

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 80-18

AN ORDINANCE REPEALING AND REENACTING OFF-STREET PARKING REQUIREMENTS, REPEALING AND REENACTING OFF-STREET PARKING DESIGN REQUIREMENTS, REPEALING AND REENACTING LOCATION REQUIREMENTS FOR OFF-STREET PARKING AND PROVIDING FOR OFF-STREET PARKING ON THE HOMER SPIT BY CONDITIONAL USE PERMIT.

NOW THEREFORE,

THE CITY OF HOMER ORDAINS:

Section 1. Section 12-500.1 of the Homer City Code is hereby repealed and reenacted to read:

Sec. 12-500.1. REQUIRED OFF STREET PARKING. Every building hereafter erected, and every building hereafter reconstructed or structurally altered such that the existing use is enlarged or the capacity increased by adding or creating dwelling units, guest rooms, bedrooms, floor area, seats or employees, and every building hereafter reconstructed or structurally altered such that the use is altered shall be provided with permanently available, and at all times maintained, the number of parking spaces required in Sections 12-500.3 and 12-500.5. Suitable substitute parking which meets all other requirements in numbers and maintenance may be provided within 300 feet as provided in Section 12-500.7.

Section 2. Section 12-500.3 is hereby repealed and reenacted to read:

Sec. 12-500.3. NUMBER OF SPACES REQUIRED.

A. Unless otherwise provided in Sections 12-500.39 or 12-500.3 (A) (19) the number of off-street parking spaces required shall be no less than as set forth in the following, provided that in the case of two or more uses in the same building, the total requirements for off-street parking facilities shall be the sum of the requirements for the uses computed separately:

- | | |
|---|--|
| 1. Single family and multi-family dwellings: | At least 2 parking spaces per dwelling unit. |
| 2. Townhouses: | At least 2 1/2 parking spaces per dwelling unit. |
| 3. Hotels, motels, rooming houses, lodges, dormitories: | 1 space per guest room. |

4. Restaurants, private clubs, lounges, taverns and any establishment for the sale and consumption within a building of food, alcoholic beverages, or refreshments: 1 space per 3 seats or for each 3 occupants
Parking space requirements for such facilities without fixed seating shall be based on maximum capacity under the provisions of the National Fire Code.
5. Drive-in restaurants, ice cream or soft drink refreshment establishments or similar uses which service auto-borne customers, both within the building and outside the building 1 space for each 30 square feet of useable floor area, plus 1 for each employee on maximum working shift.
6. Retail stores, furniture and appliance stores, hardware stores, food stores, markets, shopping centers, household equipment, service shops, clothing, shoe repair or personal service shops 1 space for each 300 square feet of gross floor area, but not less than 4 spaces.
7. Banks, business, professional and governmental offices and medical and/or dental clinics: 1 space for each 200 square feet of gross floor area plus requirements for auditoriums or places of public assembly, if applicable.
8. Warehouses, wholesale stores and storage buildings: 1 space for each 3,000 square feet of gross floor area, or one for each employee, whichever is greater.
9. Churches, mortuaries, funeral homes: 1 space per each 5 seats.
10. Manufacturers and processors: 1 space per 1,000 square feet of gross floor area or one space per each 1 and 1/2 employees, whichever is greater.
11. Dance halls, skating rinks and other commercial-recreational establishments: 1 space for each 100 square feet of gross floor area.
12. Rest homes, convalescent homes, nursing homes or similar uses: 1 space for each four beds plus 1 space for each employee.
13. Bowling alleys: 4 spaces for each bowling lane.
14. Court sport facilities: 1 space for each employee and 1 space for each participant based on maximum court capacity and seating capacity.
15. Service stations, motor vehicle maintenance and repair shops, including public garages: 1 customer space for every stall and 1 space for each employee. All vehicles in the custody of the operator of the business for service, repair, storage, sale or other purposes shall be stored on the premises or on a separate vehicle parking lot and shall not be parked on a public right-of-way.

- 16. Schools:
 - Senior High: 1 space for each employee plus 1 space per each 10 students based on maximum capacity of the classrooms.
 - Elementary school and Junior High: 1 space for each employee plus 10 spaces for visitor parking.

- 17. Auditoriums (including school auditoriums), theaters, exhibition halls, stadiums, sports arenas and other places of public assembly:
 - 1 space for each 4 seats and 1 space for each 100 square feet of floor area used for assembly and not containing fixed seats.

- 18. Parks:
 - Public and private parks shall be given special consideration for parking requirements compatible with anticipated usage and probable future usage, subject to review by the Planning Commission.

