Agenda
Economic Development Advisory Commission Regular Meeting

Tuesday, February 10, 2026 at 6:00 PM
City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

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

Zoom Webinar ID: 990 0366 1092 Password: 725933
https://cityofhomer.zoom.us
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

CALL TO ORDER, PLEDGE OF ALLEGIANCE, 6:00 P.M.

AGENDA APPROVAL

PUBLIC COMMENTS ON MATTERS ALREADY ON THE AGENDA (3 minute time limit)

RECONSIDERATION

CONSENT AGENDA (Items listed below are considered routine and non-controversial by the Commission and are approved in one motion. If a separate discussion is desired on an item, a Commissioner may request that item be removed from the Consent Agenda and placed on the Regular Agenda under New Business.)

A. Approval of the January Minutes

VISITORS/PRESENTATIONS (10 minute time limit)

STAFF & COUNCIL REPORT/COMMITTEE REPORTS

A. February Staff Report

B. Chamber Director's Report

C. Homer Marine Trades Association Report

D. Kenai Peninsula Economic Development District Report

E. Guiding Homer's Growth and Housing

PUBLIC HEARING

PENDING BUSINESS

A. CEDS-KPEDD Draft Comprehensive Economic Development Strategy

NEW BUSINESS

A. Staff Report Short Term Rentals

INFORMATIONAL MATERIALS

A. City Manager Reports

B. Annual Meeting Schedule

C. Work Plan

COMMENTS OF THE AUDIENCE (3 minute time limit)

COMMENTS OF THE CITY STAFF

COMMENTS OF THE COMMISSION

ADJOURNMENT

Next Regular Meeting is **Tuesday, March 10, 2026 at 6:00 p.m.** All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar.

CALL TO ORDER

Session 26-01 a Regular Meeting of the Economic Development Advisory Commission was called to order by Chair Karin Marks at 6:02 p.m. on January 13th, 2026 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar, and opened with the Pledge of Allegiance.

PRESENT: COMMISSIONERS STARK, MARKS, NOOMAH & ZUBEK

ABSENT: COMMISSIONERS YOUNG & AREVELO

STAFF: COMMUNITY DEVELOPMENT DIRECTOR ENGEBRETSEN & DEPUTY CITY CLERK PETTIT

AGENDA APPROVAL

Chair Marks requested a motion and second to approve the agenda.

NOOMAH/ZUBEK MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

A. Unapproved Regular Meeting Minutes of 10, 2025

ZUBEK/NOOMAH MOVED TO APPROVE THE REGULAR MEETING MINUTES OF NOVEMBER 12, 2025.

There was no discussion.

VOTE: NON-OBJECTION: UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

STAFF & COUNCIL REPORT/COMMITTEE REPORTS

A. January Staff Report
B. Strategic Plan Report
C. Itinerant Merchants Staff Report
D. CEDS Staff Report
E. Annual Calendar Staff Report

A. Community Development Director Engebretsen provided her staff report, covering the following items:
   - Comprehensive Plan Adopted
   - AEDC Visit-HERC

B. Strategic Plan

C. Itinerant Merchants Staff Report

D. Kenai Peninsula Economic Development District Report

E. Annual Calendar Staff Report

PUBLIC HEARING

PENDING BUSINESS

NEW BUSINESS

INFORMATIONAL MATERIALS

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

COMMENTS OF THE MAYOR/COUNCIL MEMBER (If Present)

COMMENTS OF THE COMMISSION

ADJOURNMENT

There being no further business to come before the Commission, Chair Marks adjourned the meeting at 8:10 p.m. The next regular meeting is Tuesday, September 9, 2025 at 6:00 p.m. All meetings are scheduled to be held in the City Hall Cowles Council Chambers and via Zoom Webinar.

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MARYA PILLIFANT, DEPUTY CITY CLERK

Approved:_______________________________________

EDC 26-0xx

AGENDA ITEM REPORT

February Staff Report

Item Type:	Information Memorandum
Prepared For:	Economic Development Advisory Commission
Meeting Date:	February 5, 2026
Staff Contact:	Julie Engebretsen, Community Development Director

Title 21 Zoning Code Update: The Planning Commission didn't have a quorum for their 1/21 meeting, and didn't complete all their discussion on 2/4. So they will have another work session on 2/18. I'll have an update at our March meeting on the release and process of the public review draft of the code. Later in the Spring, the plan is for another Public Hearing draft of the code – so lots of times and opportunity to comment. Stay tuned.

HERC Update: We're live! AK DEC and the college to host a presentation on Thursday February 12th about the HERC. There is a recent report with rough cost estimates for remediation, and someone from DEC will be in Homer to answer questions and talk about next steps.

Wayfinding: I met with AKDOT on Tuesday to discuss updating the signage along the Sterling Highway. DOT is planning to repave the section of roadway between Baycrest (the gas station area) and Kachemak Drive. This repaving project creates an ideal opportunity to install updated wayfinding signs at the same time.

City staff and I are working together to make sure DOT understands the types of signs we'd like to see included and what we can accomplish within our current budget. This is a slow-moving process, and based on DOT's schedule, it will likely be at least two more summers—possibly three—before new pavement or new signage is in place. In the meantime, getting our preferred signage incorporated into the project plans is the first and most important step toward seeing real changes on the ground.

Attachments:

HERC meeting flier
HERC media release
Credit Union 1 article

Join Us!

HERC Cleanup Community Meeting

We'll cover:

- Recent hazmat test results
- Recent remediation
- Cleanup Options
- Next steps

Thursday, Feb 12

6 pm Presentation fo lowed by Q&A

Kachemak Bay Campus
533 E Pioneer Ave
with Zoom option

DEPARTMENT OF ENVIRONMENTAL CONSERVATION
STATE OF ALASKA

CITY OF HOMER ALASKA
March 31, 1964

More info at

cityofhomer-ak.gov/

City of Homer
www.cityofhomer-ak.gov

Administration
491 East Pioneer Avenue
Homer, Alaska 99603
(p) 907-235-8121 x2222
(f) 907-235-3148

MEDIA RELEASE:

Community Meeting on the HERC Cleanup

HOMER, Alaska, February 2, 2026 –The City of Homer is hosting an informational meeting on Thursday, February 12, at 6 p.m. about cleanup options for the Homer Education and Recreation Complex (HERC). The meeting will be held at Kenai Peninsula College's Kachemak Bay Campus and will feature a presentation by Flannery Ballard, Brownsfields Lead for the Alaska Department of Environmental Conservation.

Ms. Ballard will present an overview of hazardous materials at the HERC, the results and implications of the recent soils tests and Analysis of Brownsfields Cleanup Alternatives (ABCA), and next steps based on the ABCA alternatives. The City will provide an update on recent and ongoing work on the HERC activity room and gymnasium. A question and answer session will follow the presentation.

An online viewing opportunity via Zoom is currently being arranged, and the Zoom link will be available on the City of Homer's website closer to the event date. The City also has additional information about the HERC hazardous material cleanup and revitalization plan on their website for those interested in familiarizing themselves with the work-to-date. https://www.cityofhomer-ak.gov/planning/herc-cleanup-community-meeting

We hope to see you there!

Contact:
Julie Engebretson
Community Development Director, City of Homer
jengebretson@ci.homer.ak.us
(907) 435-3119

AlaskaBusiness

Continued Expansion as Credit Union 1 Plans Homer Branch

Jan 27, 2026 | Finance, News

Photo Credit: Credit Union 1

Coming soon to Pioneer Avenue in Homer: a new credit union branch.
After a year that saw Credit Union 1 (CU1) open three new branches around Alaska, 2026 begins with plans for the next full-service branch opening in Homer. Located at 475 East Pioneer Avenue, the branch is scheduled to open in mid-summer.

Sweet Sixteenth

“CU1’s decision to open a branch in Homer was inspired by the city council’s 2045 Homer Comprehensive Plan and the community’s clear commitment to thoughtful growth, strong neighborhoods, and a thriving local economy,” says CU1 President and CEO Mark Burgess. “We’re opening a branch in Homer so we can be right here with you, providing local service, trusted guidance, and the financial tools that help families and businesses build what’s next.”

The new CU1 branch is intended to help close a gap in Alaska-focused financial services on the Lower Kenai Peninsula for small businesses, fishing families, seasonal workers, and year-round residents. Staff at the new branch will offer consumer banking, mortgage lending, and business solutions.

“Our goal is to show up in a way that reflects Homer’s values and spirit,” says CU1 COO Erika Smith, a long-time Kenai Peninsula resident. “Because we serve only Alaska, our decisions are made locally, and our resources are reinvested directly back to the communities we serve.”

CU1 has served Kenai Peninsula members since 1972. The only state-chartered credit union in Alaska formed in 1952 as Anchorage Teachers Federal Credit Union and enlarged through a series of mergers. Another merger was announced last year, with MAC Federal Credit Union in Fairbanks. CU1 also expanded its business lending program and opened three branches: in Kotzebue, Skagway, and Wasilla.

The branch in Homer would be its sixteenth.

MEMORANDUM

EDAC-26-XXX

Comprehensive Economic Development Strategy - KPEDD DRAFT

Item Type: Action Memorandum

Prepared For: Economic Development Advisory Commission

Date: February 4, 2026

From: Julie Engebretsen, Community Development Director

SUMMARY:
The Kenai Peninsula Economic Development District (KPEDD) updates its Comprehensive Economic Development Strategy (CEDS) every five years. This document covers the entire borough. The draft is now out for public review - a link was emailed to the Commission on 2/3/26. Its's a lengthy document!

The Comprehensive Economic Development Strategy (CEDS) is a regionally driven, five-year plan that analyzes economic conditions, sets shared priorities, and outlines actionable strategies to promote long-term, resilient economic growth. This plan also seeks to unite regional efforts, mitigate redundancies and reduce waste. The goals set forth by survey respondents are:

1. **Natural Resources & Infrastructure - Expand housing, diversify energy, modernize transportation, and prepare for natural disasters and hazard risks.**
2. **Social & Community Engagement - Strengthen schools, childcare, and healthcare while maintaining safe, vibrant communities.**
3. **Economic Opportunity - Diversify industries, support small businesses, protect fisheries, and stabilize the cost of living.**

If the Commission would like to comment as a group we can do that, but I would also encourage Commissioners to read the sections that are really interested in and comment directly to KPEDD. The public comment period is open and all comments are requested by March 7th. Visit https://kpedd.org/ceds/ for more information.

RECOMMENDATION:

Review the Executive Summery, included as an attachment. The whole document is 124 pages and not reproduced in your packet.

Next Steps:

1. Review the document and comment if you would like.
2. After the document is final, the EDC can look as specific items you'd like to monitor in relation to Homer.

ATTACHMENTS:

1. CEDS Executive Summary

2026-2031

Comprehensive Economic Development Strategy

KENAI PENINSULA ECONOMIC DEVELOPMENT DISTRICT

907-283-3335 - info@kpedd.org
www.KPEDD.org
www.KenaiPeninsulaWorkforce.org

Executive Summary

The Kenai Peninsula Borough's Comprehensive Economic Development Strategy (CEDS) provides a roadmap to guide growth, resilience, and opportunity through 2031. Built on extensive community input, including twelve regional surveys, stakeholder workshops, roundtables, polling, and engagement across all corners of the Borough, this plan reflects the values, priorities, and aspirations of the people who live, work, and thrive here.

This strategy builds on principles of regional resilience and community wealth creation, expanding prosperity through the stewardship of the Kenai Peninsula's natural, social, and built assets. This approach ensures that economic development strengthens local ownership, enhances quality of life, and keeps the benefits of growth within the region.

Vision 2031

The Kenai Peninsula in 2031 is a thriving, resilient region where housing is affordable and available, schools and workforce programs prepare residents for high-demand careers, natural resources are sustainably managed, and community connectedness remains a key strength. With diversified industries, reliable infrastructure, and strong local leadership, the Peninsula offers opportunities for young families, workers, retirees, and entrepreneurs alike.

Key Strengths

- World-class salmon runs, abundant natural beauty, and unparalleled outdoor recreation.
- Strong sense of community, small-town quality of life, and mutual support.
- Growing business base, improved broadband, and transportation infrastructure investments.
- Tourism assets that anchor the economy and offer year-round expansion opportunities.

Core Challenges

- Severe housing shortages and high costs constrain the workforce, families, and businesses.
- High cost of living, including energy, shipping, and healthcare.
- Underfunded schools, childcare shortages, and workforce retention difficulties.
- Over-reliance on oil, gas, fisheries, and tourism exposes the economy to volatility.
- Natural hazards: wildfires, earthquakes, erosion, and declining fisheries.

Executive Summary

Strategic Goals

1. Natural Resources & Infrastructure – Expand housing, diversify energy, modernize transportation, and prepare for natural disasters and hazard risks.
2. Social & Community Engagement – Strengthen schools, childcare, and healthcare while maintaining safe, vibrant communities.
3. Economic Opportunity – Diversify industries, support small businesses, protect fisheries, and stabilize the cost of living.

Action Plan Highlights (prioritized)

1. Train 500 residents in high-demand occupations and double CTE enrollment by 2031.
2. Develop 200 new affordable housing units by 2031.
3. Create 10 new licensed childcare facilities (approximately 100 spots) by 2031.
4. Facilitate the deployment of at least three alternative energy demonstration projects by 2031.
5. Support the development of new value-added, ocean-related food processing by 2031 to support the diversification of the ocean-driven industries.
6. Ensure representation of regional fisheries stakeholder groups' input at key fisheries decision-making convenings.
7. Track the Borough-wide cost of living and report to stakeholders to support enhanced decision-making that empowers residents coping with the high cost of living.
8. Support the aging population through housing and workforce development initiatives for service providers.

Resilience at the Core

Resilience is embedded throughout this CEDS. From wildfire and coastal erosion mitigation to fiscal responsibility and energy diversification, the Borough is preparing to withstand shocks, adapt to change, and seize emerging opportunities. KPEDD's role is to convene partners, leverage resources, and ensure that every investment builds a stronger, more resilient Kenai Peninsula.

The CEDS plan encompasses an economically, geographically, and culturally diverse region, incorporating the projects and ideas of our communities. This plan is critical to the strategic and sustainable growth of the Kenai Peninsula Borough.

Cassidi Cameron **cutive Director**

Creatrng a comprehensrve strategy for the future of the Kenar Penrnsu a Borough requrres a team of dedrcated rndrvrdua s to represent therr communrtres and the stakehoders of the regron. The CPDS Strategy Commrttee provrdes rnput on outreachs organrzatronssurvey questronss representatron of stakehoderss and u trmate y the frna wrrtten CPDS document.

The dedrcated members of the 2026-2031 CPDS Commrttee are as fo owsl

Name	Seat
Jure Pngebretsen	Crty of Homer
Laura Rhyner	Crty of So dotna
Dana Cannava	Kenar Penrnsu a Borough
Shanon Davrs	Centra Penrnsu a Hosprta
Larrssa Arbe ovsky	Ppperhermers ?nc.
Samantha A en	Seward Chamber of Commerce
Cartrn Coreson	Kenar Penrnsu a Pconomrc Deve opment Drstrrct

The CPDS Strategy Commrttee members met month y from August 2024 through January 2026 to drscuss the progress of the CPDSs communrty feedbacks and to strategrze the best way to artrcu ate and rncorporate the needs and desrres of communrty members rnto the frna CPDS.
Overa drrectron was a so provrded by the KPPDD Board of Drrectorss the staff of the Kenar Penrnsu a Pconomrc Deve opment Drstrrcts and Pconomrc Deve opment Consu tants BPDCO rsted be ow.

