

**CITY OF HOMER
HOMER, ALASKA**

Planning Commission

ORDINANCE 20-59(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE TO CREATE HOMER CITY CODE 21.17, MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.58.030, PERMISSION FOR COMMUNICATIONS TOWERS, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.60.060, SIGNS ON PRIVATE PROPERTY, ADDING THE MEDICAL ZONING DISTRICT; AMENDING HOMER CITY CODE 21.10.020, ZONING DISTRICTS, TO INCLUDE THE MEDICAL DISTRICT; AND AMENDING THE HOMER CITY ZONING MAP TO REZONE A PORTION OF THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT TO MEDICAL (M) ZONING DISTRICT.

Whereas, The 2018 Homer Comprehensive Plan Goal 1 Objective B states that the zoning map be updated to support the desired pattern of growth; and

Whereas, The Comprehensive Plan Land Use Recommendations Map designated an area for consideration of a Medical District; and

Whereas, The Homer Planning Commission has worked with area residents and business owners to identify desirable characteristics and appropriate performance standards as suggested in the Homer Comprehensive Plan; and

Whereas, The Homer Planning Commission held a neighborhood meeting on February 19, 2020 and held a public hearing on June 17, 2020, as required by HCC 21.95.060(C); and

WHEREAS, The Homer Planning Commission determined there is a public need and justification for the rezone; and

WHEREAS, The Homer Planning Commission determined the rezone would not have a negative effect on the public health, safety and welfare; and

WHEREAS, The Homer Planning Commission considered the effect of the change on the district and surrounding properties; and

WHEREAS, The Homer Planning Commission determined that the rezone was in compliance with the Homer Comprehensive Plan.

35 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

36 Section 1. Homer City Code 21.17 is hereby enacted as follows:

37 **Chapter 21.17**

38 **M MEDICAL DISTRICT**

39 Sections:

- 40 21.17.010 Purpose.
- 41 21.17.020 Permitted uses and structures.
- 42 21.17.030 Conditional uses and structures.
- 43 21.17.040 Dimensional requirements.
- 44 21.17.050 Site and access.
- 45 21.17.060 Traffic requirements.
- 46 21.17.070 Site development standards.
- 47 21.17.080 Nuisance standards.
- 48 21.17.090 Lighting standards.

49 **21.17.010 Purpose.**

50 The purpose of the Medical District is to provide an area near the hospital to support medical
51 facilities and other professional office and limited commercial uses. The district is meant to
52 accommodate a mixture of residential and nonresidential uses. Pedestrian-friendly designs
53 and amenities are encouraged.

54 **21.17.020 Permitted uses and structures.**

55 The following uses are permitted outright in the Medical District:

- 56 a. Single-family and duplex dwelling, excluding mobile homes;
- 57 b. Multiple-family dwelling, provided the structure conforms to HCC 21.14.040(a)(2) and
58 excluding mobile homes;
- 59 c. Public parks and playgrounds;
- 60 d. Rooming house, bed and breakfast;
- 61 e. Townhouses (compliant w 21.53.010 (g) and (h));
- 62 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;

- 63 g. Professional offices and general business offices;
- 64 h. Clinics;
- 65 i. Day care facilities;
- 66 j. Day care homes;
- 67 k. Personal services;
- 68 l. Museums, libraries and similar institutions;
- 69 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 70 n. Religious, cultural and fraternal assembly;
- 71 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner
72 and separated by at least five feet from any property line as an accessory use incidental to a
73 permitted or conditionally permitted principal use;
- 74 p. Private exterior storage of the occupant's personal noncommercial equipment, including
75 noncommercial trucks, boats, campers, and not more than one recreational vehicle in a safe
76 and orderly manner and separated by at least five feet from any property line as an accessory
77 use incidental to a permitted or conditionally permitted principal use;
- 78 q. Other customary accessory uses to any of the permitted uses listed in the Medical District;
79 provided, that no separate permit shall be issued for the construction of any detached
80 accessory building prior to that of the main building;
- 81 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
82 manner consistent with the requirements of the Homer City Code and as long as such
83 animals are kept as pets and their numbers are such as not to unreasonably annoy or disturb
84 occupants of neighboring property;
- 85 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 86 t. As an accessory use, one small wind energy system per lot having a rated capacity not
87 exceeding 10 kilowatts;
- 88 u. Mobile food services;
- 89 v. Retail as an accessory use to a permitted principle use;
- 90 w. Sale of durable and non-durable medical supplies and equipment;
- 91 x. More than one building containing a permitted principal use on a lot;

92 y. Parking lots.

93 **21.17.030 Conditional uses and structures.**

94 The following uses may be permitted in the Medical District when authorized by conditional
95 use permit issued in accordance with Chapter 21.71 HCC:

96 a. Planned unit developments, excluding all industrial uses;

97 b. Public or private schools;

98 c. Hospitals;

99 d. Public utility facilities and structures;

100 e. Mortuaries;

101 f. Group care homes;

102 g. Helipads, but only as an accessory use incidental to a hospital conditional use;

103 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
104 that it is the only wind energy system of any capacity on the lot;

105 i. Other uses approved pursuant to HCC 21.04.020;

106 j. Parking garage.

