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**CITY OF HOMER
HOMER, ALASKA**

Planning

ORDINANCE 13-27

AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
ALASKA, MAKING TECHNICAL CORRECTIONS TO TITLE
21 OF THE HOMER CITY CODE FOR ITS REPUBLICATION
BY CODE PUBLISHING, INC.

WHEREAS, Code Publishing, Inc. has performed a legal analysis of the current Homer City Code, that has identified Code provisions that require technical correction; and

WHEREAS, It is desirable that the technical corrections identified by Code Publishing, Inc. be adopted to assure that the republished Code is as accurate and current as possible.

NOW, THEREFORE, THE CITY OF HOMER HEREBY ORDAINS:

Section 1. Subsection (a) of Homer City Code 21.10.030, Zoning map, is amended to read as follows:

21.10.030 Zoning map. a. The official zoning map shall be kept in the City offices, in either paper or electronic form. The "Homer Zoning Map" dated April 4, 2012 is adopted by reference and declared to be part of this title, together with all amendments subsequently approved by ordinance.

Section 2. Homer City Code 21.16.060, Traffic Requirements, is amended to read as follows:

21.16.060 Traffic Requirements. A conditional use permit is required for every use that:

a. Is estimated to generate more than 100 vehicle trips during any hour of the day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;

b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;

c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during any hour of the day due to a change in land use or intensity of use; or

d. Is expected to generate traffic that will detract from the safety of, or degrade by one level of service, the highway, road, street, alley or intersection.

Section 3. Homer City Code 21.18.060, Traffic Requirements, is amended to read as follows:

21.18.060 Traffic Requirements. A conditional use permit is required for every use that:

- 45 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
46 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
47 edition;
- 48 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
49 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- 50 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
51 any hour of the day due to a change in land use or intensity of use; or
- 52 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
53 level of service, the highway, road, street, alley or intersection.

54
55 Section 4. Homer City Code 21.20.100, Traffic Standards, is amended to read as follows:

- 56
57 21.20.100 Traffic Requirements. A conditional use permit is required for every use that:
- 58 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
59 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
60 edition;
- 61 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
62 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- 63 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
64 any hour of the day due to a change in land use or intensity of use; or
- 65 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
66 level of service, the highway, road, street, alley or intersection.

67
68 Section 5. Subsection (e) of Homer City Code 21.22.040, Dimensional Requirements, is
69 amended to read as follows:

- 70
71 e. Building Area and Dimensions – Retail
- 72 1. The total floor area of retail business uses within a single building shall not
73 exceed 8,000 square feet.
- 74 2. In buildings with more than 8,000 square feet of building area retail business
75 use (not including the area for stocking and warehousing) is limited to no more than
76 8,000 square feet of floor area.

77
78 Section 6. Homer City Code 21.22.110, Traffic Requirements, is amended to read as
79 follows:

- 80
81 21.22.110 Traffic Requirements. A conditional use permit is required for every use that:
- 82 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
83 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
84 edition;
- 85 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
86 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
- 87 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
88 any hour of the day due to a change in land use or intensity of use; or
- 89 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
90 level of service, the highway, road, street, alley or intersection.

91
92 Section 7. Homer City Code 21.24.060, Traffic Requirements, is amended to read as
93 follows:
94

- 95 21.24.060 Traffic Requirements. A conditional use permit is required for every use that:
96 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
97 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
98 edition;
99 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
100 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
101 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
102 any hour of the day due to a change in land use or intensity of use; or
103 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
104 level of service, the highway, road, street, alley or intersection.
105

106 Section 8. Homer City Code 21.26.060, Traffic Requirements, is amended to read as
107 follows:
108

- 109 21.26.060 Traffic Requirements. A conditional use permit is required for every use that:
110 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
111 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
112 edition;
113 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
114 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
115 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
116 any hour of the day due to a change in land use or intensity of use; or
117 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
118 level of service, the highway, road, street, alley or intersection.
119

120 Section 9. Homer City Code 21.27.060, Traffic Requirements, is amended to read as
121 follows:
122

- 123 21.27.060 Traffic Requirements. A conditional use permit is required for every use that:
124 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
125 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
126 edition;
127 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
128 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
129 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
130 any hour of the day due to a change in land use or intensity of use; or
131 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
132 level of service, the highway, road, street, alley or intersection.
133

134 Section 10. Homer City Code 21.28.060, Traffic Requirements, is amended to read as
135 follows:
136

- 137 21.28.060 Traffic Requirements. A conditional use permit is required for every use that:
138 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
139 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
140 edition;
141 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
142 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
143 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
144 any hour of the day due to a change in land use or intensity of use; or
145 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
146 level of service, the highway, road, street, alley or intersection.
147

148 Section 11. Homer City Code 21.30.060, Traffic Requirements, is amended to read as
149 follows:
150

- 151 21.30.060 Traffic Requirements. A conditional use permit is required for every use that:
152 a. Is estimated to generate more than 100 vehicle trips during any hour of the day
153 calculated utilizing the Trip Generation Handbook, Institute of Transportation Engineers, 9th
154 edition;
155 b. Is estimated to generate more than 500 vehicle trips per day calculated utilizing the
156 Trip Generation Handbook, Institute of Transportation Engineers, 9th edition;
157 c. Is estimated to generate an increase in the traffic to more than 100 vehicle trips during
158 any hour of the day due to a change in land use or intensity of use; or
159 d. Is expected to generate traffic that will detract from the safety of, or degrade by one
160 level of service, the highway, road, street, alley or intersection.
161

