

*Final
5/10/11*

CITY OF HOMER
HOMER, ALASKA

Planning

ORDINANCE 11-20

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.24.010, PURPOSE; HOMER CITY CODE 21.24.020, PERMITTED USES AND STRUCTURES; AND HOMER CITY CODE 21.24.030, CONDITIONAL USES AND STRUCTURES; REGARDING THE PERMISSION OF SINGLE FAMILY AND DUPLEX DWELLINGS AS CONDITIONAL USES IN THE GENERAL COMMERCIAL 1 ZONING DISTRICT.

THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.24.010, Purpose, is amended to read as follows:

21.24.010 Purpose. The General Commercial 1 (GC1) District is primarily intended to provide sites for businesses that require direct motor vehicle access and may require larger land area, and to provide business locations in proximity to arterials and transportation centers. It is also intended to minimize congestion and adverse effects on adjacent residential districts and on the appearance of the community. **Residential uses are permitted as conditional uses, but conflicts between residential and nonresidential uses will be resolved in favor of nonresidential uses.**

Section 2. Homer City Code 21.24.020, Permitted uses and structures, is amended to read as follows:

21.12.020 Permitted uses and structures. The following uses are permitted outright in the General Commercial 1 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter.

- a. Air charter operations and floatplane tie-up facilities;
- b. General business offices and professional offices;
- c. Dwelling units located in buildings primarily devoted to business uses;
- d. Auto repair;
- e. Auto and trailer sales or rental areas;
- f. Auto fueling stations and drive-in car washes;
- g. Building supply and equipment sales and rentals;
- h. Restaurants, including drive-in restaurants, clubs and drinking establishments;
- i. Garden supplies and greenhouses;
- j. Heavy equipment and truck sales, rentals, service and repair;
- k. Hotels and motels;
- l. Lumberyards;
- m. Boat and marine equipment sales, rentals, service and repair;
- n. Mortuaries;
- o. Open air businesses;

- 47 p. Parking lots and parking garages, in accordance with HCC Chapter 7.12.
48 q. Manufacturing of electronic equipment, electrical devices, pottery, ceramics,
49 musical instruments, toys, novelties, small molded products and furniture;
50 r. Publishing, printing and bookbinding;
51 s. Recreation vehicle sales, rental, service and repair;
52 t. Retail businesses;
53 u. Trade, skilled or industrial schools;
54 v. Wholesale businesses, including storage and distribution services incidental to the
55 products to be sold;
56 w. Welding and mechanical repair;
57 x. Parks and open space;
58 y. Appliance sales and service;
59 z. Warehousing, commercial storage and mini-storage;
60 aa. Banks, savings and loans, credit unions and other financial institutions;
61 bb. Customary accessory uses to any of the permitted uses listed in the GC1 district,
62 provided that no separate permit shall be issued for the construction of any type of accessory
63 building prior to that of the main building;
64 cc. Dry cleaning, laundry, and self-service laundries;
65 dd. Taxi operation;
66 ee. Mobile food services;
67 ff. Itinerant merchants, provided all activities shall be limited to uses permitted
68 outright under this zoning district;
69 gg. Recreational vehicle parks, provided they shall conform to the standards in HCC
70 § 21.55.090.
71 hh. Day care homes, provided that a conditional use permit was obtained for the
72 dwelling, if required by HCC § 21.24.030; all outdoor play areas must be fenced.
73 ii. Rooming house and bed and breakfast, **provided that the dwelling has been**
74 **approved as a conditional use.**
75 jj. Dormitory.
76 kk. As an accessory use, one small wind energy system per lot.

77
78 Section 3. Homer City Code 21.24.030, Conditional uses and structures, is amended to
79 read as follows:

80
81 21.24.030 Conditional uses and structures. The following uses may be permitted in the
82 General Commercial 1 District when authorized by conditional use permit issued in accordance
83 with HCC Chapter 21.71:

- 84 a. Campgrounds;
85 b. Crematoriums;
86 c. Multiple family dwelling;
87 d. Public utility facility or structure;
88 e. Mobile home parks;

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

- 89 f. Planned unit developments;
- 90 g. Townhouses;
- 91 h. Pipelines and railroads;
- 92 i. Heliports;
- 93 j. Shelter for the homeless, provided any lot used for such shelter does not abut an
- 94 RO, RR, or UR zoning district;
- 95 k. More than one building containing a permitted principal use on a lot.
- 96 l. Day care facilities; provided, however, that outdoor play areas must be fenced.
- 97 m. Other uses approved pursuant to HCC § 21.04.020.
- 98 n. Indoor recreational facilities;
- 99 o. Outdoor recreational facilities.
- 100 **p. Single-family dwelling, excluding mobile home.**
- 101 **q. Duplex dwelling, excluding mobile home.**

102
103 Section 4. This Ordinance is of a permanent and general character and shall be included
104 in the City Code.

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106 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of
107 _____ 2011.

108
109 CITY OF HOMER

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111
112 _____
113 JAMES C. HORNADAY, MAYOR

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115 ATTEST:

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118 _____
119 JO JOHNSON, CMC, CITY CLERK

120
121 YES:
122 NO:
123 ABSTAIN:
124 ABSENT:

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127 First Reading:
128 Public Hearing:
129 Second Reading:
130 Effective Date:

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

131 Reviewed and approved as to form:

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135 _____
Walt E. Wrede, City Manager

Thomas F. Klinkner, City Attorney

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137 Date: _____

Date: _____

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