Current KPJDD Board Members:

Lenora BLenONresen	KPB Offrcra
Kevrn Buettner	Crty Offrcra l Kenar
Karrn Marks	Crty Offrcra l Homer
Jan Yaeger	Crty Offrcra l Se dovra
Brre Wa ace	KPB Apporntee
Jason Brckrng	Crty Offrcra l Seward
Lrnda Mrtche	Crty Offrcra l So dotna
Sara Breber	KPPDD Apporntee
Trm Redder	KPPDD Apporntee
Brad Anderson	KPPDD Apporntee
Todd Smrth	KPPDD Apporntee
Bruce Rrchards	KPPDD Apporntee
Chrrs Hough	KPPDD Apporntee
Jeff Hetrrck	KPPDD Apporntee
Rusty Swan	KPPDD Apporntee
Jack B ackwe	KPPDD Apporntee

KPJDD Staff:

Cassrdr Camerons Pxecutrve Drrector;
Cartrn Coresons Program Manager

JDC Staff:

Dr. A yssa Rodrrguess Prrncrpa

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MEMORANDUM

EDAC-26-XXX

Recommendations to Council on Short Term Rentals

Item Type: Action Memorandum

Prepared For: Economic Development Advisory Commission

Date: February 4, 2026

From: Julie Engebretsen, Community Development Director

SUMMARY:

The Economic Development Advisory Commission reviewed its annual work plan at the regular meeting on January 13, 2026. The Commission determined that short-term rentals remain an ongoing issue for the community and that they would like to forward a recommendation to the City Council regarding potential next steps. This draft memo is provided for the Commission's review and any amendments prior to passing a motion to send it to the City Council for their consideration. Line numbers are provided so the Commission can make specific edits during the meeting.

A little refresher – the EDC made a recommendation to Council against adoption of a draft ordinance in early 2024. Not to go back too far in time but the gist was this: "EDC RECOMMENDS THAT CITY COUNCIL BRING THIS ORDINANCE BACK TO THE DRAWING BOARD AND DRILL DOWN DEEPER INTO THE ISSUES THAT THEY ENVISIONED THAT THIS ORDINANCE WOULD ADDRESS AND TAKE INTO CONSIDERATION ALL POINTS MADE BY THE EDC, THE PLANNING COMMISSION, AND MEMBERS OF THE PUBLIC."

Moving Forward: Commissioner Noomah has provided a memo, resources and suggestions, attached to this staff report. Theo suggests that the table on page 22 of the NLC publication could be a good starting point for discussing policy goals. Read his memo next and then come back here to the draft memo!

BEGIN DRAFT MEMO TO COUNCIL:

Short Term Rentals continue to be a topic of conversation in the community. The recently adopted Comprehensive Plan, Chapter 4 Strategy 2 Action d states: "Monitor short term rentals and their impact on the housing market and develop strategies to mitigate impacts of short-term rentals on year-round housing." Although the suggested Target Timeframe is Medium – 3-5 years after plan adoption, the EDC would like to see the City address these issues sooner. To that end, the EDC would like the City to consider re-visiting the issue of short-term rentals in fall of 2026, after work on the Title

21 Code is complete. It is anticipated that the Current Title 21 Zoning Code Rewrite project will address Chapter 2 Strategy 2 Action (j) “Clarify the definition of short-term rentals in city code … and define in what zones and under what circumstances short term rentals may be allowed.”

Requested Action:

1. City Council approval for the EDC to spend several months of meeting time and staff resources on this topic
2. (EDC: what timeframe is desired – ie, would you make recommendations to Council in a 6-8 month timeframe, or …?
3. (EDC – what resources would you like? A council sponsor? Funding? Are we hosting events at the college with an estimated budget impact? Or is the vision this all happens at monthly EDC meetings?)

Attachments

1. Commissioner Noomah’s 2/5/26 Memo
2. Short-Term Rental Regulation National League of Cities
3. Ordinance 23-62(S) FAILED STR ordinance

Request for Economic Development Advisory Commission to Consider Goals for Short-Term Rental Regulation and Related Policy Levers

Item Type: Action Memorandum
Prepared For: Economic Development Advisory Commission
Date: February 5, 2026
From: Commissioner Theo Noomah

Action Item Requested:

1. Read the following attached materials:
    a. Short-Term Rental Regulations: A Guide for Local Governments from the National League of Cities.
    b. Ordinance 23-61 An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 5 to add Chapter 5.48 Short Term Rentals
2. Expand our memo to Council. Add a few bullet points listing goals we think that future STR regulations should prioritize and relevant policy levers.

Discussion Points:

1. What goals do we as a commission think STR regulations for Homer should try to accomplish? Consider this list from the NLC paper:
    a. Prevent the loss of rental housing.
    b. Slow or prevent the overgrowth of STRs.
    c. Combat displacement.
    d. Preserve the residential quality of neighborhoods.
    e. Balance the needs and rights of property owners and neighbors.
    f. Ensure the health and safety of guests and residents.
    g. Capture tax revenue.
    h. Support tourism in a balanced way.
    i. Allow for economic gain for residents
2. What goals was Ordinance 23-61 equipped to address? What was it not equipped to address?
3. What goals do we think should be prioritized in the future of STR regulation, and what policy levers should be utilized in a future ordinance? Identify a few and include them in our memo to Council.

NATIONAL LEAGUE OF CITIES

CENTER FOR CITY SOLUTIONS

Short-Term Rental Regulations:

A GUIDE FOR LOCAL GOVERNMENTS

NATIONAL LEAGUE OF CITIES
CENTER FOR CITY SOLUTIONS

About the National League of Cities

The National League of Cities (NLC) is the voice of America's cities, towns and villages, representing more than 200 million people. NLC works to strengthen local leadership, influence federal policy and drive innovative solutions.

NLC's Center for City Solutions provides research and analysis on key topics and trends important to cities, creative solutions to improve the quality of life in communities, inspiration and ideas for local officials to use in tackling tough issues, and opportunities for city leaders to connect with peers, share experiences and learn about innovative approaches in cities.

Authors

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Acknowledgments

The authors wish to recognize **Matthew Disler** of the Harvard Berkman Klein Center for Internet & Society for his contributions to this report and **Kristin Szakos** for copy editing. The authors also wish to thank the city staff and elected officials who agreed to be interviewed to inform this report, including those from **Fayetteville, AR, San Diego, CA, Charleston, SC, Lake Placid, NY, Columbus, OH**, and **Henderson, NV.**

INTERACTIVE
Contents

Foreword

IN RECENT YEARS, short-term rentals have increased in cities, towns and villages across the United States. As a result of this growth, local leaders have had to grapple with competing benefits and challenges – in particular, how to ensure a healthy stock of affordable housing and how to support local tourism and economic development opportunities. One of the top priorities for city leaders today is to ensure that residents and visitors to their communities have access to safe, affordable lodging.

These competing priorities make passing regulations difficult, which is why it's not surprising that short-term rentals have become a common topic of discussion among our members at the National League of Cities (NLC). Members faced with these challenges often ask us: "What tools are available to assist me with regulating short-term rentals in my community?"

This persistent question led NLC to research short-term rental regulations in cities across the country and ultimately produce Short-Term Rental Regulations: A Guide for Local Governments. Based on an analysis of 60 short-term rental ordinances, this action guide lays out a detailed overview of best practices for cities to develop and pass short-term rental regulations in their communities.

While no two municipalities face the same opportunities and challenges when it comes to regulating short-term rentals, this research provides insight into how to chart a path forward successfully. This guide recommends local leaders create and enforce firm and fair regulations by focusing on clear policy objectives, centering racial equity as a critical component in their planning and actively engaging with relevant stakeholders throughout the process.

Short-term rentals can open a swath of opportunity for homeowners looking to make additional dollars, while also providing economic development opportunities in neighborhoods that may not generally see high levels of tourism. By bringing community and industry leaders together, local leaders can create policies that work for both – and maximize the potential value of short-term rentals for hosts, guests and neighbors alike, all while protecting the affordability of neighborhoods.

While short-term rentals are a prominent issue today, this challenge is not a new one for local leaders. There are often difficulties that come with maximizing economic growth while protecting community interests. Mayors, councilmembers and other local elected officials are well-equipped to help bring stakeholders together to understand and navigate potential trade-offs.

Local leaders have an incredibly important role to play in capitalizing on the benefits of short-term rentals and minimizing potential negative impacts. I hope this resource will help your community make decisions about short-term rentals that are best for your residents.

Clarence E. Anthony

CEO AND EXECUTIVE DIRECTOR
National League of Cities

Introduction

THE RAPID GROWTH of short-term rentals in cities, towns and villages across the U.S. has caused much controversy. From contentious City Hall meetings where residents advocate for more stringent or more relaxed regulations to lengthy and expensive legal battles between cities and short-term rental platforms, cities can get caught in the cross-hairs of a complicated policy issue. Short-term rentals present no shortage of challenges for local leaders, as they can affect housing availability and affordability, local tourism and economic development, neighborhood wellbeing, and health and safety. However, many cities have learned important lessons in navigating these complex issues and offer some best practices for others to learn from.

Regulation of short-term rentals has proven to be an important and effective tool in making short-term rentals work for all parts of the community. Regulations that define what short-term rentals are and have appropriate mechanisms in place should intervention be necessary have helped city leaders steer the conversation toward solutions and meeting community needs. The purpose of regulating short-term rentals is not to be overly punitive or to prohibit them, but to put safeguards and appropriate enforcement mechanisms in place for when problems arise.

This Action Guide will not settle debates about the specific impacts of short-term rentals on each community. Instead, it aims to equip local leaders with appropriate information and tools to adopt or amend ordinances that serve their community best: policies that are equitable; that protect municipal interests such as health and safety and housing affordability; that preserve the residential quality of neighborhoods; and that enable responsible and eligible residents to earn some additional income.

Defining Short-Term Rentals

What is a Short-Term Rental?

In general, short-term rental (STR) refers to an activity in which one party, the "host," agrees to rent out all or part of a home to another party, the "guest," on a temporary, time-limited basis. The precise legal definition of a short-term rental varies by community. Most short-term rental ordinances include details on the following types of provisions that define short-term rentals for a particular community:

LOCATION AND USE:
Where and how many short-term rentals are allowed

TIMING:
How long short-term rentals can be rented for

MANNER OF RENTAL:
Additional requirements for hosts and guests

What Can Communities Regulate?

Regulations vary, depending on the needs of the locality issuing them. In a community where vacant properties are a problem, regulations might focus on upkeep and oversight. In a community where housing stock is scarce, regulations might be put in place to limit the number of properties lost to residential rentals.

owever, regulations include some combination of the following provisions:

ONS	DETAILS
LOCATION AND USE	**Geographic limits:** Cities can decide to limit the availability of STRs in specific areas of cities, such as particular residential areas or neighborhoods with specific historic character. **Commercial-residential distinctions:** Cities can establish different rules for properties in residential and commercial areas to account for the different interests of communities in each of these areas.
TIMING	**Primary residence requirements:** Cities can require that the STR is occupied by the host for most of the year, and/or that the rental is in or part of the owner's primary residence. **Day limits:** Cities can include provisions capping the number of days per year that hosts can rent their STR.
AL	**Registration and licensing:** Cities can require hosts to register their properties with the city and can require rental platforms (e.g., Airbnb, Vrbo, etc.) to ensure that properties listed on their sites are properly registered. **Taxes:** Cities can require that hosts pay transient occupancy taxes, which are taxes on what guests pay for temporary lodging in the city and are usually collected and remitted by hotels, motels and similar businesses. Cities can also work with STR platforms and other third-party providers to minimize the burden of tax remittance. **Occupancy limits:** Cities can limit the number of guests per stay, usually by establishing a guests-per-bedroom or per-property cap. **Health and safety regulations:** Cities can require STRs to have fire safety equipment and carbon monoxide detectors; display emergency information for guests; adopt measures to maintain a sanitary residence; and adopt plans for emergencies, among other requirements. **Noise and event regulations:** Cities can restrict the use of STRs for large gatherings and events, and they may explicitly require that guests comply with existing noise, trash and parking ordinances.

The Issue

Short-term rentals are not a new concept. Companies like Vrbo, HomeAway, Couchsurfing and Craigslist have offered consumers short-term rental options since the late 1990s without much controversy.[1] The meteoric growth of the short-term rental industry in the 2010s changed that. Companies like Airbnb, Vrbo, HomeAway and FlipKey grew in popularity while consumer appetite for more original, authentic and local experiences increased, driving demand higher.

As short-term rentals become more accessible to both hosts and users, use skyrocketed over a short period. But the meteoric success of short-term rental platforms has not been welcomed unreservedly. Common complaints are that short-term rentals can drive up local rents, limit the availability of long-term residential rentals, attract an influx of tourists and create excessive noise.[2]

Local leaders attempting to chart the pathway forward for short-term rentals in their communities must respond to many competing interests, making passing regulations and balancing those interests difficult. Some of these issues that must be considered include:

Housing

The research is divided on whether short-term rentals contribute to the housing crisis. Regardless of whether the exact impact on the housing market is measurable, it is undeniable that many cities in the U.S. face a housing crisis – due to a shortage of affordable housing, steady decline in federal investment in low-income housing, wage growth stagnation, etc. – and that short-term rentals may contribute to housing unaffordability and unavailability.

Tourism

Short-term rentals outside of the typical tourism areas in cities can be a boon to local economies, spreading dollars across the cities in ways that traditional lodging accommodations do not. On the other hand, cities with high tourism rates face a greater share of the negative impacts of short-term rentals in communities. In high-tourism communities, large numbers of whole home rentals can affect neighborhood cohesion, as they may stand empty for weeks at a time or experience high turnover in guests.

Preemption

Preemptive state laws can limit cities' ability to regulate short-term rentals. The impacts of preemptive laws can range from a complete inability to regulate, to restrictions on the kinds of regulations that can be imposed.

Public Health and Safety

Poorly regulated and unsupervised short-term rentals can threaten the safety of neighborhoods for residents and guests alike. Party houses have become a significant point of contention in some communities. Guests may ignore or be unaware of noise, trash and parking ordinances.

For myriad reasons — both within and outside of city control — cities may find it difficult to enforce the regulations they do have. Some ordinances are difficult for hosts and residents to understand and difficult for the city to enforce because they are overly complicated or poorly publicized. In other instances, cities may have no systematic way to identify hosts who are not in compliance or to keep track of what properties are being used for short-term rentals, and when. Understanding the most common barriers to effective regulation — unclear rules and lack of data — is key to making sound policy choices. Despite the limitations and challenges that city leaders face, local leaders can pass regulations that effectively balance competing interests, fit community needs, and most critically, are enforceable.

Recommendations: Short-Term Rental Regulations

This Action Guide will help local leaders break down the process of developing a short-term rental ordinance, provide relevant city examples and identify key tips. The following recommendations are a menu of policy principles and good practices that cities should explore when establishing or updating their regulations, based on research into short-term rental ordinances and policies across the country.

THE NATIONAL LEAGUE of Cities analyzed 60 short-term rental ordinances to inform this report across 30 indicators, including the legal definition of short-term rentals, regulations and enforcement. At least one city, town or village was selected in each state, with two cities, towns or villages selected for the top ten states by population (California, Texas, Florida, New York, Pennsylvania, Illinois, Ohio, Georgia, North Carolina and Michigan) to ensure that a diversity of local context was represented in the analysis.

The recommendation sections (Understand the Landscape, Develop and Pass Regulations, Enforcement, and Revisit and Adapt) are meant to build off each other and should therefore be executed in chronological order. They are detailed in the section below.

STAND
NDSCAPE

- Gather Data
- Engage a Diverse Group of Stakeholders
- Identify Policy Goal(s)

OP
ASS
TIONS

- Apply a Racial Equity Lens
- Pass Regulations Early
- Craft Simple Regulations
- Institute a Permit Requirement
- Determine Fines and Fees
- Establish a Clear Taxing Model
- Negotiate an Agreement with Platforms

CEMENT

- Dedicate Resources to Enforcement
- Ensure Extensive Communication and Marketing
- Move Registration and Administration Systems Online

T
DAPT

- Establish a Feedback Loop

UNDERSTAND THE LANDSCAPE

Before passing regulations, understand the local short-term rental landscape. This should involve extensive information gathering and thorough engagement with relevant stakeholders. Be mindful of what issues are associated with short-term rentals in your community to determine the goals your policy should meet.

GATHER DATA

While anecdotes are powerful, they are not a proxy for actual data to estimate the number and location of short-term rentals operating in a community. In some cases, data may be available through third-party platforms such as Inside Airbnb or AirDNA. Knowing approximately how many units may be on the market is critical to understanding the scope of the issue.

