

CALL TO ORDER

Session 24-04, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:32 p.m. on February 21, 2024 at the Cowles Council Chambers in City Hall, located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar. The worksession was canceled for today due to the lack of topics or items.

PRESENT: COMMISSIONERS HIGHLAND, SMITH, SCHNEIDER, VENUTI, STARK, BARNWELL

ABSENT: COMMISSIONER CONLEY (UNEXCUSED)

STAFF: DEPUTY CITY CLERK KRAUSE, CITY PLANNER FOSTER, ECONOMIC DEVELOPMENT MANAGER ENGBRETSSEN

AGENDA APPROVAL

Chair Smith read the supplemental items into the record and requested a motion and second to approve the agenda as amended.

SCHNEIDER/BARNWELL MOVED TO APPROVE THE AGENDA AS AMENDED.

There was no discussion.

VOTE: NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

Heath Smith, city resident, commented on Ordinance 23-61(S) stating that he understands what the intent of Councilmembers Aderhold and Davis bringing forward this ordinance, there is an issue that exists but opined that this ordinance ultimately resolves none of the problems that the city faces. The housing issue is a complex one and will not be resolved with one small component, points that have been brought forward are already addressed in city code, no issues have arisen through local fire or police departments calls and as far as enforcement in residential areas, these places are being used to reside in, whether short term or long term and saw no merit in these changing the nature of those residential areas. He did not think that the city should not get involved. He has spoken to Mayor Micciche regarding taxes and he reported that the Borough has a entire department dedicated to researching, tracking and collection of those businesses. Mr. Smith stated that he concurred with the findings of the EDC.

Scott Adams, city resident, commented on Ordinance 23-61(S) recommending that the Planning Commission forward the ordinance back to City Council with the same recommendation as EDC, he referenced Line 19 in the ordinance regarding the positive impacts of the short term rentals but stated that they do consume city services, and it would be difficult to recoup financially if they do not pay taxes, but the Borough is already addressing that issue as previously pointed out. He expressed his concerns on the city "attacking" one group,

believing that it was unfair as there are other businesses that operate out of Homer and believes that what the EDC recommended at their last meeting regarding zoning and owner live on site then we may find a bunch of this expensive real estate going on the market and you have to question what effect that would have to Homer and so with everything regarding housing addressed what is the real purpose of this ordinance.

Jonathan Young, city resident, apologized to the Commission for not providing the data he had provided to the EDC, as he did not realize that the Commission was going to review the ordinance too. He has reviewed the information presented to the city specifically a memorandum dated September 2023 and then in October 2022 where data was shown that really exacerbated the problem of what AirBnB was doing to the community. He was able to look at every single Airbnb unit listed in the community and did not find a faceless organization buying up a bunch of properties, the majority, and he stated he was still working out the percentage, of individuals live in the community, that relates to the revenue earned being an AirBnB host is reinvested in this community versus a large hotel coming in and that money leaving, taxes, the Borough has been collecting and while the numbers proving that they are actually within Homer city limits are missing are 35 individuals but for the most part have agreed to be "right landlords" both as short and long term rental hosts. He recommended the Commission send back Ordinance 23-61 to Council.

Marcia Kuszmaul, non-resident, Bed & Breakfast owner in the area, President of the Homer Bed & Breakfast Association representing 20 plus properties that are short term rentals. She spoke on the definition and term of Short Term Rental and how it is being applied to Bed & Breakfast businesses but AirBnB's usually do not. Members of the Association follow the guidelines and requirements provided by the State of Alaska and believe that these regulations that are already in place should be considered by the City. Ms. Kuszmaul provided a brief summary of the requirements and then noted that requirements are listed in Homer City Code Title 21 Section 21.51.010 and Section 21.51.100. Ms. Kuszmaul expressed concerns on public education regarding sales tax and collection of such taxes, consistent with regulations already in existence and making sure that businesses are in compliance.

CONSENT AGENDA

Chair Smith noted for the record that all items on the consent agenda are considered routine and non-controversial by the Planning Commission and are approved in one motion. If a separate discussion is desired on an item, a Commissioner may request that item be removed from the Consent Agenda and placed on the Regular Agenda under New Business. He then requested a motion and second to adopt.

