



City of Homer

www.cityofhomer-ak.gov

Planning

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Memorandum 20-123

TO: MAYOR CASTNER AND HOMER CITY COUNCIL
THROUGH: RICK ABOUD, AICP, CITY PLANNER
FROM: TRAVIS BROWN, PLANNING TECHNICIAN
DATE: AUGUST 19, 2020
SUBJECT: PROPOSED ORDINANCE AMENDING HCC 21.05.030 TO EXCLUDE
ELEVATOR SHAFTS WHEN MEASURING THE HEIGHT OF A BUILDING

In the Homer Planning Commission's review of the Proposed Medical District, building height was a topic of discussion. Elevator shafts were identified as a building feature that should be excluded from the measurement of building height in any zoning district.

The proposed ordinance amends HCC 21.05.030 "Measuring Heights" to include elevator shafts in the list of building features that are excluded from the measurement, when measuring the height of a building.

The Planning Commission held a public hearing on June 17, 2020 for the proposed ordinance. No public testimony was provided.

Through a vote of unanimous consent, seven commissioners recommend that the City Council adopt the proposed ordinance.

Attachments:

Staff report with Draft Ordinance

June 17, 2020 Planning Commission meeting minutes



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Staff Report PL 20-40

TO: Homer Planning Commission
THROUGH: Rick Abboud, City Planner
FROM: Julie Engebretsen, Deputy City Planner
DATE: June 17, 2020
SUBJECT: Proposed Ordinance amending HCC 21.05.030 to exclude elevator shafts when measuring the height of a building

Introduction

In the Planning Commission's review of the Medical District, building height was a topic of discussion. The Commission passed a motion stating the following:

SMITH/BENTZ MOVED TO LIMIT THE BUILDING HEIGHT TO 65 FEET IN THE PROPOSED MEDICAL DISTRICT WITH EXCEPTIONS FOR ELEVATIONS SUCH AS ELEVATOR SHAFTS OR MECHANICAL ESSENTIALS.

Analysis

HCC 21.05.030 describes how heights are measured by the zoning code. To amend how elevator shafts are included or excluded from measuring building height, an amendment to this section of code is needed. Many similar building features are already excluded from height calculation; elevator shafts appears to be a reasonable inclusion in this list.

Steeple, spires, belfries, cupolas and domes if not used for human occupancy, chimneys, ventilators, weather vanes, skylights, water tanks, elevator shafts, bulkheads, monuments, flagpoles, wind energy systems, television and radio antennas, other similar features, and necessary mechanical appurtenances usually carried above roof level.

Planning Staff review per 21.95.040

21.95.040 Planning Department review of code amendment. The Planning Department shall evaluate each amendment to this title that is initiated in accordance with HCC 21.95.010 and qualified under HCC 21.95.030, and may recommend approval of the amendment only if it finds that the amendment:

a. Is consistent with the comprehensive plan and will further specific goals and objectives of the plan.

Staff response: 2018 Homer Comprehensive Plan Chapter 4, 1-B-6: “Re-evaluate height standards in commercial and mixed use districts to determine whether buildings over three stories should be permitted. Height standards must meet fire safety and insurance standards.” This ordinance does not change the height maximum in any zoning district, but does allow for a limited exception to the height calculation for elevator shafts. This amendment is consistent with the comprehensive plan.

b. Will be reasonable to implement and enforce.

Staff response: This amendment will be reasonable to implement and enforce as the Planning Department already reviews building height as part of the zoning permit process.

c. Will promote the present and future public health, safety and welfare.

Staff response: This amendment promotes health, safety and welfare by removing regulatory barriers to elevator installation in multistory buildings, increasing access for those with mobility limitations.

d. Is consistent with the intent and wording of the other provisions of this title.

Staff response: This amendment is consistent with the intent, wording and purpose of HCC Title 21.

Staff Recommendation: Conduct a public hearing and recommend adoption to the City Council.

