

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 84-35A

AN ORDINANCE OF THE CITY OF HOMER AMENDING TITLE 21, ZONING, OF THE HOMER MUNICIPAL CODE PROVIDING DEFINITIONS AND PERMITTED USES FOR MOBILE FOOD SERVICES AND MOBILE COMMERCIAL STRUCTURES.

WHEREAS, the Homer Advisory Planning Commission has recently considered and approved a number of amendments to Title 21, Zoning, of the Homer Municipal Code; and

WHEREAS, a public hearing on such amendments will be held on January 2, 1985 before the Homer Advisory Planning Commission, as required under law; and

WHEREAS, the approved amendments are to be enacted in ordinance form;

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Add Section 21.32.323 Mobile Food Service. "Mobile food service" means a self-contained food service establishment that is designed to be readily movable from location to location, without being permanently affixed to any site or connected to water or sewer utility services. It is considered a temporary business and as such is regulated under Section 8.11 or Section 8.08 of Homer Municipal Code.

Section 2. Add Section 21.32.324 - Mobile Commercial Structure. "Mobile commercial structure" means a structure constructed as a movable or portable unit capable of being transported or towed on its own chassis or wheels, that is designed for non-permanent uses and placed on a non-permanent foundation; engaged in any activity involving wholesale or retail trade, rental, personal or business service.

Section 3. Amend Section 21.50.020 g. Mobile office structures to read "Mobile Commercial Structures".

Section 4. Amend HCC 21.53.020 (j) is hereby repealed and re-enacted to read:

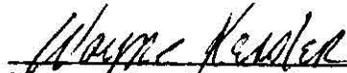
j. Other similar uses, including marine commercial uses as determined by the Planning Commission, provided they meet the following standards:

1. The proposed use is consistent with the purpose of marine industrial districts and services of those industries;
2. The proposed use is compatible with land use development plans for the Homer Spit and the Comprehensive Plan;
3. Public facilities and services are adequate to serve the proposed use;

4. The City of Homer Port and Harbor Commission makes a written finding to the Homer Advisory Planning Commission that conditions 1 through 3 of this subsection have been met.

Section 5. Amend Section 21.68.070 to read "Appeals alleging new evidence or changed circumstances shall not be heard but will be remanded by the Board of Adjustment forthwith to the lower administrative body".

CITY OF HOMER



Wayne Kessler, Mayor

ATTEST:



Kathleen Herold, City Clerk

First Reading: December 10, 1984
Public Hearing: January 14, 1985
Second Reading: January 28, 1985
Adoption: January 28, 1985
Effective Date: January 29, 1985