- A. Unapproved Special Meeting Minutes for January 31, 2024
- B. Decision & Findings for Conditional Use Permit 2023-08 Planned Unit Development at 1563 Homer Spit Road, 1663 Homer Spit Road and 1491 Bay Avenue

VENUTI/HIGHLAND MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PRESENTATIONS/VISITORS

REPORTS

A. City Planner's Report PC-24-003

City Planner Foster provided a summary of his staff report to the Commission. He reminded the Commission that they will have the review of the Draft Transportation Plan at the worksession on March 6th and hoped that they will have fully reviewed the document by the meeting date. The Commission will be providing comments to City Council on the plan. He also provided comments on the outcome of the Strong Towns presentation noting that it was well attended and the speaker made a very good, thought provoking presentation. Mr. Foster reminded the Commissioners about the free screening of the Cruise Boom on Tuesday, February 27th at 6:00 p.m. at the Homer Theater.

Commissioner Venuti stated that he has received several complaints from his customers on the time it takes to get a building permit and he questioned what the typical timeframe was to receive permits.

City Planner Foster responded to Commissioner Venuti that it is 10 business days from completed application and that was the difference, in review of the application it is often found that the application once submitted does not contain all the required materials. He further stated that the Application process starts with Associate Planner Gross who reviews the packet for all the required information and forms and will follow up with the applicant if there is something missing. It must be complete before a permit is issued. Mr. Foster stated that he doesn't get involved unless there is a sticky situation or challenging application.

Commissioner Venuti inquired if the City Planner was in the office daily.

City Planner Foster stated that the Planning Office is staffed Monday through Friday.

Chair Smith inquired if there were any volunteers to provide the report to City Council. He noted that Commissioner Stark has been providing the reports and confirmed that he will provide this report to Council on Monday.

PUBLIC HEARINGS

PLAT CONSIDERATIONS

PENDING BUSINESS

NEW BUSINESS

A. To Plan for the Future, Imagine the Future – How Foresight and Futures Literacy Can Refocus Urban Planning

Memorandum PC-24-004 from Commissioner Highland as back up.

Chair Smith introduced the item by reading of the title and deferred to Commissioner Highland.

Commissioner Highland spoke her intent for requesting the Commission discuss and or consider this item/topic as she felt it was appropriate content and an interesting article and would be beneficial to forward to the Comp Plan Steering Committee and the Consultant Agnew::Beck for their consideration. She inquired if the Commission and City Planner read it and if they thought that it has merit and agreed it should be submitted to the Comp Plan Steering Committee and Consultant for consideration.

City Planner Foster responded that he did read the article and believed it was relevant to their review and rewrite of the Comp Plan and is relevant to how planning and comp plans are written today. He would be happy to forward to Agnew::Beck but surmised that Agnew::Beck are already using some of the exercises mentioned in the article.

Commissioner Venuti stated in the article on page 22 of the packet, first paragraph after the green highlighted section, *"Also critical is the incorporation of many diverse perspectives into the process. Engaging the community – and every facet of the community- strengthen the results"* and he read that and thought about the input from the community during the Doyon applications and believed that the community input was pretty important and he thought that this really needs to be considered in anything that they do. He reported attending the Strong Towns event and he could not see where there was any discussion on community values or input received from the community, which he believed was valuable.

Commissioner Barnwell commented on the task the Comp Plan Steering Committee focused on at a recent meeting was listing stakeholders to be involved in the development process and that Agnew:: Beck will be using some of the approaches that were applied in similar communities that were presented as examples, i.e. Cordova, Petersburg, Juneau, and Haines, recommending the Commission review those documents. He assured the Commission that Agnew::Beck would be conducting public outreach to all those defined stakeholders, and collecting data from the public. He concurred that reviewing those Comp Plans for those other communities will provide some insight for the Commission.

City Planner Foster supported Commissioner Barnwell's statement agreeing with the future planned public outreach, stating there will be large community wide notifications to provide Homer residents with every opportunity to participate in the process.