- 19. Mixed Uses:
 - The total requirement shall be the sum of the requirements for the various uses computed separately, except as otherwise approved by the Planning Commission.

B. For a use not specifically defined herein, the parking requirements shall be determined by the Planning Commission, based on requirements for similar uses.

C. When the unit of measurement determining the number of required parking spaces is based upon seating capacity, each twenty (20) inches of pew, bench or other seating space shall be counted as one (1) seat. When the required parking space for a structure is related to the number of employees, parking space shall be based upon the shift during which the greatest number of employees are present at the structure during peak season.

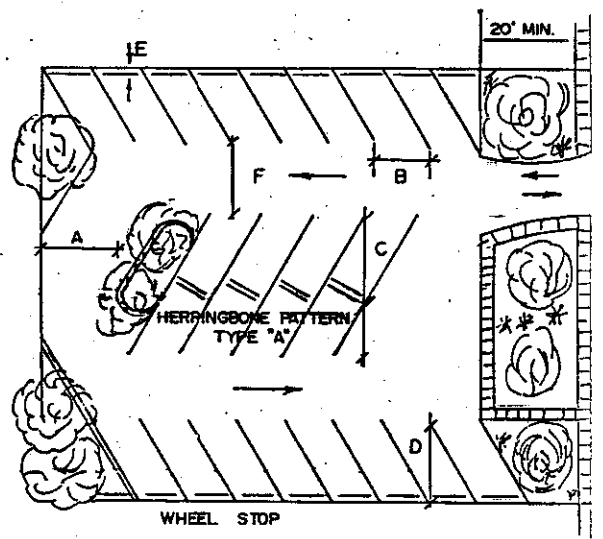
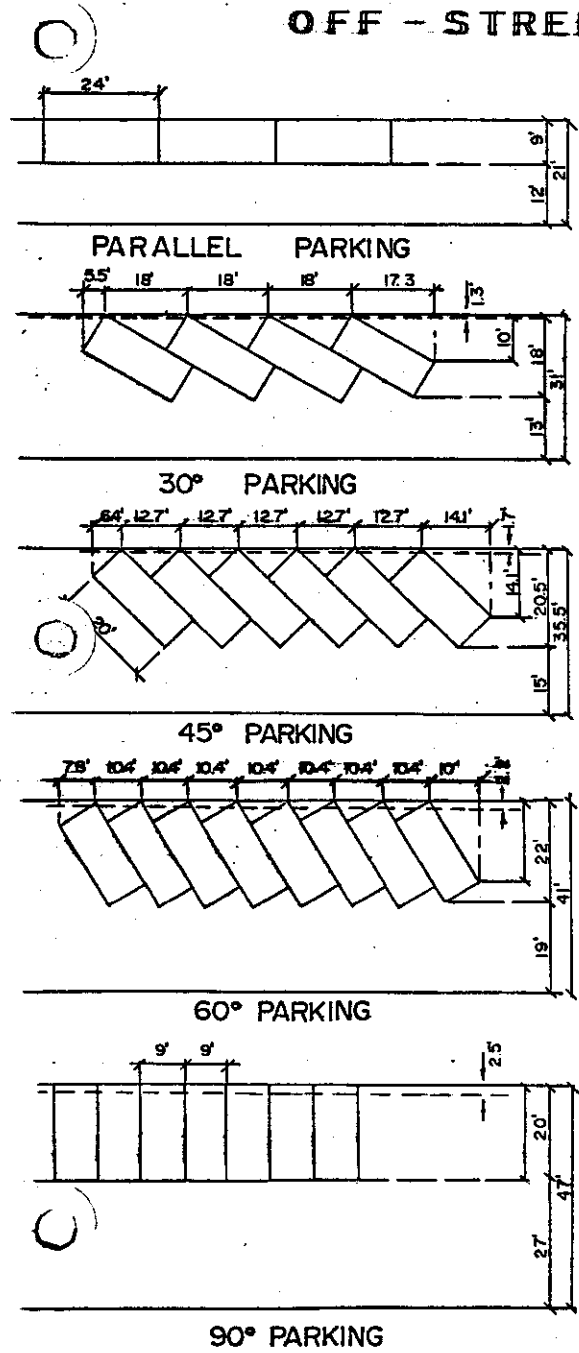
Section 3. Section 12-500.5 of the Homer City Code is hereby repealed and reenacted to read:

Sec. 12-500.5 OFF-STREET PARKING - DESIGN REQUIREMENTS.

