



City and Borough of Sitka

PROVIDING FOR TODAY...PREPARING FOR TOMORROW

A Coast Guard City

Planning and Community Development Department

AGENDA ITEM

Case No: ZA 22-01
Proposal: Zoning Map Amendment: SFLD to R-1 LDMH
Applicant: Barth Hamberg
Owner: Barth Hamberg
Location: 205 Shotgun Alley
Legal Desc.: Lot 3, Cedars Subdivision
Zone: SFLD
Size: 80,796 sq. ft.
Parcel ID: 3-1200-002
Existing Use: Vacant
Utilities: Available from Shotgun Alley
Access: Shotgun Alley

KEY POINTS AND CONCERNS

- Deed restriction on the property prevents further subdivision of the lot
- Proposal is to allow for increased housing density
- Granting of this permit may adversely impact the single-family nature of the Shotgun Alley neighborhood and could be viewed as spot zoning
- The size of the lot and natural topographic and vegetative buffers may mitigate impacts from increased density
- Zoning change would allow for a duplex or manufactured home by right, multifamily or ADU by conditional use permit
- Zoning change would allow short-term rental/bed and breakfast through conditional use permit

ATTACHMENTS

Attachment A: Aerial
Attachment B: Zoning Map
Attachment C: Plat
Attachment D: Statutory Warranty Deed with Covenant
Attachment E: Photos
Attachment F: Applicant Materials
Attachment G: Public Comment

PROJECT DESCRIPTION & BACKGROUND

The applicant is requesting a zoning map amendment from SFLD Single-family low-density district to R-1 LDMH Single family, duplex, or manufactured home low-density residential district for their property on Shotgun Alley.

It is the desire of the applicant to develop the lot for residential use with higher density than would be allowed under its present SFLD zoning, specifically, adding an ADU on the property in addition to a planned single-family home. A deed restriction placed on the property prevents further subdivision of the lot, thereby limiting the development potential of the land. The minimum lot size in both SFLD and R-1 LDMH zones are 15,000 square feet net of access easements. At 80,796 square feet, the property greatly exceeds the minimum lot size of the current and proposed zoning districts. For comparison, 25 lots surrounding 205 Shotgun Alley and across the street have the potential for 25 dwelling units over a total of 458,829 square feet, resulting in a density of one dwelling unit per ~18,353 square feet. Two dwelling units on this lot would result in a density of one dwelling unit per ~40,398 square feet.

The neighborhood along Shotgun Alley to the south of Remington Way is unique in its zoning designation as the only SFLD district in Sitka. Rezoning may be viewed as a deviation from the single-family character of the neighborhood. However, the considerable size of the lot and natural buffers from its topography and heavily wooded surroundings, which a deed restriction aims to protect, may provide overall consistency of character with surrounding lots.

Rezoning would allow for a duplex or a single manufactured home on an individual lot by right. Multifamily development as well as accessory dwelling units would require a conditional use permit. Rezoning would provide an avenue for short-term rental or bed and breakfast operations through a conditional use permit, a use that is prohibited in single-family zoning. As such, concerns regarding higher density above a duplex, or the use of the property for a short-term rental or a bed and breakfast could be addressed through public process and impacts mitigated through conditions.

The property abuts existing R-1 LDMH zoning at the rear of the property and along its northern and much of its southern side boundaries. However, rezoning along the property line as proposed would create a disruption of the bounds of SFLD zoning where the property is accessed by Shotgun Alley. SGC 22.30.380(B)(1) states that *“Except for the extension of existing zoning district boundaries, no change in district mapping shall be considered that would result in spot zoning or that would be inconsistent with proper and well-defined physical boundaries such as streets, major creeks, changes in topography or other physical features.”* In consideration of this proposal, the Commission is asked to determine whether rezoning this property is a consistent extension of existing zoning district boundaries, or if it presents an inconsistency with its surroundings and results in spot zoning.

ANALYSIS

Project / Site: Lot is large at 80,796 square feet, heavily wooded and varying topography. The lot is has had preparations for development, with a building pad and driveway access.

Traffic: As rezoning enables more dense development of the area, more traffic could result from passage of the zoning map amendment. The roads in this area should adequately handle the increased traffic.

Parking: Parking requirements will not be changed or impacted by the zoning change. Parking requirements are calculated based on the size and type of developments on the lot.

Noise: Low to moderate – should not be substantially higher than surrounding residential uses.

Public Health or Safety: No impacts to public health or safety anticipated.

Habitat: No concerns for habitat.

Property Value or Neighborhood Harmony: Given the large lot and surrounding buffers, staff does not think development on the lot consistent with R-1LDMH allowances would have a negative impact on property values. However, Shotgun Alley is unique being the only SFLD neighborhood, and neighbors have expressed concerns about neighborhood character/harmony in the course of other development proposals in the area.

Comprehensive Plan: The proposal is supported by Housing Action H1.1e “encourage higher density development” by providing avenues for development of the lot greater than a single-family home.

STAFF RECOMMENDATION/CONCLUSION

The main considerations in a zoning map amendment are consistency with the Comprehensive Plan, creation of non-conformities, spot zoning, and neighborhood impact. The Comprehensive Plan does encourage higher density residential development, so this requirement is met. The lot does not have any developed structures/uses, so changing the zoning would not result in the creation of code non-conformities.

However, the zoning change could be viewed as spot zoning given that immediately adjacent properties are zoned as SLFD. 201 Shotgun Alley would remain SFLD, but would be surrounded on 3 sides by R1LDMH zoning. While the neighboring property at 2116 SMC is zoned as R1LDMH, it has separate access which functionally separates it from the Shotgun Alley neighborhood. However, upper Shotgun Alley is zoned as R1LDMH and shares the same means of access as the SFLD zoning. The Commission will need to weigh these considerations to determine whether this action would result in spot zoning.

Given the development and zoning history of the neighborhood, it is important for public testimony to be considered in this decision to adequately determine impact on the surrounding neighbors.

RECOMMENDED MOTIONS

- 1) **“I move to recommend approval of the zoning map amendment to rezone 205 Shotgun Alley from the SFLD single-family low-density district to the R-1 LDMH single-family, duplex, or manufactured home low density district. The property is also known as Lot 3, Cedars Subdivision. The request is filed by Barth Hamberg. The owner of record is Barth Hamberg.”**
- 2) **“I move to adopt the findings as listed in the staff report.”**

The Commission finds that:

- a. The zoning map amendment does not negatively impact the public health, safety, and welfare;
- b. The zoning map amendment has followed all code regarding amending the official zoning map with regards to public process;
- c. The zoning map amendment does not result in spot zoning or in a boundary of a zoning district that is inconsistent with proper and well-defined physical boundaries such as streets, major creeks, changes in topography or other physical features;
- d. The zoning map amendment will not result in adverse effects on the surrounding properties or neighborhood character;
- e. The zoning map amendment comports with the Comprehensive Plan by aligning with Housing Action H1.1e.