KEY DATA POINTS INCLUDE:

How many short-term rentals are operating in your community?

What is the breakdown between hosted room rentals vs. whole home rentals?

Where are short-term rentals operating in your community?

What neighborhoods are most affected?

What is the average daily price of short-term rentals vs. hotels?

What is the occupancy rate of short-term rentals vs. hotels?

How much revenue are short-term rental properties generating vs. hotels?

Additional data sources that can help supplement short-term rental-specific data to develop a comprehensive picture of the local landscape can include tourism, housing and complaint data. Connect with local tourism boards to gather information such as how much money visitors are spending, where visitors are spending their money, where they are staying, where they are spending their time and how long they are staying. Leverage data sources such as the American Community Survey to understand the breakdown in renter vs. homeownership rates, vacancy rates and demographic information in different neighborhoods to contextualize short-term rentals in the broader housing landscape. Records of noise and nuisance complaints (e.g., through 311 calls or similar complaint or service request software) can also help cities understand where these complaints are filed and what they are.

ENGAGE A DIVERSE GROUP OF STAKEHOLDERS

Engage a network of stakeholders, including but not limited to tenants, landlords/homeowners, hotel and motel industry representatives, neighborhood organizations, housing advocates, tourism agencies and short-term rental platforms. This mix will look different for each city, but identifying relevant stakeholders will be key to understanding the challenges and opportunities each city faces.

Hold virtual or in-person town hall meetings, drop in on various group meetings (e.g., landlord associations, property owner groups, neighborhood associations, etc.) and solicit comments from members of the public to gauge the perceptions of short-term rentals directly from community members. Cities can, for example, work with neighborhood associations to map areas especially strained by short-term rentals or tourism. Residents have the closest ear to the ground. City leaders should leverage this knowledge to their advantage.

Cities have a lot to gain by partnering with platforms, but the relationship-building process can be contentious at times. These relationships are more likely to be positive when cities come to the discussion table with a clear goal in mind and communicate it with the platforms.

ENTIAL STAKEHOLDERS INCLUDE:

- l and lodge union sociation
- s or hotel union sociation
- or groups sociations
- Restaurant associations
- City Council
- Local planning groups and organizations
- Existing short-term rental operators
- Platforms (e.g., Airbnb, Expedia, etc.)
- Neighborhood associations
- Housing advocates
- Tourism agencies

CITY SPOTLIGHT:

FAYETTEVILLE, AR

In 2018, the City of Fayetteville's Sustainability Department worked with the University of Arkansas' Public Policy Department to explore short-term rentals. The students leveraged data sources such as AirDNA to gather the following information:

- Active rentals
- Average booked properties
- Occupancy rate
- Average booking rate per night
- Average Airbnb private room price (Fayetteville)
- Average hotel room price (Fayetteville)
- Average Airbnb private room price (Downtown Fayetteville)
- Average hotel room price (Downtown Fayetteville)[3]

Based on this information, the students generated maps of short-term rental locations in the Fayetteville area, noting a large concentration of Airbnb rentals in the downtown area. This analysis was presented to city staff and elected officials in December 2018 to inform their discussion on short-term rentals in Fayetteville.

CITY SPOTLIGHT:

SAN DIEGO, CA

While drafting its short-term rental ordinance, the City of San Diego engaged a wide variety of stakeholders including:

- Unite Here, a union for motel/lodges
- Neighborhood groups
- Hotel stakeholders, including the hotel/motel association
- Realtor groups and associations
- The restaurant association
- City Council
- Local planning boards and organizations
- Pre-existing STR operators
- Expedia Group and Airbnb

A staff member from the San Diego City Council conducted meetings with the stakeholders. The meeting format and length varied. The city representative sometimes met stakeholders individually or invited them to speak at public meetings. Those interested in engaging longer-term were invited to a permanent stakeholder group. The stakeholder group continues to provide input on short-term rental regulation implementation.

Compromise was eventually reached, most notably in the form of a memorandum of understanding (MOU) between Unite Here and Expedia Group. Through the MOU, these two major stakeholders with different perspectives agreed to partner to help regulate the short-term rental market. The MOU also laid the foundation for the regulations that the city would push forward when engaging with other stakeholder groups. Following this engagement process, the ordinance was presented to the public, Planning Commission, mayor and Coastal Commission. The city found that putting the time in to build relationships and establish trust between the municipality and short-term rental platforms was essential to the ordinance's success. Further, going into the process with a clear goal, while being mindful of what compromises e made, allowed the city to achieve buy-in from a diversity of stakeholders.

IDENTIFY POLICY GOAL(S)

Develop a clear and concise policy goal for the short-term rental ordinance, driven by the city's overarching goals and community input. Review strategic city plans (e.g., comprehensive housing plans, 5- and 10-year city visions, master plans) and identify top city priorities that may dovetail with priorities for short-term rentals. For example, a city may have a broader goal to advance housing affordability and may choose to focus on preserving the stock of affordable housing as a policy goal. Or a city may have the broader goal to attract more tourism and choose to focus its regulations on enabling short-term rentals with appropriate guardrails in place as the tourism industry continues to grow.

Cities should be intentional about setting a goal or priority before drafting regulations. Without a clear "end goal," cities can pass regulations that may not align with community priorities, and do not have effective mechanisms to accomplish them. By deciding on a policy and community goal, cities can craft a simpler and more targeted ordinance.

Common goals, based on NLC's analysis of 60 cities, include:

- Prevent the loss of rental housing stock
- Support tourism in a balanced way
- Combat displacement
- Preserve the residential quality of neighborhoods
- Ensure health and safety for guests and residents
- Balance the needs and rights of property owners and neighbors
- Allow economic gain for residents
- Capture tax revenue
- Slow or prevent the overgrowth of STRs

KEY CONSIDERATION

Balance competing expectations. By their nature, short-term rentals can be a contentious issue, with strongly vested interests on all sides. Each stakeholder will have to make concessions from their vision of "ideal" regulations, so helping the community and STR platforms understand that compromise is needed is critical to setting realistic expectations. Having a clear policy goal will also help coalesce stakeholders around the city's broader vision and help justify policy choices.

CITY SPOTLIGHT:
CHARLESTON, SC

The City of Charleston began regulating short-term rentals in 2012, when it adopted regulations that allowed commercially zoned properties to be rented as short-term rentals in the Cannonborough Elliotborough neighborhood. The goal of the regulation was to bring reinvestment into vacant, abandoned and distressed properties in the neighborhood. In subsequent years, the city saw an increase in the number of short-term rental units in Cannonborough Elliotborough and throughout Charleston. With a growing number of short-term rentals and an incoming mayor interested in revisiting short-term rental regulations, the policy moved to the forefront of Charleston’s agenda again.

In 2016, the mayor and City Council began the process of updating short-term rental regulations by appointing a committee of local citizens to study and provide recommendations on short-term rentals. The committee included residents, representatives of the city’s preservation and historical societies, and tourism interests. Over time, a consensus was built around the goal to preserve the historic nature of downtown Charleston and allow short-term rentals to contribute to the local tourism economy, but only in such a way that did not alter the character of the city and negatively affect residents’ quality of life.

Based on this consensus, the city developed a category-based short-term rental permitting system that requires most short-term rentals to be owner-occupied, and details additional requirements for properties located in downtown Charleston or in properties listed with the National Register of Historic Places.

DEVELOP AND PASS REGULATIONS

As the short-term rental industry continues to mature, it has become clear that complex regulations are not only cumbersome for hosts and residents of the city but are also unenforceable. Policies with clear goals, fair implementation and mechanisms for enforcement will help everyone.

APPLY A RACIAL EQUITY LENS

One of the most commonly cited benefits of short-term rentals is that they allow hosts to generate extra income from existing assets. While this may be true, hosting is most commonly available to those who own a home. Homeownership is inseparable from race and inequality in America. According to the latest estimates from the U.S. Census Bureau, the homeownership gap between White and Black households was 30 percent in 2020.[4] According to NLC's ordinance analysis, only 38 percent of cities surveyed specifically allowed tenants to host a short-term rental. Even then, cities that do explicitly state that tenants are allowed to host require them to acquire written consent from their landlords or a have a rental contract that allows them to sublet their unit. Tenants face a high barrier to host even in the minority of cities that allow them to.

38%
of cities surveyed specifically allowed tenants to host a short-term rental.

The ability of short-term rentals to democratize the tourism industry is overstated when a majority of Black, Indigenous and People of Color (BIPOC) do not have access to homeownership. Given the divide in homeownership in America, the direct economic benefit of short-term rentals may exacerbate existing inequality. There is also evidence that hosts may discriminate based on race and ethnicity. A 2017 study of Airbnb data found that "applications from guests with distinctively African-American names are 16 percent less likely to be accepted relative to identical guests with distinctively White names."[5] Airbnb has since made moves to fight bias and discrimination, including changing when guest pictures are shown to a host in the booking process.[6] The city of Columbus, OH, passed a discrimination clause in its ordinance stipulating that a host shall not decline a potential guest, impose different terms or conditions, or discourage or indicate a preference for or against a guest based on race, gender, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.[7]

EY CONSIDERATION

cognize the role that short-term rentals play in exacerbating housing affordability. Consider dedicating some portion of STR permit or tax venue towards affordable housing funds or homeownership opportunities, or rmarking general fund dollars for similar programs. Boulder, CO stipulates in ordinance that "after administration expenses are met, any additional funds all be placed in the city's affordable housing fund."[8]

PASS RE GULATIONS EARLY

The short-te rm rental industry is rapidly growing. **Given the complexity of the policy and r egulatory space, be proactive and establish regulations before short-term rentals have a negative impact on the community.** Establishing regulations gives cities the power to intervene when necessary. It is much easier to limit the spread of short-term rentals before they have proliferated than it is to retroactivel y remove them from the market. Establishing regulations also becomes increasingly controversial as more stakeholders have a vested interest in seeing them maint ained. Even cities that have not yet faced the negative impacts of short-term r entals should pass regulations to regulate the STR market before they proliferate.

EY CONSIDERATION

common hurdle that cities face is what to do with pre-existing short-term tals once a new ordinance is passed. In 58 percent of the cities reviewed in e NLC ordinance analysis, cities required existing hosts to comply with gulations or apply for a permit or license. Cities must communicate early and early with existing hosts about their responsibilities under a newly passed or re vised ordinance to give them time to meet new regulations.

CRAFT S IMPLE REGULATIONS

Craft simple ordinances that are clear about policy goals. This will better equip leaders to e ngage in conversation with platforms, residents, property owners and holders invested in the ordinance outcome. Below is a list of common in the ordinance analysis, and key ordinance elements to achieve

Policy Levers to Pull to Achieve Common Policy Goals

PREVENT THE LOSS OF RENTAL HOUSING
Prevent long-term rental properties from being converted to short-term rentals.

Adopt a permit requirement and institute a host residency req which should prevent homeowners from renting properties sol short-term rentals and prevent properties from being purchase sole purpose of operating as short-term rentals.

SLOW OR PREVENT THE OVERGROWTH OF STRS
Prevent residential neighborhoods from being "overtaken" by guests to the detrimental of the neighborhood and residential feel of a neighborhood.

Adopt a permit requirement and set a specific quota (number percentage) on the number of short-term rental permits that w distributed in a particular geographic area (e.g., neighborhood, tract, ZIP code, etc.).

COMBAT DISPLACEMENT
The presence of short-term rentals can be particularly contentious in certain neighborhoods (e.g., neighborhoods that are experiencing displacement).

Adopt a permit requirement and set a quota on the number of term rentals that are allowed to operate in a specific zoning dis neighborhood, particularly areas of the city that are at risk of, currently experiencing displacement pressure. Beware that suc can limit existing low-income homeowners' ability to earn reve their homes. Therefore, consider how to equitably distribute p

Consider dedicating some revenue generated from permit fees to affordable housing or home-ownership programs. Explicitly affordable housing units from being rented out as short-term rentals.

PRESERVE THE RESIDENTIAL QUALITY OF NEIGHBORHOODS
Limit problem properties such as party houses or houses with complaints.

Adopt a permit requirement and include a limit to the number that can stay in a short-term rental. This limit can be tied to the of bedrooms in a short-term rental, or a total cap on the numb stay in any type of property. A common limit that cities institut adults per bedroom.

Require that short-term rental hosts provide their guests with Neighbor Guide" that summarizes all ordinances that guests ar to comply with during their stay (e.g., noise, trash, parking, etc.

Set restrictions on the number or percentage of short-term ren are allowed to operate in a particular neighborhood (or other g areas, such as census tract, ZIP code, etc.).

BALANCE THE NEEDS AND RIGHTS OF PROPERTY OWNERS AND NEIGHBORS
While lawful hosts have the right to rent their properties out, they should not infringe on the rights of neighbors. Enable hosts to rent out their homes while also ensuring that residents know where and how to file a complaint.

Adopt a permit requirement and establish a process for revoki from properties in violation, such as a "three strikes" rule. If thr complaints are filed within a certain time, the city can revoke a permit.

Establish a 24/7 hotline that residents can phone to report non-emergencies without calling the local police department o enforcement. Require short-term rental permit hosts to list a lo contact who can be reached should an issue arise.[9]

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OAL	POLICY LEVERS
ENSURE HEALTH AND SAFETY OF GUESTS AND RESIDENTS Ensure the safety of guests and residents, including minimizing public safety risks and noise and trash complaints.	Adopt a permit requirement that requires each listing to include a local contact who can be reached at any time. Use this emergency contact if a complaint is filed. Stipulate that if the registered contact is not responsive, the host's permit risks being terminated. Institute a permanent residency requirement. City leaders report that most complaints come from non-owner-occupied units. Hosts may be more invested in their property if they, too, call it home. Require that short-term rental hosts provide their guests with a "Good Neighbor Guide" that summarizes all ordinances that guests are required to comply with during their stay (e.g., noise, trash, parking, etc.). Require an inspection, or, if the city cannot carry out inspections, stipulate that the city has the right to inspect a property should sufficient suspicion arise that the property is not up to code. Institute a process for revoking permits from properties in violation, such as a "three strikes" rule. If three verified complaints are filed within a certain time, the city can revoke a host's permit.
CAPTURING TAX REVENUE Ensure that revenue is being collected.	Adopt a permit requirement that will make it easier to identify whether hosts are complying and paying the appropriate taxes. Use permit and tax revenue to either hire additional staff or a third-party provider to help monitor compliance. Reach an agreement with platforms that requires them to automatically collect and remit taxes back to the city. Be wary of the transparency of the tax remittance process and ensure that the city's enforcement powers are not stifled.
SUPPORT TOURISM IN A BALANCED WAY Tourism is a key component to many local economies and short-term rentals can play a role in facilitating tourism without impacting residents if done in a balanced way.	Adopt a permit requirement and set an annual permit reapplication. Make clear that applications can be denied if regulations change. Adopting a formal permit requirement will not deter hosts from participating, so long as the permitting process is not overly cumbersome. Ensure the permit fees are reasonable and tied to the cost of administering the permit program.
ALLOW FOR ECONOMIC GAIN FOR RESIDENTS Short-term rentals can support wealth building for community members, although city leaders must pay attention to who is eligible to host.	Adopt a permit requirement. The permit system should be simple and easy to navigate, particularly if the city is trying to encourage more permanent residents to host on a part-time basis. If the administrative burden is too high, few will be willing to put in the effort.

INSTITUTE A PERMIT REQUIREMENT

Enforceable short-term rental ordinances require owners who want to host short-term rentals to acquire a permit before renting. In general, a permit requirement allows local governments to create and maintain a database of units and contact information for properties that are operating as short-term rentals. **The information provided in an application is key to enforcing the ordinance, allowing the city to have a point of contact to check in with when a property is not in compliance.**[10] Without information on who is operating short-term rentals, cities are effectively rendered helpless in enforcing their regulations. Having an active database of short-term rentals in operation is key to moving from a reactive to a proactive approach to enforcement.

