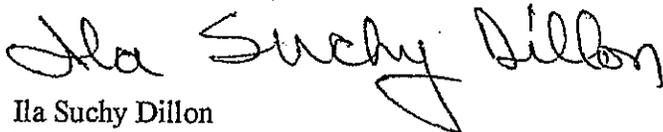
Homer Port and Harbor Commission,

I reside in Seldovia and just learned about the recent enforcement of the 7 day parking restriction on the far side of the Homer Spit. I moved my car to the airport long-term parking lot and took a \$15 taxi ride back to my boat. Not only is this inconvenient (trips back and forth to unload and the wait for the taxi took about an hour) but it will also add \$30 to every trip. A heavy tax indeed.

I have parked my car on the spit for many years. This has allowed me to boat to Homer (either my personal boat or one of the many ferries). My trips to Homer benefit numerous businesses; ferries, grocery stores, fuel stations, hardware stores, gear supply stores, clothes stores, art shops, doctors, dentists and countless other businesses. In other words, my boat travels to Homer, as well as the boat trips by many others who live on the South side of the Bay, contribute a significant stimulus to the Homer economy.

Please find a long term parking place for the across-the-bay locals to park. We depend on the use of the spit and feel we pay our way by stimulating your economy as mentioned above. One obvious solution could be special stickers to be applied to cars designating parking preference for those whom you deem to qualify.

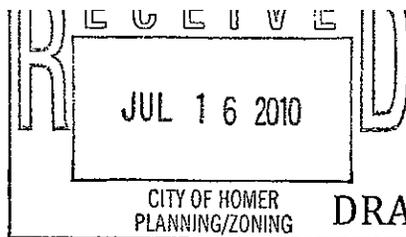
Sincerely,



Ila Suchy Dillon  
PO Box 126  
Seldovia, AK 99663  
907-234-7858



# Homer Spit Plan



DRAFT 1 5/28/10

MANAGE THE LAND AND OTHER RESOURCES OF THE SPIT TO ACCOMMODATE, RESPECT AND ENHANCE ITS RUGGED, DYNAMIC DEFINING NATURAL FEATURES:

- THE UNIQUE BEACH GRAVEL QUALITY;
  - IT'S NATURAL SEDIMENT PROCESSES,
  - EROSION PREVENTION GRASSES,
  - ITS DIVERSE AND ECLECTIC PEOPLE, BUILDINGS AND BUSINESSES
  - THE FRIENDLY WORKING ATMOSPHERE FOR ALL AREAS OF THE SPIT
  - WITH ACCEPTANCE AND PATIENCE FOR ITS LIMITED LAND, LIMITED PARKING, LIMITED TIME FRAME OF THE FISHING SEASON
1. Protect the view shed wherever possible.
  2. Prioritize the year round locals recommendations
  3. Encourage open areas and parks to reveal the natural beauty
  4. Treat all locals and guests with respect and patience without bias
  5. Economic development shall not compromise the unique natural character , gravel grasses, wildlife, fish and local residents which make up the flavor of the Spit.
  6. Prioritize economic development for local entrepreneurs and residents to make a living
  7. Encourage local hire
  8. Guard against public incentives that compete with private existing businesses.
  9. Provide for public safety in creative ways while achieving a balanced mix of water-dependent and marine related activities.
  10. Recognize and accommodate natural features and processes while providing adequate space for marine commercial and industrial, tourism commercial, transportation, recreation, open space, and traditional local uses and users.
  11. Priority for use of the small Boat Harbor and distal end of the Homer Spit shall be given to marine commercial, marine industrial (fishing), industrial transportation, tourism, and day use recreation.
  12. Transportation (including U.S. Coast Guard) and shipping and cargo handling activities are a high priority use of the Deep Water Cargo area and the main Dock areas of the Spit.
  13. Priority use of the west side of the Homer Spit shall be for open space/recreation.
  14. Priority for the Mud Bay area of the Homer Spit shall be for conservation.
  15. Similar land uses (such as charter offices, boat and gear sales, boat and gear storage, gift shops, art shops, commercial, and marine industrial (fishing/processing) shall be

- encouraged to cluster to achieve a mix of related activities and minimize adverse impacts on other activities.
16. Maintain and protect traditional local uses of the beaches along the Spit such as camping, campgrounds, walking, beach combing, and others
  17. Construct an observation deck near the Fish Dock.
  18. Consider underutilized lands on the Spit as open space. All areas do not need to be filled
  19. No net loss of beach rye grass. Enhance wherever possible to prevent erosion and to keep down dust.
  20. Recognize the run-off damage and loss of the "gravel Spit experience" that paving paradise with asphalt produces.
  21. Keep the Spit rustic and raw to allow the natural experience of the Spit to continue
  22. Develop a program that advocates that two percent (2%) of new construction costs be spent on natural local plant landscaping.
  23. Encourage the Utilization of the treated city water that is being dumped into the ocean unused. (water haulers, fill tanks to be used for flushing toilets,
  24. Any overslope development must recognize erosion from displaced rye grass. Incorporate preventative rye grass in any and all development to hold banks together and keep dust down. (See examples on spit where grass has been removed.)
  25. Leased lands must incorporate rye grasses wherever possible for dust control
  26. Allow the natural transport of sediments along the west side of the Spit to continue uninterrupted. Proponents of bulkheads, groins, breakwaters or other devices shall demonstrate that their project will not adversely disrupt this sediment transport.
  27. Commercial extraction of sand gravel and driftwood from the spit shall not be allowed.
  28. Beach logs with grasses shall be encouraged as an erosion prevention system.
  29. More firewood vendors shall be encouraged to sell firewood to minimize beach log and driftwood extraction by campers.
  30. Open space camping shall be encouraged to locate in the middle area of the spit and in the leased camping areas.
  31. Recognize encourage and celebrate the commercial fishermen for their continued support of city and marine services local businesses and their dangerous vocation that brings bounty to our town.
  32. Recognize encourage and celebrate local resident businesses, entrepreneurs and workers for their dedication to being spit rats all summer.
  33. Recognize that most Spit businesses compress making a living in two frenzied months of intense work and customer service. Encourage them to persevere without adding burdens that can break the camel's back.

## ENERGY AND LIGHT

1. Begin to systematically reduce energy consumption
2. Investigate how many lumens are actually needed instead of arbitrary expensive to the taxpayer wasteful light
3. Begin to reduce light pollution – take out ½ of light bulbs
4. Investigate light trespass to eliminate where it is not needed
5. Reduce upward lumen and glare over the water – hazard to navigation
6. Begin to transform our harbor into a bollard style of lighting like all harbors on the western seaboard

## OVERSLOPE =UPPERSLOPE

1. Keep a continual open unbroken trail system around the harbor
2. Uphold the effortless integrity of the natural inner basin from storm water drainage
3. Recognize the importance of the erosion preventing rye grass along harbor banks
4. Any buildings need to be upslope with a boardwalk over slope on pilings with grasses underneath to prevent removal of continuous harbor viewshed

## PARKING AND CONGESTION

Ancient proverb: watch peoples actions then allow them to this pattern of use

1. Use rustic Park Service style parking signs
2. Slow traffic with speed bumps (removable for off season) in high pedestrian areas
3. Recognize that high pedestrian areas mean businesses are making tax revenue for our city
4. Provide 2 hour parking in all areas of congestion and clustered shopping areas. Be lenient on guests who are shopping but strict on business owners employees, charter captains . It is the responsibility of the charter captains to shuttle their charter guests to and from the boats.
5. Provide 24 hour parking for business owners, workers, city workers, charter captains, and charter guests away from clustered shopping areas
6. Encourage walking
7. Provide long term parking areas away from clustered areas
8. Allow 5 minute double parking for offloading
9. Be lenient on quick stop and shop customers who may dash in to make a sale.
10. Allow double parking of big trucks to offload cargo to shops

- 11. Provide a slow coal train on tracks as a shuttle
- 12. Keep parking lots gravel so people can shuffle around on the natural made beach the moment they step out of their cars.
- 13. Marked parking is not necessary on the Spit. People do an adequate job of parking efficiently
- 14. Recognize the run- off damage and loss of the "gravel Spit experience" that paving paradise with asphalt produces.
- 15. Use logs to direct flow into and out of parking area
- 16. Use Park Service type rustic signage to designate parking areas
- 17. Recognize and understand that the Homer Spit is a narrow Band of 158 acres of land with minimal parking . Half of this 158 acres is parking and half is usable land most of which is occupied.
- 18. Remove parking as the priority so harbor workers can focus on more important harbor related task.
- 19. The relentless quest for parking is futile where there is no land to park on.
- 20. Businesses must recognize that they create parking congestion by taking up prime customer spots.

Name	address	phone	Comments
<i>Money Hill Island</i>	<i>Box 7 - Homer</i>	<i>235-9772</i>	

**Shelly Rosencrans**

From: Carla\_Stanley@fws.gov  
Sent: Thursday, July 01, 2010 1:01 PM  
To: Department Planning  
Cc: geomatz@alaska.net; Marianne\_Aplin@fws.gov; Poppy\_Benson@fws.gov  
Subject: comprehensive plan for Homer Spit

To: Homer Planning Commission  
From: Carla Stanley, Kachemak Bay Shorebird Festival Events Coordinator  
Re: Homer Spit Comprehensive Plan

I recently read this proposed plan and found parts of it to be confusing. There are suggestions that seem to be describing Mariner Park, the first pull-out to the right when driving south on the Spit; but also refer to it as "Seafarer Memorial", which is one of the last pull-outs toward the end of the Spit near Land's End. They obviously don't know the area as well as they should for making recommendations to the city.

I find it important to share some history with you.

This is an excerpt from the Kachemak Bay Shorebird Festival Handbook" which is pertinent to this plan:

*"In Fall of 1992, Sue Matthews, Jack Lentfer, and George West wrote a paper about the ecological value of the Mariner Park Lagoon in response to a proposal of the city of Homer to fill in the lagoon for an RV Park. The paper brought in to focus the shorebirds that migrated through Homer, and that it would be a bad idea to fill in the lagoon. The Tourism Committee of Homer Chamber of Commerce included Poppy Benson of USFWS, John Bushell, and Celeste Feneger. They decided that it was time to capitalize on the shorebird migration by having an educational festival and hopefully to be able to prevent this development. Merlin Cordes of the Driftwood Inn also helped in the pursuit. Willy Dunne, the USFWS Visitor Center Manager at the time and an avid birder, was instrumental in organizing the events. The Purpose of the 1<sup>st</sup> Kachemak Bay Shorebird Festival as stated in 1992 was **"to make the shorebirds important to Homer thus creating additional allies for habitat protection."***

*The dates chosen were based on George West's data that indicated that the bulk of the migration arrived around the 8<sup>th</sup> of May; so the four days of the weekend closest to the 8<sup>th</sup> of May have traditionally been the weekend of choice.*

*Others who helped organize the festival in its first year were Joy Steward, Martha Madsen, Jeri Beier, Sandra O'Donnell and Janet Klein.*

*As years have past, staff and volunteers change, but the message has become more and more important and more and more visitors fill up the B&B's, hotels, motels and campgrounds during the event.*

Here is a copy of the numbers in attendance at the 2010 Festival in May: It would indicate to me, that not only history, but economics is part of this consideration.

data	numbers	facts
dates	May 6-9, 2010	

sponsored events by USFWS	63	(2009- 57, 2008 - 43
tides	12.2-14.8 highs	these tides made birding to Mud Bay more difficult due to the distance that the birds were out. 15-16 foot tides are ideal.
weather	mostly sunny	
visitors through IOVC	1654	4 days
total attendees at sponsored events	2797	4 days

As you can see, during the first week of May (which could be pretty quiet in town), we were able to provide high quality recreation, education and entertainment for a large number of people, most were visitors who came here to see birds and other wildlife. This was just what Alaska Maritime National Wildlife Refuge sponsored. If we include the Chamber, Pratt Museum, Charter Boats, and Center for Alaskan Coastal studies, these numbers would be MUCH higher!

