

Session 22-03, a Regular Meeting of the Planning Commission was called to order by Chair Scott Smith at 6:30 p.m. on March 2, 2022 at the Cowles Council Chambers in City Hall located at 491 E. Pioneer Avenue, Homer, Alaska, and via Zoom Webinar.

PRESENT: COMMISSIONERS BARNWELL, CHIAPPONE, HIGHLAND, VENUTI, CONLEY, AND SMITH

ABSENT: COMMISSIONER BENTZ (EXCUSED)

STAFF: DEPUTY CITY PLANNER ENGBRETSSEN
DEPUTY CITY CLERK KRAUSE

The Commission met at 5:30 p.m. for a worksession prior to the regular meeting. On the agenda was discussion on the Special Events and Mobile Food Truck permitting regulations and the approved Wayfinding and Streetscape Plan.

APPROVAL OF THE AGENDA

HIGHLAND/BARNWELL MOVED TO APPROVE THE AGENDA.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT

Motion carried.

PUBLIC COMMENTS ON ITEMS ALREADY ON THE AGENDA

RECONSIDERATION

CONSENT AGENDA

A. Planning Commission Regular Meeting Minutes of February 16, 2022

HIGHLAND/BARNWELL MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

There was no discussion.

VOTE: NON OBJECTION: UNANIMOUS CONSENT.

Motion carried.

PRESENTATIONS / VISITORS

REPORTS

A. Staff Report 22-15, City Planner's Report

Deputy City Planner Engbretsen reviewed Staff Report 22-15 highlighting the following:

- opportunity for training virtually in conjunction with the Alaska Planners Conference
- April 23rd, 2022 deeper dive into specific and technical questions
- At the Planning Conference Week of April 22nd-24th presentations on Coastal Setback regulations and challenges to take the technical information and turn into land use regulations
- EDC has identified affordable workforce housing and balancing the quality of life as the community grows
- New plans for the property at the corner of Pioneer and Sterling Highway information available on the city website
- Notice to property owners regarding changes in zoning

Deputy City Planner Engebretsen provided information in response to Commissioner questions on the proposed community multi-use center and where the information was located on the city website, demolition schedule, and funding.

PUBLIC HEARINGS

A. Staff Report 22-16, Storage Container Dwellings

Chair Smith introduced the item by reading of the title.

Deputy City Planner Engebretsen reviewed Staff Report 22-16 for the Commission.

Chair Smith opened the public hearing and having no one present he closed the public hearing.

Chair Smith requested a motion and second.

HIGHLAND/VENUTI - MOVED TO ADOPT STAFF REPORT 22-16 AND RECOMMEND FORWARDING TO CITY COUNCIL THE DRAFT ORDINANCE AMENDING HOMER CITY CODE 21.03.040 DEFINITIONS USED IN ZONING CODE, "DWELLING" OR "DWELLING UNIT" TO EXCLUDE THE USE OF CONNEX BOXES OR OTHER SIMILAR INTERMODAL SHIPPING CONTAINERS.

There was no discussion.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried

PLAT CONSIDERATION

A. Staff report 22-17, Puffin Acres Bayweld 2022 Replat

Chair Smith introduced the item by reading of the title.

Commissioner Conley declared he had a conflict of interest.

HIGHLAND/VENUTI MOVED THAT COMMISSIONER CONLEY HAS A CONFLICT OF INTEREST.

Commissioner Conley stated that he is employed by Bayweld but personally he would not financially benefit more than his employment.

VOTE. NO. VENUTI, SMITH, CHIAPPONE, BARNWELL.

VOTE. YES. HIGHLAND.

Motion failed.

Deputy City Planner Engebretsen declared that in accordance with city code she does not have a conflict as the parties involved relationship is not as defined in Homer City Code. She explained that the applicants were her husband's grandfather's brother.

Deputy City Planner Engebretsen reviewed and provided a summary of Staff Report 22-17 for the commission.

Chair Smith opened the public comment period and having no public present he closed the public comment period and requested a motion.

HIGHLAND/VENUTI - MOVED TO ADOPT STAFF REPORT 22-17 AND RECOMMEND APPROVAL OF THE PRELIMINARY PLAT TO MOVE A LOT LINE SHARED BY TWO PARCELS WITH THE FOLLOWING COMMENT:

1. DISPLAY A 15 FOOT UTILITY EASEMENT ADJACENT TO ALL RIGHTS OF WAY.

There was a discussion on the lot line placement and the distance from the structure and any possible encroachments and the Borough does not allow the moving of lot lines if there will be an encroachment.

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

PENDING BUSINESS

A. Staff Report 22-18, Building Codes

Chair Smith Introduced the item by reading of the title and invited Deputy City Planner Engebretsen to speak to the staff report.

Deputy City Planner Engebretsen reported that a memorandum was provided for the Commission review and requested a motion of approval and forward to City Council. She noted that a typographical error on second to last line on the first page should have the word "are" inserted after the word "Homer".

Commissioner Highland reported an additional typographical error on page two, second to last line, the word should be "versus" not "verses".

Commissioners reviewed and made the following comments on the content of the memorandum as follows:

Commissioner Barnwell expressed that the tone of the memorandum was conversational and wondered what the City Planner's specific recommendation was to City Council.

Deputy City Planner Engebretsen explained that the memorandum was from the Commission to City Council and read the first line of the memorandum into the record, and noted that the memorandum did not end with that same statement. She stated that the Commission can make changes to the memorandum or they can reformat the memorandum with the recommendation at the top and leave the rest of the memorandum as is.

