

**CITY OF UNALASKA, ALASKA  
PLANNING COMMISSION & PLATTING BOARD  
REGULAR MEETING  
THURSDAY, MARCH 17, 2016, 6:00 P.M.  
UNALASKA CITY HALL COUNCIL CHAMBERS  
AGENDA**

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CALL TO ORDER  
ROLL CALL  
REVISIONS TO THE AGENDA  
APPEARANCE REQUESTS  
ANNOUNCEMENTS  
MINUTES: Planning Commission & Platting Board, February 18, 2016

PUBLIC HEARING

*No Items*

OLD BUSINESS

1. SELECTION OF CHAIR AND VICE CHAIR

NEW BUSINESS

1. **RESOLUTION 2016-05:** A RESOLUTION RECOMMENDING APPROVAL OF DRAFT CITY COUNCIL ORDINANCE 2016-08 AMENDING UNALASKA CODE OF ORDINANCES CHAPTER 8.04 PLANNING, TO PERMIT TELEPHONIC PARTICIPATION OF PLANNING COMMISSION MEMBERS

WORKSESSION

*No Items*

ADJOURNMENT

# Principles of the Unalaska Planning Commission

1. The Position: In any community, the position of Planning Commissioner is a highly respected and honored one.
2. The Job: The job of Planning Commissioner is to serve the public, as representatives of the City Council and to the best of their ability, in ensuring sound planning and growth management in Unalaska. All decisions of the Planning Commission should be based on sound planning principles and practices, and not on the personal opinion of individual Planning Commissioners. Once the Planning Commission makes a recommendation to the City Council, the job of the Planning Commissioners and Planning Commission is over, in terms of that particular action.
3. Integrity: Planning Commissioners are appointed by City Council. The actions, behavior, and comportment of each Planning Commissioner reflect not only on that Planning Commissioner's integrity – but also on the integrity of the City Council and of the entire City government.
4. Collaboration: An individual Planning Commissioner is not a “lone wolf,” but is part of a collective body. As such, each Planning Commissioner is expected to act in a collaborative manner with his and her fellow Planning Commissioners.
5. Respect Each Other: While it is understandable to sometimes disagree with your fellow Planning Commissioners on issues brought before the body, and appropriate to publically vocalize that disagreement during Planning Commission meetings, a Planning Commissioner should always respect the opinion of their fellow Commissioners and treat each other with respect.
6. Majority Rules: It is important to remember that, at the end of the day, the majority rules. So, after each action is brought before the body, discussed, and voted upon, Planning Commissioners must accept and respect the rule of the majority – even if the ruling was counter to an individual Commissioner's position.
7. Respect Staff: A Planning Commissioner should respect the opinion of City Planning Staff, whether the Planning Commissioner agrees with staff or not. Planning Staff Members are professionals who are employed to serve not only the Planning Commission and general public, but the City Council.
8. The Las Vegas Rule: What comes before the Planning Commission must stay before the Planning Commission. This means there can be no outside negotiating with petitioners or with the public regarding applications brought before the Commission. And, all discussions – pro or con – concerning a petition before the Planning Commission, must take place solely within Planning Commission meetings.
9. Respect Applicants and Public: Each Planning Commissioner must always show professionalism and respect for applicants and the general public – regardless of the position held by that Planning Commissioner or by the Planning Commission.
10. Upholding the Principles: Any member of the Planning Commission who finds that he or she cannot uphold and abide by the above principles should resign from the Commission.

## PROCEDURES FOR THE CHAIR

### Approval of Minutes

The Chair states: "The minutes were included in the packet. Are there any corrections to the minutes?" [pause to wait for commissioners to object]. "Hearing none, if there are no objections, the minutes are approved as printed."

OR

If there are objects to the minutes, then...

1. Ask for a motion to approve the minutes as printed. And a second.
2. Facilitate Commission discussion.
3. Amendments will need a motion and a second.
4. When there is no more discussion, call for a vote on any amendments.
5. Continue discussion until there is none further, then call for a vote on the minutes as amended.

### Public Hearings

1. Open the public hearing.
2. Notify the public that they may raise their hand and speak from their seats.
3. Read the title of the first item.
4. Ask if any member of the public wishes to speak to the item. They may do so by raising their hand.
5. When discussion has ended, read the title of the second item.
6. Again ask for public discussion.
7. Continue until all items on the public hearing are complete.
8. NOTE: No commissioners or staff should give any input during the public hearing.