Commissioner Schneider commented that his take away on the article was that this focused on being prepared for the future and would be interested in Agnew:: Beck's arsenal regarding this process. He was sure that they were aware of this type of methodology, but would be interested in their response or approach to this kind of thing.

Chair Smith agreed with Commissioner Schneider that it was looking 20-30 years in the future and reverse engineering to the present rather than being reactive to current situations. He believed that the Commission can agree there is a lot of wisdom in that, but there is a lot of danger as well, because

you can go forward two years and all of a sudden do a 180 degrees turn in a different direction, spending a whole lot of money getting to where you came from. How do you get the community to embrace this sort of mindset? His answer to that question was you lean heavily on the process that you already have started within the Community and trust the persons involved in the process, and the experience, education that those people have is really going to incorporate some of these concepts into this process. He looks forward to being a part of it, stating it will be challenging in a small community, as there are certain demographics that value keeping Homer as it is, some whom want smart growth and development, and some in between those two extremes. It will be interesting to see what the public outreach brings to the table.

Commissioner Highland enjoyed the article as it was thought provoking and would look forward to hearing what Agnew::Beck and the Comp Plan Steering Committee has to say about it and reiterated her request that the City Planner forward the article for consideration.

B. Ordinance 23-61(S) Short Term Rentals

Memorandum PC-24-005 from Economic Development Manager as backup.

Economic Development Manager Engebretsen reviewed her memorandum, provided information on the ordinance being introduced by Council and referred to the Economic Development Commission and Planning Commission, attendance at various meetings held by other organizations, what the intended purpose of the ordinance and what the ordinance does not address. She noted the material provided in the packet for the Commission's review and then made a short PowerPoint presentation that covered the following:

- Reviewed Timeline
 - o Spring 2022 Council identified housing as a priority issue
 - o Fall 2022 Short Term Rentals may be impacting housing costs and sales tax compliance is a problem
 - o February 2023 Council approves \$20K for GOV OS services
 - Gather Data on Number of Units prior to Creating New Regulation
 - o August 2023 Contract with GOV OS canceled as results not specific enough to be useful
 - o November 2023 Introduced Ord 23-61 referred to EDC and PC
 - o Dec 2023 to February 2024 Public Meeting, Conversations and Recommendations
 - City launched webpage on the city website as information point with all meetings and information regarding Borough Sales Tax & Collection, Licensing requirements by the State and background information that Council used to develop the ordinance as well as the information that the Special Projects Coordinators put together.
 - Participation in the Chamber Panel with other local experts in Real Estate and the Short Term Rental Industry, Five EDC worksessions and regular meetings on the subject.
 - Substitute Ordinance 23-61(S) draft reviewed by EDC & PC Commissions

- Recommendations submitted to City Council
 - February 26, 2024 Public Hearing and possible action
 - January 2025 If adopted and enacted registration required by businesses
- Noted that the process was a little unusual from a typical planning commission action, the original ordinance was not included in the packet materials due to the previous public process and amendments made and it is no longer relevant and the conversation has moved forward so what is presented for the Commission for discussion is the Ordinance 23-61(S) draft.
- Provided outline of what the ordinance does:
 - Requires registration for short term rental, state business license and in compliance with Kenai Peninsula Borough Sales Tax remittance
 - Self-Certification of Basic Life Safety
 - Fire Extinguishers, CO2 and Smoke detectors installed
 - 24 Hour Emergency Contact
 - For Police/Fire Department Use if required
- What the Ordinance does not:
 - Limit the number of short term rental businesses within the city
 - Provide inspection for basic life safety requirements
 - Provide new staff or increased enforcement capabilities
- Recommendations and or changes from the EDC:
 - Update definition of dwelling
 - Amend registration to clarify registration is for each parcel
 - Amend to reflect existing code of 5 Bedroom/15 persons maximum
 - Amend registration period to every two years
 - Remove whereas clauses related to housing
- Motion from the EDC
 - City Council bring this ordinance back to the drawing board and drill down deeper into the issues that they envision that this ordinance would address and take into consideration all points made by the EDC, the Planning Commission, and members of the Public
- Reviewed summary of Public Comments provided:
 - Ordinance as presented does not address housing
 - Kenai Peninsula Borough is and can address tax collection concerns
 - ordinance does nothing
- Zoning Related Comments:
 - Short term rentals affect the character of residential neighborhood
 - There is no neighbor living next door; variety of temporary occupants
 - Short term Rentals should be owner occupied in the urban and residential districts

Chair Smith opened the floor to comments and questions from the Commission.