107 **21.17.040 Dimensional requirements.**

108 The following dimensional requirements shall apply to all structures and uses in the Medical
109 District:

110 a. The minimum lot size is 7,500 square feet.

111 b. Building Setbacks.

112 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

113 2. All buildings shall be set back from all other lot boundary lines according to the
114 number of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet

Number of Stories Setback (in feet)

2 1/2 stories 8 feet

115 c. Building Height.

116 1. The maximum building height is 35 feet, ~~except as provided in subsection (c)(2) of~~
117 ~~this section.~~

118 2. ~~If approved by conditional use permit, the maximum building height for multifamily~~
119 ~~residential and commercial buildings 65 feet.~~

120 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
121 nor shall any lot contain building area in excess of 30 percent of the lot area, without an
122 approved conditional use permit.

123 **21.17.050 Site and access.**

124 a. A zoning permit for any nonresidential use or structure shall not be issued by the City
125 without an approved site plan and an approved level two right-of-way access plan that
126 conform to the standards of Chapter 21.73 HCC.

127 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
128 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

129 **21.17.060 Traffic requirements.**

130 A conditional use permit is required for every use that:

131 a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated
132 utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;

133 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip
134 Generation Handbook, Institute of Transportation Engineers, 9th Edition;

135 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any
136 hour of the day due to a change in land use or intensity of use; or

137 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level
138 of service, the highway, road, street, alley or intersection.

139 **21.17.070 Site development standards.**

140 a. All single-family and duplex residential development in the Medical District shall comply
141 with the level one site development standards contained in HCC 21.50.020.

142 b. All residential development of three units or more and all nonresidential development on
143 lands in this district shall conform to the level two site development standards set forth in

144 HCC 21.50.030 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2).
145 Parking lots with a minimum of 24 spaces or more shall provide a minimum of 10%
146 landscaped area in dividers, islands or buffers or any combination thereof, adjacent or within
147 the parking area.

148 c. New non-residential construction shall be screened from existing single family or duplex
149 dwellings by a continuous fence or landscaping so as to obscure the view of the parking lot
150 and loading areas from the adjacent dwelling.

151 **21.17.080 Nuisance standards.**

152 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in
153 this zoning district.

154 **21.17.090 Lighting standards.**

155 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
156 structures in this zoning district.

157

158 Section 2. Homer City Code 21.21.58.030 Permission for communications towers is hereby
159 amended as follows:

160 a. Except as provided in subsection (b) of this section, a communications tower is permitted
161 as a principal or accessory use or structure in each zoning district.

162 b. A communications tower that exceeds the following maximum height for the zoning
163 district in which the communications tower is located is permitted only when authorized by
164 conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
MD	85

District	Maximum Height (feet)
UR	60
RR	85
CONS	60
GC2	120
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

165

166 Section 3. Homer City Code 21.60.060 Signs on private property is hereby amended as
167 follows:

168
169 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
170 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit
171 approval in the zoning district represented by that column. If the letter “P” appears for a sign
172 type in a column, such sign type is allowed only with prior permit approval in the zoning
173 district represented by that column. Special conditions may apply in some cases. If the letter
174 “N” appears for a sign type in a column, such sign type is not allowed in the zoning district
175 represented by that column under any circumstances. If the letters “PH” appear for a sign
176 type in a column, such sign type is allowed in the zoning district represented by that column
177 only with prior approval by the Commission after a public hearing.

178 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P”
179 in Table 1 shall be allowed only if:

180 1. The sum of the area of all building and freestanding signs on the lot does not exceed
181 the maximum permitted sign area for the zoning district in which the lot is located as
182 specified in Table 2; and

183 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 184 Characteristics by Zoning District, and with any additional limitations on characteristics
 185 listed in Table 1 or Table 2.

186 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU MC	East End Mixed Use Marine Commercial
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
<u>M</u>	<u>Medical District</u>	PS	Public Sign Uses Permit
A = Allowed without sign permit			
P = Allowed only with sign permit			
N = Not allowed			
PH = Allowed only upon approval by the Planning Commission after a public hearing.			
For parenthetical references, e.g., "(a)," see notes following graphical portion of table.			

187
 188
 189

Table 1

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Freestanding															
Residential (b)	A	A	A	A	<u>A</u>	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	<u>P</u>	P	P	P	A	A	A	P	P	N	PH

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
								(i)							
Incidental (c)	N	N	A (d)	A (d)	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Parking Lot Identification					<u>A</u>	A	A	A	A	A	A	A	A		
Building															
Banner	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	<u>A</u>	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	<u>P</u>		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	<u>P</u>	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Miscellaneous															
Flag (h)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	A

- 190
 191 Notes to Table 1:
 192 a. This column does not represent a zoning district. It applies to institutional uses
 193 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
 194 defined as an established organization or corporation of a public, nonprofit, or public
 195 safety/benefit nature, i.e., schools, churches, and hospitals.