### Resolutions under new business or old business

1. Read the title of the first resolution.
2. Ask for declaration of ex parte communications and conflicts of interest from commissioners.
3. Any question of whether a conflict of interest exists will be settled by a majority vote of the Commission. Members with a conflict will be asked to sit in the audience during this discussion/vote.
4. Ask for staff presentation.
5. Ask for questions from Commissioners of staff.
6. Ask for a presentation from the applicant.
7. Ask for questions from Commissioners of the applicant.
8. Ask for a motion to approve the resolution. And a second.
9. Facilitate commission discussion.
10. If any members of the public have signed up to speak on the topic, they will be given a chance to speak. The chair must set a time limit (such as 2 minutes) to each public comment. Time limits can be objected by commissioners and subsequently put to a vote if necessary.
11. Following public testimony, continue commission discussion until there is nothing further.
12. NOTE: Each member of the public only gets one chance to speak, but anyone who signs up with staff before the commission votes shall be given their one chance to speak before the vote occurs.
13. Call for a vote.
14. Repeat for each resolution on the agenda.

**CITY OF UNALASKA, ALASKA  
PLANNING COMMISSION & PLATTING BOARD  
REGULAR MEETING  
THURSDAY, FEBRUARY 18, 2016, 6:00 P.M.  
UNALASKA CITY HALL COUNCIL CHAMBERS  
AGENDA**

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**CALL TO ORDER:** Commissioner Vicki Williams called the meeting to order at 6:00 PM.

**ROLL CALL**

Commissioners present

Vicki Williams

Commissioners excused

Jessica Earnshaw (medical)

Lottie Roll (non-medical)

Commissioners absent

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Billie Jo Gehring

Staff present:

Anthony Grande, Planning Director

Due to lack of a quorum Mr. Grande called for a motion to adjourn the meeting to Thursday, February 25, 2016 at 6:00 PM. Commissioner Williams seconded the motion. Commissioner Williams moved to approve the motion to adjourn to Thursday, February 25, 2016 at 6:00 PM, City Hall Council Chambers. Commissioner Williams called for a vote to approve. The vote was unanimous (1-0) and the motion was carried and adopted.

**ADJOURNMENT:** Commissioner Williams adjourned the meeting at 6:02 PM to be continued on Thursday, February 25, 2016 at 6:00 PM at City Hall Council Chambers.

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**CALL TO ORDER:** Commissioner Vicki Williams called the meeting to order at 6:05 PM on Thursday, February 25, 2016.

**ROLL CALL**

Commissioners present:

Vicki Williams

Lottie Roll

Staff present:

Anthony Grande, Planning Director

Due to lack of quorum Commissioner Williams called for a recess till 7:00pm. Commissioner Roll seconded.

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**CALL TO ORDER:** Mr. Grande Called the meeting back to order at 7:23 PM.

## **ROLL CALL**

Commissioners present:

Billie Jo Gehring

Vicki Williams

Lottie Roll

Staff present:

Anthony Grande, Planning Director

**REVISIONS TO THE AGENDA:** Mr. Grande stated that the agenda would remain the same without any objections.

**APPEARANCE REQUESTS:** None

**ANNOUNCEMENTS:** None

**MINUTES:** Planning Commission & Platting Board, January 21, 2016. Ms. Gehring moved to approve the minutes from January 21, 2016 meeting, Ms. Roll requested to change commissioners absent to commissioners excused as she informed about it ahead of time. Ms. Roll moved to accept the agenda with the corrections. Ms. Williams seconded it. Mr. Grande made a motion to approve the minutes and a motion to amend the minutes which reflects the excused absences of Commissioner Williams and Commissioner Roll. Ms. Williams seconded it. Chair Gehring call for a vote, the vote was unanimous (3-0). The minutes for the January 21, 2016 meeting were approved as amended.

## PUBLIC HEARING

- 1. RESOLUTION 2016-02:** A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR NATURAL RESOURCE EXTRACTION ON GSA PARCELS 2 AND 3, LOCATED AT 291 SALMON WAY

Chair Gehring asked if any member of the public would like to testify. Hearing none, Chair Gehring closed the public hearing.

## OLD BUSINESS

*No Items*

## NEW BUSINESS

- 2. RESOLUTION 2016-02:** A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR NATURAL RESOURCE EXTRACTION ON GSA PARCELS 2 AND 3, LOCATED AT 291 SALMON WAY

Chair Gehring called for staff report. Mr. Grande explained that it's a natural resource extraction use. The property is located behind UniSea buildings. The property is zoned as marine related industrial; therefore staff does not see any negative impact of the use. Mr. Grande stated that there will be some buildings closed for small period of time during blasting to make sure that the residences of the buildings are safe. Also he stated that Onalaska Corporation and Museum will be impacted therefor the blasting will take place after 5:00 PM. That way the businesses will not be impacted during office hours.