Economic Development Manager Engebretsen facilitated discussion on the following:

- Effective date if the ordinance is adopted would allow the city to implement the software as the existing program can be used with a few modifications
 - o Would allow the department to prepare to accept and process 300 plus registrations
- Registration requirement of being compliant paying sales taxes
 - o Collection of sales tax is managed by the Borough
- Homer City Code Title 21.51.100 is existing requirement for Bed & Breakfast businesses to be owner occupied
 - o Rooming Houses do not have the same requirement although they are similar businesses, traditionally they are
- Private residence with additional cabins requires a CUP for permitted principle use
 - o The ordinance does not address this situation
- EDC opinions on the ordinance
 - o No one was happy with the ordinance
- The ordinance is requiring short term rental businesses to register so it is similar to a business license but the city does not have a license requirement.
- There are 238 businesses in accordance with some research provided by a member of the community.
 - o Airbnb does have hotels listed but hotels/motels do not fall under Short Term Rentals, they are commercial businesses
- Definition for Short Term Rentals is outlined on page 35 of the packet, and is defined as a dwelling unit as shown in HCC Title 21, or a portion thereof that is offered or provided to a guest for compensation for a period of less than 30 consecutive days.
- Commissioner related experience with a home being purchased, was used as a short term rental in their residential district with covenants in place to prevent that sort of activity and the ensuing wild parties, snow machines trespassing private property, loud music, etc.
- Short Term Rentals should require onsite property owner
- Short term Rentals affect the characteristics of residential neighborhood because you do not have neighbors
- Proposed Short Term Rentals would fall under Homer City Code Title 8 Permits, Licenses and Regulations
- Clarified that the future Title 21 re-write can provide clarity on short term rentals, bed & breakfasts or rooming house, indicating that these have presented a conundrum for the Planning Department.
 - o The Commission can submit its recommendations and or comments to council regarding owner occupation in urban residential and rural residential districts.
 - o Submission of a records request to the Homer Police Department for the number of noise complaints or disturbances resulted in only one case in two years at a known short term rental.
 - Police categorize complaints as disturbances
 - Reports or disturbances are not identified by the type of property they are such as rental, short term or long term, etc.
 - o Difficult to show that there is a problem if they are not tracking the information

- This ordinance would start that process by requiring short term rental business to register, allowing the Police Department to track calls or reports regarding the location.
- The land use designation of short term rental could be added to Title 21, there is already description of bed and breakfast, hostel, rooming house, hotels and motels but not for short term rentals.
 - The Commission could recommend that the land use be addressed.
 - Administration has previously stated that this would be an iterative process.
 - Changes can be made when needed
- Council wants to assure that businesses are compliant in paying their taxes, emergency contact if there are issues and basic life safety considerations.
 - Redundancy in replicating the work of the Borough
 - Commission can certainly include this in their comments to Council
- Once the changes are implemented in current software the city has the capability of tracking the information.
 - City can handle the processing since it would be a paperless, online process
 - No additional staff required
- There is no enforcement of these new regulations
- There is no inspection for the life safety requirements
 - What value is gained by having these requirements in place if there is no enforcement
 - There is more to home safety than smoke and CO2 detectors
- It would be nice to clarify once and for all if short term rentals are actually causing issues with the affordable housing shortage in Homer.
 - Initially it was thought that this ordinance would address that but in actuality does not however it may be a small step towards that solution.
- Depending on the type of rental short term or long term will depend on what type of life safety preventative measures are required.
 - Has the city looked into the requirements for short term rentals such as sprinkler systems?
 - Can the city be held liable if they start tracking the businesses when an incident happens and the business is not compliant with state regulations regarding life safety.
- In the city currently if someone is constructing multiple buildings, such as the project up on West Hill Road, they are required to have inspection by the State Fire Marshal;
 - Those structures were separated by enough distance that no sprinkler system was required.
- Short term rentals would be allowed in zoning districts that allow Bed & Breakfasts or Rooming House
 - General Commercial 1 allows rooming houses and Bed & Breakfasts but does not allow single family homes
 - It can be stated that short term rentals are widely allowed throughout the community.

