

**KENAI PLANNING & ZONING COMMISSION –
REGULAR MEETING
AUGUST 24, 2022 – 7:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR JEFF TWAIT, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai Planning & Zoning Commission was held on August 24, 2022, in City Hall Council Chambers, Kenai, AK. Chair Twait called the meeting to order at approximately 7:00 p.m.

1. Pledge of Allegiance

Chair Twait led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Commissioners present: J. Twait, A. Douthit, G. Woodard, D. Fikes, V. Askin, J. Halstead

Commissioners absent: G. Greenberg

Staff/Council Liaison present: Interim Planning Director M. Best, Vice Mayor J. Glendening,
Deputy Clerk M. Thibodeau

A quorum was present.

3. Agenda Approval

MOTION:

Commissioner Halstead **MOVED** to approve the agenda as written. Vice Chair Douthit **SECONDED** the motion. There being no objection; **SO ORDERED**.

4. Consent Agenda

MOTION:

Vice Chair Douthit **MOVED** to approve the consent agenda. Commissioner Halstead **SECONDED** the motion. There being no objection; **SO ORDERED**.

All items listed with an asterisk () are considered to be routine and non-controversial by the Commission and will be approved by one motion. There will be no separate discussion of these items unless a commission member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

5. *Excused Absences – None.

B. APPROVAL OF MINUTES

1. *Regular Meeting of August 10, 2022

Approved by the consent agenda.

C. SCHEDULED PUBLIC COMMENTS – None.

D. UNSCHEDULED PUBLIC COMMENTS – None.

E. CONSIDERATION OF PLATS – None.

F. PUBLIC HEARINGS – None.

G. UNFINISHED BUSINESS – None.

H. NEW BUSINESS

1. **Resolution PZ2022-22**– Application for a Home Occupation Permit for music instruction submitted by Deborah Sounart, 112 Linwood Lane, Kenai, Alaska 99611, for property described as Lot 1A, Eventyr Subdivision Sounart Replat.

MOTION:

Commissioner Askin **MOVED** to approve Resolution PZ2022-22. Vice Chair Douthit **SECONDED** the motion.

Director Best explained that the application was for a Home Occupation Permit for music instruction; the application met all standards for home occupation, and staff recommended approval with the following conditions:

1. Applicant must comply with all federal, State of Alaska, and local regulations.
2. Pursuant to KMC 14.20.230(f), a home occupation permit is not transferable to another person or location.
3. If the applicant decides to put up a sign for her business, she will first obtain a sign permit from the City.

Applicant Deborah Sounart noted that she is a retired schoolteacher and a private music teacher. She explained that through her work on the City Council she learned that a home occupation permit was required for the private lessons she had been conducting, and submitted an application to become compliant. She noted that she does not teach lessons full time; she has 20 students total and explained how transportation to her home would not add significant traffic. She also noted that she owns adjoining property on either side of her home that serves as a buffer for sound.

Director Best discussed home occupation permits within the City, and asked for suggestions on how the City can improve public awareness and compliance with the home occupation permitting process. Sounart noted that it would be helpful to learn about City permits during the State licensing process or when registering with the Kenai Peninsula Borough for sales tax.

Clarification was provided that there had been no noise complaints from neighbors, and that operating hours are between 9:00 A.M. and 5:00 P.M.

The Commission discussed whether it would be beneficial to add quiet hours as a condition of the permit. Arguments in favor of adding the condition included keeping consistent standards with conditional use permits that have been issued, setting a standard precedent for future home occupation permits, and that it would place no burden on the applicant as she is already operating within the suggested quiet hours. Arguments against adding the condition included that it was unnecessary, that the applicant had come forward voluntarily with an application that had met all the standards, and that setting rules and regulations preemptively may dissuade people from applying for permits in the future. Clarification was provided on differences between conditional use permits and home occupation permits.

VOTE:

YEA: Woodard, Douthit, Fikes, Halstead, Twait, Askin

NAY: None.

MOTION PASSED UNANIMOUSLY.

I. PENDING ITEMS – None.

J. REPORTS

1. City Council – Vice Mayor Glendening reported on the actions of the August 17, 2022 City Council Meeting. He noted that a Joint Work Session has been tentatively scheduled for September 21, 2022 to discuss the Kenai Waterfront Revitalization project, the upcoming Silver Salmon Derby and dipnet wrap-up meeting.
2. Kenai Peninsula Borough Planning – Commissioner Fikes reported on the actions of the August 22, 2022 Kenai Peninsula Borough Planning Meeting.
3. City Administration – Planning Director Best reported on the following:
 - The new Planning Director has been hired; her first Planning & Zoning Commission Meeting will be on September 28, 2022.
 - Expressed appreciation for the discussion on home occupation permits, and will discuss possible improvements to permitting process with Administration.
 - Met with FEMA representatives regarding the flood plain ordinance to discuss next steps.
 - Department of Transportation will be upgrading areas south and west of the Warren Ames Bridge, including improving the gravel surface of bridge and installing boardwalk and steps.
 - Issued drilling permit to Hilcorp.
 - Three Bears has applied for a gas station facility, will be meeting with them next week.

K. ADDITIONAL PUBLIC COMMENTS – None.

L. INFORMATION ITEMS – None.

M. NEXT MEETING ATTENDANCE NOTIFICATION

1. September 14, 2022

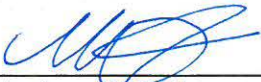
N. COMMISSION COMMENTS & QUESTIONS

Commissioner Askin noted that it had been good discussion.

O. ADJOURNMENT

There being no further business before the Commission, the meeting was adjourned at 7:42 p.m.

Minutes prepared and submitted by:



Meghan Thibodeau
Deputy City Clerk