

Session 19-07, a Regular Meeting of the Homer Advisory Planning Commission was called to order by Chair Venuti at 6:32 p.m. on April 3, 2019 at the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.

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

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

The Commission met in a worksession at 5:30 p.m. On the agenda was discussion on the Permitting Process and Building Location verification with Licensed Residential Contractors to provide industry perspective.

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 March 20, 2019

Chair Venuti requested a motion to approve the Consent Agenda.

HIGHLAND/BENTZ - SO MOVED.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

VISITORS/PRESENTATIONS

REPORTS

A. Staff Report 19-27, **City Planner's Report**

Chair Venuti introduced the item into the record by reading of the title.

Deputy City Planner Engebretsen reviewed the City Planner's report and highlighted the following items:

- A request to rescind Ordinance 19-09, relating to the extension of water to Kachemak City
- An application for appointment has been received for the vacancy
- The Appeal decision is expected at any time.
- There will be a CUP on the next **meeting's** agenda which will take up most of staff time since the City Planner is out of the office through the next meeting.

There was a brief discussion on the hazard mapping.

PUBLIC HEARINGS

A. Staff Report 19-28, Ordinance 19-XX adding lighting standards to the Rural Residential and Urban Residential Zoning Districts

Chair Venuti introduced the item into the record by reading of the title.

Deputy City Planner Engebretsen reviewed the City Planner's request to amend the language in the proposed ordinance to reflect the recommended language in the Planner's memorandum.

BENTZ/HIGHLAND MOVED TO AMEND THE LANGUAGE TO REFLECT THE FOLLOWING:

THE LEVEL ONE LIGHTING STANDARDS OF HCC 21.59.030 APPLY TO ALL DEVELOPMENT, USES, AND STRUCTURES IN THIS ZONING DISTRICT.

Discussion ensued on the previous discussion entertained by the Commission at the previous meeting on light trespass, level one lighting applying to all zones, specific lighting standards in various districts, and clarification that the Commission is specifically addressing lighting standards in urban residential and residential districts.

Chair Venuti called for a recess at 6:41 p.m. to determine the decision made by the Commission at the March 20, 2019 meeting for elucidation. The meeting was called back to order at 6:45 p.m.

Chair Venuti reviewed the motion on the floor provided a synopsis of the decision from the previous meeting and inquired if there was any dissent to the motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Chair Venuti opened the Public Hearing. Seeing no one present to provide testimony Chair Venuti closed the public hearing and opened the floor to questions from the Commission.

There was no additional discussion, comments or questions from the Commission.

Chair Venuti requested a motion.

BANKS/BOS MOVED TO FORWARD THE DRAFT ORDINANCE ON LIGHTING STANDARDS FOR RURAL RESIDENTIAL AND URBAN RESIDENTIAL TO CITY COUNCIL FOR ADOPTION.

There was no further discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PLAT CONSIDERATION

PENDING BUSINESS

A. Staff Report 19-29, Building Height Maximum

Chair Venuti introduced the item into the record by reading of the title.

Deputy City Planner Engebretsen reviewed the three items of action that is requested of the Commission:

1. Approve the recommended amended language, *for buildings located within an area of special flood hazard, the vertical distance between grade and the Base Flood Elevation (BFE) plus two feet is excluded from the calculation of building height* and forward to Public Hearing.

Deputy City Planner Engebretsen explained that in further review of the existing city code that this recommendation would fit the broadest number of categories, it could be a future standard.

Commissioner Bentz questioned the typical vertical distance for applicable properties.

Deputy City Planner Engebretsen responded that it would be dependent on the location as the Spit, Beluga Lake or Old Town would be different. She noted that it addresses the request from Council and does not answer all the questions with Building Height issue and moving forward this would be one solution.

BOS/HIGHLAND MOVE TO AMEND HOMER CITY CODE CONCERNING BUILDING HEIGHT MEASUREMENT WITHIN A FLOOD AREA WITH LANGUAGE RECOMMENDED IN STAFF REPORT 19-29 AND MOVE TO A PUBLIC HEARING.

There was a discussion on possible issues with height, definition of grade, and nuances in city code. There were concerns expressed by the Commission with creating more issues especially with a limitation of 35 feet and that this would address the difference in the height that due to flood issues you could not build.

Clarification was provided by Staff:

- that the recommendation was to address specific issues as requested;
- was not particularly time sensitive
- easier to address specific sections than the whole
- This change does not allow additional usable occupied space in the structure

Chair Venuti asked if there was any dissent to the motion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

Commissioner Smith spoke with some business owners in EEMU who recommended building heights and Staff would like input from Commission on scheduling a worksession with these businesses and the Fire Chief to discuss building heights and sprinkler systems.

