



# CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS  
330 Harbor Drive  
Sitka, AK  
(907)747-1811

## Meeting Agenda

### City and Borough Assembly

*Mayor Steven Eisenbeisz,  
Deputy Mayor Kevin Knox,  
Vice Deputy Mayor Kevin Mosher,  
Thor Christianson, Crystal Duncan, Rebecca Himschoot,  
David Miller*

*Municipal Administrator: John Leach  
Municipal Attorney: Brian Hanson  
Municipal Clerk: Sara Peterson*

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Tuesday, August 23, 2022

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. RECITAL OF LANDS ACKNOWLEDGEMENT

IV. ROLL CALL

V. CORRESPONDENCE/AGENDA CHANGES

[22-120](#) Reminders, Calendars, and General Correspondence

Attachments: [Calendars and Reminders](#)

[Sitka Tourism Feedback Report August 2-15 2022](#)

VI. CEREMONIAL MATTERS

*None.*

VII. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Municipal Departments, School District, Students and Guests (five minute time limit)

[22-121](#) Introductions: AFS 2022-23 high school exchange students

Attachments: [AFS High School Exchange Students](#)

**VIII. PERSONS TO BE HEARD**

*Public participation on any item off the agenda. All public testimony is not to exceed 3 minutes for any individual, unless the mayor imposes other time constraints at the beginning of the agenda item.*

**IX. CONSENT AGENDA**

*All matters under Item IX Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

- A**     [22-117](#)     Approve the August 9 Assembly meeting minutes

**Attachments:** [Consent and Minutes](#)

**X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- B**     [22-118](#)     Reappoint Stacy Mudry to a three-year term on the Planning Commission

**Attachments:** [Motion and application.](#)

**XI. UNFINISHED BUSINESS:**

- C**     [ORD 22-16S](#)     Amending Title 2 "Administration" of the Sitka General Code by adding Chapter 2.15 "Sustainability Commission" (substitute ordinance)

**Attachments:** [Motion and Memo Ord 2022-16S](#)  
[Ord 2022-16S Substitute Ordinance](#)

**XII. NEW BUSINESS:****New Business First Reading**

- D**     [ORD 22-22](#)     Making supplemental appropriations for fiscal years 2022 and 2023 (Re-appropriations and Supplemental Appropriations)

**Attachments:** [Motion Ord 2022-22](#)  
[Memo Ord 2022-22](#)  
[Ord 2022-22](#)

- E**     [ORD 22-20](#)     Updating Title 19 "Building and Construction" of the Sitka General Code by adding a new chapter and modifying and amending the majority of all other chapters within this Title

**Attachments:** [Motion Ord 2022-20](#)  
[Memo Ord 2022-20](#)  
[Ord 2022-20 Title 19 Building and Construction Final](#)

- F      [ORD 22-21](#)      Amending Title 22 “Zoning” of the Sitka General Code by updating Chapter 22.08 “Definitions” and Chapter 22.24 “Special Use Permits” (Short-Term Rentals)

**Attachments:** [Motion Ord 2022-21](#)

[Ord 2022-21 Short Term Rental Code Update\\_Final](#)

[April 2022 Townhall Short-Term Rentals](#)

#### **Additional New Business Items**

- G      [RES 22-23](#)      Supporting Sitka Maritime Heritage Society’s application under the FY22 Historic Preservation Fund Grant program for Certified Local Governments

**Attachments:** [Motion Res 2022-23](#)

[Memo Japonski Island Boathouse CLG Grant](#)

[Res 2022-23](#)

[Japonski Island Boathouse CLG Grant Application & Support Docs.](#)

- H      [RES 22-22](#)      Authorizing the Municipal Administrator to apply for a Safe Streets for All (SS4A) Grant with the Department of Transportation (DOT) for \$550,000 with a \$150,000 match commitment to support development of a Comprehensive Safety Action Plan

**Attachments:** [00 Motion Res 2022-22](#)

[01 Assembly Memo SS4A Action Plan](#)

[02 Action Plan Components](#)

[03 Res 2022-22 SS4A Grant](#)

[04 Application Safe Streets](#)

[05 STA LetterOfSpprt CBS SS4A-GrantPrgrm 8-12-22 \(2\)](#)

- I      [22-116](#)      Discussion / Direction / Decision on Secure Rural Schools Election Percentages

**Attachments:** [Memo Secure Rural Schools](#)

#### **XIII. PERSONS TO BE HEARD:**

*Public participation on any item on or off the agenda. Not to exceed 3 minutes for any individual.*

#### **XIV. REPORTS**

**a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other**

#### **XV. EXECUTIVE SESSION**

*Not anticipated.*

**XVI. ADJOURNMENT**

*Note: Detailed information on these agenda items can be found on the City website at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Municipal Clerk's Office at City Hall, 100 Lincoln Street or 747-1811. A hard copy of the Assembly packet is available at the Sitka Public Library. Regular Assembly meetings are livestreamed through the City's website and YouTube channel, and aired live on KCAW FM 104.7. To receive Assembly agenda notifications, sign up with GovDelivery on the City website.*

*Sara Peterson, MMC, Municipal Clerk*

*Publish: August 19*



# CITY AND BOROUGH OF SITKA

## Legislation Details

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**File #:** 22-120      **Version:** 1      **Name:**

**Type:** Correspondence      **Status:** AGENDA READY

**File created:** 8/18/2022      **In control:** City and Borough Assembly

**On agenda:** 8/23/2022      **Final action:**

**Title:** Reminders, Calendars, and General Correspondence

**Sponsors:**

**Indexes:**

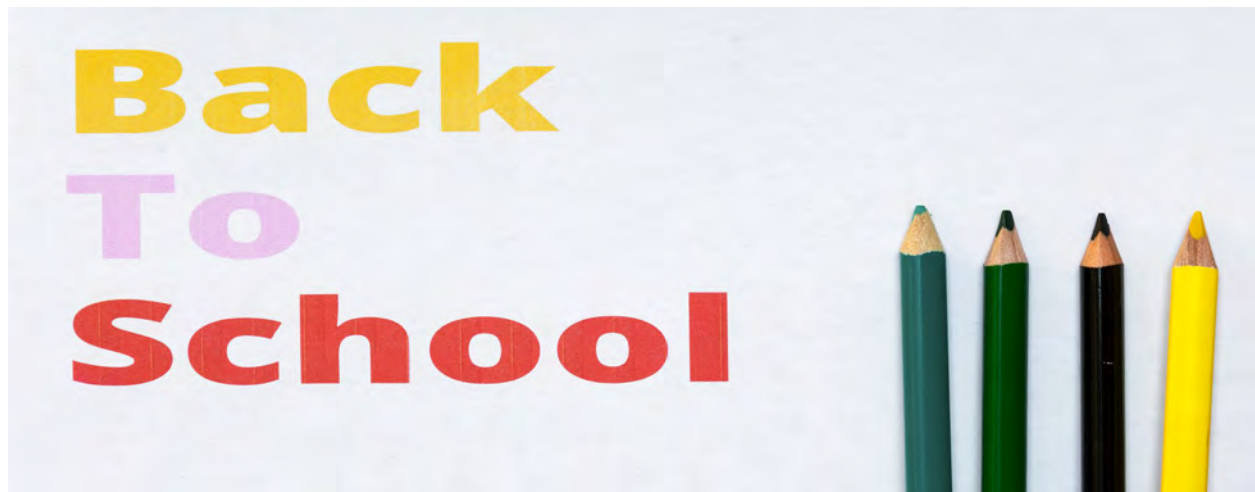
**Code sections:**

**Attachments:** [Calendars and Reminders](#)  
[Sitka Tourism Feedback Report August 2-15 2022](#)

Date	Ver.	Action By	Action	Result
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# REMINDERS

<u>DATE</u>	<u>EVENT</u>	<u>TIME</u>
Tuesday, August 23	Regular Meeting	6:00 PM
Thursday, September 1	Special Meeting <i>Strategic Planning</i>	6:00 PM
Tuesday, September 13	Regular Meeting	6:00 PM



## MUNICIPAL ELECTION

Monday, September 19	Absentee/Advanced in-person voting begins at Harrigan Centennial Hall 8:30 a.m. – 4:30 p.m.
Tuesday, September 27	Last day to request absentee by mail ballot
Monday, October 3	Last day of Absentee/Advanced in-person voting at Harrigan Centennial Hall
Tuesday, October 4	Municipal Election- Polls Open from 7 a.m.-8 p.m.

### Expiring Terms:

Assembly  
Steven Eisenbeisz  
Kevin Knox  
Thor Christianson

School Board  
Paul Rioux  
Amy Morrison (2 year term)  
Andrew Hames (1 year term)

**August 2022**

Sunday		Monday		Tuesday	Wednesday	Thursday	Friday	Saturday
31	Jul	1	Aug	2	3	4	5	6
				6:30pm Climate Action Task Force - Liaison Mosher	6:00pm <u>Library Commission- Liaison Miller</u> 6:00pm <u>School Board - Liaison Himschoot</u> 7:00pm Planning Commission- Liaison Christianson	12:00pm Sitka Bear Task Force		
7		8		9	10	11	12	13
				12:00pm <u>Parks and Recreation Committee- Liaison Knox</u> 6:00pm <u>Regular Assembly Mtg</u>	5:00pm <u>Tree &amp; Landscape - Liaison Himschoot</u> 6:00pm Historic Preservation Commission- Liaison Miller 6:00pm <u>Ports &amp; Harbors- Liaison Knox</u>	12:00pm <u>Local Emergency Planning- Liaison Miller</u>		Eisenbeisz
14		15		16	17	18	19	20
Eisenbeisz		Eisenbeisz		Eisenbeisz	Eisenbeisz 7:00pm <u>Planning Commission - Liaison Christianson</u>	6:00pm <u>Special Meeting: Commercial Operations at CBS Facilities</u>		
21		22		23	24	25	26	27
				6:00pm <u>Regular Assembly Mtg</u>	5:30pm <u>Police and Fire Commission- Liaison Duncan</u>			
28		29		30	31	1	2	3
Eisenbeisz		Eisenbeisz		Eisenbeisz	Eisenbeisz 12:00pm <u>Health Needs and Human Services Commission</u>	Eisenbeisz 12:00pm Sitka Bear Task Force 6:00pm <u>Special Meeting: Strategic Planning</u>	Eisenbeisz	

**September 2022**

Sunday		Monday	Tuesday	Wednesday	Thursday		Friday	Saturday	
28	Aug	29	30	31	1	Sep	2	3	
Eisenbeisz		Eisenbeisz	Eisenbeisz	Eisenbeisz 12:00pm <u>Health Needs and Human Services Commission</u>	Eisenbeisz 12:00pm Sitka Bear Task Force 6:00pm <u>Special Meeting: Strategic Planning</u>		Eisenbeisz		
4		5	6	7	8		9	10	
		HOLIDAY observed by CBS	6:30pm Climate Action Task Force - Liaison Mosher	6:00pm <u>Library Commission- Liaison Miller</u> 6:00pm <u>School Board - Liaison Himschoot</u> 7:00pm Planning Commission- Liaison Christianson	12:00pm <u>Local Emergency Planning-Liaison Miller</u>				
11		12	13	14	15		16	17	
		Eisenbeisz	Eisenbeisz 12:00pm <u>Parks and Recreation Committee- Liaison Knox</u> 6:00pm <u>Regular Assembly Mtg</u>	Eisenbeisz 5:00pm <u>Tree &amp; Landscape - Liaison Himschoot</u> 6:00pm <u>Historic Preservation Commission- Liaison Miller</u> 6:00pm <u>Ports &amp; Harbors-Liaison Knox</u>	Eisenbeisz Miller		Miller	Miller	
18		19	20	21	22		23	24	
Miller		Miller	Miller	Miller 12:00pm <u>Health Needs and Human Services Commission</u> 7:00pm <u>Planning Commission - Liaison Christianson</u>	Miller 6:00pm <u>Special Meeting: Award of Annual General Fund Non-Profit Grants</u>		Miller	Miller	
25		26	27	28	29		30	1	Oct
Miller			6:00pm <u>Regular Assembly Mtg</u>	5:30pm <u>Police and Fire Commission- Liaison Duncan</u>					

**LINCOLN  
STREET**

**CLOSURES**

## 2022 Sitka Tourism Feedback Tracking

**August 2-15, 2022**

Date	Source	Concern Type	Submitter Type	Recipient	Summary
8/11/2022	Spoke to Visit Service Coordinator	Transportation	Business Staff	VS Sandy White	Downtown business staff relayed that he had heard from numerous visitors how difficult it was to get to and from the Airport and there needed to be a shuttle or other forms of transportation.
8/15/2022	Spoke to Visit Service Coordinator	Lincoln Street Closures	Resident	VS Sandy White	Resident on the street positively commented to Visit Services Coordinator that he liked the new barricade covers that were being installed and thought they were attractive and would leave a positive impression on visitors to Sitka.



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 22-121      Version: 1      Name:

Type: Special Report      Status: AGENDA READY

File created: 8/19/2022      In control: City and Borough Assembly

On agenda: 8/23/2022      Final action:

Title: Introductions: AFS 2022-23 high school exchange students

Sponsors:

Indexes:

Code sections:

Attachments: [AFS High School Exchange Students](#)

Date	Ver.	Action By	Action	Result
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To: Assembly Members

From: Krisanne Rice, AFS Volunteer

Re: **AFS 2022-23 high school exchange students and volunteer host families and Welcome Potluck picnic, Sunday, August 21, Pioneer Park, 5pm.**

Date: August 19, 2022

Thank you for welcoming the AFS high school exchange students and acknowledging their volunteer host families at your meeting.

AFS-USA honors the legacy of its founders—volunteer WWI and WWII [American Field Service](#) ambulance drivers—who emerged from the wars with a bold mission: to help prevent future conflict through cultural exchange and understanding. As a partner in the global AFS network, AFS-USA offers international exchange and education opportunities in over 45 countries and hosts exchange students from 90 countries.

These four students are recipients of highly competitive scholarships funded by the US Department of State. These programs are designed to promote long-lasting peace and mutual understanding between the U.S. and other countries. Students learn about the U.S. firsthand and teach us about their countries and cultures. American students can also apply for similar scholarships to study abroad in many of these same countries.

**YES** is the Kennedy - Lugar Youth Exchange and Study Program and is for students living in over 40 countries with significant Muslim populations, from Albania to the West Bank.

**FLEX** is the Future Leaders Exchange Students Program and is for students that live in countries of Eurasia from Armenia to Uzbekistan.

### **Students**

1. Sadija Masic. Bosnia and Herzegovina. YES Program
2. Imane Baghourri. Morocco, YES Program
3. Daniel Sah. Cameroon, YES Program
4. Una Gailite. Latvia, FLEX Program

### **Host Families**

Ariel and Luke Starbuck

Renee and Math Trafton

Rachel and Nick Pilch

Jessica and Thor Christianson

*Please consider coming to the **Welcome Community Picnic, this Sunday, August 21, 5 pm, at Pioneer Park.** Bring a dish to share! Meet the students and their host families and share some great Sitka potluck dishes!*



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 22-117      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/17/2022      In control: City and Borough Assembly

On agenda: 8/23/2022      Final action:

Title: Approve the August 9 Assembly meeting minutes

Sponsors:

Indexes:

Code sections:

Attachments: [Consent and Minutes](#)

Date	Ver.	Action By	Action	Result
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## **CONSENT AGENDA**

### **POSSIBLE MOTION**

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**I MOVE TO APPROVE THE CONSENT AGENDA  
CONSISTING OF ITEM A.**

**I wish to remove Item(s) \_\_\_\_\_**

**REMINDER – When making the motion to approve the  
consent agenda, please read the title of each item  
being voted on that is included in the consent vote.**

Should this item be pulled from the Consent Agenda the following motion is suggested:

## **POSSIBLE MOTION**

**I MOVE TO** approve the August 9 Assembly meeting minutes.



# CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS  
330 Harbor Drive  
Sitka, AK  
(907)747-1811

## Minutes - Draft

### City and Borough Assembly

*Mayor Steven Eisenbeisz,  
Deputy Mayor Kevin Knox,  
Vice Deputy Mayor Kevin Mosher,  
Thor Christianson, Crystal Duncan, Rebecca Himschoot,  
David Miller*

*Municipal Administrator: John Leach  
Municipal Attorney: Brian Hanson  
Municipal Clerk: Sara Peterson*

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Tuesday, August 9, 2022

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. RECITAL OF LANDS ACKNOWLEDGEMENT

IV. ROLL CALL

**Present:** 6 - Christianson, Knox, Mosher, Eisenbeisz, Duncan, and Miller

**Remote:** 1 - Himschoot

V. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

[22-114](#)

Reminders, Calendars, and General Correspondence

VI. CEREMONIAL MATTERS

None.

VII. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Municipal Departments, School District, Students and Guests (five minute time limit)

None.

VIII. PERSONS TO BE HEARD

Lance Ewers mentioned city employees, per the Sitka Home Rule Charter, were prohibited from serving on the Sitka School Board. He urged the Assembly to consider amending the Charter. Rich McClear spoke about the impacts of big cruise tourism. Ryan Herbert suggested a tariff be imposed on infrastructure and told of the need for improved cell service. Richard Wein testified on several subjects including fossil fuels, tourism, and economic trends.

## IX. CONSENT AGENDA

- A [22-106](#) Approve the minutes of the July 12 and July 26 Assembly meetings

**A motion was made by Christianson to APPROVE this item. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

## X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- B [22-113](#) Appoint Peter Jurczak to a three-year term on the Building Department Appeals Board and reappoint Tyler Green to a three-year term on the Port and Harbors Commission

Richard Wein thanked the applicants.

**A motion was made by Mosher that this Item be APPROVED. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

## XI. UNFINISHED BUSINESS:

- C [ORD 22-17](#) Making supplemental appropriations for fiscal year 2023 (Critical Repair for Scrapyard Baler)

From the public, Richard Wein spoke about the needed repairs and reminded the Public Infrastructure Sinking Fund balance contained almost enough for a new baler. Ryan Herbert wondered if alternative repairs could be made to avoid the expenditure.

**A motion was made by Knox that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

- D [ORD 22-18](#) Making supplemental appropriations for fiscal year 2023 (ADA Second Bus Shelter)

From the public, Richard Wein reviewed the details of the appropriation and noted the importance of the RIDE.

Administrator Leach said the staff was exploring the possibility of local construction.

**A motion was made by Christianson that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

**XII. NEW BUSINESS:**

- E**     [ORD 22-19](#)     Making supplemental appropriations for fiscal year 2023 (Blatchley Middle School Heat Pumps) 1st reading approved on 8/9/22
- Administrator Leach stated the City had recently learned of a massive failure of the heat pump system at Blatchley Middle School. Any unspent funds from the \$600k appropriation would go back into the General Fund. He emphasized the mission was to have heat in the schools. The quickest way to do that was to proceed with the Mitsubishi heat pumps and a warranty.
- From the public, Richard Wein noted the costs associated with replacing five heat pumps and called attention to the fiscal note, in particular, the need to complete condition assessments of school buildings to ensure assets were meeting their expected life and replacements were planned. Ryan Herbert suggested exploring an entirely new heating system.
- School District staff provided further details. Maintenance Director Mike Bartolaba learned of the problems in November 2021, reached out to multiple contractors for repairs, and after failed attempts to fix it, the problem was brought to the School Board in early spring. Bartolaba said it appeared the units had been incorrectly installed. He stated new units would take approximately 6-8 weeks to arrive plus additional time for installation.
- A discussion of the Assembly ensued. Members wondered if it would be worthwhile exploring a different brand of heat pump, and inquired about temporary heating plans for the building, and future protections. Ron Vinson, Asset Manager, emphasized the importance of citywide condition assessments and preventative maintenance.
- Due to the urgency of the situation, second reading of the ordinance was scheduled for the August 18 special meeting.
- A motion was made by Mosher that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller
- F**     [22-112](#)     Approve a final subdivision plat, filed by the Sitka Community Land Trust, for a Planned Unit Development at 1410 and 1414 Halibut Point Road
- Planning Director Amy Ainslie explained the Planned Unit Development and told of multiple reviews by the Planning Commission. She reminded all major subdivisions, which included a Planned Unit Development, required Assembly approval.
- From the public, Carol Voisin, Randy Hughey, and Mim McConnell testified in support. Richard Wein spoke to the design and noted the space could have been better utilized. Ryan Herbert suggested more condo development and the construction of parking garages beneath apartment buildings.
- The Assembly thanked the Sitka Community Land Trust for their innovative thinking and a successful project.
- A motion was made by Christianson to APPROVE this Item. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

### **XIII. PERSONS TO BE HEARD:**

Richard Wein revisited the topic of heat pump failures at Blatchley Middle School and called attention to the letter in correspondence regarding FERC Project No. 15275-000, an application submitted by Joe Stephens for a private hydroelectric generation project at Nelson Bay. Ryan Herbert stated it was possible to fix the Blatchley Middle School heat pump issues in approximately two weeks. Scott Saline spoke about the Blatchley Middle School heat pump failures.

### **XIV. REPORTS**

#### **a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other**

Mayor - Eisenbeisz announced he was attending the Alaska Municipal League Summer Legislative Conference.

Administrator - Leach announced he also was attending the Alaska Municipal League Summer Legislative Conference. He said the Open Finance program on the City's website was near completion.

Liaison Representatives - Knox reported on the recent Parks and Recreation Committee meeting.

Clerk - Peterson reviewed the board/commission vacancies and told of details for the upcoming October 4 Municipal Election.

### **XV. EXECUTIVE SESSION**

None.

### **XVI. ADJOURNMENT**

**A motion was made by Christianson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 8:10pm.**

**ATTEST: \_\_\_\_\_**  
**Sara Peterson, MMC**  
**Municipal Clerk**



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 22-118      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/17/2022      In control: City and Borough Assembly

On agenda: 8/23/2022      Final action:

Title: Reappoint Stacy Mudry to a three-year term on the Planning Commission

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and application.](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** reappoint Stacy Mudry to a three-year term on the Planning Commission.



**Application for Appointment to Boards, Committees, and Commissions  
City and Borough of Sitka**

Board/Commission/Committee: Planning Commission  
Name: Stacy Mudry Preferred Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Alternate Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Length of Residence in Sitka: 23 years Registered to vote in Sitka? ☒ Yes ☐ No  
Employer: self employed @ Sitka Ready-Mix & Rental Equipment, LLC.

Organizations you belong to or participate in:  
see attached

Explain your main reason for applying:  
see attached

What background, experience or credentials will you bring to the board, commission, or committee membership?  
see attached

Please disclose any potential conflicts of interest that may arise from your appointment. These may include but are not limited to:

- A substantial financial interest of \$1000 annually that could be influenced by your appointment.
- An immediate family member employed within the scope of this appointment.

Please attach a letter of interest, outline, or resume which includes your education, work, and volunteer experience that will enhance your membership.

→ (To be considered, your application must be complete AND be accompanied by one of the above supporting documents.)

Date: 8-16-2022 Signature: Stacy Mudry

Your complete application and resume should be returned to the Municipal Clerk's Office by noon on the Wednesday prior to an advertised Assembly meeting.

Please note: all information submitted will be made public and published online. Appointments are normally made during open session of an Assembly meeting, however, Assembly members may vote to discuss applicant(s) in closed executive session. In this case, do you wish to be present when your application is discussed? ☐ Yes ☒ No

Return to:

Jess Earnshaw, Deputy Clerk/Records Specialist, 100 Lincoln Street  
Fax: 907-747-7403 Email: [clerk@cityofsitka.org](mailto:clerk@cityofsitka.org)

# Reapplying for Position with the City of Sitka Planning Commission

My name is Stacy Mudry. I do not belong to any outside organizations other than my business that I have been growing for years here in Sitka. I feel that I am at a time in my life where I should expand my knowledge and experience to my community and I honestly believe that this position on the planning commission is a perfect fit for my knowledge.

Having served on the planning commission for the last 3 years has been quite an experience and I would love to continue this journey to serve our community.

I have an Associates Degree in Construction Drafting from Mesa Community College.

I moved to Sitka in October 1999, in which I worked for my brother at Interiorworks, before getting a job at Sitka Ready-Mix in March of 2000.

In 2011, my husband, Darryl Howard and I bought into Sitka Ready-Mix & Rental Equipment, LLC. I have been an owner/store manager since. With all of the growth that our business has overcome, I have overseen a half dozen or so upgrades or remodels for our business.

For anyone that is not familiar with my business, we are a ready-mix supplier, equipment rental yard, and a fairly good size retail store with top name brands; such as STIHL, HILTI, Honda Power Equipment and more. These types of brands have strict criteria for customer service.

