

## **Ordinance 13-27 Technical Corrections to Title 21 of the Homer City Code for its Republication by Code Publishing, Inc.**

**Ordinance ID:** 13-27

**Ordinance Status:** Adopted

**Ordinance Summary:**

An Ordinance of the City Council of Homer, Alaska, Making Technical Corrections to Title 21 of the Homer City Code for its Republication by Code Publishing, Inc. Planning.

CITY OF HOMER  
HOMER, ALASKA  
Planning  
ORDINANCE 13-27

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, MAKING TECHNICAL CORRECTIONS TO TITLE 21 OF THE HOMER CITY CODE FOR ITS REPUBLICATION BY CODE PUBLISHING, INC.

WHEREAS, Code Publishing, Inc. has performed a legal analysis of the current Homer City Code, that has identified Code provisions that require technical correction; and

WHEREAS, It is desirable that the technical corrections identified by Code Publishing, Inc. be adopted to assure that the republished Code is as accurate and current as possible.

NOW, THEREFORE, THE CITY OF HOMER HEREBY ORDAINS:

Section 1. Subsection (a) of Homer City Code 21.10.030, Zoning map, is amended to read as follows:

21.10.030 Zoning map. a. The official zoning map shall be kept in the City offices, in either paper or electronic form. The "Homer Zoning Map" dated April 4, 2012 is adopted by reference and declared to be part of this title, together with all amendments subsequently approved by ordinance.

Section 2. Homer City Code 21.16.060, Traffic Requirements, is amended to read as follows:

21.16.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 3. Homer City Code 21.18.060, Traffic Requirements, is amended to read as follows:

21.18.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 4. Homer City Code 21.20.100, Traffic Standards, is amended to read as follows:

21.20.100 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 5. Subsection (e) of Homer City Code 21.22.040, Dimensional Requirements, is amended to read as follows:

e. Building Area and Dimensions – Retail

1. The total floor area of retail business uses within a single building shall not exceed 8,000 square feet.
2. In buildings with more than 8,000 square feet of building area retail business use (not including the area for stocking and warehousing) is limited to no more than 8,000 square feet of floor area.

Section 6. Homer City Code 21.22.110, Traffic Requirements, is amended to read as follows:

21.22.110 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 7. Homer City Code 21.24.060, Traffic Requirements, is amended to read as follows:

21.24.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 8. Homer City Code 21.26.060, Traffic Requirements, is amended to read as follows:

21.26.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 9. Homer City Code 21.27.060, Traffic Requirements, is amended to read as follows:

21.27.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 10. Homer City Code 21.28.060, Traffic Requirements, is amended to read as follows:

21.28.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 11. Homer City Code 21.30.060, Traffic Requirements, is amended to read as follows:

21.30.060 Traffic Requirements. A conditional use permit is required for every use that:

- a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or
- d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 12. Homer City Code 21.50.010, Site development standards – general, is amended to read as follows:

- 21.50.010 Site development standards – general. a. All development in all zoning districts must comply with minimal site development standards. There are various levels of standards set forth in this chapter.
- b. The level of site development standards required is specified in the applicable zoning district regulations.

Section 13. The first paragraph of Homer City Code 21.50.020, Site development standards – level one, is amended to read as follows:

21.50.020 Site development standards – level one. This section establishes level one site development standards.

Section 14. The first paragraph of Homer City Code 21.50.030, Site development standards – level two, is amended to read as follows:

21.50.030 Site development standards – level two. This section establishes level two site development standards.

Section 15. The first paragraph of Homer City Code 21.50.040, Site Development standards - Level three, is amended to read as follows:

21.50.040 Site Development standards - Level three. This section establishes level three site development standards.

Section 16. Subsection (b) of Homer City Code 21.50.120, Fences – Conditional fence permit, is amended to read as follows:

- b. Prior to granting such a permit, the applicant must demonstrate and the Planning Commission must find that:

1. The issuance of such a permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights for full use and enjoyment of the property;
2. The fence will not create a safety hazard for pedestrians or vehicular traffic;
3. The fence is a planned architectural feature designed to avoid dominating the site or overwhelming adjacent properties and structures;
4. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood;
5. The fence will be of sound construction.

Section 17. Subsection (b) of Homer City Code 21.52.060, Commercial, noncommercial and industrial PUDs, is amended to read as follows:

- b. A planned unit development that includes commercial, noncommercial or industrial uses shall comply with the following requirements and conditions:
1. The PUD site shall have direct access to an arterial or collector street.
  2. Utilities, roads and other essential services must be constructed, installed and available for the immediate use of occupants of the PUD.
  3. The PUD shall be developed with a unified architectural treatment in exterior building materials, colors and design features.

Section 18. Homer City Code 21.57.210, Building and Aesthetics, is amended to read as follows:

- 21.57.210 Building and Aesthetics. This section sets minimum requirements to help create an aesthetically attractive facade by reducing the perceived mass of large buildings, creating structures in scale with existing development, and creating a pedestrian friendly environment, while recognizing that buildings for certain uses may not be able to fully achieve these goals. In such instances, the Commission may allow increased landscaping and proper sitting may be utilized to mitigate the perceived mass and visual impacts of the large building.
- a. If a building facade exceeds 60 feet in length, it shall be divided into smaller elements by jogging the wall in or out a minimum of four feet for at least ten feet in length, or by adding an element such as a porch, recessed entry, bay window, projecting trellis or similar substantial architectural feature at intervals so that no continuous wall plane is more than 60 feet in length.
  - b. The portion of the building within public view shall incorporate human?scale elements such as windows, arcades, lower roof overhangs, awnings, or architectural features.
  - c. The design shall provide architectural features that contribute to visual interest at the pedestrian scale and reduce the massive scale effect by breaking up the building wall, front, side, or rear, with color, texture change, and repeating wall offsets, reveals, or projecting ribs.
- the massive scale of large buildings. Parapet walls shall be architecturally treated to avoid a plain monotonous style.
- e. Entryways shall be designed to orient customers and to be protected from the weather. Each entrance shall be clearly defined and highly visible.
  - f. The buildings shall have exterior building materials and colors that are compatible in color, texture and scale.
  - g. Public Spaces. No less than five percent of the floor area shall be dedicated to interior or exterior public spaces.

Section 19. This Ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 12th day of August, 2013.

CITY OF HOMER

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MARY E. WYTHER, MAYOR

ATTEST:

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JO JOHNSON, CMC, CITY CLERK

AYES:

NOES:

ABSTAIN:

ABSENT:

First Reading:

Public Reading:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Walt Wrede, City Manager    Thomas F. Klinkner, City Attorney

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Ordinance Dates **Ordinance Introduction Date:** Mon Jul 22nd, 2013

**Ordinance Public Hearing Date:** Mon Aug 12th, 2013

**Ordinance Second Reading Date:** Mon Aug 12th, 2013

**Ordinance Effective Date:** Tue Aug 13th, 2013

Ordinance Files  [Ord 13-27](#)

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