

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 95 - 24 (A)

AN ORDINANCE OF THE CITY OF HOMER AMENDING CITY CODE
SECTIONS 21.44.050 AND 21.49.060 TO ESTABLISH LANDSCAPING
REQUIREMENTS AS A PERFORMANCE STANDARD IN ALL
RESIDENTIAL ZONING DISTRICTS, THE CENTRAL BUSINESS
DISTRICT, THE GENERAL COMMERCIAL I DISTRICT AND THE
GENERAL COMMERCIAL II DISTRICT

WHEREAS, the Homer Comprehensive Plan has as one of its goals to strive to maintain the natural resources of the City of Homer in a manner that will mitigate impact to resources while enabling their development, use, safety, and enjoyment for future generations; and

WHEREAS, another goal of the Comprehensive Plan is to guide the use of land in a manner that maintains Homer's desirable natural features while providing for orderly and efficient community growth; and

WHEREAS, the natural resources and wildlife present in Homer are recognized as valuable assets, making Homer a desirable place to live and visit, enhancing its "uniqueness;" and

WHEREAS, one of the policies of the Comprehensive Plan is to strive to maintain Homer's wildlife resources; and

WHEREAS, one of the objectives of the Comprehensive Plan is to manage Homer's special natural features in a manner that preserves important positive natural features while protecting human life and property from natural hazards; and

WHEREAS, normal development practices, including removal of vegetative cover, may cause increased erosion, ponding of surface water, slumping and slope failure, situation, undesirable surface water drainage patterns, and damage to roots of trees on neighboring properties; and

WHEREAS, removal of natural vegetative cover may also seriously detract from the natural scenic beauty of the City and eliminate natural habitat for the wildlife resources of the City; and

WHEREAS, one of the policies of the City stated in the Comprehensive Plan is to encourage property owners to landscape their properties to bring them into harmony with natural surroundings; and

WHEREAS, revegetating and landscaping properties after development will help mitigate the adverse effects of development on neighboring properties and on Homer's natural resources, and will generally advance the objectives, policies, and goals of the Comprehensive Plan identified above; and

WHEREAS, an amendment to the performance standards set forth in HCC Section 21.44.050 for the Rural Residential District will also cause an identical amendment to become effective in the Urban Residential District(HCC 21.45.050), the Residential Office District(HCC 21.47.060), and the Central Business District(HCC 21.48.060); and

WHEREAS, an amendment to the performance standards set forth in HCC Section 21.49.060 for the General Commercial I District will also cause an identical amendment to become effective in the General Commercial II District(HCC 21.50.040);

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HOMER:

Section 1: Homer City Code Section 21.44.050 is hereby amended by adding a new subparagraph c to read as follows:

c. Landscaping Requirements. All development on lands in this zoning district shall conform to the following:

1. Development activities shall not adversely impact other properties by causing damaging alteration of surface water drainage, surface water ponding, slope failure, erosion, situation, intentional or inadvertent fill or root damage to neighboring trees, or other physical impacts. The property owner and developer shall take such steps, including installation of culverts or buffers, or other methods, as necessary to comply with this requirements.

2. Upon completion of earthwork operations, all exposed slopes, cleared, filled, and disturbed soils shall be given sufficient protection by appropriate means, such as landscaping, planting, and maintenance of vegetative cover, to prevent subsequent erosion.

3. All exposed, cleared, filled, and disturbed soils shall be revegetated within the next growing season. Natural revegetation is acceptable if the site will naturally revegetate within the next growing season. If natural revegetation is not successful within the next growing season, the property owner and developer shall revegetate by other means no later than the following growing season.

4. Drainage can be stabilized in other manners than vegetation; as determined by the City inspector.

Section 2: Homer City Code Section 21.49.060 is hereby amended by adding a new subparagraph j. to read as follows:

j. Landscaping Requirements. All development on lands in this zoning district shall conform to the following:

1. Development activities shall not adversely impact other properties by causing damaging alteration of surface water drainage, surface water ponding, slope failure, erosion, situation, intentional or inadvertent fill or root damage to neighboring trees, or other physical impacts. The property owner and developer shall take such steps, including installation of culverts or buffers, or other methods, as necessary to comply with this requirement.

2. Upon completion of earthwork operations, all exposed slopes, cleared, filled, and disturbed soils shall be given sufficient protection, such as landscaping, planting, and maintenance of vegetative cover, as necessary to prevent subsequent erosion.

3. All exposed, cleared, filled, and disturbed soils shall be revegetated within the next growing season. Natural revegetation is acceptable if the site will naturally revegetate within the next growing season. If natural revegetation is not successful within the next growing season, the property owner and developer shall revegetate by other means no later than the following growing season.

4. Drainage can be stabilized in other manners than vegetation; as determined by the City inspector.

Section 3. This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER,
ALASKA, this 25th day of September, 1995.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR


ATTEST:


MARY L. CALHOUN, CITY CLERK

AYES: 5
NOES: 1
ABSTAIN: 0
ABSENT: 0

First Reading: 8/14/95
Public Hearing: 8/28/95
Second Reading: 9/25/95
Effective Date: 9/26/95

Review and approved as to form and content:


PATTI J. WHADIN
CITY MANAGER


GORDON J. TANS
CITY ATTORNEY