To ensure that hosts are acquiring permits, the city must have a mechanism to check to ensure compliance. Some cities, like San Francisco, have negotiated agreements with platforms that require the platform to put a permit number on the host listing.[11] In other cases, cities have hired third-party platforms to aid their enforcement efforts. The City of Nashville, TN, uses Granicus's Host Compliance, a short-term rental compliance monitoring platform, to support enforcement efforts. According to Nashville officials, the Code Department was struggling to enforce its regulations when they were relying on a complaint-based process. The city was manually identifying STR addresses. With more than 60 active rental websites and private addresses and contact information, it proved to be too herculean an effort to maintain. Host Compliance's online portal enables the city to identify illegal operators before there is a complaint, moving from reactive to proactive enforcement. Since implementing Host Compliance, Nashville has more than doubled its compliance rate to 91 percent.[12]

KEY CONSIDERATION

Without a clear and streamlined application or licensing process, applications may backlog. This leads to an unhappy and distrustful community and may encourage illegal rentals to operate while they are in the process of being considered for a permit. In some cases, operators will purposely and continuously file for permits and operate while under consideration.

Always tie the permit to the person, not the parcel. This will allow for natural attrition over time (e.g., someone sells their home, and the new owner must reapply for a short-term rental permit).

DETERMINE FINES AND FEES

Many cities adopt fine structures to incentivize compliance by short-term rental hosts. According to NLC's analysis, fines range from $200 a day to $2,000 per violation, which may escalate each day. Beyond deciding the fine structure, cities must have adequate staff and resources to identify hosts who are not in compliance and communicate to hosts how to stay in compliance and avoid violations.

Fines should be proportionate to or more than the economic gains that potential violators can realize from breaking the rules, and should escalate for repeat violators, including the threat of revocation of a permit or license. Host Compliance offers the following fines and fees schedule for cities to consider:

Example Fine Schedule

	1st violation	2nd violation	3rd violation	4th violation
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or complying with local listing requirements	$200 per day	$400 per day	$650 per day	Upon the fourth or subsequent violation in any twenty-four month period, the local government may suspend or revoke any permit. The suspension or revocation can be appealed.
Fine for violating any other requirements of the local government's short-term rental regulation	$250 per day	$500 per day	$750 per day	

Notes:

a. Any person found to be in violation of this regulation in a civil case brought by a law enforcement agency shall be ordered to reimburse the local government and other participating law enforcement agencies their full investigative costs, pay all back-owed taxes, and remit all illegally obtained short-term rental revenue proceeds to the local government.

b. Any unpaid fine will be subject to interest from the date on which the fine became due and payable to the local government until the date of payment.

c. The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the local government to address any violation or other public nuisance.

Source: Host Compliance

CITY SPOTLIGHT:

LAKE PLACID, NY

The Village of Lake Placid collaborated with its justice court to define a short-term rental fine structure based on other successful cases. Lake Placid's short-term rental fines range from $350 to $1,000 for the first violation plus the costs that the village has incurred for enforcement (e.g., staff time and attorney fees). Each week that the violation is not remedied constitutes a separate offense. The second violation that occurs within five years will incur a fine of between $1,000 and $3,000. Short-term rental violations can be appealed within 30 days to the joint Town of North Elba/Village of Lake Placid Short-Term Rental Appeals Board by either the short-term rental property owner or the complainant.[13] In most cases, hosts do not intentionally violate regulations, and disputes are often settled without the host incurring a fine.

ESTABLISH A CLEAR TAXING MODEL

Be mindful that there are multiple ways to capture revenue. In most cases, the owner/host is responsible for remitting taxes back to the city; however, several cities are trying to move the collection burden from hosts to the platforms. According to NLC's analysis, 82 percent of surveyed cities require the host to remit taxes directly to the city, while just 5 percent require the platform to collect and remit taxes on their behalf.

82%

of cities require the host to remit taxes directly to the city, while 5 percent require the platform to collect and remit taxes of hosts behalf.

Cities like Annapolis, MD, and Charleston, SC, require platforms to remit taxes back to the city on behalf of hosts, automatically collecting tax revenue from a booking when it is made. While it may be easier for cities to require platforms to remit taxes, beware that there is some ongoing controversy around whether cities get back all the taxes they are owed. Several cities in South Carolina, including Charleston, are suing platforms, alleging that they are not remitting full taxes.[14]

In addition to the transient occupancy tax, some city councils may add an additional tax or surcharge on short-term rentals. For example, Chicago, IL, passed a 4 percent surcharge in 2016 and another 2 percent surcharge in 2018.[15] The surcharge funds supportive homelessness services and enforcement of the ordinance.[16]

EY CONSIDERATION

e mindful of how difficult it may be for hosts to remit taxes to the y. If a host has to remit taxes directly, consider how to make that ocess as simple and streamlined as possible. This not only akes it easier for hosts but ensures that the city is capturing ore of the tax revenue it is owed. Include clear and concise structions on how to remit taxes on the city's webpage and a er-friendly platform to make payments. Consider sending tifications to all short-term rental hosts about upcoming tax yments.

NEGOTIATE AN AGREEMENT WITH PLATFORMS

Cities have had varying success in building helpful agreements with platforms. Cities have a lot to gain by partnering with platforms; however, the relationship-building process can be contentious at times. These relationships are more likely to be positive when cities come to the discussion table with a clear goal in mind and communicate it with platforms. Cities may have the opportunity to negotiate agreements with platforms, such as voluntary collection agreements (VCAs) or memorandums of understanding (MOUs).

Voluntary Collection Agreements

A Voluntary Collection Agreement (VCA) typically involves a short-term rental platform agreeing to collect and remit transient occupancy taxes on behalf of its hosts. Agreements generally allow local governments to audit the platform, rather than the operator, but do not allow local governments to access information that could identify operators outside of the terms of the agreement.

Many short-term rental platforms have agreements with local governments. As of March 2019, Airbnb had more than 350 VCAs with state and local governments in the U.S.[17] While VCAs allows local governments to receive a steady stream of transient occupancy taxes, officials in several states have expressed concerns that these agreements allow platforms to remit less to governments than they owe, a problem compounded by VCA provisions that hinder tax authorities' ability to audit platforms.[18] *See the Appendix for more information on VCAs.*

Voluntary Collection Agreement (VCA): A VCA typically involves a short-term rental platform agreeing to collect and remit transient occupancy taxes on behalf of its hosts.

Memorandum of Understanding

A memorandum of understanding (MOU) typically focuses on issues such as disclosing data, posting property registration numbers and removing illegal listings. Be aware that an MOU can include provisions that limit cities' enforcement power or create additional duties for cities. For example, in its draft MOU with the City of Denver, Airbnb included provisions that would have made the MOU confidential and require the city to resort to arbitration to resolve disputes. Together, these provisions would have limited transparency and hampered the city's ability to use the courts for its enforcement actions. Denver rejected the draft.[19]

MOUs may create additional duties for cities, such as when an MOU requires a platform to take down listings for unregistered properties but places the burden on cities to inform the platform about suspicious properties — a resource-intensive task. Cities may attempt to shift some of these burdens onto the platform. In one settlement with New York City, Airbnb agreed to automatically provide information for certain listings that met specific criteria.[20] In the City of Portland, OR's MOU with Airbnb, the two parties share duties: Airbnb is responsible for regularly reporting data about hosts and properties, and Portland is responsible for using the information it receives to verify that hosts have properly registered.[21]

Memorandum of Understanding (MOU): A MOU typically focuses on issues such as disclosing data, posting property registration numbers and removing illegal listings.

KEY CONSIDERATION

Approach negotiated agreements well informed and with a clear policy goal in mind. Because VCAs and MOUs tend to be offered with standard language and provisions that benefit platforms and hinder city oversight efforts, cities should be prepared to analyze the agreements and decide whether and how to negotiate more favorable conditions.

ENFORCEMENT

The purpose of regulations should not just be to capture additional revenue but to minimize and mitigate the negative side effects associated with the uncontrolled growth of short-term rentals. Cities need to move away from reactive to proactive enforcement when possible. Effective enforcement is key to an ordinance's success. Without regulations that clearly define what a short-term rental is, a database of units being operated, and contact information for those units, cities are effectively rendered helpless in enforcing their regulations.

DEDICATE RESOURCES TO ENFORCEMENT

Dedicated resources, time, staff and money are necessary for successful enforcement. Short-term rental regulation enforcement can be revenue neutral or positive for municipalities when license, permit and tax revenue offsets costs.[22] In some cases, cities can also leverage existing resources such as 311 service to take in short-term rental complaints.

Some examples of key enforcement components that require dedicated resources include:

- Hiring additional code enforcement officers to identify and flag repeat offenders
- Hiring a third-party platform to help with data collection and enforcement
- Hiring a web developer to create a "one-stop-shop" website for STR hosts and residents
- Hiring additional staff to set up and service a complaint hotline
- Instituting (re)inspections for violating properties

CITY SPOTLIGHT:
COLUMBUS, OH

The most recent ordinance amendment in the City of Columbus allows the licensing department to deny, revoke or suspend a permit if there are three or more emergency calls made on a specific property in the previous 12 months (i.e., “three-call rule”). To help facilitate this system, the city’s technology department created an internal database that connects the 311 service with the city’s computer-aided dispatch software to allow enforcement to search the address on the map and know what type of emergency service was requested. City staff reference this database when an application is made or when a complaint about a property is filed. This allows the city to identify properties that have violated the ordinance or have passed the “three-call rule.”

ENSURE EXTENSIVE COMMUNICATION AND MARKETING

Transparent and clear communication and marketing are critical to the success of an ordinance. Clear communication will support the ordinance's success (e.g., hosts, guests and residents know what the rules and regulations are) and is key to preventing community backlash when an ordinance is established or revisited.

Consistent contact with landlord associations and property owner groups allows the city to convey to hosts how to remain in compliance. This may be an opportunity to develop relationships with trusted voices in key groups who can serve as a liaison with the broader community and as a spokesperson for good hosting etiquette.

Regular contact with residents means that cities can convey the best way to file nuisance and safety complaints should there be a violation at a short-term rental. This helps communities feel like they have a trusted partner in the city to ensure community safety.

KEY CONSIDERATION

Consider hiring or assigning specific city staff to be liaisons with the community. Doing so may help establish trust among hosts, residents and the city, making room for more constructive conversations should something go awry. In addition, developing relationships with specific community members (e.g., hosts or residents) can help broaden the city's reach into the community. For example, hosts who have good relationships with the city can promote good hosting etiquette in the community.

MOVE REGISTRATION AND ADMINISTRATION SYSTEMS ONLINE

To the extent possible, cities should limit the administrative burden on city staff and platform users. Moving registration or licensing systems online (while keeping the paper application option open) makes the process more seamless for hosts and less cumbersome for city staff who process those applications.

Beyond moving the registration or licensing system online, consider launching a centralized, accessible and easy-to-use webpage with all relevant short-term rental information. One common complaint that cities receive is that short-term rental regulations are difficult to understand. In most cases, it is not that the regulations themselves are too complex, but that regulations are not transparent and explained in an accessible way. Launching a webpage that is regularly updated keeps the community informed. According to a recent 2022 report and survey from Rent Responsibly and the College of Charleston, 49 percent of surveyed short-term rental hosts got information from government websites about local regulations that affect short-term rentals.[23] Furthermore, this webpage can serve as a resource for city staff who are not experts on short-term rentals but may be required to liaise with the public about them.

CITY SPOTLIGHT:
HENDERSON, NV

The City of Henderson set up an easily navigable webpage with information on short-term rentals, including application materials and answers to frequently asked questions.[24] This webpage serves as a “one-stop-shop” for hosts, residents and staff. The short-term rental webpage has the second-highest number of hits on the Henderson website.

On the webpage hosts can:

- Find the most up-to-date short-term rental ordinance and state laws that apply to short-term rentals
- Register their short-term rental
  - Find city contact information to support them through the registration process
  - Find clear lists on how to apply and what documents are needed
  - Find application forms that are easy to download or file online
- Renew their short-term rental registration
- Pay their transient lodging tax and fees
  - Find tax forms that are easy to download

On the webpage residents can:

- Find relevant short-term rental regulations, including the city ordinance and state laws that apply to short-term rentals
- Locate the complaint phone hotline to report any illegal short-term rental or to file noise, trash, parking, occupancy or other nuisance complaints
- Access the complaint website to submit a complaint online

T AND ADAPT

The short-term rental market is consistently in flux, meaning regulations may have to change to meet the market and evolving community needs. Regularly revisit your ordinance to ensure that it still has the right balance of competing expectations and alignment with city goals.

ESTABLISH A FEEDBACK LOOP

Particularly when first passing an ordinance, be intentional about setting metrics of success that align with policy goals. These qualitative and quantitative policy goal-aligned metrics will determine how performance is evaluated. Setting a dedicated evaluation period following the passage of a short-term rental ordinance will allow for better evaluation and help generate ideas of how to improve an ordinance. Make sure the public and the hosts understand that the regulation may change at the end of the evaluation period.

Build in a recurring check-in with relevant stakeholders to determine whether the short-term rental ordinance is meeting the city's originally stated goal, and if not, what needs to be adjusted. This is where the feedback loop is particularly important. Keep an open line of communication with relevant stakeholders (e.g., landlord associations, property owners, residents, housing advocates, community groups, hotels, tourism agencies, etc.) to better understand how the implementation of the ordinance is playing out.

In Fayetteville, AR, the city authorizes a 20-month sunset clause in its ordinance, allowing city leaders to conduct regular review and reauthorization of the ordinance.[25] Some adjustments have been made following these regular review periods, including increasing the occupancy tax rate to better fund the cost of enforcement, adjusting the cap on the number of short-term rentals allowed in the community and requiring a unit inspection.

POIN

Y CONSIDERATION

here is a recurring evaluation period for the ordinance, tell the community ly on. Transparency is key to making sure hosts and residents know that ulations may change in the future. This may limit the potential backlash of anging regulations after passing them.

Conclusion

SHORT-TERM RENTALS ARE here to stay and, when regulated with care and the proper safeguards in place, can be integrated into the fabric of a community. STRs can enhance tourism, stimulate economic growth in targeted neighborhoods and give residents a way to supplement their income, but can also exacerbate racial inequity, put pressures on affordable housing and disrupt neighborhoods. With proper regulation, cities can enjoy the benefits of STRs and limit their negative impacts.

Regulating short-term rentals is not about limiting their potential, but about enacting the appropriate mechanisms to keep competing priorities and interests balanced. As cities consider regulations to address short-term rentals in their communities, it is important that they act promptly, remain focused on a clear policy objective, consider racial equity, actively engage with relevant stakeholders, develop and enforce clear regulations, and provide continuous review of ordinances. The resources found in this Action Guide can help our communities find the proper balance to effectively support and regulate this growing industry.

Appendix

Voluntary Collection Agreements (VCAs)

	COMMON PROVISIONS	THINGS TO WATCH OUT FOR
COLLECTION AND REMITTANCE	Platforms agree to collect transient occupancy taxes from guests and remit the amount collected to the government taxing authority.	Without this provision, the platform may refuse to collect the tax, arguing that hosts are responsible for collection. Even with the provision, some platforms have been accused of under delivering taxes remitted to cities.
REPORTING AGGREGATE INFORMATION	The platform agrees "reasonably to report aggregate information" related to its collection and remittance of transient occupancy taxes to the tax authority. Aggregate information includes the total amounts of receipts, exemptions, adjustments and so forth, but does *not* include individualized information for specific properties.	Aggregate information does not allow cities to gather individualized information on particular properties.
DETERMINING LIABILITY FOR TAXES	The platform agrees to be held legally responsible for failure to report, collect or remit the transient occupancy taxes, and the tax authority agrees not to hold individual hosts responsible for reporting, collecting or remitting taxes on their property.	
WAVIER OF LOOK-BACK	The tax authority agrees not to pursue any actions to recover unpaid taxes that had been due before the date the agreement went into effect.	If the city has not yet received payments from a large proportion of STRs, then waiving all claims on taxes owed before the VCA's implementation will result in the city potentially forfeiting a significant amount of tax revenue. On the other hand, a city may not have the capacity to go after back taxes, and be mostly concerned with collection of future taxes, making waiver of past tax liability a lower priority.
NOTIFICATION TO HOSTS AND RENTERS	The platform agrees to notify hosts and renters that it will be collecting and remitting transient occupancy taxes for their transactions.	

