

1 CITY OF HOMER  
2 HOMER, ALASKA

3 Planning

4 ORDINANCE 15-23(S)

5 AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING  
6 HOMER CITY CODE 21.40.070, REQUIREMENTS, REGARDING  
7 STANDARDS FOR IMPERVIOUS COVERAGE IN THE BRIDGE CREEK  
8 WATERSHED PROTECTION DISTRICT.  
9

10 THE CITY OF HOMER ORDAINS:  
11

12 Section 1. Homer City Code 21.40.070, Requirements, is amended to read as follows:  
13

14 21.40.070 Requirements. The requirements of this section shall apply to all structures  
15 and uses in the BCWP district unless more stringent requirements are required pursuant to  
16 Chapter 21.71 HCC. The City of Homer water utility is exempt from this section.  
17

18 a. Impervious Coverage.

19 1. Lots two and one-half acres and larger shall have a maximum total  
20 impervious coverage of 4.2 percent.

21 2. Lots smaller than two and one-half acres shall have a maximum total  
22 impervious coverage of 4.2 percent, except as provided in subsection (a)(3) of this  
23 section.

24 3. Lots smaller than two and one-half-acres may be allowed impervious  
25 coverage up to 6.4 percent if (a) the owner submits a lot-specific mitigation plan for  
26 ~~the City Planner's~~ ~~Planning Commission's~~ approval, and (b) if approved, thereafter  
27 implements and continuously complies with the approved plan. The mitigation plan  
28 must be designed to mitigate the effect of impervious coverage on water flow and the  
29 effect of loss of vegetation created by the impervious coverage and **shall comply with**  
30 **the following performance standards:**

31 **a. Disturbed areas shall be reseeded by August 31<sup>st</sup>**

32 **b. Storm water retention for the proposed new impervious surface**  
33 **must be provided on site.**

34 **1. The post-development stormwater discharge rate shall**  
35 **not exceed the pre-development peak discharge rate (PDR) for the**  
36 **10-year frequency storm event, consisting of rainfall for a period of**  
37 **three consecutive hours at a rate of one-half inch per hour.**

38 **2. Retention may be provided in the form of one or a**  
39 **combination of dry wells, rain barrels, rain gardens, foot drain**  
40 **retention or other method approved by the City Planner.**

41 b. Impervious Coverage Calculations.

42 1. For the purpose of calculating impervious coverage on lots smaller than two  
43 and one-half acres, **50% of** driveways and walkways may be ~~partially or fully~~ excluded  
44 from the calculation, if constructed and maintained in accordance with a mitigation  
45 plan **that addresses the entire impervious coverage proposed for the lot,**  
46 submitted and approved in accordance with subsection (a)(3) of this section.  
47 **Exclusion of more than 50% of driveways and walkways from the calculation shall**  
48 **require approval of the Planning Commission.**

49 2. Except as otherwise provided in this section, parcels of land subdivided after  
50 February 25, 2003, shall be allowed a total impervious coverage of 4.2 percent  
51 including right-of-way (ROW) dedication. ROW coverage area shall be calculated as 50  
52 percent of the total area of the dedicated ROW. The impervious coverage allowed for  
53 the subdivided parcels shall be calculated after deducting the ROW coverage from the  
54 total parcel allowance according to the following formula:

55 Formula:

56 (Area of parcel being subdivided) x 0.042 = Total allowed impervious coverage  
57 (TAC)

58 (Area of ROW dedication) x 0.5 = ROW coverage (ROW C)

59 (TAC) - (ROW C) = Allowed impervious coverage for remainder of parcel being  
60 subdivided

61 (Area of parcel being subdivided) - (Area of ROW dedication) = New parcel area  
62 (Allowed impervious coverage for remainder) ÷ (New parcel area) x 100 =  
63 Percent impervious coverage allowed on subdivided lots.

64 c. Additional Requirements for Subdivisions and Lots.

65 1. Lots created by subdivision after February 25, 2003, shall be a minimum of  
66 four and one-half acres.

67 2. Applications for subdivisions, dedications, and vacations of easements and  
68 rights-of-way in the BCWP district must be approved by the Planning Commission  
69 prior to submission to the Kenai Peninsula Borough.

70 d. Building Setbacks. Buildings must be set back from the Bridge Creek Reservoir and  
71 from streams as provided in HCC 21.40.110 and 21.40.120.

72 e. Sewer Systems. Appropriate to the use of the lot, each lot shall be served by a septic  
73 or sewer system approved by the Alaska State Department of Environmental Conservation  
74 (ADEC). Stream setbacks equal to 100 feet for drain fields and subsurface discharge and 250  
75 feet for raised septic systems are required.

76 f. Ongoing Construction and Timber Harvesting. All activities including, but not limited  
77 to, timber harvesting, road building, subdivision and building activities involving loss of  
78 vegetation ground cover or soil disturbance and that are in process on February 25, 2003,  
79 shall be required to obtain permits under this chapter and shall fully conform to the terms of  
80 this chapter. Activities leaving disturbed or lost vegetative ground cover, disturbed soils  
81 without revegetation or leaving slash piles will be considered in process for the purposes of  
82 this subsection, regardless of when the activity occurred.

83 g. Pending Subdivisions. Subdivisions that have not received final plat approval by  
84 February 25, 2003, shall obtain approval from the Planning Commission and shall be required  
85 to conform to the requirements of this chapter.  
86

87 Section 2. This Ordinance is of a permanent and general character and shall be  
88 included in the City Code.

89  
90 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this \_\_\_\_ day of \_\_\_\_\_  
91 2015.

92 CITY OF HOMER

93  
94  
95 \_\_\_\_\_  
96 MARY E. WYTHE, MAYOR

97 ATTEST:

98  
99  
100 \_\_\_\_\_  
101 JO JOHNSON, MMC, CITY CLERK

102  
103  
104  
105 AYES:

106 NOES:

107 ABSTAIN:

108 ABSENT:

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111  
112 First Reading:

113 Public Hearing:

114 Second Reading:

115 Effective Date:

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119 Reviewed and approved as to form:

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121 \_\_\_\_\_  
122 Mary K. Koester, City Manager

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121 \_\_\_\_\_  
122 Thomas F. Klinkner, City Attorney

123  
124 Date: \_\_\_\_\_

123  
124 Date: \_\_\_\_\_