

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

CITY OF HOMER

HOMER, ALASKA

ORDINANCE 84-6

AN ORDINANCE GENERALLY AMENDING PORTIONS OF CHAPTER 7.08, STOPPING OR PARKING, AND CHAPTER 7.12, OFF-STREET PARKING, OF THE HOMER MUNICIPAL CODE.

WHEREAS, the City Engineering Department has reviewed Chapter 7.08 and Chapter 7.12 of the Code and recommended several amendments thereto for the purpose of clarification, and uniformity of administration,

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 7.08.020 of the Homer Municipal Code is amended to read as follows:

7.08.020 Stopping or Parking -- prohibitions.

a. A person may not stop or park a vehicle in a place or area where an official sign or traffic control device prohibits stopping or parking of a vehicle.

b. No parking shall be permitted on a City arterial, as defined in Sec. 7.12.005(a).

c. A person may not park or stop a vehicle along or abutting a City arterial in such a manner as to require egress by means of backing onto said arterial.

Section 2. Chapter 7.12 of the Homer Municipal Code is amended by adding Sections 7.12.001 and 7.12.005 to read

1 as follows:

2       7.12.001 Intent The intent of this chapter is to promote  
3 the safety, convenience, comfort and common welfare of the  
4 public by providing for minimum standards to regulate the  
5 parking of vehicles in a safe and efficient manner, so as to  
6 avoid the unnecessary congestion and interference with the  
7 public use of streets, to reduce traffic hazards, and to  
8 provide a safe operation of traffic circulation.

9       7.12.005 Definitions. In this chapter, unless otherwise  
10 provided, or the context otherwise requires, the following  
11 words and phrases shall have the meanings set forth below:

12       a. "Arterial" means a street or highway which provides  
13 as a major function the transmission of vehicular through-  
14 traffic along its prolongation or length (in preference to  
15 traffic entering said street or highway from an abutting lot  
16 or intersecting road), and which performs a major role in  
17 serving the transportation needs of the community, and which  
18 is identified as a "major arterial" or "community arterial"  
19 in the Homer Master Plan for Roads and Streets.

20       b. "Driveway" means the aisle area within a parking  
21 lot which abuts designated parking spaces and which is  
22 reserved exclusively for ingress, egress and maneuvering of  
23 automobiles in and out of said spaces.

24       c. "Loading space" means an off-street space on the  
25 same lot with a serviced building or contiguous to a group  
26

1 of buildings, designated or intended for the use of temporarily  
2 parked commercial vehicles while loading or unloading, and  
3 which abuts upon a street, alley, or other appropriate means  
4 of access.

5 d. "Park" means to stand a vehicle, whether occupied  
6 or not, for a period of time greater than is reasonably  
7 necessary for loading and unloading.

8 e. "Parking lot" means a group of parking spaces, and  
9 all abutting driveway space required by this ordinance for  
10 the number and configuration of said spaces, provided that  
11 the parking spaces must be situated in a manner that conforms  
12 to the design standards of this ordinance and does not lead  
13 to conflicts in vehicle maneuverability or parking space  
14 access.

15 f. "Parking space" means a permanently surfaced area  
16 of not less than one hundred eighty square feet (nine feet  
17 wide and twenty feet long), which has adequate access to a  
18 public street or alley, which permits the satisfactory  
19 ingress and egress of an automobile, and which is reserved  
20 for the intended use described in Section 7.12.010, paragraph  
21 (b).

22 g. "Parking stall" is synonymous with "parking space".  
23 Section 3. Section 7.12.010 of the Homer Municipal  
24 Code is amended to read as follows:

25 7.12.010 Off-Street Parking -- Required.

26 a. Every building hereafter erected, and every building

1 hereafter reconstructed or structurally altered such that  
2 the existing use is enlarged or the capacity increased by  
3 adding or creating dwelling units, guest rooms, bedrooms,  
4 floor area, seats or employees, and every building hereafter  
5 reconstructed or structurally altered such that the use is  
6 altered shall be provided with permanently available, and at  
7 all times maintained, the number of parking spaces required  
8 in Sections 7.12.020 and 7.12.030. Suitable substitute  
9 parking which meets all other requirements in numbers,  
10 design details and maintenance may be provided within three  
11 hundred feet as provided in Section 7.12.040.