	COMMON PROVISIONS	THINGS TO WATCH OUT FOR
AUDITING	The tax authority agrees to audit the platform on the basis of its tax returns and supporting documentation, rather than on audits of individual renters or hosts. Some VCAs also state that the tax authority cannot audit individual renters or hosts until it has finished auditing the platform and a tax issue remains unresolved. All transaction and tax data reviewed by a city tax authority must be anonymized. If the city suspects wrongdoing on the part of a specific host, it must first audit the anonymous data, then pick out suspicious transactions, and then finally obtain a subpoena to get identifiable data from the platform. The tax authority agrees to limit the number of times it will audit the platform (e.g., to only audit the platform once every two years, and to only audit transactions conducted over a 12-month stretch.)	This may limit the tax authority's access to data and ability to audit individual hosts and affect city efforts to enforce home-sharing laws. Cities such as Culver City, CA, have negotiated alternative provisions ensuring that they can continue to audit individual hosts if they receive information about the property's violations from another source.[26] Anonymized data may mean that cities can only use *aggregate* information, which prevents cities from investigating individual cases of violation. For example, Snowmass, CO, states that it will audit "on an anonymous numbered account basis," suggesting that disaggregation is not required.[27] Cities can also suggest alternative kinds of privacy protection that allow for individualized reports, such as pseudonymizing information. VCAs typically provide that all information about hosts and guests will remain *anonymous* unless the city has completed an audit of the platform and served the platform with a subpoena or similar legal process. Cities may want to negotiate changes to this provision to allow them to ensure that properties are registered. For example, if cities have already passed ordinances requiring registration, their audits might request information about the registration number. Cities can negotiate limits on audit frequency to allow for more frequent and tailored enforcement efforts. For instance, the audit frequency in Pacific Grove, CA, is once every 36 months; although this period may still be too long for many cities to effectively audit home-sharing, it does indicate that VCAs' time provisions can vary.[28]

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NATIONAL LEAGUE OF CITIES

CITIES STRONG TOGETHER

C TY OF HOMER
HOMER, AIASKA

Aderhoid/Davls

ORD NANCE 23%61

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA AMENDING HOMER CITY CODE TITLE 5 TO ADD CHAPTER 5..48 SHORT TERM RENTALS.

WHEREAS, The Councli and the pubilc are very concerned wlth the Impacts of housIng avaliablilty on seasonai workers and year-round communIty members; and

WHEREAS, Short term rentais have been Identlfled as one of many chaiienges facIng housIng avaliablilty In the CIty; and

WHEREAS, The use of prlvate resIdences has been a very common source of Income for property owners In the CIty whIch aiso supports our vIsItor-servIng busInesses; and

WHEREAS, VIsItors stayIng In short term rentai have many posItIve Impacts, however, they aiso consume CIty servIces In ways that are dIfflcuit to recoup flnanclaiiy when short term rentai owners fali to coiiect exIstIng saies taxes; and

WHEREAS, The CIty has no exIstIng reguiatlons for short term rentais; and

WHEREAS, There Is an Interest to enact reasonabie reguiatlons reiated to short term rentais to ensure that they are operated safeiy, not creatIng pubilc nuIsances, and are remIttIng the approprIate taxes; and

WHEREAS, The Councli Intends for thIs to be an IteratIve process whereby the short term rentai reguiatlons wlii be adjusted over tIme to best flt the needs of the communIty and short term rentai operators.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

<u>SectIon 1.</u> Homer CIty Code Is amended to Inciude Chapter 5..48, entItied "Short Term Rentais", to read as foiiows:

<u>Chapter SbAS Shiort Term Rentahs</u>

<u>Sectk ions:</u>

<u>SbASb.01. 0 Defknktkions</u>
<u>SbASb.02. 0 ntent</u>

S.AB.030 Short Term Rental Permits
S.AB.0A0 Permit Renewals
S.AB.0S0 Nonconforming Uses
S.AB.060 Public Safety, Noise, and Nuisances
S.AB.070 Violations and Penalties
S.AB.0B0 Appeal of Decision

S.AB.010 Definitions

'Short-term rental" means a dwelling unit, or portion thereof, that is offered or provided to a guest for compensation for a period of less than 30 consecutive days. Short-term rentals may be in individual rooms in single-family homes, units in apartments, condominiums, townhouses, and multifamily dwellings.

'Guest" means an individual, corporation, partnership or association paying monetary or other consideration for the use of a short-term rental.

"Operator" means a person, firm, corporation, or other designated legal entity, who offers for rent or otherwise makes available in the City dwelling units for monetary or other consideration.

"Property" means real estate offered by an operator as a short term rental.

S.AB.020 Intent

The intent of this chapter is to protect general health and safety of the public within the City of Homer while ensuring short term rentals are operated in such a way that they pay any applicable fees or taces and do not create a public nuisance which decreases quality of life for neighboring residences.

S.AB.030 Short Term Rental Permits

a. Any owner wishing to make a dwelling unit available for use as a short term rental must apply for and receive approval of a short term rental permit for each intended unit.

b. An annual short term rental permit application shall be submitted on a specified form or platform provided by the City before offering a dwelling unit for rent. The application shall include a fee as set by the City Council in the City's fee schedule.

c. No short term rental operator shall offer, advertise, or facilitate the short term rental of property in the City unless the operator possesses a valid short term rental permit. Any offer or advertisement for the short term rental of property in the City that does not contain a valid short term rental permit number, or which the City identifies as illegal, shall be immediately removed.

d. Required Information and Documentation: Applications shall provide:

1. Name, address, phone number, and email of the property owner, and, if different from the owner, the short term rental operator.

2. A general description of the dwelling unit to be used as a short term rental to include address, zone district, number of bedrooms, and available parking spaces compliant with City code.

3. A 24-hour emergency contact residing within 50 miles of city limits.

4. State business license number.

5. Certification by the Kenai Peninsula Borough Finance Department in a tax compliance certificate that the applicant is current in the payment of any sales tax to the City and the Kenai Peninsula Borough.

6. Completed fire safety inspection form for the dwelling unit.

e. Permit Number: Short term rental permits will be issued a unique permit number which must be displayed in all advertisements and public listings for the short term rental.

f. Permit Renewal: Short term rental permits must be renewed annually and are valid from January 1 to December 31.

g. Transfer of Permits: Annual short term rental permits are transferrable between owners with City Manager or designee approval, provided the use and operations remain consistent. Permits are not transferrable between units or parcels.

5.48.040 Permit Renewals

a. Short term rental permits may be renewed starting November 1 each year using the form or platform provided by city, and shall include a fee as set by Council in City Fee Schedule.

b. Permits are eligible for renewal if the property and dwelling unit comply with all applicable City regulations, taxes, fees are paid, and there are no outstanding public safety or public nuisance violations.

c. Expired permits require a new application to resume short term rental use.

S.A8.0S0 Nonconforming Uses

a. Existing short term rentals with proof of operation and sales tax remittance to the Kenai Peninsula Borough within the period between January 1, 2020 and December 31 2023 will be exempted as non-conforming uses if they meet all other short term rental standards, even if they are located in zones no longer principally permitting such use.

b. Non-conforming short term rentals not used for 18 months or not permitted by PDATE] will cease to be available on the property.

c. Approvals of non-conforming short term rental permits are transferrable to new property owners upon request, provided updates are made to the information on file with the City.

S.A8.060 Public Safety, Noise, and Nuisances

a. Capacity: Maximum occupancy for a vacation rental is two persons per bedroom plus an additional two persons Xe.g., a two-bedroom unit may have six occupants). Children aged 12 and under are not counted toward the occupancy total.

b. Emergency Contact: The Emergency Contact provided on the permit application will be shared with the Homer Police Department and all neighboring properties within 300 feet of the parcel containing the permitted short term rental unitXs). The permit holder must promptly notify the City of any changes to the designated emergency contact information.

c. Fire Department Access: Properties with gated entries must have a Fire Department approved device that allows emergency response access.

d. Noise: Short term rentals are subject to HCC 21.S9.010 Xb) regarding noise.

e. Nuisance: Any property with an unresolved nuisance complaint under HCC Chapter S.16 is ineligible for short term rental permit approval or renewal.

f. Parking: Short term rentals must have sufficient off-street parking, validated by the City planner or designee.

5.4B.070 Violations and Penalties

a. Operating a short term rental without a permit, or in violation of this chapter, is unlawful.

b. The City Manager, or designee, may revoke a permit for a short term rental upon finding one or more of the following:

1. Negligence in responding to emergencies more than two times in a rolling 12-month period.

2. More than two documented law enforcement violations related to the short term rental in a rolling 12-month period.

3. Chronic non-compliance with the requirements this chapter's requirements.

4. Failure to pay required sales taces to the Kenai Peninsula Borough.

5. Failure to correct noted Building or Fire code violations.

6. Documented, significant violations supported by citations, written warning, or other documentation from relevant authorities.

c. The penalty for an offense in this chapter is the fine listed in the fine schedule in HCC 1.16.040. If no fine is listed for the offense in HCC 1.16.040, then the defendant must appear in court, and, if convicted, is subject to the general penalty as provided in HCC 1.16.010 unless another penalty is specifically provided.

5.4B.080 Appeal of Decision

Judicial review by the superior court of a final decision on a short term rental permit issued by the City may be had by filing a notice of appeal in accordance with the applicable rules of court governing appeals in civil matters. The notice of appeal shall be filed within 30 days of notice of the final decision on the permit. Appeals of short term rental permits are heard solely on the administrative record which shall be prepared by the City. A copy shall be filed in the superior court within 30 days after the appellant pays the estimated cost of preparing the complete of designated record or files a corporate surety bond equal to the estimated cost.

Section 2. Homer City Code 1.16.040, entitled "Disposition of scheduled offenses - Fine Schedule" is hereby amended as follows:

Chapter 5.46 HCC	Special event - Permit required	$1000
<u>Chapter S9AS HCC</u>	<u>Short term rental - Permit required</u>	<u>$100 per day</u>
HCC 8.08.020	Itinerant or transient merchant - License required	$300.00

<u>Section 3.</u> This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA this _____day of ____________ , 2018.

CITY OF HOMER

____
KEN CASTNER, MAYOR

ATTEST:

____
MELISSA JACOBSEN, MMC, CITY CLERK

YES:
NO:
ABSTAIN:
ABSENT:

First Reading:
Public Hearing:
Second Reading:
Effective Date:

City of Homer
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Office of the City Manager
491 East Pioneer Avenue
Homer, Alaska 99603
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(p) 907-235-8121 x2222
(f) 907-235-3148

Memorandum

TO: Mayor Lord and Homer City Council

FROM: Melissa Jacobsen, City Manager

DATE: January 21, 2026

SUBJECT: City Manager's Report for January 26, 2026 Council Meeting

Speed Monitoring Devices

In researching costs for more advanced speed monitoring devices that have the capacity to capture license plate information staff were unable to secure quotes without setting up accounts through our law enforcement department. In doing some online research for basic information, I found that costs vary based on whether device is used for access control, parking, or law enforcement. Professional high-speed systems range from $15,000 to $60,000 for full installation with additional ongoing costs for software, support, and cloud storage fees. We spent approximately $35,000 on our newest speed monitoring devices, and that included one radar speed cart and two additional radar signs, batteries, solar panels, and other necessary parts and pieces. In addition, there is annual software and support costs of $1500 per device, totaling $4500. Our newer speed monitoring devices have the capability of taking a photo when a vehicle is traveling approximately 10mph over the speed limit. Occasionally the camera snaps the picture after they pass by. The devices also collect traffic data on vehicle counts and vehicle speed, and whether a vehicle slows down when the radar sign flashes over the speed limit. I've attached the traffic data for the last year for the two cameras on West Fairview, one capturing east bound traffic and the other capturing west bound traffic, and the one on Kachemak Way capturing north bound traffic. The West Fairview reports reflect a 1.2% violator rate for the east bound annual traffic count of 55,943 vehicles and 0.4% for west bound traffic annual count of 49,752. Kachemak Way north bound is higher at a 5.2% violator rate and a 27,568 annual traffic count, roughly half the annal count West Fairview eastbound is reporting. My feeling is that investing in more expensive camera systems isn't necessary at this time given these percentages. Unless there is objection from Council I'm planning to ask staff to move the West Fairview west bound camera over to Ben Walters so we can start collecting data along that road.

Police Chief Hiring Update

The Police Chief recruitment is progressing well. After the application period closed we had four highly qualified applicants for the position. We followed up with supplemental questions, and all four provided their written responses. The purpose of the supplemental questions is to have the applicants expand on specific skills, provide more context beyond their resume and application, and get some insight into their motivation, interests, and values. After reading the applicants responses, I've scheduled interviews with two applicants. First interviews are scheduled with an interview panel for this Friday, January 23rd. After the interviews are done the panel will discuss the interviews and give me their feedback, then I will make my decision on scheduling second interviews with me directly. Chief Robl has served his team and the City extremely well during his tenure and it is vital to fin[d the] right person to fill this important role for the City.

Strategic Planning

I've attached a copy of the Council's projects and initiatives list to get it back on your radar as we roll into the new year. There is a work session planned for March 26th and in planning for that, City Clerk Woodruff is developing a form that will allow Councilmembers to easily drag and drop the project/initiative into their preferred ranking prior to the work session. I'll be working with departments to compile a list of current projects that are underway and estimate completion, take input on Council's current list, and hear what additional projects or initiatives they have in mind for this year and forward into the next mid-biennial budget process.

Homer City Code Chapter Title 4. Elections

At the last meeting, City Clerk Woodruff provided information about options for the City of Homer's election date, following the passage of a Kenai Peninsula Borough voter initiative to move the KPB election date to match the State and Federal election day in November. One item she addressed was the cost of leasing election equipment if the City chooses to retain the October election date. To follow up on that she confirmed the cost for the purchase of units is in the range of $20,000 for two units compared to 8,000 a year for rental of units, not including annual programming costs. Ms. Woodruff is working on Title 4 updates, and the goal is to have an ordinance to Council at the February 9th regular meeting. The ordinance will address the City election date and proposed language for calculating percentages for candidates to be elected.

The New City Grader Has Arrived!

At the end of 2024 Council approved the City to lease a new Model 160-15AWD grader under a government contract. It took some time to work through the paperwork and for the supplier to get the machine outfitted to meet the City's needs, and it has been delivered to Public Works! From a road maintenance and rolling stock perspective the City's graders are used for winter maintenance and snow plowing city roads around and within our subdivisions. Reliable equipment is necessary for the operators to complete their routes safely, timely and efficiently.

Multi-Use Community Recreation Center

City Council has established that a new Multi-Use Community Recreation Center is a top priority for the City. They have designated approximately $1.3 million for the project and have established a non-endowed field of interest fund through the Homer Foundation where the community can make donations towards the project. I reported several months ago on my visit to the grand opening of the Soldotna Field House and have sat down with my notes to draw up the following list of potential next steps the City Council might consider for Homer.

- Complete conceptual plan for recreation complex
- Complete Feasibility Study
- Approve Master Plan with construction cost cap
- Update Capital Improvement Plan
- Appropriate funds for design phase

- Development advisory team(s) form
- Appropriate additional match funds
- ITB/RFP for project and award design contract for project
- Bond proposition for constructing Multi-Purpose Community Rec Center to voters
- Establish Parks & Recreation Department
- Site prep and bring in water/sewer, electricity, gas, etc.
- Seek grants for support funding i.e. flooring, additional construction costs, etc.
- ITB for construction and award contracts

I propose that staff and I work with the Council champions to prioritize these steps and be prepared with a draft timeline for Council to consider at their March 24th strategic planning work session.

