

Session 18-15, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:30 p.m. on October 3, 2018 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

PRESENT: COMMISSIONERS BANKS, BENTZ, VENUTI, HIGHLAND, SMITH, BERNARD, BOS

STAFF: CITY PLANNER ABBOUD
DEPUTY CITY CLERK KRAUSE

APPROVAL OF THE AGENDA

Chair Venuti called for a motion to approve the agenda.

HIGHLAND/BENTZ - SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENT

RECONSIDERATION

ADOPTION OF CONSENT AGENDA

A. Approval of minutes of September 19, 2018

Deputy City Clerk Krause explained that the minutes will be available for approval at the October **17, 2018 commission meeting due to time constraints in the City Clerk's Office and time sensitive responsibilities** that took precedence the minutes were not available to include in the packet.

PRESENTATIONS

REPORTS

A. Staff Report 18-63, **City Planner's Report**

City Planner Abboud provided a summary of his report included in the packet. He requested volunteers to attend upcoming City Council meetings.

Commissioner Highland volunteered for the November 12th meeting and Commissioner Smith volunteered for the October 8th

PUBLIC HEARINGS

A. Staff Report 18-64, Ordinance 18-41, an Ordinance of the City Council of Homer, Alaska, Amending HCC 21.61.040(b) to codify the City Council's role as the local regulatory authority under AS 17.38 and authorizing Council to decide whether to protest marijuana establishment applications filed with the State of Alaska for sites within the City of Homer

City Planner Abboud provided his report to the commission. He noted that his review reflects the requirements for zoning purposes. This action will allow Council to hear other comments regarding proposed licenses within the city.

Chair Venuti opened the Public Hearing seeing no one come forward to comment he closed the Public Hearing.

Commissioners asked questions on how many licenses there were in the city limits, the types of licenses this would cover, what the change would really mean since these go before City Council at this time.

Staff explained that it makes it a formal process where Council can offer recommendations to the Marijuana Board if there are any issues such as unpaid taxes, or increased incidents that required Homer Police attention.

BOS/HIGHLAND MOVE TO ADOPT STAFF REPORT 18-64, ORDINANCE 18-41, AN ORDINANCE AMENDING HCC 21.61.040(b) to CODIFY THE CITY COUNCIL'S ROLE AS THE LOCAL REGULATORY AUTHORITY UNDER AS 17.38 AND AUTHORIZING COUNCIL TO DECIDE WHETHER TO PROTEST MARIJUANA ESTABLISHMENT APPLICATIONS FILED WITH THE STATE OF ALASKA FOR SITES WITHIN THE CITY OF HOMER

Commissioner Banks offered comments on item e. with comparison to granting felons voting rights and did not feel that it should be included.

Staff reminded the Commission that the City is not the authority to make a final decision and Council will be just submitting recommendations. The Marijuana Control Board will consider the recommendations submitted by Council and can either approve or not.

City Planner Abboud provided clarification on recommendations from the Commission to the City Council would be considered.

VOTE. NON-OBJECTION. UANIMOUS CONSENT.

Motion approved.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 18-60, Amending HCC 21.18.040 to Reduce the Setback Permitted from 20 Feet to 10 Feet in the Central Business District

Discussion by the Commission on the basis for the proposed change, the difficulty in establishing a blanket policy, defining specific streets, review of the Transportation Plan which is coming to the end of its shelf life ensued.

Further discussion on the issues that need to be developed and that if they can get the experts to review the roads and determine the amenities.

The Commission discussed the merits of the proposed changes to the setbacks in the Central Business District and commented on the following:

- Reduction in litigation may not be affected
- Case by case evaluation may not be the best approach
- Commercial Areas versus Residential Areas
- Reduction of CUP

BENTZ/BERNARD - MOVE THAT THE COMMISSION REVISITS THE SETBACK ISSUES ON THE NUMBER OF CONDITIONAL USE PERMITS ISSUED WHEN THEY REVIEW THE TRANSPORTATION PLAN

Discussion on the commercial traffic that uses Pioneer Avenue and that they would be unable to access another route.

VOTE. NON-OBJECTION UNANIMOUS CONSENT.

Motion carried.

BENTZ/BOS - MOVED TO FORWARD ORDINANCE 18-39 TO PUBLIC HEARING.

There was a brief discussion on moving to Public Hearing.

BANKS/BENTZ MOVE TO AMEND THE MOTION TO FORWARD ORDINANCE 18-39 TO PUBLIC HEARING AFTER REVIEW/UPDATING OF THE TRANSPORTATION PLAN.

There was a brief discussion on the benefit to wait until after updating the Transportation Plan and possible professional input on the issue.

