



Agenda

Planning Commission Worksession

Wednesday, April 16, 2025 at 5:30 PM

City Hall Cowles Council Chambers In-Person & Via Zoom Webinar

Homer City Hall

491 E. Pioneer Avenue
Homer, Alaska 99603
www.cityofhomer-ak.gov

Zoom Webinar ID: 936 2815 3389 Password: 865591

<https://cityofhomer.zoom.us>
Dial: 346-248-7799 or 669-900-6833;
(Toll Free) 888-788-0099 or 877-853-5247

CALL TO ORDER, 5:30 P.M.**AGENDA APPROVAL****CONSENT AGENDA ITEM(S)****REGULAR AGENDA ITEM(S)****PRESENTATION/DISCUSSION ITEM(S)**

A. Title 21 Zoning Code Audit Presentation and Discussion Facilitated by Agnew::Beck & Stantec

COMMENTS OF THE AUDIENCE (3 minute time limit)**ADJOURNMENT NO LATER THAN 5:55 P.M.**

Next regular meeting is May 7, 2025 at 6:30 p.m. A Worksession is scheduled for 5:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska

City of Homer Title 21 Update

Project Overview

Updated April 2025

Project Purpose

The City of Homer is revising its zoning policies, found in [Title 21 of the City Code](#).

Zoning code governs how land in a municipality is used and establishes rules on how properties function. Zoning is a tool to achieve the intent and future land use goals set by the comprehensive plan. A well-written code provides the Planning Commission and staff with tools to effectively regulate development, protect and enhance the community, and clearly communicate development processes and requirements to applicants, such as residents, builders, developers, and businesses.



Project Goals



Streamline development processes and increase predictability



Increase code clarity and flexibility



Better align the code with community plans



Consider natural hazards and preserve natural features



Simplify, reorganize, and add visuals to make the code more user friendly

Project Timeline

This project is Phase 2 of a two-phased community development effort. Phase 1 is the update to the City's Comprehensive Plan, currently being finalized. To learn more about the Homer Comprehensive Plan Update, visit homercompplanupdate.com.



How to Get Involved



Join meetings. We are sharing information and discussing the Title 21 process and related updates at upcoming City of Homer Planning Commission meetings. Visit the [project website](#) for details on dates, topics, and how to join.



Send comments. Submit a virtual comment card [here](#) to share your ideas.



Weigh in. This summer, the public will be invited to share your feedback on potential changes to Title 21.



Sign up. Visit the project website to sign up for project e-newsletters (approximately 4-5 emails between now and December 2025).



Contact the team. City Planner, Ryan Foster, rfoster@ci.homer.ak.us; Project Manager, Shelly Wade, shelly@agnewbeck.com.

Learn more about the project, including important dates, materials, and how to connect with the project team at

www.HomerT21CodeUpdate.com





Homer Title 21 Update

Progress Report to City Council

Prepared April 8, 2025

Accomplishments to Date

November 2025: Initial Introduction to City Council

February 2025: Staff Listening Session

- Met with City staff to discuss some of the challenges with the current code and what is working well. Also discussed desired future developments and examined specific topics such as conditional use permits, natural hazards, and sign code. This conversation built from an initial list of code issues, featuring input from the Homer Planning Commission and City staff.
- *Listening session held February 6, 2025; [agenda](#) and [notes](#) available on project website.*

March 2025: Planning Commission Kickoff Meeting

- Facilitated a discussion at a regularly scheduled Planning Commission meeting to introduce the project team and share an overview of the schedule and tasks. Reviewed the Planning Commission's role and shared some examples from another community. Discussed top priorities for the code update.
- *Kickoff held March 5, 2025; meeting [minutes](#), [slides](#), and [recording](#) available on project website.*

April 2025: Summary Background

- This report summarizes relevant inputs into Homer's Title 21 Zoning Code Update. Input comes largely from the 2035 Comprehensive Plan Update Public Review Draft, including public input related to zoning, demographic data, goals, and strategies.
- *The Summary Background will be discussed at the April 16th, 2025 Title 21 Update Planning Commission Work Session.*

April 2025: Code Audit

- This audit of the existing code is an important starting point for the code revision process. The code audit summarizes input on key issues from staff and Planning Commission members, along with a technical code review by the consulting team. The code review addresses specific regulatory topics, first by summarizing the existing regulations, followed by considerations and recommendations to align the City's zoning/development standards. The audit identifies areas of the code that are: overly complex, redundant, and unclear; create barriers to housing; are onerous to permitting and approvals; are outdated as sound planning practices; or fail to achieve the outcomes the City wants to see as articulated in the draft comprehensive plan.
- *The Code Audit will be discussed at the April 16th, 2025 Title 21 Update Planning Commission Work Session.*

April 2025: Launch Website

Project website launched to the public: <https://homert21codeupdate.com/>

Upcoming Activities

- **April 16th: Planning Commission Work Session.** The project team will present key findings from the Summary Background and Code Audit, and related topics.
- **April 29-30th: Stakeholder Dialogues.** The project team is convening three dialogues to talk with Homer-area professionals that use/engage with the code (Title 21). This includes:
 - Builders and Developers
 - Business Owners
 - Realtors
- **April 30th: Community site tour.** The project team will drive around Homer with City staff to visit example areas where zoning policies resulted in positive outcomes, and areas of concern/tension.
- **May 21st: Planning Commission Meeting.** The project team will share an overview of April stakeholder engagement activities and guide a discussion around specific sections of the code.

Roles of the Planning Commission and City Council

Planning Commission

The Planning Commission is the advisory body for the Title 21 Update process.

Roles:

- Share guidance, feedback, and local knowledge during the code drafting process.
- Provide feedback on draft materials, including the draft code.
- Make a recommendation to the City Council regarding adoption the Title 21 Update.

City Council Engagement

- The project team will share periodic updates with the City Council, often via the City Manager's reports.
- City Council members are invited to stay informed about the process by attending Planning Commission meetings, reading project documents, participating in community activities, and reviewing the public review draft of the revised code.
- The City Council will be responsible for the adoption of the Title 21 Update.



