

An Ordinance of the Haines Borough Assembly amending Haines Borough Code Title 18, Sections 18.80.030 and 18.90.050 to clarify the allowance of incidental items within setbacks.

BE IT ENACTED BY THE HAINES BOROUGH ASSEMBLY:

Section 1. Classification. Sections 4 and 5 of this ordinance are of a general and permanent nature and the adopted amendments 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 Section 18.80.030: Section 18.80.030 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **BOLDED/UNDERLINED ITEMS ARE ADDED**

18.80.030 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 exemption 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. ~~Driveways are not subject to setback requirements.~~ **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 HBC 12.08;**
- 2. Parking areas that meet HBC 10.44;**
- 3. Satellite Dishes;**
- 4. Signs that meet HBC 18.90; and**
- 5. French drains, culverts, or similar infrastructure.**

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

Section 5. Amendment of Section 18.90.050: Section 18.90.050 of the Haines Borough Code is hereby amended to read as follows:

NOTE: **STRIKETHROUGH ITEMS ARE DELETED**

18.90.050 Required setback, placement, construction and lighting standards.

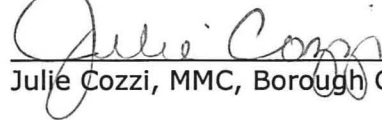
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C. Freestanding and Portable Signs. Freestanding and portable signs shall not be located so that they obscure traffic or sight angles at intersections or driveways, or in any location prohibited by state regulation. ~~Freestanding signs shall not be located within the required building setback.~~

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ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 9th
DAY OF OCTOBER, 2012.

ATTEST:


Julie Cozzi, MMC, Borough Clerk


Stephanie Scott, Mayor

Date Introduced: 09/11/12
Date of First Public Hearing: 09/25/12
Date of Second Public Hearing: 10/09/12 - Adopted