12 b. The intended use of all parking spaces required in  
13 Sections 7.12.020 and 7.12.030 is the temporary storage of  
14 operable automobiles in the interval of time between usage  
15 as a medium of transportation. Parking spaces shall not be  
16 used for storage of boats, abandoned or inoperable vehicles,  
17 dumpsters, or other objects not within the scope of the  
18 intended use as defined herein.

19 c. Whenever necessary to make an inspection to enforce  
20 any of the provisions of this chapter or to verify compliance  
21 with said provisions, or whenever an authorized representative  
22 of the City has reasonable cause to believe that there  
23 exists on any premises a violation of the provisions of this  
24 chapter, the City representative may enter such premises at  
25 all reasonable times to inspect the same or to perform any  
26 duty imposed on the City by this chapter, provided that if

1 such premises be occupied, he shall first present proper  
2 credentials and request entry; and if such premises be  
3 unoccupied, he shall first make a reasonable effort to  
4 locate the owner or other persons having charge or control  
5 of the premises and request entry. If such entry is  
6 refused, the City representative shall have recourse to  
7 every remedy provided by law to secure entry.

8 When the City representative shall have first obtained  
9 a proper inspection warrant or other remedy provided by law  
10 to secure entry, no owner or occupant or any other persons  
11 having charge, care or control of any building or premises  
12 shall fail or neglect, after proper request is made as  
13 herein provided, to promptly permit entry therein by the  
14 City representative for the purpose of inspection and examination  
15 pursuant to this chapter.

16 Section 4. Section 7.12.020 of the Homer Municipal  
17 Code is amended by deletion of existing paragraph b and  
18 substitution of the following:

19 b. For a use not specifically identified in this  
20 section, the requirements for off-street parking shall be  
21 the same as those for the above-described use that is determined  
22 by the City to be most similar. Such determinations shall  
23 be made by the City Administration or the Planning Commission.

24 Section 5. Section 7.12.030 of the Homer Municipal  
25 Code is amended by deleting said section and substituting  
26

1 the following:

2 7.12.030 Off-Street Parking -- Design requirements.

3 a. The dimensional standards illustrated in Figure 1  
4 below shall be the minimum required.

5 b. Designated parking space and driveways required  
6 under the provisions of this ordinance shall be free of any  
7 physical feature which impedes or obstructs full use of said  
8 spaces or driveways for the purposes intended.

9 c. All parking facilities, including parking spaces  
10 and driveways, shall be located on private property, and as  
11 specified in Section 7.12.040. Placement of parking facilities  
12 in designated rights-of-way shall not be permitted.

13 d. Parking angles other than the standard angles  
14 tabulated in Figure 1 shall be permitted only if the business,  
15 commercial or public establishment, or institution demonstrates  
16 to the satisfaction of the City that the dimensional requirements  
17 of said standard angles do not permit the required number of  
18 parking spaces to be provided on lot. In such case, the  
19 City Planner may determine other appropriate dimensional  
20 requirements for alternate parking angles.

21 e. In the case of a parking space or group of spaces,  
22 in which two or more interpretations may be made concerning  
23 applicable dimensional standards according to Figure 1, the  
24 City Planner shall make the appropriate determination. Such  
25 determination will consider the geometry of the lot and  
26 parking area, and the configuration of physical features on

1 the lot.

2 f. All off-street parking facilities shall be designed  
3 with appropriate means of vehicular access to street or  
4 alley and adequate maneuvering area.

5 g. All parking facilities, except those which serve  
6 single family and duplex residences, shall be so arranged  
7 that vehicle ingress and egress is possible using a forward  
8 motion. Turnaround areas shall be provided if necessary to  
9 effect this arrangement; the dimensions of such turnaround  
10 areas shall be subject to approval and/or specification by  
11 the City Planner or Engineer.

12 h. At the intersection of any private drive or entrance  
13 or exits for a parking area with a public street, no fence,  
14 wall, hedge or other planting or structure forming a material  
15 impediment to visibility between a height of two and one-  
16 half feet and eight feet shall be erected, planted, placed  
17 or maintained, and no vehicle so impeding visibility shall  
18 be parked within triangular areas defined by lines connecting  
19 points as follows:

20 Beginning at the point where the midline  
21 of the private drive or entrance or exit  
22 for a common parking area intersects the  
23 public right-of-way, thence to a point thirty-  
24 five feet along the right-of-way line in the  
25 direction of approaching traffic, thence to  
26 a point twenty-five feet toward the interior  
of the property along the previously described  
midline, and thence to point of beginning  
(no such visibility triangle need be maintained  
on the side of the drive, entrance or exit  
away from approaching traffic on the same  
side of the street).