Commissioner Barnwell expressed that in his opinion the memorandum was a little vague and the Commission has had a lot of discussion on this topic and he for one had mixed feelings about adopting a formal building code or building department at this time. He wanted to make sure that City Council gets a message, in his opinion, get a message like that. Commissioner Barnwell continued by stating that he was not sure that, he hates to say argument, but the argument that they were having at the last meeting and would like to see the memorandum re-written.

Commissioner Highland stated that the first sentence in the memorandum clarifies and goes on to state that there are other ways to do it besides a building department so she was unsure unless Commissioner Barnwell had some other language he wanted use and they could re-write the memorandum right now would be one technique.

Commissioner Barnwell agreed with the first sentence, but expressed that he would prefer to see the very end written as a position statement and assumed it was a question of writing style. He further stated that the first two paragraphs in the memorandum were fine but given that this is such an important topic and issue for Homer, he believed that it should be re-written and he could not do that at this time off the top of his head, but emphasized he would like to see the memorandum concluded better or make some kind of specific recommendation at the end anecdotally stating that he was not a writer like Commissioner Chiappone or Commissioner Venuti.

Commissioner Chiappone questioned if Commissioner Barnwell wanted to specifically state in the memorandum that the Commission recommends investigating the use of contractors as opposed to creating a building department.

Commissioner Barnwell responding that he did and further stated that the memorandum could state something like, it boils down to the question of should we adopt, just speaking out loud from the last meeting, another layer of bureaucracy for a building department and formal building codes when the alternative is to not have such a formalized approach at this time and maybe a third point would be that the Commission recommends the Planning Department look at options a little more closely and do a bit more analysis.

Commissioner Chiappone rephrasing the last statement asked if Commissioner Barnwell wanted to recommend that they do a cost analysis between having a building department versus using existing contractors of some kind.

Commissioner Barnwell responded that was what he was referring to and noted that it was brought up at the last meeting and continued by stating he would like to have a cost analysis and a very clear comparison of the options with the pros and cons.

Deputy City Planner Engebretsen provided two points in response as follows:

- City Council is going to have a visioning session in mid-March and if the Commission would like them to have a conversation on Building Codes then passing this memorandum tonight is important so that it can be placed in the next Council packet. Holding it over to the March 16th Commission meeting is too late and they could potentially lose a year of opportunity on getting it on Council's agenda for action.
- The Planning Department is at its limit on what it can do in-house. Analyzing this in order for something to happen further, City Council will need to approve funding no matter what is decided. The Commission needs to make a motion that they find this item important and that there are different models that can be reviewed and not sure which model would be the best.

HIGHLAND/BARNWELL MOVED TO ADOPT STAFF REPORT 22-18 AND FORWARD THE DRAFT MEMORANDUM TO CITY COUNCIL AND ADMINISTRATION ON IMPLEMENTATION OF LOCAL BUILDING CODES.

Further discussion on the following points ensued:

- concerns of how sustainable a building department would be
- added costs on the contractors
- getting input from the business community in the implementation of building codes and how that would affect them
- expressing a strong belief that it can be and has been done by private businesses since 1994
- Concerns on efficiencies and effectiveness being conducted by a municipal building department compared to private businesses
- this is not a quick process and there will be plenty of opportunity in the future for public comment and testimony
- potential hiring of a consultant as the Planning department is not qualified to draft this language
- this item and subject is beyond the purview of the Planning Commission and while financial aspects may be of a concern the big picture is what the Commission should be focused on
- Specificity is important but to introduce the topic there is enough information contained in the memorandum as presented
- Public hearings will be conducted on funding aspects and regulations in city code

VOTE. NON-OBJECTION. UNANIMOUS CONSENT.

Motion carried.

NEW BUSINESS

INFORMATIONAL MATERIALS

- A. City Manager's Report for Feb. 28, 2022
- B. Planning Commission Calendar

COMMENTS OF THE AUDIENCE

COMMENTS OF THE CITY STAFF

Deputy City Planner Engebretsen commented on the lack of training scheduled from the Borough due to Mr. Huff moving to Homer Electric Association but reminded them of the opportunities offered through the planning conference. She expressed her appreciation for a short meeting.

Deputy City Clerk Krause expressed that she wanted to have Ms. Engebretsen conduct their future commission meetings as she conducts a very efficient and organized meeting.

COMMENTS OF THE COMMISSION

Commissioner Venuti expressed his appreciation for Ms. Engebretsen doing a good job and extended his appreciation to Ms. Krause as well. It was a very interesting meeting.

Commissioner Highland echoed Commissioner Venuti's sentiments regarding staff.

Commissioner Chiappone thanked Ms. Engebretsen for a good meeting. He further commented on the wayfinding and related his experience growing up in Niagara Falls and repeatedly having to direct tourists to the falls, so he appreciated the work done on the signage.

Commissioner Barnwell stated that he was very excited about the Wayfinding Plan and complimented Ms. Engebretsen on a fine piece of work as well as the work of the consultant. He stated that it was exciting to see that come to fruition. Mr. Barnwell expressed his opinion that the Commission did the right thing by approving to forward the Memorandum to City Council and believed it was a good way to get things started and that this was a very good meeting.

Commissioner Conley commented that it was an informative meeting, and thanked the staff.

Chair Smith echoed the Commissioners sentiments on a very good meeting, and expressed his experience traveling and finding your way around a town with proper signage versus one that does not have appropriate signage. He expressed his appreciation for the group efforts and the input from the Commissioners.

ADJOURN

There being no further business before the Commission, the meeting was adjourned at 7:28 p.m. The next Regular Meeting is Wednesday, March 16, 2022 at 6:30 p.m. A worksession is scheduled for 5:30 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska and via Zoom webinar.

Renee Krause, MMC, Deputy City Clerk II

Approved: _____