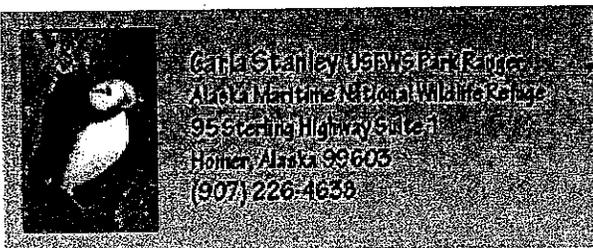
Still that is not the main reason for our festival. Valuing wildlife, in this case the migratory birds that depend on the rich mud flats and habitat of our community is why the festival was started and what should be gained by its persistence.

The mudflats and grass covered dunes of Mud Bay and Mariner Park have been protected for more than a decade, and become more important as years go by and similar habitats disappear.

I urge the Planning commission and the City of Homer to bare in mind the importance of wildlife in any development in the city. Important hubs for land mammals connected by appropriate corridors for seasonal migration will enhance safe viewing of wildlife and reduce human/ wildlife conflicts. All planning in Homer should be taking this seriously. Continued as well as increased protection and mitigation of migratory bird habitats will pay dividends as visitors come to truly enjoy what we have with our natural habitats, and help to reassure us that when these long-distance travellers arrive, there will be a place for them to safely rest and prepare for the rest of their journeys.

I recommend that the commission take time to walk the spit trail, read the interpretive panels, and recognize the value this unique geologic structure provides as part of the "Kenai Peninsula Wildlife Viewing Trails" as well as being a magnet for migratory birds, marine mammals, and people.

Sincerely,  
Carla Stanley





**CITY OF HOMER  
CITY HALL**

**MEMORANDUM**

To: Homer Advisory Planning Commission  
Through: Rick Abboud, City Planner  
From: Anne Marie Holen, staff to Economic Development Commission *Amh*  
Date: July 28, 2010  
Subject: Recommendations regarding Homer Spit Comprehensive Plan

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At the July 13 regular meeting of the Economic Development Advisory Commission, the five members present discussed the draft Homer Spit Comprehensive Plan and unanimously approved three motions relating to suggested Plan revisions:

• Under Goals, Objectives & Strategies for Land Use and Community Design, revise 1.1 through 1.4 as follows:

1.1: Redefine and enforce zoning; specifically for Fish Dock Road, to make the zoning where conditional use permits are over and above what is really going on.

1.2: The City needs to build the pilings and deck [for overslope development??] and make it ready for leasing. Remove language about "develop a program on landscaping on the Spit," as the harsh weather conditions and dollar amounts aren't necessarily conducive to each other.

1.3: Provide showers on the Spit, and construct a Spit Town Square/non-profit by Pier 1 Theatre. Place summer benches along the biking trail.

1.4: Access to the end of the Spit by road should have priority over habitat. Use dredge spoils to increase the Spit.

• Under Goals, Objectives & Strategies for Economic Vitality, add a section related to Deep Water Dock Development, with the following recommendations:

1. Utilize cruise ship dollars to fix the area.
2. Recognize different types of vessels using the dock and make needed improvements to stage that area.
  - a. Fueling
  - b. Maintenance on vessels
  - c. Staging - parking
3. Provide bathroom, guard shack, covered waiting area.
4. Add this to the Capital Improvement Plan.
5. Provide a walking boardwalk around the perimeter of the harbor.
6. Complete dock expansion.
7. Fix incoming freight issues.

- In addition to the above recommendations, the EDC approved a separate motion to recommend incorporating a specific allowance for maintenance, security, and crew quarters into commercial and industrial zoning on the Spit.

## Shelly Rosencrans

---

**From:** Melissa Jacobsen  
**Sent:** Wednesday, July 21, 2010 4:11 PM  
**o:** Shelly Rosencrans  
**Subject:** EDC excerpt from 7/13 unapproved minutes

### A. Homer Spit Comprehensive Plan

The Commission, City Planner Abboud, and Councilmember Wythe discussed conditional use permits in relation to financing for leases on the spit.

- 1.1 Zone-redefine and enforce. Specifically Fish Dock Road to make the zoning where conditional use permit are over and above what is really going on.
- 1.2 City needs to build the pilings and deck and make it ready for leasing. Remove the "develop a program on landscaping on the spit", as the harsh weather conditions and \$ amount aren't necessarily conducive to each other.
- 1.3 Showers on the Spit. Spit Town Square/nonprofit by Pier 1, and summer benches along the biking trail.
- 1.4 Access to the end of the Spit by road is priority over habitat. Use the dredges to increase the spit.

RAVIN/NEECE MOVED TO INCORPORATE 1.1 THROUGH 1.4 TO THE COMP PLAN.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

They talked about section 3 recommendations 1-7 and the importance of improvements at the Deep Water Dock and the area around it not only for cruise ships but also for people that use the space on a regular basis.

### Section 3 Deep Water Dock Development:

1. Cruise ship dollars to fix the area
2. Recognize different types of vessels using the dock and what do we need to do to stage that area.
  - a. Fueling
  - b. Maintenance on vessels
  - c. Staging - Parking
3. Bathroom/Guard shack/covered waiting area
4. Capital Improvement Plan
5. Walking boardwalk around the perimeter of the harbor
6. Finish Dock expansion
7. Fix incoming freight issues

Regarding residential uses if it is going to be allowed then a percentage should be defined. It was noted in the past there has been no residential allowed due to inadequate evacuation capability in the event of an earthquake or tsunami. Sleeping quarters are needed for security is something else.

RAVIN/SIMPSON MOVED TO RECOMMEND INCORPORATING A SPECIFIC ALLOWANCE FOR MAINTENANCE, SECURITY, AND CREW QUARTERS INTO COMMERCIAL AND INDUSTRIAL ZONING ON THE SPIT.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

DAUPHINAIS/RAVIN MOVED THAT WE TAKE SECTION 3, 1-7 FROM THE EDC NOTES AND INCORPORATE AND FORWARD AS RECOMMENDATION TO PLANNING.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

Melissa Jacobsen, CMC  
Deputy City Clerk  
City of Homer, Alaska

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

## EDC Notes from Work session 6/21/10

- 1.1 Zone – redefine and enforce. Specifically Fish Dock Road to make the zoning where conditional use permit are over and above what is really going on.
- 1.2 City needs to build the Pilings and deck and make it ready for leasing. Remove “the develop a program on landscaping on the spit”, as the harsh weather conditions and a \$ amount aren’t necessary conducive to each other.
- 1.3 Showers on the Spit. Spit Town Square/nonprofit by the Pier 1, and summer benches along the biking trail.
- 1.4 Access to the end of the Spit by road is priority over habitat. Use the dredges to increase the spit.

### Section 3

#### Deep Water dock development.

1. Cruise Ship Dollars to fix that area
2. Recognize different types of vessels using the dock, and what do we need to do to stage that area?
  - a. Fueling
  - b. Maintenance on vessels
  - c. Staging – Parking
3. Bathroom/ Guard shack/ covered waiting area
4. Capital improvement plan
5. Walking boardwalk around the perimeter of the harbor
6. Finish Dock Expansion
7. Fix incoming freight issues
8. Deal with people living on their boats in the harbor

#### Residential land: what does that look like?

- a. Condos
- b. Campers
- c. Boat owners
- d. Security for business
- e. B&B
- f. Hotels
- g.





# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-8121  
Fax (907) 235-3118  
E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
Web Site [www.ci.homer.ak.us](http://www.ci.homer.ak.us)

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## STAFF REPORT PL 10-72

**TO:** Homer Advisory Planning Commission  
**FROM:** Rick Abboud, City Planner  
**MEETING:** August 4, 2010  
**SUBJECT:** Draft Steep Slope Ordinance

### GENERAL INFORMATION

Commissioner Minsch has reconsidered her vote to take the ordinance to public hearing. I will try to summarize some of the concerns with the ordinance. This subject has been under consideration for at least 9 years. We have only two commissioners that have been part of this conversation prior to the last two years. Have we lost focus and not given consideration to the original direction?

### History

Attachments include a newspaper article that states some consideration given to the original drafts. I have also included a chapter from *Innovative Land Use Planning Techniques* that I imagine was presented to the commission prior to my employment with the City of Homer. Also included is the finished Anchorage regulation, which I believe was presented to the commission in draft form. I thought that it would be useful as an example of Alaskan regulation. It must be remembered that Anchorage has adopted the International Building Code which also regulates development on slopes (such things as finished cut and fill must be no greater than 2/1 or 50%).

### Concern

What is steep? While all can agree that 45-50% is steep, most have to concede that less than 45% is steep also. Does this require regulation? While we have come from disallowing any development on slopes greater than 50% to allowing it with an engineer's approval, we seem to have thrown out all regulation below 45%. Currently, we limit development to not exceed 25% of the lot on slopes of 15 – 30% (15%!) and not to exceed 10% of the lot on slopes greater than 30%. ----- Side note: The Fire Department would like to not have any driveway greater than 10%.

We seem to agree that the current regulation is not really getting us where we wish to be. Why not? Because no direction is given to where the development may take place and also the percentage of development is relative to the lot size.

Do we really wish to allow for maximum development on all lots under 45%? Regulation to consider may be a maximum percentage of lot development or a maximum size of building envelope and we allow exception if someone wishes to jump through the engineering hoops (here is where a finished cut and full requirement as in the International Building Code might discourage disturbing steeper slopes). Perhaps the Dirt Work Ordinance does (or will) address this with standards on grading and excavation creating a permanent slope of 30% or more. The caveat to consider is the cases of natural building envelopes next to very steep slopes.

### **STAFF COMMENTS/RECOMMENDATIONS:**

#### **Planning Commission**

1. Consider/reconsider inclusion of requirements of developing on slopes less than 45%.
2. Suggest time frame for outreach and public hearing.

#### **Attachments**

1. Homer News article – April 30, 2008
2. Site Example
3. Anchorage Steep Slope Ordinance
4. Steep Slope and Ridgeline Protection - ILU
5. 40% slope diagram

# City starts work on steep-slope ordinance

BY MICHAEL ARMSTRONG  
STAFF WRITER

Two years ago when a neighborhood association raised concerns over a subdivision near the Baycrest Hill bluff, Homer city officials and city council members said the issue showed the need for the Homer Advisory Planning Commission and the city council to craft and pass a steep-slope development ordinance.

"Maybe when we get the Fred Meyer and Gateway (Zoning District) stuff out of the way, we can attack this," council member Mike Heimlich said in August 2006. "I can guarantee you this case has lit the fire again."

Last month, the planning commission reignited that discussion when it presented a workshop on a proposed ordinance. Commissioners emphasized the ordinance is a draft version and only the first step in a long public process that has to go through several planning commission work sessions and commission and council public hearings before — or if — it's adopted into city code.

Developers might worry the ordinance would cover any land steep enough to roll a marble downhill. Not so; the proposed ordinance applies to property with more than a 30-percent slope, within 40 feet of a bluff edge or where the city engineer determines slope, erosion or stability issues.