1 i. Any lighting of parking spaces and lots shall be  
2 arranged so as to have the main thrust of the light reflect  
3 away from public rights-of-way and any adjoining residential  
4 properties.

5 j. When an area used for commercial or industrial  
6 parking, loading, or servicing abuts a lot of a residential  
7 use or district, it shall be screened from view of the  
8 adjoining property by a wall, fence, or planting. This  
9 screening shall be adequate in height to screen the parking,  
10 loading, or servicing activity.

11 k. When an area used for parking for a multi-family  
12 dwelling requiring ten or more spaces abuts a lot of a  
13 residential use or district, it shall be screened from view  
14 of the adjoining property by a wall, fence or planting.  
15 This screening shall be adequate in height to screen the  
16 parking.

17 Section 6. Chapter 7.12 of the Homer Municipal Code is  
18 amended by adding Sections 7.12.035 and 7.12.045 to read as  
19 follows:

20 7.12.035 Off-Street Parking -- Parking layout plan  
21 required.

22 a. All businesses, commercial and/or public establishments  
23 and institutions within the City of Homer shall submit to  
24 the City Planner a plan detailing the location and configuration  
25 of all parking spaces and driveway area required for their  
26 use or uses. Plans shall be provided for any required on-lot

1 or off-lot parking. Each plan shall conform to the design  
2 standards of Section 7.12.030, as adapted to the physical  
3 conditions of the lot. Each plan shall moreover detail  
4 location and dimensions of driveways and parking stalls,  
5 parking lot ingress and egress points, building location,  
6 and location of relevant physical features. Plans shall  
7 moreover be legible and drawn to an appropriate scale.

8 b. The City shall review all plans to ensure that  
9 design standards are adhered to and provisions have been  
10 made for minimum interference with street traffic, safe  
11 interior circulation, and parking. If the City finds that a  
12 plan does not conform to the design standards of this ordinance,  
13 it shall return said plan to the owner of the appropriate  
14 business, commercial or public establishments, or institutions  
15 for revisions.

16 7.12.045 Off-Street Parking -- Performance Standards.

17 a. Parking facilities required under Section 7.12.020  
18 and 7.12.030 shall be constructed in accordance with the  
19 parking layout plans required under Section 7.12.035. Any  
20 deviations from said plans must be approved by the City  
21 Engineer prior to approval for use.

22 b. All parking facilities within the City shall be  
23 permanently surfaced with a suitable gravel base or paved  
24 with concrete or asphalt compound prior to approval for use  
25 by the City.

1 c. All parking facilities shall be graded sufficiently  
2 to drain properly.

3 d. The surface slope under parking stalls shall not  
4 exceed 3 percent in directions longitudinal to parking  
5 stalls, nor 5 percent in directions parallel to the shorter  
6 dimension of said stalls, unless authorized by the City  
7 Engineer.

8 e. Driveway surface slopes shall not exceed 5 percent  
9 in any direction unless authorized by the City Engineer.

10 f. Signing or other provisions designating parking lot  
11 layout shall be required if the City determines that said  
12 layout is not apparent to the general public.

13 g. No wall, post, guardrail or other obstruction that  
14 would restrict car door opening shall be permitted within  
15 five feet of the center line of a parking space.

16 Section 7. Section 7.12.070 of the Homer Municipal  
17 Code is amended by changing the phrase "subsection (c)" to  
18 "subsection (h)".

19 Section 8. Section 7.12.170 of the Homer Municipal  
20 Code is amended by changing the word "Clerk" to "Manager".

21 Section 9. Section 7.12.200 c of the Homer Municipal  
22 Code is amended by changing the word "ten" to "fifteen".

23 CITY OF HOMER

24  
25   
26 Erle Cooper, Mayor

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

ATTEST:

Kathleen F. Richardson  
Kathleen F. Richardson, City Clerk

First Reading February 13, 1984

Public Hearing February 27, 1984

Second Reading March 12, 1984

Effective: March 13, 1984  
Reviewed and approved as to form  
this        day of February, 1984.

\_\_\_\_\_  
A. Robert Hahn, Jr.  
City Attorney

OFFICES OF HAHN, JEWELL & STANFILL  
431 WEST SEVENTH AVENUE, SUITE 212  
ANCHORAGE, ALASKA 99501 • TELEPHONE 279-1544  
HOMER, ALASKA • TELEPHONE 235-8709