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**CITY OF HOMER  
HOMER, ALASKA**

Planning

**ORDINANCE 13-12(S)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, AMENDING THE HOMER CITY ZONING MAP TO REZONE PORTIONS OF THE MARINE INDUSTRIAL (MI) ZONING DISTRICT TO CONSERVATION (CONS), MARINE COMMERCIAL (MC) AND OPEN SPACE RECREATIONAL (OSR), AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE OPEN SPACE RECREATIONAL (OSR) ZONING DISTRICT TO MARINE INDUSTRIAL (MI), TO IMPLEMENT THE 2010 HOMER SPIT PLAN.

WHEREAS, The Homer City Council adopted Ordinance 11-17 on May 24, 2011, adopting the 2010 Homer Spit Plan as part of the Homer Comprehensive Plan and recommending adoption by the Kenai Peninsula Borough Assembly; and

WHEREAS, The Kenai Peninsula Borough Assembly adopted Ordinance 2011-38 on November 1, 2011, adopting the 2010 Homer Spit Plan as part of the Homer Comprehensive Plan; and

WHEREAS, The Homer Advisory Planning Commission held a public hearing on the rezonings described herein as required by Homer City Code 21.95.060, and

WHEREAS, AS 29.40.040 requires that the City's zoning regulations be consistent with the comprehensive plan and further specific goals and objectives of the plan, and the Homer Advisory Planning Commission has found that the zoning map amendments in this ordinance are necessary to conform the zoning of the Homer Spit area to the 2010 Homer Spit Plan; and

WHEREAS, The Homer Advisory Planning Commission also has found that the proposed rezonings (i) will be reasonable to implement and enforce; (ii) will promote the present and future public health, safety and welfare; and (iii) are consistent with the intent and wording of the other provisions of HCC Title 21.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. The Homer Zoning Map is amended to transfer the parcels listed on the attached Exhibit A from the Marine Industrial (MI) zoning district to the Conservation (CONS) zoning district as shown on the attached Exhibit F.

Section 2. The Homer Zoning Map is amended to transfer the parcels listed on the attached Exhibit B from the Marine Industrial (MI) zoning district to the Marine Commercial (MC) zoning district as shown on the attached Exhibit F.

46            Section 3. The Homer Zoning Map is amended to transfer the parcels listed on the attached  
47 Exhibit C from the Marine Industrial (MI) zoning district to the Open Space Recreational (OSR)  
48 zoning district as shown on the attached Exhibit F.  
49

50            Section 4. The Homer Zoning Map is amended to transfer the parcel listed on the attached  
51 Exhibit D from the Marine Industrial (MI) and Marine Commercial (MC) zoning districts, to the  
52 Marine Commercial (MC) zoning district as shown on the attached Exhibit F.  
53

54            Section 5. The Homer Zoning Map is amended to transfer the parcel listed on the attached  
55 Exhibit E from the Open Space Recreational (OSR) and Marine Industrial (MI) zoning districts, to  
56 the Marine Industrial (MI) zoning district as shown on the attached Exhibit F.  
57

58            Section 6. The City Planner is authorized to note on the Homer Zoning Map the  
59 amendments enacted by this ordinance as required by Homer City Code 21.10.030(b).  
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61            Section 7. This is a non-Code ordinance of a permanent nature and shall be noted in the  
62 ordinance history of Homer City Code 21.10.030.  
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64            ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 13<sup>th</sup> day of May,  
65 2013.  
66

67            CITY OF HOMER

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71            FRANCIE ROBERTS, MAYOR  
72            PRO TEMPORE  
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74            ATTEST:  
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76              
77            \_\_\_\_\_  
78            JO JOHNSON, CMC, CITY CLERK  
79

80            YES: 6  
81            NO: 0  
82            ABSTAIN: 0  
83            ABSENT: 0  
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85            First Reading: 4/22/13  
86            Public Hearing: 5/13/13  
87            Second Reading: 5/13/13  
88            Effective Date: 5/14/13  
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91 Reviewed and approved as to form:

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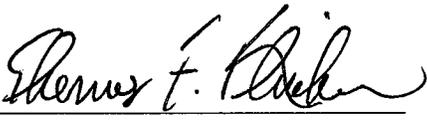
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\_\_\_\_\_  
Walt E. Wrede, City Manager

Date: 5/16/13

  
\_\_\_\_\_  
Thomas F. Klinkner, City Attorney

Date: 5-23-13