

CITY OF HOMER
HOMER, ALASKA

Planning

ORDINANCE 10-54

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, ENACTING SUBSECTION (d) OF HOMER CITY CODE 21.50.020, SITE DEVELOPMENT STANDARDS – LEVEL ONE, AND HOMER CITY CODE 21.50.150, FILL STANDARDS, REGARDING THE REQUIREMENT OF A STORM WATER PLAN, AND ESTABLISHING STANDARDS FOR FILLING LAND.

WHEREAS, Chapter 4 Land Use, Goal 3 of the 2008 Comprehensive Plan states, “Encourage high quality buildings and site design that complement’s Homer’s beautiful natural setting,” and recommends developing specific policies regarding site development such as grading; and

WHEREAS, Chapter 4, Goal 2 Objective C of the Comprehensive Plan, item #7 states: “Develop and apply in all districts new standards addressing environmental issues including the management of storm water...”; and

WHEREAS, Chapter 6 Public Services and Facilities, Goal 1, Objective F Storm Water Control, states “Provide for current and future needs and explore options for expanding the quality and extent of storm water control”; and

WHEREAS, There are currently storm water plan requirements in the commercial zoning districts, but not in residential, recreational or conservation zoning districts; and

WHEREAS, This ordinance applies basic storm water plan requirements city-wide; and

WHEREAS, This ordinance applies basic fill requirements city-wide.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Subsection (d) of Homer City Code 21.50.020, Site development standards – level one, is enacted to read as follows:

d. A Storm Water Plan approved under HCC Chapter 21.75 is required for development that:

1. Creates more than 25,000 square feet of new impervious surface area on a lot;
2. Increases the total impervious surface area of a lot beyond one acre;
3. Includes grading, excavation or filling that cumulatively moves 1,000 cubic yards or more of material; or

45 4. Includes grading, excavation or filling that creates a permanent slope of
46 3:1 or more, and that has a total height, measured vertically from toe of slope to top of slope,
47 exceeding ten feet.

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49 Section 2. Homer City Code 21.50.150, Fill standards, is enacted to read as follows:

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51 21. 50.150 Fill standards. a. Except as permitted in (b) of this section, fill material shall
52 be free of large organic debris (including without limitation stumps), construction or demolition
53 debris (including without limitation concrete and asphalt), garbage and any material that is
54 categorized as hazardous or toxic under federal or state law.

55 b. Fill material that will not support a structure may include large organic debris that
56 originated on the lot where the fill is placed, provided that it is capped with clean fill for future
57 landscaping or driveway use.

58 c. The placement of fill to a depth greater than three feet over 25% or more of a lot
59 is subject to following requirements:

60 1. Before any fill is placed, a grading plan for the lot must be approved by
61 the City Engineer. The grading plan shall show the following:

62 i. The existing grade and finished grade of the lot using contour
63 intervals sufficiently small to show the nature and extent of the work, and its compliance with
64 the requirements of this title; and

65 ii. The existing grade on adjoining properties in sufficient detail to
66 identify how grade changes will conform to the requirements of this title.

67 2. Best management practices shall be used to limit sedimentation and storm
68 water runoff, and shall be installed before fill is placed on the lot.

69 3. All corners of the lot shall be flagged before fill is placed on the lot.

70 4. The slope of the fill shall not exceed 50% or 1:2.

71 5. No fill may be placed closer than five feet to a side or rear lot line, except
72 that clean fill may be placed on adjoining lots up to their common lot line after approval of a
73 development plan including a drainage plan by the City Engineer and the owners of all lots on
74 which the fill will be placed.

75 6. The placement of fill shall be completed within 24 months after its
76 commencement, and the filled area shall be capped and seeded as soon as possible within the
77 growing season.

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79 Section 3. This ordinance shall be effective upon adoption, except that land development
80 plans that received final approval prior to the effective date of this ordinance shall not be subject
81 to the amendments in this ordinance.

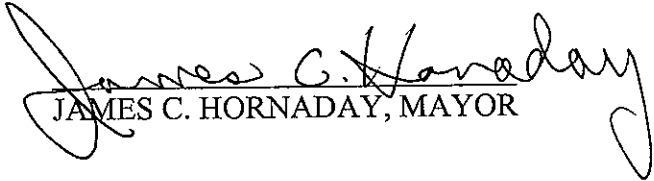
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83 Section 4. This Ordinance is of a permanent and general character and shall be included
84 in the City Code.

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ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 12 day of January 2010.

CITY OF HOMER


JAMES C. HORNADAY, MAYOR



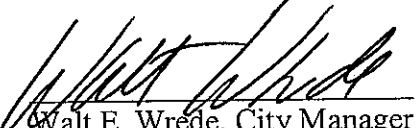
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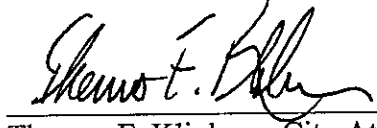

JO JOHNSON, CMC, CITY CLERK

YES: 5
NO: 0
ABSTAIN: 0
ABSENT: 1

First Reading: 11/22/10
Public Hearing: 1/10/11
Second Reading: 1/10/11
Effective Date: 1/11/11

Reviewed and approved as to form:


Walt E. Wrede, City Manager
Date: 1/12/11


Thomas F. Klinkner, City Attorney
Date: 1-18-11