Chapter 21.46 Small Boat Harbor Overlay District

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21.46.010 Purpose and intent. The purpose of the Small Boat Harbor Overlay District is to establish additional development regulations specifically designed for the unique nature and needs of water and tourism-oriented uses on platforms over the small boat harbor. These regulations will delineate special performance and design standards, encourage mixed use developments which contribute to the stabilization of water-dependent and water-related uses, encourage the link between the marine business and general business sectors of the community, and encourage safe and enjoyable access along the harbor’s edge.

21.46.020 Overlay district boundaries. The Small Boat Harbor Overlay District applies to the property described as Lot G-8 and Small Boat Harbor, Homer Spit Subdivision No. Two, T6S, R13W, Sections 35 & 36, and T7S, R 13W, Sections 1 & 2, Seward Meridian, as shown on Plat No. 92-50.

21.46.030 Applicability. Unless otherwise noted, the requirements of the Small Boat Harbor Overlay District apply to all development and are in addition to the requirements of the underlying zoning district. Where a requirement of the underlying district conflicts with a requirement of the overlay district, the overlay district requirement shall govern.

21.46.040 Conditional Uses. The following uses may be permitted in the Small Boat Harbor Overlay District when authorized by conditional use permit issued in accordance with HCC Chapter 21.71:
a. Overslope development.

21.46.050 Overslope platform standards. An overslope platform shall comply with the following standards:
a. An overslope platform shall be 40 feet deep, and shall be not less than 40 feet nor more than 240 feet wide.
b. There shall be a minimum 20 foot setback separating an overslope platform from a dedicated right-of-way. Except as provided in the preceding sentence, there are no setback requirements for overslope platforms, and an overslope platform may be constructed to the lot line.
c. An overslope platform that is used for the docking of boats shall be designed to bear the loads associated with that use, and include suitable rail access, gates, stairs and fenders.
d. The bottom of the lowest structural member of the lowest floor of an overslope platform (excluding pilings and columns) shall be at least one foot above the base flood elevation.
e. The area of an overslope platform that at the time of its construction is within 15 feet of the edge of a ramp shall be used as a public access area, within which no sales or commercial activity may occur. Such a public access area shall not be counted to meet open space or landscaping requirements.
f. Direct access from an overslope platform to the ramp shall be limited to avoid user conflicts. Gates or other moveable barriers that facilitate loading and unloading may be used to control access.

21.46.060 Architectural standards. Overslope development shall conform to the following architectural standards.
a. All buildings on the same overslope platform shall receive a common architectural treatment. The main color of the exterior walls of all buildings on an overslope platform shall be one or more earth or seascape tones.
b. Not less than five percent of the area of an overslope platform area shall be outdoor public open space.
c. Overslope development shall include pedestrian walkways that provide direct access between common areas in

the overslope development and public rights-of-way.
d. Opaque walls, fences or planter boxes, or any combination of them, shall be used to screen mechanical equipment and trash containers from view in adjacent public areas.
e. The design of structures and outdoor pedestrian areas shall take into consideration environmental factors such as prevailing wind, salt spray, solar exposure, snow and heavy rains.
f. Along the length of a building, the roofline shall not be continuous for more than 60 feet. Roofs shall be gabled.
g. The maximum height of a building measured from the overslope platform or the adjacent grade to the highest roof peak shall not exceed 25 feet
h. A public access not less than eight feet wide to an area overlooking the harbor shall be provided at each end of an overslope platform and at intervals not greater than 150 feet on the overslope platform.
i. A continuous pedestrian corridor at least eight feet wide must extend the length of the overslope development, on either the harbor or the uplands side, or some combination thereof. The corridor must be clear of obstructions, but may be covered by an awning or roof overhang. The minimum eight-foot width of the corridor may not be counted to meet landscaping or public open space requirements.

21.46.070 Signs. Signs are subject to the requirements in Chapter 21.060 that apply in the underlying zoning district, provided that the maximum combined total area for all signs under Table 2 in HCC 21.60.060(c) is calculated on a per-building basis instead of on a per-lot basis. No sign bearing a commercial message, as defined in HCC 21.60.040, may be placed in an outdoor public open space.

21.46.080 Landscaping. a. Five percent of the area of an overslope platform must be landscaped.
b. In addition to the types of plantings listed in the definition of landscaping in HCC 21.03.040, landscaping on an overslope platform may include planter boxes and hanging basket plantings.
c. The commission may permit the substitution of durable outdoor art, or amenities for public use such as bike racks, benches, trash receptacles and information kiosks, for part of the required landscaping on an overslope platform.

21.46.090 Architectural plans. An application for an overslope development conditional use shall include the following detailed plans and specifications showing compliance with the requirements of this chapter:
a. Floor plans at a scale of 1/8”=1’ – 0”.
b. Architectural elevations.
c. Site elevation showing the relationship to the platform of the base flood elevation and mean high tide line, and the elevation of the land where the platform adjoins the shore.
d. Exterior finish schedule.
e. Roof plan showing direction of drainage and where runoff will go.
f. Drawings must show design oversight by an architect registered under the laws of the state of Alaska. (Ord. 09-44(S) §3, 2009)

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