

CITY OF HOMER
HOMER, ALASKA

MAY 21 1993

PERKINS COLE
ANCHORAGE

ORDINANCE 93 - 8A

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOMER
AMENDING HOMER CITY CODE, TITLE 21, CHAPTER 21.60,
ARTICLE 1, SIGN CODE

BE IT ORDAINED BY THE CITY OF HOMER:

Section 1. Section 21.60.010 of the Homer City Code is hereby amended to read as follows:

21.60.010 Sign code standards. Sign standards are set out in Article 1 of Chapter 21.60. This article may be known and referred to as the Sign Code. ~~21-60-020-through-21-60-180.~~

Section 2. Section 21.60.040 of the Homer City Code is hereby amended to delete subparagraph z, to add new subparagraphs a, k and t, and to amend subparagraphs g and w as follows, with all subparagraphs to be renumbered appropriately:

a. Abandoned sign. Any sign containing copy that refers to a business or activity that is no longer being conducted or pursued.

g. Cluster business. A business which has more than one commercial or noncommercial activity, shop, office, or building located on the same zone lot.

k. Electoral sign. Any sign used for the purpose of advertising or promoting a political party, or the election or defeat of a candidate, initiative, referendum or proposition at an election.

t. Off premise sign. A sign containing a commercial or noncommercial message drawing attention to goods or services, business or other activity not offered or conducted on the zone lot on which the sign is located.

w. Roof sign, integral. Any sign erected and constructed as an integral part or ~~essentially-integral-part~~ of a normal roof structure ~~of-any-design~~, such that no part of the sign extends vertically more than two feet above the highest portion of that the roof of which it is a part.

~~-----z.---Street.---A-strip-of-land-or-way-subject-to-vehicular traffic-(as-well-as-pedestrian-traffic)-that-provides-direct-or indirect--access-to-property,--including,--but-not-limited-to, alleys,--avenues,--drives,--highways,--lanes,--roads,--terraces, trails,-or-other-thoroughfares-~~

Section 3. Section 21.60.060, Table 1, Note b, of the Homer City Code is hereby amended to read as follows:

b. No commercial message allowed on sign, except for a commercial message drawing attention to goods or services legally offered on the zone lot premises, except signs approved by the State of Alaska Department of Transportation, Tourist-Oriented Directional-Signing-Program, and signs that meet the requirements of Section 21.60.092.

Section 4. Section 21.60.060, Table 2, third paragraph, of the Homer City Code is hereby amended to read as follows:

Freestanding signs may not exceed 75 square feet, or 25 20 feet in height, ~~and must be setback 5 feet from all property lines.~~ Only 1 freestanding sign is allowed per zone lot.

Section 5. Section 21.60.060, Table 2, fourth paragraph, of the Homer City Code is hereby amended to read as follows:

For cluster businesses ~~containing more than one business license~~, each individual business is allowed a maximum allowed signage according to its respective frontage using the table above. In addition, each business cluster is allowed a maximum allowed signage according to the table above. If part of the allowed signage is used on a freestanding sign in no case shall the sign exceed 75 square feet in area or, 25 20 feet in height. ~~and the sign must be setback five feet from all zone lot lines.~~

Section 6. Section 21.60.080 (c) of the Homer City Code is hereby added to read as follows:

c. Visibility for vehicles at access points shall be protected. Where any street, right-of-way, private drive, or entrance or exit for a parking area intersects a public street or right-of-way no sign shall be placed or maintained within the triangular area defined by lines connecting points as follows:

Beginning at the point where the midline of the street, right-of-way, private drive, or entrance or exit for a common parking area intersects the public right-of-way line or street line, thence to a point thirty-five feet along the right-of-way line or street line in the direction of approaching traffic in the nearest lane, thence to a point twenty-five feet toward the interior of the property at the previously described midline, and thence to the point of beginning.

No such visibility triangle need be maintained on the side of the street, right-of-way, private drive, entrance or exit in the direction away from approaching traffic in the nearest lane of the public right-of-way or street.

