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**CITY OF HOMER
HOMER, ALASKA**

City Manager/Planning

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ORDINANCE 10-06

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AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING THE FOLLOWING SECTIONS OF THE HOMER CITY CODE REGARDING THE RESIDENTIAL OFFICE DISTRICT: 21.16.030, CONDITIONAL USES; 21.16.040, DIMENSIONAL REQUIREMENTS; 21.16.060 (RENUMBERED 21.16.070), SITE DEVELOPMENT STANDARDS; AND ENACTING THE FOLLOWING SECTIONS OF THE HOMER CITY CODE REGARDING THE RESIDENTIAL OFFICE DISTRICT: 21.16.060, TRAFFIC REQUIREMENTS; 21.16.080, NUISANCE STANDARDS; AND 21.16.090, LIGHTING STANDARDS.

WHEREAS, Chapter 9, Housing Plan, of the 1989 Comprehensive Plan states the goal, “Encourage safe, comfortable, and affordable housing for all residents while respecting neighborhood standards”; and

WHEREAS, The 1999 Comprehensive Plan Update Residential Land Use section states, “Protect the integrity and attractiveness of the residential neighborhood, continue to encourage infilling of residential areas, and the City shall maintain community integrity by providing safe neighborhoods”; and

WHEREAS, Applying site development, traffic impact, nuisance and lighting standards to the residential office district will allow continued infill development as promoted by the comprehensive plan, but also will protect the integrity of neighborhoods.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.16.030, Conditional uses and structures, is amended to read as follows:

21.16.030 Conditional uses and structures. The following uses may be permitted in the residential office district when authorized by conditional use permit issued in accordance with HCC Chapter 21.71:

- a. Planned unit developments, excluding all industrial uses;
- b. Townhouses;
- c. Public or private schools;
- d. Hospitals and medical clinics;
- e. Public utility facilities and structures;
- f. Mortuaries;
- g. Day care facilities; provided, however, that outdoor play areas must be fenced.
- h. More than one building containing a permitted principal use on a lot.

- 47 i. Group care homes.
48 j. One small wind energy system having a rated capacity exceeding 10 kilowatts,
49 provided that it is the only wind energy system of any capacity on the lot.
50 k. Other uses approved pursuant to HCC § 21.04.020.

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52 Section 2. Homer City Code 21.16.040, Dimensional requirements, is amended to read as
53 follows:

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55 21.16.040 Dimensional requirements. The following dimensional requirements shall
56 apply to all structures and uses in the residential office district:

- 57 a. The minimum lot size is 7,500 square feet.
58 b. Building setbacks;
59 1. Buildings shall be set back 20 feet from all dedicated rights-of-way.
60 2. Residential buildings shall be set back from all other lot boundary lines
61 according to the number of stories as follows:

62

<u>Number of Stories</u>	<u>Setback</u>
63 1 story	5 feet
64 1 ½ half stories	6 feet
65 2 stories	7 feet
66 2 ½ half stories	8 feet

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69 3. Non-residential buildings shall be set back 15 feet from all other lot boundary
70 lines, except that this setback may be reduced to not less than the setback that would
71 apply under HCC § 21.16.040(b)(2) if the reduction is approved by the State Fire
72 Marshal.

- 73 c. The maximum building height shall be 35 feet.
74 d. Detached accessory buildings may not occupy more than 25 percent of a required rear
75 or side yard and no portion of a required front yard, and shall be located at least five feet from
76 the nearest part of a main building and five feet from all property lines.
77 e. No lot shall contain more than 8,000 square feet of building area (all buildings
78 combined), nor shall any lot contain building area in excess of 30 percent of the lot area, without
79 an approved conditional use permit.

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81 Section 3. Homer City Code 21.16.060, Site development standards, is renumbered
82 21.16.070, and amended to read as follows:

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84 21.16.0760 Site development standards. a. All single family and duplex residential
85 development in the residential office district shall comply with the level one site development
86 standards contained in HCC § 21.50.020.

87 b. All multifamily residential and all commercial development on lands in this district
88 shall conform to the level two site development standards set forth in HCC § 21.50.030.
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90 Section 4. Homer City Code 21.16.060, Traffic requirements, is enacted to read as
91 follows:

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93 21.16.060 Traffic Requirements. A conditional use permit is required for every use that:
94 a. Is estimated to generate more than 100 vehicle trips during any hour of the day based
95 on the proposed land use and density, or calculated utilizing the Trip Generation Handbook,
96 Institute of Transportation Engineers (current edition),

97 b. Is estimated to generate more than 500 vehicle trips per day based on the proposed
98 land use and density, or calculated utilizing the Trip Generation Handbook, Institute of
99 Transportation Engineers (current edition);

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

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

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105 Section 5. Homer City Code 21.16.080, Nuisance standards, is enacted to read as follows:

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107 21.16.080 Nuisance standards. The nuisance standards of HCC § 21.59.010 apply to all
108 development, uses, and structures in this zoning district.

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110 Section 6. Homer City Code 21.16.090, Lighting standards, is enacted to read as follows:

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112 21.16.090 Lighting Standards. The level one lighting standards of HCC § 21.59.030
113 apply to all development, uses, and structures in this zoning district.

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115 Section 7. This Ordinance is of a permanent and general character and shall be included
116 in the City Code.

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118 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 8th day of
119 February 2010.

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121 CITY OF HOMER

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126 JAMES C. HORNADAY, MAYOR

127 ATTEST:

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131 JO JOHNSON, CMC, CITY CLERK
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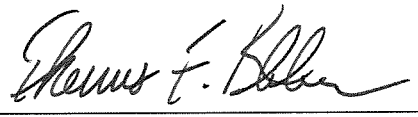
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YES: 5
NO: 0
ABSTAIN: 0
ABSENT: 1

First Reading: 1/25/10
Public Hearing: 2/08/10
Second Reading: 2/08/10
Effective Date: 2/09/10

Reviewed and approved as to form:


Walt E. Wrede, City Manager


Thomas F. Klinkner, City Attorney

Date: 2/12/10

Date: 2-24-10