

Failed
11/26/18

CITY OF HOMER
HOMER, ALASKA

Aderhold

ORDINANCE 18-39

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
AMENDING HCC 21.18.040 TO REDUCE THE SETBACK PERMITTED
FROM 20 FEET TO 10 FEET IN THE CENTRAL BUSINESS DISTRICT.

WHEREAS, It is in the City's best interest to permit uses outright that promote the goals of the Homer Comprehensive Plan, including permitting setback reductions in the Central Business District that would promote walkable business district locations located on local, non-arterial roads.

THE CITY OF HOMER HEREBY ORDAINS:

Section 1. Chapter 21.18.040 is amended to read as follows:

21.18.040 Dimensional requirements.

The following dimensional requirements shall apply to all structures and uses in the Central Business District:

a. Lot Size.

1. The minimum lot area shall be 6,000 square feet. Lawful nonconforming lots of smaller size may be newly developed and used if off-site parking is provided in accordance with the City parking code, Chapter 21.55 HCC;

2. Multiple-family dwelling containing three or more units shall meet the standards in HCC 21.14.040(a)(2);

3. Townhouses shall meet the standards in HCC 21.53.010.

b. Building Setbacks.

1. Buildings shall be set back 10 20 feet from all dedicated rights-of-way, except as **required or** allowed by subsection (b)(4) of this section.

2. Nonresidential buildings shall be set back five feet from all other lot boundary lines except the minimum setback shall be two feet from all other boundary lines when firewalls are provided and access to the rear of

43 the building is otherwise provided (e.g., alleyways) as defined by the State Fire
44 Code and enforced by the State Fire Marshal.

45
46 3. Residential buildings shall be set back five feet from all other lot boundary
47 lines.

48
49 **4. Setbacks from a dedicated right-of-way from** ~~If approved by a~~
50 ~~conditional use permit, the setback from a dedicated right-of-way, except from~~
51 ~~the Sterling Highway or Lake Street~~ **arterial roads, shall be at least 20 feet. may**
52 ~~be reduced.~~ **For purposes of this subsection, “arterial” roads means a**
53 **street, road, boulevard or highway that emphasizes mobility and is**
54 **designed to carry higher volumes at higher speeds, attributes that usually**
55 **conflict with safe access. Sterling Highway is an example arterial**
56 **street[HCW1].**

57
58 5. Alleys are not subject to a **10** ~~20~~-foot setback requirement. The setback
59 requirements from any lot line abutting an alley will be determined by the
60 dimensional requirements of subsections (e)(1) and (2) of this section.

61
62 6. Any attached or detached accessory building shall maintain the
63 same yards and setbacks as the main building.

64
65 c. Building Height. The maximum building height shall be 35 feet.

66
67 d. No lot shall contain more than 8,000 square feet of building
68 area (all buildings combined), nor shall any lot contain building area in excess of 30
69 percent of the lot area, without an approved conditional use permit.

70
71 e. Building Area and Dimensions – Retail and Wholesale.

72
73 1. The total floor area of retail and wholesale business uses within a
74 single building shall not exceed 75,000 square feet.

75
76 2. No conditional use permit, planned unit development, or variance may be
77 granted that would allow a building to exceed the limits of subsection (e)(1) of
78 this section and no nonconforming use or structure may be expanded in any
79 manner that would increase its nonconformance with the limits of subsection
80 (e)(1) of this section.

81
82 Section 2. This ordinance shall take effect upon its adoption by the Homer City
83 Council.
84