What the ordinance says about how slopes steeper than 50 percent can be developed could ignite some controversy. The version available on the Homer Planning Department Web site says "on slopes of 50 percent or greater, no development, re-grading or stripping of vegetation shall be permitted."

Planning Commission Chairman Ray Kranich said that restriction could get people alarmed. He cautioned that the ordinance is only a draft, and that as it works its way through the process, a blanket restriction could be qualified to read that anything over 50 percent would need an engineering plan.

"This is a very rough ordinance," he said. David Cole of DOWL Engineers, Anchorage, gave a talk that could be called Steep Slope 101. Cole works as a consultant to the city on steep-slope issues under a five-year Environmental Protection Agency grant to the city for wetlands and other geologic mapping. Engineers calculate slope by dividing horizontal distance by vertical distance. A hill that runs 5 feet for every 1 foot of rise has a 20 percent slope and a hill that runs 2

feet for every 1 foot of rise has a 50 percent slope. Slopes at or under 50 percent generally can be built on without major difficulty, Cole said.

"If they're steeper than two-to-one, generally you'll need some engineering analysis," he said.

The proposed ordinance would require a site plan by a civil engineer for slopes 30 percent or greater.

Another factor has to do with soil types, geologic features or vegetation. Engineers compare the driving force, or the movement of soils downhill, with the resisting force, or soil structure or subsurface geologic features. If the resisting force is greater than the driving force — say, well-vegetated topsoil on a shallow slope — then the slope will be stable.

Stability can be improved by putting in retaining walls at the uphill or toe side of the slope. Disturbed slopes can be revegetated and the soil stabilized with materials like jute fabric to retain soil while grasses and brushies grow.

In a comment period, Mike McCarthy encouraged the city to address soil structure. McCarthy, a Kachemak Drive resident, said his research suggests marine sediments that contain salt become unstable when water dissolves the salt crystals. Along with calculating slope areas, the city should do a baseline hydrology and surficial soils analysis, McCarthy said.

The proposed ordinance also looks at development within 40 feet of a bluff edge. It focuses on upland or inland bluffs, such as the bluffs along Skyline Drive. Nina Faust, a Skyline Drive area homeowner, said she wondered if 40 feet would be enough.

"That sounds like something that needs to be addressed," she said.

Faust also said she thought the ordinance should address issues like dumping off a bluff.

"That would not be acceptable," Cole said. "You're creating a fill."

Filling or dumping also is addressed by the draft ordinance, with restrictions on how high a fill could be built. It would require a site plan for fill placement over 8 feet and for cuts 5 feet high or greater.

Borough assemblywoman Milli Martin, also a Skyline Drive area resident, raised similar concerns.

"What is the impact of what occurs on the top?" she asked. "What is the impact below?"

Cole said he understood Martin's concern about where a sloping area ends and how uphill activity could affect neighbors below.

"The ordinance as written doesn't talk about that, but you make a very good point," Cole said.

The steep slope ordinance workshop led to many similar concerns. With notes in the draft ordinance like "What to call this section?" it clearly is in rough form. After the planning commission has conducted more work sessions and the city incorporated its ideas, the steep slope ordinance will go before the commission for its consideration, with public hearings. If passed or amended, it would go to the Homer City Council for more public hearings and final action.

No dates for future action have been set. The draft ordinance is at the planning department's Web page at [planning.ci.homer.ak.us](http://planning.ci.homer.ak.us).

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## BRIEF

### Tire change deadline extended

Due to poor road conditions, Alaska Department of Public Safety Commissioner Walt Monegan has issued an emergency order extending the studded-tire deadline on Alaska roads by two weeks. April 15 and May 1 are the normal deadlines to have studded tires removed; however April 29 was the extended deadline for roads south of 60 degrees north latitude and May 15 is the deadline for roads north of that latitude. "The extension should provide all motorists that additional margin of safety on lingering winter roads," the department said in a press release issued April 24. "The extension should also show that the state is concerned enough to remain flexible in deadlines to best ensure the safety on roads."

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April 30, 2008

Photo from 2003.  
Property lines are not exact.

Average slope here  
is 20-25%

QUICK  
START  
TRANS

QUICK  
START

EXISTING code

Average slope

38.10% Development

limited to 10% of

the lot

9104 sq ft

4443

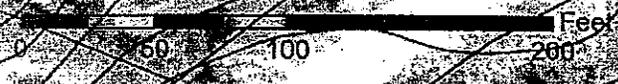
sq ft

variance?

8425 sq ft

average slope here  
is 20-25%

Photo from 2003.  
Property lines are not exact.





appropriate to carry out the intent of the *Anchorage Wetlands Management Plan* and such other wetlands studies as may be relevant.

iii. "C" Wetlands

When approving plats or conditional use permits in wetlands designated "C" under the plan, the platting authority or the planning and zoning commission shall, whenever applicable, include the recommended construction mitigation techniques and conditions and enforceable policies in table 2 of the *Anchorage Wetlands Management Plan*.

b. **Application of Plan to Approved Projects**

Conditional uses and preliminary plats approved prior to March 12, 1996, the date of adoption of the revised *Anchorage Wetlands Management Plan*, shall not have additional conditions imposed upon them as a result of requirements of the plan except as follows:

i. The "A" designation shall apply regardless of prior approvals.

ii. Approved plats or conditional uses in wetlands that are returned to the platting authority or planning and zoning commission for major amendment may be examined for conformity with goals and enforceable policies of the *Anchorage Wetlands Management Plan*.

iii. A new U.S. Corps of Engineers permit is required.

**C. Steep Slope Development**

1. **Purpose**

The purpose of this subsection 21.07.020C. is to establish standards that help achieve the following objectives for development on steep slopes:

- a. Prevent soil erosion and landslides;
- b. Provide safe circulation of vehicular and pedestrian traffic to and within hillside areas and to provide access for emergency vehicles necessary to serve the hillside areas;
- c. Encourage only minimal grading that relates to the natural contour of the land and discourage mass grading of large pads and excessive terracing;
- d. Encourage building types, grading design, lot sizes, site design, density, arrangement, and spacing of buildings in developments in sloped areas that integrate into the natural terrain with minimal re-contouring, in accordance with adopted goals and policies;
- e. Encourage innovative architectural, landscaping, circulation, and site design;
- f. Encourage the protection of visually significant and/or prominent natural features, such as ridgelines and rock outcroppings;
- g. Incorporate drainage design that does not adversely impact neighboring or nearby properties, downstream properties, receiving waters, and public infrastructure; and

- h. Encourage the retention of natural, indigenous vegetation that provides wildlife habitat, helps retain runoff, and maintains the area's visual character.

2. **Applicability**

Any lot with an average slope of 20 percent or greater, or where adverse conditions associated with slope stability, erosion, or sedimentation are present as determined by the municipal engineer, shall comply with the standards of this subsection 21.07.020C. Lots being subdivided shall comply with chapter 21.08, including subsection 21.08.030H., *Subdivisions on Slopes*, if applicable.

3. **Standards**

Except as allowed in subsection C.4. below, all proposed development subject to this section shall comply with the following standards.

a. **Determination of Original/Natural Grade**

Original/natural grade shall be as defined in chapter 21.14. If there has been previous development on the lot (e.g., gravel extraction), the director shall determine original/natural grade, taking into account the previous development, the existing grade of surrounding lots, the availability of information on pre-development grade, and the feasibility of using pre-development grade.

b. **Slopes Greater than 30 Percent**

That contiguous portion of any lot which is 5,000 square feet or larger with slopes steeper than 30 percent shall remain undisturbed, except as allowed in subsection C.4. below.

c. **Site Disturbance Envelope**

i. There shall be a site disturbance envelope on each applicable lot. Earth disturbance and vegetation clearing shall be limited to the site disturbance envelope. Clearing, grubbing, or grading outside the site disturbance envelope is prohibited except to modify fuels in order to reduce fire risk, or to accommodate utility service connections.

ii. The size of the site disturbance envelope shall be as follows:

(A) Lots less than 40,000 square feet: 60 percent of the lot area maximum.

(B) Lots 40,000 square feet to two acres in area: 20,000 square feet maximum.

(C) Lots over two acres but less than five acres: 30,000 square feet maximum.

(D) Lots five acres or greater: 40,000 square feet maximum.

iii. Areas outside the site disturbance envelope shall not be used for stockpiling materials or excess fill, construction vehicle access, storage of vehicles during construction, or similar uses. Temporary construction fencing shall be installed around the perimeter of the site disturbance envelope, to be removed after the final certificate of zoning compliance is issued.

- iv. The front setback of the lot may be reduced to 10 feet.
- v. If the average slope of the site disturbance envelope is less than 20 percent, the development is exempt from subsections 3.e., 3.f., 3.g., 3.h., and 3.i.
- d. **Cutting, Grading, and Filling**
  - i. Cutting and grading to create benches or pads for buildings or structures shall be limited to within the site disturbance envelope.
  - ii. Cut and fill slopes shall be entirely contained within the site disturbance envelope. The toe of any fill slope not utilizing an engineered retaining structure, and any engineered retaining structure shall be a minimum of 15 feet from any property line, except for the property line abutting the street from which driveway access is taken.
  - iii. Cut and fill slopes shall be designed to provide a natural transition into the existing terrain by feathering and rounding.
- e. **Raising or Lowering of Natural Grade**

The original, natural grade of a lot shall not be raised or lowered more than four feet at any point for construction of any structure or improvement, except:

  - i. The site's original grade may be raised or lowered a maximum of six feet if retaining walls are used to reduce the steepness of constructed slopes, provided that the retaining walls comply with the requirements set forth in this subsection.
  - ii. As necessary to construct a driveway from the street to a garage or parking area, grade changes or retaining walls up to six feet may be allowed.
  - iii. For the purposes of this subsection 21.07.020C.3.e., basements and buildings set into a slope are not considered to lower the natural grade within their footprint.
- f. **Retaining Walls**

Retaining walls may be used to maximize the usable area on a lot within the site disturbance envelope. Generally, a retaining wall shall be no higher than six feet, except that a wall varied in height to accommodate a variable slope shall have an average height no greater than six feet and a maximum height no greater than eight feet in any 100-foot length. Parallel retaining walls may be used to overcome steep slopes, provided the following standards are met:

  - i. The minimum distance between walls shall be six feet;
  - ii. The maximum allowable slope between walls shall be 3H:1V; and
  - iii. The area between the walls shall be landscaped with trees, shrubs, or both at a rate of 0.5 landscape units per linear foot measured along the length of the lower retaining wall.

A higher wall is permitted:

- i. Where used internally at the split between one- and two-story portions of a building; and
  - ii. Where substantially hidden from public view at the rear of a building, where it may not exceed the eave height of the building.
- g. **Natural Drainage Patterns**
- i. Site design shall not change natural drainage patterns, except as provided below.
  - ii. All grading and drainage shall comply with section 21.07.040, title 23, the *Design Criteria Manual* (current approved edition), and the municipality's *Storm Water Treatment Plan Review Guidance Manual*.
  - iii. Except where otherwise provided in this section, development shall preserve the natural surface drainage pattern unique to each site as a result of topography and vegetation. Grading shall ensure that drainage flows away from all structures. Natural on-site drainage patterns may be modified on site only if the applicant shows that there will be no significant adverse environmental impacts on site or on adjacent properties. If natural drainage patterns are modified, appropriate stabilization techniques shall be employed.
  - iv. Development shall not adversely impact adjacent and surrounding drainage patterns.
- h. **Ground Cover and Revegetation**  
Ground cover and vegetation shall be maintained to control erosion and sedimentation. All areas that are denuded for any purpose shall be revegetated or the soils stabilized to prevent erosion and sedimentation prior to November 1 of the year of construction. No excavation shall be permitted after November 1 or before May 1 except under emergency conditions, as determined by the building official.
- i. **Building Design Standards**  
The purpose of the building design standards is to minimize site disturbance, avoid extreme grading required by large building pads on steep slopes, and reduce the risk of damage from natural hazards.
- i. All buildings and structures shall have a foundation which has been designed by a professional engineer, architect, or other qualified professional.
  - ii. At any given point, the height of the structure shall not exceed 25 feet above the original (natural) grade.
4. **Slopes Greater Than 30 Percent**
- a. **Purpose**  
The requirements of this section are intended to allow consideration of development on slopes up to 50 percent. In order to assure the safety and stability of such development and to reduce offsite impacts, additional submittals are required as described in this subsection. Nothing in this subsection guarantees approval to disturb slopes greater than 30 percent.