- 196 b. No commercial message allowed on sign, except for a commercial message drawing
- 197 attention to goods or services legally offered on the lot.
- 198 c. No commercial message of any kind allowed on sign if such message is legible from any
- 199 location off the lot on which the sign is located.
- 200 d. Only address and name of occupant allowed on sign.
- 201 e. May include only building name, date of construction, or historical data on historic site;
- 202 must be cut or etched into masonry, bronze, or similar material.
- 203 f. No commercial message of any kind allowed on sign.
- 204 g. The conditions of HCC 21.60.130 apply.
- 205 h. Flags of the United States, the State, the City, foreign nations having diplomatic
- 206 relations with the United States and any other flag adopted or sanctioned by an elected
- 207 legislative body of competent jurisdiction. These flags must be flown in accordance with
- 208 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
- 209 not meeting any one or more of these conditions shall be considered a banner sign and shall
- 210 be subject to regulations as such.
- 211 i. The main entrance to a development in GBD may include one ground sign announcing
- 212 the name of the development. Such sign shall consist of natural materials. Around the sign
- 213 grass, flowers and shrubs shall be placed to provide color and visual interest. The sign must
- 214 comply with applicable sign code requirements.
- 215

Table 2. Maximum Total Sign Area Per Lot by Zoning District

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	<u>M</u>
4	4	6	50	20	4	32	<u>50</u>

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

- 218 1. In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or
219 with multiple independent businesses or occupancies in one or more buildings, the
220 total allowed sign area may be increased beyond the maximum allowed signage as
221 shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote
222 or identify the building or complex of buildings.
- 223 2. In all districts covered by Table 2 Part B, freestanding Parking Lot Identification signs
224 are excluded from calculation as sign area, and are allowed in addition to the
225 freestanding sign per limitation stated in Table 2 Part B(4). One directional parking lot
226 identification sign may be erected without a sign permit if restricted to identifying a
227 parking lot with its owner, operator, or name of the business providing the lot. The sign
228 may include the logo, corporate colors or name of the business but no advertising other
229 than the name of the business shall be included. The total sign area shall not exceed six
230 square feet and shall not exceed a sign height of six feet.
- 231 3. In all districts covered by Table 2 Part B, special conditions for additional signage
232 allowance above 150 square feet per building. An allowance for additional signage may
233 be granted by the City Planner for either section (a) or section (b) below.
- 234
- 235 a. Multiple-Tenant Buildings which adjoin and have which have more than one
236 entrance for clients that access more than one improved street.
- 237 1. Secondary and tertiary entrances must be commonly used by clients and
238 must access the interior of the building and conversely the entrance must
239 access a parking lot, sidewalk or constructed public road. These entrances
240 are approved at the sole direction of the planning department. Alleys,

241 stairways to upper levels, emergency exists may not apply at the discretion
242 of the Planning Director.

243 2. Additional signage is allowed based $\frac{1}{2}$ the allowance on Table 2 part B to
244 existing for each secondary or tertiary street wall frontage. Signage must be
245 placed on the wall face of the building the allowance was based on.

246 b. Additional sign allowance for multitenant split level buildings and buildings two or
247 more businesses deep:

248 1. In a building that has one frontage, which is the only frontage that has access
249 to a public street, and is split level or is more than one business in depth.

250 2. Additional signage is allowed based on $\frac{1}{2}$ the allowance of Table 2 Part B.

251
252 4. In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed,
253 shall not exceed the following limitations:

254 a. Only one freestanding sign is allowed per lot, except one freestanding public
255 sign may be additionally allowed. A freestanding sign may not exceed 10 feet in
256 height.

257 b. The sign area on a freestanding sign (excluding a public sign) shall be included
258 in the calculation of maximum allowed sign area per lot and shall not exceed the
259 following:

260 i. One business or occupancy in one building – 36 sq ft

261 ii. Two independent businesses or occupancies or principal buildings in any
262 combination – 54 sq ft

263 iii. Three independent businesses or occupancies or principal buildings in any
264 combination – 63 sq ft

265 iv. Four or more independent businesses or occupancies or principal buildings in
266 any combination – 72 sq ft

267 Notes to Table 2, Parts A and B

268 a. The INS column does not represent a zoning district. It applies to institutional uses
269 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
270 defined as an established organization or corporation of a public, nonprofit, or public safety
271 or benefit nature, e.g., schools churches, and hospitals.