My company is one that is always trying our best to help everyone, and if we do not have something to help a person, we will try our best to help figure out a solution for them or another resource. I am constantly saying that I think we are Sitka's information.

This is why I think I would be a good fit for this position, as I enjoy trying to solve problems and helping everyone. Well that...and my background in the construction industry.



## PLANNING COMMISSION

NAME	CONTACT NUMBERS	TERM STARTS	EXPIRES	CATEGORY
CHRIS SPIVEY 109 Lillian Drive	738-2524 spi3050@yahoo.com	12/11/12 1/28/14 1/24/17 1/14/20	2/8/14 1/28/17 1/24/20 1/14/23	CHAIR
DARRELL WINDSOR PO Box 1973	738-4046 dwindsor@gci.net	6/28/11 6/24/17 7/25/17 8/11/20	6/28/14 6/24/17 7/25/20 8/11/23	VICE CHAIR
STACY MUDRY PO Box 1366	738-8693 stacym@sitkareadymix.com	8/27/19	8/27/22	
WENDY ALDERSON 714 Etolin Street	752-0246 wendyalderson@gci.net	9/22/20 5/11/22	5/14/22 5/11/25	
CATHERINE RILEY 1709 Halibut Pt Rd Spc 1	907-209-2019 katie.really@gmail.com	10/13/20	10/26/24	
Amy Ainslie Planning Director	747-1814 amy.ainslie@cityofsitka.org			Staff Liaison
Thor Christianson 500 Lincoln Street A9	738-2491 assemblychristianson@cityofsitka.org			Assembly Liaison
Crystal Duncan PO Box 174	738-1910 assemblyduncan@cityofsitka.org			Alternate Assembly Liaison

5 members from public, 3-year terms

Established by Ordinance 74-118/SGC2.18 & Charter Article VIII

Must be registered to vote

First and Third Wednesday at 7:00 p.m. – Harrigan Centennial Hall, 330 Harbor Drive

### CONFLICT OF INTEREST FORMS OATHS OF OFFICE

Revised: May 11, 2022



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 22-16S    Version: 1    Name:

Type: Ordinance    Status: AGENDA READY

File created: 7/19/2022    In control: City and Borough Assembly

On agenda: 8/23/2022    Final action:

Title: Amending Title 2 "Administration" of the Sitka General Code by adding Chapter 2.15 "Sustainability Commission" (substitute ordinance)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion and Memo Ord 2022-16S](#)  
[Ord 2022-16S Substitute Ordinance](#)

Date	Ver.	Action By	Action	Result
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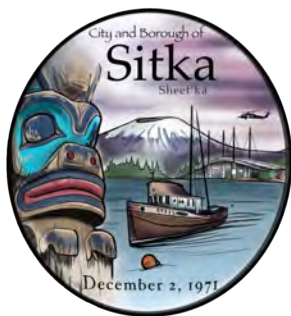
Sponsors: Mosher/Himschoot

## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2022-16S on first reading amending Title 2 "Administration" of the Sitka General Code by adding Chapter 2.15 "Sustainability Commission."

Note:

- This is a substitute ordinance. Ordinance 2022-16 was introduced at the 7/26/2022 Assembly meeting. After discussion, Assembly Member Mosher requested the chance to rework the ordinance with Assembly Member Himschoot and bring back a substitute ordinance at a future meeting. The motion was withdrawn. No action was taken.




# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## MEMORANDUM

**To:** Mayor Eisenbeisz and Assembly Members

**Thru:** John Leach, Municipal Administrator 

**From:** Assemblymembers Himschoot and Mosher

**Date:** July 18, 2022

**Subject:** Establishment of a Sustainability Commission

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### **Background**

This Ordinance is meant to facilitate the establishment of a Sustainability Commission with a Sustainability Coordinator staff liaison who will report to the Planning and Community Development Director.

### **Analysis**

Established by Resolution 2020-29A on November 10, 2020, The Climate Action Task Force (CATF) is to be responsible for studying and making recommendations to the Sitka Assembly on ways to plan for and mitigate the impacts of climate change on the City and Borough of Sitka's economy, infrastructure and future development, and methods the City and Borough of Sitka can employ to reduce the emission of greenhouse gases.

They regularly meet the first Tuesday of the month, and the CATF initially consisted of nine members and currently has six members.

The CATF presented priorities to the Assembly, and the priorities were adopted on December 28, 2021. One of the adopted priorities was to establish a Sustainability Commission.

### **Fiscal Note**

There are no additional costs associated with establishing a Sustainability Commission.

### **Recommendation**

We recommend passing the Ordinance to establish a Sustainability Commission and directing the Municipal Administrator to assign the Sustainability Coordinator as the staff liaison to the Sustainability Commission.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2022- 16S

AN ORDINANCE OF CITY AND BOROUGH OF SITKA AMENDING TITLE 2  
“ADMINISTRATION” OF THE SITKA GENERAL CODE BY ADDING CHAPTER 2.15  
“SUSTAINABILITY COMMISSION”

**1. CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code (SGC).

**2. SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

**3. PURPOSE.** The purpose of this ordinance is to add a new chapter to SGC Title 2, entitled “Administration,” to create a sustainability commission and establish organizational guidelines for that commission. It is the intent of the commission to work towards catalyzing a healthy community now and in the future by proposing solutions to environmental, social, and economic concerns of the city and borough of Sitka, its partners, and community members.

**4. ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that Sitka General Code Title 2, entitled “Administration”, be amended by adding Chapter 2.15, entitled “Sustainability Commission,” to read as follows (deleted language stricken, new language underlined):

**Title 2**  
**ADMINISTRATION**

**Chapters:**

- 2.04 City and Borough Assembly**
- 2.08 City and Borough Departments**
- 2.10 Defense and Indemnification of Officers and Employees**
- 2.13 Health Needs and Human Services Commission**
- 2.15 Sustainability Commission**
- 2.16 Library Commission**

\* \* \*

**Chapter 2.15**  
**SUSTAINABILITY COMMISSION**

**Sections:**

- 2.15.010 Sustainability commission.**

2.15.020 Term.

2.15.030 Meetings.

2.15.040 Organization.

2.15.050 Resignation.

2.15.060 Powers and duties.

**2.15.010 Sustainability commission.**

There shall be a commission known as the sustainability commission, which shall be composed of seven members appointed by the assembly and, to the extent deemed advisable by the assembly and possible from the applicants, include at least one individual with background or training as a sustainability professional and at least one individual of Alaska Native heritage with understanding and appreciation of the historical importance of sustainability on Tlingit Aaní. All voting members of the commission shall be at-large members and representative of a diverse cross-section of the community. The sustainability coordinator within the planning and community development department or designee shall be an ex-officio member without a vote.

**2.15.020 Term.**

The term of a voting member shall be three years or until a successor is appointed. The first members appointed to the commission shall, upon appointment, determine the length of the terms so that the terms of three members shall be for one year and the terms of two members shall be for two years, and the terms of two members shall be for three years, resulting in staggered terms for members subsequently appointed. A vacancy on the commission shall be filled by appointment by the assembly for any remainder of an unexpired term.

**2.15.030 Meetings.**

A. Meet once per month at such time as the chair or, in their absence, the vice chair shall determine.

B. Give reasonable public notice of its meetings and comply in all respects with the Alaska Open Meetings Act.

**2.15.040 Organization.**

The commission shall organize itself by electing a chair, a vice chair and a secretary, each of whom shall be elected by the voting members of the commission at its first meeting and shall serve a term to expire upon election of officers at the first meeting of the following year. The secretary shall provide minutes of all meetings to the municipal clerk.

**2.15.050 Resignation.**

Should an officer resign from their position prior to expiration of their term, or otherwise is unable or unwilling to perform duties as required of the office, the commission may elect an officer to serve out the remainder of that term. In addition to the above officers, the commission, by a majority vote of its voting members, may designate and elect or appoint such other officers, assistant officers and agents as it deems necessary at such time, in such manner, and upon and for such terms as it shall prescribe. All officers and agents shall serve at the pleasure of the commission, whenever in its judgment the best interest of the commission will be served.

**2.15.060 Powers and duties.**

A. The commission will act as an advisory body to the assembly with the purpose of catalyzing and developing municipal and community-focused approaches that support the social, environmental, and economic sustainability of the city and borough. The commission will accomplish this by working towards the following actions described below.

B. Annually, the commission will develop, identify, and present goals to the assembly for approval. The approved goals shall be the commission's primary focus for the following year. Goals will generally be based on topics that may include:

1. Fossil energy use reduction and development of local, renewable energy sources;
2. Responsible use of natural resources;
3. Diminution of Sitka's supply-chain fragility;
4. Food security enhancement;
5. Sustainable transportation options that leverage Sitka's locally-generated, renewable energy sources;
6. Solid waste consumption, reduction, composting, recycling, and re-use;
7. Robust and healthy local ecosystems and natural communities; and,
8. Other matters as the assembly or commission may deem beneficial for the city and borough.

Concurrently with presenting goals to the assembly, the commission will submit a report to the assembly on progress towards the previous year's goals and other activities which were approved and directed by the assembly.

C. With the approval and direction of the assembly, the commission will work with designated staff to provide information and outreach to the public, in order to understand community priorities and develop community consensus on matters concerning sustainability. This effort may require the commission to invite participation and technical expertise from community partners and professionals (e.g. engineers, public administration experts, earth system scientists, business leaders, educators, community group leaders, etc). If city and borough funds are needed to facilitate participation and technical expertise from community partners and professionals, the commission shall obtain prior approval and the necessary appropriation from the assembly.

**5. EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 13<sup>th</sup> day of September, 2022.

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ATTEST:

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Kevin Knox, Deputy Mayor

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Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> reading: 7/26/2022  
1<sup>st</sup> reading – substitute ordinance: 8/23/2022  
2<sup>nd</sup> and final reading: 9/13/2022  
  
Sponsors: Mosher / Himschoot



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 22-22    Version: 1    Name:

Type: Ordinance    Status: AGENDA READY

File created: 8/17/2022    In control: City and Borough Assembly

On agenda: 8/23/2022    Final action:

Title: Making supplemental appropriations for fiscal years 2022 and 2023 (Re-appropriations and Supplemental Appropriations)

Sponsors:

Indexes:

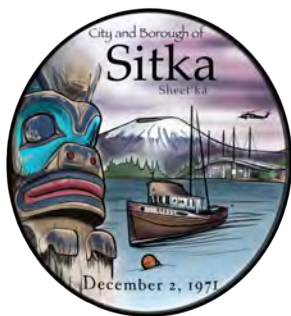
Code sections:

Attachments: [Motion Ord 2022-22](#)  
[Memo Ord 2022-22](#)  
[Ord 2022-22](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2022-22 on first reading making supplemental appropriations for fiscal years 2022 and 2023 (Re-appropriations and Supplemental Appropriations).




# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## MEMORANDUM

**To:** Mayor Eisenbeisz and Assembly Members

**Thru:** John Leach, Municipal Administrator 

**From:** Melissa Haley, Finance Director

**Date:** August 17, 2022

**Subject:** Re-appropriation of Unspent FY2022 Budget Items and Supplemental Appropriations for Funds that Exceeded FY2022 Budget

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### **Background**

While staff generally spend down or commit funds in the fiscal year in which they were budgeted, in some cases that is not possible. In FY2022, several challenges contributed to the need to re-appropriate funds from FY2022 for FY2023. The primary reasons for the re-appropriations requested are the inability to procure items due to supply chain issues as well as the significant time constraints to implement some of the items to address the increase in tourism.

It is also important to note that some efforts from FY2022 are underway and the portion of those funds that were committed but not yet spent automatically rolls over to FY2023. A summary of the unspent portion of those commitments which are committed via contract and/or purchase order (PO) is attached.

In addition, two funds, the Harbor Fund and the Sitka Community Hospital Dedicated Fund, were over budget for FY2022. The Harbor Fund ended the year over-budget due to increased costs of derelict vessel destruction and increased cost of accounting for bad debt (as required by governmental accounting standards). The Sitka Community Hospital Dedicated Fund was overbudget due to a payment on the CERNER health records project that had been missed at the time of the sale and was paid in FY2022.

### **Analysis**

The requested re-appropriations listed below are all critical expenditures that staff are actively working on but were unable to finalize before June 30, 2022. Mechanically, the FY2022 budgets are decreased and the FY2023 budgets are increased.

Department	Amount	Description
Administration	\$50,000	Cost allocation study--approved as part of the tourism appropriation to ensure the municipality is capturing its true cost of tourists visiting Sitka and is able to use CPV funding to offset those costs
Capital (Fund 700)	\$132,178	Traffic study-this was originally budgeted as an operational expense, however, further investigation indicates that it should be capital
Central Garage Fund	149,025	2 vans for supporting tourism operations replacement of vehicle #380 Ford Transit Connect (all currently unavailable)

The proposed increases to FY2022 appropriations are as follows:

Harbor Fund: \$157,000

Sitka Community Hospital Dedicated Fund: \$254,000

### **Fiscal Note**

The total change (decrease to FY2022 budget and increase to FY2023 budget) for re-appropriating funding from FY2022 to FY2023 is \$331,203. The increased FY2022 appropriations to cover the two funds that are over budget is \$411,000 increase for FY2022 for Harbors and SCH Dedicated Fund.

### **Recommendation**

Approve ordinance 2022-22 amending the FY2022 and FY2023 appropriations.

Encl: Summary of FY2022 Open PO's for operating expenses

		Estimate of funds committed but		
Fund	Department	unspent in FY2022	Notes on significant uses (POs>\$10,000)	
100	Administration	\$	26,156	Mostly for strategic planning
100	Attorney	\$	41,506	Code review and airport lease review
100	Clerk	\$	7,400	
100	Finance	\$	33,754	Mostly prior year SEMT cost report preparation
100	Police	\$	3,819	
100	Fire	\$	13,256	
100	Ambulance/SAR	\$	20,134	Dive gear (12K)
100	Public Works	\$	48,745	Engineerings support (\$34K)
100	Streets	\$	19,445	HPR street repair
100	Library	\$	19,500	Mostly furniture and supply order
100	HCH	\$	12,440	A/V maintenance contract
200	Electric	\$	173,085	FERC Compliance (\$74K), USFS SMC agreement (\$13.5K), diesel maintenance (\$22K), switchyard equipment (\$17K), metering-field collection system (\$12K)
210	Water	\$	45,144	Water treatment chemicals (\$19K)
220	Wastewater	\$	45,493	WW discharge permit renewal (27K), SCADA on-call maintenance (\$10K)
230	Solid Waste	\$	17,430	Methane monitoring (\$17K)
240	Harbor Fund	\$	8,153	
250	Airport Terminal	\$	9,217	
300	IT Fund	\$	92,156	Microsoft licensing (\$72K), Dell equipment (\$16K)
310	Central Garage	\$	218,735	Vehicles (\$217K)
	TOTAL	\$	855,568	

## CITY AND BOROUGH OF SITKA

## ORDINANCE NO. 2022-22

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA  
MAKING SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEARS 2022 and 2023  
(Re-appropriations and Supplemental Appropriations)

BE IT ENACTED by the Assembly of the City and Borough of Sitka, Alaska as follows:

1. **CLASSIFICATION.** This ordinance is not of a permanent nature and is not intended to be a part of the Sitka General Code of the City and Borough of Sitka, Alaska.

2. **SEVERABILITY.** If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and application thereof to any person and circumstances shall not be affected thereby.

3. **PURPOSE.** The purpose of this ordinance is to make supplemental appropriations for Fiscal Year 2022.

4. **ENACTMENT.** In accordance with Section 11.10(a) of the Charter of the City and Borough of Sitka, Alaska, the Assembly hereby makes the following supplemental appropriations for the budget period beginning July 1, 2021, and ending June 30, 2022 is hereby adjusted as follows:

<b><u>FISCAL YEAR 2022 EXPENDITURE BUDGETS</u></b>
<b>GENERAL FUND</b>
<b>Administration – Operations: Re-appropriate \$50,000 from FY22 to FY23 for the CPV Cost Allocation Study.</b>
<b>Streets Department – Operations: Reduce FY2022 appropriations by \$132,178 for the traffic study involving the increase in cruise passengers (transfer from operations to capital).</b>
<b>Harbor Fund – Operations: Increase appropriations in the amount of \$157,000 to cover the overage in this fund.</b>
<b>Central Garage Fund – Fixed Assets: Re-appropriate \$149,025 from FY22 to FY23 for the purchase of Vehicles/Equipment that were unable to be purchase in FY22.</b>
<b>SPECIAL REVENUE FUNDS</b>
<b>Fund 190 – SCH Dedicated Fund – Operations: Increase appropriations in the amount of \$254,000 to cover the overage in this fund.</b>

In accordance with Section 11.10 (a) of the Charter of the City and Borough of Sitka, Alaska, the budget for the fiscal period July 1, 2022, and ending June 30, 2023 is hereby adjusted as follows:

FISCAL YEAR 2023 EXPENDITURE BUDGETS
GENERAL FUND
Administration – Operations: Re-appropriate \$50,000 from FY22 to FY23 for the CPV Cost Allocation Study.
CAPITAL PROJECTS
Fund 700 – Downtown Traffic Study: Re-appropriate \$132,178 from FY22 to FY23 for the traffic study involving the increase in cruise passengers (transfer from operations to capital).
ENTERPRISE AND INTERNAL SERVICE FUNDS
Central Garage Fund – Fixed Assets: Re-appropriate \$149,025 from FY22 to FY23 for the purchase of Vehicles/Equipment.

**EXPLANATION**

The Municipal Administrator has determined that various unexpended appropriations for Fiscal Year 2022, which lapsed on June 30, 2022, are essential to the Municipality. The Municipal Administrator, therefore, is recommending that the lapsed appropriations identified above be re-appropriated in Fiscal Year 2023 through supplemental appropriations as set forth in Section 11.10 (a) of the Charter. In addition, overages in some funds have been identified for fiscal year 2022 and supplemental appropriations are recommended. A short explanation of each supplemental appropriation is included

**5. EFFECTIVE DATE.** This ordinance shall become effective on the day after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 13th Day of September, 2022.

**ATTEST:**

\_\_\_\_\_  
Kevin Knox, Deputy Mayor

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> reading: 8/23/2022  
2<sup>nd</sup> and final reading: 9/13/2022

Sponsor: Administrator



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 22-20    Version: 1    Name:

Type: Ordinance    Status: AGENDA READY

File created: 8/17/2022    In control: City and Borough Assembly

On agenda: 8/23/2022    Final action:

Title: Updating Title 19 "Building and Construction" of the Sitka General Code by adding a new chapter and modifying and amending the majority of all other chapters within this Title

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2022-20](#)  
[Memo Ord 2022-20](#)  
[Ord 2022-20 Title 19 Building and Construction\\_Final](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2022-20 on first reading updating Title 19 “Building and Construction” of the Sitka General Code by adding a new chapter and modifying and amending the majority of all other chapters within this Title.





# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## MEMORANDUM

**To:** Mayor Eisenbeisz and Assembly Members

**Thru:** John Leach, Municipal Administrator 

**From:** Patrick Swedeen, Building Official 

**Date:** August 2, 2022

**Subject:** Updating City and Borough of Sitka's adopted building codes.

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### Background

There are two main driving forces behind the decision to update the City and Borough of Sitka's (CBS) adopted building and life safety codes at this time: 1) the CBS's Building Code Effectiveness Grading Schedule classification through the Insurance Services Office and 2) maintaining the CBS's deferral from the Alaska Fire Marshal's Office.

### Analysis

- The Insurance Services Office (ISO) Building Code Effectiveness Grading Schedule (BCEGS) classification:

Studies have shown that municipalities with well-administered, up-to-date building and life safety codes typically experience lower rates of insurable damages. CBS's ISO rating through the BCEGS classification provides insurance providers with a measurable metric regarding building and life safety code adoption and administration that insurance companies can utilize when determining property insurance rates.

The ISO regularly assesses the nearly 20,000 jurisdictions that it covers to ensure appropriate BCEGS classification, the ISO contacted the CBS several months ago to initiate the next regularly scheduled reassessment of Sitka's BCEGS classification.

A few of the over 1,000 data points collected and measured by the ISO include: number of staff tasked with code administration, staff training and certifications, allocated budget, number of development permits issued, number of inspections performed, and the age of the building and life safety codes adopted by the jurisdiction.

The CBS scores well on most of the data points analyzed, however our currently adopted 2012 International Building Codes are so outdated in the eyes of the ISO that one data point alone will automatically default our BCEGS classification to the lowest possible rating. This could have a negative impact on the cost of insurance rates for property owners in Sitka, both private and commercial.

- **Alaska Fire Marshal's Office Deferral:**

The City and Borough of Sitka carries a deferral with the Alaska Fire Marshal's Office (AFMO) authorizing the CBS to perform in-house the state-required construction plan reviews along with building code-required permits and inspections for commercial development in Sitka (the AFMO provides plan review services only). This allows us to provide plan reviews and building code assistance to our developers in-person utilizing local knowledge and expertise, enabling us to serve the citizens of Sitka with qualified and professional service that is much more personable and accessible than would be available from the AFMO.

Sitka's deferral also authorizes CBS staff to perform state-required Fire and Life Safety Inspections of our commercial buildings and local fire protection systems. This allows us to provide open lines of communication and local understanding in the administration of these duties when working with Sitka's commercial property owners to address identified life safety issues.

In order to maintain Sitka's Alaska Fire Marshal's Office deferral the CBS must demonstrate that we are able and qualified to perform plan reviews and Fire and Life Safety Inspections for commercial construction in Sitka to at least the same level of expertise as the AFMO. We must also adopt and administer building and life safety codes that are not older or less restrictive than the codes adopted by the AFMO.

The AFMO is on-track to adopt the 2021 International Code cycle sometime in the next few months, in order to ensure our deferral is maintained in good standing the CBS should adopt these updated building and life safety codes in anticipation of the state's adoption.

In addition to adopting up-to-date building and life safety codes this proposed Ordinance includes general housekeeping measures to improve the clarity and readability of Chapter 19 and a few substantive amendments to the building and life safety codes as currently adopted. A narrative of substantive proposed code amendments is attached to this memorandum.

### **Fiscal Note**

The changes proposed by Ordinance 2022-20 do not include an increase to the CBS budget.

The administrative costs associated with this proposed ordinance are limited to the staff time that has been dedicated to drafting, reviewing, and editing these proposed code updates, memorandums, and narrative.

Maintaining Sitka's positive ISO classification and Alaska Fire Marshal deferral helps reduce the costs associated with property insurance, development plan reviews, and

required construction inspections thus benefitting Sitka's developers, business owners, and property owners.

**Recommendation**

It is recommended that the Assembly approve Ordinance 2022-20 to maintain our Insurance Services Office Building Code Effectiveness Grading Schedule classification and Alaska Fire Marshal's Office deferral.

Encl: Substantive Changes to Chapter 19 Narrative  
Ordinance 2022-20

## **Substantive Changes Proposed to Chapter 19 in 2022 Adoption**

In addition to adopting the most-current editions of the applicable building and life safety codes the adoption of this proposed Ordinance will also result in the following substantive changes to SGC Chapter 19:

### **International Building Code:**

- **Delete SGC Section 19.01.041.**
  - This deletion from the SGC removes an inconsistency in the adopted code.
  - Deletion of this section of SGC will allow the application of an exception in the IBC that provides less restrictive requirements regarding fire-resistive assemblies separating dwellings and/or sleeping units in apartment buildings and hotels that are protected by a full-coverage automatic fire sprinkler system.

### **International Existing Building Code:**

- **New SGC Chapter 19.01A, adoption of the International Existing Building Code.**
  - This is not technically a substantive change to the adopted code, but it may appear to be.
  - In the currently adopted edition of the IBC, Chapter 34 provides allowances and additional compliance options when performing alterations to existing buildings when a Building Permit is required. In the 2021 code cycle IBC Chapter 34 has been removed and the International Existing Building Code replaces it. The requirements and allowances provided by IBC Chapter 34 have not substantially changed, rather further clarification has been provided through the “new” separate International Existing Building Code.
  - The Alaska Fire Marshal’s Office will be adopting this code.
  - The amendments proposed in 19.01A are in line with and are intended to maintain the amendments of other adopted codes.

