Memorandum 12-021 East End Mixed Use District

Memorandum ID: 12-021
Memorandum Status: Backup

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MEMORANDUM 12-021

TO: Mayor Hornaday and Homer City Council
THRU: Walt Wrede, City Manager
FROM: Rick Abboud, City Planner
DATE: February 6, 2012
SUBJ: Ordinance 12-, An Ordinance of the City Council of Homer, Alaska, Enacting Homer City Code Chapter 21.27, East End Mixed Use District, Amending Homer City Code 21.10.010, Zoning Districts, and Amending the Homer Zoning Map to Rezone Portions of the Rural Residential, General Commercial One and General Commercial Two Zoning Districts to East End Mixed Use.

Introduction
The Planning Commission is forwarding the Draft Ordinances for review. The HAPC has had 13 work sessions, 11 regular meetings, 1 public outreach meeting, and a public hearing regarding this issue.

Why
Amending the map and text to create the East End Mixed Used District (EEMU) directly fulfills objectives of the Homer Comprehensive Plan in many aspects. After reviewing the code and map, you will find that it furthers specific goals and objectives of the adopted Homer Comprehensive Plan. The foremost priority of any zoning text or map amendment is whether it is consistent with the comprehensive plan (HCC 21.95.040 (a) & HCC 21.95.050 (a)).

Goal 1, Objective A, Modifies zoning policies to expand commercial development. Implementation Strategy 4, Commercial districts – encourage residential uses, while recognizing the primacy of commercial and/or industrial uses. Objective B (map components), East End Mixed Use – A wide variety of commercial and industrial uses with access to the marina and airport. Objective C: Develop clear and well-defined land use regulations and update the zoning map in support of the desired pattern of growth. Implementation Strategy 1, Revise the City's existing zoning code, to reflect the general land use designations presented in Objective B and Appendix B.

Appendix B, Land Use Designations
E-MU (EAST END MIXED USE)
? Intent The intent of the E-MU district is to allow a wide variety of commercial, industrial, and heavy industrial uses in a district with access to the boatyard, marine services, and the airport; and to ensure such uses, which are important to Homer's economy, continue to have a viable location.
? Primary Use Mixed-use development with fewer constraints on uses than existing GC-1 and GC-2. Designed to accommodate the wide range of uses found in the area today, as well as other future uses; examples include industrial, marine-oriented, construction services (including batch plants), storage, and artist workshops. Residential and retail are allowable, but residential/retail and commercial conflicts will be resolved in favor of commercial/industrial uses.
? Other Uses, Allowances and Specifications
- Allows for mixed use, live/work, provides larger lots than would be available in CBD.
- On-site parking required.
- Guide use to create/maintain an attractive highway environment.
? Development standards

- Minimal – basic guidelines for parking, setbacks.
- Encourage basic landscaping.
- Properties adjacent to the Conservation zone should use best management practices when developing near the southern edge of the property. Strategies may include, but are not limited to, 100 foot buffer zones along the southern property lines adjacent to the conservation areas, tree retention (bird habitat, moose cover), habitat and vegetation retention, and storm water and pollution management techniques. Developers are encouraged to use a combination of techniques to minimize impacts within 100 feet of the south property line and to provide for storm water filtration. Development is encouraged to concentrate on the northern portions of these lots. -Homer Comprehensive Plan

While I have spent an entire page to demonstrate the district's adherence to the Comprehensive plan, staff reports 11-90 and 11-91 answer the rest of the requirements found in code. The rest of the memo will be a brief of code and map amendment which can be studied in greater detail through the backup material. Again, the Planning Commission created this district to fulfill the objectives of the Homer Comprehensive Plan and it is not a reaction to any one specific item or issue.

What
Uses are a combination of General Commercial 1 & 2
A grand tally of all the permitted and conditional uses found in GC1 & 2 was made and combed through line by line by staff and the Planning Commission. Duplicates were resolved and it was determined that commercial activities would have priority over residential. Existing residential that would be eligible for "lawful nonconforming status" (lawfully constructed when allowed) are to be allowed outright and even allowed to expand or rebuild, but no more additional independent residential will be allowed. Any residential development will have to be made in conjunction with first establishing a commercial use.

Where
The entire area suggested in the comprehensive plan was evaluated
After initial review of GC1, 2 and residential areas, the commission listened to those who commented and excluded the residential area under consideration and added a lot requested by the owner that was contiguous to the district and next to the boat yard.

Result
The Planning Commission created a district that accommodates existing development and allows additional opportunities for commercial activities

Staff and Planning Commission recommendation:

Adopt Ordinance 12-10

Attachments
1. Draft Ordinance 11-XX
2. Staff Report PL 11-122 and Memorandum dated December 7, 2011 and minutes
3. Staff Report PL 11-113 dated November 2, 2011 and minutes
4. Staff Reports PL 11-90 and 11-91 dated August 17, 2011 and minutes
5. Staff Report PL 11-83 dated August 3, 2011 and minutes
6. Staff Report PL 11-77 dated July 20, 2011 and minutes
7. Staff Report PL 11-59 dated May 18, 2011 and minutes
8. Staff Report PL 11-52 dated May 4, 2011 and minutes
9. Staff Report PL 11-41 dated April 6, 2011 and minutes
10. Staff Report PL 11-35 dated March 16, 2011 and minutes
11. Staff Report PL 11-26 dated March 2, 2011 and minutes
12. Staff Report PL 11-22 dated February 16, 2011 (Work Session-No Minutes)

13. Staff Report PL 11-01 dated January 5, 2011 and minutes
14. Staff Report PL 10-104 dated November 3, 2010 and minutes

Related Ordinances**Memorandum - Related Ordinances:** Ordinance 12-10 Enacting Homer City Code Chapter 21.27, East End Mixed Use District

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