



City of Homer

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Planning

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Staff Report PL 18-18

TO: Homer Advisory Planning Commission
FROM: Rick Abboud, City Planner
DATE: April 18, 2018
SUBJECT: Ordinance 18-12(A) RV's as employee dwelling units in MI and MC Districts, as amended

Introduction

The City council amended the ordinance to include the requirement of obtaining a zoning permit.

Analysis

This should be pretty straightforward. We need to create a permit requirement. The permitting will include reviewing the new code and checking the site to make sure the RV does not block a site triangle for safety. We will need to send a resolution to the council in tandem which will designate the permit name and fee. I will start by suggesting a \$200 fee. This is completely debatable. I use this as a starting point as it is the most common amount we charge, perhaps it could be a bit less expensive since it may be produced more quickly than most.

Staff Recommendation: Hold a public hearing and make recommendation to City Council or Planning Department.

Attachments

Draft Ordinance 18-12(A)

43 c. An employee-occupied recreational vehicle may not directly hook-up to municipal
44 water and sewer without first obtaining written approval by the Public Works
45 Director or his or her designee. The Public Works Director shall grant approval for
46 direct hook-up to the municipal water and sewer if he or she determines that the
47 applicant is in full compliance with this Title. A permit under this subsection may
48 only be submitted by a property owner or a lessee of the property.

49
50 ~~**d. An employee-occupied recreational vehicle is restricted to a maximum of 180**~~
51 ~~**consecutive days of use per calendar year. A zoning permit is required.**~~

52
53 **d. All employee occupied recreational vehicles covered in Homer City Code**
54 **21.54.325 must obtain a zoning permit.**
55

56 Section 2: This ordinance is of a permanent and general character and shall be included in
57 the City Code.

58
59 ENACTED BY THE CITY COUNCIL OF THE CITY OF HOMER THIS ___ DAY OF _____,
60 2018.

61
62 CITY OF HOMER

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68 _____
69 BRYAN ZAK, MAYOR

70 ATTEST:

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72 _____
73 MELISSA JACOBSEN, MMC, CITY CLERK
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75

76
77 YES:

78 NO:

79 ABSTAIN:

80 ABSENT:

81

82

83 First Reading:

84 Public Hearing:

85 Second Reading:

86 Effective Date:

87

88 Reviewed and approved as to form:

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91

92 _____
Mary K. Koester, City Manager

93

94 Date: _____

Holly Wells, City Attorney
Date: _____

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS

REPORTS

A. Staff Report 18-17, City Planner's report

City Planner Abboud reviewed the staff report. He reminded the Commission of the upcoming City Council Meetings.

City Council Meetings are as follows:

April 23, 2018 Commissioner Highland

May 14, 2018 Commissioner Banks

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.

A. Staff Report 18-18, Ordinance 18-12(A) Amending Standards for Recreational Vehicles in the Marine Commercial District and the Marine Industrial District.

City Planner Abboud summarized his staff report and asked the commission how they felt about the proposed fee of \$200 dollars.

Commissioner Venuti asked City Planner Abboud if they should make a recommendation to make sure the vehicles are registered and insured.

City Planner Abboud stated that it is implied in the language used, but they could make a recommendation to make it more definite.

Chair Stead opened the floor for Public Hearing.

Val McLay, non-resident, explained that he has been a past city resident and has been in the area of Homer for a number of years. Mr. McLay spoke in opposition of having RV's on the Spit. In the past it was written in code that there would be no dwellings on the Spit, and he is worried that if a natural disaster, such as an earthquake or tsunami, it would be difficult to get those people out of harm's way.

Chair Stead closed the Public Hearing.

Commissioner Highland asked for clarification on the word “employee-occupied”. She wanted to make sure that it also covers an “owner-occupied” recreational vehicle.

City Planner Abboud stated that this conversation was brought up in the past and he believed that the owner would be allowed to occupy an RV by the way it’s currently written.

Commissioner Bentz stated that she worries about taking the 180 day time limit away because there are some safety concerns about the additional dwellings that will be inhabiting the spit year round. She asked City Planner Abboud if the 180 day duration is removed, will an annual permit be required or will it be just a onetime permit.

City Planner Abboud stated that the commission could recommend an annual permit.

Commissioner Bernard asked who would be responsible for overseeing and regulating the permits.

City Planner Abboud stated that it would be a joint effort between the Port & Harbor Department and the Planning Department.

The commission discussed the options of raising or lowering the fee.

VENUTI/BENTZ- MOVED TO APPROVE ORDINANCE 18-12(A) AND FORWARD IT TO CITY COUNCIL

Commissioner Banks asked City Planner Abboud if the yearly permit will be more of a burden than a onetime permit.

City Planner Abboud explained that an annual permit may be the way to go so that it gives everyone a reminder and a little more regulation.

The commission discussed the addition of an annual zoning permit with a fee.

BENTZ/VENUTI- MOVED TO AMEND LINE 17-18 TO READ “WHEREAS, A ZONING PERMIT **WITH AN ANNUAL FEE** WILL ALLOW THE CITY TO MANAGE EMPLOYEE OCCUPIED RECREATIONAL VEHICLES” AND LINE 53-54 TO READ “D. ALL EMPLOYEE OCCUPIED RECREATIONAL VEHICLES COVERED IN HOMER CITY CODE 21.54.325 MUST OBTAIN A ZONING PERMIT **AND PAY AN ANNUAL FEE.**”

The Commission briefly discussed whether or not they needed to put an exact number in the ordinance for the annual fee.

VOTE:NON OBJECTION. UNANIMOUS CONSENT

Motion carried.

HIGHLAND/BERNARD- MOVED TO AMEND LINE 38 TO READ “AND EFFECTIVE PERFORMANCE OF ITS INTENDED FUNCTION AS AN OPERABLE MOTOR VEHICLE, **REGISTERED AND INSURED.**”

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

There was no further discussion on the main motion.

VOTE: NON OBJECTION. UNANIMOUS CONSENT.

Motion carried.

B. Homer Comprehensive Plan 2018 Update- February 2018 Public Review Draft

- Public Hearing Notice
- February 2018 Public Review Draft

City Planner Abboud stated that this is the time for public to comment on the Homer Comprehensive Plan and for the Commission to propose any changes.

Chair Stead opened the floor for public hearing.

Mark Hadley, non-resident, stated that he is here on the behalf of Homer Gold Mine Gifts as the owners are out of town. Mr. Hadley read the letter that was provided by the owners into the record. The letter was also included in the packet on page 181.

Val McLay, non-resident, stated that he has not seen the letter from Homer Gold Mine Gifts until tonight, but he had a couple of thoughts that went along with it. Mr. McLay stated that it seems like this property is being targeted and that it looks like spot zoning to him, which is illegal. The Waddell’s have owned this property for a very long time and the businesses in this area have boosted the economy by paying taxes. He stated that he understands the City must grow and that there must be changes but that the City needs to take into consideration how many people will be affected by said changes.

Guy Rosi, longtime resident, gave a brief history of the Waddell’s property, stating that it was the first court house in Homer and that Al Waddell’s dad built the building many years ago. He believes that the Waddell’s lot is the core of the city. He stated that other properties throughout Homer have been put into trusts or parks that does not bring any revenue to the city but this property does and has for many years.

