

CITY OF HOMER  
HOMER, ALASKA

Planning

ORDINANCE 11-32

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.34.010, PURPOSE; HOMER CITY CODE 21.24.020, PERMITTED USES; AND HOMER CITY CODE 21.34.030, CONDITIONAL USES; REGARDING THE PURPOSE AND USES PERMITTED IN THE CONSERVATION ZONING DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.34.010, Purpose, is amended to read as follows:

21.34.010 Purpose. The purposes of the conservation district **is applied to sensitive** are primarily to identify, protect and enhance those public lands that **are** have been identified by state or federal agencies or the City of Homer as habitat critical to the maintenance of fish and wildlife resources, **protect important watershed areas, or serve other key environmental functions. Private lands meeting the same criteria also may be included in the district with the consent of the owner. These lands are to be maintained in an undisturbed and natural state, except for** and secondarily including parks **with passive** whose recreation activities and facilities are passive in nature, (e.g., those activities that include wildlife viewing, nature walks, educational and interpretive uses) and other uses that do not change the character of the land or disrupt fish and wildlife. **Passive recreation activities are secondary to habitat protection and enhancement.**

Section 2. Homer City Code 21.34.020, Permitted uses, is amended to read as follows:

21.34.020 Permitted uses. The following uses are permitted outright in the conservation district:

- a. Fish and wildlife habitat protection and enhancement, ~~and~~
- b. Marine-life and wildlife sanctuary or preserve.

Section 3. Homer City Code 21.34.030, Conditional uses, is amended to read as follows:

21.34.030 Conditional uses. The following uses are conditionally permitted in the conservation district when authorized by conditional use permit issued in accordance with HCC Chapter 21.71:

- a. Pedestrian trails, including boardwalks and viewing platforms, ~~and~~
- b. Educational and interpretive displays and signs, ~~and~~
- c. **Public utility facilities and structures that cannot be reasonably located in another district.**
- d. Parking lots incidental to a permitted or conditionally permitted use, ~~and~~

[**Bold and underlined added.** Deleted language stricken through.]

46 ed. Other conservation uses that will enhance the conservation district, approved by the  
47 Planning Commission, provided, however, a finding of no adverse impact to the integrity of the  
48 fish and wildlife resources and habitat must be found.  
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50 Section 4. This Ordinance is of a permanent and general character and shall be included  
51 in the City Code.

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53 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 8<sup>th</sup> day of  
54 August 2011.

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56 CITY OF HOMER  
57  
58  James C. Hornaday  
59 JAMES C. HORNADAY, MAYOR  
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62 ATTEST:  
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64 Melissa Jacobsen Acting City Clerk  
65 JO JOHNSON, CMC, CITY CLERK  
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67  
68 YES: 5  
69 NO: 0  
70 ABSTAIN: 0  
71 ABSENT: 1  
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73 First Reading: 7/25/11  
74 Public Hearing: 8/8/11  
75 Second Reading: 8/8/11  
76 Effective Date: 8/9/11  
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78 Reviewed and approved as to form:

79  
80 Walt E. Wrede  
81 Walt E. Wrede, City Manager  
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80 Thomas F. Klinkner  
81 Thomas F. Klinkner, City Attorney  
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83 Date: 8/11/11  
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Date: 8-18-11