

AN ORDINANCE OF THE HAINES BOROUGH AMENDING HAINES BOROUGH CODE, TITLE 18, SECTIONS 18.20.020 AND 18.80.030 TO ALLOW PARKING AREAS TO BE CONSTRUCTED WITHIN SETBACKS AND TO CLARIFY THAT DRIVEWAYS ARE NOT SUBJECT TO SETBACK REQUIREMENTS

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. Purpose. This ordinance amends Haines Borough Codes, sections 18.20.020 and 18.80.030 to allow parking areas to be constructed within setbacks and to clarify that driveways are not subject to setback requirements.

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

18.20.020 Definitions - Regulatory

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"Structure" means anything constructed or erected and located on or under the ground, or attached to something fixed to the ground, including:

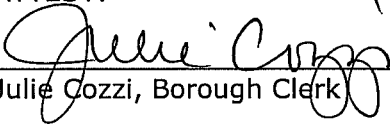
1. A building, regardless of size, purpose or temporality;
2. A tower, sign, antenna, pole or similar structure;
3. A basement, foundation, or mobile home pad;
4. A fence;
5. A street, road, sidewalk, ~~parking area~~ or storage area;
6. Television satellite dish.

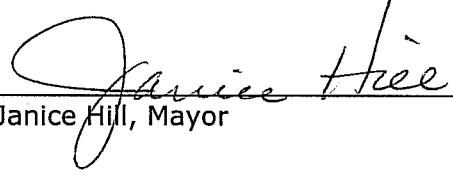
18.80.030 Setbacks and height.

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

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th
DAY OF OCTOBER, 2010.

ATTEST:


Julie Cozzi, Borough Clerk


Janice Hill, Mayor

Date Introduced: 09/21/10
Date of First Public Hearing: 10/12/10
Date of Second Public Hearing: 10/26/10