VOTE. (Amendment)NO. BOS, SMITH, HIGHLAND, VENUTI

VOTE. (Amendment) YES. BENTZ, BANKS, BERNARD

Motion failed.

SMITH/BOS MOVE TO REQUEST EXTENTION OF TIME TO HOLD A PUBLIC HEARING ON JANUARY 16 2019

Discussion on the basis of delaying the action to allow enough response time.

VOTE. (Amendment).YES. SMITH, BOS.

NO. HIGHLAND, BENTZ, VENUTI, BANKS, BERNARD

Motion failed.

Chair Venuti called for the vote on the Main motion on the floor.

VOTE. YES. HIGHLAND, VENUTI, BOS, SMITH

NO. BENTZ, BANKS, BERNARD.

Motion carried.

NEW BUSINESS

A. Staff Report 18-66, Green Infrastructure (GI)

Discussion ensued on the following:

- what it would take
- the costs involved to build
- what approaches can be implemented to address green infrastructure
- lessen the impacts to neighboring properties
- recommendations to invite professionals to comment
- explanation on how the Planning Department can implement these strategies
- review of the reading materials will lead the Commission in the direction that is required
- Commission can be better informed before speaking to Council on the issues
- Examples of how does the water flow in Homer
- Need to determine how to improve percentage of drainage
- Not trying to reinvent the wheel referring to page 50 of the materials that City Planner provided
- Staff recommendation was that the Commission learn more.
- Encourage builders who come into the Planning Dept to use the green infrastructure in their development

Chair Venuti recommended the commission to review the Stormwater plan and city code where there are rules currently applicable in Section 21.75 of city code.

Further discussion by the Commission touched on the following suggestions:

- implementing GI with a big project and changes such as the transportation plan
- Joint worksession with City Council and the City Engineer
- Cook Inletkeeper and Soil and Water Conservation
- Available grants to facilitate the GI process
- Establishing requirements
- Ways in which city can hold property owners and developers accountable and creating processes and policies
- Site Planning

The Commission requested a worksession on green infrastructure for the next meeting.

INFORMATIONAL MATERIALS

A. City Manager's Report for the September 24, 2018 Homer City Council meeting

COMMENTS OF THE AUDIENCE

COMMENTS OF THE STAFF

City Planner Abboud had no comments.

Deputy City Clerk Krause commented in response to Commissioner Banks question on why the commission must hold a Public Hearing on the Ordinance regarding the proposed changes to the Setbacks in the CBD that it is outlined and stated in Homer City Code 21.95.

COMMENTS OF THE COMMISSION

Commissioner Highland commented on the filling of wetlands on Kachemak Drive and she thought the response from we as the city well we get handed that from the Corps of Engineers and that it feels like it is almost a done deal, but when things like that could affect the city we may want to talk about commenting on those because of the cumulative effects and figuring out some industrial zoning requirements in wetlands. Interesting meeting.

Commissioner Bos commented good meeting; he thought some worksessions with the surveyors, developers, and realtors will help out with the Green Infrastructure topic immensely and get them headed in the right direction and not cost them a whole lot of money.

Commissioner Bernard stated she looks forward to the worksessions and she thought that it will be good to remember it is not black and white, it is all connected and there may be some areas they cannot change, but there is a lot of opportunity here and it is easy to lose sight of that so as they go through the audit carefully, finding out what areas the commission is really concerned about and has questions and they need more information having guest speakers will really help

them out since there are a lot of resources in Homer available to them. Glad they are addressing this.

Commissioner Bentz had no comments.

Commissioner Smith expressed his appreciation of the perspectives expressed by the commissioners and would like to suggest bringing in folks like Arno Construction or Troy Jones who have been around for 60 years and have patched up drainage stuff before. He believed that their experience would be beneficial.

Commissioner Banks expressed looking forward to figuring out the Green Infrastructure stuff and figuring out where they can effectively implement it; on the Kachemak Drive Corp of Engineers permit for filling in wetlands because he just read about it and questioned why they haven't seen it and assumes that he has a zoning permit already and actually then tonight it made him think of some other way that they could require an analysis or review as far as triggering some green infrastructure when anything over XX amount of square feet of impervious surface, any project inside city limits would trigger the project to go in front of the Planning Commission. Obviously there was nothing that triggered the Kachemak Drive project to come before the commission.

Chair Venuti commented it was an interesting meeting and wished the City Planner a great vacation.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 9:00 p.m. The next regular meeting is scheduled for Wednesday, October 17, 2018 at 6:30 p.m. in the City Hall Cowles Council Chambers. There is a worksession scheduled at 5:30 p.m. prior to the meeting.

RENEE KRAUSE, CMC, DEPUTY CITY CLERK

Approved: _____