Chair Gehring asked if the buildings are in any danger. Mr. Grande responded that they have submitted an excavation permit which will be reviewed by the city engineer and other departments. Mr. Grande also stated that they have a safety plans in place and there is going to be a radius around which no one will be allowed to be during the blast. They are also going to evacuate the buildings of the area and Salmon way will be closed for 1 hour.

Mr. Grande explained the conditions and recommends commissioners to approve the resolution. Chair Gehring asked the Commissioners if they had any questions or further discussion. Commissioner Roll asked if there are any particles in the air that can cause any breathing problem after the blast. Mr. Grande responded that we can bring

this up to the city engineer. Mr. Grande suggested asking this question to the project manager he responded that there will not be any hazard materials in the air and that they will take care of it. Commissioner Roll asked if a person going to be Alaskan certified blaster, also if they are sending a person to Unalaska, Dutch Harbor or if there is a certified blaster in town. The project manager responded that they hired a licensed blaster by State of Alaska also a blasting consultant to look at the engineering of the blast.

Commissioner Williams made a motion to approve the Resolution 2016-02. Commissioner Roll seconded. There being no further discussion, Chair Gehring called for a vote to approve the Resolution 2016-02, the vote was unanimous (3-0), and the motion was carried and approved.

### 3. SELECTION OF CHAIR AND VICE CHAIR

Chair Gehring asked for selection of chair and vice chair. Commissioner Williams stated that she would like to wait for Commissioner Jessica Earnshaw. Chair Gehring seconded. There being no objection. Selection of chair and vice chair moved to March agenda.

Commissioner Williams stated that she would like to add a resolution for teleconference for commissioner. Chair Gehring agreed to teleconference. Mr. Grande responded that he will add this item in next agenda. Commissioner Gehring would like to know reading public nuisance. Mr. Grande responded that the nuisance ordinance has been passed and explained the law.

#### WORKSESSION

*No Items*

**ADJOURNMENT:** Chair Gehring adjourned the meeting at 7:50 PM.

PASSED AND APPROVED THIS 17<sup>th</sup> DAY OF March, 2016 BY THE CTY OF UNALASKA, ALASKA PLANNING COMMISSION.

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Acting Commission Chair

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Date

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Anthony Grande, AICP  
Secretary of the Commission

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Date

Prepared by Ruchi Patel and Anthony Grande, Planning Department

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**MEMORANDUM**

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**TO: PLANNING COMMISSION**  
**FROM: ANTHONY GRANDE, DIRECTOR OF PLANNING**  
**DATE: MARCH 17, 2016**  
**RE: RESOLUTION 2016-05; TELEPHONIC PARTICIPATION OF PLANNING COMMISSION MEMBERS**

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**SUMMARY:** Ordinance 2016-08 has been drafted to allow Planning Commissioners participate in meetings via telephone similar to the City Council participation rules. This has been suggested by the Planning Commission and is a potential solution to some of the issues the Commission has had with giving timely decisions on developers' applications due to a lack of quorum.

**PREVIOUS COMMISSION ACTION:** None.

**BACKGROUND:** There is significant value in holding meetings monthly at the regularly scheduled meeting time. The Planning Commission desires to give developers a timely hearing on the items for which they apply. It has been an ongoing struggle to have a quorum at the scheduled meeting time, which has caused delays in the final decision of some developers' applications. The City Council has been allowing their members to participate by telephone since last year with positive results. Planning Commission members have suggested that they could participate by telephone when they are out of town.

**DISCUSSION:** Draft Ordinance 2016-08 was created using the same language as the ordinance that permitted the City Council to participate in their meetings telephonically, modified to refer to the Planning Commission. The language is added to Chapter 8.04, which contains all of the rules of order of the Planning Commission. It will be required that two commissioners are physically present for each meeting. Each commissioner will be allowed to participate telephonically up to three times per year. The meeting minutes would reflect four different types of attendance for commissioners: 1)Physically Present; 2)Present via Telephone; 3)Excused; 4)Absent. The rules for excused absences would continue to apply. Excuses absences are only allowed for medical reasons and should be declared 10 days prior to the meeting. Each member is allowed one non-medical excused absence per year if it is declared 10 days prior to the meeting.