### **International Mechanical Code:**

- **New SGC Section 19.04.035, crawlspace return air openings.**
  - This amendment will remove from the IMC verbiage that allows openings between crawlspaces and occupied spaces in commercial buildings.
  - The code as written permits openings directly between crawlspaces and occupied spaces, traditionally for furnace room combustion air and in more recent code cycles also for alternate crawlspace ventilation.
  - This configuration is problematic in our climate and we have many buildings in Sitka that have issues due to poor air quality as a result.
  - Previous Building Officials have not allowed the use of this type of installation.

### **International Fire Code:**

- **New SGC Section 19.05.060, safety precautions and devices.**
  - This new section of code will provide us with straightforward language to clarify the requirement for 120-gallon “pickle barrel” liquid propane tanks to be secured against movement during an earthquake.
  - Restraint requirements for liquid propane tanks and compressed gasses in general are found in various separate sections of our adopted codes and referenced standards, these requirements vary based on size and use of the tank. Some of these requirements specific to LP cylinders less than 125-gallons in capacity include:
    - NFPA 58 requires such tanks to “be installed aboveground set upon a firm foundation or otherwise firmly secured” and to “not be in contact with soil”.
    - The IFC requires compressed cylinders to “be secured to prevent falling caused by contact, vibration, or seismic activity”.
  - We are often queried regarding requirements for anchoring these commonly-installed tanks and it is the intent of our adopted building and life safety codes to require them to be secured against seismic activity but unfortunately the code language isn’t as clear as it should be. This new section of SGC will help us answer these questions regarding securing of propane cylinders simply and clearly.

### **Uniform Code for the Abatement of Dangerous Buildings:**

- **Delete SGC Sections 19.06.020 and 19.06.030 amending the UCABD board of appeals.**
  - These SGC deletions will revert the UCABD Board of Appeals back to the building code-intended body of appointed members qualified by experience and training to pass upon matters pertaining to building construction as established by SGC 19.01.010.
  - The Assembly has the authority to grant a variance or waiver to actions performed under the UCADB through the application of SGC 19.01.015.

### **International Residential Code:**

- **New SGC Section 19.09.019, OSB sheathing.**
  - This amendment will provide additional clarification regarding the use of Oriented Strand Board (OSB).
  - In the 2018 update to SGC Chapter 19 it was the intent of the Building Official at the time to prohibit the use of OSB as structural sheathing in all new construction due to its inability to maintain structural integrity once wet through the adoption of SGC 19.01.110.
  - We have been administering the code as the 2018 amendment intended, however it has recently been brought to our attention that technically this requirement was not reflected in the International Residential Code as it should have been.

- **New SGC Section 19.09.027, garage egress door.**
  - This new section of code will provide us with language clarifying the requirement for a code-complaint egress door serving residential garages.
  - The IRC requires an appropriately-sized and installed egress door providing an appropriate means of egress from all occupiable spaces, however the wording in the IRC is not as clear as it should be regarding garages.
  - This is not a change in code requirements, rather this addition will provide clear language enabling us to appropriately administer the existing requirements of the IRC.
- **New SGC Section 19.09.067, crawlspace return air openings.**
  - This amendment will remove from the IRC verbiage that allows openings between crawlspaces and living spaces in one and two-family dwellings.
  - The code as written permits openings directly between crawlspaces and living spaces, traditionally for furnace room combustion air but more recently also for alternate crawlspace ventilation.
  - This configuration does not work well in our climate and we have many homes in Sitka that have health issues due to poor air quality as a result.
  - Previous Building Officials have not allowed the use of this type of installation.

#### **Mechanical Code for Islands:**

- **Amend SGC Section 19.11.010, adoption of Mechanical Code for islands.**
  - The IMC applies to commercial construction only and does not apply to one and two-family dwellings.
  - Per Alaska statute commercial construction must be reviewed to at least the standards adopted by the Alaska Fire Marshal's Office, to ensure our ability to do so we should adopt the IMC in a similar fashion for application to island construction.

#### **Building Code for Islands:**

- **Amend SGC 19.14.010, adoption of building code for islands.**
  - The IBC applies to commercial construction only and does not apply to one and two-family dwellings.
  - Per Alaska statute commercial construction must be reviewed to at least the standards adopted by the Alaska Fire Marshal's Office, to ensure our ability to do so we should adopt the IBC in a similar fashion for application to island construction.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2022-20

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA UPDATING TITLE 19  
“BUILDING AND CONSTRUCTION” OF THE SITKA GENERAL CODE BY ADDING A  
NEW CHAPTER AND MODIFYING AND AMENDING THE MAJORITY OF ALL OTHER  
CHAPTERS WITHIN THIS TITLE**

**1. CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

**2. SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

**3. PURPOSE.** The purpose of this ordinance is to update Sitka’s adopted building and life safety codes. Along with the inherent property and life safety benefits of keeping Sitka’s building codes current, updating at this time is also driven by two primary motives: (1) maintaining Sitka’s Insurance Services Office classification, which affects property insurance rates across the municipality; and (2) maintaining Sitka’s Fire Marshal deferral. This ordinance also addresses general housekeeping measures that will improve clarity and readability of the referenced adopted codes and amendments thereof.

**4. ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 19, entitled “Building and Construction”, be updated by adding Chapter 19.01A, entitled “Existing Building Code”, and modifying and amending Chapter 19.01, entitled “Building Code”, Chapter 19.02, entitled “Electrical Code”, Chapter 19.03, entitled “Plumbing Code”, Chapter 19.04, entitled “Mechanical Code”, Chapter 19.05, entitled “Fire Code”, Chapter 19.06, entitled “Uniform Code for Abatement of Dangerous Buildings”, Chapter 19.07, entitled “Excavation and Grading Code”, Chapter 19.08, entitled “Energy Conservation Code”, Chapter 19.09, entitled “Residential Code”, Chapter 19.10, entitled “Plumbing Code for Islands”, Chapter 19.11, entitled “Mechanical Code for Islands”, Chapter 19.12, entitled “Fire Code for Islands”, Chapter 19.13, entitled “Electrical Code for Islands”, Chapter 19.14, entitled “Building Code for Islands”, Chapter 19.15, entitled Building Code for Float Homes”, Chapter 19.16, entitled “Electrical Code for Float Homes”, Chapter 19.17, entitled “Plumbing Code for Float Homes”, Chapter 19.18, entitled “Code Applicability”, and Chapter 19.20, entitled “Fire Marshal Deferral Standards”, to read as follows (deleted language stricken, new language underlined):

**Title 19  
BUILDING AND CONSTRUCTION**

**Chapters:**

<b>19.01</b>	<b>Building Code</b>
<b>19.01A</b>	<b><u>Existing Building Code</u></b>
<b>19.02</b>	<b>Electrical Code</b>
<b>19.03</b>	<b>Plumbing Code</b>
<b>19.04</b>	<b>Mechanical Code</b>

53	<b>19.05</b>	<b>Fire Code</b>
54	<b>19.06</b>	<b>Uniform Code for Abatement of Dangerous Buildings</b>
55	<b>19.07</b>	<b>Excavation and Grading code</b>
56	<b>19.08</b>	<b>Energy Conservation Code</b>
57	<b>19.09</b>	<b>Residential Code</b>
58	<b>19.10</b>	<b>Plumbing Code for Islands</b>
59	<b>19.11</b>	<b>Mechanical Code for Islands</b>
60	<b>19.12</b>	<b>Fire Code for Islands</b>
61	<b>19.13</b>	<b>Electrical Code for Islands</b>
62	<b>19.14</b>	<b>Building Code for Islands</b>
63	<b>19.15</b>	<b>Building Code for Float Homes</b>
64	<b>19.16</b>	<b>Electrical Code for Float Homes</b>
65	<b>19.17</b>	<b>Plumbing Code for Float Homes</b>
66	<b>19.18</b>	<b>Code Applicability</b>
67	<b>19.19</b>	<b>Demolition or Removal of Municipally Owned Buildings</b>
68	<b>19.20</b>	<b>Fire Marshal Deferral Standards</b>

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## **Chapter 19.01 BUILDING CODE**

### **Sections:**

76	19.01.010	International Building Code (IBC) adoption by reference.
77	19.01.015	Power of assembly to grant a variance or waiver by motion.
78	19.01.016	<del>International Building Code IBC Chapter 1 - Scope and Administration,</del>
79		<del>amended.</del>
80	19.01.018	<del>International Building Code IBC Chapter 2 - Definitions, amended.</del>
81	19.01.020	<del>IBC Section 109.2 – Schedule of Permit Fees, amended.</del>
82	19.01.021	<del>International Building Code IBC Section 109.4 – Work Commencing Before</del>
83		<del>Permit Issuance, amended.</del>
84	19.01.030	<del>International Building Code IBC Section 410.3.7, 110.3.9 - Energy Efficiency</del>
85		<del>Inspections, is deleted.</del>
86	19.01.040	<del>IBC Table 509 amended, Incidental Use Areas, amended.</del>
87	<del>19.01.041</del>	<del>International Building Code Section 708.3 amended – Fire resistance rating.</del>
88	19.01.065	<del>International Building Code IBC Section 111 – Certificates of Occupancy,</del>
89		<del>amended modified to add new Section 111.2.1.</del>
90	19.01.070	<del>International Building Code IBC Section 903.2 amended, Automatic Fire</del>
91		<del>suppression Sprinkler Systems – Where Required, modified.</del>
92	19.01.071	Waivers to Section 19.01.070.
93	19.01.072	Administrative waivers to Section 19.01.070 for minor additions or structures.
94	19.01.088	<del>International Building Code IBC Section 1003 amended, General Means of</del>
95		<del>e-Egress, modified.</del>
96	19.01.092	Certificates of occupancy.
97	19.01.095	<del>The International Building Code IBC Chapter 11 – Accessibility, amended.</del>
98	19.01.096	<del>IBC Section 1202.4 - Under-Floor space &amp; Ventilation, amended. IBC Section</del>
99		<del>1203.3 modified.</del>
100	19.01.100	<del>IBC Chapter 17 – Special Inspections, modified. amended – Earth support and</del>
101		<del>danger trees..</del>

19.01.110 ~~Chapter 23, IBC Section 2303.1.4, 2303.1.5 - Wood s-Structural p-Panels,~~  
amended.

19.01.125 ~~Chapter 31, IBC Section 3102, --~~ Membrane Structures, modified.

~~19.01.150 Chapter 34, Section 3401, Scope, modified.~~

~~19.01.155 Chapter 34, Section 3411, Accessibility for existing buildings, modified.~~

~~19.01.200 Chapter 35, Referenced Standards, modified.~~

**19.01.010 International Building Code (IBC) adoption by reference.**

The ~~2012-2021~~ International Building Code, written by the International Code Council, Chapters 1 through 12, 14 through 28, and 30 through 35, is adopted and ~~included~~ incorporated by reference, including the following appendices:

Appendix B—Board of a ~~Appeals~~, ~~modified~~ amended as follows:

B101.2(1) is modified to read, “One for 3 years, one for 2 years, and one for 1 year.”

B101.2(2) is modified to read, “Thereafter, each new member shall serve for 3 years or until a successor has been appointed.”

B101.2.1 is modified as follows: The last sentence shall read, “Alternate members shall possess the qualifications required for board membership and shall be appointed for three years, or until a successor has been appointed.”

B101.2.2, sentence one, is modified to read, “The board of appeals shall consist of three individuals, one from any of the following five professions or disciplines:”

B101.3 – Membership of Board, is amended as follows:

All references to five board members are amended to reference three board members.

Where Section B101.3 indicates [INSERT NUMBER OF YEARS] the number 3 is inserted specifying that standard terms for board members is 3 years.

~~B101.3.3~~ B101.5.3 – Postponed Hearing is ~~modified~~ amended to read:;

“When three members are not present to hear an appeal, either the appellant or the appellant’s representative shall have the right to request a postponement of the hearing.”

A new Section ~~B101.3.4~~ B101.5.4 – Filing Fee is added to read as follows:

“The cost of filing an appeal case to be considered by the Appeals Board is \$100.00 and must accompany the filing of the appeal. If the appeal is granted the application fee shall be refunded.”

Appendix C—Group U a-~~Agricultural~~ b-Buildings.

**19.01.015 Power of assembly to grant a variance or waiver by motion.**

The assembly shall have the power to grant by motion a variance or waiver from the requirements of the codes adopted in this chapter, provided such variance or waiver is not in

conflict with Alaska state adopted codes. The assembly shall take into consideration the recommendations of the building official and the fire chief in making the decision to grant such a variance or waiver.

**19.01.016 International Building Code IBC Chapter 1 - Scope and Administration, amended.**

A. ~~International Building Code IBC~~ Section 101.4 – Referenced Codes, is deleted.

B. ~~International Building Code IBC~~ Section 103.2 – Appointment, is amended to read: “The Building Official shall be appointed by the Municipal Administrator.”

~~C. International Building Code Section 103.3 is amended by deleting the last sentence of the section.~~

~~D C.~~ ~~International Building Code IBC~~ Section 104.1 – Duties and Powers of Building Official - General is amended as follows:

1. ~~By adding t~~ The following phrase is added to the end of sentence two: “... and to rule on applicability in the event of conflicting provisions with other codes.”

2. ~~By amending s~~ Sentence three is amended to read, “Such interpretations, rulings, policies and procedures shall be in compliance with the intent and purpose of this and related code.”

~~E D.~~ ~~International Building Code IBC~~ Sections 105.1.1 – Annual Permit and 105.1.2 – Annual Permit Records are deleted.

~~F E.~~ ~~International Building Code IBC~~ Section 105.2, – Work Exempt from Permit, is modified as follows:

1. ~~405.2~~ Item 2 is amended to read: “Fences not over 8 feet high.”

2. ~~405.2~~ Item 10 is amended to have an additional sentence which reads: “Private membrane structures used as ‘U’ occupancies which are not in excess of 240 square feet and have no electrical service. Such structures must be anchored in an approved manner.”

~~G F.~~ ~~International Building Code IBC~~ Section 107.5 – Retention of Construction Documents is deleted.

~~H G.~~ ~~International Building Code IBC~~ Section 102.6 – Existing Structures is amended by deleting the words, “International Property Maintenance Code.”

~~I H.~~ ~~International Building Code IBC~~ Section 110.3.3 – Lowest Floor Elevation, is amended to read:

“For structures located in flood hazard areas as identified in Chapter 20.04 – Floodplain Management, prior to issuing the Certificate of Occupancy required in Section 111, the elevation certification required in Section 1612.5 1612.4 or the IRC, as applicable, shall be submitted to the Building Official.”

**19.01.018 International Building Code-IBC Chapter 2 – Definitions, amended.**

~~International Building Code-IBC~~ Section 201.3 – Terms Defined in Other Codes, is amended by deleting the references to “International Fuel Gas Code” and “International Plumbing Code” and replacing with “Uniform Plumbing Code.”

**19.01.020 IBC Section 109.2 – Schedule of Permit Fees, amended.**

~~International Building Code-IBC~~ Section 109.2, – Schedule of Permit Fees, is amended by adding a second sentence and table to read:

“The following schedule is established:

Permit fees for A, B, E, F, H, I, M, R-I, R-2, R-4 and S occupancies shall be calculated using Table 1-A of the 1997 Uniform Building Code, and plan review fees shall be calculated as 65% of the permit fee. Permit fees for R-3 and U occupancies shall be calculated using the following table; plan review fees shall be calculated as 33% of the permit fee.”

The following Fee Table is inserted immediately subsequent to IBC Section 109.2:

**BUILDING PERMIT FEE SCHEDULE FOR R-3 AND U OCCUPANCIES**

TOTAL VALUATION	FEE
\$1.00 to \$2,000.00	\$46.35
\$2,000.01 to \$25,000.00	\$46.35 for the first \$2,000.00 plus \$9.27 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,000.01 to \$50,000.00	\$259.56 for the first \$25,000.00 plus \$6.70 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,000.01 to \$100,000.00	\$426.94 for the first \$50,000.00 plus \$4.64 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,000.01 to \$500,000.00	\$658.69 for the first \$100,000.00 plus \$3.61 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,000.01 to \$1,000,000.00	\$2,100.69 for the first \$500,000.00 plus \$3.10 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,000.01 and up	\$3,645.69 for the first \$1,000,000.00 plus \$2.10 for each additional \$1,000.00 or fraction thereof
<b>Other Inspections and Fees:</b>	
1. Inspections outside of normal business hours (Minimum charge – two hours) \$55.00 per hour*	
2. Reinspection fees as determined by the building official 55.00 per hour*	
3. Inspections for which no fee is specifically indicated (Minimum charge – one half hour) 55.00 per hour*	
4. Additional plan review required by changes, additions or revisions to approved plans (Minimum charge – one half hour) 55.00 per hour*	

**BUILDING PERMIT FEE SCHEDULE FOR R-3 AND U OCCUPANCIES**

<b>TOTAL VALUATION</b>	<b>FEE</b>
5. For use of outside consultants for plan checking, inspections, or professional assistance Actual costs**	
*Or the total cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative, overhead, and handling charges.	

**19.01.021 International Building Code IBC Section 109.4 – Work Commencing Before Permit Issuance, amended.**

~~International Building Code IBC Section 109.4 – Work Commencing Before Permit Issuance,~~ is amended to read:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to a fee established by the Building Official that shall be in addition to the required permit fees. The additional fee shall be equal to the amount of the permit fee required by this code, whether or not a permit is subsequently issued. A person who commences grading without a required permit shall be subject to, in addition to the regular grading permit fee, an additional permit fee of one hundred dollars for the first occurrence, two hundred fifty dollars for a second occurrence, and five hundred dollars for subsequent occurrences in any three-year period.”

**19.01.030 International Building Code IBC Section 410.3.7, 110.3.9 – Energy Efficiency Inspections, is deleted.**

~~International Building Code IBC Section 410.3.7, 110.3.9, – Energy Efficiency Inspections,~~ is deleted.

**19.01.040 IBC Table 509 amended – Incidental Use Areas, amended.**

~~International Building Code IBC Table 509 Amended – Incidental Use Areas,~~ is amended as follows:

Cell one in the table is amended to read: “All furnace or boiler rooms.”

Cell two in the table is amended to read: “1 hour.”

**19.01.041 International Building Code Section 708.3 amended – Fire resistance rating.**

~~International Building Code Section 708.3, Fire resistance rating, is amended by deleting exception 2.~~

**19.01.065 International Building Code IBC Section 111 – Certificates of Occupancy, amended modified to add new Section 111.2.1.**

~~The International Building Code IBC Section 111 – Certificates of Occupancy, is amended~~ modified by adding a new Section 111.2.1 – Street Address which reads:

“Before a Certificate of Occupancy is issued, approved numbers or addresses shall be provided in such a position as to be plainly visible and legible from the street or road fronting the property.”

**19.01.070 International Building Code IBC Section 903.2 amended – Automatic Fire suppression Sprinkler Systems – Where Required, modified.**

~~International Building Code IBC Section 903.2, Automatic Fire Suppression Sprinkler Systems – Where Required,~~ is modified by deleting the exception and adding the following paragraph(s) which read:

“A. All new buildings, and additions, having a new or existing fire area designated by the building official as occupancy classification A, B, Group E (excluding day-cares with an occupant load less than 50), Group F, H, I, M, R-I, and R-2’s which are 5-plex or larger or which have an occupant load greater than 10, R-4, or S occupancies and all new buildings over thirty-five (35) feet in height, shall be equipped throughout with an approved automatic fire suppression system.

B. Automatic ~~sprinkler~~ fire suppression systems required by this section, but which are not required by other provisions of the State or City and Borough building codes, do not require remote electric supervision or monitoring provided the system has fewer than 100 sprinkler heads.”

**19.01.071 Waivers to Section 19.01.070.**

If IBC Section 903.2 as amended by Section 19.01.070 results in a required automatic fire extinguishing system which would not otherwise have been required under the unamended building code, a waiver may be applied for. An application for such waiver shall be made in a form and manner as prescribed by the building department. The applicant must pay a fifty dollar fee for waiver applications to cover advertisement of the meeting. Application for waiver shall be considered by a committee consisting of the fire chief or designee, the building official or designee, and the chair of the police and fire commission or designee. The committee shall grant or deny the application for waiver. The committee’s decision shall be reviewed, and affirmed or rejected, by the municipal administrator. If the administrator fails to affirm the committee’s decision, the application for waiver shall go to the assembly for consideration. Decisions of the committee and administrator are appealable to the assembly under Section 19.01.015.

**19.01.072 Administrative waivers to Section 19.01.070 for minor additions or structures.**

The building official may administratively grant waivers to Section 19.01.070 for minor additions or structures under three hundred square feet which in the building official’s judgment present negligible hazard to persons or property. Records of such waivers shall be permanently maintained in the building department.

**19.01.088 International Building Code IBC Section 1003 amended – General Means of e-Egress, modified.**

~~International Building Code IBC Section 1003 – General Means of Egress,~~ is amended to include the following a new section which reads:

“1003.8 - Hazards from sliding snow from roofs. Means of egress discharge paths shall be protected from sliding snow from roofs by the use of snow stops or in an approved manner.”

**19.01.092 Certificates of occupancy.**

In new subdivisions, a certificate of occupancy shall not be issued for a dwelling or a building with water and sanitary plumbing facilities, unless that dwelling or building is connected to a city and borough accepted and Alaska Department of Environmental Conservation approved water and sanitary sewer system. In new subdivisions, a certificate of occupancy shall not be issued for a dwelling or a building unless all streets within the municipal right-of-way that serve the dwelling or building have been accepted by the city and borough.

**19.01.095 ~~The International Building Code~~ IBC Chapter 11 - Accessibility, amended.**

~~The International Building Code~~ IBC Section 1101.1 - Scope, is amended by adding to Chapter 11, Section 1101.1 of the IBC the following three sentences:

“This chapter is adopted as a design reference for accessibility and is not reviewed by the Sitka Building Department for compliance. Compliance with the requirements of this chapter and other provisions within this code for accessibility of physically disabled persons is the exclusive responsibility of the owner of the structure. An advisory plan review may be obtained regarding the design for accessibility of a structure from the Alaska State ADA Coordinator’s Office located at ~~801 West 10th Ave, Juneau, AK 99801, phone number 907-375-7705~~ 550 W. 7<sup>th</sup> Avenue, Suite 1960, Anchorage, AK 99501, phone number (907) 375-7716.”

**19.01.096 IBC Section 1202.4 – Under-f Floor space v Ventilation, amended.**

~~IBC Section 1203.3 modified.~~

~~International Building Code~~ IBC Section ~~1203.3~~1202.4, Under-Floor Ventilation, is modified amended by deleting sections 1202.4.1.2 and 1202.4.2. removing the reference to openings of one square foot per one thousand five hundred square feet of floor area.

**19.01.100 IBC Chapter 17 – Special Inspections, modified. amended–Earth support and danger trees.**

~~International Building Code~~ IBC Chapter 17, - Special Inspections, is modified by adding a new item Section 1712 - Earth Support and Danger Trees, to read as follows:

~~1712.~~ “The Building Official may cause to be inspected, any clearing, excavation or fill or construction project regulated by this code to identify risks to subject or adjacent property caused by damage to trees, their support systems, or disruption of the “forest canopy.”

The Building Official may revoke or withhold development permits until dangers identified by special inspection have been satisfactorily mitigated.

It is the intent of the Assembly that matters of concern under this subsection be handled as expeditiously as possible and that the Building Official handle them in-house whenever possible to avoid delay from frivolous complaints or concerns.”

**19.01.110 Chapter 23, IBC Section 2303.1.4, 2303.1.5 – Wood s-Structural p-Panels, amended.**

~~Amend IBC Section 2303.1.4. 2303.1.5 - Wood Structural Panels, is amended by adding the following sentence:~~

~~“Oriented strand board (OSB) shall not be used is not acceptable as sheathing for roofs, exterior walls, shear walls or floors.” OSB is acceptable as a component in engineered joists.~~

**19.01.125 Chapter 31, IBC Section 3102, – Membrane Structures, modified.**

~~IBC Section 3102.1 – Membrane Structures is amended~~ modified ~~by adding a~~ the following sentence:

“Membrane structures installed as of the date of the enactment of this ordinance are “grandfathered” and need meet no additional requirements or standards as a result of adoption of this code. If such a membrane structure undergoes a change in occupancy designation, it must meet requirements as for a new installation.”

An additional Section 3102.1.2 is added which reads:

“All non-heated, open on the interior, non-hazardous occupancies are exempt from Section 19.01.070 the requirements to install an automatic sprinkler system, provided they are used for storage of non-hazardous materials only.”