A. The dimensional standards illustrated in figure 1 shall be the minimum required.

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

DESIGN STANDARDS FOR OFF-STREET PARKING



DIMENSION TABLE

	30°	45°	60°	90°
TURNAROUND	A	17'	14'	14'
CAR SPACE	B	18'	12.7'	9'
STALL DEPTH	C	16.5'	18.8'	19.6'
STALL DEPTH	D	17.8'	20.5'	21.8'
OVERHANG	E	1.3'	1.7'	2.2'
SPACING	F	13'	15'	19'

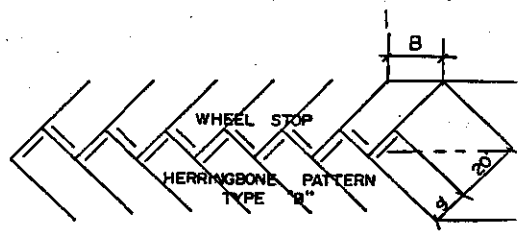


Fig. 1

C. At the intersection of any private drive or entrance or exit for a parking area with a public street, no fence, wall, hedge or other planting or structure forming a material impediment to visibility between a height of 2-1/2 feet and 8 feet shall be erected, planted, placed or maintained, and no vehicle so impeding visibility shall be parked within triangular areas defined by lines connecting points as follows:

Beginning at the point where the midline of the private drive or entrance or exit for a common parking area intersects the public right-of-way, thence to a point 35 feet along the right-of-way line in the direction of approaching traffic, thence to a point 25 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).

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

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

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

Section 4. Section 12-500.7 of the Homer City Code is hereby repealed and reenacted to read:

Sec. 12-500.7 LOCATION OF PARKING AREAS.

Off-street parking facilities shall be located as hereinafter specified:

- A. For single and multiple family dwelling, the parking facility shall be located on the same lot or building site as the building they are required to serve.
- B. For uses other than specified above, parking facilities must be of probable use to the patrons of the building it is intended to serve and be within a distance of 300 feet, except for motels, hotels, rooming houses, dormitories and lodges in which case parking facilities must be within 200 feet.
- C. The distance shall be measured from the nearest lot line on which the structure served is located to the nearest lot line on which the parking is located. Measurement shall be along public or private right-of-way available for pedestrian access from the structure to the parking space. Evidence must be shown that the right-of-way is improved and will be maintained in order to insure pedestrian access from one parking area to the structure.
- D. Parking facilities for uses on the Homer Spit shall be governed under the provisions of Section 12-500.29 - 12.500.37.
- E. Off-lot spaces shall be located only in districts in which similar off-street parking is permitted.
- F. The off-lot parking area shall be:
- (1) Be held in fee simple by the same owner as the use requiring the off-street parking space, or
 - (2) Be under lease, rental or other form of agreement satisfactory to the City as assuring continuing availability for required off-street parking for the use, or
 - (3) Be established by the City for the purpose of providing such off-lot parking for specific areas and/or land uses, and with number of spaces allocated by specific individual lots. Where and to the extent that such lots serve specific businesses or residences, spaces allocated shall be marked and reserved for individuals or establishments. Spaces allocated may be marked and reserved, or may be made available for general public use, in whole or in part.

(4) Be approved with or without special conditions by the Planning Commission prior to construction. Procedure for an off-lot parking permit shall be as provided in Sec. 12-500.21 and Sec. 12-500.23.

(5) Shall meet the requirements of Sections 12-500.1 - 12-500.5.

G. Businesses utilizing off-lot parking shall post at least one sign on the front of the building advising of the location of the off-lot parking. Such signs shall be no larger than 9 square feet. In addition, a sign of similar size, set back a minimum of 10 feet from the right-of-way, shall be posted at the lot identifying it as parking for the particular business. Such signs shall not block the site distance required in Section 12-500.5.(c).

H. If any lot or portion thereof other than the lot on which a structure or use is located is to be used as off-street parking space in conformity with the provisions of this ordinance, the following statement shall be recorded: "In accordance with the requirements of the City Code of Homer, Section No. _____, the property hereinafter described has been designated as off-street parking space to serve the building(s) located on the property described as follows: (insert legal description of property upon which structure or use is located)."

"Under the terms of said Ordinance, the hereinafter described property cannot be used for any other purpose unless this restriction is first removed by resolution of the Homer City Council."

"The property first hereinafter referred to is described as follows: (insert legal description of property upon which required parking space is located)."

Upon submission of satisfactory evidence either that other parking space meeting the requirements of this ordinance has been provided or that the building or use has been removed or altered in use so as to no longer require the parking space, the Homer City Council, at its next regular meeting, shall, by resolution, remove the restriction from the property. A copy of said resolution shall be made available to the owner of said property for the purpose of recordation.

