



City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

A Coast Guard City

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 22-15
Proposal: Request for short-term rental
Applicant: Matthew Lawrie
Owner: Matthew Lawrie and Kasey Davis
Location: 505 Hirst Street
Legal: Lot 13, Block 4, Sirstad Addition No. 1
Zone: R-1 single-family and duplex residential district
Size: 5,000 SF
Parcel ID: 1-7570-000
Existing Use: Residential
Adjacent Use: Single-family and duplex housing
Utilities: Existing
Access: Hirst Street

KEY POINTS AND CONCERNS

- Neighborhood is primarily residential including single-family and duplex dwellings
- The short-term rental is in an approximately 960 sq. ft. two bedroom/ one-bathroom single-family home
- Density of short-term rentals in the neighborhood is low, with no permits on Hirst Street
- The property is the primary residence of the applicant, with anticipated use during the summer months

ATTACHMENTS

Attachment A: Aerial
Attachment B: Floor Plan
Attachment C: Parking Plan
Attachment D: Photos
Attachment E: STR Density Map
Attachment F: Renter Handout
Attachment G: Applicant Materials

BACKGROUND/PROJECT DESCRIPTION

The request is for a conditional use permit for short-term rental (STR) in an approximately 960 sf 2-bedroom, 1-bathroom single-family home. The property sits on a substandard 5,000 sq. ft. lot that is typical of the neighborhood. Parking is available on the vacant lot adjacent to the property, also owned by the applicants. The vacant lot provides a 50' buffer from the right-of-way. The site is also buffered by adjacent undeveloped lots behind and to the side of the home as well as the undeveloped 15' wide Highland Street. The applicants have not specified a property manager. As the rental would take place in their primary residence in the absence of the owners, the Planning Department has added a condition of approval that the rental be managed, and that the Planning Department be furnished with up-to-date contact information for a property manager.

ANALYSIS

1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.¹

a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses: Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is off-street parking available. Home is accessed on Hirst Street.

b. Amount of noise to be generated and its impacts on surrounding land use: Short-term rentals have the potential to create noise from transient guests. Renter handout addresses quiet hours and does not allow use of the property for parties or events.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in municipal containers and in accordance with Sitka General Code requirements.

d. Hours of operation: Available year-round, primarily for use as short-term rental during the summer.

e. Location along a major or collector street: Accessed from a residential street.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: No cut-through routes are present.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal traffic with one or two cars utilized for the rental.

¹ § 22.24.010.E

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:

Residence has reasonable access from Hirst Street. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: The property is a single-family home. The property contains a kitchen, living/dining space, 2 bedrooms and 1 bathroom.

j. Effects of signage on nearby uses: No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: House is buffered by vacant, undeveloped land along three property lines, with the 50' wide lot between the site and the right-of-way owned by the applicants and used for parking.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: A STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing. In this case, as the primary residence of the applicants, no impact to housing availability is anticipated.

m. Other criteria that surface through public comments or planning commission review: None at this time.

RECOMMENDATION

Given that the proposed rental is the primary residence of the applicant to be rented in the owners' absence and that no property manager has been identified, the Planning Department has included as a condition of approval that the applicant retain a property manager and provide up-to-date contact information for the manager to the Planning Department. The Planning Department recommends that the Planning Commission approve the short-term rental at 505 Hirst Street subject to the recommended conditions of approval.

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CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The rental shall be professionally managed, and the Planning Department shall be furnished with up-to-date contact information for a property manager.
4. The applicant shall submit an annual report beginning in 2023, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve-month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
7. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
8. To mitigate the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
9. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
10. Any signs must comply with Sitka General Code 22.20.090.
11. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
12. The property owner shall communicate to renters that a violation of these conditions of approval will be grounds for eviction of the short-term renters.
13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motions in favor of approval

- 1) **“I move to approve the conditional use permit for a short-term rental at 505 Hirst Street in the R-1 single family and duplex residential district subject to the attached conditions of approval. The property is also known as Lot 13, Block 4, Sirstad Addition No. 1. The request is filed by Matthew Lawrie. The owners of record are Matthew Lawrie and Kasey Davis.**
- 2) **“I move to adopt and approve the required findings for conditional use permits as listed in the staff report.”**

The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation,
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard.
5. The conditional use will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services.
6. Burden of Proof. The applicant has the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

² §22.30.160(C)—Required Findings for Conditional Use Permits