- 272 b. Flags of the United States, the State, the City, foreign nations having diplomatic
 273 relations with the United States, and any other flag adopted or sanctioned by an elected
 274 legislative body of competent jurisdiction. These flags must be flown in accordance with
 275 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
 276 not meeting any one or more of these conditions shall be considered a banner sign and shall
 277 be subject to regulation as such.
- 278 c. Square feet of wall frontage is defined as total square footage of wall surface, under the
 279 roof, that faces the major access or right-of-way of the business. In the case of a business
 280 located on a corner lot, square footage of wall frontage is the total square footage of wall
 281 surface, under the roof, on the side of the business with the most square footage.
- 282 d. The PS column does not represent a zoning district. It applies to public signs permitted
 283 under the zoning code, in all zoning districts.
- 284 e. This RO column applies only to lots in that portion of the RO district that abuts East
 285 End Road, ~~Bartlett Street~~, Hohe Street, and Pennock Street. Within this area, there is
 286 allowed a maximum of 50 square feet total area of all signs (including the ground sign
 287 referred to below), except incidental, building marker, and flags (see note (b) above). One
 288 ground sign, with a maximum total area of 16 square feet, will be permitted per lot. Each
 289 ground sign shall not exceed six feet in height, measured from the base to the highest portion
 290 of any part of the sign or supporting structure.
- 291 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
 292 **freestanding public sign may be additionally allowed. A freestanding sign may not**
 293 **exceed 10 feet in height or 36 square feet in area.**

294
 295 **Table 3. Permitted Sign Characteristics by Zoning District**
 296

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	<u>N</u>	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	<u>N</u>	P	P	N	P	P	P	P	P	N	N

297
 298 Notes to Table 3:

- 299 a. The INS column does not represent a zoning district. It applies to institutional uses
300 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is
301 defined as an established organization or corporation of a public, nonprofit, or public
302 safety/benefit nature, i.e., schools, churches, and hospitals.
- 303 b. Animated signs may not be neon or change colors or exceed three square feet in area.
- 304 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
- 305 d. Neon signs may not be flashing and may not exceed 32 square feet.
- 306 e. The PS column does not represent a zoning district. It applies to public signs permitted
307 under the zoning code, in all zoning districts.
- 308

309

310 Section 4. HCC 21.10.020 Zoning District is hereby amended as follows:

- 311 a. The City is divided into zoning districts. Within each zoning district only uses and structures
312 authorized by this title are allowed.

313

- 314 b. The following zoning districts are hereby established:

Zone	Abbreviated Designation
Residential Office	RO
Rural Residential	RR
Urban Residential	UR
Central Business District	CBD
Town Center District	TCD
Gateway Business District	GBD
General Commercial 1	GC1
General Commercial 2	GC2
East End Mixed Use	EEMU
Marine Commercial	MC
Marine Industrial	MI
<u>Medical</u>	<u>M</u>

Zone	Abbreviated Designation
Open Space – Recreational	OSR
Conservation District	CO

315 c. The zoning district boundaries shall be as shown on the official Homer zoning map. [Ord.
316 12-10 § 2, 2012; Ord. 08-29, 2008].

317

318 Section 5. The Homer Zoning Map is amended to transfer the parcels listed on the attached
319 Exhibit A from RO zoning district to the M zoning district as shown on the attached Exhibit B.

320

321 Section 6. The City Planner is authorized to note on the Homer Zoning Map the amendments
322 enacted by this ordinance as required by Homer City Code 21.10.030(b).

323

324 Section 7. Sections 1-4 of this Ordinance are of a permanent nature and general character and
325 shall be included in the City Code. Section 5 is a non-Code ordinance of a permanent nature
326 and shall be noted in the ordinance history of Homer City Code 21.10.030.

327

328 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this XX day of XXX, 2020.

329 CITY OF HOMER

330

331

332 _____
KEN CASTNER, MAYOR

333

334 ATTEST:

335

336

337 _____
MELISSA JACOBSEN, MMC, CITY CLERK

338

339 YES:
340 NO:
341 ABSTAIN:
342 ABSENT:
343
344 First Reading:
345 Public Hearing:
346 Second Reading:
347 Effective Date:

348
349

350 Reviewed and approved as to form.

351

352

353 _____
Robert Dumouchel, City Manager

Michael Gatti, City Attorney

354

355 Date: _____

Date: _____

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HOMER, ALASKA**

Planning Commission

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- 60 d. Rooming house, bed and breakfast;
- 61 e. Townhouses (compliant w 21.53.010 (g) and (h));
- 62 f. Home occupations; provided they conform to the requirements of HCC 21.51.010;

