

Session 11-14, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Minsch at 6:32 p.m. on October 5, 2011 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, DOLMA, ERICKSON, HIGHLAND, MINSCH, SONNEBORN, VENUTI

STAFF: CITY PLANNER ABBOUD  
DEPUTY CITY CLERK JACOBSEN

### **APPROVAL OF AGENDA**

The agenda was approved by consensus of the Commission.

### **PUBLIC COMMENT**

The public may speak to the Planning Commission regarding matters on the agenda that are not scheduled for public hearing or plat consideration. (3 minute time limit).

Holly Van Pelt, city resident, commented to the Commission regarding the draft sign ordinance. She asked for leniency in the size for businesses directly on a road where the speed limit is in excess of 45 mph. Her business on the Sterling Highway is zoned commercial so she doesn't have an issue, but her neighbor in Rural Residential along the highway is limited to a 4 square foot sign. She proposed that it isn't safe or in the public's interest. Along that corner there have already been a number of accidents, some fatal, and to have a small sign there when a person is looking for a business may cause them to slow down or stop suddenly. She doesn't think a sign of that size large enough for drivers to see, absorb the message, and make safe traffic change. She wondered if there might be consideration for a special zoning permit that would allow for a larger sign on the highway. Ms. Van Pelt noted that DOT doesn't have such small signs when they are trying to get information safely to drivers they use a much larger sign, so she doesn't know why the City can't be more lenient.

Question was raised if there had been any accidents at the location over the summer or if it just appears there could be an issue. Ms. Van Pelt said she is not aware of any at that particular spot, but it is a dangerous section of road. She expects that people driving down who have a booking at the location will be driving slower in an attempt to find it and will create a traffic hazard. In response to a suggestion of lowering the speed limit, Ms. Van Pelt said her experience is that without enforcement, people won't slow down. Some people would obey when dropping the speed limit to 35 but others will continue to go 55 and the discontinuity will result in more traffic problems.

Commissioner Sonneborn noted that the problem is people already driving too fast and it isn't the Commission's responsibility to change zoning rules, because people are speeding. Ms. Van Pelt countered that even at 45, a tow foot square sign is not large enough to convey a business information.

### **RECONSIDERATION**

There were no items scheduled for consideration.

### **ADOPTION OF CONSENT AGENDA**

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
OCTOBER 5, 2011

All items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. There will be no separate discussion of these items unless requested by a Planning Commissioner or someone from the public, in which case the item will be moved to the regular agenda and considered in normal sequence.

1. Approval of the September 21, 2011 minutes
2. Time Extension Requests
3. Approval of City of Homer Projects under HCC 1.76.030 g
4. KPB Coastal Management Program Reports
5. Draft Decision and Findings for CUP 11-12 at 182 E Pioneer Ave, Portion of Lot 6 Tract A Nils O Svedlund Subdivision Amended, Request for more than one building containing a permitted principle use on a lot.
6. Draft Decisions and Findings for CUP 11-06, 4721 Homer Spit Road, Central Charters Boardwalk Expansion for HCC 21.28.030 (a) Restaurants and drinking establishments HCC 21.28.030(i) More than one permitted principal use on a lot, HCC 21.28.030(j)Planned unit development, and HCC 21.28.040(d) More than 8,000 sf of building area

The Consent Agenda was approved by consensus of the Commission.

#### **PRESENTATIONS**

#### **REPORTS**

- A. Staff Report PL11-105, City Planner's Report

City Planner Abboud reviewed his staff report.

There was brief discussion about work being done in the wetland in the Spruce Lane area and the Council's ordinance regarding water meters.

#### **PUBLIC HEARINGS**

Testimony limited to 3 minutes per speaker. The Commission conducts Public Hearings by hearing a staff report, presentation by the applicant, hearing public testimony and then acting on the Public Hearing items. The Commission may question the public. Once the public hearing is closed the Commission cannot hear additional comments on the topic. The applicant is not held to the 3 minute time limit.

No public hearings were scheduled.

#### **PLAT CONSIDERATION**

No Plats were scheduled.

#### **PENDING BUSINESS**

- A. Staff Report PL 11-106, Draft Sign Code Amendments

City Planner Abboud reviewed the staff report. He advised that they should use the draft ordinance provided as a laydown instead of the one provided in the packet.

HOMER ADVISORY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
OCTOBER 5, 2011

The Commission addressed the sign issue on the Sterling Highway that was brought up during public comments. Point was raised that they had discussed the challenges of the location during the CUP hearing.

They engaged in worksession type discussion about banners, their definition, and circumstances where they become signs. They also briefly addressed roof signs.

BOS/HIGHLAND MOVED TO DISCUSS AND MAKE RECOMMENDATIONS REGARDING THE DRAFT SIGN CODE AMENDMENTS.