City of Homer Title 21 Update

Background Summary Report

April 8th, 2025

Introduction

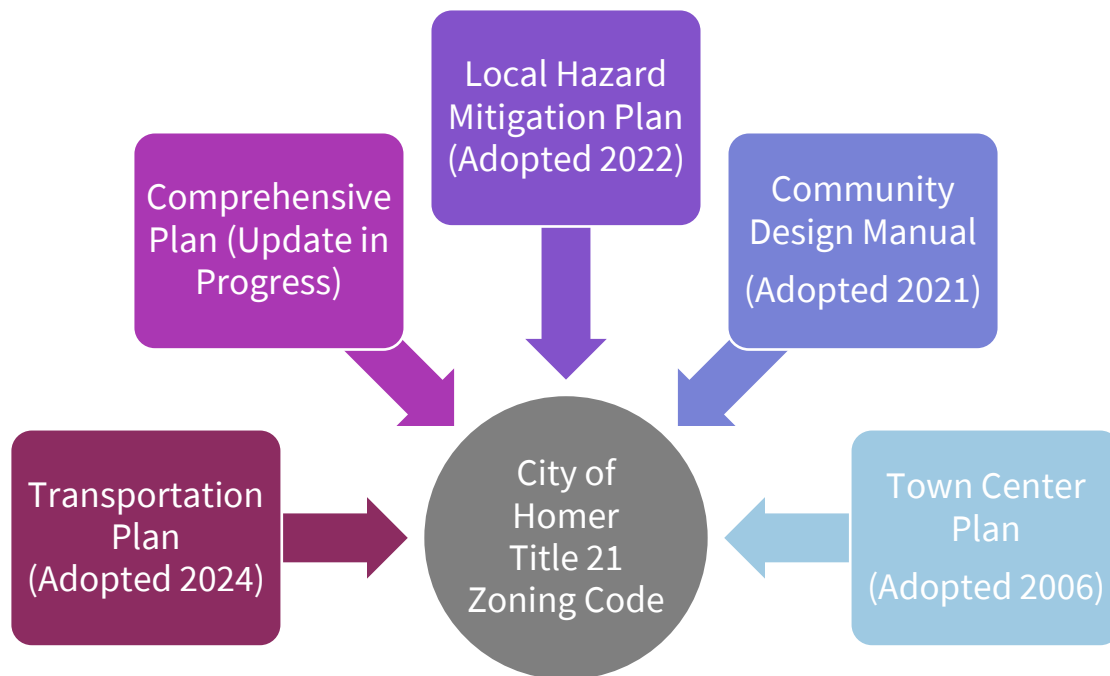
This report summarizes relevant inputs into Homer's Title 21 Zoning Code Update. Input comes largely from the 2035 Comprehensive Plan Update Public Review Draft, including public input related to zoning, demographic data, goals, and strategies. These inputs supplement the technical code audit being completed separately, to inform the priorities for the code update.

Zoning Overview

What is zoning? Zoning is the method by which a municipality regulates the use and development of property. The "zones" divide up the municipality into districts that specify allowable uses, building types and sizes, lots size, and other development standards. In Homer, those districts include residential, office, commercial, industrial, open space, and mixed-use districts.

A zoning ordinance provides the legal framework for how zoning is implemented within a municipality. The zoning ordinance is adopted by municipal leadership with review and recommendation from the Planning Commission as the official law governing land use. The Planning Commission also uses the zoning ordinance regularly to review land use applications and make decisions on development. Because the zoning ordinance is written consistently with the comprehensive plan, those decisions ensure that growth, change and development happen in alignment with the community's goals.

Inputs to the zoning code: The zoning ordinance is the primary tool for implementing the comprehensive plan and other plans and policies of a city. As such, there is a close connection between policies in these plans and how zoning language is written. The adopted plans and policies of the City, as well as input from the public and other key stakeholders and partners, guide the regulations in the zoning code. Zoning regulations should provide the "teeth" to ensure development happens in a way that furthers the goals of these plans and policies. Plans specific to Homer that influence the zoning code are shown below.



Context from the Comprehensive Plan

A prevailing theme from the comprehensive plan is creating attainable housing through land use (zoning) reform.

The **Land Use and Environment chapter of the 2035 Comprehensive Plan Update Public Review Draft** focuses on population growth, housing, environmental constraints, open space, zoning and area planning as the key themes. Three goals identified in this chapter, each of which are influential for the zoning code update, are

Goal A: Promote sustainable, moderate growth that preserves Homer’s small-town character.

Goal B: Plan for responsible development that balances environmental impacts, community connections, and infrastructure capacity.

Goal C: Use the 2035 Homer Comprehensive Plan Update as the foundation for zoning reform and area planning.

The **Housing chapter of the 2035 Comprehensive Plan Update Public Review Draft** focuses on the existing inventory, rising costs and limited access, impacts of housing challenges on economic development, influence of tourism and rise of short-term rentals as the key themes. The goals identified in the housing chapter, each of which are influential for the zoning code update, are

Goal A: Preserve and produce a high-quality housing inventory that accommodates projected population growth and is affordable, attainable and safe for all Homer residents.

Goal B: Develop Homer’s housing inventory to be compatible with the beloved existing community character while allowing for essential growth and density.

Goal C: Ensure housing development aligns with the City’s preservation and sustainability goals, of the City, minimizing the environmental impact of new construction.

Goal D: Build strong community and regional partnerships around housing to improve housing attainability and affordability.

Key Demographics and Market Factors

Demographic Trends

- Homer's population has been steadily increasing, with a 15.4 percent growth from 2000 to 2022, and is projected to continue growing modestly until 2050.
- The city has a growing senior population (increasing from 14 percent in 2013 to 22 percent in 2022), which presents unique economic challenges and opportunities, particularly in housing and healthcare services.
- Homer boasts a higher per capita income compared to nearby communities, although its median household income has seen a modest increase over the past decade. Residents are still concerned about the high cost of living and doing business in Homer and cite those costs as one of the biggest challenges of living in Homer.

Market Input

The Growth Scenarios Summary Report, prepared as a supplement to the 2035 Comprehensive Plan Update Public Review Draft, provided most of the input relating to the housing and economic markets.

- Consensus is that development should prioritize the needs of residents and small business owners and support the growth of the working population in Homer.
- Generally, respondents preferred improved zoning and development strategies that accommodate a moderate level of growth without compromising on Homer's natural beauty or livability.
- Without more opportunities for housing variety, redevelopment strategies like infill and restrictions on short-term rentals, young families will continue to look for housing outside of city limits where it is more affordable but is less connected to resources and services.
- Growing support exists within the community for regulating short-term rentals to preserve residential neighborhoods and ensure housing availability for long-term residents and workers. However, some measures to address these concerns, such as a resolution supporting a borough-wide bed tax proposed in June 2024, were not supported by Homer's elected officials.

Public Input on Zoning

The public input process of the comprehensive plan update resulted in a significant amount of feedback on the zoning code. From the community survey, this includes general satisfaction levels with planning and zoning services to priorities for the Homer community in the next 10-20 years. Key points from this input are provided below:

- Zoning needs to back up the goals of the comprehensive plan. The zoning ordinance gives the City the authority it needs to implement planning strategies. The zoning map should support the future land use recommendations.