- The ordinance was not referred to the Port & Harbor Advisory Commission
 - o Seasonal Workers Housing for the Spit Businesses
 - o Zoning was amended approximately 10 years ago to address housing
 - Business on the lower floor and crew/shop employees on upper floors if used as a residential dwelling longer than 30 days.
 - Planning uses the term lodging as it is not residential and it is not a rooming house.
 - There is a difference as it is not something that a person can walk in off the street and get a room. Terms are to be determined at a later time when title 21 is being updated.
- This ordinance addresses the registration of the short term rental businesses.
- Encouragement to be proactive rather than reactive.

City Planner Foster responded to Commissioner Highland that he has had no prior experience where the community responded with the creation of a regulatory framework to address short term rentals. He acknowledged that it was definitely a hot topic all over the United States not just Alaska.

Chair Smith recommended that the Planning Commission should support the motion that was forwarded by the Economic Development Advisory Commission at their last meeting as follows:

THE EDC RECOMMENDS THAT CITY COUNCIL BRING THIS ORDINANCE BACK TO THE DRAWING BOARD AND DRILL DOWN DEEPER INTO THE ISSUES THAT THEY ENVISIONED THAT THIS ORDINANCE WOULD ADDRESS AND TAKE INTO CONSIDERATION ALL POINTS MADE BY THE EDC, THE PLANNING COMMISSION, AND MEMBERS OF THE PUBLIC.

Ms. Engebretsen facilitated additional comments and questions on the following:

- what City Council would actually be gaining by implementing this ordinance
 - o Information and collection of sales taxes
- Is there additional information aside from what Airbnb, VRBO and the Kenai Peninsula Borough is collecting that the City wants.
- Estimated costs to the city to implement the requirements is unknown
- This motion assumes that we know what City Council envisioned with regards to the “drill down deeper in the issues”
- reiteration of requiring owner occupied businesses

HIGHLAND/ MOVED TO REQUIRE PRINCIPAL OWNER TO BE ONSITE IN URBAN RESIDENTIAL AND RURAL RESIDENTIAL DISTRICTS.

Motion died for lack of a second.

Further discussion on the proposed ordinance 23-61(S) was that it should go forward as written and can be used as a first step and the Commission can add their perspectives similar to the approach used in giving their findings.

STARK/VENUTI MOVED THAT THE PLANNING COMMISSION SUPPORTS THE MOTION ADOPTED BY THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION AT THEIR REGULAR MEETING OF FEBRUARY 13, 2024 THIS ORDINANCE ADDRESSES AND TAKES INTO CONSIDERATION ALL POINTS MADE BY THE EDC, THE PLANNING COMMISSION, AND MEMBERS OF THE PUBLIC.

Discussion ensued on addressing the concerns and comments of the Planning Commission since they have not been officially stated or just supporting the EDC's recommendations. Clarification was provided by the Clerk on how the Commission could approach including their comments and or concerns.

Chair Smith confirmed with the Commission that they were clear on the process to vote on the motion as stated and then the Clerk will ask each Commissioner to state for the record their comments, concerns, and or recommendations.

VOTE. YES. STARK, BARNWELL, VENUTI, SMITH, SCHNEIDER, HIGHLAND.

Motion carried.

Each commissioner then cited their concerns, comments and recommendations for the record:

Commissioner Stark expressed concerns regarding the ordinance being fleshed out and have more robust safety requirements with the registration along with accountability requirements and supported the comments expressed by the EDC and the public.

Commissioner Barnwell expressed concerns on creating a redundancy in government, the city needs a way, as a separate entity to control and account for Short Term Rentals and believed that this is a first initial step to account for them.

Commissioner Venuti expressed his concern on the lack of value in issuing regulations that will not be enforced and redundancy of performing actions that the Kenai Peninsula Borough was doing.

