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**CITY OF HOMER
HOMER, ALASKA**

Planning
Commission

ORDINANCE 19-40

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AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE CHAPTER 21.27.040, DIMENSIONAL
REQUIREMENTS, TO ALLOW COMMERCIAL BUILDINGS UP TO 75
FEET IN HEIGHT IN THE EAST END MIXED USE DISTRICT WITH A
CONDITIONAL USE PERMIT.

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WHEREAS, The 2018 Homer Comprehensive Plan goals include the support of a variety
of well-defined commercial/business districts for a range of commercial purposes; and

WHEREAS, The 2018 Homer Comprehensive Plan Land Use Chapter implementation
table recommends re-evaluating height standards in mixed-use districts; and

WHEREAS, The 2018 Homer Comprehensive Plan Economic Vitality Chapter objectives
include promoting the marine trades; and

WHEREAS, The marine trades industries located in the East End Mixed Use District has
shown a desire for taller structures; and

WHEREAS, The East End Mixed Use District has adopted nuisance standards; and

WHEREAS, The Planning Commission supports expanded opportunities for the Marine
Trades in the East End Mixed Use District.

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.27.040 is hereby adopted to read as follows:

The following dimensional requirements shall apply to all structures and uses in the East End
Mixed Use District:

a. Lot Size.

1. The minimum area of a lot that is not served by public sewer or water shall be 40,000 square
feet.

42 2. The minimum area of a lot that is served by either a public water supply approved by the
43 State Department of Environmental Conservation or a public or community sewer approved
44 by the State Department of Environmental Conservation shall be 20,000 square feet.

45
46 3. The minimum area of a lot that is served by both a public water supply approved by the State
47 Department of Environmental Conservation and a public or community sewer approved by the
48 State Department of Environmental Conservation shall be 10,000 square feet.

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50 b. Building Setbacks.

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52 1. All buildings shall be set back 20 feet from all dedicated rights-of-way other than alleys,
53 except that adjacent to rights-of-way that lead to Kachemak Bay and have been determined to
54 be unsuitable for road construction by resolution of the City Council, all buildings shall be set
55 back from the boundary of the right-of-way according to the number of stories as follows:

56

57 Number of Stories	Setback (in feet)
58 1	5
59 1 ½	6
60 2	7
61 2 ½	8

62

63 2. The setback requirements from any lot line abutting an alley will be determined by the
64 dimensional requirements of subsections (b)(3) and (4) of this section;

65
66 3. Buildings shall be set back five feet from all other lot boundary lines unless adequate
67 firewalls are provided and adequate access to the rear of the building is otherwise provided
68 (e.g., alleyways) as defined by the State Fire Code and enforced by the State Fire Marshal;

69
70 4. Any attached or detached accessory building shall maintain the same yards and setbacks as
71 the main building.

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73 c. Building Height.

74 **1.** The maximum building height shall be 35 feet, **except as provided in paragraph 2. of this**
75 **subsection.**

76
77 **2.** **When authorized by a conditional use permit, the maximum building height for a**
78 **building used solely for commercial purposes shall be 75 feet. A building for which a**
79 **conditional use permit has been issued under this subsection shall not contain dwelling**
80 **units.**

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

86
87 e. Building Area and Dimensions – Retail and Wholesale. The total floor area of retail and
88 wholesale business uses within a single building shall not exceed 75,000 square feet. No
89 conditional use permit, planned unit development, or variance may be granted that would
90 allow a building to exceed the limits of this subsection, and no nonconforming use or structure
91 may be expanded in any manner that would increase its nonconformity with the limits of this
92 subsection.

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94 f. Screening.

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96 1. When one or more side or rear lot lines abut land within an RO, RR, or UR district or when a
97 side or rear yard area is to be used for parking, loading, unloading or servicing, then those side
98 and rear yard areas shall be effectively screened by a wall, fence, or other sight-obscuring
99 screening. Such screening shall be of a height adequate to screen activity on the lot from
100 outside view by a person of average height standing at street level.

101
102 2. Outside storage of materials, equipment and trash/dumpsters adjacent to East End Road
103 and Kachemak Drive shall be screened. Screening may consist of walls, fences, landscaped
104 berms, evergreen plantings, or any combination thereof.

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106 Section 2: This ordinance is of a permanent and general character and shall be included
107 in the City Code.

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109 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS 23rd DAY OF SEPTEMBER,
110 2019.

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CITY OF HOMER




KEN CASTNER, MAYOR

ATTEST:

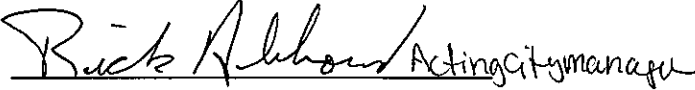


MELISSA JACOBSEN, MMC, CITY CLERK

125 YES: 6
126 NO: 0
127 ABSTAIN: 0
128 ABSENT: 0


129
130 First Reading: 9-9-19
131 Public Hearing: 9-23-19
132 Second Reading: 9-23-19
133 Effective Date: 1-24-19

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135 Reviewed and approved as to form:

136
137  Acting City Manager

138 Katie Koester, City Manager

139
140
141 Date: 9-26-19



Holly Wells, City Attorney

Date: 9-30-19