

Session 15-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Stead at 6:30 p.m. on October 7, 2015 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BOS, BRADLEY, HIGHLAND, STEAD, STROOZAS, VENUTI

ABSENT: ERICKSON

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK JACOBSEN
PUBLIC WORKS DIRECTOR MEYER

Approval of Agenda

Chair Stead called for a motion to approve the agenda.

HIGHLAND/VENUTI SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

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).

There was no public comment.

Reconsideration

Adoption of Consent Agenda

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.

- A. Approval of Minutes of September 16, 2015
- B. Decision and Findings for CUP 15-04 at 5185 Slavin Dr.
- C. Marley Subdivision Time Extension

Chair Stead called for a motion to approve the consent agenda.

HIGHLAND/BRADLEY SO MOVED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Presentations

A. Carey Meyer, Public Works Director, Waddell Way Improvements

Public Works Director Meyer reviewed the 35% design for the Waddell Way road improvements and project status. He reviewed the properties affected, rights of way in place and what will be created through platting. Mr. Meyer explained that this project will have the city's first street lights which will be LED lights that are 24 feet tall. This is an effort to minimize light pollution that can be created by taller poles, but will require closer placement of poles to have appropriate lighting along the street. He anticipates up to 10 street lights and that some of the cost will be recouped having lower energy usage with the LED lights. Relating to street naming, Mr. Meyer explained they are proposing that the road east to west be named Grubstake as it is an extension of that road. The north south connection hasn't been named yet. He reviewed the platting requirements that will be forthcoming to the Commission, HEA is participating with the platting, and they are working on a solution for the driveway design for the HEA construction yard.

Reports

A. Staff Report PL 15-67, City Planner's Report

Deputy City Planner Engebretsen reviewed the staff report included in the packet.

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.

Plat Consideration

Pending Business

A. 2015 Commissioner Attendance at City Council Meetings

Commissioner Stroozas agreed to attend on December 7th and Commissioner Bradley said she could attend on November 9th.

B. Staff Report PL 15-69, Bridge Creek Watershed Protection District

Deputy City Planner Engebretsen reviewed the staff report.

There was brief discussion in support of providing 50% relief for walk ways and driveways provided appropriate retention measures are in place.

It was confirmed the Commission will hold a public hearing at their next meeting and then it should be ready to go back to City Council.

New Business

A. Staff Report PL 15-70, Zoning for the Marijuana Industry

Deputy City Planner Engebretsen reviewed the staff report, including activities and buffers for particular land uses like schools and churches. The goal is to have a zoning ordinance to City Council by the end of the year so our regulations will be in place before the state's February deadline to start receiving applications for marijuana businesses.

The commission reviewed the activities including retail, cultivation, manufacturing/processing, and testing.

Deputy City Planner Engebretsen explained the Cannabis Advisory Commission (CAC) has addressed allowing small scale cultivation, less than 500 square feet, allowable in the rural residential neighborhood. Things they might think about include a minimum lot size or separation distance from the property line. She also noted the laydown from the Library Advisory Board recommending the library have the same setback as schools and she offered to provide a map of different scenarios.

Chair Stead's opinion is a 200 foot setback for the library, he recognized that youth do frequent the library, but it doesn't have the same concentration of youth as a school.

Commissioner Highland questioned if marijuana licenses would be limited by population like liquor licenses are. Chair Stead said he wasn't aware of a restriction yet and we don't know what the marijuana control board will do. Deputy City Planner Engebretsen was unsure if they could limit based on population locally, but noted there are a lot of hurdles to get into the business.

They reviewed the table proposing allowances for marijuana related activities.

Allowing cultivation in the Bridge Creek Watershed Protection district is recommended as allowable through a conditional use permit. A grow operation would likely trigger other conditional uses depending on impervious surface and other things. Relating to a small operation less than 550 feet, the concern is fertilizers, pesticides, and the potential of chemicals not being processed properly, going into septic systems and draining out into the watershed.