- b. **Applicability**  
If the site disturbance envelope as defined in C.3.c. above contains slopes over 30 percent, the standards of this section shall apply.
- c. **Slopes Greater Than 50 Percent**  
All slopes greater than 50 percent shall remain undisturbed.
- d. **Existing Lots**  
Notwithstanding other standards of this section, lots existing on [effective date] that, due to the prevalence and/or distribution of slopes over 50 percent, are not able to meet these standards, are allowed a site disturbance envelope of 20,000 square feet. Within this site disturbance envelope, slopes over 50 percent are allowed to be disturbed.
- e. **Administrative Site Plan Review Required**  
Development on slopes greater than 30 percent but not exceeding 50 percent requires an administrative site plan review. In addition to the site plan approval criteria set forth in subsection 21.03.180E., the approval criteria in subsection 4.g. below shall apply.
- f. **Additional Submittal Requirements**  
In addition to the submittal requirements for an administrative site plan review, the following information is required:
  - i. A geotechnical engineering report, stamped by an engineer licensed in the state of Alaska, to include the following:
    - (A) Nature, distribution, strength, and stability of soils; conclusions and recommendations for grading procedures; recommendations for frequency of soil compaction testing, design criteria for corrective measures; and opinions and recommendations covering the adequacy of the site to be developed.
    - (B) Slope stability analysis: conclusions and recommendations concerning the effects on slope stability of excavation and fill, introduction of water (both on and offsite), seismic activity, and erosion.
    - (C) Foundation investigation: conclusions and recommendations concerning the effects of soil conditions on foundation and structural stability, including permeability, bearing capacity, and shear strength of soils.
    - (D) Specific recommendations for cut and fill slope stability, seepage and drainage control, or other design criteria to mitigate geologic hazards, slope failure, and soil erosion.
    - (E) Depth to groundwater in the wettest seasonal conditions, and to bedrock, if less than 15 feet.
    - (F) Complete description of the geology of the site, a complete description of bedrock and subsurface conditions and materials, including artificial fill, soil depth, avalanche and mass wasting hazard areas, fractures, or other significant features.

- (G) A summary of field exploration methods and tests on which the report is based, such as probings, core drillings, borehole photography, or test pits. The project management and engineering department shall confirm that the analysis methods and age of data are a reliable gauge of the site conditions and the potential impacts.
- ii. A site development plan showing the following:
  - (A) Site disturbance envelope as set forth in C.3.c. above.
  - (B) Location of all driveways, and utility lines and installations.
  - (C) Location of all structures.
  - (D) Elevation drawings of all structures.
- iii. Grading and drainage plans that provide the following:
  - (A) Topographic survey of existing conditions depicting at a minimum two foot contour intervals on a legible site map of one inch equaling 50 feet, or better.
  - (B) Proposed grading plan indicating limits of disturbed area, finished grade at minimum two foot contour intervals, proposed elevations of improvements, driveway grading at minimum 10 foot intervals measured on centerline, delineation of cut and fill areas, constructed slopes, proposed drainage features, and related construction.
  - (C) Drainage plans showing approximate locations for all surface and subsurface drainage devices, retaining walls, dams, sediment basins, storage reservoirs, and other protective devices to be constructed with, or as part of, the proposed work, together with a map showing drainage area, how roof and other impervious surface drainage will be disposed, the complete drainage network, including outfall lines and natural drainage ways which may be affected by the proposed development, and the estimated volume and rate of runoff of the area served by the drains.
  - (D) A plan for erosion control and other specific control practices to be employed on the disturbed area where necessary.
- iv. A revegetation plan that shows:
  - (A) The type, size, location, and grade of vegetation that will be used to complete the development plan and restore areas disturbed during construction, on a scaled plan of one inch equaling 30 feet, or better.
  - (B) Slope stabilization measures to be installed.
- g. **Standards**  
The following subsections apply to development under this subsection C.4.:

- i. 21.07.020C.3.c., *Site Disturbance Envelope*;
  - ii. 21.07.020C.3.d., *Cutting, Grading, and Filling*;
  - iii. 21.07.020C.3.g., *Natural Drainage Patterns*;
  - iv. 21.07.020C.3.h., *Ground Cover and Revegetation*; and
  - v. 21.07.020C.3.i., *Building Design Standards*.
- h. **Approval Criteria**
- i. The proposed development minimizes disruption of the natural topography and protects natural features on the site in their natural state to the greatest degree possible.
  - ii. The principal and accessory structures have been sited in such a manner as to protect natural features of the site, minimize grading, preserve the appearance of scenic vistas, and minimize the risk of property damage and personal injury from natural hazards.
  - iii. The design of the structures includes massing, roof lines, exterior materials and colors, and decking that complements the terrain and complies with the building design standards set forth in paragraph C.3.i. above.
  - iv. Proposed landscaping preserves the natural character of the area while minimizing erosion and fire hazard risks to persons and property.
  - v. The drainage design of the development will have no adverse impact on neighboring or nearby properties.
  - vi. Areas not well suited for development due to soil stability characteristics, geology, hydrology limitations, or wastewater disposal, have been avoided.

**D. Wildlife Management Corridors**

**1. Intent**

The purpose of this section is to reduce wildlife-human conflicts by managing certain linear stream corridors to minimize adverse human-wildlife interactions and to facilitate more safely the movement of wildlife in those corridors identified in this section. It is not the intent of this section to reduce density that is otherwise allowed.

**2. Applicability**

This subsection shall apply within 200 feet on either side of the ordinary high water of the following streams: Peters Creek and its tributaries upstream of the Old Glenn Highway, Eagle River, South Fork of Eagle River (below the falls), Ship Creek (upstream from Reeve Blvd.), Campbell Creek (upstream from Lake Otis Parkway), North Fork of Little Campbell Creek (upstream from Elmore Road), Rabbit Creek, Little Rabbit Creek, Indian Creek, Bird Creek, Penguin Creek, California Creek, Glacier Creek, Virgin Creek and Portage Creek.



## Steep Slope and Ridgeline Protection

*Use this tool with: habitat protection, erosion and sedimentation controls*

### I. Background and Purpose

There are a number of issues associated with development on steep slopes, hillsides, and ridgelines. Foremost among them are health, safety, and environmental considerations that arise when planning development in steep areas. Another factor is the aesthetic quality of hillsides and ridgelines that can be lost when they are developed. New Hampshire residents and visitors place great value on the state's natural resources. Protecting hillsides and steep slopes from development helps to preserve those unique environmental qualities that people value. Furthermore, development on steep slopes can have an adverse effect on water quality as a result of increased erosion and sedimentation.

This chapter provides information on regulating both steep slopes and ridgelines. While the two subjects are closely related, the regulations for each usually have different emphasis: steep slope regulations are frequently based on environmental considerations such as erosion and sedimentation controls, while ridgeline regulations have more emphasis on view protection. The model ordinance in this chapter contains a section that deals with steep slopes and one that deals with ridgelines.

### II. Appropriate Circumstances and Context for Use

Since the beginning of steep slope regulation in the 1950s, there have been a variety of ways to approach the subject. In 1975, the authors of a report called *Performance Standards for Sensitive Lands* reviewed a total of 35 hillside and grading regulations, and found that the regulations could be classified in the following three categories (Thurow et al):

*Slope/Density Provisions.* These reduce allowable densities on hillsides: the steeper the slope, the less the allowed density.

*Soil Overlays.* These provisions key development regulations to soil type, based on maps by the Natural Resource Conservation Service.

*The Guiding Principles Approach.* This approach creates hillside overlay districts to cover all hillside lands in a jurisdiction. A set of guiding principles is applied to all proposed development in these areas. These regulations are usually flexible, allowing for tailoring of development to the characteristics of each site and encouraging innovative approaches to attain the desired end.

These approaches have all become popular because they reduce the negative impacts of hillside development. These impacts include excessive cuts and fills, unattractive slope scars, and erosion and drainage problems. A logical method for addressing these problems is to reduce the intensity of development as the grade of the slope increases. The implication of

linking density limitations with steep slopes is that steeply sloped hillsides are inherently unsuited for development for reasons of public safety, erosion, aesthetics, or general environmental protection. Because this type of regulation does allow for some hillside development, property owners can retain some use of their land. Pairing slope/density regulations with grading regulations helps to ensure that those sites that are developed are done so as safely as possible.

In most cases, large-scale commercial development is discouraged in areas with steep slopes because of the difficulties associated with trying to provide level building and parking areas as well as safe access to the site. Drainage and stormwater runoff can also cause problems. Some commercial activity may be permitted in the steep slope district as long as it would not cause excessive erosion.

When developing regulations to govern development on steep slopes, hillsides, and ridgelines, it is important to collect as much data as possible to form the basis of the ordinance. In a 1996 publication, Robert Olshansky, an expert on hillside development outlined ten topics that should be considered prior to implementing a regulation. These ten topics, which are outlined below, can be used as a framework to build a solid justification for regulating steep slopes, hillsides, and ridgelines.

1. Topography

Before the location and extent of steep slopes in a community can be determined, it is essential that the definition of a steep slope be determined. Many communities define steep slopes as having a grade of 15% or greater, meaning that the elevation increases by 15 feet over a horizontal distance of 100 feet.

2. Slope Stability

When considering slope stability, it is important to consider not only how stable the slope is prior to development, but also what effect the grading necessary for development would have on slope stability. On steep slopes, any change in the equilibrium, whether it is caused by natural phenomena such as heavy rains or earthquakes or human activities, can cause erosion or landslides. Development on very steep slopes disturbs far more than the building footprint: on a 30% slope, 250 feet would have to be graded in order to create a 100-foot wide pad for construction, assuming a maximum 2:1 (50%) steepness of cut and fill as specified in the Uniform Building Code.

3. Drainage and Erosion

Collecting data on drainage and erosion entails identifying major watersheds and drainage courses as well as areas that are prone to flooding. In addition, key facilities and structures downstream of hillside drainageways should be identified. Knowing where the water is likely to drain and what impacts changing existing patterns will have on the entire drainage system can help to prevent damage to buildings and loss of life in the event of a landslide. In

addition, changing drainage patterns and increased sedimentation due to erosion can compromise water quality. All highly erodible soils should be identified.