Commissioner Smith commented that he would recommend voting the ordinance down unless there was a truly unique and compelling reason, that the City Council can verify the expense, and as a necessity you know what the State rules are and the Kenai Peninsula Borough's rules are and acknowledging that they are very sufficient, it feels just like an additional layer of bureaucracy that is not really accomplishing anything besides another busy employee.

Commissioner Schneider commented that he had no problem with the ordinance as written there is not much down side to it but it is not anything to get excited about either, there is no upside. It was his hope that going forward City Council will dig a bigger bite out of the subject and create a better definition of what owner-occupied means, what a bedroom is, and we need to address the

impression that is in the Homer community about short term rentals creating problems for the residents.

Commissioner Highland expressed concerns regarding the city being proactive and have regulations in place regarding owner occupied short term rentals citywide otherwise the ordinance is addressing problems in a very small way.

Commissioner Stark requested he be allowed to provide comments in response to the public's comments and it was noted that the rules would need to be suspended and he could provide those comments during his comments at the end of the meeting.

INFORMATIONAL MATERIALS

- A. City Manager's Reports
 - CM Report to City Council January 22, 2024
 - CM Report to City Council February 12, 2024
- B. City of Homer Monthly Newsletter
 - February 2024
- C. Planning Commission Annual Calendar

Chair Smith noted the informational materials provided and inquired if the City Planner had anything to add to the Commission Calendar.

City Planner Foster stated that the Comp Plan Steering Committee was working on their schedule of events and they have tentatively penciled in Tuesday March 26th a worksession and Thursday, March 28th for a Public Meeting,

COMMENTS OF THE AUDIENCE

Marcia Kuzmaul commented that the ordinance is premature, the community deserves to have a clearer vision of what the community has for short term rentals and then the ordinance should support that vision and create the behaviors or requirements to support that desired state. So without having a clear view of what that desired state was she believed it would be difficult to consider an ordinance. Ms. Kuzmaul stated that she will provide the State of Alaska Guidelines to the Chair and noted that the Chair was correct in that public accommodations that are not owner occupied do require automatic fire extinguishing systems and also compliance with the Americans with Disabilities Act, so there are larger issues that these entities operating should be in compliance with State regulations. Thank you for the consideration of all this tonight.

Scott Adams, city resident, commented on information that was provided in the supplemental packet and noted the Commission did not discuss the penalties and restrictions that go with the ordinance tonight. Mr. Adams then commented regarding a possible resubmission of the Doyon

project and if they could conduct a land swap with the parcel they own on Bay Avenue and the right of way for B Street south of Bay Avenue. He proposed a scenario using the parcel to provide the access and buffer between the hotel project and the residential lots. He expressed hope that it can be worked out by downsizing their project. He then expressed comments on determining where the term short term rentals from B & B's since B & B's have been in Homer for at least 40 years, he acknowledged that elderly couples earn income to sustain living in Homer, people's taxes have increased due to inflation and it offers a way for those couples to maintain living in Homer after they have retired. Mr. Adams stated that people thought their retirement would last but with the costs increasing over that last three years, that's gone out the window. He then commented on the origin of STR and Short Term Stay Unit that was used by Doyon.

Kathy Carssow, Homer Resident, provided comments on the current definition of bed and breakfast with the dwelling unit occupied by the operator as the operator's primary residence. She then commented that when reporting to the Planning office that her next door neighbor residence is being run as a short term rental without the owner being on premises, she should be informed that it is illegal. This was supported in the 2018 update to the Comp Plan. Ms. Carssow then provided the definition of Bed & Breakfast for the record. She noted that in 2008 the ordinance was originally written when it required the owner occupancy. Ms. Carssow continued that with the lack of enforcement they have had a migration of hospitality businesses invade the residential areas. She suggested the Commission clarify what constitutes a short term rental, and require permits, require registration for filing taxes and compliance with zoning code. The city should follow up immediately with residents and report non-owner occupied short term rentals. The city could then notify Airbnb regarding their requirements too.