**19.01.150 Chapter 34, Section 3401, Scope, modified.**

~~IBC 3401.3 is amended to read:~~

~~Compliance with other codes. Alterations, repairs, additions, and changes of occupancy to existing structures must comply with the provisions for alterations, repairs, additions, and changes of occupancy in the International Fire Code as adopted; the International Mechanical Code as adopted; the Uniform Plumbing Code as adopted; and the National Electrical Code as adopted.~~

**19.01.155 Chapter 34, Section 3411, Accessibility for existing buildings, modified.**

~~IBC 3411.1, Scope, is amended to read:~~

~~This section is adopted as a design reference for accessibility and is not reviewed by the office of the state fire marshal for compliance. Compliance with the requirements of this chapter is the exclusive responsibility of the owner of the structure. An advisory plan review may be obtained regarding the design for accessibility of a structure from the office of the state coordinator for Americans with Disabilities Act at 801 West 10th Avenue, Suite A, Juneau, Alaska 99801, phone (907) 375-7705.~~

**19.01.200 Chapter 35, Referenced Standards, modified**

~~Chapter 35, Referenced Standards, of the IBC is revised by changing or adding the referenced standards from the publication date listed to the following edition, and the standards are adopted by reference:~~

~~N.F.P.A. 10-2013, Portable Fire Extinguishers;~~

~~N.F.P.A. 13-2016, Installation of Sprinkler Systems;~~  
~~N.F.P.A. 13D-2016, Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes;~~  
~~N.F.P.A. 13R-2016, Installation of Sprinkler Systems in Residential Occupancies Up to and Including Four Stories in Height;~~  
~~N.F.P.A. 14-2016, Standpipe and Hose System;~~  
~~N.F.P.A. 20-2016, Installation of Stationary Pumps for Fire Protection;~~  
~~N.F.P.A. 72-2016, National Fire Alarm Code;~~  
~~N.F.P.A. 750-2015, Standards on Water Mist Fire Protection Systems.~~

## **Chapter 19.01A** **EXISTING BUILDING CODE**

### **Sections:**

- 19.01A.010 International Existing Building Code (IEBC) adoption by reference.
- 19.01A.020 Application for permit.
- 19.01A.030 IEBC Chapter 1 – Scope and Administration, amended.
- 19.01A.040 IEBC Section 201.3 – Terms Defined in Other Codes, amended.
- 19.01A.050 IEBC Section 302.2 – Additional Codes, amended.
- 19.01A.060 IEBC Section 306 – Accessibility for Existing Buildings - Scope, amended.

### **19.01A.010 International Existing Building Code (IEBC) adoption by reference.**

The 2021 International Existing Building Code, written by the International Code Council, is adopted and incorporated by reference.

### **19.01A.020 Application for permit.**

Fees for permits issued under the IEBC shall be calculated as defined in Section 19.01.020. Separate permits and fees are not required for work authorized by a valid building permit.

### **19.01A.030 IEBC Chapter 1 – Scope and Administration, amended.**

A. IEBC Section 101.4.2 – Buildings Previously Occupied, is amended by deleting reference to the International Property Maintenance Code.

B. IEBC Section 105.1.1 – Annual Permit, is deleted.

C. IEBC Section 105.1.2 – Annual Permit records, is deleted.

D. IEBC Section 105.2 – Work Exempt from Permit, is amended by deleting Item 5.

### **19.01A.040 IEBC Section 201.3 – Terms Defined in Other Codes, amended.**

IEBC Section 201.3 – Terms Defined in Other Codes, is amended by deleting the words “other international codes” and replacing them with “other adopted building codes”.

**19.01A.050 IEBC Section 302.2 – Additional Codes, amended.**

IEBC Section 302.2 – Additional Codes, is amended by deleting reference to the “International Fuel Gas Code”, “International Plumbing Code”, “International Private Sewage Disposal Code”, “International Energy Efficiency Code”, and “International Property Maintenance Code” and inserting “Uniform Plumbing Code”.

**19.01A.060 IEBC Section 306 – Accessibility for Existing Buildings - Scope, amended.**

IEBC Section 306.1 - Accessibility for Existing Buildings – Scope, is amended to read:

“This section is adopted as a design reference for accessibility and is not reviewed by the Sitka Building Department for compliance. Compliance with the requirements of this chapter and other provisions within this code for accessibility of physically disabled persons is the exclusive responsibility of the owner of the structure. An advisory plan review may be obtained regarding the design for accessibility of a structure from the Alaska State ADA Coordinator’s Office located at 550 W. 7<sup>th</sup> Avenue, Suite 1960, Anchorage, AK 99501, phone number (907) 375-7716.”

**Chapter 19.02  
ELECTRICAL CODE**

Sections:

19.02.010 National Electrical Code (NEC) adoption by reference.

19.02.020 Application for permit.

19.02.030 NEC Section 230-70(A)(1) amended—Service Equipment d-Disconnecting m Means—Location, amended.

**19.02.010 National Electrical Code (NEC) adoption by reference.**

The ~~2014-2020~~ Edition of the National Electrical Code, copyrighted by the National Fire Protection Association, is adopted and incorporated by reference.

**19.02.020 Application for permit.**

Fees for electrical permits issued under the NEC shall be calculated ~~using~~ as defined in Section 19.01.020. Separate electrical permits and fees are not required for work authorized by a valid building permit.

**19.02.030 NEC Section 230-70(A)(1) amended—Service Equipment d-Disconnecting m Means—Location, amended.**

~~National Electrical Code-NEC Article 230-VI, Service Equipment Disconnecting Means, Section 230-70(A)(1), Location, is amended by revising the wording to read as follows:~~

“The service disconnecting means shall be installed outside of a building or other structure at a location approved by the Building Official.

EXCEPTION: The Building Official may approve an interior disconnect means, provided a shunt trip or other approved equivalent device or method is used.”

**Chapter 19.03  
PLUMBING CODE**

Sections:

- 19.03.010 Uniform Plumbing Code (UPC) adoption by reference.
- 19.03.020 Application for permit.
- 19.03.025 UPC Table 422.1 - Minimum fixture requirements Plumbing Facilities, amended.
- 19.03.026 UPC Section 603.4.2 - Backflow p-Prevention d-Devices, deleted.
- 19.03.027 Uniform Building Code Section 1506 - Roof d-Drainage, adopted.
- 19.03.030 Amendments to cross references.

**19.03.010 Uniform Plumbing Code (UPC) adoption by reference.**

The ~~2015-2021~~ Edition of the Uniform Plumbing Code, ~~promulgated~~ written by the International Association of Plumbing and Mechanical Officials (IAPMO), is adopted and incorporated by reference, including the following appendices:

Appendix A, Recommended Rules for Sizing the Water Supply System.

Appendix B, Explanatory Notes on Combination Waste and Vent Systems.

Appendix E, Manufactured/Mobile Home Parks and Recreational Vehicle Parks.

Appendix I, Installation Standards.

Appendix H, Private Sewage Disposal Systems.

**19.03.020 Application for permit.**

Fees for ~~plumbing~~ permits issued under the UPC shall be calculated ~~using~~ as defined in Section 19.01.020. Separate plumbing permits and fees are not required for work authorized by a valid building permit.

**19.03.025 UPC Table 422.1 – Minimum fixture requirements Plumbing Facilities, amended.**

UPC Table 422.1 – Minimum Plumbing Facilities, is deleted and the 1997 Uniform Building Code Appendix Chapter 29 Table A-29-A - Minimum Plumbing Fixtures, is adopted as the minimum plumbing fixture requirements for new construction.

**19.03.026 UPC Section 603.4.2 - Backflow p-Prevention d-Devices, deleted.**

~~2015 Uniform Plumbing Code~~ UPC Section 603.4.2, requiring annual testing and certification of backflow prevention devices, is deleted.

**19.03.027 Uniform Building Code Section 1506 - Roof d-Drainage, adopted.**

1997 Uniform Building Code Section 1506, ~~-~~ Roof Drainage, is adopted and incorporated herein by reference.

**19.03.030 Amendments to cross references.**

“The Uniform Plumbing Code,” adopted in Section 19.03.010, replaces all references to the “International Plumbing Code” and/or “International Fuel Gas Code” in any of the adopted building codes.

**Chapter 19.04  
MECHANICAL CODE**

Sections:

- 19.04.010 International Mechanical Code (IMC) adoption by reference.
- 19.04.020 Application for permit.
- 19.04.030 ~~Heat pump appliances~~ IMC Chapter 3 – General Regulations, modified.
- 19.04.035 IMC Section 601.5 – Return Air Openings, amended.

**19.04.010 International Mechanical Code (IMC) adoption by reference.**

The ~~2012-2021~~ Edition of the International Mechanical Code, ~~written promulgated~~ by the International Code Council, is adopted and ~~included~~ incorporated by reference, including the following appendices:

Appendix A, Chimney Connector Pass-Throughs.

**19.04.020 Application for permit.**

Fees for ~~mechanical~~ permits issued under the IMC shall be calculated ~~using~~ as defined in Section 19.01.020. Separate mechanical permits and fees are not required for work authorized by a valid building permit.

**19.04.030 ~~Heat pump appliances~~ IMC Chapter 3 – General Regulations, modified.**

The ~~International Mechanical Code~~ IMC is modified by including a new Section 313 – Prohibited Equipment, which reads:

~~Prohibited Equipment.~~ “The installation and use of open loop heat pumps connected to the municipal water system is prohibited.

- a) No open loop heat pump installed after June 1, 1997 will be provided municipal water.”

**19.04.035 IMC Section 601.5 – Return Air Openings, amended.**

IMC Section 601.5 – Return Air Openings, is amended by deleting the 2<sup>nd</sup> sentence of item #6.

**Chapter 19.05  
FIRE CODE**

Sections:

- 19.05.010 International Fire Code (IFC) adoption by reference.
- 19.05.020 Application for permit.
- 19.05.050 ~~Fire alarm design summary,~~ IFC Section 907.1.2 – Fire Alarm Shop Drawings, modified-amended.
- 19.05.060 IFC Section 6107 – Safety Precautions and Devices, modified.

**19.05.010 International Fire Code (IFC) adoption by reference.**

The ~~2012-2021~~ Edition of the International Fire Code, ~~as promulgated~~ written by the International Code Council, is adopted and ~~included~~ incorporated by reference.

**19.05.020 Application for permit.**

Fees for permits issued under the IFC shall be calculated as defined in Section 19.01.020.  
Separate permits and fees are not required for work authorized by a valid building permit.

**19.05.050 Fire alarm design summary, IFC Section 907.1.2 – Fire Alarm Shop Drawings, modified-amended.**

IFC Section 907.1.2 – Fire Alarm Shop Drawings, is amended-modified to include a second sentence that reads:

Item 14. A Fire alarm shop drawings shall be accompanied by a design summary including the following information: a) N.F.P.A. 72 edition under which the system is designed; b) the standard of coverage the system is designed to meet under N.F.P.A. 72 Chapter 5Chapter 7 – Documentation, whether total, partial, selective, or non-required; c) if associated with a preaction system, type of preaction system.

**19.05.060 IFC Section 6107 – Safety Precautions and Devices, modified.**

IFC Section 6107 – Safety Precautions and Devices, is modified by adding a new Section 6107.5 – Anchoring Against Seismic Activity, which reads:

“Liquid propane storage tanks shall be anchored against seismic activity an approved manner.”

**Chapter 19.06**

**UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS**

Sections:

- 19.06.010 Uniform Code for the Abatement of Dangerous Buildings (UCADB) A-adoption  
by reference.  
~~19.06.020 Section 205 amended—Board of appeals.~~  
~~19.06.030 Section 205 amended—Board of appeals.~~  
19.06.040 UCADB Section 302 amended—Dangerous b-Building, amended.  
19.06.050 Amendments to cross references in other codes.

**19.06.010 Uniform Code of Abatement of Dangerous Buildings (UCADB) A-adoption by reference.**

The 1994 Edition of the Uniform Code for the Abatement of Dangerous Buildings, as promulgated written by the International Conference of Building Officials, is adopted and included-incorporated herein by reference.

**19.06.020 Section 205 amended—Board of appeals.**

Sentence 1 is amended as follows:

In order to provide for final interpretation of the provisions of this code and to hear appeals hereunder, there is established a board of appeals consisting of the municipal assembly members and the ex-officio, non-voting building official.

**19.06.030 Section 205 amended—Board of appeals.**

Sentences two and three are deleted.

**19.06.040 UCADB Section 302 amended – Dangerous Buildings, amended.**

The first sentence of UCADB Section 302 – Dangerous Building, is amended to read as follows:

“For the purpose of this code, any building, structure, or site which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered, or there exists a public nuisance as defined in section 18.04.010(J) of the Sitka General Code.”

**19.06.050 Amendments to cross references in other codes.**

“The Uniform Code for the Abatement of Dangerous Buildings,” as adopted in Section 19.06.010, replaces all references to the “International Property Maintenance Code:” in any of the adopted building codes.

**Chapter 19.07  
EXCAVATION AND GRADING CODE**

Sections:

19.07.010 Excavation and grading standards, adoption by reference.

19.07.020 Geotechnical reporting required for “pit run” fill material.

**19.07.010 Excavation and grading standards, adoption by reference.**

1997 Uniform Building Code (UBC)-Appendix Chapter 33, Excavation and Grading, as modified by the published building department policy, is adopted and ~~included~~ incorporated in the building code by reference.

**19.07.020 Geotechnical reporting required for “pit run” fill material.**

Where unclassified fill material (such as “pit run”) is proposed as structural fill, geotechnical investigations per IBC Chapter 18 are required. Special inspections must be completed during excavation and grading according to IBC Chapter 17.

**Chapter 19.08  
ENERGY CONSERVATION CODE**

Sections:

19.08.010 Energy Conservation Code adoption by reference.

**19.08.010 Energy Conservation Code adoption by reference.**

The energy code as defined by Alaska Housing Finance Corporation (AHFC) is adopted and ~~included~~ incorporated by reference. This is outlined in the 2014-~~2018~~ Building Energy Efficiency Standards (BEES). Thermal efficiency is defined by the 2012-~~2018~~ International Energy Conservation Code (IECC) and AHFC provides regionally appropriate Alaska-specific amendments. Ventilation standards are defined by the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Section 62.2-~~2010~~ 2016 and AHFC provides regionally appropriate Alaska-specific amendments. This standard is only adopted as a design reference for energy efficiency and is not reviewed by the Sitka building department for

compliance. Compliance with the requirements of this standard is the exclusive responsibility of the owner of the structure.

## **Chapter 19.09 RESIDENTIAL CODE**

### **Sections:**

- 19.09.010 International Residential Code (IRC) adoption by reference.
- 19.09.015 IRC Chapter 1 – Scope and a Administration, IRC Chapter 1 amended.
- 19.09.017 Application for permit.
- 19.09.019 IRC Chapter 3 – Building Planning, modified.
- 19.09.020 IRC Table 302.6 - Dwelling/-g Garage s Separation, IRC Table R302.6 amended.
- 19.09.025 Grinder pumps to be accessible, IRC Section 306.3 – Sewage Disposal, amended modified.
- 19.09.027 IRC Section R309 – Garages and Carports, modified.
- 19.09.030 Stairways, IRC Section 311 – Means of Egress, modified amended.
- 19.09.035 IRC Section R313 – Automatic f Fire s Sprinkler s Systems, IRC Section R313 deleted.
- 19.09.040 Garage smoke detector, IRC Section R314.3 – Smoke Alarms - Location, amended modified.
- 19.09.045 Accessibility, IRC Section R320 – Accessibility, deleted.
- 19.09.050 IRC Section R408.2 – Openings for Under-f Floor space v Ventilation, amended. IRC Section R408 modified.
- 19.09.060 Seismic engineering not required, IRC Section R601.1 – Application, amended.
- 19.09.065 Gutters required, IRC Section R903 – Weather Protection, modified.
- 19.09.067 IRC Section 1602.2 – Return Air Openings, amended.
- 19.09.070 IRC Section E3601.6.2 – Service d Disconnect, IRC Section E3601.6.2 modified amended.

### **19.09.010 International Residential Code (IRC) adoption by reference.**

The 2012-2021 International Residential Code for One- and Two-Family Dwellings, written by the International Code Council, Chapters 1 through 10, 12 through 19, and 34 through 43, and the 2018 International Residential Code Appendix Q, Tiny Houses, are is adopted and included incorporated by reference, including Appendix AQ – Tiny Houses, deleting Section AQ106 – Energy Conservation.

### **19.09.015 IRC Chapter 1 – Scope and a Administration, IRC Chapter 1 amended.**

A. ~~International Residential Code~~ IRC Section 104.1 is amended by adding the following phrase to the end of sentence two: "...and to rule on applicability in the event of conflicting provisions with other codes."

B. ~~International Residential Code~~ IRC Section 104.1 sentence three is amended to read: "Such interpretations, rulings, policies and procedures shall be in compliance with the intent and purpose of this and related codes."

C. ~~International Residential Code~~ IRC Section 105 is amended as follows:

1. R105.2 number 1 is amended to read: "One-story detached accessory structures, provided the floor area does not exceed 120 square feet."

2. R105.2 number 2 is amended to read: "Fences not over 8 feet high."

3. R105.2 number 9 is deleted.

**19.09.017 Application for permit.**

Fees for permits issued under the IRC shall be calculated as defined in Section 19.01.020. Separate permits and fees are not required for work authorized by a valid building permit.

**19.09.019 IRC Chapter 3 – Building Planning, modified.**

IRC Chapter 3 – Building Planning, is modified by adding a new section R301.9 – Wood Structural Panels which reads:

"Oriented strand board (OSB) shall not be used as sheathing for roofs, exterior walls, shear walls, or floors."

**19.09.020 IRC Table 302.6 - Dwelling/\_g Garage s Separation, IRC Table R302.6 amended.**

International Residential Code IRC Table R302.6 – Dwelling-Garage Separation, column two, is amended by deleting all references to "1/2 inch gypsum wall board" and replacing them with "5/8 inch type "x" gypsum wall board."

**19.09.025 Grinder pumps to be accessible, IRC Section R306.3 – Sewage Disposal, amended modified.**

International Residential Code IRC Section R306.3 – Sewage Disposal, is amended by adding the following sentence:

"Grinder pumps shall be installed outside the foundation perimeter of the structure or at an alternate accessible location approved by the building official."

**19.09.027 IRC Section R309 – Garages and Carports, modified.**

A new Section R309.6 - Garage Egress Door, is added which reads:

"Garages shall be served by at least one egress door as defined by IRC Section R311.2. An appropriate door connecting a garage to the dwelling it serves shall be acceptable for meeting this requirement."

**19.09.030 Stairways, IRC Section 311 – Means of Egress, modified-amended.**

A new Section R311.9 is added which reads:

"For cupolas and similar small, one-room spaces not more than 50 square feet in size and not to be used as sleeping spaces, the Building Official may approve permanent ladders as a means of access and egress."

**19.09.035 IRC Section R313 – Automatic f\_Fire s\_Sprinkler s\_Systems, IRC Section R313 deleted.**

International Residential Code IRC Section R313, -Automatic Fire Sprinkler Systems, is deleted.

**19.09.040 ~~Garage smoke detector~~, IRC Section R314.3 – Smoke Alarms – Location, amended modified.**

~~International Residential Code~~ IRC Section R314.3 – Smoke Alarms – Location is amended modified to include:

Item 4: The words “unless this would prevent placement of smoke alarm required by this section” is replaced with “unless the smoke alarm is listed for installation in close proximity to such locations”.

4-Item 6: Private garages and shops attached to residential structures and having heated or tempered interior spaces shall be equipped with smoke detectors hard wired with battery backup. The building official may require the gGarage smoke detector(s) to shall be intertwined with the associated dwellings’ smoke detection system, if interconnection to an existing dwelling would require the removal of wall and/or ceiling finishes stand-alone battery-operated smoke detectors are permitted.

**19.09.045 ~~Accessibility~~, IRC Section R320 – Accessibility, deleted.**

~~International Residential Code~~ IRC Section R320, – Accessibility, is deleted.

**19.09.050 IRC Section R408.2 – Openings for Under-fFloor space vVentilation, amended. ~~IRC Section R408 modified.~~**

~~International Residential Code~~ IRC Section R408, ~~Ventilation~~R408.2 – Openings for Under-Floor Ventilation, is ~~modified~~ amended by deleting exceptions 1 and 2, removing the reference to openings of one square foot per one thousand five hundred square feet of floor area.

**19.09.060 ~~Seismic engineering not required~~, IRC Section R601.1 – Application, amended.**

~~International Residential Code~~ IRC Section R601.1 – Application is ~~modified~~ amended by adding an additional sentence which reads:

“One and two family dwellings of conventional light frame construction are exempt from the seismic design requirements of this code.”

**19.09.065 ~~Gutters required~~, IRC Section R903 – Weather Protection, modified.**

~~International Residential Code~~ IRC Section R903 – Weather Protection, is modified by adding the following section:

“R903.5 - Gutters. Roofs shall be provided with gutters which discharge in an approved manner.”

**19.09.067 IRC Section 1602.2 – Return Air Openings, amended.**

IRC Section 1602.2 – Return Air Openings, is amended by deleting the 2<sup>nd</sup> sentence of Item 6.

**19.09.070 IRC Section E3601.6.2 - Service dDisconnect, ~~IRC Section E3601.6.2 modified~~ amended.**

~~The International Residential Code~~ IRC Section E3601.6.2 – Service Disconnect, is modified by revising the first sentence to read as follows:

“The service disconnecting means shall be installed outside of a building or other structure at a location approved by the Building Official.”

**Chapter 19.10**  
**PLUMBING CODE FOR ISLANDS**

Sections:

19.10.010 Uniform Plumbing Code (UPC) adoption by reference.

19.10.020 Application for permit.

**19.10.010 Uniform Plumbing Code (UPC) adoption by reference.**

Certain portions of the ~~2012-2021~~ Uniform Plumbing Code are adopted and ~~included~~ incorporated by reference. Adopted portions are: Chapters 1 (Administration), 2 (Definitions), 3 (General Regulations (as modified)), 12 (Fuel Piping), Appendix H (Private Sewage Disposal Systems).

**19.10.020 Application for permit.**

Fees for ~~plumbing~~ permits issued under the UPC for islands shall be calculated as defined in Section 19.01.020. Separate plumbing permits and fees are not required for work authorized by a valid building permit.

**Chapter 19.11**  
**MECHANICAL CODE FOR ISLANDS**

Sections:

19.11.010 International Mechanical Code (IMC) adoption by reference.

19.11.020 Application for permit.

**19.11.010 International Mechanical Code (IMC) adoption by reference.**

~~Certain portions of the 2012-2021~~ The 2021 International Mechanical Code ~~are is~~ adopted and ~~included~~ incorporated by reference, including Appendix A – Chimney connector pass-throughs. ~~Adopted portions are: Chapters 1 (Administration), 2 (Definitions), 3 (General Regulations), 4 (Ventilation), 7 (Combustion Air), 8 (Chimneys and Vents), 9 (Specific Appliances, Fireplaces, and Solid Fuel Burning Equipment), 10 (Boilers, Water Heaters, and Pressure Vessels), and 13 (Fuel Oil Piping and Storage).~~

**19.11.020 Application for permit.**

Fees for ~~mechanical~~ permits issued under the IMC for islands shall be calculated as defined in Section 19.01.020. Separate mechanical permits and fees are not required for work authorized by a valid building permit.

**Chapter 19.12**  
**FIRE CODE FOR ISLANDS**

Sections:

19.12.010 International Fire Code (IFC) adoption by reference.

19.12.020 Application for permit.

**19.12.010 International Fire Code (IFC) adoption by reference.**

Certain portions of the ~~2012-2021~~ International Fire Code are adopted and ~~included~~ incorporated by reference. Adopted portions are: Chapter 1 (Administration), Chapter 2

(Definitions and Abbreviations), Chapter 3 (~~General Precautions Against Fire Requirements~~),  
excluding Section 307 (Open ~~Burning~~, and Recreational Fires, and Portable Outdoor  
Fireplaces), and Chapters 50-67 (Hazardous Materials Storage and Handling).

**19.12.020 Application for permit.**

Fees for permits issued under the IFC for islands shall be calculated as defined in  
Section 19.01.020. Separate permits and fees are not required for work authorized by a valid  
building permit.

**Chapter 19.13  
ELECTRICAL CODE FOR ISLANDS**

Sections:

- 19.13.010 National Electrical Code (NEC) adoption by reference.
- 19.13.020 Application for permit.
- 19.13.030 Article 220, Branch-circuit, feeder and service calculations, Section 220.1,  
Scope.