Discussion ensued by the Commission on points of interest in addressing during the worksession for the following:

- EEMU as industrial uses, No residential space in the buildings or use of short term rentals.
- Viewshed issues
- Possible limitation of residential use to the first floor only
- Composition of structure steel versus wood due to size
- Fire Marshall approval requirement
- The use of combustible materials used in the boat building industry

Item three for discussion was Fire Sprinkler System requirements for three story buildings

Deputy City Planner Engebretsen inquired what additional information the commission required before making a recommendation.

Discussion ensued and covered the following points:

- Information on measurements
- Definition in city code for “story” **there is definitions to support** the determination of a 2 or 3 story building
- Consideration of a building that is on pilings/piers
- If a structure has a daylight or basement that is considered a story
- Building a structure with 8 foot walls and height to 30 feet would allow only for a flat roof
- Most residential buildings are 1 or 2 story

Commissioner Banks expressed concern if the discussion should follow building heights instead of preceding it stating that currently there is probably not many, if any 3 story commercial buildings. He opined that the Commission should consider building heights then sprinkler systems.

There was a brief discussion on applying the standard language when speaking with the contractors and outlining the schedule for discussion on building height and sprinklers for the meetings in April, May and June.

Discussion ensued briefly on fire service to structures that are higher than the Fire Department is able to service. There were further comments on choosing not to regulate to that standard.

B. Staff Report 19-30, Permitting Process and Building Location Verification

Chair Venuti noted the feedback received during the worksession.

Commissioners then commented on the following:

- lack of the perspective from a surveyor and emphasized the benefits from hearing from that profession
- enforcement of regulations
- Asbuilts

- Implementing requirements for interim check points on applications and permits and various other items such as surveys
- Property lines, corners marking

Deputy City Planner Engebretsen acknowledged that staff had their working points from the worksession and will start to address those things to have ready for the Commission.

INFORMATIONAL MATERIALS

A. **City Manager's** Report for the March 26, 2019 Homer City Council meeting

COMMENTS OF THE AUDIENCE

Heath Smith, resident, commented on the East End Mixed Use District and encouraged the codification and he was not sure what to think of a residential sprinkler system requirement. He believed requiring asbuilts would be a good thing and as far as he was aware all banks require them. He also encouraged the Commission to consider attaching a large fine if there is not an intermediate step and make it large, especially if they do not build to what they said they were going to. Mr. Smith also commented on building height being dependent on the location with regard to viewshed. He thanked the Commissioners.

COMMENTS OF THE STAFF

Deputy City Planner Engebretsen reminded the Commissioners of the City Planner's upcoming schedule, the Conditional Use Permit for the next agenda and cautioned about ex parte communications and thanked the Commission for a productive meeting.

Deputy City Clerk Krause commented on the Commission implementing fines would have the support of at least one person on Council **referring to Council member Smith's comments.**

COMMENTS OF THE COMMISSION

Commissioner Highland apologized for missing the worksession for some reason her packet did not have the worksession agenda. Hopefully they will have a new member soon.

Commissioner Bos good meeting tonight he thought everyone did a good job tonight.

Commissioner Bentz apologized for missing the last meeting as it appears there was a lot discussion on the Climate Action Plan, she saw that the Commission sent a request for further direction to the City Council and in three weeks she will be attending the National Adaptation Forum and potentially be bringing back materials for the Commission to use in any scoping projects and updating the plan; she appreciated the Mayor attending the worksession tonight and providing clarification on his vision and that was limited to clerk time and task force activity so keeping that in mind that the scope of what they can do at this time is building capacity in the future to updating that plan.

Commissioner Smith had no comments.

Commissioner Banks echoed the sentiments that it was a good meeting, appreciated having the contractors here tonight and agreed that if the Staff talked with the surveyors that would be adequate adding that in his opinion they did not need to have another worksession scheduled on the topic. With

respect to the Climate Action Plan he believed that there was more the Commission could look at more often in regards to their deliberations on any decision making that they do as a way to consider Climate Action in anything that they do.

Chair Venuti commented that it was a very interesting meeting and appreciated the worksession and advocated getting the surveyors to a worksession. He brought up the condition of the former Quickie Mart property remarking on the current conditions and was wondering if planning staff was aware of it.

Deputy City Planner Engebretsen responded that the Planning department is aware of the situation and have a determined plan of action.

ADJOURN

There being no further business to come before the Commission, the meeting adjourned at 7:43 p.m. The next regular meeting is scheduled for Wednesday, April 17, 2019 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, MMC, DEPUTY CITY CLERK

Approved: _____