Heath Smith, city resident, expressed his appreciation for the good discussion held and change is never easy, but to borrow a phrase, baby steps, which was used several times, but the thing that should be considered is what those baby steps translate into when you hit your full stride. So it may seem somewhat mild and innocuous in a way that it's not something that is a big deal but bureaucracy has a way of growing so the intentions of the people here today planning for many years down the road but you may not be sitting at this table at that point so it is an animal that is rarely controlled over a long period of time. Mr. Smith stated that Commissioner Venuti made a point regarding enforcement, requirements in place with Airbnb, VRBO, the state and what the Borough is doing and he believed those systems worked well. He then noted that some people may enjoy their neighbors changing every couple of days.

Charles Anderson, realtor, has long term rentals and short term rentals and had developed some projects as well and stated that one of the nails that we need to hang this on getting rid of nuisances and his records request resulted in zero records outside of one involving short term rentals regarding parking. The City with the KPB Assessor has almost completed getting everyone in compliance. He reported that most are local residents that put their homes on the market for the summer. He is aware of many units that were brought onto market.

COMMENTS OF THE STAFF

Economic Development Manager Engebretsen commented that it has been an interesting process in the zoning code when there is an amendment and city code defines that staff should look at it, there is a set process for the planning commission and that is not true for this ordinance that is not part of Title 21. There are questions such as how the city should be using its time and resources, What is its worth? How do you have that conversation? She expressed her appreciation for everyone being civil and productive. The Planning Commission does get some controversial issues and working with the EDC she expressed hope to work together with the two commissions on other projects in the future.

Deputy City Clerk Krause commented that public accommodations fall under Title III of the ADA and should be compliant it does not just apply to hotels, motels but Bed & Breakfasts, as well as any short term rentals, store fronts, retail shops etc.

COMMENTS OF THE MAYOR/COUNCIL MEMBERS

COMMENTS OF THE COMMISSION

Commissioner Highland provided explanation on why the Commission was provided a copy of the book "Less is More" written by Jason Hickel, grandson to Wally Hickel. She thought it may provide some thoughts for pondering.

Commissioner Venuti expressed his appreciation for the other Commissioners serving and that it was an interesting meeting.

Commissioner Barnwell expressed his appreciation for the work that Ms. Engebretsen has and is doing, she wears many hats with the city and he appreciates all she tries to get accomplished. He then expressed his opinion on the proposed ordinance regarding the STR's as a baby step in the right direction, but more discussion is needed but does believe there is a problem with STR's in the city. He appreciated the data that gathered by Mr. Anderson and Mr. Young regarding the STR's believing it was a unique and independent database in conjunction with the information at the Borough level.

Commissioner Stark expressed his appreciation for the public participation, staff and the clerk noting the value each individual offers to the whole by providing their skills and opinions to assist in guiding the project. Mr. Stark commented that it was very encouraging to see the public so involved. But to be fair to the City Council they are accountable to their constituents and he was assured that they came about by some reason or push, lets say merit to put forth the ordinance to address the perceived problem. It is important to address the redundancy as we know that does not provide adequate return for the effort provided. Mr. Stark then commented on the perception of extra bureaucracy but Commissioner Highland pointed out that it is better to be proactive rather than reactive. The Commission and city need to consider these issues and clarification is needed on terms and it can be addressed.

Chair Smith encouraged everyone to review the draft transportation plan before the next meeting as it will be on the agenda for the next meeting. He expressed his appreciation for the Commissioner Barnwell stepping up and being a member on the Comp Plan Steering Committee and they will add the item under reports on the

agenda. He then expressed his appreciation to the Staff welcoming Ms. Engebretsen noting that it was always beneficial to the Commission to have her address topics and working with them.

ADJOURNMENT

There being no further business Chair Smith adjourned the meeting at 8:48 p.m. The next regular meeting is scheduled for **Wednesday, March 6, 2023 at 6:30 p.m.** A worksession will be held at 5:30 p.m. prior to the regular meeting. All meetings are scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom Webinar. Meetings will adjourn promptly at 9:30 p.m. An extension is allowed by a vote of the Commission.

Renee Krause
RENEE KRAUSE, MMC, DEPUTY CITY CLERK II

Approved: *March 6, 2024*