**19.13.010 National Electrical Code (NEC) adoption by reference.**

The ~~2014-2020~~ Edition of the National Electrical Code, copyrighted by the National Fire  
Protection Association, as amended by Chapter 19.02 is adopted and incorporated by  
reference.

**9.13.020 Application for permit.**

Fees for ~~electrical~~ permits issued under the NEC for islands shall be calculated as defined in  
Section 19.01.020. Separate electrical permits and fees are not required for work authorized by  
a valid building permit.

**9.13.030 Article 220, Branch-circuit, feeder and service calculations, Section 220.1,  
Scope.**

The mandatory provisions of Article 220, as they apply to residential construction, are modified  
to be elective by adding a first paragraph as follows:

“The residential provisions of this article are elective rather than mandatory. The  
portions of this article that mandate branch-circuit numbers, sizes, or locations are  
modified to become optional. In dwellings or their accessory buildings supplied with  
branch-circuits, feeders, or services, those installations shall be designed and  
installed in compliance with the provisions of this article.”

**Chapter 19.14  
BUILDING CODE FOR ISLANDS**

Sections:

- 19.14.010 Adoption by reference of certain portions of International Building Code (IBC)  
as modified.
- 19.14.012 Adoption by reference of International Residential Code (IRC) for One- and  
Two-Family Dwellings.
- 19.14.013 Adoption of excavation and grading standards.
- 19.14.020 Application for permit.

**19.14.010 Adoption by reference of certain portions of International Building Code (IBC) as modified.**

Certain portions of the ~~2012~~ 2021 International Building Code published by the International Code Council, and as modified in other sections of this title, are adopted and ~~included~~ incorporated by reference. Adopted portions are: Chapters ~~1-8, 10, 12, 14-28, and 33~~ (Administration), 2 (Definitions), 3 (Use and Occupancy Classification), 5 (General Building Heights and Areas), ~~6~~ (Types of Construction), 7 (Fire and Smoke Protection Features), 8 (Interior Finishes), 10 (Means of Egress), 14 (Exterior Walls), 15 (Roof Assemblies and Rooftop Structures), 16 (Structural Design), 18 (Soil and Foundations), 19 (Concrete), 22 (Steel), 23 (Wood), 24 (Glass and Glazing), 25 (Gypsum Board and Plaster), 33 (Safeguards During Construction), including Appendix B, Board of Appeals, and Appendix C, Group U Agricultural Buildings.

**19.14.012 Adoption by reference of International Residential Code (IRC) for One- and Two-Family Dwellings.**

The ~~2012~~ 2021 International Residential Code for One- and Two-Family Dwellings by the International Code Council, including Appendix AQ – Tiny Houses, as modified in other sections of this title, is adopted and ~~included~~ incorporated by reference.

**19.14.013 Adoption of excavation and grading standards.**

1997 ~~UBC~~ Uniform Building Code Appendix Chapter 33, Excavation and Grading, as modified by published building department policy, is adopted and included in the building code by reference.

**19.14.020 Application for permit.**

Fees for permits issued under the IBC and IRC for islands shall be calculated as defined in Section 19.01.020.

**Chapter 19.15  
BUILDING CODE FOR FLOAT HOMES**

Sections:

19.15.010 Adoption by reference of certain portions of the International Residential Code (IRC) for One- and Two-Family Dwellings.

19.15.015 Application for permit.

19.15.020 Size of flotation system.

19.15.030 Flotation and stability.

19.15.040 Reserve buoyancy criteria.

19.15.050 Exiting and emergency egress.

19.15.060 Mooring.

19.15.070 Fire separation.

**19.15.010 Adoption by reference of certain portions of the International Residential Code (IRC) for One- and Two- Family Dwellings.**

The ~~2012~~ 2021 International Residential Code for One- and Two-Family Dwellings, published by the International Code Council, including Appendix AQ – Tiny Houses, as amended in

Chapter 19.09, is adopted and ~~included~~ incorporated by reference, with the following specific amendments and modifications ~~exceptions~~:

A. ~~Amend~~ Modify Chapter 2 and ~~add~~ by adding a new definition:

Float home – A single family dwelling unit attached to a flotation device, built to the minimum standards of the IRC and of this ordinance. Float homes are not boats and are subject to all the laws and regulations governing private dwelling units.

B. Chapter 4 of the IRC is deleted.

C. All references to garages are deleted.

D. Stairs providing a required means of egress from an area of not more than two hundred square feet shall have a minimum clear width of thirty inches. Maximum riser height shall be not more than eight inches and minimum tread depth shall be not less than nine and one-quarter inches.

E. Guards are not required where open decks, balconies, and walkways do not exceed thirty-six inches in height above the water line.

F. Fastenings in areas exposed to the elements shall be hot dipped galvanized steel, marine grade bronze, copper, stainless steel, or other corrosion resistant material suitable for marine use.

G. Boat wells under floating structures shall be separated from the dwelling unit, and from structural members supporting the dwelling unit, by a minimum of one layer of five-eighths-inch Type X, water resistant, gypsum wall board, or equivalent approved fire rated assembly. Boat wells shall provide adequate natural ventilation to prevent the buildup of flammable vapors.

H. All framing lumber in contact with the flotation device and all framing lumber within twelve inches of the water surface shall be factory preservative treated in accordance with AWPA- U1. Plywood shall be exterior grade and all plywood below the deck level shall be marine grade. Any other decay resistant materials shall be approved by the building official.

I. Roof coverings shall be fire-resistant or noncombustible.

J. The building official shall have the authority to rule on the applicability of this code as it applies to residential floating structures.

**19.15.015 Application for permit.**

Fees for permits issued under the IRC for float homes shall be calculated as defined in Section 19.01.020.

**19.15.020 Size of flotation system.**

The dimensions of the flotation system shall be not larger than twenty feet by forty feet.

**19.15.030 Flotation and stability.**

A. The flotation system shall be designed according to accepted marine engineering and naval architectural principles. The flotation devices shall be structurally sound and securely integrated with the framing for the attached structure. The design shall be approved and sealed by an appropriately licensed professional engineer qualified in such design and shall be submitted to the building official for approval.

B. The flotation device shall be watertight, durable and protected from deterioration by water, impact damage due to floating debris, electrolytic action, corrosion, water-borne solvents, organic infestation, chafing or physical abuse. Logs and unprotected plastic foam insulation are not approved flotation devices.

C. Where solid flotation devices are not used, hulls shall be fitted with longitudinal and/or transverse watertight bulkheads sufficient to keep the loaded hull afloat with positive stability with any one compartment flooded. No compartment shall compromise more than twenty percent of the total available flotation volume.

D. Where solid flotation devices are not used the flotation devices shall be constructed so that access to each compartment is readily available from the first floor level of the completed floating structure.

E. A float home with a flotation device other than solid flotation shall be equipped with bilge pumps and a bilge alarm system with detectors in each compartment with audible and visual alarm indicators in the float home. At least one visual indicator shall be located outside the float home in a place visible to passersby.

F. The overall buoyancy and stability of the flotation device and attached structure shall be designed to accommodate moving and launching, wave action, loads imposed by mooring, vessels and walkways moored to the structure, live and dead loads, and the design snow loads and wind loads in effect in the city and borough of Sitka.

G. The flotation device shall have sufficient stability in both the longitudinal and transverse directions to limit the amount of heel from the horizontal resulting from off-of-center live loading to a maximum of four degrees.

H. The flotation system and decking shall provide access to, and protection for, the sewage holding tank.

**19.15.040 Reserve buoyancy criteria.**

The flotation system shall have sufficient buoyancy to support the design weight of the float home plus the maximum combined weight of deadweight items and design snow load and maintain a minimum freeboard of fourteen inches. When design wind load is applied to the superstructure the amount of heel shall be not more than four degrees from horizontal or one half the freeboard, whichever is less. Freeboard is measured from the surface of the water to the bottom of the lowest floor or deck framing members.

**19.15.050 Exiting and emergency egress.**

In addition to the requirements of the IRC, including but not limited to Chapter 3, Section R311, floating homes shall have a twenty-four-inch minimum width open deck on all sides. Decks shall be constructed so as to prevent the ponding of water.

**19.15.060 Mooring.**

Cleats, bollards, bull rails or other such devices shall be sufficient in number and attached to the floating structure in such a way as to provide adequate mooring points to secure the float home in the highest design wind load. Mooring lines shall be kept in good condition, kept free of chafing, and shall be removable without the use of tools.

**19.15.070 Fire separation.**

A. ~~Where floating homes are provided with A-a~~ clear space of at least eight feet ~~shall be provided between adjacent structures measured from building wall line horizontal to adjacent building wall line-~~ and R-roof eave projections shall be are no closer than six feet-; Tables 302.1 (1) and (2) of the IRC shall not apply.

B. Where floating homes are placed closer than eight feet from building wall line horizontal to building wall line, walls, eaves and roofs shall be constructed in accordance with Tables 302.1 (1) and (2) of the IRC.

C. A clear space of four feet shall be provided between adjacent floats.

**Chapter 19.16  
ELECTRICAL CODE FOR FLOAT HOMES**

Sections:

19.16.01070 National Electrical Code (NEC) adoption by reference.

19.16.020 Application for permit.

**19.16.01070 National Electrical Code (NEC) adoption by reference.**

The 2044 2020 Edition of the National Electrical Code, copyrighted by the National Fire Protection Association, is adopted and incorporated by reference.

**19.16.020 Application for permit.**

Fees for permits issued under the NEC for float homes shall be calculated as defined in Section 19.01.020.

**Chapter 19.17  
PLUMBING CODE FOR FLOAT HOMES**

Sections:

19.17.010 Uniform Plumbing Code (UPC) adoption by reference.

19.17.015 Application for permit.

19.17.020 Sewage holding tank.

19.17.030 Sewage treatment.

19.17.040 Potable water.

**19.17.010 Uniform Plumbing Code (UPC) adoption by reference.**

The ~~2012-2021~~ Edition of the Uniform Plumbing Code, ~~promulgated-written~~ by the International Association of Plumbing and Mechanical Officials, is adopted and incorporated by reference, including the following appendices:

Appendix A, Recommended Rules for Sizing the Water Supply System.

Appendix B, Explanatory Notes on Combination Waste and Vent Systems.

Appendix I, Installation Standards.

Appendix H, Private Sewage Disposal Systems.

**19.17.015 Application for permit.**

Fees for permits issued under the UPC for float homes shall be calculated as defined in Section 19.01.020.

**19.17.020 Sewage holding tank.**

A. Sewage holding tanks for float homes shall be sized in accordance with Table H2.1, Appendix H of the Uniform Plumbing Code.

B. Sewage holding tanks shall be constructed of materials not subject to corrosion or decay and shall be watertight.

**19.17.030 Sewage treatment.**

Sewage, including greywater, shall be disposed of by pumping to a portable holding tank and delivering to an approved sewage pump-out facility. Alternatively, sewage may be treated with an approved sewage treatment system and discharged into the water. The owner is responsible for securing appropriate state and federal permits for such systems. Untreated sewage or greywater shall not be discharged into the water.

**19.17.040 Potable water.**

Connections to the municipal water system shall be of an approved method, shall include backflow prevention and shall be approved by the building official.

**Chapter 19.18  
CODE APPLICABILITY**

**Sections:**

19.18.010 Geographical limits.

19.18.020 Sitka road system.

19.18.025 ~~Docks and floating~~ Floating docks and buildings.

19.18.030 Islands.

19.18.040 Definition of "islands" for purposes of this title and ~~Title 22.~~

**19.18.010 Geographical limits.**

Except for the Uniform Code for the Abatement of Dangerous Buildings (which shall apply throughout the entire municipality), the provisions of this title apply as construction standards for

the areas of the municipality served by the Sitka road system only, except as modified by Chapters 19.10 through 19.17 (codes for islands and codes for float homes).

**19.18.020 Sitka road system.**

The Sitka road system shall be considered to include Halibut Point Road, Sawmill Creek Road, Harbor Drive, and all of their connecting roads, collectors, access roadways and easements.

**19.18.025 ~~Docks and floating~~ Floating docks and buildings.**

~~Docks and floating~~ Floating docks and buildings, with the exception of float homes as allowed in the Sitka harbor system and regulated by Chapters 13.15 and 19.15 through 19.17, require permitting and plan review for nonstructural fire and life safety project components only.

Section 19.01.070 does not apply to ~~docks and floating~~ docks and buildings.

**19.18.030 Islands.**

A. Application of Code to Islands. Chapters 19.10, 19.11, 19.12, 19.13 and 19.14 shall apply to structures on islands in the general island, large island and open space districts.

B. Site Plan and As-Built Requirements for Island Properties. To ensure compliance with this code, site plans are required for all structures and docks on islands within the open general and open residential low density zoning districts. Site plans and surveys shall be prepared in accordance with the requirements of the administrative official charged with the enforcement of Title 22.

C. Building codes apply to island construction projects as set out in this chapter irrespective of the start date of the island project, unless:

1. A person applies to the building department prior to March 1, 2005, to register the project as “grandfathered”; and
2. The applicant demonstrates to the satisfaction of the building official that substantial progress had been made on the project prior to the effective date of the island codes ordinance in July 1999.

D. Exemption for Private Recreational Cabins on Islands. The chapters of this code made applicable to structures on islands by this section shall not apply to private recreational cabins (as defined in this subsection) on islands (as defined in Section 19.18.040). The cabin must have no electrical system and any wastewater system must be approved by the State Department of Environmental Conservation. A building permit application, site plan, and construction drawings shall be submitted for the cabin, ~~but~~ If review of the proposed cabin determines that the project is eligible for this exception no fee shall be charged and no permit shall be issued. For the purpose of this section only, a “private recreational cabin” means a residential structure used for intermittent or temporary occupancy by nonpaying occupants, with a maximum total of four hundred square feet of living and sleeping areas.

**19.18.040 Definitions of “islands” for purposes of this title ~~and Title 22~~.**

~~For purposes of this title and Title 22,~~ the definition of “islands” will be the islands properties in Sitka Sound from the Siginaka Islands to Cape Burunof which are not on the Sitka road system.

**Chapter 19.19**

**DEMOLITION OR REMOVAL OF MUNICIPALLY OWNED BUILDINGS**

Sections:

- 19.19.010 Assembly authority.
- 19.19.020 Bidding.
- 19.19.030 Buildings considered personal property.
- 19.19.040 Authorization by ordinance.
- 19.19.050 Value determination.
- 19.19.060 Scope.

**19.19.010 Assembly authority.**

The assembly may by resolution or ordinance provide for the demolition or removal of municipally owned buildings. The assembly may use its discretion in deciding to demolish or remove any building. It may consider such facts and hire such experts as it may see fit.

**19.19.020 Bidding.**

Demolition or removal shall be by competitive bidding, or the assembly may authorize the administrator to have the building demolished or removed by municipal employees.

**19.19.030 Buildings considered personal property.**

For all purposes, any building being considered for demolition or removal from its site shall be considered to be personal property and not real property.

**19.19.040 Authorization by ordinance.**

If the value of the building exceeds twenty-five thousand dollars, its removal or demolition shall be authorized by ordinance. If the value is more than one hundred thousand dollars, the assembly may authorize an advisory vote at a general or special election and the assembly shall stay its decision pending outcome of the election.

**19.19.050 Value determination.**

Value shall be determined as the amount by which the salvage value of the building after removal, or the materials in it after removal, exceed the estimated cost of removal or demolition.

**19.19.060 Scope.**

This chapter and the procedures contained herein shall take precedence to and prevail over any other ordinances of the municipality passed prior to the ordinance codified in this chapter.

**Chapter 19.20**

**FIRE MARSHAL DEFERRAL STANDARDS**

Sections:

- 19.20.010 Plan review and state building code enforcement.
- 19.20.020 Enforcement of state fire statutes and regulations.
- 19.20.030 Fire and life safety inspection program.

**19.20.010 Plan review and state building code enforcement.**

As required by an exemption granted to the city and borough from the state fire marshal under the authority of 13\_AAC\_50.075, the city will perform nonstructural plan reviews and will approve construction plans and specifications as stipulated in 13\_AAC\_50.027. At a minimum, the

municipality will enforce the State Building Code, (13\_AAC\_50.010, and 13\_AAC\_50.020, 13 AAC 50.023, 13 AAC 50.024, and 13 AAC 50.025).

**19.20.020 Enforcement of state fire statutes and regulations.**

As required by an exemption granted to the city and borough from the state fire marshal under the authority of 13\_AAC\_50.075, the city will enforce applicable sections of AS 18.70, and 13 AAC 50, 54, and 13 AAC 55.

**19.20.030 Fire and life safety inspection program.**

As required by an exemption granted to the city and borough from the state fire marshal under the authority of 13\_AAC\_50.075, the city will conduct a building fire safety inspection program which meets or exceeds the standards of the program which would be conducted by the state fire marshal.

\* \* \*

**5. EFFECTIVE DATE.** This ordinance shall become effective the day after the date of its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska, this 13<sup>th</sup> day of September, 2022.

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Kevin Knox, Deputy Mayor

ATTEST:

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Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> reading: 8/23/2022

2<sup>nd</sup> and final reading: 9/13/2022

Sponsor: Administrator



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: ORD 22-21    Version: 1    Name:

Type: Ordinance    Status: AGENDA READY

File created: 8/17/2022    In control: City and Borough Assembly

On agenda: 8/23/2022    Final action:

Title: Amending Title 22 "Zoning" of the Sitka General Code by updating Chapter 22.08 "Definitions" and Chapter 22.24 "Special Use Permits" (Short-Term Rentals)

Sponsors:

Indexes:

Code sections:

Attachments: [Motion Ord 2022-21](#)  
[Ord 2022-21 Short Term Rental Code Update Final](#)  
[April 2022 Townhall Short-Term Rentals](#)

Date	Ver.	Action By	Action	Result
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Sponsors: Knox / Mosher

## **POSSIBLE MOTION**

**I MOVE TO** approve Ordinance 2022-21 on first reading amending Title 22 “Zoning” of the Sitka General Code by updating Chapter 22.08 “Definitions” and Chapter 22.24 “Special Use Permits” (*Short Term Rentals*).

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2022-21

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING TITLE 22  
“ZONING” OF THE SITKA GENERAL CODE BY UPDATING CHAPTER 22.08  
“DEFINITIONS” AND CHAPTER 22.24 “SPECIAL USE PERMITS”

**1. CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code.

**2. SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

**3. PURPOSE.** The purpose of this ordinance is to update the allowance of a conditional use permit for short term rentals with regard to limiting the permanence of permits issued, residency requirements in the application for a permit, as well as addressing a gap in how short-term rentals and long term are defined.

**4. ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 22, entitled “Zoning”, be amended by updating Chapter 22.08, entitled “Definitions”, at section 22.08.735, entitled “Short-term rentals” and Chapter 22.24, entitled “Special Use Permits”, at section 22.24.010, entitled “Conditional uses” to read as follows (deleted language stricken, new language underlined):

**Title 22  
ZONING**

**Chapters:**

- 22.04 Introduction and General Provisions**
- 22.08 Definitions**
- 22.12 Zoning Maps and Boundaries**
- 22.16 District Regulations**
- 22.20 Supplemental District Regulations and Development Standards**
- 22.24 Special Use Permits**
- 22.30 Zoning Code Administration**

\* \* \*

**Chapter 22.08  
DEFINITIONS**

**Sections:**

\* \* \*

22.08.735 Short-term rentals.

\* \* \*

**22.08.735 Short-term rentals.**

“Short-term rentals” means rentals of single dwelling units for less than ~~fourteen~~ thirty consecutive days for money or other valuable consideration by one party which then occupies the dwelling.

\* \* \*

## Chapter 22.24 SPECIAL USE PERMITS

Sections:

22.24.005 General.

22.24.010 Conditional uses.

\* \* \*

**22.24.010 Conditional uses.**

\* \* \*

**Table 22.24.010-2**

### Initiation and Termination Periods

	<b>Short-Term Rental Conditional Use Permits</b>	<b>Bed and Breakfast Conditional Use Permits</b>	<b>Interim Mobile Homes Conditional Use</b>	<b>All Other Conditional Use Permits</b>
Period in which the permit must be activated following planning commission approval or permit becomes void	One year	One year	One year	Two years
If permit is not used during period, permit becomes void after activation	One year	One year	One year	Two years
Mandatory review period <sup>1</sup>	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval
Number of years after approval that permit sunsets	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval	Set by planning commission at time of approval
<u>Whether permit is transferrable upon sale or transfer of ownership of subject property</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>

Note (1): It shall be the responsibility of the applicant to submit materials one month prior to the end of any review period. Failure to submit materials within the time specified shall automatically void the approval.

**Table 22.24.010-2**

**Initiation and Termination Periods**

	<b>Short-Term Rental Conditional Use Permits</b>	<b>Bed and Breakfast Conditional Use Permits</b>	<b>Interim Mobile Homes Conditional Use</b>	<b>All Other Conditional Use Permits</b>
<p><del>Note (2): It is recognized in land use case law that conditional use permits are grants to a property and run with the parcel and not the owner.</del></p> <p>Note (32): Substantial construction progress must be made on a project approved through the variance process within one year of the date of the variance approval or the approval becomes void. In the event it can be documented that other substantial progress has been made, a one-year extension may be granted by the planning commission if a request is filed within eleven months of the initial approval.</p>				

\* \* \*

**C. Conditional Use Permit Provisions for Short-Term Rentals.**

1. Short-term rental establishments ~~as described in subsection F of this section~~ shall be approved as conditional uses in the R-1, R-1 MH, R-1 LD, R-1 LDMH, R-2, and R-2 MHP zoning districts with the following conditions:

- a. Existing short-term rentals operating in conformance with all other applicable regulations prior to the effective date of the ordinance codified in this section may continue operating as nonconforming uses so long as payments of bed taxes and any other fees are current.
- b. The permit application and process will be the same as that required for bed and breakfasts, including submission and review of both interior and exterior site plans.
- c. Increase in density and other impacts on the immediate surrounding neighborhood which would occur as a result of approval of short-term rentals may be a consideration in the granting of the permit.
- d. Cessation of an approved short-term rental operation for twelve consecutive months shall result in revocation of the permit and require reapplication and approval of a new conditional use permit. Timely payment of sales taxes shall be one of the primary indicators of compliance with this section.
- e. When the planning commission approves a permit with the condition referring to the number of children in the facility, the term "children" shall refer to individuals who are fifteen years old or younger.

f. Primary residence requirements. All short-term rentals approved on or after September 14, 2022, must comply with primary residence requirements as provided below.

- i. To be eligible to apply for a short-term rental, the property containing the short-term rental must also contain the applicant's primary residence. A primary residence is that which is occupied by the applicant as the applicant's principal place of residence at least 180 days out of the year as documented by motor vehicle registration, voter registration, and/or other such evidence determined to be conclusive by the planning commission. Applicants will be required to submit a sworn affidavit attesting that the property is their primary residence. An applicant cannot claim more than one property as their primary residence.
- ii. Dwelling units on the property eligible for a permit include a single-family home, a mobile or manufactured home, or the non-owner-occupied unit within a two-family or multi-family unit.
- iii. An approved permit shall automatically become void if the property is no longer the applicant's primary residence. Permits shall also become void immediately upon sale or transfer of the property. Permits are non-transferable between persons and locations.
- iv. It is the intent of subsection (C)(1)(f) of this section that the primary residence requirements be strictly followed. However, exceptions may be granted in cases of extreme personal hardship to the applicant determined by the planning commission. In these cases, the maximum term of the permit when an exception is granted is twelve months with one possible, six-month extension if granted upon further application. The applicant shall have the burden of proof to demonstrate the exception is warranted due to circumstances beyond their control such as the employment or health needs of the applicant's or a family member. Exceptions may not be granted solely to address financial considerations or inconvenience. The property must be the primary residence of the applicant at the time of application for an exception.

\* \* \*

**5. EFFECTIVE DATE.** This ordinance shall become effective the day after the date if its passage.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska, this 13<sup>th</sup> day of September, 2022.