- While people are generally satisfied with their housing situation, increasing the supply and accessibility of affordable housing was a top priority. Within the housing topic, short-term rentals and their impact on housing supply was mentioned as a concern. Housing for seasonal employees is also a concern.
- Approximately 16% of survey respondents are satisfied or very satisfied with the availability of planning and zoning services. Many comments specifically related to the approval process (too slow), consistency with community goals, and needing a balanced approach to development.
- Allow for growth in a sustainable, measured way that reflects community values, benefits the local economy, and has infrastructure to support it.
- Creating a livable, walkable downtown and preserving open spaces were top priorities.



City of Homer Title 21 Update

Zoning Code Audit

April 8, 2025

Prepared by project consultants, Stantec & Agnew::Beck Consulting

Table of Contents

Introduction	2
Planning Commission and Staff Input.....	2
Key Findings	5
Organization	5
Consistency with the Comprehensive Plan.....	5
Graphics	5
Streamlining.....	5
Detailed Audit Findings.....	6
General Items (Division I).....	6
Overview	6
Comprehensive Plan (21.02).....	6
Definitions (21.03)	6
General Provisions (21.04)	8
Zoning Districts and Map (Division II).....	8
Overview (21.10)	8
Current Zoning Districts.....	9
Zoning Map and Future Land Use Map	9
Use and Development Regulations (Division IV).....	13
Overview	13
Site Development Standards.....	14
Use Regulations.....	15
Other Regulations	17
Administration and Procedures.....	20
Overview	20
Permits, Plans, and Reviews (Division V).....	20
Administration and Procedures (Division VI)	22

Introduction

The City of Homer is revising zoning ordinance, Title 21 of the City Code. This update is happening alongside and informed by the finalization of the City’s 2045 Comprehensive Plan (see project website [here](#)). The purpose of the audit is to identify areas of the code that are: (a) overly complex, redundant, and unclear, (b) barriers to providing much needed housing, (c) onerous with regard to permitting and approvals, (d) outdated with regard to sound planning practices, or (e) failing to achieve the outcomes the City wants to see as articulated in the comprehensive plan.

Informed by input from the Planning Commission and City staff, the more specific goals of the Title 21 update are to:

- **Simplify** the development process and remove unnecessary hurdles for projects that meet community goals.
- Increase **predictability**, for residents, property owners, and developers.
- Increase community understanding of **density** and provide clear guidance on density for new development.
- Protect the community from **natural hazards** and protect the **natural features** of the community.
- Allow more **flexibility** to certain aspects of the code, including setbacks, parking, landscaping, and parts of the community design manual.
- Improve **clarity** in the code to allow for more consistent application and simplicity in interpretation.
- Make the code more visual and **user-friendly**.
- Ensure that zoning districts, permitted uses, and the zoning map are consistent with the **comprehensive plan goals**.
- **Reorganize** the zoning code so that information can be found easily, in more of a “one-stop-shop” format.
- **Streamline** the development process where possible, including reducing reliance on conditional use permits.

The scope of work for the Title 21 Update includes this audit of the existing code as a starting point for the re-write process. The code audit includes input on key issues from staff and planning commission members, along with a technical code review by the consulting team.

Planning Commission and Staff Input

The consultant team hosted a listening session in February 2025 with City staff, while City staff hosted a work session with the Planning Commission to document their concerns and ideas for the zoning code. In all of these meetings, the goals were (a) to define which code provisions work well for the community, and (b) to understand current regulatory challenges in terms of project permitting, code interpretation, project design, and desired outcomes. The following table summarizes the feedback provided to-date from City staff and the Planning Commission.

Input	Staff/Planning Commission
General / Code Organization	
Generally, the code is difficult to navigate and not user-friendly. The code should include more graphics, illustrations, and tables	Planning Commission
The code should be reorganized so that regulations relating to a certain type of development are consolidated in one place, without the need to reference other zoning districts	Staff
The code should be organized into more of a one-stop-shop, where property owners can find everything they need to accomplish their project easily.	Staff
Code revisions should be consistent with and backed up by the comprehensive plan.	Planning Commission
It is important to consider the fiscal impacts of changes to the code, including the costs of implementation.	Planning Commission
Zoning Districts	
There is general support for district simplifications and consolidations, but with caution given to particular areas of town like the boatyard. Do not combine districts where land use conflicts may be created. It is important to approach districts in a way that is not formulaic.	Planning Commission
Homer is a regional hub for commercial and industrial development. The City may need to consider areas where those uses can be preserved.	Planning Commission
There is generally a clear separation between residential and commercial uses. There are some areas / instances where that line could be softened to allow a mixture of uses and pedestrian connections.	Staff
Zoning districts should be updated to align with community desires, thus reducing the need for rezonings and Conditional Use Permits (CUPs).	Staff
Economic development goals for growth in the comprehensive plan should inform zoning districts and zoning map amendments.	Staff
Process and Administration	
The development process is overly complicated, with several regulatory hurdles triggered based on project elements. This makes navigating the approval and permitting processes difficult.	Staff
Better language is needed to standardize permit applications.	Staff
Too many uses require a conditional use permit (CUP); some should become permitted.	Planning Commission

Input	Staff/Planning Commission
There is an over-reliance on CUPs, rather than creating clear code standards for residential, multi-family and commercial projects. This creates an administrative burden, development delays, and opportunities for undue scrutiny.	Staff
More clarity is needed throughout the code in areas where current code criteria are vague; this will improve consistent application of the code.	Staff
Development Standards	
There are several cases where more flexibility should be built into the code, including dimensional requirements, public notices, and some development standards.	Planning Commission
The town is split on regulations (too many versus not enough). Housing density is a particularly divisive topic.	Staff
Density guidance is unclear and requires complex calculations and conditional use permits. Clearer standards will reduce confusion and increase predictability.	Staff
Environmental constraints are important to consider within the zoning code, including geotechnical hazards, steep slopes, and wetlands.	Planning Commission
The sign code should be reviewed and updated to ensure content neutrality and improve functionality.	Planning Commission and Staff
There are opportunities to reduce and streamline parking requirements.	Planning Commission
Zoning should be used to help create a more connected (for pedestrians, bikes, and other non-motorized users) city, particularly in the core of the city.	Planning Commission
Flexibility is needed with regards to parking, landscaping, snow storage, and floor area ratio. This includes evaluating site-specific constraints and eliminating conflicts between the community design manual and the code.	Staff
Setback and height requirements should be reviewed so that they are not unreasonably restricting development in denser areas of town.	Staff
Height requirements in the central business district and for commercial buildings are too stringent.	Staff
Wetlands and steep slopes are issues of great interest to the community, as voiced during the comprehensive plan process.	Staff
The lack of a building code in Homer creates challenges for zoning; for example, addressing public safety related to development and natural hazards.	Staff

Input	Staff/Planning Commission
Code requirements for simple projects like single-family and duplex homes work well.	Staff

Key Findings

Key findings of the detailed code audit, presented in the next section, are summarized as follows.

