

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

Lord/Mayor

3
4 **ORDINANCE 23-40**

5
6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE SECTIONS 21.12, RURAL
8 RESIDENTIAL DISTRICT; 21.14 URBAN RESIDENTIAL DISTRICT;
9 21.18 CENTRAL BUSINESS DISTRICT; 21.24 GENERAL
10 COMMERCIAL 1 DISTRICT; 21.26 GENERAL COMMERCIAL 2
11 DISTRICT REGARDING CONDITIONAL USES IN EACH DISTRICT.

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13 WHEREAS, Via Ordinance 22-68(A) the Homer City Council codified as an allowable use
14 the construction of up to four residential units on a single lot in certain zoning districts; and
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16 WHEREAS, The Homer City Council has growing concerns that multiple-unit
17 construction on a single lot can create neighborhood disturbances that may need mitigation
18 measures or restrictions; and
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20 WHEREAS, Increasing density in the City of Homer should to be done thoughtfully and
21 with significant community participation and buy-in through a thorough comprehensive
22 planning and Title 21 review; and
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24 WHEREAS, The best procedure at this time of notice and review is through the
25 application of a Conditional Use Permit; and
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27 WHEREAS, It is in the City's best interest to revert the zoning code back to require
28 Conditional Use Permits for increased building density on lots in certain zoning districts until
29 a more thorough vetting happens specifically surrounding building density.
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31 NOW THEREFORE, The City of Homer Ordains:
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33 Section 1. Homer City Code Chapter 21.12, Rural Residential District is amended as
34 follows:

35 Chapter 21.12.020 Permitted Uses and Structures

36 The following uses are permitted outright in the Rural Residential District:

37
38 s. **One detached** ~~up to four~~ dwelling units, excluding mobile homes, **as an accessory building**
39 **to a principal single family dwelling** on a lot subject to the requirements of HCC 21.12.040

[Bold and underlined added. Deleted language stricken through]

40 ~~and located in an area depicted for Urban Residential zoning by the Future Land Use Map in~~
41 ~~the 2018 Homer Comprehensive Plan.~~

42

43 21.12.030 Conditional Uses and Structures

44

45 m. More than one building containing a permitted principal use on a lot ~~except as provided for~~
46 ~~in Hcc 21.12.020(s)~~

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48 Section 2. Homer City Code Chapter 21.14, Urban Residential District is amended as
49 follows:

50 21.14.020 Permitted Uses and Structures.

51 The following uses are permitted outright in the Urban Residential District:

52 ~~s. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)~~
53 ~~excluding mobile homes.~~

54 21.14.030 Conditional uses and structures.

55 The following uses may be permitted in the Urban Residential District when authorized by
56 conditional use permit issued in accordance with HCC Chapter 21.71:

57 k. More than one building containing a permitted principal use on a lot, ~~except as provided~~
58 ~~for in HCC 21.14.020(s);~~

59 Section 3. Homer City Code Chapter 21.16, Residential Office District is amended as
60 follows:

61 21.16.020 Permitted Uses and Structures.

62 The following uses are permitted outright in the Residential Office District:

63 ~~v. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)(a)&(b)~~
64 ~~excluding mobile homes.~~

65 21.16.030 Conditional uses and structures.

66 The following uses may be permitted in the Residential Office District when authorized by
67 conditional use permit issued in accordance with HCC Chapter 21.71:

68 h. More than one building containing a permitted principal use on a lot, ~~except as provided~~
69 ~~for in HCC 21.16.020(v);~~

70 Section 4. Homer City Code Chapter 21.18, Central Business District is amended as
71 follows:

72 21.18.020 Permitted Uses and Structures.

73 The following uses are permitted outright in the Central Business District, except when such
74 use requires a conditional use permit by reason of size, traffic volumes, or other reason set
75 forth in this chapter:

76 ~~mm. Up to 4 buildings on a lot excluding mobile homes, except as provided for in HCC~~
77 ~~21.18.030.~~

78 Section 5. Homer City Code Chapter 21.22, Gateway Business District is amended as
79 follows:

80 21.22.020 Permitted Uses and Structures.

81 The following uses are permitted outright in the Gateway Business District, except when such
82 use requires a conditional use permit by reason of size, traffic volumes, or other reason set
83 forth in this chapter:

84 ~~r. Up to 4 buildings on a lot for use as dwelling units subject to HCC 21.14.040(a)(2)&(b)~~
85 ~~excluding mobile homes.~~

86 21.22.030 Conditional Uses and Structures.

87 a. More than one building containing a permitted principal use on a lot, ~~except as provided~~
88 ~~for in HCC 21.22.020(r).~~

89 Section 5. Homer City Code Chapter 21.24, General Commercial1 District is amended as
90 follows:

91 21.24.020 Permitted Uses and Structures.

92 The following uses are permitted outright in the General Commercial 1 District, except when
93 such use requires a conditional use permit by reason of size, traffic volumes, or other reason
94 set forth in this chapter:

95 ~~pp. More than one building containing a permitted principal use on a lot.~~

96 21.24.030 Conditional Uses and Structures.

97 **j. More than one building containing a permitted principal use on a lot**

98 Section 6. Homer City Code Chapter 21.26, General Commercial 2 District is amended
99 as follows:

100 21.24.020 Permitted Uses and Structures.

101 The following uses are permitted outright in the General Commercial 2 District, except when
102 such use requires a conditional use permit by reason of size, traffic volumes, or other reason
103 set forth in this chapter:

104 ~~y. More than one building containing a permitted principal use on a lot.~~

105 21.26.030 Conditional Uses and Structures.

106 **l. More than one building containing a permitted principal use on a lot**

107 Section 7. This ordinance is of a permanent and general character and shall be
108 included in Homer City Code.

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110 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of August, 2023.

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CITY OF HOMER



KEN CASTNER, MAYOR

120 ATTEST:

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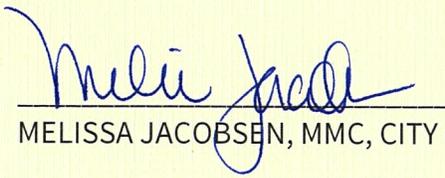
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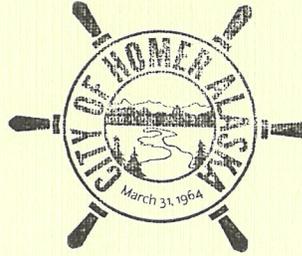
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MELISSA JACOBSEN, MMC, CITY CLERK



Introduction: June 12, 2023

Public Hearing: August 28, 2023

Second Reading: August 28, 2023

Effective Date: August 29, 2023

YES: 4

NO: 3

ABSTAIN: 0

ABSENT: 0