---

Kevin Knox, Deputy Mayor

ATTEST:

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> reading: 8/23/2022

2<sup>nd</sup> and final reading: 9/13/2022

Sponsors: Knox/Mosher

**Townhall**  
**April 18, 2022**  
**Short-term Rental**  
**Comments**

**Parking Lot**

- We need more data  
STR in commercial areas  
Also like to know number of 2<sup>nd</sup> homes
- Are STR really the cause of lack LTR in Sitka?  
Maybe it's the cost of building and land.
- Know two families pushed out by COVID long term rentals reverting to long-term anecdotal
- We should keep an eye on companies like Picasa that act as middlemen for multiple owners to own a single home.
- Two-short rental categories 14 days and 14 days-6month
- Investigate commercial zone STR's: must this be?
- Rental by seasonal operators for employees
- How is our need vs supply of rentals overall? What data do we have on loss of housing opportunities for locals?
- Retirement and seasonal haven
- Aging mobile homes in low costs that could be bought and cleared
- Be flexible in zoning changes or adjustments to pots tally make more building lots available.
- Solutions for affordable housing in Sitka
- Expand definition of STR's to include rentals 1 year or perhaps those that don't extend through the summer season.
- What's the tax structure like for residences that aren't a person's primary (e.g. vacation or second + home)?
- Is it sufficiently progressive to offer the loss of a long-term residence?

- Allow the subdivision of existing lots to occur more easily and with less restrictions.
- Require advertising plans for us to record and report data
- Redefine STR to less than 28 days (state low 30-day rental as lease term)
- Housing shortages with increase with SEARHC growth and new USCG ship moving to Sitka
- How can the City or community incentivize long-term renting?
- Maybe we need to enforce regulations and laws with existing short-term rentals, before making more ordinances.
- Higher tax rates for non-primary residences (if it's not already the case) and tax go to affordable housing
- The need to increase long-term rentals. How can Sitka open and facilitate more long-term housing?
- Can we tax STR's in residential zones at a higher rate than STR's in the downtown/commercial zone
- Define short-term rental as up to 3 months (Better yet, 6 months)
- Limit short-term rentals in all zones. (It is Sitka's overall resident housing stock that matters)
- Seasonal vs Long-Term vs Short-Term- Seasonal demand created specific pressure at a focused time
- With increase in tourism, we need to be able to house our long-term seasonal workers to support the tourists. Otherwise, we create a bubble that will pop sooner than later

#### **What is your vision for short-term rentals in Sitka?**

- A small fraction of the housing stock that helps support our travel economy and visiting friends, and family.
- Finding and balance
- Find a way to balance folks to run a reasonable number of STR's while providing adequate housing for our long-term residents

- High quality experiences for various income levels, for visitors and locals not dominating neighborhoods
- Limited in people's home, to help families cover expenses
- A vibrant portion of the visitor community
- Must be a resident and to have STR
- Balance
- Specific criteria developed to address different kinds of STRs
- Alleviate pressure on limited hotel facilities. Limited rooms = Limited Tourism
- Owners and renters are respectful of the community and neighborhoods
- Consider the impact of the many STR in a neighborhood
- Seems like the latest trend is to build mini hotels in residential zones which flies in the face of zoning
- STR's should not be allowed to take over our housing stock at the expense of our residents
- No short-term rentals, B & B's only. We got by with no or few STR's until recent years
- We need data. How many STR's are purpose built? How many are converted from long-term rentals? How many go back and forth? How many of these rentals would not exist if not available for short-term rentals?
- Meet the needs of residents ([prioritize local people) over outside folks
- STR's in the summer, long-term rentals in the winter (flexibility)
- Allow families or individuals to make extra income while increasing the taxpayers for Sitkan's
- Short term rentals bring interesting diverse people to town
- Limit city involvement with telling people what they can do with their rental property
- Limit city involvement in STR market
- More short-term renters need more local service providers i.e. housekeepers etc.

- Meet new interesting people
- More short-term renters = more tax income for Sitka
- Allows families additional income in these inflationary times
- More short-term renters = more business for local's taxis restaurants retail
- Allows for people to have a rental who would not rent long-term or feel comfortable renting long-term
- We have a short-term rental we live in it about eight months when we travel it allows us to live in our house
- Can make a substantial more money on STR
- Nice houses to use for large family gatherings or staycations
- Places to have friends stay when visiting since I don't have much room for guests in my house
- Extra funds to pay high utility bills
- Allows families to cover cost for their home
- Can make money without year-round occupants
- Having an STR subsidized childcare cost in Sitka
- Subsidize my long-term tenants rent
- Visiting family has a place to stay
- We are in a commercial zone we use a portion of our house as an STR this offsets our living expenses
- They do not benefit anyone but the homeowner or company
- Mixed use beneficial to renter & rentee
- Short term rentals have been a negotiable benefit they increase house and rental prices

### **What are your concerned about short term rentals?**

- There is no enforcement for noncompliance of the CUP
- Equity issue folks non doing STR to max income and renting or buying a place taking that housing off market to
- Not having housing for our long-term residence teacher's tourism elected workers
- Many short-term rentals owned by one person properties that are ideal for long-term converted to short term
- Can really change the community part of a neighborhood
- Neighborhoods dominated by STR either empty a lot in the winter or lots of changing neighbors who don't care about neighbors
- Over density in neighborhood
- Owners of STR's are not present and do not monitor the behavior of the tenants this has negative impacts on the neighborhoods where they reside
- STR displaced locals here year-round and also seasonal workers
- People living in Sitka are regularly displaced
- People who went to buy a house have to compete with commercial buyer's house prices on affordable
- Regulation of a privately owned asset, fairness of permitting process
- Long term rentals scarce experience and unaffordable
- Neighborhoods are not neighborhoods anymore
- No real reason in place to decline a permit beyond parking
- No limit to how many exists in Sitka
- Certain property managers are managing extreme numbers of STR's, and I have experience lack of adequate service from such managers during family visits in which they rent a Sitka STR
- Outside investors buying a property to use exclusive STR's
- Driving up cost living so we lose young people and others on limited income
- Creating Neighborhoods with no long-term owner's renter's empty buildings in off-season

- There is an adequate housing for medical providers teachers and many other people who would benefit and are essential to the health of this community as well as many current residents.
- Changing communities' empty houses in the off-season
- Taking long-term rentals off the market
- Driving up the cost of buying a house
- Driving up the cost of rentals
- Systematic low wages is a real concern for many of these concerns needing to rent your apartment for higher rent not able to afford to buy a house
- Some of the housing shortages would be relieved if there were more long-term rentals
- The course of nature of turning beloved generous town into a primarily seasonal tourist trap and ignores their long-term good of the community
- People pushed out of housing
- Concerned about competition with long-term rentals increase rents and housing prices as it's happening in other communities
- I know young people who have left that cut because they cannot afford an apartment and never a house STR's drive up to cost of limited LTR's
- Some of the housing shortage would be relieved if there were more LTR's
- Drive cost up for everyone people born and raised here cannot afford to buy housing

**What actions would you like to see taking on permitting of short-term rentals?**

- Incentive for community participation
- Increase the defined maximum number of days from 14 to 30 days therefore a rental less than 30 days is a short-term rental
- Pass ordinance to 1. require permanent residence for STR CUP 2. Sunset CUP on property sale
- No intervention by city regulating who or how homeowners rent their property
- Zone a big part of town to only allow LTR's
- No more STR's in residential areas or only in the home the owner is living in
- Requirement to disclose when a STR is empty

- Need a comprehensive plan on action taken within a year many similar communities working on this issue
- Limit approval ADU's asked that are built and then use for STR and not long-term housing
- Minimize procedures and restrictions
- Citywide regulation number 1. remote properties no city hook ups STR OK 2. 1 to 3 units must be permanent resident proven with PFD address hunting license fraud reported to DA 3. 4+ units capped at 25%
- Uses resources for creating policy: Regulating short-term rentals: A Guidebook for Equitable Policy by the Sustainable Economics Law Center crash short term rental policies that generate inclusive properties for local wealth creation while balancing the needs of all members of the community. Should produce an equitable policy that protects public interest including housing affordability health and safety neighborhood quality and municipal revenues while retaining reasonable latitude for city residence to host in our money for short term guests.
- Increase tax find helping solve the problem directly Nantucket for example
- An annual fee or additional STR tax that would find affordable housing incentives
- A maximum number of allowed STR by percentage of housing stock permits are nontransferable must be reapplied for after a sale
- Require owner occupancy for at least nine months for most STR's
- No STR residential zones unless occupancy rate is below a certain percentage
- Require a minimum declaration of proof of full-time residency in Sitka 2+ years before granting STR
- Must be part of the primary residence
- Must be a resident
- Do not allow non-residents to apply for conditional use permits limit these two Sitka residents only
- Example of incentivizing LTR look at Summit County Colorado
- Cap number of STRS per neighborhood based on consensus of owners in that neighborhood
- Limit number STRS per neighborhood less neighborhood that are walking distance downtown
- Let me number of STRS per owner and household

- If landlords whole multiple units require a minimum percentage of long-term to short-term rentals units three to one for example
- Not allow CUP's to transfer with the sale of a house
- Distinguish between a STR and a mother-in-law apartments and full house apartment find ways to fairly minimize STR's from displacing long-term rentals
- Allow all platforms should require STR permit numbers and all STR should have permit regardless of zoning
- Consider requiring permits renewed annually pending a clean non-complaint record
- A permit requires the process that does not rely on feedback from neighbors
- Redefine STR to 28 days
- Permit for less than three years
- Do not transfer permits with house sale
- More options for refusing permits when planning commission members consider wrong
- Best practices in other places for coming to community is like ours for example Hawaii STR's in certain zones not others, examples in SELC document, second address report
- Density in commercial zones residential of neighborhood how is it determined and regulated and defined density usually done by zoning district and in the number of streets and area
- If we made code changes, make sure community is aware sale of property
- Tackle the issue in a structural manner zoning permitting standpoint personal decisions have bigger impacts zoning and permitting should balance collective good
- Density and commercial areas potential for a ride to impact look at both areas
- Report back how the CUP is used see how use changes over time

### **SURVEY RESULTS 2021**

- Developers get around this by forming LLC is registered with an attorney it's unforeseeable
- Citywide Distorts the value of pre-existing units that run within the land driving their value much higher
- No cap of number of LTR's don't treat them like I ask you that we were the first people and prevent others and latecomers from the opportunity to establish a STR

- Planning commission to drive three options with they go to help solve STR issue and broader affordable housing
- Incentivize long term rentals

### **Priorities**

- 1)Limits around number of units owner occupied.
- 2) transfer on sale of property
- 3) fee for dedicated support of affordable housing initiative
- 4) Incentive for creating and building LTR's at cons from additional fee on STR's 5) bed tax and code enforcement



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: RES 22-23      Version: 1      Name:

Type: Resolution      Status: AGENDA READY

File created: 8/17/2022      In control: City and Borough Assembly

On agenda: 8/23/2022      Final action:

Title: Supporting Sitka Maritime Heritage Society's application under the FY22 Historic Preservation Fund Grant program for Certified Local Governments

Sponsors:

Indexes:

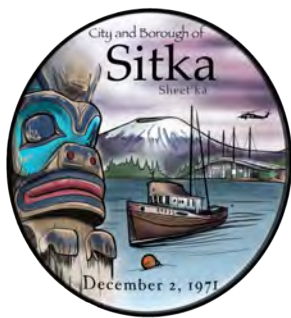
Code sections:

Attachments: [Motion Res 2022-23](#)  
[Memo Japonski Island Boathouse CLG Grant Res 2022-23](#)  
[Japonski Island Boathouse CLG Grant Application & Support Docs.](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Resolution 2022-23 on first and final reading supporting Sitka Maritime Heritage Society's application under the FY22 Historic Preservation Fund Grant program for Certified Local Governments.





# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## MEMORANDUM

**To:** Mayor Eisenbeisz and Assembly Members

**Thru:** John Leach, Municipal Administrator 

**From:** Amy Ainslie, Planning Director 

**Date:** August 16, 2022

**Subject:** FY22 Historic Preservation Grants for Certified Local Governments:  
Japonski Island Boathouse

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### **Background**

The Historic Preservation Commission has recommended approval of a Historic Preservation Fund Grant for Certified Local Governments requested by the Sitka Maritime Heritage Society, a registered non-profit organization. The recommendation was made at the August 10<sup>th</sup> regular meeting on a unanimous vote.

The intent of the grant is to fund the Japonski Island Boathouse Walls and Accessible Restroom project. An accessible restroom will be installed and finished, the addition interior will be finished, the entry constructed (including a deck and roof, stairs, and ramp), and restoration of the remaining exterior walls that have not yet been repaired.

The State of Alaska Office of History and Archeology announced the FY22 grant opportunity on June 22, 2022. The application deadline is August 26, 2022.

### **Analysis**

The subgrantee must follow all applicable federal, state, and city requirements regarding procurement, entity status, and reporting. Qualified historic preservation professionals must be consulted throughout the project as directed by the State Historic Preservation Office. If awarded, a municipal subgrantee agreement must be signed prior to commencement of the project. An administrative fee will be charged to the grant in accordance with Finance Department policy.

It is important to note that as we are the property owners in this case, CBS may be required to sign a covenant on the property if the grant application is approved by the

State. A sample of the covenant is included as an attachment. Generally, the covenant obligates CBS to maintain the property in a good and sound state, apply *The Secretary of the Interior's Standards for the Treatment of Historic Properties* ("the Secretary's Standards") for all proposed work, receive written approval from the State Historic Preservation Office (SHPO) for any proposed alterations to the building or activities that would affect archaeological resources, and have opportunities for the public to visit the property. A similar 10-year covenant was signed in 2010 and expired in November 2020. These covenants are usually requested at increments of five or ten years; in either case, a covenant would outlast the original term of the lease but expire within the first extension option.

The lease for this property was signed by CBS on February 14, 2005 and has a term of 20 years with three, 10-year extensions available. The lease requires that the lessee, Sitka Maritime Heritage Society, pay \$1 every year for the lease, and keep an active liability insurance policy of \$500,000 for the building, and name CBS as an additional insured party. Based on these lease terms, Sitka Maritime Heritage Society is currently in good standing.

### **Fiscal Note**

The grant application is for a 60-40 match grant. The Sitka Maritime Heritage Society intends to contribute \$33,333 with in-kind and donated resources and requests \$50,000 from the Historic Preservation Fund for Certified Local Governments (Federal Share). CBS retains approximately 8.5% to cover administrative costs associated with grant management and reporting requirements. As with other pass-through grants, both federal and local procurement restrictions carry through to the subrecipient. In this case, the federal Davis Bacon rules mean that most, if not all contracts will meet that threshold and additional CBS staff support is anticipated.

### **Recommendation**

Approve the resolution supporting the grant application.

#### Documents in Application & Supporting Documentation:

- Grant Announcement
- Application
- Photos
- Budget Table
- Sample Covenant
- Lease Agreement

Sponsor: Administrator

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2022-23

A RESOLUTION BY THE CITY AND BOROUGH OF SITKA  
SUPPORTING SITKA MARITIME HERITAGE SOCIETY'S APPLICATION UNDER THE FY22  
HISTORIC PRESERVATION FUND GRANT PROGRAM FOR CERTIFIED LOCAL  
GOVERNMENTS

**WHEREAS,** the mission of the Sitka Maritime Heritage Society is to preserve our region's rich maritime history and promote knowledge of maritime heritage and skills; and

**WHEREAS,** the historic Japonski Island Boathouse holds cultural significance for the community; and

**WHEREAS,** the Sitka Maritime Heritage Society's goal through this grant application is to continue historic restoration of the Japonski Island Boathouse which is a distinctive waterfront structure built as a part of Sitka's Naval Air Station in 1941; and

**WHEREAS,** the Sitka Maritime Heritage Society proposes to contribute \$33,333 of in-kind, donated, and purchased resources to the project while requesting \$50,000 from the Historic Preservation Fund for Certified Local Governments; and

**WHEREAS,** the Sitka Maritime Heritage Society, if awarded the grant, will be obligated to follow all applicable federal, state, and city requirements regarding procurement, entity status, and reporting. If awarded, a municipal subgrantee agreement must be signed prior to commencement of the project and an administrative fee will be charged to the grant in accordance with Finance Department policy; and

**NOW, THEREFORE, BE IT RESOLVED** that the Assembly of the City and Borough of Sitka hereby supports the FY22 application of the Sitka Maritime Heritage Society for a \$83,333 grant through the Historic Preservation Fund Grant program for Certified Local Governments.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this 23<sup>rd</sup> day of August 2022.

\_\_\_\_\_  
Steven Eisenbeisz, Mayor

ATTEST:

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> and final reading: 8/23/2022

Sponsor: Administrator



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

DIVISION OF PARKS AND OUTDOOR RECREATION  
Office of History & Archaeology  
550 West 7<sup>th</sup> Avenue, Suite 1380  
Anchorage, Alaska 99501-3561  
Main: 907.269.8700

June 22, 2022

RE: FY22 Historic Preservation CLG Grant Applications

To Alaska CLGs:

The Office of History & Archaeology is accepting grant applications from Certified Local Governments (CLGs) for 60-40 Historic Preservation Fund (HPF) matching grant projects. All projects would need to be completed by December 15, 2023.

The Historic Preservation Fund (HPF) grant program provides up to 60 percent assistance with a 40 percent CLG match for the cost of a historic preservation project in one of the following categories:

- Survey
- Inventory
- National Register Nomination
- Historic Preservation Planning
- Public Preservation Education
- Predevelopment
- Development Acquisition

The Office of History & Archaeology anticipates \$200,000 will be available to award to eligible projects. Grant requests must not exceed \$50,000 maximum in matching assistance.

The application deadline is 4:00 p.m. on August 26, 2022. The HPF application package is attached and available online at <http://dnr.alaska.gov/parks/oha/index.htm>.

If you have any questions, please contact Maria Lewis at [maria.lewis@alaska.gov](mailto:maria.lewis@alaska.gov) or by telephone at 907-269-8717.

Sincerely,

A handwritten signature in blue ink, reading "Judith E. Bittner".

Judith E. Bittner  
State Historic Preservation Officer

# CLG GRANT APPLICATION

Office of History & Archaeology  
Alaska Department of Natural Resources  
550 West 7<sup>th</sup> Avenue, Suite 1310  
Anchorage, Alaska 99501

## FY22 Historic Preservation Fund: Grants for Certified Local Governments

**Deadline: Applications are due by 4:00 pm on Friday, August 26, 2022.**

The Certified Local Government (CLG) identified below is applying for a reimbursable 60-40 Historic Preservation Fund (HPF) matching grant through the State of Alaska, Department of Natural Resources, Office of History and Archaeology.

CLG Name:

Federal Tax Identification Number: [UEI:](#)

Project Title :

Type of CLG Grant Project: (Check project type below, as applicable)

Survey	Public Preservation Education
Inventory	Predevelopment
National Register Nomination	Development
Historic Preservation Planning	Acquisition

Budget Summary. Federal Award Request (includes State Indirect) : \$ \_\_\_\_\_

a. Total Project Cost (TPC)	\$ _____
b. Federal Share (60%)	\$ _____
c. Sponsor Share (40%)	\$ _____

Source of applicant (sponsor) share: (Use figures from "Sources" box on budget form)

a. Cash	\$ _____
b. In-kind Goods and Services	\$ _____
c. Donated Goods and Services	\$ _____

Name, title and contact information for the following:

Grant Manager:	_____
Mailing Address:	_____
City, State, Zip:	_____
Telephone:	_____
E-mail Address:	_____

Preservation Commission Chair: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

CLG Contact: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

\_\_\_\_\_  
Signature: Authorized Local Government Official                      Date

\_\_\_\_\_  
Name and Title (Print or Type)

\_\_\_\_\_  
Community Name

**Notary Seal**

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary for the State of Alaska                      My commission expires \_\_\_\_\_

## Willingness to Comply with Grant Requirements

1. I understand that this is a 60-40 matching grant application through the Historic Preservation Fund (HPF) administered by the State of Alaska Department of Natural Resources, Office of History and Archaeology.
2. If awarded an HPF grant, I understand that it is my responsibility to comply with all pertinent State and Federal regulations, the State-Local Grant Agreement, and requirements outlined in the *Historic Preservation Fund: Certified Local Government Grants Manual*.
3. Should this project be awarded, I understand that project records are subject to audit after project completion, and that if such an audit questions expenditures for which I have been reimbursed I will return an amount equal to the questioned expenditures.
4. I understand that no grant exists until the State Historic Preservation Officer (SHPO) signs the State-Local Grant Agreement, even if the Alaska Historical Commission recommends funds for my project. Any funds expended before the performance period specified on the fully executed grant agreement or before obtaining the SHPO's signature may not be reimbursed without specific approval.

---

Signature: Authorized Local Government Official

---

Date

---

Name and Title (Print or Type)

# CLG GRANT APPLICATION: FY21

**CLG:**

**Project Name:**

**PROJECT INFORMATION** See [\*Writing a Successful CLG Application\*](#) for more detail.

- 1. PROJECT DESCRIPTION** – *If needed, use continuation pages provided at the end of this document.*
  - a. Provide a brief introduction to your project including the aim, scope, and significance of the project to your community.

b. List any previous HPF grants this project has received. [\*\(Cite HPF number and grant name\)\*](#)

c. Briefly describe the relationship of this project to past, present, or future preservation work.

a. How does the project relate to [annual CLG grant priorities](#) established for this fiscal year? (*Cite relevant grant priorities and explain how each relates to your project.*)

b. How does the project relate to the goals and objectives of the [State Historic Preservation Plan](#). (*Cite relevant goals and objectives and how your project would further them.*)

- c. Describe how the project meets an identified historic preservation priority of your community. Does the project contribute to the implementation of your local historic preservation plan? If so, how?

**3. PROJECT PERSONNEL-** *The Project Manager (PM) must have proven experience working on historic preservation projects. If the project is a survey, inventory, or National Register nomination, the PM must meet the professional qualification standards in 36 CFR 61. If not identified in this application, the Office of History and Archaeology must review selection of Project Manager prior to finalization of the contract with the individual.*

- a. Note who will act as Project Manager (PM). Attach the PM's resume showing past experience working on preservation projects. List any previous HPF Projects the PM has worked on. *(If planning to contract with PM after grant is awarded, outline the job qualifications that will be required.)*

- b. Identify the local government personnel who will act as Grants Manager for the project.

- c. Describe the local historic preservation commission's role in the project. Attach a resolution from the commission supporting the project.
- d. Identify volunteer personnel and their tasks.
- e. Identify any additional contractors to be used and expected duties. Attach resumes for all qualified historic preservation professionals working on the project.

4. **WORK PLAN.** *Thoroughly address all items necessary for your project type. See [Writing a Successful CLG Application](#) for more detail. Use continuation sheets if needed.*
- a. Explain how the project will be undertaken.

- c. Cite any planning studies, condition assessments, design drawings, research reports, publications, or other sources of relevant information you plan to use for this project.

- d. Provide a work schedule showing months, expected activities, and benchmarks to achieve throughout the grant period of performance.

## **5. FINAL PRODUCTS**

- a. Describe publications, workshops, audio-visual materials, reports, websites, brochures, survey materials, nominations, interpretive signs, etc., that will be produced as part of the proposed project. Identify the intended audience and where the public will be able to access these materials. Describe how you will inform your community about the project.

## 6. ADDITIONAL INFORMATION

- a. Attach letters of commitment and support, as appropriate, from teachers, historical societies, museums, Native groups, and others. (*Note attachments below.*)
- b. Attach any other relevant information, such as copies of photographs. (*Note attachments below.*)

## 7. BUDGET: Maximum Federal Request of \$50,000

Your budget submittal shall consist of one narrative and two tables. *Use fillable Excel worksheet or submit similar budget tables, and complete the narrative portion below for this Budget section.*

- a. *Budget Summary* table identifying planned cost share of 60% and 40%
- b. *Matching Share* table showing sources of match.
- c. *Budget Narrative* explaining costs in detail and describing how costs were calculated.

**BUDGET NARRATIVE:** Describe activities to be performed under Personal Services, Contractual Services, Supplies/Materials, Travel, and Other cost categories.

- a. Personal Services: describe work each position/person will perform for the proposed project.

b. Contractual Services: List contractor name(s), if known. Describe work each will perform.

c. Supplies/Materials: Describe types of materials and/or supplies required for this project, how they relate to the project, estimated quantities, etc.

d. Travel: Identify who will be traveling, how many trips are anticipated, trip purpose, and destination.

- e. Other: Identify other costs which do not fall into one of the above categories. Explain purpose and relevance to this proposed project.

## CHECKLIST

Applicant, has your entity...

maintained current certification under the Certified Local Government program?  
signed and notarized this application?  
signed the form titled: *Willingness to Comply with Grant Requirements*?  
provided the information requested on each page of the application package?  
included a public outreach component?  
attached maps showing location of project?  
attached photographs or clear photocopies showing overall character of properties for survey, inventory, National Register nomination, pre-development and development projects?  
attached letters of support from the community and, if needed, property owners?  
attached a resolution from the City or Borough's governing body (or indicate one has been requested prior to the Alaska Historical Commission meeting to recommend awards)?  
explained historic preservation commission involvement in the project, and addressed its role in the review process?  
checked your budget for accuracy?