Attachments

1. Draft Ordinance

1 **CITY OF HOMER**
2 **HOMER, ALASKA**

3 Planning Commission

4 **ORDINANCE 20-XX**
5

6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
7 AMENDING HOMER CITY CODE 21.05.030, MEASURING HEIGHTS,
8 TO EXCLUDE ELEVATOR SHAFTS WHEN MEASURING THE HEIGHT
9 OF A BUILDING
10

11 Whereas, The 2018 Homer Comprehensive Plan, chapter 4 Land Use, Goal 3, Objective B states.
12 ”Encourage high quality site design and buildings;” and

13 Whereas, Elevators may help structures comply with the Americans with Disabilities Act; and

14 Whereas, An elevator may be a requirement of some types of new or remodeled commercial
15 buildings, and an elevator shaft may extended above the remainder of the roofline of a
16 structure; and

17 Whereas, HCC 21.02.030(b) Title and Purpose of the Homer Zoning Code, states “Regulate the
18 height, number of stories, and size of buildings and other characteristics of structures;” and

19 Whereas, Elevator shafts typically extend above the roofline of the building and are a necessary
20 mechanical feature for the design and operation of an elevator, and

21 Whereas, Amending HCC 21.05.030 to allow elevator shafts to extend above a roof line but not
22 be considered in the overall height of a building will allow more latitude when incorporating
23 an elevator in new or existing structures.

24 NOW THEREFORE, THE CITY OF HOMER ORDAINS:

25 Section 1. Homer City Code 21.053.030 Measuring heights is hereby amended as follows:

26 21.05.030 Measuring heights

27 a. When measuring height of a building, the following are included in the measurement:
28 screening, parapets, mansards or similar structures.

29 b. When measuring height of a building, the following are excluded from the measurement:

30 1. Steeples, spires, belfries, cupolas and domes if not used for human occupancy,
31 chimneys, ventilators, weather vanes, skylights, water tanks, elevator shafts,

32 bulkheads, monuments, flagpoles, wind energy systems, television and radio antennas,
33 other similar features, and necessary mechanical appurtenances usually carried above
34 roof level.

35 2. Wireless communications equipment that does not extend more than 10 feet above
36 the height of the building.

37 3. For buildings located within an area of special flood hazard, the vertical distance
38 between grade and the base flood elevation plus two feet is excluded from the
39 calculation of building height.

40 Section 2. This ordinance is of a permanent nature and general character and shall be
41 included in the City Code.

42 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this XX day of XXX, 2020.

43

44 CITY OF HOMER

45

46 _____
47 KEN CASTNER, MAYOR

48

49 ATTEST:

50

51 _____
52 MELISSA JACOBSEN, MMC, CITY CLERK

53

54 YES:

55 NO:

56 ABSTAIN:

57 ABSENT:

58

59 First Reading:

60 Public Hearing:

61 Second Reading:

62 Effective Date:

63

64 Reviewed and approved as to form.

65

66 Marvin Yoder, Interim City Manager

67

Date:

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69

70

Michael Gatti, City Attorney

71

Date:

codes; this would apply to high rise buildings; a 65 foot building could be considered a high rise dependent on an individual viewpoint compared to a establish standard or policy.

Deputy City Planner Engebretsen recommended that the Commission make a motion on amending the setback.

Chair Venuti requested the Clerk to call the vote hearing no motion for amending the setback from the Commission after several separate requests.

VOTE. YES. BENTZ, SMITH, BOS, PETSKA-RUBALCAVA, HIGHLAND

VOTE. NO. DAVIS

Motion carried.

- B. Staff Report 20-40, Proposed Ordinance amending HCC 21.05.030 to exclude elevator shafts when measuring the height of a building

Chair Venuti introduced the item by reading of the title into the record.

Deputy City Planner Engebretsen provided a summary of Staff Report 20-40 for the Commission.

Chair Venuti opened the Public Hearing and confirming with the Clerk that there were no members of the public attending to provide testimony, he closed the public hearing and opened the floor to questions or comments of the Commission.

BENTZ/SMITH MOVED TO ADOPT STAFF REPORT 20-40 AND RECOMMEND CITY COUNCIL ADOPT THE ORDINANCE TO AMEND CITY CODE 21.05.030 TO EXCLUDE ELEVATOR SHAFTS WHEN MEASURING THE HEIGHT OF A BUILDING.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

- A. Staff Report 20-41, Jack Gist Subdivision No. 3 Preliminary Plat

Chair Venuti introduced the item by reading of the title into the record. He then requested if there were any Commissioners who would like to declare a conflict.