

CITY OF HOMER
HOMER, ALASKA

Public Request
through LID process

ORDINANCE 94-16 A

AN ORDINANCE OF THE CITY COUNCIL OF HOMER,
ALASKA AMENDING § 17.04.160, DEFERRED
ASSESSMENT DOUBLE FRONTAGE PROPERTY, OF THE
HOMER CITY CODE BY ADDING CORNER LOT
ASSESSMENTS.

WHEREAS, the Homer Accelerated Roads Program (HARP) has been in effect since October 1987 for upgrading City of Homer Roads; and

WHEREAS, the HARP Policy Manual addresses corner lots for HARP projects only and the City Code addresses through lots and flag lots wherein one access exists and provides for a deferred assessment agreement until there is double access; and

WHEREAS, the public has requested that the City Council address this issue and amend the City Code as has been noted in several of the objection/non objection forms and letters from property owners regarding the Danview/Svedlund Paving Improvement District; and

WHEREAS, the public feels that pre HARP Assessment Districts should be a credit on HARP Assessment Districts and that corner lots involved in an prior road improvement whether HARP or not should be assessed only the length of the longest side; and

WHEREAS, through lots and flag lots with only one access have the option of a deferred assessment agreement to facilitate paying only the assessment on the lot road frontage where access exists; and

WHEREAS, public has voiced concern in the past regarding corner lots with double access being assessed only the length of the longest side on HARP Assessment Districts; this ordinance does not suggest a change to corner lot assessment per HARP Policy Manual.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 17.04.160 of the Homer City Code is hereby amended to read as follows:

17.04.160 Agreement for deferred or corner lot assessment {AERP} double frontage property. a. Through lots in an road reconstruction and/or paving improvement AERP District, having a frontage on two parallel streets, or flag lots having a frontage on two perpendicular streets can be exempt from a double front foot assessment, when only one lot access exists.

Corner lots are exempt from a double front footage assessment and the total assessment shall not exceed the longest side of the lot. Previous Reconstruction assessments apply to reconstruction assessments and previous paving assessments apply to paving assessments. The owner(s) of property shall file a "Deferred Assessment Agreement" with the City, prior to the end of the filing period for objections to the district noted in Section 17.04.050 of this chapter. The agreement shall contain a statement that the lot in question fronts two streets; however, the property owner has only one access onto the lot and shall pay the assessment on which the access is located. At such time as another access is made then the property owner agrees to pay the assessed front footage on which the new access has been made. The agreement shall be recorded with the Homer District Recorder's office. (Ord. 88-10 §2, 1988.)

Section 2. This Ordinance is of a general and permanent character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA THIS 24th DAY OF October, 1994.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

ATTEST:


MARY L. CALHOUN, CITY CLERK

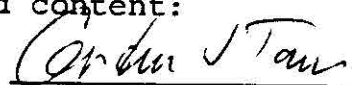
Ayes: 6
Noes: 0
Abstain: 0
Absent: 0

First Reading: 9-26-94
Public Hearing: 10-10-94
Second Reading: 10-24-94
Effective Date: 10-25-94

Reviewed and approved as to form and content:


PATTI J. WHALEN, CITY MANAGER

DATE: 10/26/94


GORDON J. TANS, CITY ATTORNEY

DATE: 10-31-94