

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 88-9

AN ORDINANCE OF THE CITY OF HOMER AMENDING TITLE 21, ZONING, OF THE HOMER MUNICIPAL CODE PERTAINING TO THE DEFINITIONS FOR A DAY CARE FACILITY AND A DAY CARE HOME AND AMENDING SECTIONS 21.44.020, 21.45.020, AND 21.47.020 TO ALLOW DAY CARE HOMES AS A PERMITTED USE IN THE RURAL RESIDENTIAL, URBAN RESIDENTIAL AND RESIDENTIAL OFFICE ZONING DISTRICTS

WHEREAS, the Homer Advisory Planning Commission requested an amendment to the Homer zoning ordinance pertaining to the definition for a day care facility and a day care home to be consistent with the definition for a child care center and a family child care home as noted in the Alaska Administrative Code; and,

WHEREAS, the Homer Advisory Planning Commission requested an amendment to the Homer zoning ordinance to allow day care homes as a permitted use in the Rural Residential, Urban Residential and Residential Office zoning districts; and,

WHEREAS, the Homer Advisory Planning Commission has considered and recommended City Council approval of a definition for a day care facility and a definition for a day care home and the addition of day care homes as a permitted use in the Rural Residential, Urban Residential and Residential Office zoning districts; and,

WHEREAS, a public hearing was held on the proposed amendments pertaining to day care operations on April 13, 1988 before the Homer Advisory Planning Commission, as required by law:

NOW, THEREFORE, THE CITY OF HOMER ORDAINS that Homer Municipal Code, Section 21.32.145, definition for a day care facility be repealed and reenacted as a definition for a day care facility and Section 21.32.146, definition for a day care home be added and Sections 21.44.020, 21.45.020 and 21.47.020 be amended to add day care homes as a permitted use in the Rural Residential, Urban Residential and Residential Office zoning districts as follows:

HMC, Section 21.32.145 is hereby repealed in its entirety and reenacted to read:

Section 21.32.145 Day Care Facility. "Day Care Facility" or center means a place in which child or adult care is provided for compensation for any number of children or adults without

restriction on the time of service. Said day care facility must be duly licensed by the State of Alaska, if so required by the Alaska Administrative Code."

HMC, Section 21.32.146 is hereby added to read:

Section 21.32.146 Day Care Home. "Day Care Home" means child or adult care provided for compensation in a residential dwelling unit, to no more than six individuals for a period not to exceed 18 hours per day. Said day care home must be duly licensed by the State of Alaska, if so required by the Alaska Administrative Code."

HMC, Section 21.44.020 (o) is hereby added to read:

Section 21.44.020 (o) Day care homes.

HMC, Section 21.45.020 (o) is hereby added to read:

Section 21.45.020 (o) Day care homes.

HMC, Section 21.47.020 (r) is hereby added to read:

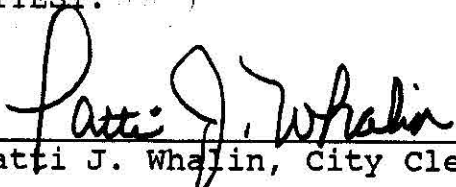
Section 21.47.020 (r) Day care homes.

Dated at Homer, Alaska this 13th day of ~~May~~ ^{June}, 1988.

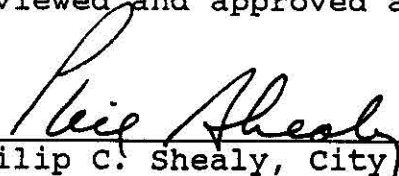
CITY OF HOMER

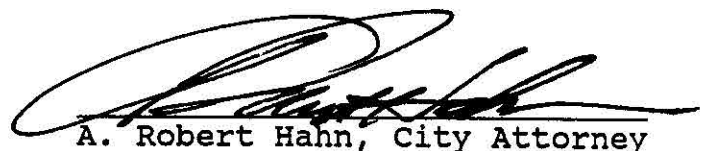

John P. Calhoun, Mayor

ATTEST:


Patti J. Whalin, City Clerk

Reviewed and approved as to form and content.


Philip C. Shealy, City Manager


A. Robert Hahn, City Attorney

First reading: 5/9/88
Public hearing: 5/23/88
Second reading: 6/13/88
Effective date: 6/14/88