



City of Homer

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MEMORANDUM 21-137

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, MMC, CITY CLERK

DATE: JULY 30, 2021

SUBJECT: ORDINANCE 21-44 SUBSTITUTE

Substitute Ordinance 21-44(S)-

- Strikes Section 21.93.040 Decisions not subject to appeal. This was intended to be removed in the original draft because the sections above specify what final decisions are subject to appeal.
- Amends 21.93.050 (a)(3) and (b)(4) to strike proposed new wording “adversely affected” and retain the word aggrieved. It was realized that aggrieved is defined in 21.03 Definitions and Rules of Construction as follows - *“Person aggrieved” means a person who shows proof of the adverse effect an action or determination taken or made under the Homer Zoning Code has or could have on the use, enjoyment, or value of real property owned by that person. An interest that is no different from that of the general public is not sufficient to establish aggrievement.*
- 21.93.080 (d) adds clarifying language regarding notice to neighboring property owners to be consistent with 21.93.110(e).
- Amends 21.93.110 (b) to read **factual** findings and **legal** conclusions, (c) to strike notice to neighboring property owners, and (e) adds language regarding notice to neighboring property owners.

