

CITY OF HOMER  
HOMER, ALASKA

ORDINANCE 86-18

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER, ALASKA, CREATING CHAPTER 21.47, RESIDENTIAL OFFICE DISTRICT, AND AMENDING CHAPTER 21.32, DEFINITIONS, AND AMENDING CHAPTER 21.60.014(a)1, SIGNS FOR HOME OCCUPATIONS, AND THE CREATION OF THE RESIDENTIAL OFFICE DISTRICT DELINEATED ON CITY OF HOMER ZONING MAP

WHEREAS, the Homer Advisory Planning Commission was directed by the Homer City Council to consider the creation of a residential office district to accommodate growth in the Bartlett Street and Homer East Road area; and

WHEREAS, several businesses existing in those areas are non-conforming uses and would become permitted uses; and

WHEREAS, there appears to be the need to establish an area for offices and personal services that will generate a minimal volume of traffic; and

WHEREAS, a public hearing was held on April 16, 1986 before the Homer Advisory Planning Commission and action was taken to designate the Bartlett Street and Homer East Road area for a residential office district; and

WHEREAS, a public hearing was held on May 7, 1986 before the Homer Advisory Planning Commission and action was taken to recommend the adoption of the proposed residential office district.

NOW THEREFORE, THE CITY OF HOMER ORDAINS that Homer Municipal Code, Chapter 21.47, Residential Office district is hereby created, Section 21.32, Definitions, and Section 21.60.014(a)1, Signs for home occupations is hereby amended as follows:

Chapter 21.47

RESIDENTIAL OFFICE (RO)

Sections:

21.47.010	Purpose.
21.47.020	Permitted Uses and Structures.
21.47.030	Conditional Uses and Structures.
21.47.040	Dimensional Requirements.
21.47.050	Performance Standards.

21.47.010 Purpose. The Residential Office district is intended to provide a mix of low to medium density residential uses with certain specified businesses and offices which may include professional services, administrative services and/or personal services; but does not include direct retail or wholesale transactions except for sales which are incidental to the provision of services. The purpose of the district is to preserve and enhance the residential quality while allowing certain services whose nature is low traffic generation, similar scale and density. The district is created as a transition zone between commercial and residential neighborhoods.

21.47.020 Permitted Uses and Structures. The following uses are permitted outright in the Residential Office district:

- a. Single family and duplex dwelling structures;
- b. Multi-family structures, containing three or more dwelling units, provided the structure conforms to Chapter 21.45.040a(2);
- c. Public parks and playgrounds;
- d. Boardinghouses;
- e. Home occupations, provided that:
  1. The occupation shall be carried on entirely within the dwelling unit or accessory building and its function shall be clearly subordinate to the residential nature of the premise.
  2. It shall not cause any noise, odors, effluent, smoke, dust, vibrations, electrical interference, bright or flashing light, or other objectionable conditions which would interfere with the quiet enjoyment of a residential neighborhood and there shall be no visible signs of such occupation from the exterior, particularly the storage or display of goods or materials, the parking or storage of trucks, machinery, or equipment on or about the premises. A home occupation shall not include automobile or machinery repairs, welding, sheet metal, or other similar work.

3. A home occupation shall not require regular or frequent deliveries of goods or materials of such bulk or quantity, nor the parking of customer or client's vehicles in numbers of frequency over and above the normal traffic associated with the dwelling as a residence.

4. A home occupation shall be carried on only by the full time occupants of the dwelling unit.

5. No exterior signs shall be allowed except one unlit sign not exceeding four square feet, attached to the main building containing only the name of the occupant and the name of the lawful home occupation.

- f. Professional offices;
- g. Administrative offices in which personnel are employed in the following fields: executive, administrative, clerical, insurance, real estate, and similar enterprises, both public and private;
- h. Group care homes;
- i. Individual mobile homes are not permitted;
- j. Personal services;
- k. Museums, libraries and the like;
- l. Nursing homes, convalescent homes, homes for the aged;
- m. Churches;
- n. Storage of personal commercial fishing gear in a safe and orderly manner and separated by at least five feet from any property line as an accessory use;
- o. Personal storage of non-commercial equipment including non-commercial trucks, boats, campers or travel trailers in a safe and orderly manner and separated by at least five feet from any property line as an accessory use.
- p. Other customary accessory uses to any of the permitted uses listed in the residential office district, provided that:
  - 1. No separate permit shall be issued for the construction of any type of accessory building prior to that of the main building;

2. Detached accessory building may not occupy more than 25 percent of a required rear or side yard and shall be located at least five feet from the nearest part of a main building and five feet from a property line.

