

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 10-31

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AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA, AMENDING HOMER CITY CODE 21.20.040 REGARDING DIMENSIONAL REQUIREMENTS IN THE TOWN CENTER DISTRICT TO INCREASE THE MAXIMUM FLOOR AREA OF RETAIL AND WHOLESALE BUSINESS USES WITHIN A SINGLE BUILDING FROM 75,000 TO 100,000 SQUARE FEET, AND TO INCREASE THE MAXIMUM FOOTPRINT AREA OF A BUILDING WHOSE MAIN USE IS RETAIL OR WHOLESALE BUSINESS FROM 75,000 TO 100,000 SQUARE FEET.

WHEREAS, The Town Center District is planned for larger lot sizes with more walking trails and green space between buildings; and

WHEREAS, An initiative election in 2005 found 57% of the voters favoring an increase in allowable store size from 45,000 square feet to 66,000 square feet (the only option presented); and

WHEREAS, The Advisory Planning Commission subsequently approved a conditional use permit for such a store, but worldwide economic conditions precluded the actual construction of the store; and

WHEREAS, The Economic Development Advisory Commission on May 11, 2010, recommended that the City Council increase the size limit for buildings in the Town Center to 100,000 square feet.

NOW, THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Subsection (e) of Homer City Code 21.20.040, Dimensional requirements, is amended to read as follows:

e. Building Area and Dimensions Retail and Wholesale.

1. The total floor area of retail and wholesale business uses within a single building shall not exceed **100,000** ~~75,000~~ square feet.

2. No conditional use permit, Planned Unit Development, or variance may be granted that would allow a building to exceed the limits of subparagraph (e)(1), and no nonconforming use or structure may be expanded in any manner that would increase its nonconformance with the limits of subparagraph (e)(1).

3. Any building the main use of which is retail business, wholesale business, or a combination of the two shall not exceed **100,000** ~~75,000~~ square feet of footprint area.

[Bold and underlined added. Deleted language stricken through.]

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Section 2. This ordinance shall be effective upon adoption.

Section 3. This ordinance is of a permanent and general character and shall be included in the City Code.

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this _____ day of _____ 2010.

CITY OF HOMER

JAMES C. HORNADAY, MAYOR

ATTEST:

JO JOHNSON, CMC, CITY CLERK

YES:

NO:

ABSTAIN:

ABSENT:

First Reading:

Public Hearing:

Second Reading:

Effective Date:

Reviewed and approved as to form:

Walt E. Wrede, City Manager

Thomas F. Klinkner, City Attorney

Date: _____

Date: _____