- 63 g. Professional offices and general business offices;
- 64 h. Clinics;
- 65 i. Day care facilities;
- 66 j. Day care homes;
- 67 k. Personal services;
- 68 l. Museums, libraries and similar institutions;
- 69 m. Nursing facilities, convalescent homes, homes for the aged, assisted living homes;
- 70 n. Religious, cultural and fraternal assembly;
- 71 o. Storage of the occupant's personal commercial fishing gear in a safe and orderly manner
72 and separated by at least five feet from any property line as an accessory use incidental to a
73 permitted or conditionally permitted principal use;
- 74 p. Private exterior storage of the occupant's personal noncommercial equipment, including
75 noncommercial trucks, boats, campers, and not more than one recreational vehicle in a safe
76 and orderly manner and separated by at least five feet from any property line as an accessory
77 use incidental to a permitted or conditionally permitted principal use;
- 78 q. Other customary accessory uses to any of the permitted uses listed in the Medical District;
79 provided, that no separate permit shall be issued for the construction of any detached
80 accessory building prior to that of the main building;
- 81 r. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a
82 manner consistent with the requirements of the Homer City Code and as long as such
83 animals are kept as pets and their numbers are such as not to unreasonably annoy or disturb
84 occupants of neighboring property;
- 85 s. Recreational vehicles, subject to the standards set out in HCC 21.54.320;
- 86 t. As an accessory use, one small wind energy system per lot having a rated capacity not
87 exceeding 10 kilowatts;
- 88 u. Mobile food services;
- 89 v. Retail as an accessory use to a permitted principle use;
- 90 w. Sale of durable and non-durable medical supplies and equipment;
- 91 x. More than one building containing a permitted principal use on a lot;

92 y. Parking lots.

93 **21.17.030 Conditional uses and structures.**

94 The following uses may be permitted in the Medical District when authorized by conditional
95 use permit issued in accordance with Chapter 21.71 HCC:

96 a. Planned unit developments, excluding all industrial uses;

97 b. Public or private schools;

98 c. Hospitals;

99 d. Public utility facilities and structures;

100 e. Mortuaries;

101 f. Group care homes;

102 g. Helipads, but only as an accessory use incidental to a hospital conditional use;

103 h. One small wind energy system having a rated capacity exceeding 10 kilowatts; provided,
104 that it is the only wind energy system of any capacity on the lot;

105 i. Other uses approved pursuant to HCC 21.04.020;

106 j. Parking garage.

107 **21.17.040 Dimensional requirements.**

108 The following dimensional requirements shall apply to all structures and uses in the Medical
109 District:

110 a. The minimum lot size is 7,500 square feet.

111 b. Building Setbacks.

112 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.

113 2. All buildings shall be set back from all other lot boundary lines according to the
114 number of stories as follows:

Number of Stories	Setback (in feet)
1 story	5 feet
1 1/2 stories	6 feet
2 stories	7 feet

Number of Stories	Setback (in feet)
2 1/2 stories	8 feet

115 c. Building Height.

116 1. The maximum building height is 35 feet, ~~except as provided in subsection (c)(2) of~~
117 ~~this section.~~

118 2. ~~If approved by conditional use permit, the maximum building height for multifamily~~
119 ~~residential and commercial buildings 65 feet.~~

120 d. No lot shall contain more than 8,000 square feet of building area (all buildings combined),
121 nor shall any lot contain building area in excess of 30 percent of the lot area, without an
122 approved conditional use permit.

123 **21.17.050 Site and access.**

124 a. A zoning permit for any nonresidential use or structure shall not be issued by the City
125 without an approved site plan and an approved level two right-of-way access plan that
126 conform to the standards of Chapter 21.73 HCC.

127 b. All access points to rights-of-way shall conform to the standards of a level two right-of-way
128 access plan stated in Chapter 21.73 HCC. This applies to all uses and structures.

129 **21.17.060 Traffic requirements.**

130 A conditional use permit is required for every use that:

131 a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated
132 utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th Edition;

133 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip
134 Generation Handbook, Institute of Transportation Engineers, 9th Edition;

135 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any
136 hour of the day due to a change in land use or intensity of use; or

137 d. Is expected to generate traffic that will detract from the safety of, or degrade by one level
138 of service, the highway, road, street, alley or intersection.

139 **21.17.070 Site development standards.**

140 a. All single-family and duplex residential development in the Medical District shall comply
141 with the level one site development standards contained in HCC 21.50.020.

142 b. All residential development of three units or more and all nonresidential development on
143 lands in this district shall conform to the level two site development standards set forth in

144 HCC 21.50.030 subsections (a) through (e), and HCC 21.50.030(f)(1)(a) and HCC 21.50.030(f)(2).
145 Parking lots with a minimum of 24 spaces or more shall provide a minimum of 10%
146 landscaped area in dividers, islands or buffers or any combination thereof, adjacent or within
147 the parking area.

148 c. New non-residential construction shall be screened from existing single family or duplex
149 dwellings by a continuous fence or landscaping so as to obscure the view of the parking lot
150 and loading areas from the adjacent dwelling.

151 **21.17.080 Nuisance standards.**

152 The nuisance standards of HCC 21.59.010 apply to all development, uses, and structures in
153 this zoning district.

154 **21.17.090 Lighting standards.**

155 The level one lighting standards of HCC 21.59.030 apply to all development, uses, and
156 structures in this zoning district.

157

158 Section 2. Homer City Code 21.21.58.030 Permission for communications towers is hereby
159 amended as follows:

160 a. Except as provided in subsection (b) of this section, a communications tower is permitted
161 as a principal or accessory use or structure in each zoning district.