I. The joint use of off-street parking facilities may be permitted by the Planning Commission subject to the following conditions:

(1) The off-street parking requirements for a church, auditorium, club, lodge or other buildings of limited use may be supplied through the use of off-street parking facilities provided for certain other uses such as business offices, retail stores and manufacturing or Wholesale buildings whose operations are not normally conducted during the same hours.

(2) Off-lot, off-street parking space designated for joint use shall meet the requirements for such parking as pecified in Sections 12-500.7 (B) - (H).

(3) Sufficient evidence shall be presented to the Planning Commission to demonstrate that there will exist no substantial conflict in the principal operating hours of the use or structures for which the joint use is proposed.

(4) The use of off-street parking space for joint use shall be subject to the prior approval of the Planning Commission.

J. Required off-street parking may be allowed within any setback areas provided the following conditions are met:

(a) Parking in such areas shall be allowed only if there is sufficient manuevering space for the driver of any vehicle to enter and leave the parking area without interfering

with the normal flow of traffic. (b) Backing of vehicles onto arterials is prohibited. (c) Backing of vehicles on all other streets or roadways from setback areas into the travelled roadway shall be allowed only from established driveways or curb cuts.

K. Any decisions made by the Planning Commission may be appealed to the Homer City Council. Procedures for such appeal shall follow those outlined in Sections 12-500.25.

Section 5. Section 12-500.12 is hereby amended by adding the following paragraph C:

C. When such loading area consists of established parking spaces, the use as a loading area may not be longer than 4 hours in any 24 hour period.

Section 6. Section 12-500.17 (a) is hereby repealed; the letter (b) is therefore deleted from Section 12-500.17 (b).

Section 7. Section 12-500.21 is hereby amended by deleting the words "City Clerk" and inserting the words "City Manager."

Section 8. Section 12 500.27 VIOLATIONS, REMEDIES AND PENALTIES is hereby renumbered to be Section 12-500.28.

Section 9. Section 12-500.23 (a) is hereby repealed and reenacted to read:

(a) A Public Hearing shall be held after notice of such hearing has been published at least twice in a newspaper of general circulation. The notice shall be published during each of the two calendar weeks prior to the public hearing date.

Section 10. Article V, Chapter 12, of the Homer City Code is hereby amended by adding the following sections:

Sec. 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.

Sec.12-500.31. OFF-STREET PARKING-HOMER SPIT-CONDITIONAL USE PERMIT GENERAL CONDITIONS. Prior to granting a conditional use parking permit it shall be established that the use satisfies the following conditions;

- A. The parking plan is consistent with any approved plans for the Homer Spit and related marine facilities located on the Homer Spit.
- B. The proposed parking is in harmony with the Homer Comprehensive plan and the surrounding land uses.
- C. Public services and facilities are adequate to serve the proposed parking.
- D. A more suitable location for the parking is not practically available within the zoning district.
- F. Any and all specific conditions deemed necessary by the City Council to fulfill the above mentioned conditions shall be met by the applicant.

Sec. 12-500.33. OFF-STREET PARKING-HOMER SPIT-CONDITIONAL USE PERMIT APPLICATION. Application for a conditional use permit shall be filed with the City Manager. The application shall include but is not limited to the following:

- A. Name and address of the party seeking the permit.
- B. A legal description of the proposed parking including a dimensioned plot plan and a description of neighboring land use including any necessary maps and diagrams.
- C. A legal description of the land.
- D. The appropriate fee.
- E. Any additional information which the administrative official, Port and Harbor Advisory Commission, or City Council, may require to determine if all conditions will be satisfied.

Sec. 12-500.35. OFF-STREET PARKING-HOMER SPIT-CONDITIONAL USE PERMIT PROCEDURES.

A. If the application is in order, the City Manager shall schedule a public hearing and notice of the proposal as specified in Section 12-500.23.

B. Approval shall require the concurring majority vote of the City Council.

Sec. 12-500.37. FAILURE TO MEET CONDITIONS. Failure to meet any conditions imposed with the approval of the conditional use permit granted by the City Council shall void the conditional use permit.


Sec. 12-500.39. ADMINISTRATIVE AUTHORITY. The provisions of this article of the Homer City Code shall be administered by the City Manager or his designated staff.

Section 11. Section 14-400.6 is hereby repealed.

Section 12. Section 14-400.9 (a) (3) is hereby repealed and reenacted to read:


(3) All buildings and other structures.

CITY OF HOMER



Mayor

ATTEST:



City Clerk

First Reading 4/14/80

Public Hearing 4/28/80

Second Reading 4/28/80

Effective Date 4/29/80