

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON BEHALF
OF THE CITY AND BOROUGH OF SITKA**

In the Matter of the City and Borough of)	
Sitka Assembly, sitting as the City and)	
Borough of Sitka Board of Adjustment's)	
decision to deny VAR 25-01,)	
)	
Central Council of the Tlingit & Haida)	
Indian Tribes of Alaska d/b/a TIDAL)	OAH No. 25-2204-MUN
NETWORK,)	Agency No. VAR 25-01
)	
Appellant.)	

SCHEDULING ORDER

A case planning conference was held in this matter on July 16, 2025. The following schedule governs this matter:

I. Hearing Notice

PLEASE TAKE NOTICE that the public hearing in this matter will be held before Administrative Law Judge Max Garner on **August 21, 2025 at the City and Borough of Sitka Assembly Chambers, 330 Harbor Drive, Sitka, AK 99835 starting at 5:00 p.m.** This hearing will be conducted in accordance with the requirements set by SGC 22.10.040, 22.10.060(A), 22.10.170(A) and (B), and 22.10.180. Pursuant to CBS Ordinance No. 2025-17, ALJ Garner has been delegated the powers and responsibilities of the City and Borough Assembly as set out in SGC 22.10.170 – 22.10.200.

II. Schedule

July 30, 2025 **Motions to intervene** submitted by persons or organizations who qualify as “parties of record” under SGC 22.10.130 must be filed with the Office of Administrative Hearings (OAH) by this date. Persons and organizations may provide public comment at the hearing in the manner permitted by SGC 22.10.180 regardless of whether they seek formal intervention in this matter.

July 30, 2025 **Any procedural motions** relating to the contents of the agency record, or the conduct of the scheduled hearing, must be filed by this date. No motions will be accepted after this date absent good cause shown.

August 7, 2025 **Responses to any motions** must be filed on or before this date. No reply may be filed in support of a motion unless ordered by the ALJ.

August 14, 2025 **Prehearing briefs** are due on this date. Briefs shall be no longer than 20 pages in length. Space utilized for the case caption or signature page will not count against this limit. Briefs will only be accepted from the City and Borough of Sitka, the applicant, and any other individual or organization that has been granted permission to formally intervene in this proceedings.

III. Filing procedures

All documents filed in this case are filed with the OAH and must indicate that a copy has been mailed or delivered to the opposing party. The parties are directed to use the form of caption that appears on this order. Exchange of documents among the parties and service on the OAH will be by email. Parties may serve the OAH via email at doa.oah@alaska.gov. As to all deadlines set forth above, unless otherwise indicated, your filing must be received by OAH no later than 4:00 p.m. Alaska time.

Filing questions, and requests for a status conference between the parties and the ALJ, may be directed to OAH staff by email or at (907) 269-8170.

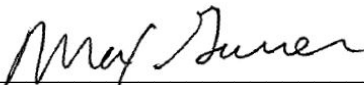
IV. Hearing procedures

The hearing in this matter will be conducted in accordance SGC 22.10.180, with the following order of presentation:

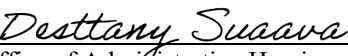
- (1) staff presentation, including submittal of any administrative reports (20 minutes);
- (2) applicant presentation, including submittal of any materials (20 minutes);
- (3) testimony or comments by the public germane to the matter (3 minutes per person);
- (4) rebuttal, response or clarifying statements by the staff and the applicant (10 minutes for each side).

The ALJ shall issue a written decision in this matter by September 5, 2025.

DATED: July 21, 2025.

By: 
Max Garner
Administrative Law Judge

Certificate of Service: I certify that on July 21, 2025, this Order was distributed as follows: Rachel Jones, City and Borough Attorney (by email); Douglas Bonner, Attorney (by email); Chris Cropley (by email); City and Borough Clerk (by email).

By: 
Office of Administrative Hearings