- q. The outdoor harboring or keeping of dogs, small animals and fowl as an accessory use in a manner consistent with the requirements of all other titles of this code and as long as such animals are kept as pets and their numbers are such as not to cause undue disturbance for neighboring property owners.

21.47.030 Conditional Uses and Structures. The following uses are permitted in the Residential Office district when authorized in accordance with Chapter 21.61 of this ordinance:

- a. Planned unit developments;
- b. Townhouses;
- c. Public or private schools;
- d. Hospitals and/or medical clinics;
- e. Public utility facilities and structures;
- f. Mortuaries;
- g. Day care facilities.

21.47.040 Dimensional requirements. The following dimensional requirements apply to all uses in the Residential Office district unless otherwise provided in Chapter 21.61 or approved by variance as provided in Chapter 21.62.

- a. The minimum lot size shall be 7,500 square feet.
- b. Building setbacks:
  - 1. Buildings must be set back 20 feet from all dedicated rights-of-way;
  - 2. Residential buildings shall be set back from all other lot boundary lines according to height as follows:

Number of Stories	Setback
1	5 feet
1 - 1/2	6 feet
2	7 feet
2 - 1/2	8 feet

3. Commercial buildings shall be set back 20 feet from all other lot boundary lines unless firewalls are provided and access to the rear of the building is otherwise provided (e.g., alleyways) as defined by the State Fire Code and enforced by the State Fire Marshal.

c. The maximum building height shall be 35 feet.

21.47.050 Site and access plan. a. A building permit for any commercial enterprise shall not be issued by the City without a plot plan for that use. The plan shall conform to the standards as per Section 21.48.050(a) of this ordinance.

b. All access points to rights-of-way shall conform to the standards in Section 21.48.050(b) of this ordinance.

21.47.060 Performance standards. All development proposed in the Residential Office district shall comply with the performance standards contained in Section 21.44.050 of this ordinance.

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Section 21.32 Definitions

21.32.357 Office. "Office" means the physical location of a business which may include professional services, administrative services and/or personal services; but does not include direct retail or wholesale transactions except for those sales which are incidental to the provision of services.

21.32.382 Personal service. Amended to read "personal service" means a business which provides upon demand, aid, maintenance, repair, treatment or similar semi-technical, technical or experienced assistance, to the public at the individual level. This definition does not include the practice of a learned profession, any service defined in this ordinance under "administrative," nor wholesale or retail activities involving stock in trade on the premises.

21.32.405 Professional office. Amended to read "professional office" means an office which is maintained and operated for the conduct of a professional business or occupation requiring the practice of a learned art or science through specialized knowledge based on a degree issued by an institute of higher learning, including but not limited to medicine, dentistry, law, architecture, engineering, accounting, and veterinary medicine.

Section 21.60 Sign Standards by District

Section 21.60.014a Amended to read "signs in the Residential zones, Rural Residential, Urban Residential and Residential Office."

Section 21.60.014a(1) Amended to read "signs identifying home occupations shall be unlighted and shall not exceed four square feet containing the name of the occupant and the name of the lawful home occupation located against the wall of the principal building."

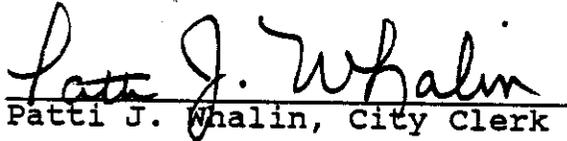
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DATED AT HOMER, ALASKA on this 23 day of June, 1986.

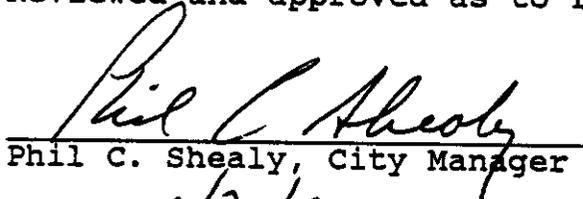
CITY OF HOMER

  
John P. Calhoun, Mayor

ATTEST:

  
Patti J. Whalin, City Clerk

Reviewed and approved as to form and content.

  
Phil C. Shealy, City Manager

Date: 6/24/86

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A. Robert Hahn, City Attorney

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

First reading: 5/27  
Public hearing: 6/9  
Second reading: 6/23  
Effective date: 6/24/86