162 Section 12. Homer City Code 21.50.010, Site development standards – general, is
163 amended to read as follows:
164

- 165 21.50.010 Site development standards – general. a. All development in all zoning districts
166 must comply with minimal site development standards. There are various levels of standards set
167 forth in this chapter.
168 b. The level of site development standards required is specified in the applicable zoning
169 district regulations.
170

171 Section 13. The first paragraph of Homer City Code 21.50.020, Site development
172 standards – level one, is amended to read as follows:
173

174 21.50.020 Site development standards – level one. This section establishes level one site
175 development standards.
176

177 Section 14. The first paragraph of Homer City Code 21.50.030, Site development
178 standards – level two, is amended to read as follows:
179

180 21.50.030 Site development standards – level two. This section establishes level two site
181 development standards.
182

183 Section 15. The first paragraph of Homer City Code 21.50.040, Site Development
184 standards - Level three, is amended to read as follows:

185
186 21.50.040 Site Development standards - Level three. This section establishes level three
187 site development standards.

188
189 Section 16. Subsection (b) of Homer City Code 21.50.120, Fences – Conditional fence
190 permit, is amended to read as follows:

191
192 b. Prior to granting such a permit, the applicant must demonstrate and the Planning
193 Commission must find that:

194 1. The issuance of such a permit is reasonably necessary, by reason of unusual or
195 special circumstances or conditions relating to the property, for the preservation of
196 valuable property rights for full use and enjoyment of the property;

197 2. The fence will not create a safety hazard for pedestrians or vehicular traffic;

198 3. The fence is a planned architectural feature designed to avoid dominating the
199 site or overwhelming adjacent properties and structures;

200 4. The orientation and location of the fence is in proper relation to the physical
201 characteristics of the site and the surrounding neighborhood;

202 5. The fence will be of sound construction.

203
204 Section 17. Subsection (b) of Homer City Code 21.52.060, Commercial, noncommercial
205 and industrial PUDs, is amended to read as follows:

206
207 b. A planned unit development that includes commercial, noncommercial or industrial
208 uses shall comply with the following requirements and conditions:

209 1. The PUD site shall have direct access to an arterial or collector street.

210 2. Utilities, roads and other essential services must be constructed, installed and
211 available for the immediate use of occupants of the PUD.

212 3. The PUD shall be developed with a unified architectural treatment in exterior
213 building materials, colors and design features.

214
215 Section 18. Homer City Code 21.57.210, Building and Aesthetics, is amended to read as
216 follows:

217
218 21.57.210 Building and Aesthetics. This section sets minimum requirements to help
219 create an aesthetically attractive facade by reducing the perceived mass of large buildings,
220 creating structures in scale with existing development, and creating a pedestrian friendly
221 environment, while recognizing that buildings for certain uses may not be able to fully achieve
222 these goals. In such instances, the Commission may allow increased landscaping and proper
223 siting may be utilized to mitigate the perceived mass and visual impacts of the large building.

224 a. If a building facade exceeds 60 feet in length, it shall be divided into smaller elements
225 by jogging the wall in or out a minimum of four feet for at least ten feet in length, or by adding
226 an element such as a porch, recessed entry, bay window, projecting trellis or similar substantial
227 architectural feature at intervals so that no continuous wall plane is more than 60 feet in length.

228 b. The portion of the building within public view shall incorporate human-scale elements
229 such as windows, arcades, lower roof overhangs, awnings, or architectural features.

230 c. The design shall provide architectural features that contribute to visual interest at the
231 pedestrian scale and reduce the massive scale effect by breaking up the building wall, front, side,
232 or rear, with color, texture change, and repeating wall offsets, reveals, or projecting ribs.

233 the massive scale of large buildings. Parapet walls shall be architecturally treated to
234 avoid a plain monotonous style.

235 e. Entryways shall be designed to orient customers and to be protected from the weather.
236 Each entrance shall be clearly defined and highly visible.

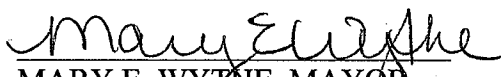
237 f. The buildings shall have exterior building materials and colors that are compatible in
238 color, texture and scale.

239 g. Public Spaces. No less than five percent of the floor area shall be dedicated to interior
240 or exterior public spaces.

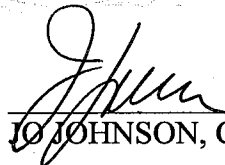
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242 Section 19. This Ordinance is of a permanent and general character and shall be included
243 in the City Code.

244
245 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this 12th
246 day of August, 2013.

247
248 CITY OF HOMER

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251 
252 MARY E. WYTNE, MAYOR

253
254
255 ATTEST:

256
257 
258
259 JO JOHNSON, CMC, CITY CLERK

260
261
262 AYES: 6
263 NOES: 0
264 ABSTAIN: 0
265 ABSENT: 0

266
267 First Reading: 7/22/13
268 Public Reading: 8/12/13
269 Second Reading: 8/12/13
270 Effective Date: 8/13/13
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274 Reviewed and approved as to form:

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Walt Wrede, City Manager

Date: 8/15/13



Thomas F. Klinkner, City Attorney

Date: 8-21-13