

**PLANNING COMMISSION REGULAR MEETING
DECEMBER 12, 2017 AT 6:30 PM
CORDOVA CENTER COMMUNITY ROOMS A & B
MINUTES**

1. CALL TO ORDER

Chair *Tom McGann* called the Planning Commission Regular Meeting to order at 6:30 PM on December 12, 2017 in Cordova Center Community Rooms A & B.

2. ROLL CALL

Present for roll call were Chair *Tom McGann* and Commissioners, *Scott Pegau, Allen Roemhildt, Nancy Bird, Chris Bolin,* and *Lee Holter. John Baenen* was absent.

Also present was City Planner *Samantha Greenwood* and Assistant Planner *Leif Stavig*.

0 people were in the audience.

3. APPROVAL OF AGENDA

M/Bird S/Pegau to approve the agenda.

Upon voice vote, motion passed 6-0.

Yea: *McGann, Pegau, Roemhildt, Bird, Bolin, Holter*

Absent: *Baenen*

4. APPROVAL OF CONSENT CALENDAR

- a. **Minutes of October 10, 2017 Public Hearing**
- b. **Minutes of October 10, 2017 Regular Meeting**
- c. **Minutes of November 20, 2017 Public Hearing**
- d. **Minutes of November 20, 2017 Special Meeting**

M/Pegau S/Roemhildt to approve the consent calendar.

Upon voice vote, motion passed 6-0.

Yea: *McGann, Pegau, Roemhildt, Bird, Bolin, Holter*

Absent: *Baenen*

5. DISCLOSURES OF CONFLICTS OF INTEREST

6. CORRESPONDENCE

- a. **Letter from Parks and Recreation Commission**

Greenwood said that staff was coordinating with the state Department of Environmental Conservation and the Army Corps of Engineers to get the disc golf course set up.

- b. **Newsletter #1 Hazard Mitigation Plan Update**

7. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

- a. **Guest Speakers**
- b. **Audience comments regarding agenda items**

8. PLANNER'S REPORT

Greenwood said the Science Center land disposal moved forward at council as direct negotiation. The construction of the pedestrian path on Whitshed Road is moving forward, but has been pushed back to 2020. Staff met with the contractor who was updating the city's Hazard Mitigation Plan. She said that the Hippy Cove culverts project was also pushed back to 2020 and that it was incorporating repaving a portion of the road. *Greenwood* explained that old houses built partly in the right of way can get an Encroachment Permit for financing. She said that someone had built a shed in a right of way and they are actively working on enforcement and removal of the shed.

9. NEW/MISCELLANEOUS BUSINESS

a. Resolution 17-04

A resolution of the Planning Commission of the City of Cordova, Alaska, recommending to the City Council of the City of Cordova, Alaska to repeal and reenact Chapter 18.60 of the Cordova Municipal Code in order to update and clarify the conditional use process and create a conditional use process for marijuana establishments

M/Bird S/Bolin to approve Resolution 17-04.

McGann commented that the changes to the purpose were not needed as the language used was already in the proposed code in later sections. *Greenwood* said that the commission agreed to the change after *Pegau's* comments at the last meeting. The commission discussed making a small grammatical change.

M/Pegau S/Bird to amend the proposed code to add an additional buffer zone of 500 feet between a marijuana establishment and a recreation or youth center, a building in which religious services are regularly conducted, a correctional facility, a hospital, parks and playgrounds, and public buildings with the related code as it appears in the staff memo.

Pegau said that this would put them into compliance with state law. The state does not have buffers from hospitals, parks and playgrounds, and public buildings and he has no issue with adding them. From looking at the maps, there is still a lot of available area. *Greenwood* said that the city does not have to have the state buffers in their code as someone can't get a marijuana license from the state without meeting the state buffers.

Bird said she didn't see any issues with the additional buffers. She hates to make it too detailed, but if everyone agrees with it, she is fine with it. She verified that the Conditional Use Permits that they issued would remain in a permitted area under the additional buffers. *Bolin* said that Map 3 (the map showing the buffers created by the motion) and Map 4 were very limiting. *McGann* said that it basically pushes businesses into the annexed areas.

Roemhildt said he agreed with the additional buffers as 500 feet is not a lot to give up and there is still areas for the marijuana businesses. *McGann* commented that it was interesting that they had a buffer from a hospital with the hospital opening a pharmacy. He said that the more the commission adds to the code, the more enforcement the city would be responsible for as opposed to the state. He thinks it opens them up to more problems and would like to keep the code without the additional buffers. *Greenwood* said that the city always has the opportunity to protest licenses.

Pegau said that the enforcement would be at the application for the Conditional Use Permit. *McGann* said that the enforcement comes in when a new buffer is created by a new building. *Greenwood* explained that the additional code allows the Conditional Use Permit to remain if they are in a buffer as long as the license does not expire or get revoked, which is what the state does. *Pegau* clarified that the amendment includes this language from the staff memo under 18.60.080 B and C.

Upon voice vote, motion to amend passed 4-2.

Yea: *Pegau, Roemhildt, Bird, Holter*

Nay: *McGann, Bolin*

Absent: *Baenen*

Upon voice vote, resolution passed 6-0.

Yea: *McGann, Pegau, Roemhildt, Bird, Bolin, Holter*

Absent: *Baenen*

10. PENDING CALENDAR

Stavig mentioned that there was going to be a lot on the January agenda.

11. AUDIENCE PARTICIPATION

12. COMMISSION COMMENTS

Roemhildt thanked staff for the gift and the way everything was presented in the packet.

Bird echoed *Roemhildt* and said that in looking at the maps they have taken away some of the available area for marijuana establishments, but there is still a lot of area available and she doesn't think Cordova needs more than one or two of the businesses.

Holter said he appreciated the gift.

Bolin said he appreciated the gift.

Pegau thanked staff for the gift and the maps. He welcomed *Holter* to the commission.

13. ADJOURNMENT

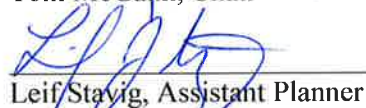
M/Pegau S/Holter to adjourn the Regular Meeting at 7:15 PM.

With no objection, the meeting was adjourned.

Approved:



Tom McGann, Chair



Leif Stavig, Assistant Planner