

CITY OF HOMER

HOMER, ALASKA
ORDINANCE 89-3 (A)

AN ORDINANCE OF THE CITY OF HOMER AMENDING HOMER MUNICIPAL CODE, TITLE 21, ZONING, CHAPTER 21.40, GENERAL PROVISIONS, TO ALLOW FOR THE TEMPORARY STORAGE OF COMMERCIAL EQUIPMENT AND THE USE OF MOBILE COMMERCIAL STRUCTURES IN ALL ZONING DISTRICTS AND HOMER MUNICIPAL CODE, SECTION 21.32.324, AMENDING THE DEFINITION OF A MOBILE COMMERCIAL STRUCTURE

WHEREAS, the Homer Advisory Planning Commission requested an amendment to the Homer Municipal Code, Title 21, relative to a district wide provision for the storage of commercial equipment and the use of mobile commercial structures during construction projects; and,

WHEREAS, the Homer Advisory Planning Commission requested an amendment to the definition of a mobile commercial structure; and,

WHEREAS, a public hearing was held on the proposed amendments on October 26, 1988 before the Homer Advisory Planning Commission, as required by law:

NOW, THEREFORE, THE CITY OF HOMER ORDAINS that the Homer Municipal Code be amended to add Section 21.40.070 District Wide Provision for Storage of Commercial Equipment and the Use of Mobile Commercial Structures; Section 21.32.324, definition for a mobile commercial structure be repealed and re-enacted; and Sections 21.44.020, 21.45.020, 21.47.020, 21.48.020, 21.49.020, 21.50.020, 21.52.020, 21.53.020, and 21.54.020 be amended to add the storage of commercial equipment and the use of a mobile commercial structure as a permitted use as follows:

HMC, Section 21.40.070 is hereby added to read:

Section 21.40.070 Temporary Storage of Commercial Equipment and the Use of Mobile Commercial Structures. The storage of commercial equipment and/or the use of a temporary mobile commercial structure for a specific construction project will be allowed within all zoning districts within the City of Homer for the duration of the construction period only except in the case of a residential construction, the period shall not exceed one year.

HMC, Section 21.32.324 is hereby repealed in its entirety and re-enacted to read:

Section 21.32.324 Mobile Commercial Structure. "Mobile Commercial Structure" means a structure constructed as a movable or portable unit capable of being transported on its own chassis or wheels, that is designed for nonpermanent uses and placed on a

nonpermanent foundation; engaged in any activity which promotes, supports or involves a land use permitted outright in the zoning district in which the mobile commercial unit is to be placed. Said mobile commercial structure may be hooked up to the municipal water and sewer system if no other legal waste disposal system is available on the construction site and if the water and sewer permits are granted for the duration of the construction project only.

HMC, Section 21.44.020 (p) and (q) are hereby added to read:

Section 21.44.020 (p) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.44.020 (q) Mobile commercial structures on a temporary basis during construction of a new permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.45.020 (p) and (q) are hereby added to read:

Section 21.45.020 (p) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.45.020 (q) Mobile commercial structures on a temporary basis during construction of a new permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.47.020 (s) and (t) are hereby added to read:

Section 21.47.020 (s) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.47.020 (t) Mobile commercial structures on a temporary basis during construction of a new permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.48.020 (cc) and (dd) are hereby added to read:

Section 21.48.020 (cc) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.48.020 (dd) Mobile commercial structures on a temporary basis during construction of a new permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.49.020 (33) and (34) are hereby added to read:

Section 21.49.020 (33) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.49.020 (34) Mobile commercial structures on a temporary basis during construction of a permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.50.020 (t) and (u) are hereby added to read:

Section 21.50.020 (t) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.50.020 (u) Mobile commercial structures on a temporary basis during construction of a permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.52.020 (f) and (g) are hereby added to read:

Section 21.52.020 (f) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.52.020 (g) Mobile commercial structures on a temporary basis during construction of a permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.53.020 (k) and (l) are hereby added to read:

Section 21.53.020 (k) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.53.020 (1) Mobile commercial structures on a temporary basis during construction of a permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

HMC, Section 21.54.020 (e) and (f) are hereby added to read:

Section 21.54.020 (e) Temporary storage of commercial equipment being used in conjunction with a specific construction project for the duration of that project only.

Section 21.54.020 (f) Mobile commercial structures on a temporary basis during construction of a permanent structure. If the mobile commercial structure is used in conjunction with a road, water or sewer construction project for which no building permit is issued, said use of a mobile commercial structure will be allowed for the duration of the project only.

Dated at Homer, Alaska this 13th day of February, 1989.

CITY OF HOMER

John P. Calhoun
John P. Calhoun, Mayor

ATTEST:

Patti J. Whalin
Patti J. Whalin, City Clerk

Reviewed and approved as to form and content.

Philip C. Shealy
Philip C. Shealy, City Manager

City Attorney

First reading: 1/9/89
Public hearing: 1/23/89
Second reading: 2-13-89
Effective date: 2/14/89