#### 4. Infrastructure

Extending infrastructure to hilltop communities can be very difficult to engineer and construct, especially for water and sewer systems. Individual septic systems are especially difficult to construct and maintain on steep slopes, both because of the slopes and because the soils tend to be shallow and poorly drained. This makes septic systems on steep slopes prone to higher failure rates, which puts ground and surface water supplies at risk. Failed septic systems often pose a health threat to everyone who relies on water resources in close proximity to a failed system. In New Hampshire, no septic system may be placed on a slope greater than 33%; however, individual municipalities may implement stricter regulations, or develop inspection/maintenance programs. Roads, power lines, and telephone wires are also difficult and expensive to extend up steep slopes, and to maintain after construction.

#### 5. Access

Providing access roads and driveways to development on steep slopes can be especially challenging. The New Hampshire Department of Transportation recommends that driveways for commercial activities do not exceed an 8% grade, and that driveways to residences not exceed 15%. Towns may set a lower threshold if they choose. In order to be safe, roads and driveways on steep areas tend to be longer and have more curves and switchbacks than roads and driveways on flatter terrain. This means that there are more impacts on the hillside, such as increased erosion and runoff, a higher potential for accidents, and difficulty for emergency vehicles to access the development.

#### 6. Aesthetics

In many of the steep slope ordinances reviewed during the preparation of this chapter, preserving a view was cited as one of the purposes for enacting the ordinance. Although this chapter treats steep slope and ridgeline/viewshed regulation separately, there is a good deal of overlap. When citing aesthetic reasons for implementing an ordinance, it is important to carefully document the rationale. This includes evaluating the extent and quality of views to the hills. In addition, it is important to identify any peaks or hillsides of special symbolic value to the community, to survey community values regarding appearance of hillsides and ridgelines, and to prepare maps of significant aesthetic resources. Taking photographs of the most important resources is another valuable tool that can be used, especially to convince the community that the ordinance is needed.

One method for cataloging visual resources is to use the Visual Resource Management strategy developed by the United States Bureau of Land

Management (BLM) for use on public lands (BLM Manual H-8410-1). This system analyzes the quality of the view, the sensitivity of the resource, and the impacts that development would have at different distances. This comprehensive approach allows resources to be ranked in the context of their surroundings. Individual communities may not want or need to go into the amount of detail described in the BLM manual. However, the process outlined in the manual does provide a good framework that communities can use to build their own natural resource inventories.

#### 7. Natural Qualities

Documenting natural qualities or resources includes identifying and mapping vegetation communities and wildlife habitats, and identifying threats to these resources. Special attention should be paid to rare and endangered plant and animal species. Because of the difficulties associated with steep slope development, hillsides tend to be developed after development has occurred on flatter areas. Wildlife species often take refuge on undeveloped hillsides, even if it is not their native habitat, because their preferred habitats have been overtaken by development.

#### 8. Fire Hazard

Fire can break out in many parts of New Hampshire, especially in the White Mountain National Forest. Since it is more difficult to control fires on hillsides than on flat areas, it is important to evaluate the frequency and causes of hillside wildfires, identify fuel reduction methods, and identify architectural and landscaping factors in fire safety. Attention must be paid to response times and access requirements for fire departments, as well as the evaluation of the tradeoffs between natural habitat preservation and fire hazards.

#### 9. Recreational Values

Hills and mountains provide many popular and important recreational opportunities, including hiking, hunting, climbing, wildlife observation, and skiing. When developing ordinances, consideration of areawide needs and opportunities for wildland recreation as well as identification of possible trail and viewpoint locations are important factors. Locating possible access points to existing and potential recreational opportunities is also important.

#### 10. Open Space

Providing open spaces can be a key component of hillside/steep slope regulations. Possible mechanisms for open space management include creating greenways, wildlife habitat preservation areas, and conservation areas.

### III. Legal Basis and Considerations for New Hampshire

In New Hampshire, regulating development on steep slopes is authorized under RSA 674:16, the zoning Grant of Power, RSA 674:21, Innovative Land Use Controls, and 674:21, I (j), Environmental Characteristics Zoning. Although steep slopes and ridgelines are not

specifically named in the RSA, they are generally considered to be environmental characteristics and are frequently found as overlay districts similar to wetland protection. According to the New Hampshire Office of Energy and Planning, there were 27 municipalities in the state that had steep slopes regulations as of January 2006. In addition to regulating steep slopes and ridgelines through zoning, some communities include site-specific standards in their subdivision and site plan regulations.

#### *Master Plan*

Communities interested in regulating development on steep slopes, hillsides, and ridgelines should address the subject in the natural resource or land use chapters of their master plans. In developing the plan, it will be helpful to study maps of various slope categories. Using the ten-point framework outlined in Section II, a strong case can be built for protecting steep slopes. If viewshed protection is a high priority, then communities should survey their resources using either the Visual Resource Management strategy developed by the United States Bureau of Land Management, or another, similar tool.

#### **IV. Examples and Outcome of where Technique has been Applied**

In the United States, the earliest known example of steep slope regulations was in Los Angeles, California in the early 1950s, when grading regulations were first implemented. These regulations were designed to protect lives and property from unengineered development of hillsides (Olshansky 1995). This type of ordinance has been very successful at addressing engineering problems on hillside developments.

In December 2005, the Lakes Region Planning Commission published *Regulating Development on Steep Slopes, Hillsides, and Ridgelines*, a comprehensive look at the history and rationale behind steep slope regulation, along with several case studies from the state of New Hampshire as well as a few examples from other states. Excerpts from some of the case studies are included below.

#### *Lyme, New Hampshire*

The Lyme zoning ordinance has both a Steep Slopes Conservation District and a Ridgeline and Hillside Conservation District. The Steep Slopes Conservation District is defined as all areas where there is an elevation change of 20 feet or greater and the average slope is 20% or greater. The Ridgeline and Hillside Conservation is defined as those ridgeline and hillside areas which are visible from public waters or public roads located within the Town at a distance on the USGS topographic map of 1/2 or more miles (measured in a straight line distance from the proposed area of development).

According to the town planner, the Steep Slopes Conservation District works smoothly for the most part. There are occasional difficulties associated with determining where the district should be applied, which are solved with a site visit. The town has faced some challenges in defining exactly what land falls in the Ridgeline and Hillside Conservation District. The town is working on a map that will show where the district falls.

*Sanbornton, New Hampshire*

The minimum lot size in the steep slopes conservation district is six acres. However, the planning board can waive that requirement if at least 50% of the lot has a slope of less than 15% and there is at least one contiguous area of 40,000 square feet that has a slope of 15% or less. According to the town planner, this regulation has been in place for several years, and people who plan to subdivide land in the steep slope conservation district are accustomed to the regulations and therefore bring the proposed subdivision plans with lots drawn in accordance with the ordinance.

*North Carolina Mountain Ridge Protection Act*

Steep slope and hillside regulations are mostly found at the local level as part of either the zoning ordinance or subdivision regulations. One exception to this trend is the North Carolina Mountain Ridge Protection Act of 1983 (NC G.S. 113A-205-214). This state law restricts development on mountain ridges that have elevations of 3,000 feet and higher. As the basis for enacting the law, the North Carolina State Legislature found that:

The construction of tall or major buildings and structures on the ridges and higher elevations of North Carolina's mountains in an inappropriate or badly designed manner can cause unusual problems and hazards to the residents of and to visitors to the mountains. Supplying water to, and disposing of the sewage from, buildings at high elevations with significant numbers of residents may infringe on the ground water rights and endanger the health of those persons living at lower elevations. Providing fire protection may be difficult given the lack of water supply and pressure and the possibility that fire will be fanned by high winds. Extremes of weather can endanger buildings, structures, vehicles, and persons. Tall or major buildings and structures located on ridges are a hazard to air navigation and persons on the ground and detract from the natural beauty of the mountains.

According to a report from the Land-of-Sky Regional Council in North Carolina, this law has been mostly effective in controlling development on mountain ridges. However, many mountain communities in the state are currently searching for ways to protect land at lower elevations from development as well (Houck 2005).

**V. Model Language, Illustrations, and Guidance for Implementation**

This model ordinance contains two sections: Steep Slopes Protection and a Visual Resource Protection District. Steep Slopes Conservation should be adopted as a component of the zoning ordinance that applies in all districts. The Visual Resource Protection District is an overlay district where the boundaries are determined through a visual resource inventory process.

**Statutory Authorization**

A. RSA Title LXIV, Chapters 674:16, Grant of Power

- B. 674:21, Innovative Land Use Controls
- C. 674:21 (j), Environmental Characteristics Zoning
- D. 673:16, II; 676:4, I(g); and 674:44, V collectively authorize Planning Boards to collect fees from applicants to cover the costs of hiring outside experts to review subdivision applications and site plans.

**A. Steep Slopes**

Title: Steep Slopes Protection

Section 1: Purpose

The purpose of this ordinance is to reduce damage to streams and lakes from the consequences of excessive and improper construction, erosion, stormwater runoff, or effluent from improperly sited sewage disposal systems, and to preserve the natural topography, drainage patterns, vegetative cover, scenic views, wildlife habitats, and to protect unique natural areas.

Section 2: Delineation

This ordinance shall apply to all areas with a slope greater than 15%, as shown on the town's steep slopes map, and where the proposed site disturbance is greater than one acre.

Section 3: Definitions

- Erosion: The wearing away of the ground surface as a result of the movement of wind, water, ice, and/or land disturbance activities.
- Sedimentation: The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse or wetland.
- Site Disturbance: Any activity which removes the vegetative cover from the land surface.
- Slope: The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees; rise over run.
- Vegetative cover: Grasses, shrubs, trees, and other vegetation which hold and stabilize soils.

Section 4: Application Requirements

- A. Uses that will cause more than one acre of site disturbance must show the area subject to site disturbance in 2-foot contours.
- B. An engineering plan will be prepared by a Professional Engineer that shows specific methods that will be used to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff, both during and after construction.

- C. A hydrology, drainage, and flooding analysis will be included that shows the effect of the proposed development on water bodies and/or wetlands in the vicinity of the project.
- D. A grading plan for the construction site and all access routes will be prepared.

#### Section 5: Performance Standards

All uses permitted in the underlying district will be a conditional use in the Steep Slope Conservation District and must meet the following conditions for approval:

- A. The grading cut and fill should not exceed a 2:1 ratio.
- B. Existing natural and topographic features, including the vegetative cover, will be preserved to the greatest extent possible. In the event that extensive amounts of vegetation are removed, the site shall be replanted with indigenous vegetation and shall replicate the original vegetation as much as possible.
- C. No section of any driveway may exceed a 10% slope for residential subdivisions or 8% slope for nonresidential site plans.
- D. No structure shall be built on an extremely steep slope (greater than 25% prior to site disturbance).

#### Section 6: Administration of conditional use permits

In addition to meeting the conditions set forth in this section, Conditional Use Permits shall be granted in accordance with the following pertinent procedures:

- A. A Conditional Use Permit shall be granted by the Planning Board upon a finding that the proposed use is consistent with the intent of the Ordinance and following receipt of a review and recommendation of the Conservation Commission and any other professional expertise deemed necessary by the Board.
- B. The applicant must demonstrate that no alternatives are available for the productive use of areas outside of the steep slopes district, that no practicable alternatives exist to the proposal under consideration, and that all measures have been taken to minimize the impact that construction activities will have upon the District.

#### Section 7: Costs

All costs pertaining to the consideration of an application, including consultants fees, on-site inspections, environmental impact studies, notification of interested persons, and other costs shall be borne by the applicant and paid prior to the Planning Board's final action.

### **B. Ridgelines/Hillsides/Viewshed Protection**

Title: Visual Resource Protection District

### Section 1: Purpose

The purpose of the Visual Resource Protection district is to protect the scenic and ecological resources associated with lands characterized by high elevations, steep slopes, and visual sensitivity in a manner that allows for carefully designed, low-impact development.