162 b. A communications tower that exceeds the following maximum height for the zoning
163 district in which the communications tower is located is permitted only when authorized by
164 conditional use permit issued in accordance with Chapter 21.71 HCC.

District	Maximum Height (feet)
CBD	60
TC	60
GBD	60
GC1	120
RO	85
MD	85

District	Maximum Height (feet)
UR	60
RR	85
CONS	60
GC2	120
EEMU	120
MI	120
MC	120
OSR	60
BCWPD	120

165

166 Section 3. Homer City Code 21.60.060 Signs on private property is hereby amended as
167 follows:

168

169 a. Signs shall be allowed on private property in the City only in accordance with Table 1. If the
170 letter “A” appears for a sign type in a column, such sign type is allowed without prior permit
171 approval in the zoning district represented by that column. If the letter “P” appears for a sign
172 type in a column, such sign type is allowed only with prior permit approval in the zoning
173 district represented by that column. Special conditions may apply in some cases. If the letter
174 “N” appears for a sign type in a column, such sign type is not allowed in the zoning district
175 represented by that column under any circumstances. If the letters “PH” appear for a sign
176 type in a column, such sign type is allowed in the zoning district represented by that column
177 only with prior approval by the Commission after a public hearing.

178 b. Although permitted under subsection (a) of this section, a sign designated by an “A” or “P”
179 in Table 1 shall be allowed only if:

180 1. The sum of the area of all building and freestanding signs on the lot does not exceed
181 the maximum permitted sign area for the zoning district in which the lot is located as
182 specified in Table 2; and

183 2. The characteristics of the sign conform to the limitations of Table 3, Permitted Sign
 184 Characteristics by Zoning District, and with any additional limitations on characteristics
 185 listed in Table 1 or Table 2.

186 c. A sign type that is not listed on the following tables is prohibited.

Key to Tables 1 through 3			
RR	Rural Residential	GBD	Gateway Business District
UR	Urban Residential	GC1	General Commercial 1
RO	Residential Office	GC2	General Commercial 2
INS	Institutional Uses Permitted in Residential Zoning Districts (a)	EEMU MC	East End Mixed Use Marine Commercial
CBD	Central Business District	MI	Marine Industrial
TC	Town Center District	OSR	Open Space Recreation
<u>M</u>	Medical District	PS	Public Sign Uses Permit
A = Allowed without sign permit			
P = Allowed only with sign permit			
N = Not allowed			
PH = Allowed only upon approval by the Planning Commission after a public hearing.			
For parenthetical references, e.g., "(a)," see notes following graphical portion of table.			

187
 188
 189

Table 1

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
Freestanding															
Residential (b)	A	A	A	A	<u>A</u>	A	A	A	N	N	N	N	N	A	PH
Other (b)	N	N	N	P	<u>P</u>	P	P	P	A	A	A	P	P	N	PH

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS
								(i)							
Incidental (c)	N	N	A (d)	A (d)	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Parking Lot Identification					<u>A</u>	A	A	A	A	A	A	A	A		
Building															
Banner	N	N	N	N	<u>N</u>	N	N	N	N	N	N	N	N	N	N
Building Marker (e)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Identification (d)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	N
Incidental (c)	N	N	A (f)	A	<u>A</u>	A	A	A	A	A	A	A	A	N	N
Marquee	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Projecting	N	N	N	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Residential (b)	A	A	A	N	<u>A</u>	A	A	A	N	N	N	N	N	A	N
Roof, Integral	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Suspended	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Temporary (g)	P	P	P	N	<u>P</u>		P	P	P	P	P	P	P	N	N
Wall	A	A	A	A	<u>P</u>	P	P	P	P	P	P	P	P	A	A
Window	N	N	A	N	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Miscellaneous															
Flag (h)	A	A	A	A	<u>A</u>	A	A	A	A	A	A	A	A	A	A

190

191 Notes to Table 1:

192 a. This column does not represent a zoning district. It applies to institutional uses
 193 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
 194 defined as an established organization or corporation of a public, nonprofit, or public
 195 safety/benefit nature, i.e., schools, churches, and hospitals.

- 196 b. No commercial message allowed on sign, except for a commercial message drawing
- 197 attention to goods or services legally offered on the lot.
- 198 c. No commercial message of any kind allowed on sign if such message is legible from any
- 199 location off the lot on which the sign is located.
- 200 d. Only address and name of occupant allowed on sign.
- 201 e. May include only building name, date of construction, or historical data on historic site;
- 202 must be cut or etched into masonry, bronze, or similar material.
- 203 f. No commercial message of any kind allowed on sign.
- 204 g. The conditions of HCC 21.60.130 apply.
- 205 h. Flags of the United States, the State, the City, foreign nations having diplomatic
- 206 relations with the United States and any other flag adopted or sanctioned by an elected
- 207 legislative body of competent jurisdiction. These flags must be flown in accordance with
- 208 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
- 209 not meeting any one or more of these conditions shall be considered a banner sign and shall
- 210 be subject to regulations as such.
- 211 i. The main entrance to a development in GBD may include one ground sign announcing
- 212 the name of the development. Such sign shall consist of natural materials. Around the sign
- 213 grass, flowers and shrubs shall be placed to provide color and visual interest. The sign must
- 214 comply with applicable sign code requirements.
- 215