Commissioner Bos suggested small scale cultivation not be allowed in rural residential. Chair Stead noted that the CAC's perspective is that 75% of Homer is rural residential and that is why they support small operations. Mr. Bos said he understands there are people who want to grow it but also that there are their neighbors who won't want it next door. He thinks it's a good place to start. Deputy City Planner Engebretsen suggested looking at two options like A- not at all or B- under some specific conditions, so people have some options to consider and testify about.

Commissioner Highland commented that residential is mixed in most of the districts and there are ramifications of marijuana related activities that warrant something keeping it more restrictive in the beginning. If it is less restrictive and down the road we want to change regulation, we are left dealing with nonconforming uses.

Deputy City Planner Engebretsen confirmed for the next meeting staff will bring back two options to consider for rural residential, one not at all and two by CUP with rigorous standards like minimum lot size and separation distances to establish grounds to allow or deny.

There was general discussion about the lengthy process of getting licensed for an operation, and the stringent regulations for the marijuana related activities once they are licensed.

Under the manufacturing table it was suggested to eliminate CBD and include GC1 and GC2 as a CUP. Lot sizes in the CBD are too small and flammable materials are used at times in the process. Exclude Town Center and Gateway Business and Marine districts as well.

No changes were suggested for the table under testing.

Regarding retail, there was discussion of the notion of limiting the number of retail operations. Deputy City Planner Engebretsen explained that in staff's discussion, these stores can't sell other things. It raises the question how many can the community really support? The spit has a short retail season and there are a lot of hurdles to get a license from the state. It's questionable if it will be worth doing it out there. No changes were suggested.

Deputy City Planner Engebretsen said they will bring back a draft ordinance for the Commission to review.

B. Staff Report PL 15-71 Transportation Recommendations

Deputy City Planner Engebretsen reviewed the staff report.

BOS/HIGHLAND MOVED TO FORWARD THE TRANSPORTATION RECOMMENDATIONS TO COUNCIL.

There was brief discussion in support of the recommendations.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

Informational Materials

- A. City Manager's Report September 28, 2015
- B. Town Hall Potential Revenue Solutions Pros/Cons

Comments of the Audience

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

Comments of Staff

Deputy City Planner Engebretsen thanked the Commission for their input tonight. She thinks the marijuana discussion will move fairly quickly and hopes we can communicate in a clear fashion so people can join the conversation and not get too bogged down.

Comments of the Commission

Commissioner Highland commented in thinking about the budget and things that could get cut she questions if there is talk about volunteerism in the city. She thinks that's where we'll have to go with a lot of things. Regarding cannabis, she thinks unless things are in the newspaper people won't see it. Outreach is difficult and she thinks if there can be an article in the paper it would help the public know what is being discussed.

Deputy City Planner Engebretsen noted there is information in the papers regarding the marijuana regulation process and for people who are interested, it's readily available. As far volunteerism, it's huge in our community but it's a question of services.

Commissioner Bradley thanked everyone for the meeting. She is interested in seeing how the new intersection at Pioneer and Main will turn out. It's a little tricky right now. She invited everyone to attend the Pratt Museum's 30th annual Ritz on Friday.

Commissioner Bos said it was a good meeting.

Commissioner Venuti commented the Governor will be in town on Friday speaking at the Senior Center. In regard to whether the public gets notified or not, he thinks the same people who don't vote, don't pay attention. You're either interested in this stuff or you aren't. He said it was an interesting meeting.

Commissioner Stroozas said it was a good meeting; he apologized for missing the last one. It's been a busy month for him and now he can wind down and strategize for next time. He thanked everyone who supported him and wished everyone a good night.

Adjourn

There being no further business to come before the Commission, the meeting adjourned at 8:33 p.m. The next regular meeting is scheduled for October 21, 2015 at 6:30 p.m. in the City Hall Cowles Council Chambers. A worksession will be held at 5:30 p.m.

MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

Approved: _____