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2 CITY OF HOMER
3 HOMER, ALASKA
4

5 Sponsor/
6 Cannabis Advisory Commission
7

8 ORDINANCE 18-____
9

10 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
11 AMENDING HOMER CITY CODE 21.28.020, PERMITTED USES AND
12 STRUCTURES; ADDING MARIJUANA RETAIL FACILITIES IN THE
13 MARINE COMMERCIAL DISTRICT.
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15 WHEREAS, it is in the City's best interest to draft comprehensive regulations
16 regarding the use of property within the City to cultivate, manufacturer marijuana or to
17 operate a retail store selling marijuana; and
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19 WHEREAS, the City is dedicated to drafting regulations that prevent the
20 distribution of marijuana to minors; prevents revenue from the sale of marijuana from
21 going to criminal enterprises, gangs, and cartels; prevents the diversion of marijuana from
22 states where it is legal under state law in some form to other states; prevents state-
23 authorized marijuana activity from being used as a cover or pretext for the trafficking of
24 other illegal drugs or other illegal activity; prevents violence and the use of firearms in the
25 cultivation and distribution of marijuana; prevents drugged driving and the exacerbation
26 of other adverse public health consequences associated with marijuana use; prevents the
27 growing of marijuana on public lands and the attendant public safety and environmental
28 dangers posed by marijuana production on public land; and prevents marijuana possession
29 or use on federal property.
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31 THE CITY OF HOMER ORDAINS:
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33 Section 1. Homer City Code Chapter 21.28 is amended as follows:
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35 Section 21.28.020 Permitted uses and structures.
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37 The following uses are permitted outright in the Marine Commercial District,
38 except when such use requires a conditional use permit by reason of size, traffic volumes,
39 or other reasons set forth in this chapter:
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41 a. Offices for tourism-related charter and tour businesses, such as fishing,
42 flightseeing, day excursions and boat charters and tours;

b. Marine equipment sales, rentals, service, repair and storage;

[**Underlined added.** Deleted language stricken through.]

43 c. Retail stores limited to the sale of seafood products, sporting goods, curios, and
44 arts and crafts;

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46 d. Business offices for water-dependent and water-related activities such as fish
47 brokers, off-shore oil and gas service companies, and stevedores;

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49 e. Customary accessory uses that are clearly subordinate to the main use of the lot
50 or building such as piers or wharves; provided, that separate permits shall not be issued
51 for the construction of an accessory structure prior to that of the main structure;

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53 f. Mobile food services;

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55 g. Itinerant merchants, provided all activities shall be limited to uses permitted
56 outright under this zoning district;

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58 h. Recreational vehicle parks, provided they shall conform to the standards in
59 Chapter 21.54 HCC;

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61 i. Restaurants;

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63 j. Cold storage facilities;

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65 k. Campgrounds;

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67 l. Manufacturing, processing, cooking, and packing of seafood products;

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69 m. Parks;

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71 n. Boat launching or moorage facilities, marinas;

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73 o. Caretaker, business owner or employee housing as an accessory use to a
74 primary use, and limited to no more than 50 percent of the floor area of a building and for
75 use by an occupant for more than 30 consecutive days;

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77 p. Lodging as an accessory use, limited to no more than 50 percent of the floor
78 area of a building;

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80 q. As an accessory use, one small wind energy system per lot;

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82 **r. Marijuana retail facilities as defined by state law.**

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84 Section 2. This ordinance shall take effect upon its adoption by the Homer City Council.

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

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ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this _____
day of _____ 2018.

CITY OF HOMER

BRYAN ZAC, MAYOR

ATTEST:

MELISSA JACOBSON, MMC, CITY CLERK

AYES:
NOES:
ABSTAIN:
ABSENT:

First Reading:
Public Reading:
Second Reading:
Effective Date:

Reviewed and approved as to form:

Kate Koester, City Manager

City Attorney

Date: _____

Date: _____