Organization

There are many opportunities to reorganize sections of the code so that regulations are easier to find and easier to administer. For example, all sections relating to the administration of the code, including the handling of permits and planning applications; descriptions of review/approval bodies; and criteria for application approval, should be consolidated under one division. Also, regulations that relate to land regardless of zoning district should be consolidated into one division, while regulations that are specific to a particular use should be grouped under another division.

Consistency with the Comprehensive Plan

Current zoning districts and the current zoning map must be updated for consistency with the goals, strategies, and actions of the comprehensive plan. In some cases, this means editing the title, description, uses, or development standards of a current zoning district. In others a new zoning district may need to be created. The future land use plan suggests some updates needed to the zoning map.

Graphics

Several sections of the zoning code would benefit from graphics, illustrations, or tables. These techniques can reduce the amount of text in the code while making complex ideas easier to understand. Tables can be particularly beneficial to consolidate uses allowed within the districts, dimensional standards, parking requirements, or sign standards. Similarly, graphics accompanying some definitions, landscaping or sign standards, and lot requirements.

Streamlining

The code audit identifies several places where the approval process could be streamlined. In general, items that have clear and objective standards should be reviewed administratively by staff, while those that include more discretion or have wider impacts can be sent to the Planning Commission and City Council.

One major area that can be streamlined is conditional use permits. In many cases, the standards for particular uses are objective, such that the uses could be permitted with additional standards that can be reviewed by staff. Uses that require CUPs but are always approved provide another indication that the use should be permitted without a CUP. Other opportunities to remove process steps include the removal of “levels” of development standards in favor of standards for different types of development.

Detailed Audit Findings

Detailed audit findings presented below address specific regulatory topics, first by summarizing the existing regulations, followed by considerations and recommendations to align the City's zoning/development standards with the recent Comprehensive Plan and goals for this project.

Consistent with the purpose of the audit, the audit identifies areas of the code that are: overly complex, redundant, and unclear; create barriers to housing; are onerous with regard to permitting and approvals; are outdated with regard to sound planning practices; or fail to achieve the outcomes the City wants to see as articulated in the comprehensive plan.

General Items (Division I)

Overview

Division I of the zoning code contains general rules and definitions that apply to the rest of the code. The division also includes an important section that should describe the relationship between the zoning code and other plans and policies of the City. This division, in combination with the Administration and Procedures division, provides the framework for how the zoning code functions.

Comprehensive Plan ([21.02](#))

Chapter 21.02 discusses the purpose of a comprehensive plan and lists the most recent plans adopted by the City. It also includes language related to amendments to the land use plan within the comprehensive plan.

Table 1: Comprehensive Plan Considerations and Recommendations

Item	Consideration	Recommendation
Comprehensive Plan	There is no linkage here between the zoning code and the Comprehensive Plan.	<ul style="list-style-type: none">• Include a description of how the zoning code relates to the Comprehensive Plan, and specifically the future land use plan/map contained within it
		<ul style="list-style-type: none">• Include a description of how zoning districts, the zoning map, and zoning standards must further the goals and policies of the City's adopted plans

Definitions ([21.03](#))

Chapter 21.03 contains definitions used throughout the zoning code. Up-to-date, clear, and concise definitions set the zoning code up for easier interpretation and administration. This audit includes a high-level review of these definitions and recommendations for improvements.

Table 2: Definitions Considerations and Recommendations

Item	Consideration	Recommendation
Consolidations	All definitions should be located in one place in the zoning code.	<ul style="list-style-type: none"> Consolidate all definitions to one section if possible; some may need to remain in a particular section if the word has special context within that section.
	Definitions for several similar terms are scattered based on alphabetical order.	<ul style="list-style-type: none"> Consolidate definitions where applicable (e.g., several definitions for different types of offices could be consolidated under “office”).
Updates and additions	New definitions may be needed based on code edits, best practices.	<ul style="list-style-type: none"> Add necessary definitions as code sections are updated, such that outside references are not needed to interpret the ordinance.
		<ul style="list-style-type: none"> Update definitions to reflect best practices (e.g., consider removing the term “family” from descriptions of housing types, etc.).
		<ul style="list-style-type: none"> Add definitions for new terminology (e.g., short-term rentals).
Deletions	Some definitions are outdated, inconsistent, or reference terms that are not used in the ordinance.	<ul style="list-style-type: none"> Remove or update outdated terminology (e.g., “religious, cultural, and fraternal assembly” should be updated to “place of assembly”).
		<ul style="list-style-type: none"> Ensure the consistent use terms throughout the ordinance (e.g., “transient or itinerant merchant” is defined, but terms are used by themselves within zoning districts).
		<ul style="list-style-type: none"> Remove definitions for words that are not found in the ordinance

Clarity and refinement	Several definitions are lengthy and describe complex concepts.	<ul style="list-style-type: none"> Add graphics to complex definitions that would benefit from a visual representation (e.g., floor area ratio, lot lines and measurements).
Standards	Some definitions contain embedded standards that are very difficult to find.	<ul style="list-style-type: none"> Ensure that there are no regulations or standards included in definitions; move those to the applicable section of the ordinance.

General Provisions ([21.04](#))

Chapter 21.04 General Provisions include general standards and interpretations that apply to land regardless of zoning district. The General Provisions section of a zoning code can be useful for consolidating these types of regulations, which usually include parking, landscaping, lighting, signs and others.

Considerations and recommendations for General Provisions are included in Table 3

Table 3: General Provisions Considerations and Recommendations

Item	Consideration	Recommendation
Organization	Some regulations that should be located in this chapter are scattered throughout the ordinance.	<ul style="list-style-type: none"> Consolidate standards for topics like landscaping, parking, lighting, and off-site impacts under the heading of General Provisions.
Unlisted Uses (21.04.020)	Uses not listed in a zoning district are required to go through a public hearing and Planning Commission approval for interpretation. The section also allows for the Planning Commission to treat an unlisted use as a conditional use.	<ul style="list-style-type: none"> Uses similar to others listed within a zoning district should be interpreted by staff according to the criteria listed. Any use that is <i>not</i> similar should not be allowed.
Zoning Fees (21.04.080)	Fee information is not located with permit application and procedure information.	<ul style="list-style-type: none"> Zoning fees should be moved to the section that describes zoning permits and procedures.
Measurements (21.05)	Section contains complicated language describing measurements related to lots, buildings and slopes.	<ul style="list-style-type: none"> Simplify methods of measurement and incorporate graphics to illustrate complicated concepts.

Zoning Districts and Map (Division II)

Overview ([21.10](#))

Division II of the zoning code contains 15 chapters. The first chapter 21.10, Zoning Districts and Zoning Map, provides a brief introduction to the zoning districts, overlay zoning districts, and the zoning map. The zoning districts chapter mentions the established zoning districts with the abbreviated designation and the uses and structures authorized by this title. The overlay districts, or sensitive areas, are referenced in Chapter 21.10.010,

with their boundaries depicted on the zoning map. In certain instances, written narratives also describe the boundaries of these overlay districts.

