



CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

Planning and Community Development Department

AGENDA ITEM

Case No: CUP 23-18
Proposal: Short-term rental
Applicants: Daniel Evans
Owners: Daniel and Janet Evans
Location: 611 Etolin Street
Legal: Portion of Lot Eight (8), Block fifteen (15), Sitka Townsite
Zone: R-1 - Single-Family/Duplex Residential District
Size: 7,042 square feet
Parcel ID: 1-2090-000
Existing Use: Residential
Adjacent Use: Residential
Utilities: Existing
Access: Etolin Street

KEY POINTS AND CONCERNS

- Single-family home with three bedrooms and two bathrooms
- Short-term rental requested for summer months, May-September
- Property is to be managed by professional property management company

ATTACHMENTS

Attachment A: Aerial
Attachment B: Site Plan
Attachment C: Floor Plan
Attachment D: Photos
Attachment E: Density Map
Attachment F: Renter Handout
Attachment G: Applicant Materials
Attachment H: Affidavit
Attachment I: Public Comment

BACKGROUND/PROJECT DESCRIPTION

The owners/applicants would like to utilize their primary residence at 611 Etolin Street as a short-term rental (STR) during the summer months, May-September, when they are at Baranof Warm Springs off and on throughout the summer. The home is located in the R-1 single-family/duplex residential district on a 7,042 square foot (SF) lot with a house footprint of 648 SF and a 384 SF garage. The home consists of three bedrooms and one bathroom on the basement level with the main living area including the kitchen and additional bathroom on the first floor. This neighborhood is in close proximity to the Central Business District (CBD) and has become a popular location for STR's. There is another STR located two doors down at 607 Etolin Street and thirteen more in the greater area; of these thirteen in the area, two of the permits had not yet been activated (505 Sawmill Creek Road and 604 Merrill Street) per the 2022 Annual Short-Term Rental Report. The property is pleasantly landscaped and buffered on the rear and both sides by fencing. The front of the property abuts Etolin street with a white picket fence and mature vegetation that provides additional privacy to the home and three parking spaces adjacent to the garage and Etolin Street. Access to the rental is from Etolin Street with multiple connection options to Lincoln Street and/or Sawmill Creek Road and within walking distance to downtown. The property will be managed by Sitka Travel and owners will be available to address any issues when they travel to Sitka from Baranof Warm Spring throughout the summer.

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:

Additional traffic generated from the renters is expected to be minimal as the applicants have identified a five-guest maximum in their application materials, which is typically one vehicle. The property is located within a well-established neighborhood of Stika, where there is daily residential traffic. The location of this property is close to downtown which could be a limiting factor for vehicle traffic as guests could walk to downtown destinations.

b. Amount of noise to be generated and its impacts on surrounding land use:

As the maximum capacity is set at five guests, there is potential for increased noise. It is anticipated that noise generated by guests would be minimal. Quiet hours are set from 10pm-7am.

c. Odors to be generated by the use and their impacts: In line with normal residential use; garbage disposal shall be consistent with code requirements.

d. Hours of operation: May-September, 24/7.

¹ § 22.24.010.E

e. Location along a major or collector street: Located on Etolin Street with multiple connector options to Lincoln Street and Sawmill Creek Road.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Access is on Etolin Street, there are multiple routes a vehicle could travel when approaching the property, most direct access would be Lincoln Street or Sawmill Creek Road to Baranof Street. Potential for cut-through additional neighborhood streets by using Biorka Street, Park Street, and Oja Street.

g. Effects on vehicular and pedestrian safety: Potential impact to vehicular and pedestrian safety as Etolin Street is an old established neighborhood street with small sidewalks and connects Baranof Street to Jeff Davis and to Sawmill Creek via Park Street. Guests should be advised of slow speeds and pedestrian use of the street.

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

i. Logic of the internal traffic layout: The property has parking for two cars in front of the garage and one to the side of the garage.

j. Effects of signage on nearby uses: Aluminum signs identified for use to inform guests of relevant regulations and recommendations pertinent to the rental.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: The property is buffered by fencing that surrounds the property, the sides and rear fence are substantial with a white picket fence in the front of the property and thoughtfully placed trees to add additional privacy.

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 (consistent with Action ED 6.5). 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.

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

RECOMMENDATION

Staff recommends approval of the request for a short-term rental at 611 Etolin. However, the Commission may want to consider and discuss short-term rental density in this neighborhood.

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 applicant shall submit an annual report beginning in 2024, 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.
4. 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.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and transient lodging tax, shall be grounds for revocation of the conditional use permit.
6. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
7. 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 appropriately secured trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. 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.
9. Any signs must comply with Sitka General Code 22.20.090.
10. 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.
11. 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.
12. 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 611 Etolin Street in the R-1 - Single-Family/Duplex Residential District subject to the attached conditions of approval. The property is also known as a Portion of Lot Eight (8), Block Fifteen (15), Sitka Townsite. The request is filed by Daniel Evans. The owners of record are Daniel R. Evans and Janet L. Evans.”**
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; *because the property will retain its primary use as a residence and be monitored by a property manager to ensure that there are no resulting impacts or disturbances that would negatively affect health, safety, welfare, neighborhood character, or properties in the surrounding vicinity.*
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, *specifically Action ED 6.5 and goals to promote housing affordability.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *monitored by a property manager to ensure that there are no resulting impacts, and opportunities for redress to the Planning Department and/or Planning Commission.*
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. *No hazardous conditions are expected from the use of the property as a short-term rental.*
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. *The property is located on a municipal right-of-way and is served by municipally maintained and operated utilities, no adverse impacts on such facilities or services are expected.*
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. *The applicant has met the burden of proof through information provided in their application packet.*

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