



Haines Borough
Planning Commission Meeting
May 9, 2013
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG** – Chairman **Goldberg** called the meeting to order at 6:30 p.m. in Assembly Chambers and led the pledge to the flag.

2. **ROLL CALL** – **Present:** Chairman Rob **Goldberg**, Commissioners Rob **Miller**, Andy **Hedden**, Lee **Heinmiller**, Don **Turner III**, Danny **Gonce**, and Robert **Venables**.

Staff Present: Xi “Tracy” **Cui**/Borough Planning & Zoning Technician III

Also Present: Joanne **Waterman**, Darcee **Messano**, James **Studley**, Aaron **MacDonald**

3. **APPROVAL OF AGENDA**

Motion: **Miller** moved to “approve the agenda”. **Gonce** seconded it. The motion carried unanimously.

4. **APPROVAL OF MINUTES** – April 18, 2013 Regular Meeting

Motion: **Heinmiller** moved to “approve the April 18, 2013 Regular Meeting Minutes.” **Miller** seconded it. The motion carried unanimously.

5. **PUBLIC COMMENTS** – None

6. **CHAIRMAN’S REPORT** –

Goldberg stated that the community is looking into the possibility of replacing/restoring the Borough buildings. The community has consulted an engineering company to estimate the cost and seek solutions to increase the energy efficiency of those buildings.

7. **STAFF REPORTS**

Cui reported recent permitting and enforcement activities.

8. **PUBLIC HEARINGS**

A. Jeffrey and Darcee Messano – Guest House Conditional Use Proposal

Goldberg opened up the public hearing at 6:40 p.m.

Messano stated that she is requesting for the Planning Commission to approve her conditional use proposal to allow the construction of a 14’ by 18’ cabin to be built on her property. The proposed cabin is for sleeping purposes only.

Goldberg closed the public hearing at 6:41 p.m.

Motion: **Venables** moved “to approve **Messano**’s conditional use proposal to build a 14’ by 18’ cabin.” **Miller** seconded it. The motion carried unanimously.

9. **UNFINISHED BUSINESS** - None

10. **NEW BUSINESS**

A. Historic District/Building Review - None

B. Haines Borough Code Amendments – Title 18 Revisions

1. Parking Regulations in HBC 18.80.040

Goldberg stated that small lots in the downtown area make it difficult for commercial development to meet the parking requirements and code change may help remedy this problem. He suggests that on-street parking spaces adjacent to the property being developed may be counted toward meeting the parking requirement.

Miller asked how long does it allow for someone parking on-street before being towed away. **Miller** said parking spaces cause a lot of issues between neighbors in Juneau.

Turner stated that the parking regulations are fine, and there is nothing wrong with the current parking regulations. He believes it will cause a lot of other problems if the parking code gets amended.

Goldberg said the over-night parking and snow-removal issues will be resolved if the code amendment is only subject to commercial uses.

Studley stated the existing parking regulations for commercial uses are over-restrictive, which causes high cost of commercial developments in Haines.

Miller said he thinks on-street parking adjacent to the residential properties should be exclusive in this case.

Venables asked if the Planning Commission may grant a variance for parking standards.

Goldberg answered it will be very difficult to grant a variance request if there is no physical problem with the property.

Miller said he thinks there are not enough parking spaces for St. Lucy's Assisted Living. However, he is not against the parking code amendment.

Gonce suggested all on-street parking should be only allowed for short term.

Venables moved to "recommend the Assembly amend Haines Borough code that legal, on-street parking spaces adjacent to commercial property being developed may be considered by the Planning Commission for short term parking and counted toward meeting the parking requirement in 18.80.040(B)." **Miller** seconded it. The motion passed 6 to 1 with **Turner** opposed.

2. 15' Building Separation Regulations in HBC 18.80.030

Goldberg said the Planning Commission has seen several conditional use applications for the 15-foot building separation requirement that involved unoccupied structures. Since the 15-foot building separation is for public safety and fire-related concerns, **Goldberg** suggests that 15-foot separation between unattached buildings applies only when at least one of the buildings is for human occupancy.

Miller mentioned the current code requires fire-related concerns must meet the approval of both the state fire marshal and local fire department. However, the buildings for residential uses are not able to get approval of the state fire marshal. He thinks that this needs to be fixed as well.

Venables asked if the current setback regulations are applied Borough wide.

Goldberg answered it only applies to the townsite service area. The Planning Commission can consider expanding setback regulations Borough wide. This topic will be scheduled as a discussion item for the next regular Planning Commission meeting.

Heinmiller moved to “recommend the Assembly amend Haines Borough code 18.80.030 that the distance between unattached buildings must be 15 feet unless approved as a conditional use by the Planning Commission. Building separation is intended for public safety; fire-related concerns must meet the approval of both the state fire marshal and local fire department, where applicable. The 15-foot separation between unattached buildings applies only when at least one of the buildings is for human occupancy.” **Gonce** seconded it. The motion carried unanimously.

