



# CITY AND BOROUGH OF SITKA

*A COAST GUARD CITY*

## **Planning and Community Development Department**

### **AGENDA ITEM:**

Case No: P 25-04  
Proposal: Final plat for a minor subdivision  
Applicant: Justin Brown  
Owners: Justin Brown and Paul Blankenship  
Location: NHN Ring Island  
Legal: Tract A, U.S. Survey 3480  
Zone: GI general island district  
Size: 200,376  
Parcel ID: 4-9020-000  
Existing Use: Cabins, Undeveloped  
Adjacent Use: Residential, undeveloped  
Utilities: Eagle Way (waterline), Electric  
Access: Via water

### **KEY POINTS AND CONCERNS:**

- Proposal is for a minor subdivision resulting in three lots.
- Proposed lots meet minimum development standards.
- Property is partially developed.

### **ATTACHMENTS:**

Attachment A: Aerial  
Attachment B: U.S. Survey 3480  
Attachment C: Final Plat  
Attachment D: Flood Map  
Attachment E: Photos  
Attachment F: Applicant Materials/Site Plans

## **BACKGROUND AND PROJECT DESCRIPTION:**

The applicant proposes to subdivide the approximately 200,376 sf parcel at NHN Ring Island to result in three lots. The newly created parcels will exceed the development standards for the GI zoning district, the minimum lot size in this zone is 1 acre. In the proposed subdivision, the lots will have the following sizes:

- Lot 1: 3.35 acres
- Lot 2: 1.80 acres
- Lot 3: 1.4 acres

1 acre = 43,560 sq. ft.

The adjacent small island next to Ring Island is not included in this subdivision and is part of U.S. Survey 3480, Lot 161 and consists of .28 acres.

### **Title 21 Subdivision**

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate and appropriately placed utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. These factors are analyzed in the below Analysis section.

## **ANALYSIS:**

**Site:** The island has been partially developed with cabins on Lots 1 and 2. It is heavily vegetated with a mix of trees, vegetative bushes and has significant water frontage. The proposed lots are in excess of the minimum development standards, and all lots have ocean access. Lots 1 and 2 have dock and ramp access installed, there is no dock access on Lot 3.

**Utilities:** A 1.5" waterline from Eagle Way provides service to Ring Island. An encroachment maintenance and removal agreement has been signed between the property owners and CBS. Utility easements have been added to the final plat for electric and water. A septic system has been installed on Lot 2 and a proposed septic system is in the approval process from DEC for Lot 1. The property owners have created and recorded an access and utility maintenance agreement.

**Access, Roads, Transportation, and Mobility:** Access is via water. There are docks located on Lots 1 and 2. A plat note was added to the final plat stating, "It is recognized that the tidelands adjacent to the northern boundary lines of Lots 1 and 2 is the most suitable location for mooring sites. Lot 3 has access to this area via an access easement over Lot 2. Lot 3 may be required to develop its own private dock or mooring buoy, as the granting of said easement does not grant express or implied rights to use the private dock belonging to Lot 2."

**Public Health, Safety and Welfare:** The proposed subdivision creates an opportunity for new island lots close to town. There is no vehicular access, public parking is available in the harbors.

**Orderly and Efficient Layout and Development:** The proposed lots are adequately sized and should not negatively impact neighboring properties. There is sufficient access to light and air, with a density that is compatible with surrounding land uses.

Staff noted some differences between the old US Survey 3480 and proposed final survey of Ring Island and had the surveyor create a plat note to describe the differences. This note explains that the natural shapes and distances on Ring Island (and nearby areas) don't match the official historic records, possibly due to errors in the old maps, changes over time, or measurement errors. The new plat note states, "It should be noted that, for unknown reason, the measured natural meanders very significantly from the record per US Survey 3480. Other issues of scale have also been encountered (adjacent Dove Island for example) in which measured distances between found monumentation reflected an approximate scale factor of about 87% (record compared with measured)."

An additional plat note has been added stating "the natural line of mean high water may define the upland boundary; however, the State of Alaska Dept. of Natural Resources as well as the US Army Corp of Engineers should be notified prior to any modification of the shoreline (fill, etc.) for proper permitting and authorization."

**Comprehensive Plan:** This subdivision action supports the Comprehensive Plan Housing goal: *Expand the range, affordability, and quality of housing in Sitka while maintaining attractive, livable neighborhoods*; by enabling development of land in a residentially zoned area.

### **RECOMMENDATION:**

Staff recommends approval of the final plat of the minor subdivision of NHN Ring Island to result in three lots subject to the attached conditions of approval.

### **RECOMMENDED MOTIONS**

**1) "I move to approve the final plat for a minor subdivision to result in three lots at NHN Ring Island in the GI general island district subject to the attached conditions of approval. The property is also known as Tract A, U.S. Survey 3480, embracing Ring Island in Sitka Harbor. The request is filed by Justin Brown. The owners of record are Paul Blankenship and Justin Brown."**

### **Conditions of Approval**

- 1) All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality as applicable; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.05, 15.10, 15.15, 15.20, 15.30.
- 2) This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
- 3) All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.

- 4) All easement agreements will be cited via plat notes. The City and Borough of Sitka is a party to all easements.

**2) “I move to adopt the following findings as listed in the staff report:”**

- a. The preliminary plat meets its burden of proof as to access, utilities, and dimensions as proposed; *through submission of a plat prepared by a licensed surveyor and information regarding access and utilities provided in the application;*
- b. The proposed hybrid subdivision preliminary plat complies with the Comprehensive Plan by following the subdivision process and enables residential development of otherwise vacant land and expands the range, affordability, and quality of housing in Sitka; *by facilitating higher density development and contributing to an attractive and livable neighborhood;*
- c. The proposed hybrid subdivision preliminary plat complies with the subdivision code; and
- d. The hybrid subdivision preliminary plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public’s health, safety, and welfare *because the subdivision promotes development in-line with existing uses in the surrounding neighborhoods and allowable using in the zoning district; additionally, the conditions of approval protect the public’s health, safety, and welfare by requiring compliance with health and safety regulations.*