The current and official zoning map is available in either electronic or paper form. Any amendments that are proposed are noted on the official zoning map by the city planner, with a notation of the ordinance and date of enactment.

Current Zoning Districts

Chapters [21.12](#) to [21.34](#) cover each of the zoning districts as individual chapters within Division II Zoning Districts. Each individual zoning district includes the purpose, permitted uses and structures, conditional uses and structures, dimensional requirements, site development standards, and lighting standards. Certain districts have additional sections such as architectural standards, site development requirements, nuisance standards, and traffic requirements.

Zoning Map and Future Land Use Map

The zoning districts are the regulatory tools for achieving the future land use goals articulated in the future land use map and related policies in the 2045 Homer Comprehensive Plan. Some changes to the current zoning map are needed to accomplish this purpose. In some cases, a new zoning district or amendment to an existing zoning district might be warranted to implement the proposed land use type. For example, the current zoning map does not have a general industrial zoning district, but the draft future land use map has areas identified as industrial and light industrial mixed use.

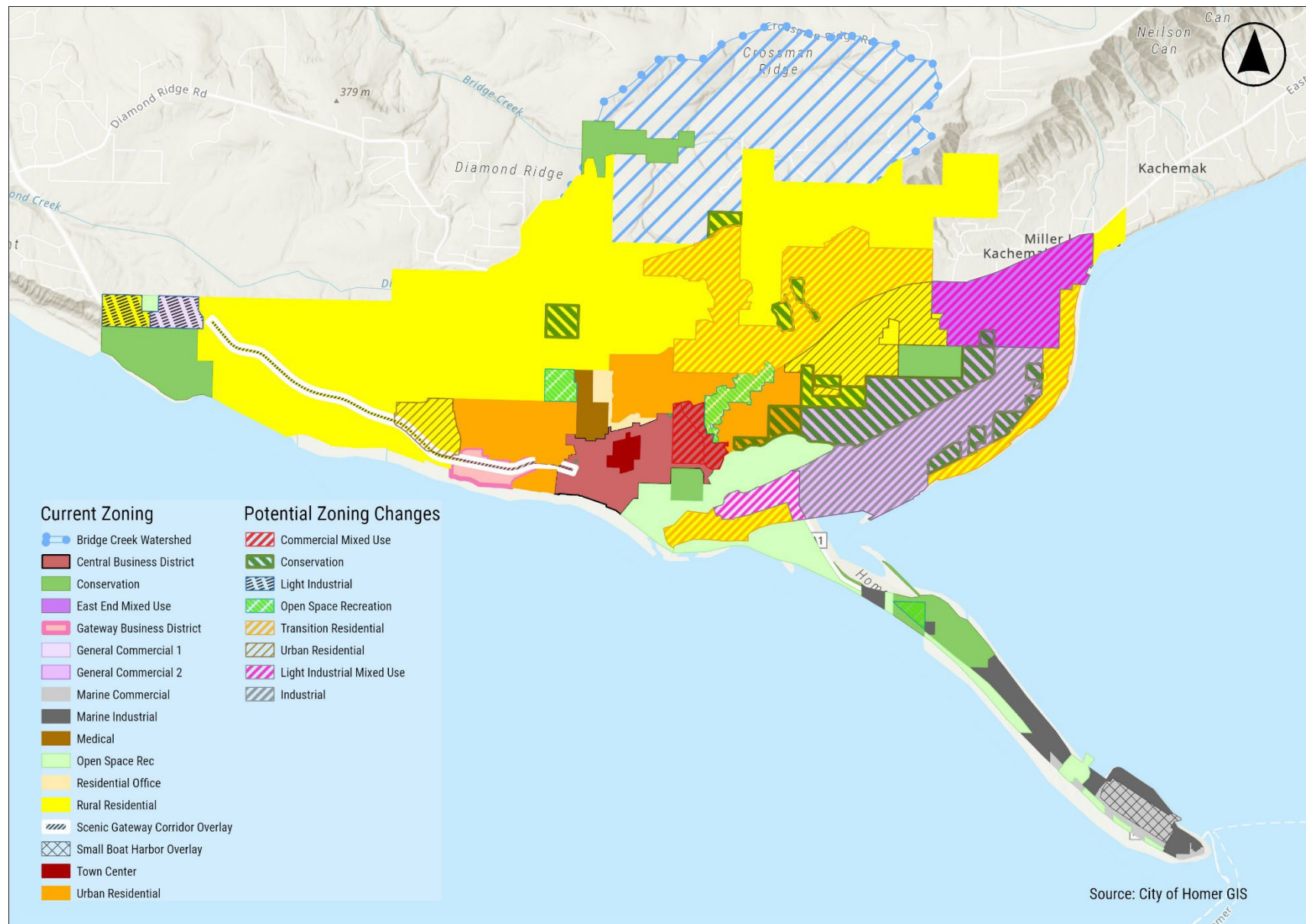
Zoning district changes suggested by the future land use map are addressed through the recommended strategies in Tables 4 and 5; these include formation of new zoning districts, re-grouping or combining zoning districts, or rezoning land to a different, existing zoning district. Several zoning districts may benefit from renaming and adjustments to allowed uses, including Central Business District, Gateway Business District, General Commercial 1, General Commercial 2, East End Mixed Use, Medical and Town Center. New or renamed districts that may be necessary to fulfill the direction of the future land use map are Downtown Mixed Use, Transition Residential, Commercial Mixed Use and Industrial. Potential zoning map changes are described in Table 4 and shown on the map in Figure 1.

Table 4: Future Land Use Designations and Potential Changes to Zoning Districts

Future Land Use Designation	Corresponding Zoning District	Potential Change
Commercial		
Downtown Mixed Use	CBD – Central Business District Town Center	Consider consolidation of CBD and Town Center Districts
Commercial Mixed Use	GBD – Gateway Business District	Potential renaming to Commercial Mixed Use
Marine Commercial	MC – Marine Commercial	No change required
Residential		
Urban Residential	UR – Urban Residential RO – Residential Office	Redesignate Residential Office to Urban Residential (or edit permitted uses in the districts).
Transition Residential	RR – Rural Residential	New Zoning District – Transition Residential
Rural Residential	RR – Rural Residential	No change required
Medical Mixed Use	M – Medical	Potential renaming as Medical Mixed Use

Industrial		
Light Industrial Mixed Use	EEMU – East End Mixed Use GC1 – General Commercial 1	New Zoning District – Commercial Mixed Use Rename East End mixed Use and / or General Commercial 1 to General Industrial
Industrial	GC2 – General Commercial 2	New Zoning District – Industrial or General Industrial
Marine Industrial	MI – Marine Industrial	No change required
Public Lands		
Conservation	C – Conservation	No change required
Open Space Recreation	OSR – Open Space Rec	No change required
Specialty		
Bridge Creek Watershed	Bridge Creek Watershed overlay	No change required
Diamond Creek Recreation Area	No applicable zoning district	Remove from Zoning Code (outside of zoning authority limits)
Environmental Constraints Overlay	Rural Residential Conservation Gateway Business District Urban Residential General Commercial Marine Commercial Marine Industrial	Environmental Constraints Overlay

Figure 1: Zoning Map and Changes Suggested by 2035 Comprehensive Plan Proposed Future Land Use Map



Considerations and recommendations related to the districts themselves are shown in Table 5.

