

City Manager

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.95.060 AND HOMER CITY CODE 21.95.070 TO REQUIRE THE HOMER ADVISORY PLANNING COMMISSION TO REVIEW AMENDMENTS TO TITLE 21 OR THE OFFICIAL ZONING MAP BEFORE SUCH AMENDMENTS ARE ADOPTED BY CITY COUNCIL BUT NOT NECESSARILY BEFORE SUCH AMENDMENTS ARE SUBMITTED TO CITY COUNCIL FOR REVIEW.

WHEREAS, Homer City Council highly values recommendations made by the Homer Advisory Planning Commission (“Commission”) on all ordinances proposing changes to Title 21 entitled “Zoning and Planning”; and

WHEREAS, The Council is dedicated to preserving the Commission's role in reviewing all ordinances changing Title 21 while also permitting Council greater flexibility regarding when and to what extent Council discusses proposed changes to Title 21; and

WHEREAS, It is in the City's best interest to clarify within Title 21 that while the Commission must review any change to Title 21 before it is adopted, Council has authority to consider and review proposed changes to Title 21 concurrently with and even prior to submittal of such changes to the Commission.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 21.95.060 is amended to read as follows:

- a. The Planning Commission shall review each proposal to amend this title or to amend the official zoning map before it is adopted by the City Council.
- b. Within 30 days after determining that an amendment proposal is complete and complies with the requirements of this chapter, the Planning Department shall present the amendment to the Planning Commission with the Planning Department's comments and recommendations, accompanied by proposed findings consistent with those comments and recommendations.
- c. The Planning Department shall schedule one or more public hearings before the Planning Commission on an amendment proposal, and provide public notice of each hearing in accordance with Chapter 21.94 HCC.
- d. After receiving public testimony on an amendment proposal and completing its review, the Planning Commission shall submit to the City Council its written

recommendations regarding the amendment proposal along with the Planning Department's report on the proposal, all written comments on the proposal, and an excerpt from its minutes showing its consideration of the proposal and all public testimony on the proposal.

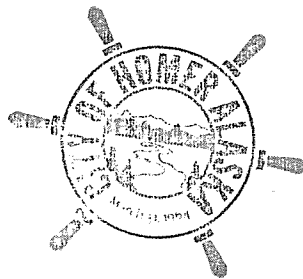
Section 2. Section 21.95.070 is amended to read as follows:

City Council shall consider an amendment proposal to this title in accordance with the ordinance enactment procedures in the Homer City Code but shall not adopt an amendment proposal under this title without considering the recommendations of the Planning Commission regarding an amendment proposal. When City Council is considering an amendment proposed by the Planning Commission, the City Council may adopt the proposed amendment as submitted or with amendments, or reject the proposed amendment.

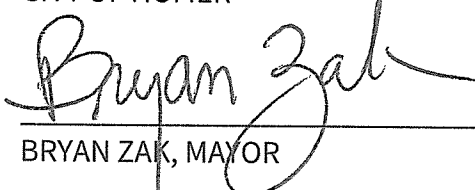
Section 3. This ordinance shall take effect upon its adoption by the Homer City Council.

Section 4. This ordinance is of a permanent and general character and shall be included in the City Code.


ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 9th day of January, 2017.



CITY OF HOMER


BRYAN ZAK, MAYOR

ATTEST:


JO JOHNSON, MMC, CITY CLERK

YES: 5
NO: 0
ABSTAIN: 0
ABSENT: 1

85 First Reading: 11/21/16
86 Public Hearing: 12/05/16
87 Second Reading: 1/09/17
88 Effective Date: 1/10/17
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92 Reviewed and approved as to form.
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94 Mary K Koester
95 Mary K. Koester, City Manager
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97 Date: 1.18.17
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99

Holly C. Wells
Holly C. Wells, City Attorney

Date: 1.26.17

100 Fiscal Note: NA

