

Planning Commission
MS Team Virtual Meeting
Meeting Minutes
July 20, 2021



Approved: kmd

Chair Adam Yanasak called the meeting to order. Commissioners in attendance: Michael Zelinski, Christine Lavra, Michael Finch, and Charles Adkins.

Commissioners Absent: Chris Holland, Kathryn Beck, Carly McGinn, and Alex Lark

Staff Present: Yorik Stevens-Wajda, Rebecca McCrary, Dan Eernisse, Steve Ingalsbe, and Kathy Davis

Meeting Minutes

Motion: Commissioner Finch made a motion to approve the June 1, 2021 meeting minutes.

Commissioner Zelinski seconded the motion.

Vote: Commissioner Adkins, yes; Commissioner Finch, yes; Commissioner Lavra, yes; Commissioner Zelinski, yes; and Chair Yanasak; yes.

Motion Carried.

Commissioner Reports

None

Staff Comments

Yorik Stevens-Wajda, Planning Director, provided updates on City reopening status, draft Rethink Housing Action Plan, the 2021 package of Comprehensive Plan amendments, House Bill 1220 regarding supportive housing and shelters, House Bill 5235 regarding occupant limits for unrelated persons, and Rethink Zoning corrections and clarifications.

General Citizen Comments

None

Item 1: Home Occupation Code Amendment Public Hearing

Dan Eernisse, Economic Development Director, presented information on the “Whereas” section of the resolution, the key issues raised; the list of prohibited uses; reviewed the existing and proposed changes to the Home Occupation regulations; and public comments received on the draft regulations.

Commission Discussion

Commissioner Finch and Commissioner Lavra expressed concern about gun sales in residential neighborhoods. Ms. McCrary responded that under the proposed regulations, retail sales of firearms and ammunition would not be prohibited. She added that staff would review that specific retail sale prohibition in residential areas with the City attorney. Commissioner Zelinski added that he was concerned about retail sales in general in residential areas.

Commissioner Finch expressed concern about parking in residential neighborhoods and asked about parking complaints on the weekends. Mr. Eernisse responded that code enforcement staff didn't work on the weekends; however, the Police Department enforces parking regulations and can be contacted on the department's nonemergency line. Commissioner Finch asked if the updated regulations were meant to address an increased demand in home occupation business requests. Mr. Eernisse responded that the updated regulations were meant to provide for more flexibility and equitable opportunities for entrepreneurial behavior.

Commissioner Zelinski was concerned about parking and traffic impacts in residential neighborhoods by allowing for retail sales and employees, or services which could generate a significant amount of traffic. Allowing retail sales would appear to conflict with the goal of preserving single family neighborhoods. He suggested a requirement for on-site parking. Mr. Eernisse responded that the City right-of-way could be used for commerce and limiting the hours of home occupation businesses would help alleviate parking congestion in the neighborhoods.

Commissioner Lavra generally supported the amendments; however, she asked what types of businesses the City were promoting through the amendments. Mr. Eernisse responded that he anticipated that most of the retail sales would be done through on-line services.

Chair Yanasak asked if Code Enforcement staff had reviewed the amendments. Mr. Eernisse responded that Code Enforcements staff comments were included in the amendments. Chair Yanasak supported the amendments.

Citizen Comments

Greg Lineberry, 3827 Kromer, stated that he initially requested the amendments because of the COVID emergency; however, he felt that the amendments were appropriate for the start-up of new businesses or those businesses that provide their product through on-line services. The city's current home occupation regulations were more prohibitive than what was commonly allowed in other jurisdictions. He was supportive of the amendments.

Ismail Mohammed, 3102 Rucker Avenue, asked if the amendments affected the live-work unit regulations. Ms. McCrary responded that live-work units are unique and are only allowed in commercial zones. Mr. Eernisse added that home occupation retail sales would be limited by the number of customers per day and that live-work units were more of a retail business use. Mr. Stevens-Wajda stated that for residences located in commercial zones, if a resident needed the permissiveness that

live-work units provided and the residential use fit those characteristics, the resident could have a live-work unit; however, if the business wasn't built as a live-work unit or not located in a commercial zone, the resident would have to comply with the home occupation regulations.

Motion: Commissioner Adkins made a motion to close the public hearing. Commissioner Finch seconded the motion.

Vote: Commissioner Adkins, yes; Commissioner Finch, yes; Commissioner Lavra, yes; Commissioner Zelinski, yes; and Chair Yanasak; yes.

Motion Carried.

Motion: Commissioner Adkins made a motion to approve the code amendment as written. Chair Yanasak seconded the motion.

Vote: Commissioner Adkins, yes; Commissioner Finch, no; Commissioner Lavra, abstain; Commissioner Zelinski, no; and Chair Yanasak; yes.

Motion Denied.

Motion: Commissioner Adkins made a motion to approve the code amendment with the prohibition on firearms, ammunition, and adult use sales in home occupation businesses. Chair Yanasak seconded the motion.

Vote: Commissioner Adkins, yes; Commissioner Finch, yes; Commissioner Lavra, yes; Commissioner Zelinski, no; and Chair Yanasak; yes.

Motion Carried.

Staff Comments

Mr. Stevens-Wajda stated that the next Planning Commission meeting would be on August 17, 2021, almost certainly still held remotely on MS Teams.

ADJOURNED 7:40 PM



Planning Commission Secretary

8/24/21

Date



Administrative Assistant

8-21-2021

Date