Table 5: Zoning District Considerations and Recommendations

Item	Consideration	Recommendation
District Descriptions	<p>Generally: district names are not illustrative of the purpose of the district. For example, the General Commercial 2 District primarily caters to heavy commercial and industrial uses.</p> <ul style="list-style-type: none"> Two zoning districts (Residential Office and Medical District) are not limited to the uses as mentioned in the zoning district names. Residential Office primarily caters to low-density and medium density uses along with allowing certain specified businesses and offices. Medical district also caters to residential and non-residential uses within proximity to the hospital. 	<ul style="list-style-type: none"> Rename districts so they better describe the intent and uses within them.
District Consolidations	Many districts are similar, with only slight differences in permitted uses, minimum lot size, density, or allowable uses. For example, the medical district and residential office building allow several uses with only minor unique uses. Several districts also describe a mix of commercial and industrial uses.	<ul style="list-style-type: none"> Consider district consolidations where there is significant overlap between allowed uses, lot requirements, or development standards.
	The general intent of Town Center and Central Business District as Downtown Mixed Use appear to be the same.	<ul style="list-style-type: none"> Consolidate the Town Center and Central Business District as Downtown Mixed Use
District Redesignation to New Districts	The intent of Gateway Business District is to promote mixed-use development, particularly visitor-oriented business.	<ul style="list-style-type: none"> Rename Gateway Business District as Commercial Mixed Use.
	The intent of general commercial 1 is geared more towards industrial uses compared to commercial uses since it is based on the land area and access to arterials.	<ul style="list-style-type: none"> Redesignate General Commercial 1 as Light Industrial.
	The current zoning code has only marine industrial as the industrial district but districts such as General Commercial 2 and East End Mixed Use are districts that predominantly cater to industrial uses.	<ul style="list-style-type: none"> Rename General Commercial 2 and East End Mixed Use as Industrial or General Industrial District.
New Districts	Currently there are only two primary residential districts, but not one that accommodates low and medium density residential as suggested by the Transition Residential category on the future land use map.	<ul style="list-style-type: none"> Create a new district named Transition Residential that accommodates low to medium density housing.
Allowable Uses	Districts regulations include permitted uses and structures, conditional uses and structures, dimensional requirements, site development standards, and lighting standards. Some of these are more appropriate in other sections.	<ul style="list-style-type: none"> Consider organization of allowable uses into one consolidated table.
		<ul style="list-style-type: none"> Move some standards like lighting, parking and others

Item	Consideration	Recommendation
		to a General Provisions section.
	Many uses with very objective approval criteria require a conditional use permit (CUP) and public hearing.	<ul style="list-style-type: none"> Consider moving uses that are usually granted a CUP from conditional to permitted.
		<ul style="list-style-type: none"> Update the general commercial 2 district to be stricter about where commercial and industrial uses (residential restrictions) are allowed.
	There are several residential districts that follow a housing type hierarchy, versus density hierarchy.	<ul style="list-style-type: none"> Consider putting less emphasis on use and more on the form and character of development in some districts
		<ul style="list-style-type: none"> Update uses based on comprehensive plan guidance and public input.
Dimensional Requirements	Residential districts have the following requirements: lot size, building setbacks, building height, detached accessory buildings. Commercial and industrial districts: lot size, setbacks, building height, building area, building area and dimensions.	<ul style="list-style-type: none"> Consider organizing dimensional requirements into one table.
Additional Standards	Traffic Requirements, site development standards, nuisance standards and lighting standards are included within each zoning district.	<ul style="list-style-type: none"> Consider consolidating the standards into one table and move to General Provisions.

Division III includes similar standards for overlay districts in the code. These districts provide standards in addition to those in the underlying zoning district based on particular locational characteristics like natural hazards, watersheds, or scenic areas. In some cases, uses within the overlay district are restricted more than the underlying zoning district.

These districts are generally logical and appropriate. Specific standards within the districts will be reviewed in detail with applicable state statutes, agency rules, and physical conditions inventoried in the comprehensive plan.

Use and Development Regulations (Division IV)

Overview

Use and development regulations are contained in Division IV of Title 21. They include site development standards such as slopes, drainage, landscaping, and stormwater for three different levels of development as well as fence and fill standards for all development. Other sections of this division cover standards for specific

uses such as home-occupations, townhouses, marijuana, and assembly uses. Finally, this division includes sign and parking regulations.

Recommendation

The organization of Division IV could be improved by separating regulations that are related to a specific use from regulations that apply to all development generally (General Provisions).

Site Development Standards (21.50)

Table 6 outlines considerations and recommendations for Section 21.50 Site Development Standards and Miscellaneous Regulations.

Table 6: Site Development Standards - Considerations and Recommendations

Item	Consideration	Recommendation
Title and Standards (21.50.010-040, 150)	All standards under each development standards “level” include only standards relating to slopes, drainage, runoff and erosion control.	<ul style="list-style-type: none"> ▪ Create a separate division or section for “drainage and erosion control” (so that the title reflects the nature of the standards). Consolidate standards currently listed under drainage, stormwater, landscaping, slopes, and fill under this heading.
Levels (21.50.010-040)	Levels described within each zoning district, rather than here in the site development standards. Each zoning district has a “site development requirements” section, which is confusing.	<ul style="list-style-type: none"> • Consolidate regulations dealing with drainage and erosion control into one section titled as such. • Eliminate “levels” of standards. Instead, simply set standards for types of development (i.e.- single-family detached, multi-family, etc.) the section. ▪ Create a table within the section that describes the standards for varying types of development.
Fences (21.50.110) – maximum height	There is no maximum height for any fence, other than within a 20-foot front setback.	<ul style="list-style-type: none"> ▪ Consider maximum heights for side and rear fences, at least in residential districts.
Fence CUPs (21.50.120)	This section states that fences in excess of height requirements may be granted via CUP, but there are	<ul style="list-style-type: none"> ▪ Remove CUPs for fences. Any exception to standards handled through an

Item	Consideration	Recommendation
	<p>no height maximums save for a four-foot limit on fences at the ROW in residential districts.</p> <p>Exceptions to fence height regulations should be handled via administrative flexibility (small exceptions) or a variance (larger exceptions).</p>	administrative waiver or a variance application.

Use Regulations

The following sections of Division IV relate to standards for specific uses:

- 21.51 Home-Based Occupations
- 21.53 Townhouses
- 21.54 Mobile Home Parks, Mobile Homes, Recreational Vehicle Parks and Recreational Vehicles
- 21.56 Religious, Cultural, and Fraternal Assembly
- 21.57 Large Retail and Wholesale Stores
- 21.58 Towers and Related Structures
- 21.62 Marijuana Cultivation, Manufacturing, Retail and Testing Facilities.

Generally, these types of regulations match with uses that require a CUP or special administrative review. These uses have impacts that require additional scrutiny.

Considerations and recommendations related to these use regulations are included in Table 7.

Table 7: Use Regulations Considerations and Recommendations

Item	Consideration	Recommendation
Home Occupations (21.51.010) – parking	Current standards state no parking of vehicles related to the home occupation can occur outdoors. This may present constraints for landscapers, contractors, or others who drive a vehicle off-site for their home occupation.	<ul style="list-style-type: none"> ▪ Create an allowance for one commercial vehicle to be parked outside, with a size limitation.
Bed and Breakfast facilities (21.51.100)	This section could be broadened to accommodate other types of short-term rentals that are more common today.	<ul style="list-style-type: none"> ▪ Consider short-term rental regulations, which would help keep existing housing stock available for long-term occupancy.
Townhouses (21.53) – permitting and standards	CUP is required in certain zoning districts. Standards are objective and could be reviewed administratively.	<ul style="list-style-type: none"> ▪ Remove CUP requirements for townhomes. Instead, make them permitted uses with additional standards, if necessary, which can be reviewed administratively.
	Some regulations on townhouses seem overly restrictive, to the	<ul style="list-style-type: none"> ▪ Remove distance requirements between townhouse projects.

	<p>point of discouraging this type of housing. Examples include:</p> <ul style="list-style-type: none"> Distance requirements from other townhouse projects. Varying lot size requirements (which prevent multiple townhouses on one lot – aka rental townhouses). Individual yard requirements. Maximum height of 25 feet, which is lower than max. height in the rural and urban residential districts (prevents stacked townhouses). 	<ul style="list-style-type: none"> Remove requirements on townhouses that effectively prevent rentals (more than one unit on a lot). Increase height maximum to at least match single-family residential districts
Mobile homes and mobile home parks (21.54)	Only allowed as a conditional use in 3 zoning districts (RR, GC1 and CBD)	<ul style="list-style-type: none"> If mobile homes are undesirable, consider allowing manufactured homes without a conditional use permit wherever single-family detached homes are allowed.
	Does not address manufactured or modular homes. Usually, the term “mobile home” refers to pre-1976 units.	<ul style="list-style-type: none"> In definitions, distinguish between “mobile homes” and “manufactured” homes. Consider changing the nomenclature from mobile home park to manufactured home park, if manufactured homes are to be allowed there
	Lot size in a park must be the same as the underlying zoning district. This may undercut the intention of a mobile home park of providing affordable housing.	<ul style="list-style-type: none"> Reduce the minimum lot size within a mobile home park.
Assembly Uses (21.56)	Name suggests types of assembly, including religious.	<ul style="list-style-type: none"> Change language to be more neutral with regard to the type of assembly taking place. Consider whether specific use standards are needed for commercial event venues. Include “assembly” or “assembly use” as a definition.
Large retail and wholesale stores (21.57)	Descriptions of the application process, including a pre-application conference requirement, are located within this section.	<ul style="list-style-type: none"> Process requirements should be located within the administration section of the ordinance.

	Citizen participation meetings required, when they are not generally required for CUPs	<ul style="list-style-type: none"> ▪ The process of approval for a CUP should be the same as all CUPs.
	Community and economic impact report required, including demonstration of financial ability to complete the project, long-term financial stability, and a host of 10-year projected impacts on employment, wages, taxes, etc. Many of these requirements seem difficult for applicants to provide with any level of accuracy.	<ul style="list-style-type: none"> ▪ Unless there are separate criteria for CUPs for large retail and wholesale stores, the submittal requirements should be the same as other CUP applications.
	Visual impact requirements, like not allowing parking facilities to “visually dominate” the setting, are highly subjective.	<ul style="list-style-type: none"> ▪ Approval criteria should be objective measures that can reasonably be supplied by the applicant.
	Special landscaping requirements are highly subjective.	<ul style="list-style-type: none"> ▪ Landscaping and blocking visual impacts should be regulated by a landscaping or form-based code section of the ordinance.
	Additional sections relating to development activity plan, signs, parking, landscaping, buffers, lighting, loading and delivery, snow storage, outdoor sales, and trash and recycling single out this particular use.	<ul style="list-style-type: none"> ▪ Consider applying these criteria to all large-footprint developments and/or including them in separate sections that include all regulations (i.e.-there should be a division specifically containing all parking regulations).
Towers (21.58)	Special public notification and meeting requirements.	<ul style="list-style-type: none"> ▪ Process requirements should be located within the administration section of the ordinance. Consider using the same process of approval as other CUPs.

Other Regulations

Also in Division IV, there are standards for planned unit developments, off-street parking, off-site impacts (21.59), signs (21.60), and nonconformities (21.61). Each of these is reviewed in Table 8.

Table 8: Other Regulations Considerations and Recommendations

Item	Consideration	Recommendation
Planned Unit Developments (21.52)	Scope and purpose allow flexibility and variation, without any requirement for subsequent public benefits. To prevent a PUD from being used as a work-around to getting a variance, specific flexibility allowed in a PUD should be tied to public benefit.	<ul style="list-style-type: none"> Edit scope and purpose to include flexibility in exchange for public benefits. Those benefits may include preservation of natural resources (beyond what the code requires), provision of affordable housing or desired housing types, public park land, and others.
	Density and open space requirements are stated in areas times gross land area.	<ul style="list-style-type: none"> State density requirements in units per acre State open space requirements as a percentage of the size of the PUD
	Perimeter requirements may prevent the PUD from connecting to adjacent developments or land uses. Privacy standards under dimensional requirements have a similar effect.	<ul style="list-style-type: none"> Replace screening and other privacy measures with standards for transition design between uses.
Off-Street Parking (21.55)	Limited opportunities for reductions in required parking.	<ul style="list-style-type: none"> Consider parking reductions that can be approved administratively for the following: <ul style="list-style-type: none"> Shared parking. On-street parking. Residential uses with low auto ownership (like senior housing) and mixed-use developments. EV charging stations Parking study at the request of the developer.
	Require off-street parking spaces are high for some uses.	<ul style="list-style-type: none"> Comprehensively review and modernize off-street parking standards for current best practices.
Off-Site Impacts (21.59)	Nuisances section not properly titled.	<ul style="list-style-type: none"> Items listed under the nuisances heading are really performance standards and should be titled as such.
	Lighting standards buried in this section.	<ul style="list-style-type: none"> Move lighting standards out into its own section.
	No standards for off-site light levels are included, which is the primary reason for lighting standards in general.	<ul style="list-style-type: none"> Create a maximum level of light at the property line.

Sign Code (21.60)	Content neutrality is required by recent case law.	<ul style="list-style-type: none"> Conduct a comprehensive review of this section to ensure that regulations are neutral with respect to content and are based solely on the land use or location of the sign.
	Computation of sign area allows for complicated calculations that include many shapes.	<ul style="list-style-type: none"> Simplify the area calculation to the smallest rectangle that can be drawn around the sign copy (including logo).
	Some signs for institutional uses require a public hearing, but no particular permit.	<ul style="list-style-type: none"> Remove requirements for public hearings for signs. Public hearings should be reserved for specific land use applications like variances or conditional uses
	Table of allowable signs (Table 1) is confusing. It is not clear, for example, if freestanding signs are allowed in commercial districts.	<ul style="list-style-type: none"> Specifically list each type of sign and whether it is permitted or not in each zoning district.
	No sign area maximums are provided for several commercial and industrial districts (other than for wall signs).	<ul style="list-style-type: none"> Establish maximum sign area requirements for all zoning districts.
	Too many sign regulations are included in the footnotes to tables. These are hard to find.	<ul style="list-style-type: none"> Simplify sign requirements where possible and include in one table.
	Sign height maximum for freestanding signs is very low (10 feet).	<ul style="list-style-type: none"> Consider specific height maximums for freestanding signs depending on the district, use, or street type on which it is located.
Nonconforming uses, structures and lots (21.61)	These provisions do not relate to uses or development regulations.	<ul style="list-style-type: none"> Move provisions related to nonconformities to a section with other administration topics or general provisions (that apply to all zoning districts).
	Proof of nonconforming structures has to go to a public hearing.	<ul style="list-style-type: none"> Nonconformities should be able to be verified by staff. There can be an appeal process to the hearing officer.

Administration and Procedures

Overview

Topics relating to administration, applications, plan review, and decision-making bodies are currently included in Divisions V and VI of Title 21. There are other administrative topics scattered throughout the zoning code that should be moved into an administration section, including nonconformities.

Recommendation

For ease of use, all divisions, chapters, or sections related to the administration of the ordinance, the powers of review bodies, and procedures for application review should be consolidated into one division. Further, a review matrix could provide an easy reference tool for code users that details each type of permit or land use application, the recommending, approval, and appeal authorities.

Permits, Plans, and Reviews (Division V)

The chapters within this Division establish procedures and application requirements for the various types of development and zoning applications. Those include applications for zoning permits, site plan approval, conditional use permits, variances and others. Considerations and recommendations related to the administration of these permits are included in Table 9.

Table 9: Permits, Plans and Reviews Considerations and Recommendations

Item	Consideration	Recommendation
Zoning Permit (21.70)	Required submittal information for permits includes an allowance of “drawn to a scale of not less than 1” = 20’”, which seemingly allows for applicants to submit hand-drawn sketches.	▪ Include language that emphasizes that plans must be submitted with enough precision and detail to determine compliance with code requirements.
	Permit terms include establishment of a “reasonable” time period to complete the work, rather than setting one standard.	▪ Include a time period for which the permit is valid, and which is not discretionary. Consider additional language that allows for permit extensions if substantial work is proceeding.
Conditional Use Permit (21.71)	Property value included in the criteria for review of a CUP is not accurately predictable.	▪ Remove this criterion. Sufficient other criteria exist to evaluate potential negative impacts on surrounding properties.
	Conditions that may be attached to an approved CUP include a time limit on the duration of the use. Legally, CUPs are attached to the property and are not limited in duration.	▪ For uses where a time limit is desired, create an Interim Use Permit process.

Item	Consideration	Recommendation
	Also included in conditions is the modification of dimensional requirements.	<ul style="list-style-type: none"> Remove this condition, as modifications to dimensional requirements should be handled with a variance.
	Other than violation of time limits (which is recommended to be removed), there is no basis described for revoking a CUP.	<ul style="list-style-type: none"> Include a section that describes when a CUP can be revoked, namely, when the conditions of the CUP are violated.
Variances (21.72)	No reference to protection of health, safety, and welfare in variance criteria. Also, no reference to “practical difficulty” standard.	<ul style="list-style-type: none"> Add a variance criteria stating that granting the variance shall not be detrimental to the public health, safety, or welfare.
		<ul style="list-style-type: none"> Revise criterion #1 to state that the zoning code would result in a practical difficulty to the use of the property consistent with its zoning district.
Site Plans and ROW (21.73)	Similar to zoning permits, required submittal information includes an allowance of “drawn to a scale of not less than 1” = 20”, which seemingly allows for applicants to submit hand-drawn sketches.	<ul style="list-style-type: none"> Include language that emphasizes that plans must be submitted with enough precision and detail to determine compliance with code requirements.
	Submittal criteria does not include setbacks from property lines and other structures.	<ul style="list-style-type: none"> Require that setbacks to property lines and other structures be shown on all site plans.
	Right-of-way access plans contain several subjective criteria (such as “where practical” and “kept to a minimum”).	<ul style="list-style-type: none"> Create specific requirements for access and/or intersection spacing, number of driveways, and access point dimensions on which site plans can be evaluated.
Development Activity Plan (21.74)	Title does not reflect the regulations within this section, which relate to stormwater discharge, suspended solids, and other pollutants carried in runoff.	<ul style="list-style-type: none"> Rename this section to reflect the standards related to stormwater, erosion control, and pollutants in runoff.
Stormwater Plan (21.75)	This section contains a lot of duplicative content with Section 21.74. It is unclear what size	<ul style="list-style-type: none"> Consolidate sections 21.74 and 21.75. Remove duplicative text/standards and make clear which plan or

Item	Consideration	Recommendation
	projects this section (v. 21.74) apply to.	process applies to different size projects.
Traffic Impact Standards (21.76)	Required projections should consider peak-hour trip generation, especially for multi-family residential, commercial, industrial, or institutional uses.	<ul style="list-style-type: none"> Require peak-hour trip generation projections for certain types of development.
	Public works is not involved in the review of TIAs, only the City Planner is referenced.	<ul style="list-style-type: none"> Include a contract engineer in the review of TIAs, or require that the TIA be submitted by a certified engineer.

Administration and Procedures (Division VI)

The chapters within this division describe how City staff administer the zoning ordinance as well as the powers of the Planning Commission, procedures for public hearings, and enforcement remedies.

This Division will be reviewed in collaboration with the City Attorney for any updates needed to reflect current best practices.