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**CITY OF HOMER
HOMER, ALASKA**

ORDINANCE 14-20(S)

Roberts

AN ORDINANCE OF THE HOMER CITY COUNCIL AMENDING
HOMER CITY CODE 21.26.020, PERMITTED USES AND
STRUCTURES, TO ADD OPEN AIR BUSINESS AS A PERMITTED
USE IN THE GENERAL COMMERCIAL 2 ZONING DISTRICT.

WHEREAS, The Homer City Code defines a Farmers market as a location where the primary activity is the sale of goods grown upon the land of the seller; and

WHEREAS, Farmers' markets are permitted outright in the Central Business and Town Center Zoning Districts; and

WHEREAS, Farmers' markets have become popular and necessary parts of communities nation-wide; and

WHEREAS, Farmers market is inclusive of the definition of open air business; and

WHEREAS, Open air business is permitted outright in the General Commercial 1 Zoning District.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Homer City Code 21.26.020, Permitted uses and structures, is amended to read as follows:

21.26.020 Permitted uses and structures. The following uses are permitted outright in the General Commercial 2 District, except when such use requires a conditional use permit by reason of size, traffic volumes, or other reasons set forth in this chapter:

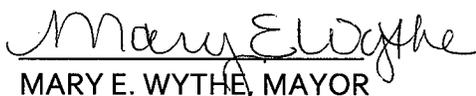
- a. Production, processing, assembly and packaging of fish, shellfish and seafood products;
- b. Construction, assembly and storage of boats and boat equipment;
- c. Manufacture and assembly of pottery and ceramics, musical instruments, toys, novelties, small molded products, electronic instruments and equipment and electrical devices;
- d. Research and development laboratories;
- e. Trade, skills or industrial schools;
- f. Publishing, printing and bookbinding facilities;
- g. Auto, trailer, truck, recreational vehicle and heavy equipment sales, rentals, service and repair, excluding storage of vehicles or equipment that is inoperable or in need of repair;

- 43 h. Storage and distribution services and facilities, including truck terminals, warehouses
44 and storage buildings and yards, contractors' establishments, lumberyards and sales, or similar
45 uses;
- 46 i. Airports and air charter operations;
- 47 j. Heliports;
- 48 k. Underground bulk petroleum storage;
- 49 l. Cold storage facilities;
- 50 m. Parking lots and parking garages, in accordance with Chapter 21.55 HCC;
- 51 n. Mobile commercial structures;
- 52 o. Accessory uses to the uses permitted in the GC2 district that are clearly subordinate
53 to the main use of the lot or building, such as wharves, docks, restaurant or cafeteria facilities
54 for employees; or caretaker or dormitory residence if situated on a portion of the principal lot;
55 provided, that separate permits shall not be issued for the construction of any type of
56 accessory building prior to that of the main building;
- 57 p. Taxi operation;
- 58 q. Mobile food services;
- 59 r. Itinerant merchants, provided all activities shall be limited to uses permitted outright
60 under this zoning district;
- 61 s. Recreational vehicle parks, provided they shall conform to the standards in Chapter
62 21.54 HCC;
- 63 t. Hotels and motels;
- 64 u. Dormitory;
- 65 v. As an accessory use, one small wind energy system per lot;
- 66 w. Open air business.

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

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71 ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of July, 2014.

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73 CITY OF HOMER

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77 MARY E. WYTHE, MAYOR

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79 ATTEST:

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82 _____
83 JO JOHNSON, MMC, CITY CLERK

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86 AYES: 6
87 NOES: 0
88 ABSTAIN: 0
89 ABSENT: 0

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93 First Reading: 5/12/14 (referred to Planning Commission)
94 Public Hearing: 7/28/14
95 Second Reading: 7/28/14
96 Effective Date: 7/29/14

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99 Reviewed and approved as to form:

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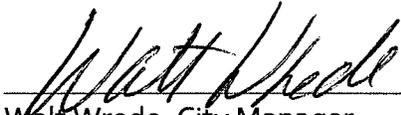
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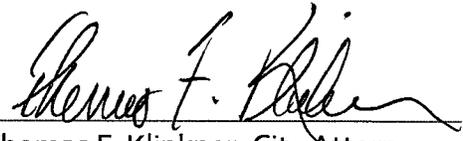
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Walt Wrede, City Manager

Date: JULY 31, 2014



Thomas F. Klinkner, City Attorney

Date: 8-4-14