**Deadline: Applications are due 4:00 pm on August 26, 2022.**

Only complete, signed, dated, notarized applications will be considered.

Submit applications and questions to the CLG Program Coordinator:

**[dnr.oha@alaska.gov](mailto:dnr.oha@alaska.gov)**





## Japonski Island Boathouse, Sitka, Alaska Walls and Accessible Restroom



General view, looking West from O'Connell Bridge over Sitka Channel. Downtown Sitka is on the right, on Baranof Island. The Boathouse is left of center on Japonski Island. Behind it are other buildings of the former Sitka Naval Air Station. Also in the picture are two of Sitka's harbors and the public work float (at left). 7/30/16.



Historical view of the Japonski Island Boathouse (right of center) during World War II. View is from the top of a gravel conveyer. The causeway in the foreground is adjacent to the current bridge across the channel. Photo Sitka Historical Society, Johnson Collection.

## Japonski Island Boathouse, Sitka, Alaska Walls and Accessible Restroom



Top left: the NW side of the building, with work under way to repair original walls, and showing the accessible entry addition exterior. Plans call for a roofed deck on the right of the addition, with an accessible ramp and stairs to it.

Top right: the SW side of the building, showing addition doorway at left, currently with a temporary plywood door.

Below left: the SE end of the shop, showing deteriorated siding that would be repaired in this project.

Below right: the entire SE end of the building.

Bottom left: the end wall (SE wall) of the NE wing, and bottom right, the NE wall of the building. We have rebuilt the historic doors and made new jambs, to be installed. This project would install landings and stairs outside both doors, with an accessible ramp from the door on the right, leading to the parking area. This project also calls for bringing up the grade slightly, to make access to the ramp easier, make the ramp shorter, and make it so we don't need railings on the landings. In the foreground is the pole with our temporary electric service; we are having it put underground, from a utility vault just outside the photo. Photos by Rebecca Poulson 7/17/22



## Japonski Island Boathouse, Sitka, Alaska Walls and Accessible Restroom

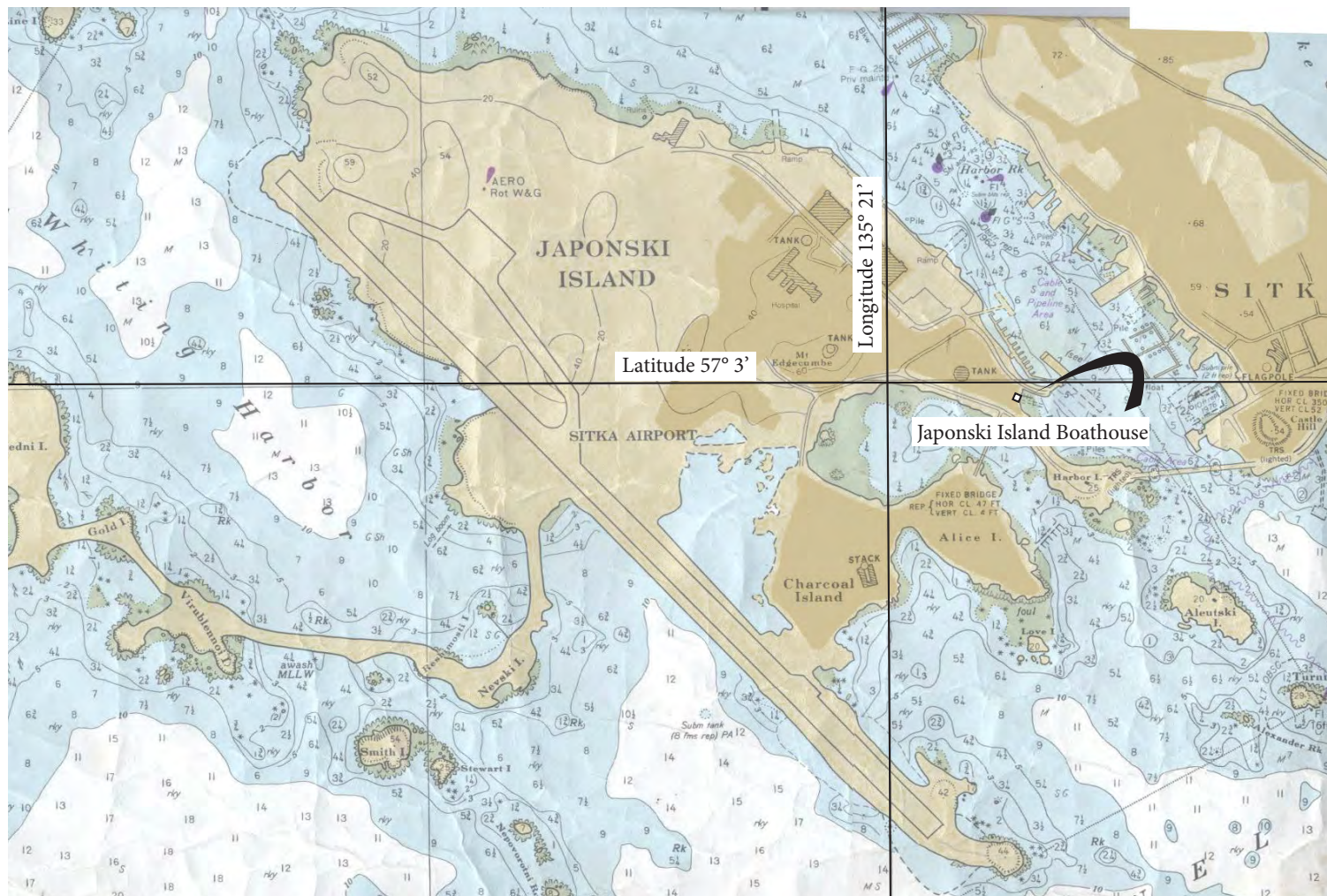


Aerial photo of Sitka, Alaska, showing Japonski Island at the top. The approximate boundary of the Sitka Naval Operating Base and U.S. Army Coast Defenses National Historic Landmark is marked in red.

The NHL includes Mt. Edgecumbe High School, University of Alaska Sitka Campus, and part of the Southeast Regional Health Corporation campus, as well as the Japonski Island Boathouse, in the former Navy Base.

The Causeway, above, was the Army's Fort Rousseau and is now the Makhnati Island Causeway State Historical Park.

# Japonski Island Boathouse, Sitka, Alaska Walls and Accessible Restroom



### Budget Summary: CLG Grant Application

Total by Cost Category	Cost Category	Sponsor Share	Federal Share
\$		40%	60%
21,050	<b>Personal Services</b>		
	Volunteer labor repair walls, door jambs, finish work and exhibit	21,050.00	
0	<b>Travel</b>		
40,550	<b>Contractual</b>		
	Plumbing		5,000.00
	Electrical		5,000.00
	Contractor: build decks, ramps, stairs, porch roof		15,000.00
	Contractor add gravel, move bandsaw		5,550.00
	Contractor: addition interior		10,000.00
16,483	<b>Supplies/Materials</b>		
	bathroom fixtures, flooring, wallboard, lumber, finishes for addition interior, new custom wood entry door and hardware	12,283.00	1,217.00
	materials for restoring walls and doors		2,983.00
5,250	<b>Other (specify)</b>		
	Advertising		100.00
	Permits		500.00
	City of Sitka grant admin		4,250.00
	Food for event and public work parties		400.00
83,333	<b>Total Project Costs (TPC)</b>	33,333.00	50,000.00

### Matching Share: Sponsor's Sources of Match

12,283.00	Cash Expenditures
	In-kind Contributions
21,050.00	Donations & Volunteer Time
33,333.00	= Sponsor's 40% of TPC

### Instructions: Double click inside the worksheet to activate formulas and complete budget.

1. Calculate anticipated expenses and describe in appropriate Cost Categories. Add extra rows or categories, as needed.
2. Multiply "Total Project Costs" by 0.40 to determine Sponsor and 0.60 to determine Federal shares.
3. Show amounts comprising the "Source of Sponsor's Share."

**Historic Preservation Covenant**  
State of Alaska Office of History and Archaeology  
550 West 7<sup>th</sup> Avenue, Suite 1310  
Anchorage, AK 99501

This agreement is made the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by **City & Borough of Sitka, 100 Lincoln Street, Sitka, AK 99835** (hereafter the "Owner") and the State of Alaska acting through the State Historic Preservation Office (hereafter the "SHPO"). This agreement is for preservation of a certain Property known as **The Japonski Island Boathouse** at which is owned in fee-simple by the Owner and is listed in the National Register of Historic Places.

The Property is comprised essentially of grounds, improvements, and appurtenances. The Property is described as: **[legal reference, repository, book, and page number(s).]**

In consideration of grant number XXXXX of up to \$XX,XXX received through the SHPO and the Historic Preservation Fund (HPF) from the National Park Service, United States Department of the Interior, the Owner hereby agrees to the following for a period of five years.

1. Responsibility to maintain the Property: The Owner agrees to maintain the Property in a good and sound state of repair and to maintain the Property according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties* so as to prevent deterioration and preserve the architectural, historical, and/or archaeological integrity of the Property in ways that protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places.
2. Required review and written approval by SHPO of any proposed alterations: The Owner agrees that no construction, visual or structural alteration shall be undertaken, or permitted to be undertaken, on the Property which would affect historically significant interior spaces and features, exterior construction materials, architectural details, form, fenestration, height, or adversely affect the structural soundness of the property without prior written approval of the SHPO affirming that such work will meet *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.
3. Required review and written approval of SHPO of activities that would affect archaeological resources: The Owner agrees that no ground disturbing activities shall be undertaken or permitted to be undertaken on the Property which may affect significant archeological resources without prior written permission of the SHPO affirming that such work will meet *The Secretary of the Interior's Standards for Archeology and Historic Preservation*. Owner agrees to ensure that any data and materials recovered will be placed in a repository that will care for the data in a manner prescribed in the *Secretary of the Interior's Standards for Archeology and Historic Preservation*.
4. Right to Inspect: The Owner agrees that the SHPO, its agents and designees shall have the right to inspect the property, at all reasonable times, to ascertain whether the conditions of this agreement are being observed.

5. Public Access: Public access to the Property is required under certain circumstances. If required, the Owner agrees the Property will be open to the public for the purpose of viewing the grant-assisted work or grant-assisted Property acquisition no less than 12 days a year on an equitably spaced basis. Nothing in this agreement will prohibit the Owner from charging a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area.

**Owner: Check one of the following.**

\_\_\_ HPF-assisted rehabilitation/restoration work is clearly visible from a public right-of-way (such as façade, roof or window restoration) or consists of typically non-viewable work (such as interior electrical or plumbing updates). Public access is not required.

\_\_\_ HPF-assisted rehabilitation/restoration work is not clearly visible from a public right-of-way or includes visible interior work. Public access is is required.

\_\_\_ HPF-assisted acquisition Property is not clearly visible from a public right-of-way or the Property's interior contains important architectural or historically significant features. Public access is required.

6. Notification of Public Access: If public access is required, the Owner agrees to provide public notification of such through local media that best serves the community: e.g. newspaper, radio, TV, public flyers, or social media. Notification shall provide dates and times when the Property will be open. Documentation of such notice will be furnished annually to the SHPO during the term of this covenant.
7. Anti-discrimination: The Owner agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 (d)), the Americans with Disabilities Act (ADA) (42 U.S.C. 12204), and with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). These laws prohibit discrimination on the basis of race, religion, national origin, or disability.

To implement public access, Owner shall make reasonable accommodations to qualified disabled persons. ADA and Section 504 do not require an owner to make every part of the property accessible to and useable by disabled persons by means of physical alterations. For public access periods, videos, presentations, or other audio-visual material and devices may be used to depict otherwise inaccessible areas or features of the property.

8. Covenant shall run with the Property: This covenant shall run with the Property and be binding on the Owner, its successors and assigns.
9. Enforcement: The SHPO shall have the right to prevent and correct violations of the terms of this covenant. If the SHPO, upon inspection of the property, finds what appears to be a violation, it may exercise its discretion to seek injunctive relief in a court having jurisdiction. Except when an ongoing or imminent violation will irreversibly diminish or impair the cultural, historical, and architectural importance of the Property, the SHPO shall give the Owner written notice of the violation and allow thirty (30) days to correct the violation before taking any formal action, including, but not limited to, legal action. If a court, having jurisdiction, determines that a violation exists or has occurred, the SHPO may obtain an injunction to stop the violation, temporarily or permanently. A court may also issue a mandatory injunction requiring the Owner to restore the Property to the condition existing at the time HPF-assisted work was completed. In any case where a court finds that a violation

10. Effective date; Severability: This covenant shall become effective when the Owner files it in the Office of the Recorder of \_\_\_\_\_, Alaska, with a copy of the recorded instrument provided to the SHPO for its grant file. HPF funds will not be distributed prior to the recording of this covenant.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Witnessed by Notary Public**

The foregoing was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Witness my hand and seal.

Signature: Notary Public

My Commission Expires:

<b>State of Alaska Office of History and Archaeology</b>	
Judith E. Bittner, State Historic Preservation Officer	Date

After Recording, Return To: (Owner's complete name and mailing address and copy SHPO)

Amy Ainslie, CBS Planning Director  
City & Borough of Sitka  
100 Lincoln Street  
Sitka, AK 99835

(Sitka 03/01/06)

FEB 18 2006

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**LEASE AGREEMENT**  
**Between City and Borough of Sitka and Sitka Maritime Heritage Society, Inc.**  
**Regarding Japonski Island Boathouse Property**

This Lease Agreement is made between the City and Borough of Sitka, whose address is 100 Lincoln Street, Sitka, Alaska 99835 ("the City and Borough") and Sitka Maritime Heritage Society, Inc. of 1490 Seward Avenue, Sitka, Alaska ("the Society"). The City and Borough and the Society agree that the terms, conditions, and covenants of the Lease Agreement are as follows:

1. The City and Borough leases to the Society a parcel known as the Japonski Island Boathouse whose legal description is Tract A, ASCS 88-62 located in United States Survey 1496 and whose size is 0.493 acres, more or less. This parcel is hereinafter described as "the property."
2. The term of the Lease Agreement is 20 years unless extended as described in the next sentence. By mutual agreement of the City and Borough and the Society, this initial 20-year term may be extended for three 10-year extensions.
3. The rent is one dollar (\$1.00) per year, which shall be paid to the City and Borough no later than 30 days after each anniversary of the effective date of this Lease Agreement. The Society shall pay the first year's rent no later than 30 days after the effective date of this Lease Agreement.
4. The effective date of this Lease Agreement is the date shown for the latest day a signature required to be affixed to this Lease Agreement is so affixed.
5. The Lease Agreement shall terminate if the City and Borough and the Society do not agree by June 1, 2012 that the project the Society has announced that it is planning for the property has become financially self-sufficient.
6. The Society shall clean up the property and remove any safety hazards on the property no later than 120 days after the effective date of the Lease Agreement.
7. The Society shall secure funding for the project it plans for the property without relying on the City and Borough for funds.
8. No later than 60 days after the effective date of the Lease Agreement, the Society shall obtain liability insurance for the property in an amount no less than \$500,000. This liability insurance shall name the City and Borough as an additional insured. The Society shall provide the City and Borough's Finance Director with evidence of this liability insurance.
9. The Society shall comply with all applicable laws while using the property.
10. The Society shall indemnify the City and Borough and its employees, officers, and agents and hold harmless the City and Borough and its employees, officers, and agents from any and all claims, demands, suits, loss, liability and expense for injury to or death of persons or damage to or loss of property arising out of or connected with the exercise of the lease privileges granted to the Society by this Lease

## **LEASE AGREEMENT**

Sitka Maritime Heritage Society

Regarding Japonski Island Boathouse Property

Page 2 of 3

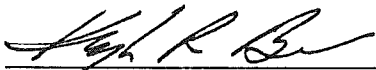
Agreement or arising out of any incident whatsoever which may occur on the property.

11. Upon termination of this Lease Agreement, the Society shall remove all materials, equipment and other personal property from the property and return the property to a satisfactory condition.
12. The Society has no power under this Lease Agreement to assign the Lease Agreement or transfer the property. The Society has no power to sublease the property or any portion of it without written approval of the City and Borough Administrator.
13. None of the covenants, terms, or conditions of this Lease Agreement to be kept or performed by the City and Borough or the Society shall in any manner be waived, modified, changed, or abandoned except by a written instrument duly signed, acknowledged, and delivered by both the City and Borough and the Society.
14. This Lease Agreement shall be construed and enforced in accordance with the laws of the State of Alaska. The forum and venue for any action seeking to interpret, construe, or enforce this Lease Agreement shall only be in the Alaska State Courts in Sitka, Alaska.
15. This Lease Agreement contains the entire agreement between the parties concerning the property.
16. Each person signing this Lease Agreement warrants that he or she has the authority required to bind the party on whose behalf he or she is signing.

**LEASE AGREEMENT**

Sitka Maritime Heritage Society  
Regarding Japonski Island Boathouse Property  
Page 3 of 3

**CITY AND BOROUGH OF SITKA**

By:   
Hugh R. Bevan, City and Borough Administrator

Date: 2-10-05

STATE OF ALASKA )

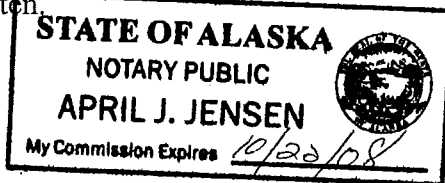
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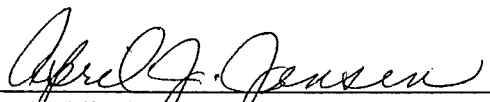
**MUNICIPAL ACKNOWLEDGMENT**

FIRST JUDICIAL DISTRICT )


THIS CERTIFIES that on this 10th day of February, 2005 before me, a Notary Public in and for the State of Alaska, personally appeared **Hugh R. Bevan** the person whose name is subscribed to the foregoing deed, and after being first duly sworn according to law, he stated to me under oath that he is the Administrator of the City and Borough of Sitka, Alaska, a municipality organized under the laws of the State of Alaska, that he has been authorized by said municipality to execute the foregoing **LEASE AGREEMENT** on its behalf, and that he executed the same freely and voluntarily as the free act and deed of said municipality.

WITNESS my hand and official seal the day and year in this certificate first above written.



  
Notary Public for Alaska  
My Commission Expires: 10/22/08  
Residing at Sitka, Alaska

**SITKA MARITIME HERITAGE SOCIETY, INC.**

By:   
Rebecca Poulson, Board President

Date: 2-14-05

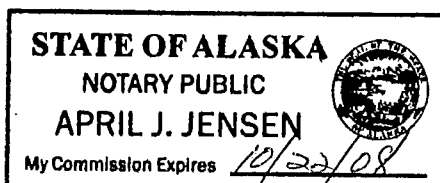
STATE OF ALASKA )

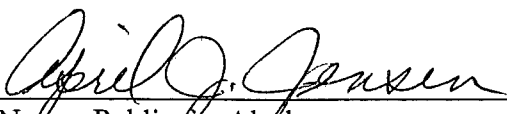
)ss.

**ACKNOWLEDGMENT**

FIRST JUDICIAL DISTRICT )

On this 14th day of February, 2005, **Rebecca Poulson** personally appeared before me, who is personally known to me to be the signer of the above **LEASE AGREEMENT**, and she acknowledged that she executed it.



  
Notary Public for Alaska  
My Commission Expires: 10/22/08  
Residing at Sitka, Alaska



# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: RES 22-22      Version: 1      Name:

Type: Resolution      Status: AGENDA READY

File created: 8/17/2022      In control: City and Borough Assembly

On agenda: 8/23/2022      Final action:

Title: Authorizing the Municipal Administrator to apply for a Safe Streets for All (SS4A) Grant with the Department of Transportation (DOT) for \$550,000 with a \$150,000 match commitment to support development of a Comprehensive Safety Action Plan

Sponsors:

Indexes:

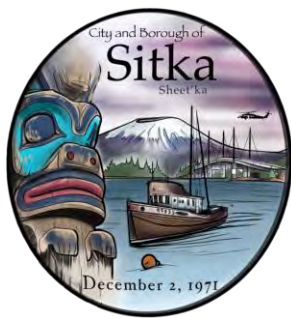
Code sections:

Attachments: [00 Motion Res 2022-22](#)  
[01 Assembly Memo SS4A Action Plan](#)  
[02 Action Plan Components](#)  
[03 Res 2022-22 SS4A Grant](#)  
[04 Application Safe Streets](#)  
[05 STA LetterOfSpprt CBS SS4A-GrantPrgrm 8-12-22 \(2\)](#)

Date	Ver.	Action By	Action	Result
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## **POSSIBLE MOTION**

**I MOVE TO** approve Resolution 2022-22 on first and final reading authorizing the Municipal Administrator to apply for a Safe Streets for All (SS4A) Grant with the Department of Transportation (DOT) for \$550,000 with a \$150,000 match commitment to support development of a Comprehensive Safety Action Plan.




# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## MEMORANDUM

**To:** Mayor Eisenbeisz and Assembly Members

**Thru:** John Leach, Municipal Administrator 

**From:** Melissa Henshaw, Public and Government Relations Director

**Date:** August 17, 2022

**Subject:** Authorization to Apply for a DOT Funding Opportunity under the Safe Streets and Roads for All Action Plan

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### Background

Link to the U.S. Department of Transportation Safe Streets and Roads for All (SS4A) grant program: <https://www.transportation.gov/grants/SS4A>

The SS4A program provides funding for two types of grants: Action Plan Grants and Implementation Grants. Action Plan Grants are used to develop, complete, or supplement a comprehensive safety action plan. In order to apply for an Implementation Grant for infrastructure funding, an applicant must have a qualifying Action Plan. The Action Plan is the foundation of the SS4A grant and DOT considers the process of developing an Action Plan to be critical for success. The goal of the Action Plan is to develop a holistic, well-defined strategy to prevent roadway fatalities and serious injuries. The components of the Action Plan reflect a process-oriented set of activities (see attached for details). An Action Plan will position the CBS to qualify for future infrastructure funding for roads.

SS4A grant program key factors:

- Applications are due by September 15, 2022.
- A 20 percent match is required for Action Plan grants.
- This is a new discretionary program that will provide \$5-6 billion in grants over the next 5 years.
- FY22 has up to \$1 billion in available funds and expects to award hundreds of Action Plan Grants.
- 40% of the total FY22 funds made available must be for developing and updating an Action Plan.
- Not more than 15% of the funds made available in FY22 may be awarded to eligible applicants in a single state.

- Award amounts will be based on estimated costs with expected minimum of \$200,000 for all applicants and an expected maximum of \$1,000,000 for a political subdivision of a State.
- Applicants may only apply for an Action Plan Grant or an Implementation Grant, not both.
- Criteria include improves safety impact, equity, and other safety considerations.
- Award announcements should be expected by early 2023.

An Action Plan follows the 2030 Comprehensive Plan objective: *Adopt and Implement a Sitka Complete Street Policy*.

### **Fiscal Note**

An estimated project cost of \$550,000 with a CBS match of \$100,000 will consist of in-kind staff time and resources to manage outside consultants along with a \$50,000 contingency. CBS match funding would come from the General Fund, and the Action Plan would be completed within a 12 to 24-month timeline.

The total estimated project cost for the Action Plan is \$700,000.

### **Recommendation**

Approve this resolution authorizing the Municipal Administrator to apply for a U.S. DOT Safe Streets and Roads for All (SS4A) funding opportunity for \$550,000 to include a CBS match commitment of \$150,000 for in-kind staff time and resources to support development of an Action Plan.