### Section 2: Delineation:

The Visual Resource Protection District is an overlay district that will be defined by a visual resource inventory dated \_\_\_\_\_. The results of the visual resource strategy will be shown on the Visual Resource Map, which is hereby incorporated into this ordinance.

NOTE: Each community will have unique visual resources. It is the responsibility of the community implementing this ordinance to complete and document a comprehensive visual resource inventory. A manual detailing the Bureau of Land Management's Visual Resource Management Strategy is available online: <http://www.blm.gov/nstc/VRM/8410.html#Anchor-49575>

### Section 3: Definitions

**Design Guidelines:** A set of guidelines defining parameters to be followed in a site or building design or development.

**Site Disturbance:** Any activity which removes the vegetative cover from the land surface.

**Visual Impact:** A modification or change that could be incompatible with the scale, form, texture or color of the existing natural or man-made landscapes.

**Visual Resource Map:** The map depicting the visually sensitive areas, as determined by the visual resource inventory.

**Visual Resource Inventory:** A system for minimizing the visual impacts of surface-disturbing activities and maintaining scenic values. The inventory consists of a scenic quality evaluation, sensitivity level analysis, and a delineation of distance zones.

### Section 4: Application Requirements

- A. Uses that will cause more than one acre of site disturbance must show the buildable area in 2-foot contours.
- B. An engineering plan will be prepared by a Professional Engineer that shows specific methods that will be used to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff, both during and after construction.
- C. A hydrology, drainage, and flooding analysis will be included that shows the effect of the proposed development on water bodies and/or wetlands in the vicinity of the project.

- D. A grading plan for the construction site and all access routes will be prepared.
- E. Architectural plans and renderings clearly depicting all proposed structures to scale and their location on the site in relation to the physical and natural features of the parcel, including the proposed grade of the building area and finished floor elevations. Drawings should clearly display building elevation and architectural design, including building materials, exterior colors and window fenestration. All structures proposed, including outbuildings and garages are to be shown.
- F. A landscaping plan showing existing vegetation and proposed landscaping and clearing plans showing proposed type, size, and location of all vegetation to be preserved and/or installed, along with other landscaping elements such as gazebos, berms, fences, walls, etc. Special attention should be given to existing/proposed vegetation adjacent to buildings for visibility and screening purposes. A species list of existing vegetation and a plan for maintenance of the existing and proposed landscape should be included. Such a plan shall address specific measures to be taken to ensure the protection and survival, and if necessary, replacement of designated trees during and after the construction and/or installation of site improvements.

#### Section 5: Administration of Conditional Use Permits

Conditional Use Permits shall include the findings of an architectural review in accordance with the following pertinent procedures:

- A. A Conditional Use Permit shall be granted by the Planning Board upon a finding that the proposed use is consistent with the intent of the Ordinance and following receipt of a review and recommendation of the Conservation Commission and any other professional expertise deemed necessary by the Board, such as a licensed architect.
- B. The applicant must demonstrate that no alternatives are available for the productive use of areas outside of the District, that no practicable alternatives exist to the proposal under consideration, and that all measures have been taken to minimize the impact that construction activities will have upon the District.

#### Section 6: Design Guidelines

In order to reduce the visual impact of development in the Visual Resource Protection District, all proposed structures shall meet the following design guidelines:

- A. Building Envelope: The building envelope permitted in this district is a rectangle with an up-slope boundary 40 feet or less from the building, side boundaries 40 feet or less from each side of the building, and a down-slope boundary 25 feet or less from the building. Accessory structures shall be built within the building envelope. Building envelopes shall be at least 30 feet from property lines.

**Graphic: Building Envelop**

- B. Clearing for views: In order to develop a view, trees may be removed beyond the building envelope for a width of clear cutting not to exceed 25 feet and extending outward therefrom at an angle of 45 degrees or less on both sides. The 25 foot opening may be at any point along the down-slope boundary.

**Graphic: Clearing for Views**

- C. Natural/neutral colors will be used.
- D. Reflective glass will be minimized.
- E. Only low level, indirect lighting shall be used. Spot lights and floodlights are prohibited.
- F. No portion of any structure shall extend above the elevation of the ridgeline.
- G. Structures shall use natural landforms and existing vegetation to screen them from view from public roads and waterways to the extent practicable.
- H. Cuts and fills are minimized, and where practical, driveways are screened from public view.
- I. Building sites and roadways shall be located to preserve trees and tree stands.

**Section 7: Costs**

All costs pertaining to the consideration of an application, including consultants fees, on-site inspections, environmental impact studies, notification of interested persons, and other costs shall be borne by the applicant and paid prior to the Planning Board's final action.

## VI. References

Bureau of Land Management. Manual H-8410-1 - Visual Resource Inventory. Washington, DC: U.S. Department of the Interior, Bureau of Land Management  
[www.blm.gov/nstc/VRM/8410.html#Anchor-49575](http://www.blm.gov/nstc/VRM/8410.html#Anchor-49575)

This manual provides a process for inventorying and prioritizing important visual resources. This, or another methodology, should always be employed when a community is contemplating a visual resource protection district.

Lakes Region Planning Commission. *Regulating Development on Steep Slopes, Hillsides, and Ridgelines*. December 2005. [www.lakesrpc.org/steep%20slopes%20final.pdf](http://www.lakesrpc.org/steep%20slopes%20final.pdf)

The report explores the historical importance of steep slope regulation, outlines key development issues, and provides a variety of case studies designed to address safety, aesthetics, preservation of wildlife habitat, water quality protection and more.

Olshansky, Robert. "Planning for Hillside Development" in *Environment & Development*, American Planning Association, September/October 1995

A short article that introduces the themes found in the 1996 PAS report of the same name.

Olshansky, Robert. *Planning for Hillside Development: Planning Advisory Service Report No. 466*, American Planning Association, Chicago, 1996.

A comprehensive study, building on the themes published in the 1995 article that discusses in depth the history and challenges of regulating hillside and steep slope development. The PAS report also provides excerpts from several of the ordinances and regulations reviewed for the study.

Thurow et al. *Performance Standards for Sensitive Lands*, Planning Advisory Service Nos. 307/308, American Planning Association, 1975

This report was one of the first comprehensive looks at steep slope regulations.

### Zoning Ordinances Reviewed:

Links to all of the New Hampshire ordinances listed here are available online from the Steep Slope Protection section of the New Hampshire Office of Energy and Planning Reference Library, [nh.gov/oep/resourcelibrary/referencelibrary/s/steepslopeprotection/index.htm](http://nh.gov/oep/resourcelibrary/referencelibrary/s/steepslopeprotection/index.htm)

Town of Antrim, NH  
Town of Bath, NH  
Town of Dublin, NH  
Town of Enfield, NH  
Town of Frankestown, NH  
Town of Hancock, NH  
Town of Harrisville, NH  
Town of Loudon, NH  
Town of Lyme, NH  
Town of New Ipswich, NH

Town of New London, NH  
Town of Newbury, NH  
Town of Northwood, NH  
Town of Roxbury, NH  
Town of Sanbornton, NH  
Town of Sandwich, NH  
Town of South Hampton, NH

Town of Stowe, Vt

[www.townofstovevt.org/images/photos/stowe\\_regs\\_8-29-05.pdf](http://www.townofstovevt.org/images/photos/stowe_regs_8-29-05.pdf)

City of Park City, UT,

[www.parkcity.org/government/codesandpolicies/title\\_15\\_c\\_2\\_21.html](http://www.parkcity.org/government/codesandpolicies/title_15_c_2_21.html)

City of San Rafael, CA

[ordlink.com/codes/sanraf/ DATA/TITLE14/Chapter\\_14\\_12\\_HILLSIDEDEVELOP.html](http://ordlink.com/codes/sanraf/ DATA/TITLE14/Chapter_14_12_HILLSIDEDEVELOP.html)

Town of Cortlandt, NY

[law.wustl.edu/landuselaw/ssprotection.htm](http://law.wustl.edu/landuselaw/ssprotection.htm)

Sonoma County, CA :

[municipalcodes.lexisnexis.com/codes/sonomaco](http://municipalcodes.lexisnexis.com/codes/sonomaco) (Article 26, Section 64)

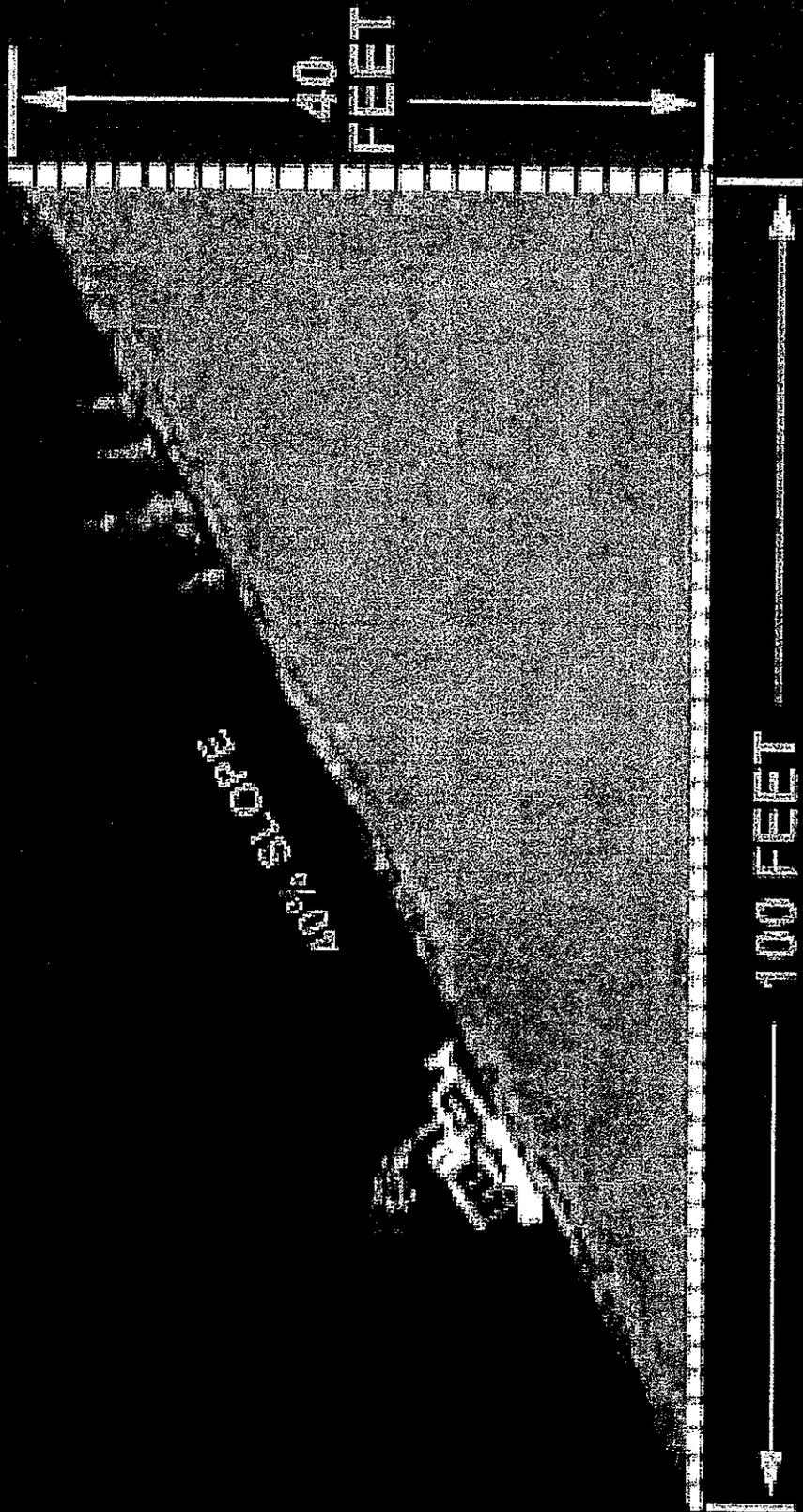
Model Steep Slope Ordinance, Ten Towns Committee, New Jersey