City Manager Meetings and Events:
January 7th – Homer Chamber of Commerce Annual Meeting
January 13th – Conversations with a Councilmember
January 15th – Microsoft 365 Pilot Team Meeting
And, ongoing weekly meetings with Departments, Mayor and Councilmembers, and City Attorney

Attachments:
2025 Traffic Summaries for West Fairview and Kachemak Way

Extended Speed Summary

629 W Fairview Ave.- West Bound, WB

Start: 2025-01-01

End: 2025-12-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Overall Summary

Total Days of Data: 199

Speed Limit: 25

Average Speed: 20.01

50th Percentile Speed: 19.83

85th Percentile Speed: 24.64

Pace Speed Range: 15-25

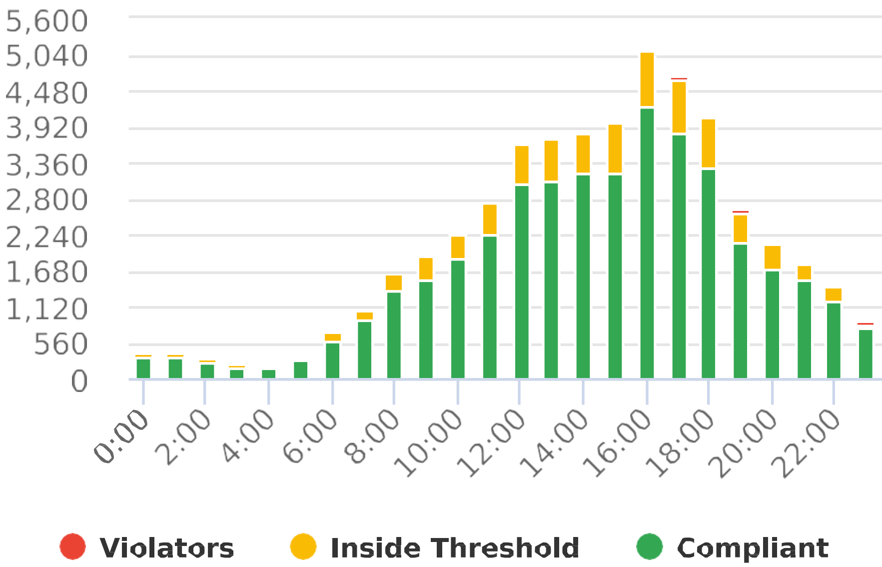
Minimum Speed: 10

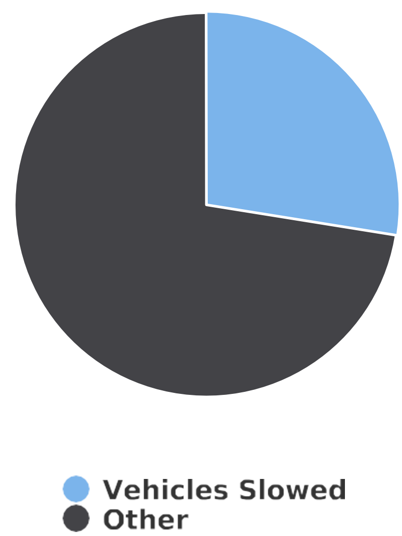
Maximum Speed: 60

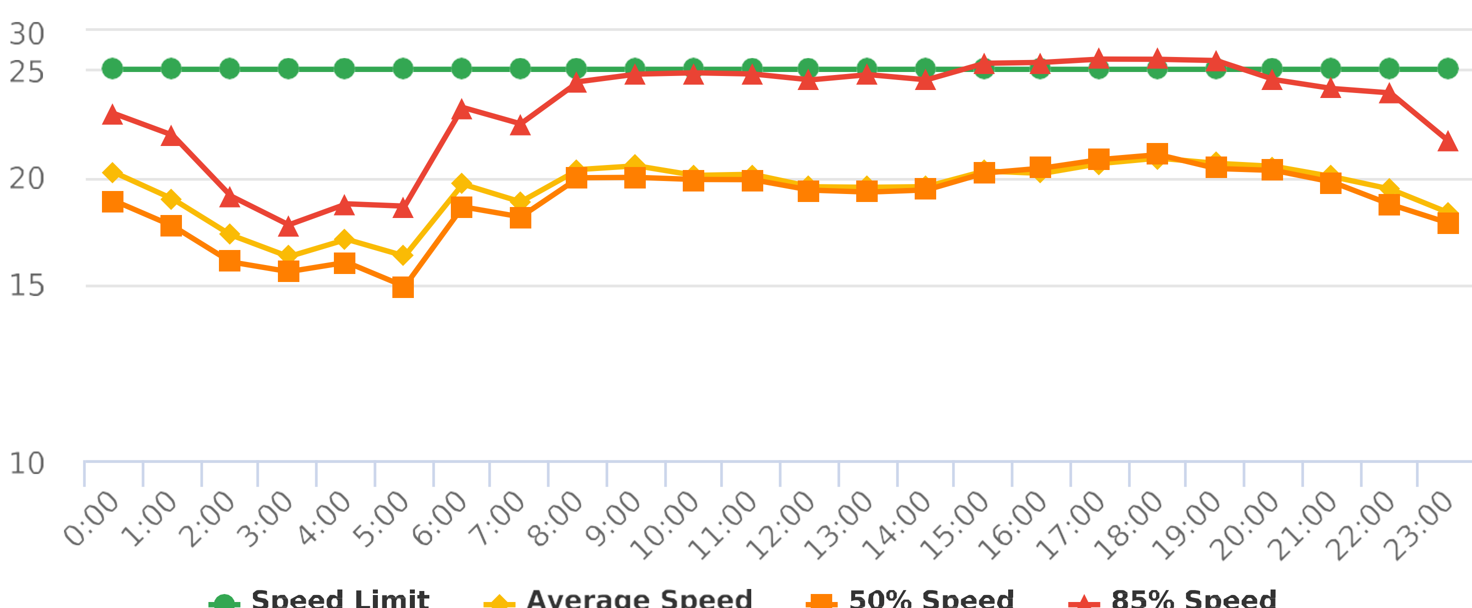
Display Mode: Daily Schedule, Speed

Average Volume per Day: 250.0

Total Volume: 49752







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Extended Speed Summary

629 W Fairview Ave.- West Bound, WB

ALL TRAFFIC SOLUTIONS

Start: 2025-01-01

End: 2025-12-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
0:00	Daily Schedule, Speed Display	25	394	9	2.3%	2.1	0.0	10	56	20.2	18.9	22.9	27.1%
1:00	Speed Display, Daily Schedule	25	374	13	3.5%	2.0	0.1	10	60	19.0	17.7	21.9	31.6%
2:00	Daily Schedule, Speed Display	25	299	5	1.7%	1.6	0.0	10	59	17.3	16.0	19.1	24.7%
3:00	Speed Display, Daily Schedule	25	208	4	1.9%	1.1	0.0	10	56	16.3	15.6	17.8	22.6%
4:00	Daily Schedule, Speed Display	25	170	0	0.0%	0.9	0.0	10	33	17.1	16.0	18.7	28.2%
5:00	Speed Display, Daily Schedule	25	284	1	0.4%	1.5	0.0	10	37	16.3	14.9	18.6	39.1%
6:00	Daily Schedule, Speed Display	25	690	0	0.0%	3.7	0.0	10	32	19.7	18.6	23.2	31.0%
7:00	Speed Display, Daily Schedule	25	1023	3	0.3%	5.5	0.0	10	38	18.8	18.1	22.5	27.4%
8:00	Daily Schedule, Speed Display	25	1619	6	0.4%	8.7	0.0	10	40	20.3	19.9	24.4	29.9%
9:00	Speed Display, Daily Schedule	25	1916	18	0.9%	10.2	0.1	10	45	20.5	20.0	24.8	25.8%
10:00	Daily Schedule, Speed Display	25	2264	12	0.5%	11.6	0.1	10	39	20.1	19.9	24.8	26.7%
11:00	Speed Display, Daily Schedule	25	2746	11	0.4%	14.1	0.1	10	41	20.1	19.9	24.8	24.8%
12:00	Daily Schedule, Speed Display	25	3655	13	0.4%	18.6	0.1	10	40	19.5	19.4	24.5	26.0%
13:00	Speed Display, Daily Schedule	25	3722	6	0.2%	19.0	0.0	10	47	19.5	19.3	24.8	27.5%

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14:00	**Daily Schedule, Speed Display**	**25**	3826	9	0.2%	19.4	0.0	10	44	19.5	19.4	24.5	**26.0%**

Extended Speed Summary

629 W Fairview Ave.- West Bound, WB

Start: 2025-01-01

End: 2025-12-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
15:00	**Speed Display, Daily Schedule**	**25**	3977	11	0.3%	20.3	0.1	10	41	20.3	20.2	25.3	**26.1%**
16:00	**Daily Schedule, Speed Display**	**25**	5106	14	0.3%	26.3	0.1	10	39	20.2	20.4	25.3	**28.2%**
17:00	**Speed Display, Daily Schedule**	**25**	4677	11	0.2%	24.2	0.1	10	57	20.6	20.8	25.5	**28.7%**
18:00	**Daily Schedule, Speed Display**	**25**	4072	14	0.3%	21.1	0.1	10	46	20.9	21.0	25.5	**26.9%**
19:00	**Speed Display, Daily Schedule**	**25**	2594	14	0.5%	13.4	0.1	10	45	20.6	20.4	25.4	**25.5%**
20:00	**Daily Schedule, Speed Display**	**25**	2069	9	0.4%	10.8	0.0	10	40	20.5	20.3	24.5	**26.8%**
21:00	**Speed Display, Daily Schedule**	**25**	1790	11	0.6%	9.4	0.1	10	50	20.0	19.7	24.1	**27.7%**
22:00	**Daily Schedule, Speed Display**	**25**	1426	7	0.5%	7.5	0.0	10	38	19.4	18.7	23.9	**37.8%**
23:00	**Speed Display, Daily Schedule**	**25**	851	4	0.5%	4.5	0.0	10	44	18.3	17.8	21.7	**35.5%**
Total Volumes/ Avg			**49752**	**205**	**0.4%**	**257.7**	**1.1**	**10**	**60**	**19.4**	**18.9**	**23.3**	**28.4%**
Total/Avg w/o Feedback			**0**	**0**	**0**	**0.0**	**0.0**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Total/Avg w/ Feedback			**49752**	**205**	**0.4%**	**257.7**	**1.1**	**10**	**60**	**19.4**	**18.9**	**23.3**	**28.4%**

Generated by Mike Zelinski on 01-08-2026

Extended Speed Summary

733 W Fairview (East bound), EB

Start: 2025-01-01

End: 2025-12-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Overall Summary

Total Days of Data: 262

Speed Limit: 25

Average Speed: 21.66

50th Percentile Speed: 21.25

85th Percentile Speed: 26.4

Pace Speed Range: 17-27

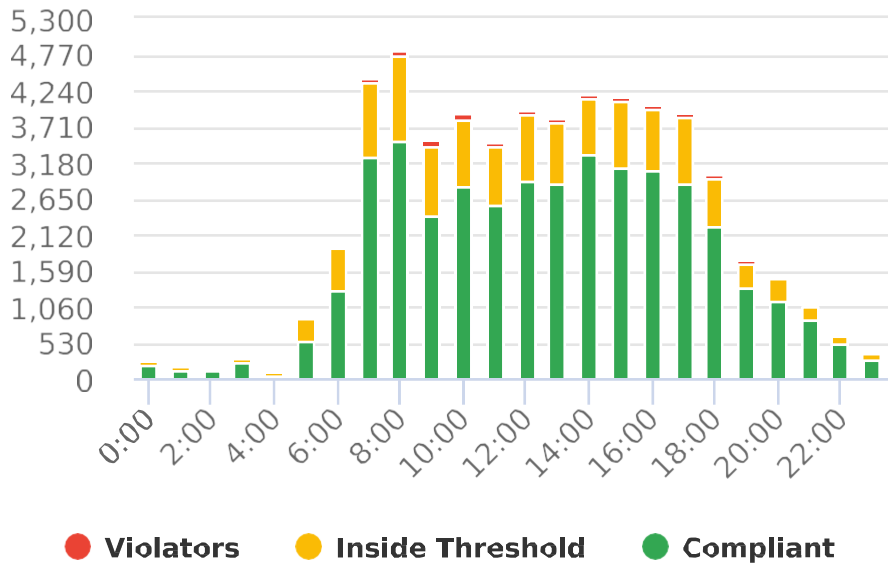
Minimum Speed: 10

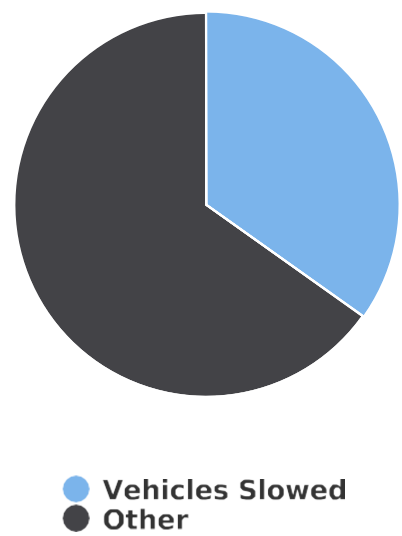
Maximum Speed: 82

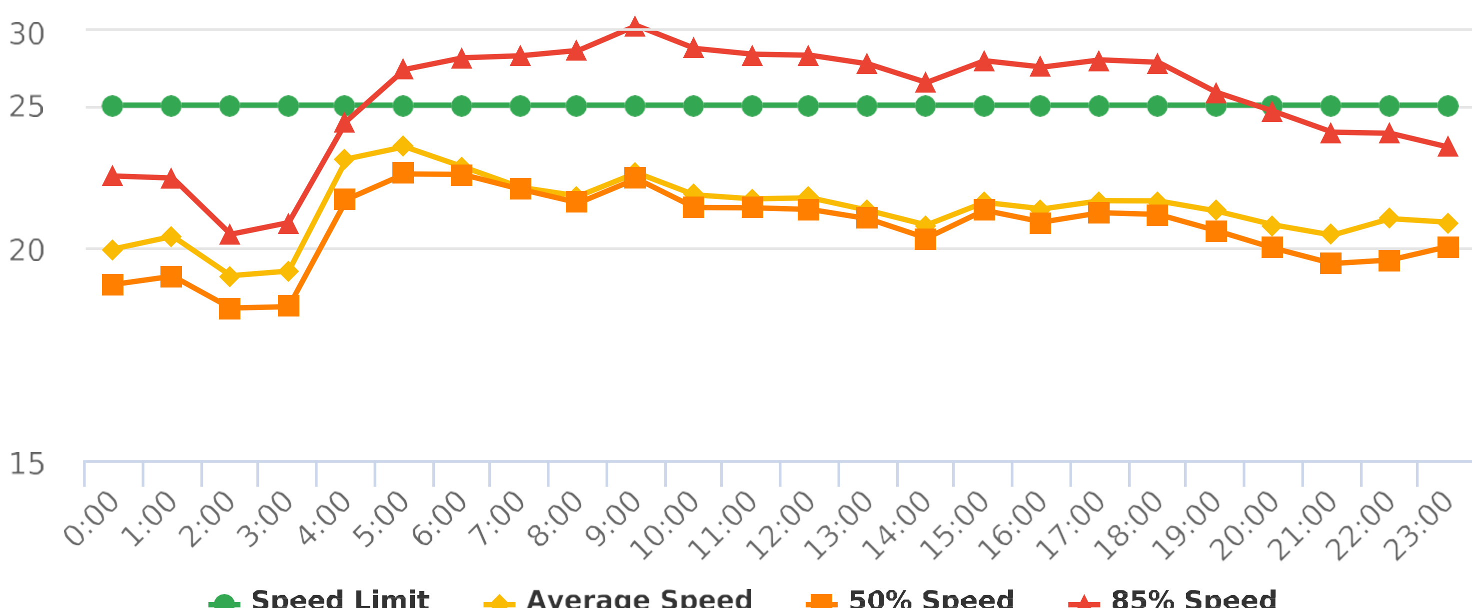
Display Mode: Daily Schedule, Speed

Average Volume per Day: 213.5

Total Volume: 55943







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ALL TRAFFIC SOLUTIONS

Extended Speed Summary

733 W Fairview (East bound), EB

Start: 2025-01-01

End: 2025-12-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
0:00	**Daily Schedule, Speed Display**	**25**	251	1	0.4%	1.0	0.0	10	36	20.0	18.7	22.5	**38.7%**
1:00	**Speed Display, Daily Schedule**	**25**	168	1	0.6%	0.7	0.0	10	36	20.4	19.0	22.5	**37.5%**
2:00	**Daily Schedule, Speed Display**	**25**	123	0	0.0%	0.5	0.0	10	31	19.0	17.9	20.5	**28.4%**
3:00	**Speed Display, Daily Schedule**	**25**	261	2	0.8%	1.0	0.0	10	37	19.2	18.0	20.9	**21.4%**
4:00	**Daily Schedule, Speed Display**	**25**	92	4	4.3%	0.4	0.0	10	44	23.1	21.7	24.4	**22.9%**
5:00	**Speed Display, Daily Schedule**	**25**	862	13	1.5%	3.4	0.1	10	42	23.5	22.6	26.2	**37.7%**
6:00	**Daily Schedule, Speed Display**	**25**	1941	19	1.0%	7.7	0.1	10	39	22.8	22.6	26.7	**35.4%**
7:00	**Speed Display, Daily Schedule**	**25**	4386	46	1.0%	17.5	0.2	10	48	22.1	22.1	26.7	**42.5%**
8:00	**Daily Schedule, Speed Display**	**25**	4811	54	1.1%	19.3	0.2	10	50	21.8	21.6	26.9	**36.0%**
9:00	**Speed Display, Daily Schedule**	**25**	3501	66	1.9%	13.9	0.3	10	46	22.6	22.4	27.8	**33.9%**
10:00	**Daily Schedule, Speed Display**	**25**	3899	77	2.0%	15.3	0.3	10	63	21.9	21.4	27.0	**30.7%**
11:00	**Speed Display, Daily Schedule**	**25**	3466	36	1.0%	13.5	0.1	10	46	21.7	21.4	26.8	**33.2%**
12:00	**Daily Schedule, Speed Display**	**25**	3945	52	1.3%	15.4	0.2	10	54	21.8	21.4	26.7	**34.1%**
13:00	**Speed Display, Daily Schedule**	**25**	3789	37	1.0%	14.7	0.1	10	71	21.3	21.0	26.4	**32.5%**

