

1 CITY OF HOMER
2 HOMER, ALASKA

3 City Manager

4 ORDINANCE 14-32

5 AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA,
6 AMENDING HOMER CITY CODE 2.72.030(b) REGARDING THE
7 DUTIES AND POWERS OF THE HOMER ADVISORY PLANNING
8 COMMISSION RELATED TO SUBDIVISIONS, AND AMENDING
9 HOMER CITY CODE 2.72.060 REGARDING THE COMMISSION'S
10 MEETING SCHEDULE AND DELETING THE REQUIREMENT TO
11 PROVIDE RECORDS OF COMMISSION ACTION TO THE
12 COUNCIL.
13

14 WHEREAS, The platting power within the City is exercised by the Kenai Peninsula
15 Borough.
16

17 WHEREAS, Kenai Peninsula Borough Code 20.25.050 provides for the Homer Advisory
18 Planning Commission ("Commission") to review and comment on all proposed vacations,
19 abbreviated subdivision plats, subdivision plat waivers, and preliminary plats of land within the
20 City.
21

22 WHEREAS, The language of HCC 2.72.030(b) regarding the duties of the Commission
23 related to platting and subdivisions is inconsistent with Kenai Peninsula Borough Code
24 20.25.050, and should be amended to conform to the latter provision.
25

26 WHEREAS, HCC 2.72.060 should be updated to conform to the Commission's current
27 meeting schedule, and the requirement in HCC 2.72.060 that every decision or finding of the
28 Commission shall be directed to the City Council at the earliest possible date should be deleted
29 as redundant and wasteful of limited City resources.
30

31 NOW, THEREFORE, THE CITY OF HOMER ORDAINS:
32

33 Section 1. Subsection (b) of Homer City Code 2.72.030, Duties and powers, is amended
34 to read as follows:
35

36 The Commission shall be required to do the following:
37

38 b. Review and comment on all proposed vacations, abbreviated subdivision plats,
39 subdivision plat waivers, and preliminary plats of land within the City before their submittal to
40 the Kenai Peninsula Borough, as provided in Kenai Peninsula Borough Code 20.25.050 ~~Exercise~~
41 ~~control over platting and subdivision of lots, blocks or lands within the City limits. All proposed~~
42 ~~plans, plats or replats of lots, blocks or lands within the City limits, and all streets, alleys and~~
43 ~~other portions of the same intended to be dedicated to public or private use, or vacated within~~
44

[Added language underlined. Deleted language stricken through.]

45 ~~the corporate limits, shall first be submitted to the Commission for its approval or rejection~~
46 ~~before such plans, plats or replats shall be submitted to the Borough Planning and Zoning~~
47 ~~Commission for final approval and recordation. Unless the City Council shall disapprove the~~
48 ~~action of the Commission within 20 days, its decision shall be final. If the Commission has~~
49 ~~approved any plan, plat or replat, and the City Council has not, within 20 days, disapproved this~~
50 ~~action, the Commission, through its Chairman, shall endorse its approval on the plan, plat or~~
51 ~~replat, and the owner thereof may then offer it to the Borough Planning and Zoning~~
52 ~~Commission for final approval;~~

53
54 Section 2. Homer City Code 2.72.060, Record of proceedings, is amended to read as follows:

55
56 2.72.060 Record of proceedings. The Commission shall meet regularly twice a month,
57 ~~There shall be a regular monthly meeting of the Commission, and permanent records or~~
58 ~~minutes shall be kept of Commission proceedings, and such minutes shall record the vote of~~
59 ~~each member upon every question. Every decision or finding shall immediately be filed in the~~
60 ~~office of the City Clerk, and shall be a public record open to inspection by any person. Every~~
61 ~~decision or finding shall be directed to the City Council at the earliest possible date.~~

62
63 Section 3. This Ordinance is of a permanent and general character and shall be
64 included in the City Code.

65
66 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER, ALASKA, this ____ day
67 of August 2014.

68
69 CITY OF HOMER

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71
72 _____
73 MARY E. WYTHE, MAYOR

74
75 ATTEST:

76
77
78 _____
79 JO JOHNSON, MMC, CITY CLERK

80
81
82 AYES:

83 NOES:

84 ABSTAIN:

85 ABSENT:

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87

88

89 First Reading:
90 Public Reading:
91 Second Reading:
92 Effective Date:

93
94

95 Reviewed and approved as to form:

96

97

98

99 _____
Walt Wrede, City Manager

Thomas F. Klinkner, City Attorney

100

101 Date: _____

Date: _____