3. Clarify “Temporary Residence” in HBC 18.60.020 and “Temporary Use” in HBC 18.20.020

Goldberg mentioned according to HBC 18.60.020, temporary residence permits may be granted for a period of one year, and one six-month extension of the temporary residence permit may be granted by the Planning Commission as long as the developer is complying with all requirements. However, HBC 18.20.020 defines “temporary use” as a building or structure that is capable of being immediately moved, or a use which is for a limited time up to six months. There is a conflict between those two sections of code, which need to be fixed.

Venables asked if a yurt is considered as a temporary residence.

Goldberg answered a yurt is considered as a single residential structure, which requires a land use permit.

Turner said he thinks a yurt should be considered as a “tent”, the same as mobile homes, RVs and trailers.

Goldberg said the issues of a yurt will be scheduled as a discussion item for the next regular Planning Commission meeting.

Turner moved to “recommend the Assembly amend Haines Borough code 18.20.020 that ‘temporary use’ means a building or structure that is capable of being immediately moved, or a use which is for a limited time up to 18 months.”

Miller seconded it. The motion carried unanimously.

4. Disclosure of Zoning Regulations for Property Sales

Venables stated that it is very important to disclose the zoning regulations to let the property owners know the allowable uses that may occur in different zoning areas. For example, people can build houses within zero setback to the property lines in commercial zone; junk yards and power plants could be allowed in light-industrial zone.

Studley said it is state law that requires the real estate agency to disclose zoning regulations for property sales. However, the problem is that a lot of people sell their properties on their own, and they will not tell the future owners about allowable uses that may happen in the area.

Venables suggested that the disclosure of zoning regulations could be shown on a survey plat, but he does not have any detailed suggestions yet.

Miller said it will be a good idea if the Borough staff could disclose the property report and provide a list of allowable uses that may happen in the area to the future property owners.

Goldberg said he will go talk with the Borough manager. This topic will be back on the agenda of the next Planning Commission meeting.

5. Flashing or Blinking Sign Regulations in HBC 18.90.070

Goldberg said flashing/blinking signs are becoming more prevalent in the townsite service area, but currently flashing/blinking signs are prohibited by Haines Borough code. The Planning Commission needs to determine either to enforce the code or change the code.

Heinmiller said the technology is approaching the small town. Flashing/blinking signs are very distracting.

Turner asked if the “scrolling” sign in school is prohibited by the Borough code. He does not think it is a flashing/blinking sign, because it just changes a message to another message.

The Planning Commission agreed on enforcing the code.

C. Project Updates – None

D. Other New Business

1. Soboleff/McRae Veteran’s Village Plan

Studley gave the Planning Commission a brief introduction to the preliminary plan of Soboleff/McRae Veteran’s Village (SMVV). He said Haines Assisted Living (HAL) does not need a conditional use or variance permit because they have 43 parking spaces to meet the code. HAL wants to widen the street on the south side of SMVV by placing a curb closer to the facility, essentially indenting the existing sidewalk and bringing it closer to the proposed Veteran’s building and creating two off-street parking spaces within the circumference of the parking lot. The sidewalks will be paved. The problem is that these sidewalk improvements are all within the Borough Right-of-Way. HAL will build one storm drain system to connect to 3rd Ave. The design allows for a safety factor by placing a “No Parking” sign near 2nd Ave on Dalton St facing west, which will keep a clear visual path looking towards 2nd Ave. HAL is requesting for the Planning Commission to approve and accept the construction of the sidewalk and street improvements. **Studley** said he just wants to make the street look nice.

Goldberg said it is actually a gift to the Borough.

Miller said he thinks this preliminary plan is a lot better than the one with no sidewalk and street improvements. He has no problems with HAL’s proposal.

Goldberg said that HAL’s proposal is use-by-right in commercial zone. The permit should be approved administratively in the Borough office. The Planning Commission can recommend HAL’s proposal subject to the Borough manager’s approval as these sidewalk and street improvements are within the Borough Right-of-Way.

Venables moved to “recommend the manager to accept HAL’s proposal for sidewalk improvements on Dalton St.” **Heinmiller** seconded it. The motion passed 6 to 1 with **Turner** opposed.

More discussion ensued.

2. Downtown Revitalization Committee

The Planning Commission recommended the Mayor appoint Rob **Miller** to fill one seat on the Downtown Revitalization Committee. The motion carried unanimously.

11. **COMMISSION COMMENTS** - None

12. **COMMUNICATION** - None

13. **SET MEETING DATES** – The next Regular Planning Commission meeting is scheduled for 6:30 p.m. on Thursday, June 13, 2013.

14. **ADJOURNMENT**– 8:49 p.m.