There was no objection expressed and discussion ensued.

The Commission addressed wording for a motion to tie language on packet page 21 into the draft code and to clarify the definition.

BOS/HIGHLAND MOVED THAT ON THE PARAGRAPH "BANNER SIGN" THE BANNER MATERIAL ATTACHED TO A RIGID ~~STRUCTURE~~ FRAME ON ALL SIDES.

There was discussion addressing the language in the packet draft ordinance, the staff report, and the draft ordinance provided as a laydown.

VOTE: NO: BOS, MINSCH, HIGHLAND, SONNEBORN, VENUTI, ERICKSON, DOLMA

Motion failed.

MINSCH/BOS MOVED TO SUBSTITUTE THE BANNER SIGN LANGUAGE FROM THE STAFF REPORT FOR WHAT IS IN THE DRAFT ORDINANCE, AND ALTER IT AS DISCUSSED.

It was noted for clarifications that while banners, as defined, are prohibited; banners in a rigid frame, a banner sign, are allowed. Under banner sign in the staff report the first sentence outlines what is prohibited, and the second sentence says when it is considered a sign. It should also say attached on all edges instead of all sides.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

SONNEBORN/BOS MOVED TO STRIKE THE CATEGORY ROOF FROM THE TABLE ON PACKET PAGE 28.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/BOS MOVED THAT ON TABLE 1 IN THE LINE ROOF, ADD INTEGRAL BACK.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

HIGHLAND/BOS MOVED THAT ON TABLE 1, ADD SUSPENDED BACK ONTO THE TABLE AND ADD THE DEFINITION OF SUSPENDED.

It was noted that it will clarify it if someone wants to a suspension from the soffits.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

MINSCH/HIGHLAND MOVED TO APPROVE THE DRAFT SIGN ORDINANCE AS AMENDED AND MOVE IT FORWARD TO PUBLIC HEARING.

There was brief discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

#### **NEW BUSINESS**

- A. Staff Report PL 11-104, Draft Ordinance Allowing Accessory Dwelling Units as Permitted Uses

City Planner Abboud reviewed the staff report.

ERICKSON/HIGHLAND MOVED TO DISCUSS AND MAKE RECOMMENDATIONS.

There was no objection expressed and discussion ensued.

It was noted that while this is a good idea, the accessory units should be required to have electric, water, and sewer. City Planner Abboud noted the definition of dwelling specifies that it includes facilities for sleeping, cooking, and sanitation.

There was discussion of limiting this to residential districts. It was noted that central business includes everything, it is a density center, and has water and sewer. The gateway business district promotes mixed use development but an emphasis on the visitor oriented business, and conflicts between residential and business are resolved in favor of business. The goals of the district are minimization of future traffic construction along the Sterling Highway corridor, and preservation of the view experience.

MINSCH/SONNEBORN MOVED TO DELETE THE GATEWAY BUSINESS DISTRICT FROM THIS PROPOSAL.

Comment was made that the Comprehensive Plan wants density, development, infill, and wants to follow the water and sewer, so it is easy to support the residential districts and CBD. If there isn't water and sewer in urban and rural residential, then typically it is a bigger lot.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

The Commission took a recess at 8:08 p.m. and the meeting resumed at 8:12 p.m.

The Commission expressed no objection to forwarding the draft ordinance to public hearing.

#### **INFORMATIONAL MATERIALS**

- A. 'City, State, Laws regulate portable signs,' Homer News article by Michael Armstrong
- B. 'Proposed sign changes not anti-business', Homer News Point of View by Sharon Minsch
- C. Letter dated September 13 to Mayor Hornaday and Homer City Council from Norm Story, regarding the East Road Business District
- D. City Manager's Report dated September 26, 2011

There was brief discussion of Mr. Story's letter to the City Manager and City Council and the process for requesting a re-zone.

#### **COMMENTS OF THE AUDIENCE**

Members of the audience may address the Commission on any subject. (3 minute time limit)

There were no audience comments.

#### **COMMENTS OF STAFF**

City Planner Abboud said he would work on getting the sign ordinance ready for public hearing.

#### **COMMENTS OF THE COMMISSION**

Commissioners Venuti, Dolma, and Sonneborn had no comments.

Commissioner Bos said he was glad about the progress they made tonight and that he might not be at the next meeting. He thanked Chair Minsch for the point of view regarding the sign code.

Commissioner Erickson thanked City Planner Abboud for his work.

Commissioner Highland stated her usual dream of harmony between the economy and the environment.

Chair Minsch commented that the feed back she has been getting from her point of view has been positive.

#### **ADJOURN**

There being no further business to come before the Commission, the meeting adjourned at 8:21 p.m. The next regular meeting is scheduled for October 19, 2011 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled October 19, 2011 at 5:30 p.m.

---

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: \_\_\_\_\_