

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 81-7

AN ORDINANCE AMENDING CHAPTER 12, ARTICLE V, OF THE HOMER CITY CODE, REPEALING AND REENACTING SECTIONS 12.500.7, PARAGRAPH F(4) RELATING TO LOCATION OF PARKING AREAS; OFF-LOT PARKING AND SECTION 12.500.29 RELATING TO CONDITIONAL USE PERMITS FOR OFF-STREET PARKING, HOMER SPIT.

WHEREAS, the provision for a variance procedure for off-lot parking within the City of Homer is unreasonable requiring time consuming and costly application and public hearing procedures; and

WHEREAS, the provision for a conditional use permit for off-street parking on the Homer Spit is a lengthy and costly procedure requiring a public hearing and creating an unreasonable hardship upon private development of the Spit; and

WHEREAS, the effect of both of these requirements may be accomplished by amending these sections which provide for certain conditions to exist before a conditional use permit is required and/or, in the case of off-lot parking, be handled administratively;

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 12.500.7. LOCATION OF PARKING AREAS F(4) is hereby repealed and reenacted to read:

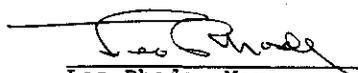
Section 12.500.7 F(4) Be dedicated for use as an off-lot parking space under conditions which will guarantee continuing availability satisfactory to the city. Such conditions shall include evidence of a recorded agreement such as a deed, easement, plat, or other recorded documentary evidence of continuing availability.

Section 2. Section 12.500.29. OFF-STREET PARKING - HOMER SPIT - CONDITIONAL USE PERMIT REQUIRED is hereby repealed and reenacted to read:

Section 12.500.29. OFF-STREET PARKING - HOMER SPIT - CONDITIONAL USE PERMIT REQUIRED. No person, partnership, firm or corporation shall conduct any business, commercial or industrial enterprise on the Homer Spit without first obtaining a conditional use permit which shall specify the amount and location of the off-street parking required. Such conditional use permit shall be approved or disapproved by the Homer City Council upon recommendation from the Port and Harbor Advisory Commission, unless said off-street parking is located on private property and is in compliance with Section 12.500.1 through Section 12.500.7 of the Homer City Code, in which case no approval is required.

Section 3. Sections 12.500.7 F(4) and 12.500.29 are the only sections of Article V, Chapter 12 amended by this ordinance.

CITY OF HOMER


Leo Rhode, Mayor

ATTEST:

Kathleen F. Herold
Kathleen F. Herold, City Clerk

First Reading 2/23/81

Public Hearing 3/9/81

Second Reading 3/9/81

Effective Date 3/10/81