

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 to provide dimensional requirements for attached buildings used for human occupancy.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. This ordinance is of a general and permanent nature and the adopted amendment shall become a part of the Haines Borough Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance is effective upon adoption.

Section 4. Amendment of Title 18: Haines Borough Code Section 18.80.030 is hereby amended as follows:

NOTE: **Bolded/UNDERLINED** ITEMS ARE TO BE ADDED
STRIKETHROUGH ITEMS ARE DELETED

18.80.030: DENSITY AND DIMENSIONAL REQUIREMENTS – Setbacks and height.

A. Setbacks are measured from the outermost portion of the building to the nearest lot line or building as appropriate. Incidental architectural features such as window sills, cornices and eaves may not project into any required setback. This regulation also applies to cantilevered floors, decks or other similar building extensions. No building or structures may be located within a setback, except that fences may be constructed within the required setback by permit. The following items shall be exempt from setback requirements, provided the item is located to achieve its purpose without constituting a hazard to vehicles or pedestrians, is located such that it does not obscure sight angles at intersections or driveways, and is not in any location prohibited by state regulation:

1. Driveways and culverts that meet Chapter 12.08 HBC;
2. Parking areas that meet Chapter 10.44 HBC;
3. Satellite dishes;
4. Signs that meet Chapter 18.90 HBC;
5. French drains, culverts, or similar infrastructure;
6. Public utilities; and
7. Fences outside of the townsite service area.

Where more than one setback standard is applicable, the most restrictive setback standard applies.

B. Building height is measured from the grade plane to the highest point on the building, but not including chimneys, radio antennas, water towers, church spires, structures or enclosures constructed primarily for mechanical equipment and similar building mechanical features.

C. Buildings constructed to zero lot line must be designed so that snow falling from the roof is not deposited on adjacent properties.

D. The distance between unattached buildings must be 15 feet unless approved as a conditional use by the planning commission. Building separation is intended for public safety; fire-related concerns must meet the approval of both the State Fire Marshal and local fire department, where applicable. The 15-foot separation between unattached buildings applies only when at least one of the buildings is for human occupancy.

E. Additions to structures used for human occupancy shall have at least one exterior wall in common with the structure to which it is being added.

~~EE~~. Setbacks from anadromous fish streams: See HBC 18.60.010(P).

~~FG~~. Between Second Avenue and the intersection of Union Street and Main Street, all structures must be set back 20 feet from lot lines adjacent to Union Street. Due to its historical nature, Block 16, Haines Townsite Subdivision shall have special setbacks. All structures built within Block 16 must be set back a minimum of 10 feet from any property lines not abutting Union Street.

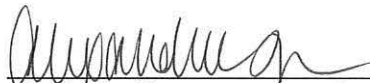
~~GH~~. If a publicly owned road easement exists inside of a property line, the setback shall be measured from the easement line and not the property line.

~~HI~~. If a public utility easement exists inside of a property line, the setback shall be measured from the easement rather than the property line and shall be not less than 10 feet unless a variance is granted by the planning commission.

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ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 11th DAY OF SEPTEMBER, 2018.

ATTEST:


Alekka Fullerton, Borough Clerk




Janice Hill, Mayor

Date Introduced:	07/24/18
Date of First Public Hearing:	08/07/18
Date of Second Public Hearing:	08/21/18
Date of Third Public Hearing:	09/11/18