**Table 1: Action Plan Components**

<b>Component</b>	<b>Description</b>
Leadership Commitment and Goal Setting	An official public commitment (e.g., resolution, policy, ordinance, etc.) by a high-ranking official and/or governing body (e.g., Mayor, City Council, Tribal Council, MPO Policy Board, etc.) to an eventual goal of zero roadway fatalities and serious injuries. The commitment must include a goal and timeline for eliminating roadway fatalities and serious injuries achieved through one, or both, of the following: (1) the target date for achieving zero roadway fatalities and serious injuries, OR (2) an ambitious percentage reduction of roadway fatalities and serious injuries by a specific date with an eventual goal of eliminating roadway fatalities and serious injuries.
Planning Structure	A committee, task force, implementation group, or similar body charged with oversight of the Action Plan development, implementation, and monitoring.
Safety Analysis	Analysis of existing conditions and historical trends that provides a baseline level of crashes involving fatalities and serious injuries across a jurisdiction, locality, Tribe, or region. Includes an analysis of locations where there are crashes and the severity of the crashes, as well as contributing factors and crash types by relevant road users (motorists, people walking, transit users, etc.). Analysis of systemic and specific safety needs is also performed, as needed (e.g., high-risk road features, specific safety needs of relevant road users, public health approaches, analysis of the built environment, demographic, and structural issues, etc.). To the extent practical, the analysis should include all roadways within the jurisdiction, without regard for ownership. Based on the analysis performed, a geospatial identification of higher-risk locations is developed (a High-Injury Network or equivalent).
Engagement and Collaboration	Robust engagement with the public and relevant stakeholders, including the private sector and community groups, that allows for both community representation and feedback. Information received from engagement and collaboration is analyzed and incorporated into the Action Plan. Overlapping jurisdictions are included in the process. Plans and processes are coordinated and aligned with other governmental plans and planning processes to the extent practical.
Equity Considerations	Plan development using inclusive and representative processes. Underserved communities are identified through data and other analyses in collaboration with appropriate partners. <sup>8</sup> Analysis includes both population characteristics and initial equity impact assessments of the proposed projects and strategies.

Component	Description
Equity Considerations	<p>Plan development using inclusive and representative processes. Underserved communities are identified through data and other analyses in collaboration with appropriate partners.<sup>8</sup> Analysis includes both population characteristics and initial equity impact assessments of the proposed</p>
Policy and Process Changes	<p>Assessment of current policies, plans, guidelines, and/or standards (e.g., manuals) to identify opportunities to improve how processes prioritize transportation safety. The Action Plan discusses implementation through the adoption of revised or new policies, guidelines, and/or standards, as appropriate.</p>
Strategy and Project Selections	<p>Identification of a comprehensive set of projects and strategies, shaped by data, the best available evidence and noteworthy practices, as well as stakeholder input and equity considerations, that will address the safety problems described in the Action Plan. These strategies and countermeasures focus on a Safe System Approach, effective interventions, and consider multidisciplinary activities. To the extent practical, data limitations are identified and mitigated.</p> <p>Once identified, the list of projects and strategies is prioritized in a list that provides time ranges for when the strategies and countermeasures will be deployed (e.g., short-, mid-, and long-term timeframes). The list should include specific projects and strategies, or descriptions of programs of projects and strategies, and explains prioritization criteria used. The list should contain interventions focused on infrastructure, behavioral, and/or operational safety.</p>
Progress and Transparency	<p>Method to measure progress over time after an Action Plan is developed or updated, including outcome data. Means to ensure ongoing transparency is established with residents and other relevant stakeholders. Must include, at a minimum, annual public and accessible reporting on progress toward reducing roadway fatalities and serious injuries, and public posting of the Action Plan online.</p>

CITY AND BOROUGH OF SITKA

RESOLUTION NO. 2022-22

**A RESOLUTION OF THE CITY AND BOROUGH OF SITKA (CBS) AUTHORIZING  
THE MUNICIPAL ADMINISTRATOR TO APPLY FOR A SAFE STREETS FOR ALL (SS4A)  
GRANT WITH THE DEPARTMENT OF TRANSPORTATION (DOT) FOR \$550,000 WITH A  
\$150,000 MATCH COMMITMENT TO SUPPORT DEVELOPMENT OF A COMPREHENSIVE  
SAFETY ACTION PLAN**

**WHEREAS**, the 2030 Comprehensive Plan included, *Adopt and Implement a Sitka Complete Streets Policy and Maintain and Improve Sitka's Land Based Transit Infrastructure, such as Streets and Sidewalks* which includes *pursue grants to make transportation infrastructure safer*; and

**WHEREAS**, a dedicated infrastructure fund has been established but it does not have a dedicated revenue stream and the majority of the funding for roads is allocated from the General Fund; and

**WHEREAS**, according to the 2014 Road System Master Planning and Funding Strategies most of the current road base material is not free draining and is not "non frost susceptible" material so many of the roads exhibit cracking and potholes; and

**WHEREAS**, the 2014 Road Master Planning and Funding Strategies states several CBS roads are beyond their service life including sections of Lincoln Street; and

**WHEREAS**, CBS has had six serious injuries between 2016 and 2020 which allows for a goal to achieve zero roadway fatalities and serious injuries; and

**WHEREAS**, CBS proposes a \$700,000 project to develop an Action Plan; and

**WHEREAS**, DOT announced a SS4A Grant opportunity to develop a Comprehensive Safety Action Plan prior to applying for an implementation grant and CBS is eligible for a maximum expected up to \$1 million in funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Assembly of the City and Borough of Sitka to authorize the CBS Municipal Administrator to apply for a Safe Streets and Roads for All (SS4A) Grant with the Department of Transportation for \$550,000 with a CBS match commitment of \$150,000 for a total project cost of \$700,000.

**PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska on this 23rd day of August 2022.

\_\_\_\_\_  
Steven Eisenbeisz, Mayor

ATTEST:

\_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> and final reading: 8/23/2022

Sponsor: Administrator

## Key Information

Lead Applicant	City and Borough of Sitka
If Multijurisdictional, additional eligible entities jointly applying	N/A
Total jurisdiction population	8,458 <sup>1</sup>
Count of motor-vehicle-involved roadway fatalities from 2016 to 2020	0 <sup>2</sup>
Fatality rate per 100,000 persons	0
Action Plan Type	New Action Plan
Population in Underserved Communities	0 <sup>3</sup>
States(s) in which projects and strategies are located	Alaska
Costs by State	\$550,000

## Narrative

The City and Borough of Sitka (CBS) with Sitka Tribe of Alaska (STA) support is requesting funds to develop an Action Plan. CBS does not have an existing plan according to the Self-Certification Eligibility Worksheet.

### *Safety Impact*

Sitka has zero roadway fatalities from 2016-2020 based on DOT's FARS data. Alternative traffic crash dataset (Sitka Police Department) was used as USDOT 2020 reports were unavailable.

Year	Damage	Minor Injury/ Not Specified	Serious Injury
2016	39	16	1
2017	68	15	2
2018	32	10	1
2019	40	18	2
2020	33	2	0
<b>TOTAL</b>	<b>212</b>	<b>61</b>	<b>6</b>

### *Equity*

Sitka is a rural community and remote location accessible only by air/sea. It has no connecting roads to neighboring communities. According to the [U.S. Census Bureau](https://www.census.gov/quickfacts/fact/table/US.sitkacityandboroughalaska/POP010220), CBS has 23.6% combination of more than one race that includes American Indian/Alaska Native.

<sup>1</sup> <https://www.census.gov/quickfacts/fact/table/US.sitkacityandboroughalaska/POP010220>

<sup>2</sup> <https://cdan.dot.gov/query>

<sup>3</sup> <https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a>

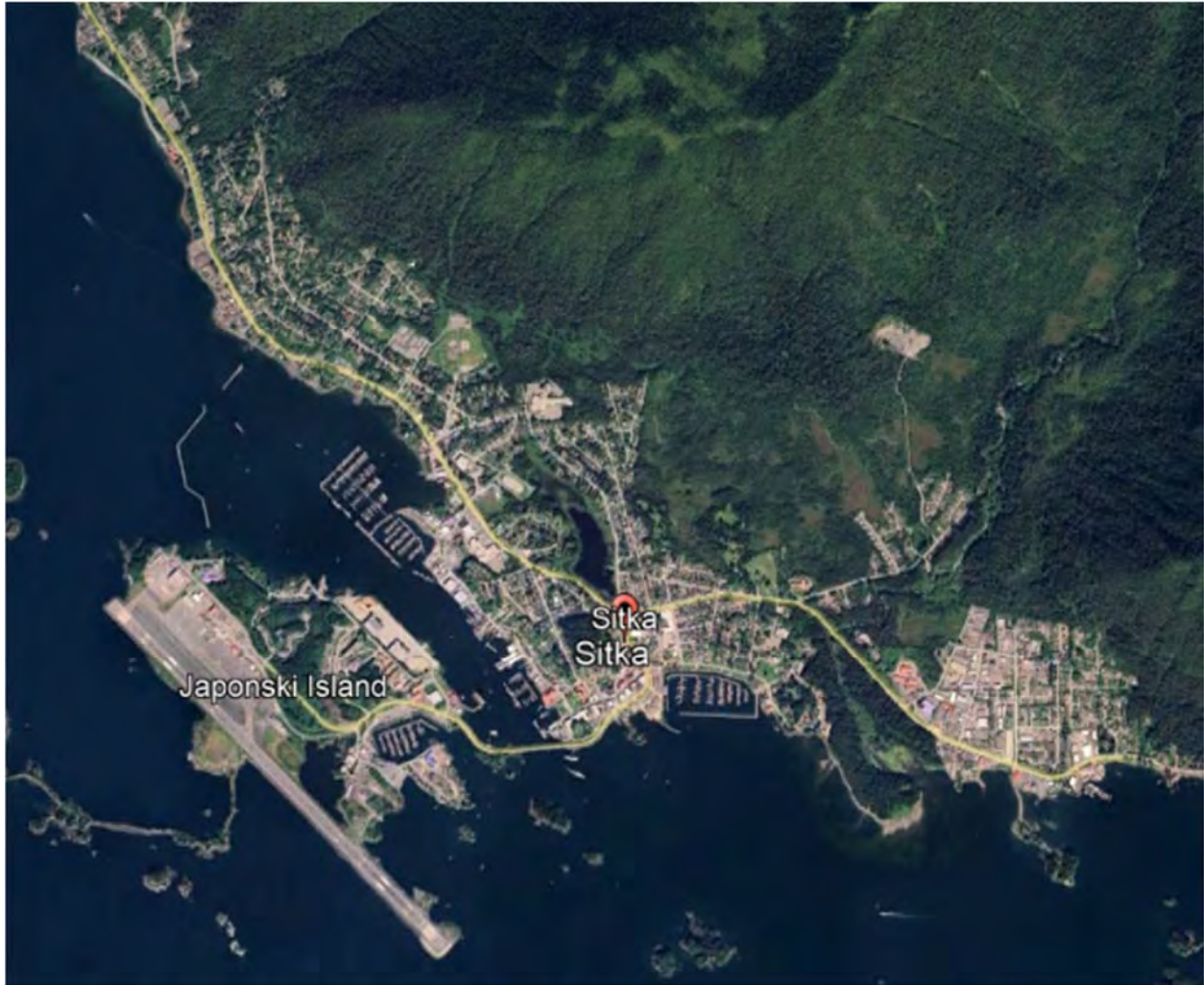
## *Additional Safety Considerations*

CBS activities to enhance an action plan:

- The [CBS Comprehensive Plan](#) includes *Adopt and Implement a Sitka Complete Streets Policy* tied to [FHWA best practice](#). An Action Plan will identify how to achieve the model.
- A traffic study anticipated completion 12/31/2022, includes a multimodal traffic analysis for pedestrian crossing, intersection operations, bus operations, traffic control, and future needs.
- [Short-Term Tourism Plan](#). Extensive public input addressed dispersion, transportation, traffic, infrastructure needs, and future planning for passengers including improvements for pedestrian/intersection safety and need for analysis for main street level of service.
- STA [Transportation Safety Plan](#) included pedestrian/bicyclist safety, distracted driving, alcohol impaired driving, seatbelts/child restraint safety measures.
- Continued [innovative technologies/strategies](#): flashing crosswalk signs to promote safety/equity, roundabouts, wider sidewalks, bike lanes, etc.
- Partly CBS funded STA owned/operated [public transit system](#) including transportation for persons with disabilities and age 60+.
- We are a [Walk Friendly Community](#) critical for residents and tourists and a [Bike Friendly Community](#) continually improving mobility/health.

## Map





## Budget

Total planning costs for a City and Borough of Sitka Action Plan is estimated at \$700,000, comprised of \$550,000 in Federal funds with a match of \$100,000 in non-Federal funds of in-kind CBS staff time and resources to manage outside consultants along with a \$50,000 contingency funding from the General Fund to complete the Action Plan Components.

Estimated costs for this project were obtained through discussions between CBS personnel and professional engineers from consulting engineering firms with knowledge in traffic engineering and traffic safety study development.

Sitka has the ability to fund the project with in-kind staff time, resources, and a contingency to be funded from the General Fund for a total of \$150,000. There are no restrictions on these funds and Sitka's Assembly meeting of August 23, 2022, notes that these funds be set aside for this purpose.

<b>Total Project Costs:</b>	<b>\$700,000</b>	<b>100%</b>
<b>Funding Sources:</b>	<b>Amount:</b>	<b>Percent:</b>
Non-Federal Funding: City and Borough of Sitka	\$150,000	21.43%
SS4A Federal Funding	\$550,000	78.57%

See the attached City and Borough of Sitka signed resolution number 2022-22 as of August 23, 2022, committing the funding for this project. See attached *Assembly Signed Res 2022-22.pdf*. There are no previously incurred expenses included in the budget and no other Federal funds authorized for this project.

# Sitka Tribe of Alaska

Tribal Government for Sitka, Alaska



August 12, 2022

The Honorable Pete Buttigieg  
Secretary of Transportation  
U.S. Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**Re: Sitka Tribe of Alaska Letter of Support for Funding the City and Borough of Sitka, Alaska's Action Plan grant for the Safe Streets and Roads for All (SS4A) Program**

Dear Secretary Buttigieg:

Sitka Tribe of Alaska (STA) is a federally recognized Tribe in Sitka, Alaska. STA has over 4,400 enrolled tribal citizens, many of whom reside within the City and Borough of Sitka (CBS). STA and the City and Borough of Sitka (CBS) have an established working relationship, in 1998 a formally signed a negotiated memorandum of understanding has become a foundation for both our Tribe and the municipal government to work together. One example, in the spirit of the MOU, STA was successful in its application for a 2009 Indian Reservation Roads' High Priority Project (HPP) to assist the CBS in its Indian River Road Improvement Project. This project included a bus turnaround/pullout and parking lot on land owned by CBS.

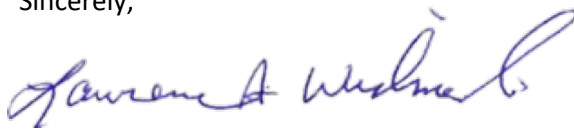
In continuation of the MOU between STA and CBS, STA is writing to express support for the application submitted by CBS to the Safe Streets and Roads for All (SS4A) grant program. Sitka would greatly benefit from improved roadway safety by significantly reducing or eliminating serious injuries through a community wide safety action plan development focused on all users, including pedestrians, bicyclists, public transportation users, motorists, personal conveyance and micro mobility users, and commercial vehicle operators.

CBS has made great strides toward development of an action plan, plans that have included extensive community involvement including the completion of a Comprehensive Plan that includes the objective of Adopt and Implement a Sitka Complete Streets Policy and a Short-term Tourism Plan. CBS is in process of a comprehensive traffic study, and continues efforts to innovative technologies and strategies, participates with STA for the public transit system, and continues efforts to maintain the Walk Friendly Community and Bike Friendly Community status.

STA manages and operates the public transit fixed-route system in Sitka offering three routes that operate Monday through Friday, which CBS contributes \$25K of matching funds annually and In-Kind match funds for the value of a few bus stops. The system includes an accessibility service to provide transportation for the general public, with funds from both the 5311 and Tribal Transit from the Federal Transit Administration.

It is STA's understanding, and appreciation, that CBS would include inclusive and representative processes in public meetings and outreach to all during the development of the Action Plan. CBS would greatly benefit from an assessment of all current policies, plans and guidelines to identify opportunities to improve transportation safety.

Sincerely,

A handwritten signature in blue ink, reading "Lawrence A. Widmark". The signature is fluid and cursive, with a large initial "L" and "W".

Lawrence Widmark  
Chairman

CC: Honorable Steven Eisenbeisz, Mayor  
City and Borough of Sitka, Alaska





# CITY AND BOROUGH OF SITKA

## Legislation Details

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File #: 22-116      Version: 1      Name:

Type: Item      Status: AGENDA READY

File created: 8/17/2022      In control: City and Borough Assembly

On agenda: 8/23/2022      Final action:

Title: Discussion / Direction / Decision on Secure Rural Schools Election Percentages

Sponsors:

Indexes:

Code sections:

Attachments: [Memo Secure Rural Schools](#)

Date	Ver.	Action By	Action	Result
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## **Discussion / Direction / Decision on Secure Rural Schools Election Percentages.**

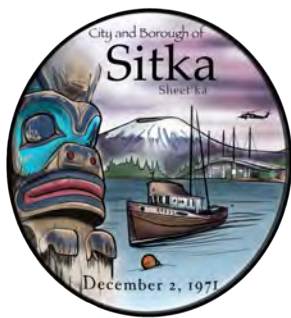
### **Step 1**

Discussion

### **Step 2**

#### **Possible Motion**

**I MOVE TO** direct the Municipal Administrator to elect the allocation of 85% Title I funding and 15% Title II funding for all Secure Rural Schools payments until such time that a new allocation election is required.



# CITY AND BOROUGH OF SITKA

A COAST GUARD CITY

## MEMORANDUM

**To:** Mayor Eisenbeisz and Assembly Members

**Thru:** John Leach, Municipal Administrator

**From:** Melissa Haley, Finance Director

**Date:** August 12, 2022

**Subject:** Secure Rural Schools Allocation

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### **Background**

On August 8<sup>th</sup>, 2022, a letter was received from the State of Alaska informing the Mayor and staff that, for the first time since 2013, the City and Borough of Sitka (CBS) would be required to elect an allocation for its FY23 Secure Rural Schools (SRS) payment, as current allocations have expired. Currently 85% (the maximum) goes to Title I, which is the annual payment that we have historically shared with the Sitka School District, with what isn't given to the schools supporting roads. The CBS must allocate a maximum of 20% and a minimum of 15% to either Title II or Title III program categories, or we can choose to return the funding to the federal government.

Title II funding is given to the US Forest Service and projects are recommended by a local Resource Advisory Committee. State representatives have confirmed that the Resource Advisory Committee (RAC) charged with recommending Title II projects in our area is no longer local, but is a regional RAC that includes Sitka, Yakutat, Lynn Canal-Icy Straits, and Juneau. The 15-member committee seeks balanced representation of 3-4 members from each area.

Title III funds are restricted to a handful of uses including wildfire protection programs, some telecommunications services at schools, or emergency services on federal lands. All Title III spending must be proposed to local Resource Advisory Committee and published, and a 45-day public comment period is required. A maximum of 7% may be allocated to Title III funding. Prior to 2013 the municipality received Title III funding, of which \$513,000 remains. This funding is tracked in a reserve account of the General Fund. Previous use was limited to search and rescue operations that took place on federal lands; however, no expenses have been tracked or reimbursed in recent years.

## **Analysis**

SRS Title I funding is an important federal revenue for the General Fund and, other than the requirement that it be used for roads or schools, is fairly unrestricted. It is funding that both CBS street operations and our school district rely on, we therefore recommend that the maximum allowable allocation (85%) go to Title I funding. Due to the limitations on and complexity to actually spend the Title III funds as well as the relatively small eligible expenses that the CBS incurs in these categories, we recommend that the required 15% be allocated fully to Title II funding, to be administered by the USFS on projects recommended by the RAC.

## **Fiscal Note**

The recommended allocation will maintain the status quo and will maximize the valuable Title I funding that supports roads and schools. As SRS is reauthorized by Congress annually, whether the funding will be authorized and what the level of funding will be is unknown at this point. It is important to note that the allocation election made now will be maintained for an undetermined number of years. Municipalities elect an allocation when determined by Congress; the last allocation election was made nearly 10 years ago, when asked, state representatives indicated that it is unlikely that it would be 10 years before a new election is required but couldn't give an estimated timeframe.

## **Recommendation**

Maintain the status quo Secure Rural Schools allocation of 85% Title I funding and 15% Title II funding.

Encl: Letter dated August 8, 2022  
Description of SRS Program Categories



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

455 3<sup>rd</sup> Avenue, Suite 140  
Fairbanks, Alaska 99701-4737  
Main: 907 451 2731  
Fax: 907 451 2742

VIA EMAIL

August 8, 2022

The Honorable Steven Eisenbeisz  
Mayor, City and Borough of Sitka  
100 Lincoln Street  
Sitka, AK 99835

**RE: Secure Rural Schools (SRS) Act  
Election Form**

Dear Mayor Eisenbeisz,

To prepare for the fiscal year 2022 (payment year 2023) payments to the states under the Secure Rural Schools and Community Self Determination Act, the Division of Community and Regional Affairs (DCRA) must submit for each borough in which a national forest is situated, the borough's election to receive a share of the Secure Rural Schools Act payment or a share of the State's 25-percent payment. The borough's current election percentages values of 85% Title I and 15% Title II are now expired. 2022 will be the first year since 2013 that counties have had an option to change their election percentages.

The borough resides in a county that receives a share of the state payment that is \$350,000 or greater (a major distribution). The borough must elect one of the following:

- Allocate 15-percent to 20-percent of its share to Title II, Title III, or a combination of both, except that the allocation for Title III projects may not exceed 7-percent. The total percentage allocated to Title II and Title III combined must be no less than 15-percent and no greater than 20-percent.
- Opt to return its allocation, in whole or part, to the Federal Government.

Please complete the attached form and email to the address below no later than **August 30, 2022**.

Email to: [caa@alaska.gov](mailto:caa@alaska.gov)

Subject line **"Entity Name, FY22 SRS Election Form"**

For more information regarding SRS go to: <https://www.fs.usda.gov/working-with-us/secure-rural-schools>. If you have any questions regarding the program or your election options, please contact me at [judy.haymaker@alaska.gov](mailto:judy.haymaker@alaska.gov) or call (907)451-2731.

Sincerely,

A handwritten signature in blue ink, appearing to read "Judy Haymaker".

Judy Haymaker

Grants Administrator 2

Enclosure – FY22 Title I/Title II/Title III SRS Election Form

## **Secure Rural Schools Program Categories**

<https://www.fs.usda.gov/working-with-us/secure-rural-schools/categories>

### **Title I - Roads & Schools**

Municipalities and Boroughs generally receive the majority of Secure Rural Schools funds under Title I, which is designated for the benefit of public schools and public roads. In years when the Secure Rural Schools Act is reauthorized by Congress, Title I payments are made from the USDA Forest Service to states. States then distribute the payment to all eligible municipalities/boroughs. The funds must be passed through to local governmental entities for use at the county level (but not necessarily to county governments themselves). Each state must spend the funds on road and school programs, and state law sets forth how the payments are to be allocated between road and school projects. The state laws differ widely, generally ranging from 30% to 100% for school programs.

### **Title II - Special Projects on Federal Lands**

Counties typically receive 20% or less of Secure Rural Schools funds under Title II, which are used by willing Federal agencies, State and local governments, private and nonprofit entities, and landowners for protection, restoration and enhancement of fish and wildlife habitat, and other natural resource objectives on Federal land and on non-Federal land where projects would benefit these resources on Federal land.

Rather than being distributed to the State, Title II funds are retained by the Forest Service and are allocated to specific projects that have been reviewed and recommended by a local Resource Advisory Committee.

[Resource Advisory Committees](#) must initiate (recommend) Title II projects by September 30, 2025. Project funds must be obligated by Sept. 30, 2026

Special Projects:

- Road, trail, and infrastructure maintenance or obliteration;
- Soil productivity improvement
- Improvements in forest ecosystem health
- Watershed restoration and maintenance
- The restoration, maintenance, and improvement of wildlife and fish habitat
- The control of noxious and exotic weeds
- The re-establishment of native species

### **Title III – Municipality/Borough Funds**

Funds received under [Title III](#) are used to:

- Firewise Communities program
- Reimbursement for emergency services (firefighting and law enforcement patrols) on federal land paid for by the county
- Develop community wildfire protection plans (CWPPs)
- Training costs and equipment purchases related to emergency service
- Title III has been expanded to include (A) broadband telecommunications services at local schools; or (B) the technology and connectivity necessary for students to use a digital learning tool at or outside of a local school campus.

There is a required 45-day public comment period before using Title III funds. Eligible municipalities/boroughs must first publish in a publication of local record a proposal that describes the intended use of the county funds. The municipality/borough also must submit the proposal to any Resource Advisory Committee for the participating municipality/borough. Municipalities/boroughs are required to certify use of Title III funds. Title III payments are made from the Forest Service to states. States then distribute the payment to all eligible municipalities/boroughs.