Section 7. Section 21.60.092 of the Homer City Code is hereby added to read as follows:

21.60.092 Off premise signs. Off premise signs are allowed in all nonresidential zoning districts subject to the restrictions of this section, which are in addition to the other requirements of the sign code:

1. No more than one such sign per zone lot, containing up to four separate messages, commercial or noncommercial per sign, may be allowed,

2. No more than one such message per business, product, service or other commercial or noncommercial activity may be allowed on an off premise sign anywhere in the city,

3. Maximum area of signage per commercial or noncommercial message shall be five square feet, inclusive of a logo, if any, which shall not exceed one square foot in area,

4. Maximum height of a freestanding off premise sign shall not exceed 12 feet,

5. Illumination, if used, shall not be animated. Light rays shall shine only upon the sign or upon the zone lot on which the sign is located, and no direct light or significant glare shall be cast onto any adjacent zone lot, street, or right-of-way, and,

6. The owner and lessee, if any, of the zone lot on which the sign is located and the owner of any commercial or non-commercial activity named or depicted on an off premise sign shall be jointly and severally responsible for compliance with the Sign Code.

Section 8. Section 21.60.095 of the Homer City Code is hereby added to read as follows:

21.60.095 Electoral signs. Electoral signs are allowed in all zoning districts subject to the restrictions of this section.

a. Electoral signs are allowed in any number and shall be in addition to any other signs allowed under the sign code.

b. Electoral signs may be displayed only for a period of sixty days prior to any federal, state or municipal election. All electoral signs must be removed within one week following the election, provided that signs erected for any primary or general election that remain relevant to a subsequent general or run-off election may remain in place for the period between the elections. During other periods of time, electoral signs shall be subject to regulation as other signs under the sign code.

c. Electoral signs shall not be placed on public property or rights-of-way except in accordance with HCC 21.60.090.

d. An electoral sign shall not exceed 32 square feet in area and shall not exceed the height limitation applicable to non-electoral signs within the same zoning district.

e. Electoral signs shall not violate HCC 21.60.110 (a) through (f) and shall conform to HCC 21.60.080.

Section 9. Section 21.60.100, subparagraph d of the Homer City Code is hereby amended, and subparagraph f is hereby to read as follows:

21.60.100 Signs exempt from regulation under this article chapter.

d. Holiday lights between October 15 November-15 and April 15 January-15; and

f. Signs in existence before February 11, 1985, but such signs shall not be replaced, moved, enlarged, altered, or reconstructed except in compliance with this article.

Section 10. Section 21.60.110 (g) of the Homer City Code is hereby added to read as follows:

g. Abandoned signs, which shall be removed by the owner or lessee, if any, of the zone lot upon which the signs are located. If such owner or lessee fail to remove such signs after an opportunity for a hearing, before the Planning Commission, and fifteen days written notice to remove given by the city, then the city may remove the signs and collect the cost of removal from such owner or lessee, who shall be jointly and severally liable for such cost.

Section 11. Section 21.60.120 (c) of the Homer City Code is hereby added to read as follows:

c. Cluster business permits. The owner and lessee, if any, of the zone lot on which a cluster business is located are jointly and severally responsible for obtaining all required sign permits and for payment of all fees for all signs of the cluster business and all individual businesses within the cluster.

Section 12. Section 21.60.130 (a) of the Homer City Code is hereby amended to read as follows:

a. Term. A temporary sign shall not be displayed for more than fourteen days in any ninety-day period, except for signs offering for sale or lease the zone lot on which the sign is located. The sign is allowed as long as the property is for sale or lease.


Section 13. 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 10th day of May, 1993.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

ATTEST:


MARY L. SHANNON, CITY CLERK

AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 1

First Reading: 4/12/93
Public Hearing: 4/26/93
Second Reading: 5/10/93
Effective Date: 5/11/93

Reviewed and approved as to form and content:


RICHARD J. LELAND, CITY MANAGER


GORDON J. TANS, CITY ATTORNEY