[www.tentowns.org/10t/ordsteep.htm](http://www.tentowns.org/10t/ordsteep.htm)

North Carolina Mountain Ridge Protection Act of July 1983

[www.cals.ncsu.edu/wq/lpn/statutes/nc/mountainridgeprotection.htm](http://www.cals.ncsu.edu/wq/lpn/statutes/nc/mountainridgeprotection.htm)







**MANAGERS REPORT**  
**JULY 28, 2010**

**TO:** MAYOR HORNADAY / HOMER CITY COUNCIL

**FROM:** WALT WREDE

UPDATES / FOLLOW-UP

1. **Bridge Creek Watershed / Proposed Wildfire Protection and Forest Health Restoration:** I have mentioned to the Council several times over the past few months that the City has been working with the State Division of Forestry and the Borough Spruce Bark Beetle Program to look at ways to reduce the chances of wildfire, protect water quality, and accelerate the restoration of forest health in the Bridge Creek Watershed. Attached is a report and set of recommendations. This is a matter that the Council should discuss soon and I believe we would need to reach out to adjacent landowners and the public as much as possible if we moved forward. The authors of this report have agreed to come and speak with the Council if requested.
2. **Spit Parking MOU:** Attached is a letter from the Regional Director / DOT/PF which discusses the City's immediate plans for parking on the Sterling Highway ROW. As promised, we received a draft agreement this week which will eventually make its way to Council for approval after a little more discussion. One thing that the Council may want to think about is that in the draft, DOT/PF proposes to give the City control of the ROW for the entire Spit, not just the congested area between Freight Dock Road and Fish Dock Road. This authority would apply to parking, certain traffic control measures, and speed limits. There are some advantages to doing this. There are also costs, but they should be limited.
3. **Main Street:** When I was in Anchorage last week, I had a chance to speak with the DOT/PF traffic engineer. We talked about Main St. refurbishment and the Main St. / Sterling Highway intersection. Scott told me that DOT/PF now believes that it can construct intersection improvements and a traffic signal for the amount of money we have (\$ 2 Million). DOT/PF still prefers a roundabout but it is aware that the Council wants to do something sooner rather than later. Council has already adopted a resolution expressing support for a traffic signal if that is all that can be afforded right now. So, DOT/PF is looking for a confirmation that the City wants it to proceed.
4. **New Water Treatment Plant:** The new water treatment plant is performing very well. At the time this report was written, the plant was producing water turbidity levels that are 10 times better than EPA's newest standard. The plant is also using much less treated water for the purpose of back flushing filters, which makes it more efficient. Test results on other contaminants will be available soon but the early indicators are very positive.
5. **Siren Testing:** We continue to experience problems with the all hazard warning sirens. The new director of Borough OEM is making a concerted effort to fix the

problem. This week there were a series of tests designed isolate the problem. The system was activated from Soldotna, HPD dispatch office, and the harbormaster's office. Hopefully I will have more information to report by meeting time regarding the test results.

6. Parity Study: At the Council's request, the staff has been looking into the possibilities and the pros and cons of outsourcing the parity study this time. This meeting agenda contains a resolution which directs us to do the study in-house. Based upon the research Sheri has done, we have concluded that while there are definite benefits associated with outsourcing, the communities that have done it recently are not happy with the product and it was very expensive. Outsourcing could cost \$20,000 to \$30,000 or more depending up the extent of what we ask the consultant to do. Doing it in-house still has a cost associated with it (150 hours of staff time last time we did it) but it is money already budgeted and the City would wind up with a product that was at least as good.
7. Parks MOUs: The City, through the Community Recreation Program Coordinator is working on draft MOUs between the City and various entities that use the City's parks. This includes the Little League, the softball association, and the Jack Gist Park Association. The idea would be to get a little more formal about outlining the roles and responsibilities of the parties, including scheduling, maintenance, capital improvements, liability, etc. You will hear more about this in the near future.
8. Animal Shelter Dog Lot: The Homer Animal Friends and the staff and volunteers at the Homer Animal Shelter have long wished for a fenced in dog walking and play area. If this area was created, dogs could be walked, play, and socialize without being on a leash. People looking to adopt animals could get to know them in a secure area without the animal having to be on a leash. Space is limited for this but we have identified the area immediately to the left of the Shelter entrance, between the Sterling Highway, the entrance to the Public Works complex, and the Public Works parking lot. This is a rather narrow strip of land and can be seen from the highway. Carey is presently seeking bids for a fence and we told Homer Animal Friends that the City would consider splitting the cost (total cost estimated at \$8,000). We hope this location will work for all concerned.

#### ATTACHMENTS

1. Letter from DOT/PF re: Spit Parking MOU
2. Article about Homer / ICLEI Case Study
3. Letter and info from Borough Spruce Bark Beetle Program re: Bridge Creek

# City Manager's Report 7-26-10

## INTRODUCTION

Homer, AK, located 125 miles southwest of Anchorage, has a current population of approximately 5,700. Positioned along the shore of Kachemak Bay, Homer has expansive views of glaciers, forests, and mountains. Residents and tourists alike enjoy the strong sense of community found in Homer and the many options for outdoor recreation such as kayaking, fishing, and wildlife viewing. As such, it will come as no surprise that the City of Homer is taking steps to protect its people, infrastructure, and natural resources from the impacts of climate change, and to establish sustainability as a key component of long-range planning and future development.



In September 2006, Mayor James Hornaday attended a national convention on climate change and heard from experts on climate science and policy. During this convention, it occurred to Mayor Hornaday that local governments can and should play a critical role in reducing locally generated greenhouse gas emissions while also helping local communities begin preparing for unavoidable changes in climate.

## READY TO LEAD ON CLIMATE PROTECTION

Mayor Hornaday came back to Homer ready to make the town a national leader in climate protection – starting with the creation of the Homer Global Warming Task Force (GWTF). The City Council approved Resolution 06-141(A) in January 2007, officially commissioning the GWTF to study and make recommendations to City Council on how to reduce greenhouse gas emissions and reduce the impact of climate



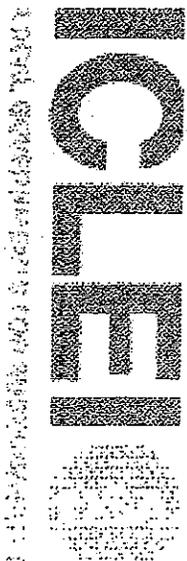
change on Homer's environment, economy, infrastructure, and future development. Seeking logistical and technical guidance, Homer joined ICLEI-Local Governments for Sustainability USA in March 2007 under the Cities for Climate Protection campaign. Later, Homer also agreed to be one of five local governments helping to develop ICLEI's Climate Resilient Communities program (for more details on the Climate Resilient Communities program, visit [www.icleiusa.org/programs/climate/climate-adaptation](http://www.icleiusa.org/programs/climate/climate-adaptation)).

## A PLAN FOR MITIGATION AND ADAPTATION

As part of Homer's involvement in the Cities for Climate Protection and Climate Resilient Communities programs, the City created the Homer Climate Action Plan (CAP), which was completed by the GWTF, Homer City staff, and an intern (generously funded through the University

of Alaska and the U.S. EPA's Pollution Prevention Program) and released with support from the Mayor and City Council in December 2007.

To ensure the report's success, the City of Homer worked closely with a number of stakeholders, including the Alaska Marine Conservation Council, Sustainable Homer, Homer Chamber of Commerce, Alaska Conservation Solutions, Alaska Islands and Ocean Visitor Center, and ICLEI. The comprehensive report includes background on the scientific consensus surrounding climate change, a baseline assessment of greenhouse gas emissions in Homer, emissions reductions targets, mitigation measures, and recommended actions for adapting to a changing climate. To review the report, visit [www.ci.homer.ak.us/CLPL.pdf](http://www.ci.homer.ak.us/CLPL.pdf).



## IDENTIFYING CLIMATE IMPACTS

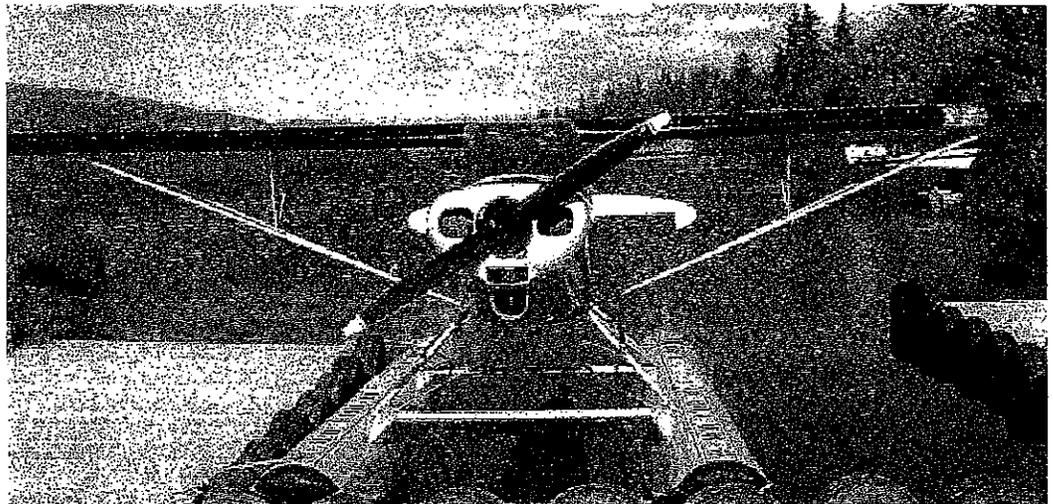
A key component of Homer's action planning was utilizing the latest scientific projections of global and regional changes in climate. While these projections generally have a high level of certainty, the City grappled with the fact that most of these models are not designed to project finely detailed climate changes and associated impacts at the local level. This gap in knowledge can create challenges for communities that are considering working on adaptation.

Nevertheless, Homer understood the importance of identifying local impacts using state projections and incorporating high-level adaptation and sustainability principles into their planning process from the onset. As such, the Homer CAP utilizes scientific climate projections for Alaska from several well-respected sources, including the U.S. Global Change Research Program (USGCRP), the Intergovernmental Panel on Climate Change Fourth Assessment Report (IPCC AR4), and the Alaska State Legislature's Alaska Climate Impact Assessment Commission.<sup>1,2,3</sup>

Using the aforementioned climate projections, the Town of Homer identified the following climate change impacts:

- Disruption of commercial fisheries due to ocean acidification and warming waters
- Damage to infrastructure from more frequent and severe storms
- Water shortages resulting from changes in surface water availability due to reduced snowpack and increased evaporation
- Increased coastal erosion from rising sea levels and storm events
- Increased risk of flooding from rising sea levels and extreme weather events
- Increased wildfire risks due to hotter, drier conditions
- Heavy infestation of spruce trees by bark beetles
- Changes in agriculture due to warmer temperatures and longer growing seasons
- Shifting tourism patterns and potential population growth from "climate refugees"

In addition to these identified impacts, the City is communicating with researchers at the University of Alaska-Fairbanks' Center for Climate Assessment and Policy, who are collaborating with additional scientists to further study regional and local climate change impacts and communicate results to policy makers. Homer also has a keen eye on research taking place through the Kachemak Bay National Estuarine Research Reserve on the extent of isostatic rebound, the rise of land that was previously depressed by a retreating glacier, in Homer and throughout the Kachemak Bay area.