Table 2. Maximum Total Sign Area Per Lot by Zoning District

Table 2 Part A

The maximum combined total area of all signs, in square feet, except incidental, building marker, and flags (b), shall not exceed the following according to district:

RR	UR	RO	RO (e)	INS (a)	OSR	PS (d)	<u>M</u>
4	4	6	50	20	4	32	<u>50</u>

Table 2 Part B

In all other districts not described in Table 2 Part A, the maximum combined total area of all signs, in square feet, except incidental, building marker and flags, shall not exceed the following:

Square feet of wall frontage (c):	Maximum allowed sign area per principal building:
750 s.f. and over	150 s.f.
650 to 749	130 s.f.
550 to 649	110 s.f.
450 to 549	90 s.f.
350 to 449	70 s.f.
200 to 349	50 s.f.
0 to 199	30 s.f.

- 218 1. In all districts covered by Table 2 Part B, on any lot with multiple principal buildings or
 219 with multiple independent businesses or occupancies in one or more buildings, the
 220 total allowed sign area may be increased beyond the maximum allowed signage as
 221 shown in Table 2 Part B, by 20%. This additional sign area can only be used to promote
 222 or identify the building or complex of buildings.
- 223 2. In all districts covered by Table 2 Part B, freestanding Parking Lot Identification signs
 224 are excluded from calculation as sign area, and are allowed in addition to the
 225 freestanding sign per limitation stated in Table 2 Part B(4). One directional parking lot
 226 identification sign may be erected without a sign permit if restricted to identifying a
 227 parking lot with its owner, operator, or name of the business providing the lot. The sign
 228 may include the logo, corporate colors or name of the business but no advertising other
 229 than the name of the business shall be included. The total sign area shall not exceed six
 230 square feet and shall not exceed a sign height of six feet.
- 231 3. In all districts covered by Table 2 Part B, special conditions for additional signage
 232 allowance above 150 square feet per building. An allowance for additional signage may
 233 be granted by the City Planner for either section (a) or section (b) below.
- 234
- 235 a. Multiple-Tenant Buildings which adjoin and have which have more than one
 236 entrance for clients that access more than one improved street.
- 237 1. Secondary and tertiary entrances must be commonly used by clients and
 238 must access the interior of the building and conversely the entrance must
 239 access a parking lot, sidewalk or constructed public road. These entrances
 240 are approved at the sole direction of the planning department. Alleys,

241 stairways to upper levels, emergency exists may not apply at the discretion
242 of the Planning Director.

243 2. Additional signage is allowed based $\frac{1}{2}$ the allowance on Table 2 part B to
244 existing for each secondary or tertiary street wall frontage. Signage must be
245 placed on the wall face of the building the allowance was based on.

246 b. Additional sign allowance for multitenant split level buildings and buildings two or
247 more businesses deep:

248 1. In a building that has one frontage, which is the only frontage that has access
249 to a public street, and is split level or is more than one business in depth.

250 2. Additional signage is allowed based on $\frac{1}{2}$ the allowance of Table 2 Part B.

251

252 4. In all districts covered by Table 2 Part B, freestanding signs, when otherwise allowed,
253 shall not exceed the following limitations:

254 a. Only one freestanding sign is allowed per lot, except one freestanding public
255 sign may be additionally allowed. A freestanding sign may not exceed 10 feet in
256 height.

257 b. The sign area on a freestanding sign (excluding a public sign) shall be included
258 in the calculation of maximum allowed sign area per lot and shall not exceed the
259 following:

260 i. One business or occupancy in one building – 36 sq ft

261 ii. Two independent businesses or occupancies or principal buildings in any
262 combination – 54 sq ft

263 iii. Three independent businesses or occupancies or principal buildings in any
264 combination – 63 sq ft

265 iv. Four or more independent businesses or occupancies or principal buildings in
266 any combination – 72 sq ft

267 Notes to Table 2, Parts A and B

268 a. The INS column does not represent a zoning district. It applies to institutional uses
269 permitted under the zoning code in the RR, UR and RO zoning districts. Institutional is
270 defined as an established organization or corporation of a public, nonprofit, or public safety
271 or benefit nature, e.g., schools churches, and hospitals.

