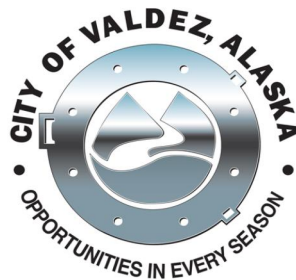


**City of Valdez**

*212 Chenega Ave.  
Valdez, AK 99686*



**Meeting Minutes Draft**

**Wednesday, April 14, 2021**

**7:00 PM**

**Regular Meeting**

**Council Chambers**

**Planning and Zoning Commission**

**REGULAR AGENDA - 7:00 PM****I. CALL TO ORDER**

Chair Jess Gondek called the meeting to order at 7:00 p.m. in the Valdez City Council Chambers.

**II. ROLL CALL**

Present 9 - Chair Jess Gondek  
Commission Member Donald Haase  
Commission Member Brandon Reese  
Chair Pro Tempore Harold Blehm  
Commission Member Stephen Goudreau

Excused 2 - Commission Member Rhonda Wade  
Commission Member Roger Kipar

Also Present 3 – Planning Director Kate Huber  
Administrative Assistant Sandra Mobley  
Planning Technician Nicole LeRoy  
Senior Planner Bruce Wall  
Assistant City Manager Roxanne Murphy

**III. PUBLIC BUSINESS FROM THE FLOOR****IV. NEW BUSINESS**

- 1. Approval of Temporary Land Use Permit 21-05 for the Roadside Potatohead Too, LLC for Six Months on 325 Square Feet of Public Right-of-Way Immediately Adjacent to Lot 12, Block 40, Harbor Subdivision.**

MOTION: Commission Member Haase moved, seconded by Commission Member Goudreau, to approve temporary land use permit 21-05 for the Roadside Potatohead Too, LLC for six months for a 325 square foot portion of public right-of-way immediately adjacent to Lot 12, Block 40, Harbor Subdivision. The motion carried by the following vote after the following discussion occurred.

**VOTE ON THE MOTION:**

Yays: 5 - Commission Member Haase, Chair Gondek, Chair Pro Tempore Blehm, Commission Member Goudreau, Commission Member Wade

Excused: 2 - Commission Member Reese, Commission Member Kipar

- 2. Approval of Recommendation to City Council Regarding Adoption of Revisions to Title 17.48.140 Regarding Temporary Land Use Permits**

MOTION: Commission Member Haase moved, seconded by Commission Member Goudreau, to approve recommendation to City Council regarding adoption of revisions to Title 17.48.140 regarding temporary land use permits.

The motion carried by the following vote after the following discussion occurred.

Mr. Haase asked if 140C is in lieu of a Conditional Use Permit. Ms. Huber explained within each zoning district there are uses permitted out-right and then there are conditional uses, both of which are intended for long-term use of the property. The intent of this provision is to allow for short-term temporary use that may not be permitted out-right within the zoning district. It could only replace a conditional use permit if it's for short-term use.

Mr. Haase then asked about something that isn't even a conditional use and is prohibited in that zoning district, would this supersede that? Ms. Huber replied it would on a short-term basis, given the provisions within the ordinance.

Mr. Goudreau asked what would happen if for example, Gold Rush wanted to use private property across from the Post Office? Ms. Huber answered the provision for non-city owned land would only be necessary in the case that it isn't for a use that's permitted out-right. Because the example Mr. Goudreau used is for something that is allowable in the Central Business District; no temporary land use would be required. If an event wanted to use a piece of property where a commercial use is not allowable, they may apply for a TLUP.

Ms. Wade commented one garage sale in any 4-month period would only be one per year for us here in the summer. After discussion she moved to modify the verbiage in 5A to read one garage sale in any 1-month period. The motion was carried unanimously.

**VOTE ON THE MOTION:**

Yays: 5 - Commission Member Haase, Chair Gondek, Chair Pro  
Tempore Blehm, Commission Member Goudreau, Commission Member  
Wade

Excused: 2 - Commission Member Reese, Commission Member Kipar

**3. Approval of Recommendation to City Council Regarding Adoption of Ordinance Establishing a Conditional Use Permit for Telecommunication Towers over 35 feet in All Zoning Districts.**

MOTION: Commission Member Haase moved, seconded by commission Member Goudreau, to Approve recommendation to City Council regarding adoption of an ordinance establishing a conditional use permit for telecommunication towers over 35 feet in all zoning districts. The motion carried by the following vote after the following discussion occurred.

Mr. Haase stated we have an ordinance dealing with wind tower height and suggested the cell towers should be similarly treated. Ms. Huber mentioned the ordinance included a report by a structural engineer to address the wind in our area to ensure the tower is built sufficiently. An overall height restriction wasn't put into the ordinance. Mr. Haase replied if a structural engineer says it's safe he's good with that.

Mr. Goodreau recommended staff looks at changing the wind turbine code and for a report to be provided by a structural engineer. Ms. Huber answered that staff will review the ordinance and bring any recommendations to the commission.

Mr. Blehm asked if anyone has asked for towers higher than 35'. Ms. Huber answered, yes. In having our legal department review Title 17, it was determined there isn't clarity in the way the ordinance is written related to height restriction. After consulting with the legal department it was decided that it would be best to introduce the new ordinance, to have a very clear process that incorporates public notice and input, but allows for telecommunication towers that will provide a benefit to the community and may need to exceed the 35'.

**VOTE ON THE MOTION:**

Yays: 5 - Commission Member Haase, Chair Gondek, Chair Pro

Tempore Blehm, Commission Member Goudreau, Commission Member Wade

Excused: 2 - Commission Member Reese, Commission Member Kipar

**V. REPORTS**

**1. Planning Director's Report**

Ms. Huber provided an update on the Comprehensive Plan. A draft plan will be ready to present to the public review the last week of April. Plans are to have a joint work session with City Council and the Planning & Zoning Commission. On Thursday, April 29, at 6:00 p.m. The commissioner confirmed their availability for the April 29, work session.

**VI. COMMISSION BUSINESS FROM THE FLOOR**

Commissioner Haase thanked Ms. Huber and the rest of the staff for putting all the work into the ordinance rewrites. It's good to see what has been on the priority list for nearly 10 years finally come through.

Chair Gondek thanked the staff for all the work they have put into the ordinance changes.

Commissioner Wade thanked Ms. Huber for providing the call-in number for the meeting.

**VII. ADJOURNMENT**

There being no further business, Chair Gondek adjourned the meeting at 7:42 p.m.

Jess Gondek, Chair

Sheri Pierce, City Clerk

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Date

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Date