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14:00	**Daily Schedule, Speed Display**	**25**	4165	43	1.0%	16.1	0.2	10	45	20.8	20.4	25.8	**35.7%**

Extended Speed Summary

733 W Fairview (East bound), EB

Start: 2025-01-01

End: 2025-12-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
15:00	**Speed Display, Daily Schedule**	**25**	4138	56	1.4%	16.0	0.2	10	56	21.6	21.3	26.6	**36.1%**
16:00	**Daily Schedule, Speed Display**	**25**	4006	57	1.4%	15.6	0.2	10	82	21.4	20.9	26.3	**34.1%**
17:00	**Speed Display, Daily Schedule**	**25**	3877	29	0.7%	15.1	0.1	10	76	21.7	21.2	26.6	**34.2%**
18:00	**Daily Schedule, Speed Display**	**25**	2999	42	1.4%	11.7	0.2	10	59	21.7	21.2	26.5	**33.2%**
19:00	**Speed Display, Daily Schedule**	**25**	1728	21	1.2%	6.7	0.1	10	51	21.3	20.6	25.4	**34.3%**
20:00	**Daily Schedule, Speed Display**	**25**	1463	14	1.0%	5.7	0.1	10	41	20.8	20.0	24.8	**34.4%**
21:00	**Speed Display, Daily Schedule**	**25**	1075	5	0.5%	4.2	0.0	10	43	20.5	19.5	24.1	**36.7%**
22:00	**Daily Schedule, Speed Display**	**25**	634	9	1.4%	2.5	0.0	10	45	21.0	19.6	24.0	**31.4%**
23:00	**Speed Display, Daily Schedule**	**25**	363	2	0.6%	1.4	0.0	10	41	20.9	20.1	23.5	**39.1%**
Total Volumes/ Avg			**55943**	**686**	**1.2%**	**219.2**	**2.7**	**10**	**82**	**21.4**	**20.7**	**25.2**	**33.9%**
Total/Avg w/o Feedback			**0**	**0**	**0**	**0.0**	**0.0**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Total/Avg w/ Feedback			**55943**	**686**	**1.2%**	**219.2**	**2.7**	**10**	**82**	**21.4**	**20.7**	**25.2**	**33.9%**

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Extended Speed Summary
Kachemak Way, NB

Start: 2025-01-01

End: 2025-11-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Overall Summary

Total Days of Data: 54

Speed Limit: 15, 25

Average Speed: 21.94

50th Percentile Speed: 22.17

85th Percentile Speed: 27.47

Pace Speed Range: 18-28

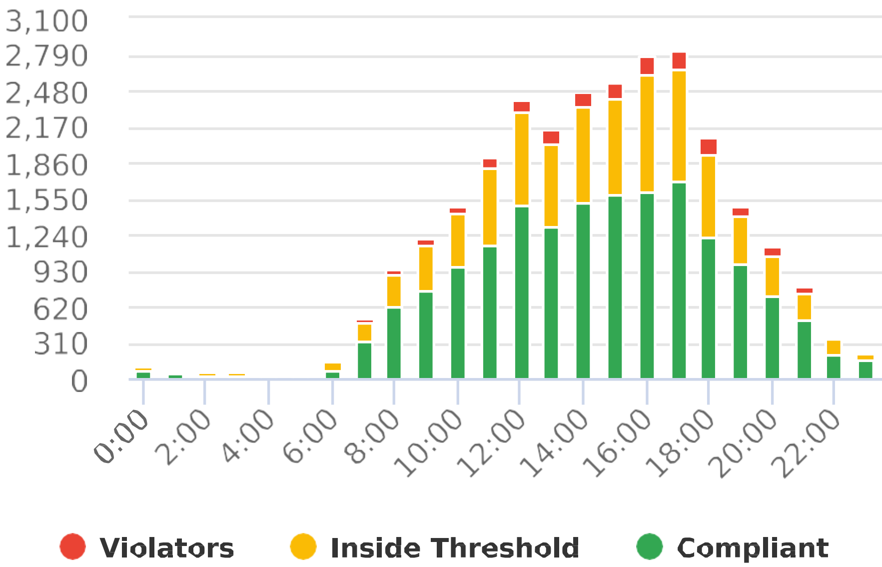
Minimum Speed: 10

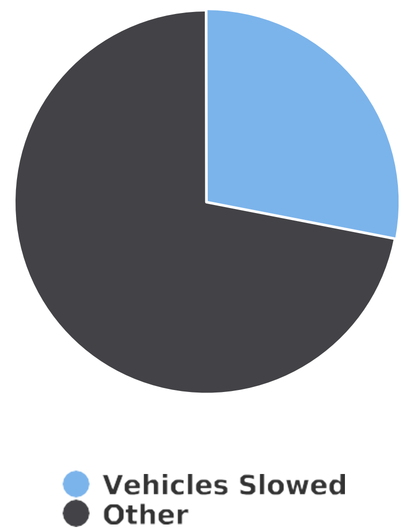
Maximum Speed: 61

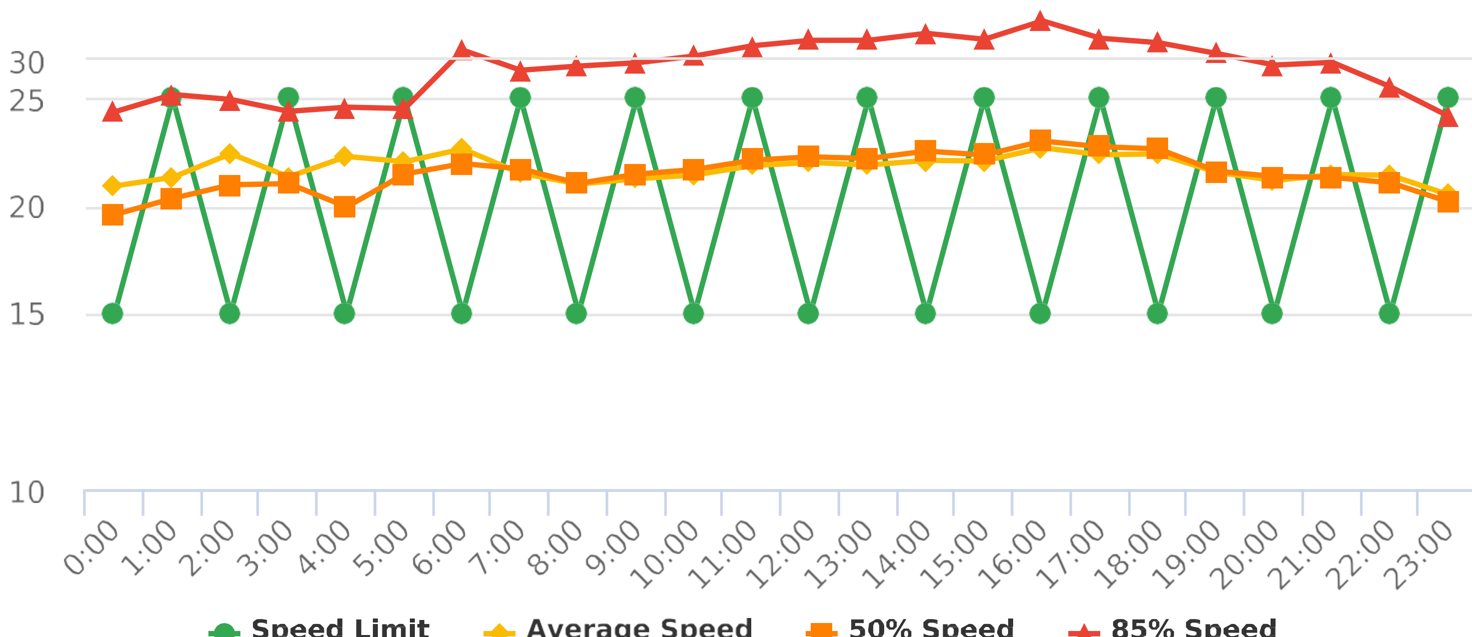
Display Mode: Daily Schedule, Speed

Average Volume per Day: 510.5

Total Volume: 27568







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ALL TRAFFIC SOLUTIONS

Extended Speed Summary
Kachemak Way, NB

Start: 2025-01-01

End: 2025-11-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
0:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	99	4	4.0%	2.1	0.1	10	45	20.9	19.6	24.4	**30.3%**
1:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	56	3	5.4%	1.2	0.1	10	37	21.3	20.3	25.2	**14.3%**
2:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	38	2	5.3%	0.8	0.0	10	42	22.4	21.0	24.9	**23.8%**
3:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	38	1	2.6%	0.8	0.0	11	34	21.3	21.0	24.4	**26.1%**
4:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	17	0	0.0%	0.4	0.0	12	28	22.3	19.9	24.6	**0.0%**
5:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	21	1	4.8%	0.5	0.0	10	33	22.0	21.5	24.5	**9.5%**
6:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	149	14	9.4%	3.3	0.3	10	50	22.6	22.0	27.2	**23.5%**
7:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	507	25	4.9%	11.3	0.6	10	40	21.5	21.7	26.3	**22.5%**
8:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	942	42	4.5%	21.4	1.0	10	45	21.0	21.0	26.5	**22.8%**

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9:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	1192	41	3.4%	26.5	0.9	10	54	21.3	21.5	26.7	**24.0%**

Extended Speed Summary
Kachemak Way, NB

Start: 2025-01-01
End: 2025-11-05
Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10
Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
10:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	1469	52	3.5%	32.6	1.2	10	43	21.4	21.7	27.0	**25.4%**
11:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	1909	103	5.4%	42.4	2.3	10	55	21.9	22.1	27.4	**27.8%**
12:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	2388	103	4.3%	54.3	2.3	10	50	22.0	22.3	27.7	**28.3%**
13:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	2128	100	4.7%	47.3	2.2	10	57	21.9	22.2	27.7	**28.9%**
14:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	2446	111	4.5%	53.2	2.4	10	57	22.1	22.5	28.0	**28.5%**
15:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	2549	145	5.7%	53.1	3.0	10	56	22.1	22.4	27.8	**30.0%**
16:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	2780	170	6.1%	56.7	3.5	10	61	22.7	23.0	28.6	**28.8%**
17:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	2831	162	5.7%	57.8	3.3	10	56	22.4	22.7	27.8	**28.4%**
18:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	2061	139	6.7%	42.1	2.8	10	56	22.4	22.6	27.6	**28.2%**

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19:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	1481	87	5.9%	30.2	1.8	10	53	21.6	21.6	27.1	**30.3%**

ALL TRAFFIC SOLUTIONS

Extended Speed Summary

Kachemak Way, NB

Start: 2025-01-01

End: 2025-11-05

Times: 0:00:00-23:59:59

Violation Threshold: Speed Limit + 10

Speed Range: 1 to 150

Time	Sign Mode	Speed Limit	Total # Vehicles	Total # Violator	% Violator	Avg # Vehicles	Avg # Violators	Min Speed	Max Speed	Avg Speed	50% Speed	85% Speed	Sign Effectiveness
20:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	1119	55	4.9%	22.8	1.1	10	51	21.2	21.4	26.6	**30.0%**
21:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	791	45	5.7%	16.1	0.9	10	57	21.4	21.3	26.7	**30.8%**
22:00	**Daily Schedule, Speed Display, Speed Limit Sign**	**15, 25**	350	16	4.6%	7.1	0.3	10	38	21.4	21.1	25.5	**28.0%**
23:00	**Speed Display, Speed Limit Sign, Daily Schedule**	**25, 15**	207	6	2.9%	4.2	0.1	10	38	20.5	20.2	24.2	**29.4%**
Total Volumes/ Avg			**27568**	**1427**	**5.2%**	**588.2**	**30.2**	**10**	**61**	**21.7**	**21.5**	**26.4**	**25.0%**
Total/Avg w/o Feedback			**0**	**0**	**0**	**0.0**	**0.0**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**	**n/a**
Total/Avg w/ Feedback			**27568**	**1427**	**5.2%**	**588.2**	**30.2**	**10**	**61**	**21.7**	**21.5**	**26.4**	**25.0%**

Generated by Mike Zelinski on 01-08-2026

From: alerts@alltrafficsolutions.com
To: Melissa Jacobsen
Subject: High Speed Alert at 733 W Fairview (East bound)
Date: Tuesday, September 9, 2025 3:01:48 PM

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

A vehicle traveling 36 passed 733 W Fairview (East bound) at Tue, Sep 09, 2025, 02:59 PM. The speed limit at this location is 25 .

Unsubscribe

MEMORANDUM

A Brief Explanation of Conditional Use Permits for Planned Unit Developments in Homer City Code

Item Type: Informational Memorandum

Prepared For: Mayor Lord and Homer City Council

Date: January 26, 2026

From: Ryan Foster, City Planner

Through: Melissa Jacobsen, City Manager

Council Member Davis has requested information on Conditional Use Permits for Planned Unit Developments in Homer City Code (HCC) Title 21. As the City works on the Title 21 Zoning Code re-write project, the topic of conditional use permits and planned unit developments have been discussed. The intent of this memorandum is to provide an understanding of what conditional use permits for planned unit developments are, how they work, and what to consider when revising the Title 21 Zoning Code in the coming months.

Purpose of Conditional Use Permits for Planned Unit Developments

<u>What is a Conditional Use Permit:</u>

A conditional use permit may be granted to approve land uses and structures with special design or site requirements, operating characteristics, or potential adverse effects on surroundings. Approval may occur through Planning Commission review and, where necessary, the imposition of special conditions of approval. These applications require a public hearing.