- 272 b. Flags of the United States, the State, the City, foreign nations having diplomatic
 273 relations with the United States, and any other flag adopted or sanctioned by an elected
 274 legislative body of competent jurisdiction. These flags must be flown in accordance with
 275 protocol established by the Congress of the United States for the Stars and Stripes. Any flag
 276 not meeting any one or more of these conditions shall be considered a banner sign and shall
 277 be subject to regulation as such.
- 278 c. Square feet of wall frontage is defined as total square footage of wall surface, under the
 279 roof, that faces the major access or right-of-way of the business. In the case of a business
 280 located on a corner lot, square footage of wall frontage is the total square footage of wall
 281 surface, under the roof, on the side of the business with the most square footage.
- 282 d. The PS column does not represent a zoning district. It applies to public signs permitted
 283 under the zoning code, in all zoning districts.
- 284 e. This RO column applies only to lots in that portion of the RO district that abuts East
 285 End Road, ~~Bartlett Street~~, Hohe Street, and Pennock Street. Within this area, there is
 286 allowed a maximum of 50 square feet total area of all signs (including the ground sign
 287 referred to below), except incidental, building marker, and flags (see note (b) above). One
 288 ground sign, with a maximum total area of 16 square feet, will be permitted per lot. Each
 289 ground sign shall not exceed six feet in height, measured from the base to the highest portion
 290 of any part of the sign or supporting structure.
- 291 f. **In the Medical District, only one freestanding sign is allowed per lot, except one**
 292 **freestanding public sign may be additionally allowed. A freestanding sign may not**
 293 **exceed 10 feet in height or 36 square feet in area.**

294
 295 **Table 3. Permitted Sign Characteristics by Zoning District**
 296

Sign Type	RR	UR	RO	INS (a)	<u>M</u>	CBD	TC	GBD	GC1	GC2	EEMU	MC	MI	OSR	PS (e)
Animated (b)	N	N	N	N	<u>N</u>	P	P	N	P	N	P	P	N	N	N
Changeable Copy (c)	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	PH
Illumination Internal	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	N
Illumination External	N	N	N	P	<u>P</u>	P	P	P	P	P	P	P	P	N	PH
Neon (d)	N	N	N	N	<u>N</u>	P	P	N	P	P	P	P	P	N	N

297
 298 Notes to Table 3:

- 299 a. The INS column does not represent a zoning district. It applies to institutional uses
300 permitted under the zoning code, in the RR, UR and RO zoning districts. Institutional is
301 defined as an established organization or corporation of a public, nonprofit, or public
302 safety/benefit nature, i.e., schools, churches, and hospitals.
303 b. Animated signs may not be neon or change colors or exceed three square feet in area.
304 c. Changeable copy signs must be wall- or pole-mounted, and may not be flashing.
305 d. Neon signs may not be flashing and may not exceed 32 square feet.
306 e. The PS column does not represent a zoning district. It applies to public signs permitted
307 under the zoning code, in all zoning districts.
308

309

310 Section 4. HCC 21.10.020 Zoning District is hereby amended as follows:

311 a. The City is divided into zoning districts. Within each zoning district only uses and structures
312 authorized by this title are allowed.

313

314 b. The following zoning districts are hereby established:

Zone	Abbreviated Designation
Residential Office	RO
Rural Residential	RR
Urban Residential	UR
Central Business District	CBD
Town Center District	TCD
Gateway Business District	GBD
General Commercial 1	GC1
General Commercial 2	GC2
East End Mixed Use	EEMU
Marine Commercial	MC
Marine Industrial	MI
<u>Medical</u>	<u>M</u>

Zone	Abbreviated Designation
Open Space – Recreational	OSR
Conservation District	CO

315 c. The zoning district boundaries shall be as shown on the official Homer zoning map. [Ord.
316 12-10 § 2, 2012; Ord. 08-29, 2008].

317

318 Section 5. The Homer Zoning Map is amended to transfer the parcels listed on the attached
319 Exhibit A from RO zoning district to the M zoning district as shown on the attached Exhibit B.

320

321 Section 6. The City Planner is authorized to note on the Homer Zoning Map the amendments
322 enacted by this ordinance as required by Homer City Code 21.10.030(b).

323

324 Section 7. Sections 1-4 of this Ordinance are of a permanent nature and general character and
325 shall be included in the City Code. Section 5 is a non-Code ordinance of a permanent nature
326 and shall be noted in the ordinance history of Homer City Code 21.10.030.


327

328 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this September 28, 2020.

329

CITY OF HOMER

330



KEN CASTNER, MAYOR

331

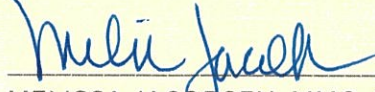
332

333

334 ATTEST:

335

336

337 
MELISSA JACOBSEN, MMC, CITY CLERK

338



339 YES: 6
340 NO: 0
341 ABSTAIN: 0
342 ABSENT: 0

343
344 First Reading: 9.14.20
345 Public Hearing: 9.28.20
346 Second Reading: 9.28.20
347 Effective Date: 9.29.20

348
349
350 Reviewed and approved as to form.

351
352 
353 Robert Dumouchel, City Manager

Michael Gatti, City Attorney

354
355 Date: 20 OCT 20

Date: _____