Failed 11/26/18

1 **CITY OF HOMER** 2 **HOMER, ALASKA** 3 Aderhold 4 **ORDINANCE 18-39** 5 6 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, 7 AMENDING HCC 21.18.040 TO REDUCE THE SETBACK PERMITTED 8 FROM 20 FEET TO 10 FEET IN THE CENTRAL BUSINESS DISTRICT. 9 WHEREAS, It is in the City's best interest to permit uses outright that promote the 10 goals of the Homer Comprehensive Plan, including permitting setback reductions in the 11 12 Central Business District that would promote walkable business district locations located on 13 local, non-arterial roads. 14 15 THE CITY OF HOMER HEREBY ORDAINS: 16 17 Section 1. Chapter 21.18.040 is amended to read as follows: 18 19 21.18.040 Dimensional requirements. 20 21 The following dimensional requirements shall apply to all structures and uses in the 22 Central Business District: 23 24 a. Lot Size. 25 26 1. The minimum lot area shall be 6,000 square feet. Lawful nonconforming 27 lots of smaller size may be newly developed and used if off-site parking is 28 provided in accordance with the City parking code, Chapter 21.55 HCC; 29 30 2. Multiple-family dwelling containing three or more units shall meet the 31 standards in HCC 21.14.040(a)(2); 32 3. Townhouses shall meet the standards in HCC 21.53.010. 33 34 35 b. Building Setbacks. 36 37 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. 38 39 40 2. Nonresidential buildings shall be set back five 41 other lot boundary lines except the minimum setback shall be two feet from all 42 other boundary lines when firewalls are provided and access to the rear of

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43	the building is otherwise provided (e.g., alleyways) as defined by the State Fire
44	Code and enforced by the State Fire Marshal.
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46	Residential buildings shall be set back five feet from all other lot boundary
47	lines.
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49	4. <u>Setbacks from a dedicated right-of-way from</u> 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.
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62	6. Any attached or detached accessory building shall maintain the
63	same yards and setbacks as the main building.
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65	c. Building Height. The maximum building height shall be 35 feet.
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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	percent of the total ca, without all approved conditional ase permit.
71	e. Building Area and Dimensions – Retail and Wholesale.
72	c. building Area and billiensions - Netall and Wholesale.
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	Single building shall not exceed 15,000 square reet.
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	Section 2. This ordinance shall take affect when its adoption by the Harrey Cit.
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83	Council.
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85	Section 3. This ordinance is of a permanent and general character and shall b					
86	included in the City code.					
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88	ENACTED BY THE CITY COUNCIL OF HOMER, A	ALASKA, this	day of	, 2018.		
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90		CITY OF H	OMER			
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94		BRYAN ZAI	K, MAYOR			
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96	ATTEST:					
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98				•		
99	MELICSA IACORCENI MANC CITY CLERY					
100 101	MELISSA JACOBSEN, MMC, CITY CLERK					
101	YES:					
102	NO:					
103	ABSTAIN:					
105	ABSENT:					
106	ADOLINI.		•			
107	First Reading:					
108	Public Hearing:					
109	Second Reading:					
110	Effective Date:					
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112	Reviewed and approved as to form:					
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116	Katie Koester, City Manager	Holly Wells	s, City Attorney			
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118	Date:	Date:				