<u>What is a Planned Unit Development:</u>

A planned unit development (PUD) is a code mechanism that allows development to be planned and built as a unit, or as phased units, and permits flexibility and variation in many of the traditional controls related to density, land use, setback, open space and other design elements, and the timing and sequencing of the construction. A PUD may be applicable to either residential, commercial, noncommercial or industrial uses or a combination thereof subject to any limitations or exceptions provided in code. Per HCC 21.52.20 PUDs are allowed in a zoning district only when allowed by the code provisions specifically applicable to that district. A requirement of the planned unit development process is the provision of more information than is required for a conventional conditional use permit. This includes site plans, elevations, drawings, illustrations and development phasing information to demonstrate the feasibility and functionality of a project.

Planned Unit Developments in Homer

Conditional use permits for Planned unit developments are a rare project/application in Homer. The following projects have approved PUDs in Homer:

- **Land's End, 4799 Homer Spit Rd. (1997–2008)**
  - Multiple CUPs approved for hotel expansion, phased condominium development, and garage/boat storage structures, including several amendments adjusting building height, floor area, setback, landscaping, and stormwater requirements.
- **Fisherman's Resort, 1302 Ocean Dr. (2005–2006)**
  - Approved PUD for RV park with commercial uses; later amendments added requirements for tree protection, buffering, parking, drainage, Fire Marshal approval, and height compliance.
- **59° North Cohousing, Fairview Ave. Daybreeze Park Subd. (2005)**
  - A mixed residential PUD with community facilities. Approved but never constructed.
- **Mixed-Use Lakeshore Dr. Project, 1299 & 1311 Lakeshore Dr. (2005)**
  - Approved small lot PUD for rooming houses, offices, caretaker residence, and workshops.
- **1952 Pioneer Ave Building (2013)**
  - Approved PUD primarily to accommodate an existing nonconforming historic structure and add a porch encroaching into setbacks.
- **Gas Station at 1242 Ocean Drive (2015)**
  - The applicant built a structure within the 20-foot building setback and later applied for a PUD to reduce the setback.
- **Lighthouse Village 1563 Homer Spit Road (2023-2024)**
  - The first application was denied, appealed, and remanded back to the Planning Commission. The revised application was approved for a hotel and multi-unit housing. The flexibility requested was for a building height of 44.5 feet. The GC1 zoning district height limit is 35 feet.

Zoning Code Flexibility Beyond PUDs

Beyond PUDs, the zoning code has limited tools for flexibility in development. Per HCC 21.70.030 (c). In granting a zoning permit, no City official or employee has authority to grant a waiver, variance, or deviation from the requirements of the zoning code and other applicable laws and regulations, unless such authority is expressly contained therein. Any zoning permit that attempts to do so may be revoked by the City Manager as void. The applicant, owner, lessee, and occupant of the lot bear continuing responsibility for compliance with the zoning code and all other applicable laws and regulations.

Variances:

A variance may be granted by the Planning Commission to provide relief when a literal enforcement of the Homer Zoning Code would deprive a property owner of the reasonable use of a lot. As currently written, the review criteria for a variance application have a rather high bar, including “The special conditions and circumstances that require the variance have not been caused by the applicant.” Therefore, the reasoning for applying for a variance cannot be self-imposed (i.e., I want an exception to code), but rather, circumstances outside of the applicant’s control have led them to request an exception to code via a variance.

Various Development Standards:

There are minor provisions for flexibility such as a maximum of 25% parking requirement reductions for mixed use projects in some districts, some setback reductions in the Central Business District, building height in the East End Mixed Use District, and some setbacks in the Bridge Creek Watershed Protection District if approved by the Planning Commission with a CUP.

Exception Variance

An exception variance application was utilized for the approval of the Homer High School in 1984 to exceed the 35-foot zoning district height limit in the Urban Residential District. The exception variance allowed special exceptions for public utilities or public service organizations due to their public role. The exception variance provision was repealed from HCC in 2003 (HCC 21.62.015).

Future Considerations

In current zoning code, the City of Homer does not have any exemptions for city projects and is required to follow the same regulations and processes as any other property owner in the city. A new recreation center is a high priority for the city, and by their nature and design, may seek flexibility on development standards such as building height, parking, and setbacks to name a few common requests. Current code has limited tools, either a PUD or Variance, for providing flexibility. These tools may not provide the flexibility needed to approve a project for construction.

Conclusion

As we continue to work towards re-writing the zoning code, we should spend time considering the tools we have currently in code, and whether these existing tools, or perhaps new ones, can provide enough flexibility for future development projects.

Alaska Small Business Development Center
ALASKA SBDC
UAA BUSINESS ENTERPRISE INSTITUTE

January 9, 2025

City of Homer
491 E. Pioneer Ave
Homer, AK 99603

Dear Homer Community,

This letter serves as our quarterly report for the period of October 1 to December 31, 2025. During the quarter, Homer Business Advisor Robert Green continued his strong performance in supporting business starts, adding four new businesses to the record ten achieved in the previous quarter. He concluded the year with a total of 16 new businesses started in Homer, tying the all-time record for new business starts in the community. In addition to supporting 215 jobs in Homer over the course of the year, Robert's clients reported cumulative sales growth of $2.03 million in 2025 as a direct result of their work with the Alaska SBDC. Here is a summary of deliverables to the Homer community during the quarter (year):

Client Hours: 146.5 (542.3)
Total Clients: 42 (102)
New Businesses Started or Bought: 4 (16)

Jobs Supported: 141 (215)
Capital Infusion: $80,000 ($983,792)
Client Surveys: 100% positive (100% positive)

The next section provides lists of the top advising topics and top industries obtaining technical assistance from the Alaska SBDC in Homer. This quarter, financing and capital overtook startup assistance, with marketing and sales joining the list. For industries, food services remained atop the list for a sixth consecutive quarter, followed by manufacturers, with accommodations and agriculture joining the list.

Topics
1. Financing/Capital: 43.3 hrs (30%)
2. Startup Assistance: 37.3 hrs (25%)
3. Buy/Sell Business: 25.8 hrs (18%)
4. General Management: 15.7 hrs (11%)
5. Marketing/Sales: 11.5 hrs (8%)

Industries
1. Food Services: 39.9 hrs (27%)
2. Manufacturers: 34.4 hrs (23%)
3. Accommodations: 23.4 hrs (16%)
4. Retailers: 13.3 hrs (9%)
5. Agriculture: 7.8 hrs (5%)

We would like to thank the City of Homer for its continued support of the Homer Business Advisor position. We appreciate the knowledge, experience, and steady commitment Robert Green brings to his work in the Homer community. Please do not hesitate to contact us if you have any questions.

Sincerely,

Signed by:
Kendra Conroy
D3BE7A15D8D7402...

Kendra Conroy
Acting State Director
Alaska SBDC

General Fund
Expenditure Report
Actuals through December 2025
50% Fiscal Year Elapsed

Current Fiscal Analysis

	FY26 ADOPTED BUDGET	FY26 YTD ACTUAL $	FY26 YTD ACTUAL %
Revenues			
Property Taxes	$ 5,431,570	$ 5,751,268	106%
Sales and Use Taxes	8,374,067	5,799,563	69%
Permits and Licenses	43,463	23,064	53%
Fines and Forfeitures	3,543	2,370	67%
Use of Money	-	-	
Intergovernmental	750,919	418,168	56%
Charges for Services	513,406	265,973	52%
Other Revenues	-	69,076	
Airport	222,248	80,930	
Operating Transfers	1,467,157	-	
Total Revenues	**$ 16,806,373**	**$ 12,410,412**	**74%**
Expenditures & Transfers			
Administration	$ 2,142,690	$ 1,001,653	47%
Clerks/Council	867,737	333,263	38%
Planning	466,252	234,278	
Library	1,139,976	548,135	48%
Finance	920,718	442,438	48%
Fire	1,721,874	859,381	50%
Police	4,614,240	2,334,766	
Public Works	3,787,976	1,609,633	42%
Airport	242,066	110,118	45%
City Hall, HERC	169,827	74,913	44%
Non-Departmental	197,000	172,000	
Total Operating Expenditures	$ 16,270,355	$ 7,720,577	47%
Transfer to Other Funds			
Leave Cash Out	$ 330,254	$ -	0%
Other	195,764	-	0%
Total Transfer to Other Funds	$ 526,018	$ -	0%
Transfer to CARMA	$ -	$ -	0%
General Fund Fleet CARMA	-	-	0%
General Fund CARMA	10,000	-	0%
Seawall CARMA	$ 10,000	$ -	0%
Total Transfer to CARMA Funds			
	$ 16,806,373	**$ 7,720,577**	**46%**
Total Expenditures & Transfers	**$ 0**	**$ 4,689,835**	
Net Revenues Over (Under) Expenditures w/HART Roads Budget Transfer*		**$ 5,062,394**	

These numbers are pre ary and are subject change

*Based off FY26 YTD Roads Maintenance Operating Expenses ($372,559)

Water and Sewer Fund
Expenditure Report
Actuals through December 2025
50% Fiscal Year Elapsed

Current Fiscal Analysis

	FY26 ADOPTED BUDGET	FY26 YTD ACTUAL	
		$	**%**
Revenues			
Water Fund	$ 2,522,112	$ 1,364,269	54%
Sewer Fund	2,157,567	1,438,991	67%
Total Revenues	**$ 4,679,679**	**$ 2,803,260**	**60%**
Expenditures & Transfers			
Water			
Administration	$ 367,168	$ 208,314	57%
Treatment Plant	781,321	249,868	32%
System Testing	36,000	9,669	27%
Pump Stations	126,114	52,472	42%
Distribution System	427,867	235,125	55%
Reservoir	29,695	18,863	64%
Meters	207,883	42,326	20%
Hydrants	219,623	108,993	50%
Sewer			
Administration	$ 367,360	$ 200,641	55%
Plant Operations	914,573	320,783	35%
System Testing	18,400	3,387	18%
Lift Stations	240,124	122,229	51%
Collection System	335,476	157,967	47%
Total Operating Expenditures	$ 4,071,603	$ 1,730,637	43%
Transfer to Other Funds			
Leave Cash Out	$ 25,360	$ -	0%
GF Admin Fees	-	-	0%
Other	10,277	-	0%
Total Transfer to Other Funds	$ 35,637	$ -	0%
Transfers to CARMA			
Water	$ 308,460		0%
Sewer	263,979		0%
Total Transfer to CARMA Funds	$ 572,440	$ -	0%
Total Expenditures & Transfers	**$ 4,679,679**	**$ 1,730,637**	**37%**
Net Revenues Over(Under) Expenditures	**$ 0**	**$ 1,072,624**	

These numbers are pre[illegible]ary and are subject change

Port and Harbor Fund
Expenditure Report
Actuals through December 2025
50% Fiscal Year Elapsed

Current Fiscal Analysis

	FY26 ADOPTED BUDGET	FY26 YTD ACTUAL $	FY26 YTD ACTUAL %
Revenues			
Administration	$ 741,793	$ 431,248	58%
Harbor	4,269,962	3,281,976	77%
Pioneer Dock	351,663	229,665	65%
Fish Dock	614,006	612,135	100%
Deep Water Dock	170,000	118,308	70%
Outfall Line	2,400	-	
Fish Grinder	8,000	9,330	117%
Load and Launch Ramp	130,000	55,818	
Total Revenues	**$ 6,287,824**	**$ 4,738,480**	**75%**
Expenditures & Transfers			
Administration	$ 1,325,915	$ 716,857	
Harbor	1,454,590	726,563	50%
Pioneer Dock	105,242	46,003	44%
Fish Dock	915,281	495,467	
Deep Water Dock	120,895	66,478	
Outfall Line	19,000	2,410	13%
Fish Grinder	47,039	31,393	
Parking	211,631	79,400	38%
Camping	119,070	48,283	41%
Harbor Maintenance	492,573	254,855	
Main Dock Maintenance	40,858	17,733	43%
Deep Water Dock Maintenance	51,358	21,956	43%
Load and Launch Ramp	118,899	73,500	
Total Operating Expenditures	$ 5,022,351	$ 2,580,898	
Transfer to Other Funds			
Leave Cash Out	$ 59,849	$ -	0%
GF Admin Fees	-	-	0%
Debt Service	-	-	0%
Other	248,498	-	0%
Total Transfer to Other Funds	$ 308,348	$ -	0%
Transfers to Reserves	$ 957,125	$ -	0%
Harbor	-	-	0%
Load and Launch Ramp	$ 957,125	$ -	0%
Total Transfer to Reserves	**$ 6,287,824**	**$ 2,580,898**	**41%**
Total Expenditures & Transfers	**$ 0**	**$ 2,157,582**	

These numbers are pre ary and are subject change

Net Revenues Over(Under) Expenditures

These numbers are pre[illegible]ary and are subject change

ECONOMIC DEVELOPMENT ADVISORY COMMISSION
2026 Calendar

	AGENDA DEADLINE	MEETING	CITY COUNCIL MEETING FOR REPORT*	ANNUAL TOPICS/EVENTS
JANUARY	Wednesday 1/7 5:00 p.m.	Tuesday 1/13 6:00 p.m.	Monday 1/26 6:00 p.m.	• City Mid-Biennium Budget Review/Develop Requests • Land Allocation Plan Review • KPEDD Industry Outlook Forum
FEBRUARY	Wednesday 2/4 5:00 p.m.	Tuesday 2/10 6:00 p.m.	Monday 2/23 6:00 p.m.	• KPC Job Fair
MARCH	Wednesday 3/4 5:00 p.m.	Tuesday 3/10 6:00 p.m.	Monday 3/23 6:00 p.m.	• Clerk Reappointment Notices Sent Out • Update from Public Works Director • KPEDD CEDS Review
APRIL	Wednesday 4/1 5:00 p.m.	Tuesday 4/8 6:00 p.m.	Monday 4/13 6:00 p.m.	• Terms Expire April 1st • Advisory Body Training Worksession
MAY	Wednesday 5/6 5:00 p.m.	Tuesday 5/12 6:00 p.m.	Tuesday 5/26 6:00 p.m.	• Annual Review of Commission's Bylaws • Election of EDC Officers
JUNE	Wednesday 6/3 5:00 p.m.	Tuesday 6/9 6:00 p.m.	Monday 6/22 6:00 p.m.	• Comprehensive Plan Review
JULY	No Regular Meeting			
AUGUST	Wednesday 8/5 5:00 p.m.	Tuesday 8/11 6:00 p.m.	Monday 8/24 6:00 p.m.	• Capital Improvement Plan Review • Update from Public Works Director
SEPTEMBER	Wednesday 9/2 5:00 p.m.	Tuesday 9/08 6:00 p.m.	Monday 9/21 6:00 p.m.	• Workforce Development Speaker
OCTOBER	Wednesday 10/7 5:00 p.m.	Tuesday 10/13 6:00 p.m.	Monday 10/26 6:00 p.m.	• Annual Review of EDC's Strategic Plan/Goals & BR&E
NOVEMBER	Wednesday 11/4 5:00 p.m.	Tuesday 11/10 6:00 p.m.	Monday 11/23 6:00 p.m.	• Chamber's Annual Presentation to EDC • Approve Meeting Schedule for Upcoming Year
DECEMBER	No Regular Meeting			

*The Commission's opportunity to give their report to City Council is scheduled for the Council's regular meeting following the Commission's regular meeting, under Agenda Item 8 – Announcements/ Presentations/ Borough Report/Commission Reports. If you are unable to attend your assigned meeting to give a report in person, you can submit a written report to the Clerk's office for inclusion in the Council packet.

2025 EDC Work Plan

February 2026

January:

1. Annual work plan
2. Discuss Itinerant Merchants/draft code

February:

3. Discuss 5-year CEDS update
4. Discuss Short-Term Rentals

March

5. Continue Itinerant Merchants/draft code (finalize?)
6. Discuss and make any budget recommendations
7. Discuss Title 21 Update

April

8. Talk about housing/mixed use development and districts such as downtown and Rural Residential
9. Update Bylaws with meeting schedule
10. Update City code for meeting schedule and CEDS role
11. KPEDD Industry Outlook Forum (Seward)
12. Start looking at comp plan, compare with CIP, budget and Commission work plan

May

13. Continue/complete comp plan/budget/CIP comparison for 2026.
14. Identify 2-3 tasks to work on for remainder of 2026
15. Complete Bylaws and code update (2 meeting process)

June- November – work on identified tasks from May meeting

August

September

October

November