ICE  
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## ADAPTATION ACTIONS AND PRIORITIES

Once climate change impacts were studied, Homer was able to determine a core set of adaptation actions and priorities, organized using three main goals:

1. Protect existing infrastructure
  - Take proactive measures to protect or relocate at-risk infrastructure
  - Develop management plans for Port & Harbor facilities on the Homer Spit (construction, maintenance, dredging, etc.) that take into account climate impacts
  - Keep up to date on sea level rise, storm surge, and coastal/bluff erosion.
2. Undertake emergency preparedness measures
  - Inventory storm water runoff system, identify problem areas, and ensure it can handle increased frequency of extreme weather events
  - Increase fire fighting capability, for both wildfire and structural fires
  - Protect the ability of wetlands and the watersheds to store water, which will give protection from extreme weather.
3. Adopt wise policies for future development
  - Institute smart growth management policies to maximize benefits of any population changes
  - Enact restrictions that prevent development on erosion-prone slopes and bluffs
  - Encourage water conservation and assess the City's future drinking water needs
  - Consider climate change in all long-range planning efforts (transportation, land use, Homer Spit, emergency management, economic development).

## AN EFFECTIVE ADAPTATION STRATEGY

The Homer Climate Action Plan has been in existence for almost three years now, and Homer has found that the most effective adaptation strategy so far has been to address current problems with the knowledge that climate change may make presently experienced impacts more severe. The City has not yet proposed major changes or relocation of low-lying infrastructure (e.g., at the Port and Harbor), due to the significant cost involved and uncertainty regarding future sea level rise. However, progress can be made by making low-cost upgrades to projects already in the planning phase for various infrastructure components. For example, Homer experienced two floods in the fall of 2002 that exceeded the level of flood water expected every 100 years on average. As a result, projects were planned to lessen flood risk. Taking into consideration future increases in flood severity and frequency due to climate change, certain culverts in need of repair or replacement were replaced with larger culverts or expanded bridges.

The City's reservoir and drinking water system are also presently stressed, due largely to increases in population and tourism along with warmer temperatures that have reduced water availability. Homer has addressed these existing issues in both their Capitol Improvement Plan and Water-Sewer Master Plan, calling for system improvements and development of a new water source. Knowing that elevated temperatures and increased evaporation due to climate change will continue to exacerbate the problem, Homer has identified the importance of finding a solution that can meet future needs while also accommodating a changing climate.

Additionally, warmer, drier conditions in the forests surrounding Homer have heightened the risk of wild-fires. Knowing that this climate trend is projected to continue has helped the City establish a high priority status for a new firefighting truck, additional equipment, and fire engine refurbishment along with training. Homer has also recognized that current coastal erosion will also worsen due to climate change, and that maintenance and repair of sea-walls can get costly. As such the City decided that additional measures such as new Steep Slope Ordinances and limits on development in certain areas were needed.

## ADAPTATION-MITIGATION SYNERGIES

As advised in the CAP, Homer established a Sustainability Fund using money donated by local citizens, with additional funds appropriated by the City Council. Later the Council created a Revolving Energy Fund with money transferred from depreciation reserve accounts, essentially taking the place of the Sustainability Fund. Homer is receiving additional funding via the federal Energy Efficiency and Conservation Block Grant program. Financial savings from increased energy efficiency and conservation in City operations due to Homer's mitigation efforts will also be allocated to the Revolving Energy Fund, to be used for further efficiency, conservation, and renewable energy projects. The Fund's guiding documents do not currently have specific language that acknowledges adaptation directly, but City staff understand that there are several important synergies that exist between greenhouse gas emissions reduction strategies and efforts to prepare for climate change impacts.

Current issues such as uncertainty regarding the availability and cost of fossil fuels will likely be more pronounced as the climate changes and more emphasis is placed on reducing greenhouse gas emissions. By investigating possibilities for renewable energy generation, Homer aims to realize multiple benefits. Homer was recently approved for funding for a project to assess the tidal energy potential and development feasibility of several sites in Kachemak Bay, which would result in a comprehensive tidal, energetic, and circulation flow model of the entire Kachemak Bay region. The project could help diversify the economy by establishing local expertise in the tidal power industry, while also helping move toward energy security and reduced dependence on fossil fuels. Any effort explored by the City to reduce energy consumption will result in benefits for both the City's mitigation and adaptation efforts.

Another opportunity that Homer recognizes could both mitigate climate change and make Homer less vulnerable to climate change impacts is the ability to increase local, sustainable agriculture. Climate change will have strong impact on agricultural production worldwide, causing potential disruptions or cost increases in food supply for communities located far from their food source. Encouraging community needs to be met via locally owned businesses and locally produced products will reduce greenhouse gas emissions from transportation while also increasing resilience to changes in world markets and world food supply.

## ADAPTING TO AN UNCERTAIN FUTURE

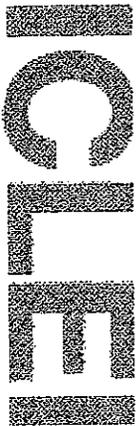
Homer still has much adaptation work that needs to be done to ensure preparedness for and resilience to climate change impacts. However, the City has been swift to engage in the process of resilience planning and in the face of uncertain impacts, has been able to complete concrete, justifiable adaptation actions. Strong political support from the Mayor and City staff, and support from community volunteers, has been essential to Homer's success. Including the public in the development of the Climate Action Plan through news announcements, draft distribution to community groups, comment periods, and open presentations and discussion forums, was extremely helpful in gaining momentum for the process. The City has remained involved in community education and outreach efforts through participation in state and local symposiums and networking events addressing climate change and continues to work to improve public understanding of the climate system and how climate action can save money, improve public safety, and support economic development.

In addition to the City's great work to date, they realize that information about how the climate is and will change and the associated impacts is likely to keep evolving. As such, the City will continue to study climate science and revise and revisit existing plans to ensure that climate considerations are effectively integrated.

<sup>1</sup> <http://globalchange.gov/publications/reports-scientific-assessments/us-impacts/download-the-report>

<sup>2</sup> [http://www.ipcc.ch/publications\\_and\\_data/ar4/wg2/en/contents.html](http://www.ipcc.ch/publications_and_data/ar4/wg2/en/contents.html)

<sup>3</sup> [http://nccsc.org/scientific\\_knowledge/climate%20impacts%20-%20as%20a.pdf](http://nccsc.org/scientific_knowledge/climate%20impacts%20-%20as%20a.pdf)



# STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES  
REGIONAL DIRECTOR'S OFFICE - CENTRAL REGION

SEAN PARNELL, GOVERNOR

4111 AVIATION AVENUE  
P.O. Box 196900  
ANCHORAGE, ALASKA 99519

TEXT: (907) 269-0473  
FAX: (907) 248-1573  
PHONE: (907) 269-0770

June 25, 2010

Mr. Walt Wrede  
City Manager  
City of Homer  
4910 E. Pioneer Avenue  
Homer, AK 99603

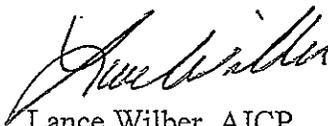
I'm responding to your letter of June 7th, within which you reiterated the City's request for a Memorandum of Understanding (MOU) that would formalize the City's ability to control and enforce parking along the Homer Spit Road.

I have reviewed your request with staff and we strongly agree with and support such an action. To that end, I have directed the Region's traffic safety engineer, Scott Thomas, to draft an MOU for your review. We expect to have this draft ready for review within a month's time, and we hope for an expedited review and execution.

In the meantime, we do not want to impede your proposed actions for this summer, as outlined in your letter. Until the MOU is signed, please accept this letter as sufficient permission for the City to implement the actions you specified. This permission is subject to your submission of all plans and specs to Mr. Thomas for review and approval prior to implementation.

I hope this meets your needs for now, Walt. Please let me know if you have any further questions. I'll track the progression of the MOU so that both the City and this Department can proceed fully in this cooperative vein.

Sincerely,



Lance Wilber, AICP  
Regional Director

cc: Leo von Scheben, P.E., L.S., MBA, Commissioner  
Rob Campbell, P.E., Director, Design and Construction  
Scott Thomas, P.E., Regional Traffic Engineer

*"Providing for the movement of people and goods and the delivery of state services."*





# City of Homer Planning & Zoning

491 East Pioneer Avenue  
Homer, Alaska 99603-7645

Telephone (907) 235-3106  
Fax (907) 235-3118  
E-mail [Planning@ci.homer.ak.us](mailto:Planning@ci.homer.ak.us)  
Web Site [www.ci.homer.ak.us](http://www.ci.homer.ak.us)

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July 27, 2010

To property or business owners,

This letter is being sent to businesses along the Sterling Highway, Ocean Drive and Homer Spit Road who are placing temporary and/or sandwich boards signs in the rights-of-way.

Signs are not allowed in the rights-of-way. Signs in the rights-of-way will be removed beginning the first week of August.

Here are a few guidelines for proper placement and size of temporary signs:

1. One temporary sign per parcel.
2. All signs must be set back five (5) feet from the property line.
3. Maximum size of a temporary sign on your property is 16 square feet.

Two other topics of interest: The City of Homer is preparing a Homer Spit Comprehensive Plan which will describe a preferred future development on the Spit. The DRAFT plan is posted on the City's website at: <http://www.homerspitfutureplan.com/index.html>. Written comments will be forwarded to the Planning Commission and public workshops will be held this fall.

Homer's Junk Car Program covers the expense of removing fluids from passenger vehicles, vans, or pick-ups. To qualify, the junk vehicle must be located within the Homer City limit and you must be a city resident or property owner. See attached application.

Respectfully submitted,

Dotti Harness-Foster  
Planning and Zoning Office  
235-3106



CITY OF HOMER

2010 PUBLIC SIGN IN SHEET

Planning Commission Regular Meeting August 4, 2010 \*\* Check one of the following:

PRINT YOUR NAME!!!                      ADDRESS                      CITY RESIDENT                      NON RESIDENT  
example:

1. JAMES HORNADAY	491 E. PIONEER AVENUE	<input type="checkbox"/> ✓	<input type="checkbox"/>
2. SUE CHRISTIANSEN	15096 FRITZ CREEK	<input type="checkbox"/> ✓	<input type="checkbox"/>
3.		<input type="checkbox"/>	<input type="checkbox"/>
4.		<input type="checkbox"/>	<input type="checkbox"/>
5.		<input type="checkbox"/>	<input type="checkbox"/>
6.		<input type="checkbox"/>	<input type="checkbox"/>
7.		<input type="checkbox"/>	<input type="checkbox"/>
8.		<input type="checkbox"/>	<input type="checkbox"/>
9.		<input type="checkbox"/>	<input type="checkbox"/>
10.		<input type="checkbox"/>	<input type="checkbox"/>
11.		<input type="checkbox"/>	<input type="checkbox"/>
12.		<input type="checkbox"/>	<input type="checkbox"/>
13.		<input type="checkbox"/>	<input type="checkbox"/>
14.		<input type="checkbox"/>	<input type="checkbox"/>