Staff believes this ordinance will be helpful for the purposes of obtaining timely decisions on applications for conditional uses, variance, and zone amendments. Goal #9 of the Housing Plan component of Comprehensive Plan 2020 states that development review and permitting should be streamlined to ensure that there are no unnecessary barriers to development in the community. The lack of quorum and delayed meetings causes delay and uncertainty for developers and poses an unnecessary hardship. This ordinance will partly alleviate that hardship.

Attachments:

- **Planning Commission Resolution 2016-05**
- **Draft City Council Ordinance 2016-08**

**City of Unalaska, Alaska  
Planning Commission/Platting Board  
Resolution 2016-05**

**A RESOLUTION RECOMMENDING APPROVAL OF DRAFT CITY COUNCIL ORDINANCE  
2016-08 AMENDING UNALASKA CODE OF ORDINANCES CHAPTER 8.04 PLANNING, TO  
PERMIT TELEPHONIC PARTICIPATION OF PLANNING COMMISSION MEMBERS**

**WHEREAS**, the city desires to encourage sound, orderly growth within the city limits and to avoid land use incompatibilities resulting from uncoordinated development; and

**WHEREAS**, UCO §8.04.050(A)(4) states that it is the function, power, and duty of the Planning Commission to prepare and to recommend to the City Council ordinances, regulation, or other proposals promoting orderly development indicated as desirable by the Comprehensive Plan; and

**WHEREAS**, the proposed updates and revisions to Title 8 were requested by the Planning Commission at the February 18, 2016 meeting; and

**WHEREAS**, the proposed code amendments included in Draft City Council Ordinance 2016-08 have been drafted by Planning Staff to allow for meetings to occur with increased regularity; and

**WHEREAS**, the proposed code amendments included in the Draft City Council Ordinance 2016-08 advance the recommendations, goals, and objectives identified in the Unalaska Comprehensive Plan 2020; and

**WHEREAS**, the Planning Commission heard additional public testimony at the March 17, 2016 meeting; and

**WHEREAS**, the Planning Commission finds the code amendments to be reasonable, in the public interest, and in conformance with the goals and objectives of the Comprehensive Plan; and

**NOW THEREFORE BE IT RESOLVED** the Planning Commission recommends the City of Unalaska City Council approves the proposed code amendments, relating to telephonic participation, included in Draft City Council Ordinance 2016-08, as shown in Attachment A.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, BY THE  
PLANNING COMMISSION OF THE CITY OF UNALASKA, ALASKA.

\_\_\_\_\_  
Acting Commission Chair

\_\_\_\_\_  
Anthony Grande, AICP  
Secretary of the Commission



CITY OF UNALASKA  
UNALASKA, ALASKA

ORDINANCE 2016-08

AN ORDINANCE OF THE UNALASKA CITY COUNCIL AMENDING UNALASKA CODE OF ORDINANCES  
CHAPTER 8.04 PLANNING, TO PERMIT PHYSICALLY ABSENT PLANNING COMMISSION MEMBERS TO  
PARTICIPATE IN MEETINGS TELEPHONICALLY WITH PRIOR NOTICE

BE IT ENACTED by the City Council of the City of Unalaska:

**Section 1:** Form. This is a Code ordinance.

**Section 2:** Amendment of Section 8.04.060 OFFICERS, RULES, AND MEETINGS. Section 8.04.060 of the Unalaska Code of Ordinances is hereby amended to read as follows: [additions are underlined; deletions are in brackets]

8.04.060 OFFICERS, RULES, AND MEETINGS.

(D) *Telephonic Participation*.

(1) A Planning Commission member may participate via telephone in any meeting or work session up to 3 times annually. A Planning Commission meeting must have at least two non-ex-officio members physically present. Any member participating by telephone shall be considered present at the meeting or session for all purposes under this Chapter. In order to participate by telephone, the member must declare to the Director of Planning that out of town travel prevents physical attendance at the meeting. Such notice must be provided to the Commission Chair in advance of the meeting.

(2) Notice under this section is acceptable, if provided in writing or via electronic mail ten days prior to the scheduled meeting, and must include a short description of the circumstances which prevent the commissioner's physical attendance at the meeting.

(3) Telephone participation shall be refused by the Commission Chair if, at any time, it appears that technical capabilities or other interference does not allow all person, whether physically present or not, to hear and engage in discussion. Where practicable, any written materials or other information presented during the meeting should be made available to persons participating via telephone.

[Parts D through H are renamed to E through I]

**Section 3:** Effective Date. This ordinance shall be effective upon passage.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE UNALASKA CITY COUNCIL THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
HON. SHIRLEY MARQUARDT  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK