



CITY AND BOROUGH OF SITKA

Meeting Agenda

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Debra Pohlman
Randy Hughey
Richard Parmelee

Tuesday, February 21, 2017

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM-19](#) Approval of the February 7, 2017 minutes.

Attachments: [2.7.17 draft](#)

IV. PUBLIC BUSINESS FROM THE FLOOR

V. PLANNING DIRECTOR'S REPORT

VI. REPORTS

B [16-00](#) Planning Regulations and Procedures.

Attachments: [Planning Regulations and Procedures](#)

VII. THE EVENING BUSINESS

C [MISC 17-03](#) Discussion and direction regarding a Critical Areas Ordinance.

Attachments: [Landslide Ordinance 2.21.17](#)
[SitkaSKramerLandslideReport](#)

D [MISC 17-06](#) Discussion and direction on the framework for process, analysis, and conditions regarding short-term rentals on boats in municipal harbors.

Attachments: [STR on Boats 2.27.17](#)

VIII. ADJOURNMENT

NOTE: More information on these agenda items can be found at <https://sitka.legistar.com/Calendar.aspx> or by contacting the Planning Office at 100 Lincoln Street. Individuals having concerns or comments on any item are encouraged to provide written comments to the Planning Office or make comments at the Planning Commission meeting. Written comments may be dropped off at the Planning Office in City Hall, emailed to planning@cityofsitka.org, or faxed to (907) 747-6138. Those with questions may call (907) 747-1814.

Publish: February 13 and 15



CITY AND BOROUGH OF SITKA

Legislation Details

File #: PM-19 **Version:** 1 **Name:**
Type: Planning Minutes **Status:** AGENDA READY
File created: 1/30/2017 **In control:** Planning Commission
On agenda: 2/21/2017 **Final action:**
Title: Approval of the February 7, 2017 minutes.
Sponsors:
Indexes:
Code sections:
Attachments: [2.7.17 draft](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Debra Pohlman
Randy Hughey
Richard Parmelee

Tuesday, February 7, 2017

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Chair Spivey called the meeting to order at 7:00 PM.

Present: Spivey, Windsor, Pohlman, Hughey, Parmelee, Knox (Assembly Liaison)

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A Approval of the January 17, 2017 meeting minutes.

Parmelee/Windsor moved to **APPROVE** the January 17, 2017 meeting minutes.

Motion **PASSED 5-0**.

IV. REPORTS

B Planning Regulations and Procedures.

V. THE EVENING BUSINESS

C Discussion and direction of the land use, housing, and economic sections of the Comprehensive Plan.

Bosak provided an introduction to the Comprehensive Plan process.

Sheinberg stated that the hope is that, at this meeting, the Commission will approve the draft goals, actions, and objectives for the housing, economic, and land use chapters, with the understanding that small changes may continue to be made. Sheinberg stated that the second half of the meeting will address future growth options. Sheinberg gave an overview of upcoming meetings and topics.

Bosak stated that all of the pre-made meetings in boxes have been taken, but more can always be made. Spivey asked about the results of the meetings, and Bosak stated that results will be reported after the February 28 deadline.

HOUSING

Pierson introduced the housing chapter. Windsor stated that the idea of tiny homes on wheels as discussed in 1.1.g has historically been nixed by the Planning Commission. Bosak stated that the Plan is for the next 15 years. Pohlman asked for language to be included to state that tiny homes on wheels would be properly secured to the ground and other safety concerns would be adequately addressed. Hughey clarified that these concerns are primarily under the purview of the Building Official/Fire Marshal. Bosak stated that building codes are always evolving, like our zoning code. Bosak stated that we can work toward this action. Pohlman suggested changing language to state that tiny homes on wheels would be developed to meet codes. Spivey stated that we should encourage tiny homes on foundations. Hughey stated that we should have both options. Bosak asked the commission to determine if they wish to move toward tiny homes by 2030 or not. Hughey stated that he is in support of tiny homes on wheels. Parmelee stated that Anchorage requires anchor cables on mobile homes, and perhaps those could be used on tiny homes on wheels. Scarcelli stated that he spoke with the Building Official, and if this action item were to move forward, safety concerns would be addressed. Scarcelli asked if the commission had any prime locations in mind. Pohlman stated that mobile home areas are one area, but not the only location. Bosak asked for consensus. Spivey and Windsor stated that they're against tiny homes on wheels. Pohlman stated concern with language that mobile home parks are in prime locations, and stated that people should be able to live on the waterfront even if they're not millionaires.

In regard to 1.1.h, Windsor asked if those housing types would be available in R-1. Bosak stated that the commission isn't locking themselves into specific zones, but just approving the concept..

Pohlman asked for clarification on 1.1.f. Bosak stated that there are 2 float home options at ANB Harbor, and there are strict standards concerning roof pitch and other design guidelines. Bosak stated that some of the aesthetic standards could be relaxed to encourage development.

In regard to 1.1.i, Parmelee asked about density bonuses. Bosak stated that a density bonus would allow more units at a higher density in exchange for such features as an open space area.

Parmelee stated that it would behoove the commission to look into financing options for various affordable housing types. Bosak stated that there are items under Objective 3 to make housing information available to the public. Spivey stated that as long as it's on a foundation and meets building codes, a home can be financed through regular financing through a bank.

Clyde Bright stated that city code requires that permanent homes have wheels removed and are tied down. Bright stated that the city has an RV park, and wheels aren't removed and vehicles not tied down. Bright stated that shipping container walls exceed requirements for residential structure walls, and people are currently living in shipping containers now. Bright stated that we need to remain open to what the future will hold.

Matthew Jackson stated that he believes a lot of problems pointed out under

Objective 1 are a result of overregulation. Jackson stated that increasing codes will continue to throw up roadblocks. Jackson recommended an exemption for owner-occupied structures under 2500 square feet.

Steven Eisenbeisz drew attention to Objective 3, and questioned if any of those items are the city's job. Eisenbeisz stated that other entities are already meeting these needs. Eisenbeisz stated that following through with the items under Objective 3 would increase the cost of city government.

Pat Alexander stated agreement with Eisenbeisz. Alexander stated that the wording indicates the items that the commission likes and those that it doesn't like, such as "encourage" versus "allow." Alexander acknowledges that work on this plan is hard work.

Ben Timby stated that he is a local business owner and is in need of affordable housing. Timby is very interested in tiny homes, and stated that a lot of people interested in tiny homes would prefer bank loans or family loans instead of a mortgage. Timby stated that it is cheaper to transport a structure on wheels to Sitka. Timby stated that deregulation would be the quickest way to solve the affordable housing issue.

Clyde Bright asked if there are any yurts in Sitka. Bosak stated yes, and it's legal because it's on a foundation. Bright stated that Abraham Lincoln lived in a log cabin with a dirt floor. Bright stated that we don't want to overthink things.

Anne Pollnow encouraged the commission to remember that this is a long-term plan. Pollnow stated that lending guidelines may change. Pollnow spoke in favor of disseminating housing information.

Hughey stated that action items under 1.1 are in favor of reducing regulations, and we just want things to be done safely.

Spivey stated that the commission is not in charge of building code.

Windsor/Hughey moved to submit the housing goals, objectives and action steps to the draft stage.

Motion PASSED 5-0.

ECONOMICS

Bosak gave an overview of the economic goals, actions, and objectives.

Pohlman had a question about 1.5 and its language of meeting the lowest level of the area's parking requirements. Bosak stated that this is specific to downtown, and the best use of space downtown is shops, placemaking, and walkable spaces. Spivey stated that he is struggling with this item and general parking issues downtown. Bosak stated that the transportation chapter will address parking use and parking counts. Scarcelli stated that planning research has shown that parking doesn't encourage affordable housing or economic development. Spivey stated that he thinks the item is redundant because downtown is already developed at its current level of parking. Bosak stated that input that she has received is generally in favor of reducing parking

requirements.

Parmelee stated that 1.1 should be amended to not only maintain walkable routes for visitors but also locals. Parmelee suggested looking at off-site parking options.

Bosak worked with commissioners to reword 1.5. Pohlman stated that 1.1 and 1.5 could be merged. Windsor asked that edits not be made until the commission hears from the public.

In regard to 4.1, Parmelee would like to see additional space availability for food carts. Scarcelli stated that East Lansing, MI designated a park space for food carts and a farmer's market. A community in California shut-down a main street on Thursday nights for food carts. Sheinberg stated that the municipality can offer vendor permits. Spivey stated that previous commenters have expressed concern for impacts to permanent restaurants that pay property tax. Windsor stated that Sheldon Jackson Campus would be a good place for food carts.

Spivey stated that he would like to see an emphasis on developing a third strong industry to supplement our current industries. Bosak stated that some action items address attracting businesses.

Knox asked for elaboration on "maintain healthy harbors" under Objective 6. Bosak stated that the Port and Harbors Commission would be doing a meeting in a box, and hopefully they can suggest specific action items.

Pohlman stated that we should address value-added and value-subtracted when making decisions.

Anne Pollnow asked clarification on iconic features. Bosak stated that these could include statues or the "Welcome to Sitka" sign. Pollnow suggested that these could also be historic properties. Pollnow stated that historic properties and cultural resources are missing from these objectives. Pollnow stated that historic preservation has economic benefits: rehabilitation jobs, manufacturing, retail, tax revenue, investment leveraging, public funds, tax credits, 20% federal tax credit, property values increase, heritage tourism, attracting investment. Hughey and Bosak asked for Pollnow's recommendation for improving the current wording of the item under Arts, Culture, and History. Pollnow stated that we should acknowledge historic preservation as an economic driver. Bosak asked Pollnow if they can work together on language. Pohlman stated that historic preservation could be listed under Objective 1. Scarcelli stated that 60% of money spent on historic preservation stays in the community.

Garry White represented SEDA. White stated that the community's money is inevitably going to leak out, and we should include a statement to attract outside money. White stated that the infrastructure section should be expanded. White stated appreciation for inclusion of assisted living. White stated that we should not place excessive requirements on businesses.

Charles Bingham stated that three historic district projects were not adopted, but could contribute to downtown vibrancy. Bingham stated that overparking is an issue nationwide. Bingham suggested pop up shops around Crescent

Harbor. Bingham stated that he would like to see hospitals included as basic infrastructure.

Attendee stated disappointment that a parking garage was not included on the ground level of the new hotel. She stated that difficulty parking would discourage her from coming downtown.

Pat Alexander stated that a seawalk is planned to extend down Katlian Avenue. Alexander stated that many historic events have happened on Katlian Avenue, and signage should be included on the seawalk. Alexander stated that tourists want more public restrooms and benches. Alexander stated that vacation packages could be bundled and presold to tourists. Alexander stated that STA eventually wants to have all of their staff in one building, so they will eventually need to expand. Alexander stated that transportation is vital to economic growth and tourism, so the city should get into the transportation business.

Steven Eisenbeisz stated that customer and employee parking need to be differentiated. Eisenbeisz agrees with the emphasis on historic preservation. In regard to 1.3, Eisenbeisz stated that we shouldn't place the burden on business owners. Eisenbeisz stated that overregulation is not friendly to businesses.

Scott Saline spoke to 2.4 and reference to LEED. Saline stated that Sitka wouldn't have needed a dam if they had pumped heat from the ocean. Language should state electric resistive. Saline stated that he had to buy 4 parking spaces for his business, but another restaurant increased their seating capacity and they can just use the ANB parking lot.

Clyde Bright stated that the charter fishing industry should be emphasized. Bright stated that 45% of tourist dollars come from charter fishing. Bright stated that there is limited hotel space in town, and hotel rooms are expensive.

Ben Timby stated that he's not sure what the concern is with tourist traffic, as there are only a limited number of car rentals in town. Timby stated that no buses currently run to the airport, and perhaps this could alleviate the number of car rentals. Timby suggested an electric trolley running along the primary streets. Hughey stated that bus routes to the airport would help parking downtown. Windsor stated that a lot of people park at Seward Square to walk to the Westmark. Timby stated that he would like to see competitive moorage, and stated that some people find it more viable to go to Wrangell in the off-season.

Windsor stated that Bright raised an important point about charter fishing. Bosak pointed to an action step under Objective 6.

Pohlman/Hughey moved to submit the economic goals, objectives and action steps to the draft stage.

Motion PASSED 5-0.

LAND USE

Scarcelli explained the public process thus far that has resulted in this draft.

Scarcelli introduced the land use goals, objectives, and actions. The triple bottom line is vital for planning.

Spivey stated that he does not feel comfortable moving this forward until hazard mapping is available. Bosak stated that mapping will not be available for another year, but the commission will soon see a critical areas ordinance. Scarcelli stated that this chapter does not give specific guidance on location, and this is a draft. Spivey stated that he would like to have all the information before making a decision. Bosak stated that the critical areas ordinance will determine where development will be allowed and what additional steps will be required of developers. Bosak stated that they are co-aligned, but the land use plan does not fully rely on the hazard mapping. Knox stated that he would be concerned if the Assembly received a Comprehensive Plan without a land use chapter. Bosak reminded commissioners that landslide risk is not the community's only risk. Spivey would like to see the new flood maps co-aligned. Scarcelli pointed to 8.14. Pohlman requested that this item be moved toward the top of the list.

Windsor asked about 2.1.e. Scarcelli stated that although several neighborhoods contribute to the downtown area, these separate areas have their own unique character. Scarcelli stated that many communities have Comprehensive Plans and also Master Plans for individual areas. Sheinberg stated that the future growth chapter will describe intended future growth for specific areas such as No Name Mountain. Sheinberg stated that these actions plant the seeds for future planning.

Charles Bingham stated that he appreciates the inclusion of agricultural zones, and perhaps agriculture should be included in the economics chapter. Bingham encouraged the inclusion of complete streets policy in 8.10. Bingham raised concern for plowing and de-icing bike lanes and sidewalks.

Pat Alexander stated that heavy rain causes toilets to back up in ANB Hall because of drainage issues on Back Street. Alexander stated that runoff will impact residential and commercial development. Alexander said that a FEMA representative told her that the runoff is a city issue. Alexander stated that culture is tucked into a cultural section, but culture runs throughout everything. Alexander stated that there is valuable information in previous plans.

Chandler O'Connell thanked the commission, staff, and the consultant for their work on the plan. In regard to 1.c, O'Connell would place the North Indian River area as a low priority for city acquisition because other locations could more easily meet the goals of affordable housing, and because the public should have a conversation before North Indian River is developed. O'Connell suggested strengthening "recognizes the natural environment" in the goal statement.

Eisenbeisz asked if 4.5 would prevent him from developing his property. In regard to 7.1, Eisenbeisz stated that LIDs are not necessarily compatible with affordable housing.

Matthew Jackson thanked the commission and staff, and is concerned that some items under Objectives 7 and 8 are not under the purview of the Planning Commission, and others may not be specific enough to be actionable. Jackson

stated that we should build in results and public engagement. Hughey asked for clarification. Jackson stated that when members of the public discuss tiny homes on wheels, they are told that the decision depends on building code and is beyond the Planning Commission.

Clyde Bright stated that the Central Business District should be expanded to Lakeside and Sheldon Jackson. Bright stated that parking is hard to find in the summer. Sheinberg stated that the future growth activity that was planned was intended to determine future areas for commercial expansion, and this activity will be rescheduled.

Hughey stated that the biggest chunk of undeveloped land is Baranof Elementary, and perhaps additional downtown land could be opened up by building a new school elsewhere.

Windsor/Parmelee moved to submit the land use goals, objectives and action steps to the draft stage.

Motion PASSED 5-0.

VI. PLANNING DIRECTOR'S REPORT

Bosak reported on the recent floodplain meeting and stated that there have been changes specifically in the Lake Street area. Short-term rentals on boats will be considered by Port and Harbors Commission tomorrow. Bosak asked for a representative for a float home ad hoc meeting Friday at noon, as code requires a Planning Commission member to participate. Parmelee volunteered. Bosak is facilitating Meetings in a Box at Port and Harbors and Pierson is facilitating Meetings in a Box at Historic Preservation Commission.

VII. PUBLIC BUSINESS FROM THE FLOOR

Pollnow stated that this plan progress is encouraging.

VIII. ADJOURNMENT

Chair Spivey ADJOURNED the meeting at 9:56 PM.

ATTEST: _____
Samantha Pierson, Planner I



CITY AND BOROUGH OF SITKA

Legislation Details

File #: 16-00 **Version:** 1 **Name:**

Type: P&Z Miscellaneous **Status:** AGENDA READY

File created: 3/22/2016 **In control:** Planning Commission

On agenda: 4/19/2016 **Final action:**

Title: Planning Regulations and Procedures.

Sponsors:

Indexes:

Code sections:

Attachments: [Planning Regulations and Procedures](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Planning Regulations and Procedures

2007 Comprehensive Plan

Contains goals and policies in ten chapters
Land use goals and policies are sections 2.4 through 2.8

Sitka General Code

Title 21 consists of Subdivision Regulations (subdivision code)
Title 22 is the zoning code

Creators of the Subdivision Code

Boundary Line Adjustments – formal subdivision plat required – approved in house

Minor Subdivision – create up to four lots from one parcel

- Concept plat
- Final plat

Approved by the Planning Commission except PUD or if subd. appealed (then goes to the Assembly)

Major Subdivision – five or more lots from one parcel with roads and utilities built to Municipal standards

Planning Commission Approvals

- Concept plan
- Preliminary plat
- Final plat

Assembly review of final plat

Zero Lot Lines – two units attached to each other with each one on its own lot and the lot line going through the center of connecting wall

- Concept plan
- Preliminary plat
- Final plat

Approved by the Planning Commission unless appealed to the Assembly

Planned Unit Developments

Creators of the Zoning Code

Zoning ordinance text amendments

Recommendation by the Planning Commission with approval by the Assembly

Zoning ordinance map amendments

Recommendation by the Planning Commission with approval by the Assembly

Variances to allow for reductions of setbacks

Approved by the Planning Commission unless appealed to the Assembly

Administrative approvals for two foot setback reductions

Conditional Use Permits

Approval by the Planning Commission with appeal to the Assembly

Examples: Bed and Breakfasts

Short-term rentals (rental of an apartment for less than 14 days)

Other aspects of the zoning code:

Land use district shown on zoning map

Regulations for each zone such as uses, building height, setbacks, lot size

Sign ordinance

Parking regulations

Other Approvals

Street Vacations – Planning Commission and Assembly review (by ordinance)

Covered by SGC 18.12.015

Tidelands Leases – Covered by Sitka General Code Title 18 – Assembly review only

Land Sales – Covered by SGC Title 18 – Assembly review only

Floodplain Regulations – SGC Title 20

Planning Commission:

Chris Spivey
Darrell Windsor
Debra Pohlman
Randy Hughey
Tamie Parker Song

Staff :

Maegan Bosak
747-1824 (office)
Michael Scarcelli, J.D.
747-1815 (office)
Samantha Pierson
747-1814 (office)



CITY AND BOROUGH OF SITKA

Legislation Details

File #: MISC 17-03 **Version:** 1 **Name:**
Type: P&Z Miscellaneous **Status:** AGENDA READY
File created: 12/23/2016 **In control:** Planning Commission
On agenda: 1/17/2017 **Final action:**
Title: Discussion and direction regarding a Critical Areas Ordinance.
Sponsors:
Indexes:
Code sections:
Attachments: [Landslide Ordinance 2.21.17](#)
[SitkaSKramerLandslideReport](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

CITY AND BOROUGH OF SITKA
ORDINANCE NO. 2017-XX

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE
TITLE 20 "MISCELLANEOUS PERMIT REGULATIONS" BY CHANGING THE NAME TO
"ENVIRONMENTALLY CRITICAL AREAS" AND ADDING A NEW CHAPTER 20.01 ENTITLED
"LANDSLIDE AREA MANAGEMENT"

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is 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 create within the Sitka General Code a specific section which will serve as the depository for environmentally critical areas code, and adding chapters which enable provisions deemed appropriate to safely develop land which is at heightened risk of affect from soil movement resulting from landslides, to include the authority to require a geotechnical evaluation and associated mitigation recommendations as well as creating an option to negotiate an exculpatory covenant with the City.
4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that the Sitka General Code Title 20 is amended by changing the name to "Environmentally Critical Areas" and adding new chapters 20.01 "Restricted Landslide Areas" (new language underlined; deleted language stricken):

Title 20

MISCELLANEOUS PERMIT REGULATIONS-ENVIRONMENTALLY CRITICAL AREAS

Chapters:

- 20.01 Landslide Area Management**
- 20.04 Floodplain Management**
- 20.05 Coastal Management**

* * *

Chapter 20.01

Landslide Area Management

Sections:

- 20.01.010 Purpose**
- 20.01.020 Definitions**
- 20.01.030 Special Requirements and Limitations**
- 20.01.040 Waiver of Geotechnical Evaluation**

20.01.010 Purpose

A. The City has a fundamental public duty and desire to provide for and afford to its citizens the opportunity to develop and enjoy the limited land that is available to it. The City also recognizes that its desire to develop the available land is concurrent with the desires and expectations of its citizens.

B. Based on the immunity provided by Alaska Statute 09.65.070(d) and common law, the City has sufficient authority, and sufficient protection from liability, to adopt land

use regulations, and grant and deny permits, in a manner that supports the development of the various available lots in Sitka, while assuring maximum practicable safety for residents of those lots, given the unusual topographical characteristics and extreme meteorological conditions found throughout the borough.

C. To best balance the goals of public safety and the ability of its citizens to develop homes and livelihoods, the City requires property owners that are seeking to conduct any Major Construction Activities on any lot in a Restricted Landslide Area, to address that restriction pursuant to the provisions of this Chapter.

D. The requirements of this Chapter are in addition to, not in lieu of, any other requirements of the Sitka General Code.

20.01.020 Definitions

A. "Restricted Landslide Area" means:

1. Any portion of any lot which has been identified as a moderate or high risk zone in any City geotechnical risk mapping commissioned and received by the City.
2. For areas not mapped, properties damaged by previous landslides or within 150 ft. of locations damaged by previous landslides.

B. "Major Construction Activity" means:

1. Construction of infrastructure, grading, roadways, utility corridors,
2. Building construction, placement of a pre-manufactured structure, or any occupancy increase in an existing building,
3. The term Major Construction Activity does not include:

(a) Construction of Residential accessory buildings, such as a garage or shed, which is not occupied as a dwelling unit and is not attached to a principal structure.

(b) Any project or improvement of a structure to correct an existing violation of a state or local health, sanitary, or safety code regulation, where such violation has been previously identified by the Building Official and where such activity is the minimum necessary to achieve compliance and safety.

(c) An addition to structures which adds less than 120 square feet of new floor area or foundation footprint.

(d) A boundary lot line adjustment or other minor subdivision alterations, as approved by the Planning Director.

(e) Replacement or rehabilitation of existing publicly-owned infrastructure, public roadways, or utility corridors.

C. "High Occupancy Commercial Use" - Includes International Building Code occupancy classifications Group A, B, E, F (with employees), H, I, M, R-1, R-2, R-4, S (with employees), or U (with employees). It does not include occupancy classification R-3 (single family dwelling and duplex), except that a day-care facility with any number of children is considered a High Occupancy Commercial Use for the purposes of this Chapter.

D. "Geotechnical Evaluation" means a report completed by a licensed professional engineer specializing in geotechnical practice or a professional geologist with experience with

debris flows, assessing the geological hazards of a proposed activity and making recommendations for hazard mitigation. All designs, reports, and calculations associated with mitigation must be stamped by a Civil Engineer licensed in the State of Alaska.

Such an evaluation shall include, at a minimum:

1. A copy of the proposed site plan and proposed development plans,
2. The site's topography and the type and extent of geologic hazards,
3. A review of the site history of landslides and other significant soil movement,
4. Analysis of the project's relationship to the geologic hazards and its potential impacts upon the subject property and adjacent properties.
5. Recommendation for mitigation of hazards, including any no-disturbance buffer, building setbacks, siting requirements, erosion controls, and sewer and drainage restrictions, as well as recommendations for any protective improvements. The mitigation recommendations shall address how the activity maintains or reduces the pre-existing level of risk to the site and affected properties on a long-term basis.

20.01.030 Special Requirements and Limitations

A. Prior to issuance of any City permit, approval, or certificate of occupancy for any Major Construction Activity within a Restricted Landslide Area, the following requirements must be met:

1. Submission and City approval of a Geotechnical Evaluation, the cost of which shall be borne by the applicant.
2. Where preliminary approval by the Planning Commission is necessary, such Geotechnical Evaluation shall be submitted to the Planning Department 30 days prior to submission to the Planning Commission.

B. Prior to the start of any Major Construction Activity within a Restricted Landslide Area, construction of all protective improvements must be completed and approved by the City. Also, an as-built construction report must be approved by the professional designer of record for the applicant and stamped by a Civil Engineer licensed in the State of Alaska.

C. All design principles and standards for subdivisions as outlined in SGC 21.40.010 shall also apply. In addition, there shall be a plat note stating that approved subdivisions have submitted a Geotechnical Evaluation and completed all associated mitigation requirements under this section.

D. The Restricted Landslide Area designation may be removed from a lot or a portion of a lot if the owner(s) submits to the City a geotechnical evaluation which demonstrates to the satisfaction of the Municipal Administrator that such property is not subject to a moderate or high risk from landslide or other significant soil movement.

Removal of the Restricted Landslide Area designation does not mean that the given land is not at risk for landslide-related damage. Removal recognizes there is sufficient analysis and/or mitigation to allow lifting the special requirements and limitations of this Chapter.

E. A Geotechnical Evaluation shall not be required for a Commercial Use project where major foundation construction work, properly permitted, had begun on the site prior to the site being designated to be in a Restricted Landslide Area, provided,

1. Such major foundation's construction was essential to the project's structural integrity,
2. Designation of the site as within a Restricted Landslide Area was based solely on City geotechnical risk mapping under section 20.01.020(A)(1), of this ordinance and,
3. A Certificate of Occupancy for the project is issued within two years of initial foundation permit approval.

20.01.040 Waiver of Geotechnical Evaluation

A. Owner(s) or property located in a Restricted Landslide Area will be eligible for waiver of the requirement for a Geotechnical Evaluation under this chapter. A waiver approved by the City under this section requires execution of a land-use covenant as provided in this section.

B. High Occupancy Commercial Use projects shall not be eligible for a waiver of the requirement for a Geotechnical Evaluation.

C. A land-use covenant required under this section shall be executed prior to the commencement of construction or site alteration, shall be signed by the owner(s) of the property, shall be notarized, and shall be a covenant running with the land. The terms of the covenant shall be tailored to reflect specific site conditions, project features, and commitments, but shall include at least the following:

1. A legal description of the property;
2. A copy of any relevant geotechnical data;
3. A commitment by the owner(s) to maintain the site in such condition and such manner as will prevent harm to the public, to residents of the property, to nearby property, to streets, alleys and drainage facilities;
4. The application date, type, and number of the permit or approval for which the covenant is required;
5. Acknowledgement that the owner(s) understand and assume the risk of development and release the City from any claim for losses that are not caused by the City's own negligence;
6. Indemnification of the City and its officers, employees, contractors, and agents from any claims arising from landslide hazards or failure of the owner(s) to comply with the covenant;
7. A waiver and release of any right of the owner(s), the owner's heirs, successors and assigns to assert any claim against the City and its officers, employees, contractors and agents by reason of or arising out of issuance of the permit or approval by the City for the development on the property, or arising out of any inspection, statement, assurance, delay, act or omission by or on behalf of the City related to the permit or approval or the work done thereunder, and agreeing to defend and indemnify the City and its officers, employees, contractors and agents for any liability, claim or demand arising out of any of the foregoing or out of work

197 done or omitted by or for the owner(s), except in each case only for such losses,
198 claims or demands that directly result from the sole negligence of the City; and
199 8. By way of the land-use covenant, inform future purchasers and other successors
200 and assignees of the risks and of the advisability of obtaining insurance in addition
201 to standard homeowner's insurance to specifically cover the risks posed by
202 development in a Restricted Landslide Area, including risk of damage from loss of
203 use, personal injury and death resulting from soil and water movement.

204 D. The land-use covenant shall be recorded by the City at the State Recorder's Office within
205 the Department of Natural Resources for the Sitka Recording District, at the expense of the
206 owner(s), so as to become part of the State of Alaska's real property records.

207 * * *

208 5. **EFFECTIVE DATE.** Ordinance 2017-XX shall become effective on the day after the date of its
209 passage.

210 **PASSED, APPROVED, AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska this
211 ____ day of _____, 2017.

215 _____
216 Matthew Hunter, Mayor

217 ATTEST:

218 _____
219 Sara Peterson, CMC
220 Municipal Clerk
221

**South Kramer Avenue Landslide:
Jacobs Circle to Emmons Street
Sitka, Alaska**

February 2, 2016



Excellence. Innovation. Service. Value.
Since 1954.

Submitted To:
Mr. Michael Harmon, P.E.
Public Works Director
City and Borough of Sitka, Alaska
100 Lincoln Street
Sitka, Alaska 99555

By:
Shannon & Wilson, Inc.
400 N 34th Street, Suite 100
Seattle, Washington 98103

21-1-22168-001

February 2, 2016

Mr. Michael Harmon, P.E.
Public Works Director
City and Borough of Sitka, Alaska
100 Lincoln Street
Sitka, AK 99555

**RE: SOUTH KRAMER AVENUE LANDSLIDE: JACOBS CIRCLE TO
EMMONS STREET, SITKA, ALASKA**

Dear Mr. Harmon:

This letter report presents our research, observations, discussions, analyses, conclusions, and recommendations regarding the South Kramer landslide that occurred in Sitka, Alaska, on August 18, 2015. The landslide caused three fatalities, the destruction of one residence, and the damage of another residence. It is our understanding that more than 50 landslides were documented to have occurred in the Sitka area on August 18 (Prussian, 2015). The purpose of our work is to aid the City and Borough of Sitka (CBS) in understanding the landslide in relation to the existing Kramer Avenue residential development and to offer input to CBS as it considers future development in this area. This study concentrated on the portion of Kramer Avenue between Jacobs Circle and Emmons Street.

The scope of Shannon & Wilson, Inc.'s (Shannon & Wilson's) services included:

1. Review of existing published geologic literature and scientists' reports about the recent landslide.
2. Discussions with local officials and scientists familiar with the geology and the August 18, 2015, landslide.
3. Field reconnaissance of the lower part of the Harbor Mountain hillside and the Kramer Avenue residential development between Jacobs Circle and Emmons Street.
4. Runout analysis of the debris flow.
5. Meetings with the CBS Assembly and staff.
6. Preparation of this report with our findings.

Our work was authorized in a contract signed by Mr. Mark Gorman, CBS city administrator, on November 11, 2015. The contract was amended on December 9, 2015, to include a limited field reconnaissance.

SITE DESCRIPTION

The South Kramer landslide is located north of downtown Sitka on the western flank of Harbor Mountain, as shown in the Vicinity Map, Figure 1. It initiated near the top of a ridge, at the southern end of the west-facing slope of Harbor Mountain. The debris from the debris flow came to rest near the southern end of Kramer Avenue, as shown in Figure 2.

The topography in the vicinity of the landslide is variable. Harbor Mountain rises to about elevation 2,000 feet. The face of the mountain has slope inclinations that exceed 100 percent, and the slope on which the landslide initiated reportedly is inclined at about 85 percent (Landwehr and others, 2015). The slope maintains inclinations steeper than 70 percent down to between elevations 260 and 320 feet at which point it gradually flattens. Along Kramer Avenue, the slope inclination is reduced to 12 to 14 percent.

Kramer Avenue is located on a terrace that is about 400 to 600 feet wide and is continuous for about one and a quarter miles (Figure 2). This area is locally known as the “Benchlands.” From the western edge of the Benchlands, the slope steepens down through the residential areas of Sand Dollar Drive and Whale Watch Drive. Another terrace is located to the west of these streets. Halibut Point Road is situated on this lower bench, a raised marine terrace. The sea is directly west of Halibut Point Road.

Little of Kramer Avenue is presently developed. Roads along the Benchlands are in place. A water tank is constructed on the slope above the northern end of Emmons Street (Figure 3), and distribution is established to the south of it. A sewer main extends from the southern end of Kramer Avenue northward to the Emmons/Kramer intersection. The only part of Kramer Avenue on which residences have been built is the southern end. One of these houses was destroyed by the landslide; another was damaged. Several other houses further south were undamaged.

The natural vegetation on the mountainside consists of a dense stand of conifers, including spruce and hemlock, and intermixed stands of red alder (USKH, Inc., 2008). Undergrowth is highly variable, ranging from very dense to sparse. We understand that the west-facing side of

Harbor Mountain has not been logged by the U.S. Forest Service. On the private property to the west of the U.S. Forest Service property, trees have been removed for the Benchlands streets and for utilities and residential lots at the southern end of the Benchlands.

We understand the landslide occurred at about 9:30 a.m. on August 18, 2015. It initiated on undisturbed U.S. Forest Service forest land near elevation 1,350 feet, traveled about 3,000 feet down an unnamed channel (Gould and others, 2015), and ended at about elevation 110 feet on Kramer Avenue. The upper part of the headscarp (Figure 2) is located at a drainage divide between the west- and south-facing slopes of Harbor Mountain. The initiation zone was estimated to be about 50 (Landwehr and others, 2015) to 85 feet wide (Gould and others, 2015), 90 feet long, and 6 to 10 feet deep (Landwehr and others, 2015). Along its path, it locally deposited but mostly scoured the channel of colluvium. In the upper portion of the path, the channel was scoured to bedrock (Figure 4). The path ranged from 40 to 70 feet wide, as shown in Figure 5. We understand that soil is exposed in the headscarp, but no additional blocks of cracked or detached soil are imminently in danger of falling from the headscarp (Prussian, 2015).

From aerial photographs and from field observations, it appears that the first pulse of the debris flow left the channel and plowed into the woods near elevation 240 feet, as indicated in Figures 2 and 3. This was likely the result of an upslope, straight segment of the channel and the debris wanting to maintain a straight line. After the first pulse, the bulk of the debris followed the existing channel that was directed toward the residence at 430 Kramer Avenue. The debris killed three people, and destroyed one residence and damaged another. Upon reaching Kramer Avenue, the debris encountered a low berm on the south side of the road that appears from photographs to have been 2 to 3 feet higher than Kramer Avenue. Farther south along the western side of Kramer Avenue, fill was mounded 8 to 10 feet high in an earthfill berm. When the debris flow encountered these berms, it turned southward down the road. It came to a stop about 400 feet from the point at which it reached Kramer Avenue, as shown in Figures 2, 3, and 6.

We understand that the more southerly earthfill berm (Figure 6) is a temporary stockpile of soil that was placed by the development contractor for future site grading in Tract C.

WEATHER

We understand that the Sitka area had incurred above-normal precipitation in the 2½ months before the August 18 landslide. For June and July 2015, rainfall was 15.13 inches, whereas the

normal total for those two months is 7.0 inches; more than double the normal (YourWeather Service, 2015). For August 2015, 3.23 inches of rain had fallen in the first 17 days of the month, about normal rainfall.

On August 18, an anomalous area of upper level high pressure was positioned over the northeastern Pacific. This upper level pattern steered a heavy rain system toward the central Alaska panhandle (Jacobs and others, 2015) on August 18.

Between 4:00 and 10:00 am on August 18, the Sitka area received 2.5 to 3.25 inches of precipitation, considered by the National Weather Service to be a, “very exceptional and extreme weather and hydrologic event.” (Jacobs and others, 2015) The National Weather Service reported that rainfall in the mountains of the Sitka area could have exceeded the recorded amounts due to orographic effects. Moderate winds of 11 to 17 miles per hour from the southwest were recorded at the Sitka Airport during this storm.

GEOLOGIC CONDITIONS

Harbor Mountain is geologically diverse, comprised of metamorphic bedrock and glacial, volcanic, and mass wasting soils. The mountain is cored by Sitka greywacke, a slightly metamorphosed sandstone (Karl and others, 2015). The rock is moderately hard, light brown, and fine to medium grained. In the Kramer Avenue area, it outcrops sporadically in road cuts along Kramer Avenue and Halibut Point Road.

The greywacke is overlain by glacial till, a compact to dense, gray, poorly graded gravel with silt, sand, and cobbles (Yehle, 1974; Golder Associates, 2008). The till probably covers bedrock throughout the area, but is only exposed in several road cuts. It stands steeply in the cuts, because it was overridden by ice. Test pits logged by Golder Associates indicate that the till is at least 2 feet thick to more than 13 feet thick in the subject area. Only one test pit encountered bedrock beneath the till.

Till is overlain by volcanic ash, a product of eruptions of Mount Edgecumbe. The ash at the Kramer Avenue site is reportedly comprised of deposits from two eruptions (Rhiele, 1996). The ash is described in the Golder Associates report as loose to compact, brown, gray, red, and yellow, silty sand with a trace clay. This report indicates that the deposit (two combined eruptive

deposits) is 1.5 to 7 feet thick in the study area. One test pit did not expose ash. It was observed in all road cuts in the Kramer Avenue area.

Locally draping the above geologic units is landslide debris. This diamict is a mixture of the weathered bedrock, till, and ash. It is described as compact, gray, silty sand with trace clay, gravel, cobbles, and boulders in the Golder Associates report, and ranges from 1.5 to 18.5 feet thick where encountered. Four of the 12 test pits in the study area contained no landslide debris. It appears to have accumulated in the Benchlands at the foot of debris flow channels that head on Harbor Mountain. No surficial exposures of landslide debris were observed. Our only knowledge of its locations and characteristics in the study area comes from the Golder Associates report.

Groundwater is perched in this area. In the Golder report, groundwater levels ranged from 1.5 to 8.5 feet below ground surface. Numerous springs, as noted in Figure 3, emerge from the hillside. In some cases, they form the heads of through-going surface streams. In other cases, they infiltrate back into the ground and pop out farther downslope. In some areas, such as Tract C, most of the ground is covered with standing water, likely perched on ash or till.

The Light Detection and Ranging (LiDAR) hillshade image (Figure 2) of the study area is informative but enigmatic. On a very broad scale, it has been suggested by others that the west-facing slope of Harbor Mountain collapsed in ancient times, spreading landslide debris into the ocean, one remnant of which is a shoreline protrusion. There is no evidence in outcrop or exposure of debris of such a widespread event, and the LiDAR image does not unequivocally support such a hypothesis.

The LiDAR image does support the hypothesis that the Benchlands is, in part, constructed of landslide materials supplied by repeated debris flows along several discrete chutes that originate on Harbor Mountain. The depositional distribution of the landslide debris also supports this idea. No landslide debris is observed or reported to the west of Kramer Avenue.

CONCLUSIONS

In our opinion, the South Kramer debris flow was a natural event. There is no evidence that human actions, past or recent, had an influence on the initiation of this landslide. Five

contributing factors that appear to have influenced this mass wasting event are: (a) above-normal precipitation in the 2½ months prior to August 18, (b) very steep slopes in the initiation zone, (c) a bedrock hollow that concentrated groundwater and channeled failed soil to the bottom of the slope, (d) weak soil in the initiation zone, and (e) exposure to high winds on the initiation ridge.

The intense storm of August 18, 2015, was judged to be extraordinary by the National Weather Service. This extraordinary event was added to 2½ months of more than twice the normal precipitation for Sitka. The rainfall intensity combined with the other contributing factors was the major factor for this landslide, in our opinion. Debris flows normally initiate on slopes steeper than about 70 percent. The inclination of the slope at the initiation zone of this debris flow was 85 percent, and susceptible to failure.

Bedrock hollows, areas where the topography is convergent, are at particular risk of failure because they are capable of concentrating groundwater, thereby lowering the stability of accumulated soils in the swale.

The soils in the headwall of the debris flow consisted of colluvium, ash, and glacial till. The colluvium is weak because it accumulated from sloughing of surrounding formations. The ash is also weak because it was never overridden and compacted by glacial ice and has low strength. Ash soils are also typically hydrophylic and impermeable creating perched water and can cause an elevated groundwater level in the soil above it.

Although high winds may not have been recorded at the Sitka Airport on August 18, the position of the landslide initiation zone is on a ridge that is vulnerable to south and southwestern winds. During strong winds, the trees in this area would be especially prone to rocking and opening up cracks in the ground surface, thereby allowing relatively fast infiltration of rainfall. Studies in southeastern Alaska have shown wind and windthrow to be a factor in landslides (Buma and Johnson, 2015) in the region.

RUNOUT ANALYSIS

In order to assess the potential future risk to infrastructure and residential development in the Kramer Avenue area between Jacobs Circle and Emmons Street, runout modeling was performed using an empirical-based computer program developed for debris flows in the Queen Charlotte

Islands at the University of British Columbia (Fannin and Bowman, 2007). We judge this program to be appropriate for use in Sitka owing to its regional application, and the similarity of topography of western British Columbia terrain and that of southeastern Alaska.

The model utilized is UBCDFLOW, in which the main factors are the initial volume in the initiation zone, and the channel widths and runout slope angles over channel reaches of similar character (University of British Columbia [UBC] Civil Engineering Department, 2014). The channel widths and runout angles were readily obtained by recent LiDAR data and photographs; however, the initial volume of soil is based on observations by others, and only a best estimate, because the shape of the original topography in the headscarp area cannot be known.

We performed several iterations of the model to calibrate it, and then ran five scenarios (see Figure 3):

1. The full length of the channel along which the August 18 debris flow moved, deflected by the berms on the west side of Kramer Avenue (Terminus 1).
2. The full length of the channel along which the August 18 debris flow moved, if the berms along the west side of Kramer Avenue had not been in place (Terminus 2).
3. The northern tributary chute originating at the top of Harbor Mountain, deflected by the berms on the west side of Kramer Avenue (Terminus 3).
4. The northern tributary chute originating at the top of Harbor Mountain without the berms on the west side of Kramer Avenue (Terminus 4).
5. The northern branch of the August 18 debris flow that ended in the woods uphill from Kramer Avenue (Terminus 5).

The locations of the distal ends of the modeled runouts are presented in Figure 3. Modeling indicated that another debris flow along the August 18 alignment would end up in the same place as before, assuming that the berms on the west side of Kramer Avenue were left in place. If the berms were not in place on August 18, the debris could potentially have runout into Tract C about 400 feet southwest of Kramer Avenue. If the August 18 debris flow deposit had continued straight westward through the woods, as shown in Figures 2 and 3, it could have reached Kramer Avenue. Modeling of this side branch of the debris flow showed that once the debris flow material leaves the channelized section of the creek and becomes a uniform unchannelized slope, the debris slows and deposits relatively quickly, as shown in Figure 3. The modeling does not

take the roughness of the in-place trees into account, so it would probably come to rest sooner than the model indicates.

The bedrock hollow in the August 18 initiation zone has mostly emptied out and the channel below has been scoured, so the future hazard from that source is likely low; however, a tributary creek/hollow to the north that extends to the top of Harbor Mountain has the potential to fail and recreate a similar or larger debris flow than the August 18 event. This bedrock hollow is about 700 feet higher in elevation than the initiation zone of the August 18 debris flow.

If this higher bedrock hollow failed in a manner similar to the August 18 debris flow, the model predicts that it would flow down Kramer Avenue about 400 feet beyond the Kramer Avenue debris deposit, assuming the berms were in place. Without the berms in place, this modeled debris flow would move about 580 feet southwest of Kramer Avenue, reaching residences on the eastern side of Whale Watch Drive and Sand Dollar Drive.

RISK ZONES AND DEVELOPMENT RECOMMENDATIONS

The implication of the runout analysis is that residences, utilities, and roads in the path of the identified potential debris flow paths are at high risk. However, the modeling analysis cannot be relied upon singularly. It is a supplement for geologic judgment and experience. In the case of the southern end of Kramer Avenue, the use of LiDAR hillshade images is most instructive. They show the corridors of erosion/incision and deposition, as well as relative ages of the related landforms, factors of particular importance in informing land use decisions.

Based on our assessment of the modeling, field observations, and LiDAR images, we have created three categories of risk in the Jacobs Circle/Emmons Street area for debris flows originating on Harbor Mountain. The three categories described below range from high to low. There are **no** no-risk zones in the study area.

The high-risk zone is in and adjacent to the recent debris flow path and two other debris flow paths that were identified in the field and on the LiDAR hillshade image. They have incised channels and uneven, hummocky, and lobate topography. We recommend no new residential development or transportation and utility corridors through this area without extensive study and protective measures. If any new development or redevelopment is contemplated for these areas, a geotechnical evaluation should be performed by a licensed civil engineer specializing in

geotechnical practice or professional geologist experienced in mass wasting processes. The evaluation should include subsurface explorations, evaluation of the hazard and risk from debris flows, and design of debris flow mitigation or protective measures. Such reports should be reviewed by a third-party for completeness and appropriateness.

Some existing residences are in the high-risk zone. Although this report does not attempt to assess or predict the risk to any individual parcel or structure, it may be prudent for those property owners to evaluate their exposure, obtain professional assistance, and take protective action, as discussed above.

Three moderate risk zones were identified, as shown in Figure 3. They are either buffer areas between high- and low-risk zones, or areas that offer slightly higher risk than low, as discussed below. One is the buffer zone adjacent to the debris chute high-risk zone on the northern edge of the study area. Another buffer zone is located downhill (west) of Tract C. Another moderate zone is located uphill of Emmons Street where there appear to be deposits of ancient, relict debris flows. The channel that originally supplied debris to this area is presently incapable of delivering debris to this same area, in our opinion; however, if the adjacent incised creek/swale should become blocked during a debris flow, the relict channel could potentially deliver debris to this area again. If any new development or redevelopment is contemplated for these areas, a geotechnical evaluation should be performed and reviewed in the same manner as recommended above for high-risk zones.

The low-risk debris flow zones are areas that are unlikely to be impacted by debris flows; however, they should be evaluated by a professional, as described above to confirm that condition. They may be subject to other geotechnical issues such as local slope instability, high groundwater level, spring seepage, and soft ground.

CONCEPTUAL MITIGATION MEASURES

In our opinion, it is not possible or practical to prevent debris flows from originating in the undisturbed, natural ground on the western slope of Harbor Mountain.

Mitigation measures have been designed and built throughout the world to protect existing and new structures and infrastructure. They can be categorized into two types: containment and diversion. Containment measures consist of excavated basins with or without outlet structures.

This type of mitigation normally requires a large space; not readily available in this study area for individual property owners, but potentially possible for groups of lots, if reconfiguration of lot lines is possible.

Wire mesh nets are also used to contain debris flow material, but need to be applied to a relatively narrow confined channel. Their use in this area could be assessed.

Diversion measures consist of earth berms and structural walls capable of deflecting the hypothesized debris volume. They can be effective for the properties downhill from the protective works, but the deflected debris can then be deposited on adjacent property.

CLOSURE

The conclusions and recommendations in this letter report are based on a review of published and unpublished literature, discussions with other professionals familiar with the landslide, and a visual examination of the surface conditions as they existed during the time of our field reconnaissance. No subsurface explorations were performed for this study. This work has been performed using practices consistent with geologic and geotechnical industry standards in the region for slope stability; however, prediction of slope movement with absolute certainty is not possible with currently available scientific knowledge. As with any steep slope, there are always risks of instability that present and future owners must accept. Such risks include extreme or unusual storm events and forest fire, among others. If conditions described in this letter report change, we should be advised immediately so that we can review those conditions and reconsider our conclusions and recommendations.

The runout modeling analysis cannot be relied upon singularly. It is an empirical model. Although similar to topographic conditions in the Queen Charlotte Islands, the Harbor Mountain topography may be different, and therefore lead to different runout distances than those described in this letter report. Other factors such as water content, surface roughness, and routing may also contribute to differences between modeled runout distances and actual distances. It is a supplement for geologic judgment and experience.

Mr. Michael Harmon, P.E.
City and Borough of Sitka, Alaska
February 1, 2016
Page 11 of 11

SHANNON & WILSON, INC.

Recommendations included in this letter report are presented to assist CBS. Shannon & Wilson has included the enclosed, "Important Information About Your Geotechnical/Environmental Report," to assist you and others in understanding the use and limitations of our reports.

We appreciate the opportunity to be of service. If you have any questions or concerns, please contact me.

Sincerely,

SHANNON & WILSON, INC.



William T. Laprade
Senior Vice President

WTL:KLB/wtl

Enc: References (2 pages)
Figure 1 – Vicinity Map
Figure 2 – Site Plan – LiDAR Hillshade
Figure 3 – Runout Analysis and Debris Flow Risk
Figure 4 – Photograph of Debris Flow Initiation Zone
Figure 5 – Photograph of Debris Flow Chute
Figure 6 – Photograph of Debris Flow Deposit on Kramer Avenue
Important Information About Your Geotechnical/Environmental Report

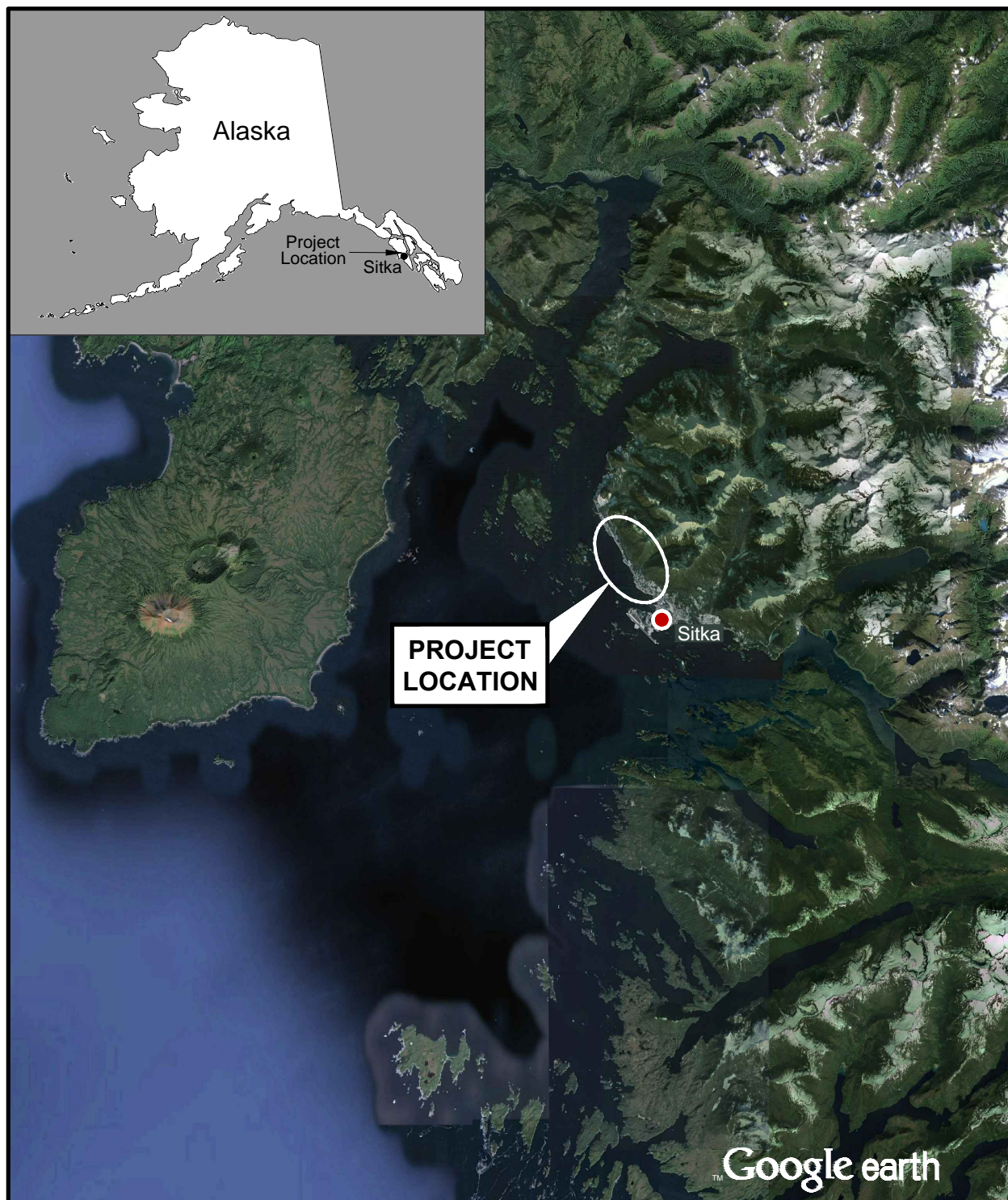
REFERENCES

- Buma, Brian and Johnson, A. C., 2015, The role of windstorm exposure and yellow cedar decline on landslide susceptibility in southeast Alaskan temperate rainforests: *Geomorphology*, v. 228, p. 504-511.
- Fannin, Jonathan and Bowman, Elizabeth, 2007, Debris flows - entrainment, deposition and travel distance: *Geotechnical News*, v. 25, no. 4, p. 43-46.
- Golder Associates, 2008, Final report on geotechnical investigation, Whitcomb Heights subdivision, Sitka, Alaska: Report prepared by Golder Associates, Anchorage, Alaska, 073-95050, for USKH, Inc., Juneau, Alaska, 19 p., February.
- Gould, A., Wolken, G., Stevens, D., and Whorton, E., 2015, August 18th, Sitka, Alaska debris flows: initial response summary report: Alaska Division of Geological & Geophysical Surveys, 5 p.
- Jacobs, A., Curtis, J., and Holloway, E., 2015, August 18, 2015 Sitka's heavy rain, flooding, mudslides, heavy rain from a strong front along Baranof Island leads to flooding and 40+ debris flows with one causing 3 fatalities in the Sitka area: National Weather Service, 7 p.
- Karl, S. M.; Haeussler, P. J.; Himmelberg, G. R., and others, 2015, Geologic map of Baranof Island, southeastern Alaska: U.S. Geological Survey Scientific Investigations Map 3335, 82 p., 1 sheet, scale 1:200,000.
- Landwehr, D., Prussian, K., and Foss, J., 2015, Trip report, visit to 4 landslides accessed from the Sitka Road system: U.S. Forest Service, 24 p.
- Prussian, K. (U.S. Forest Service), 2015, debris flow observations: Personal communication (conversation), November 12, 2015.
- R&M Engineering, 1978, Site investigation report, tract A, U.S. Survey no. 3806, City and Borough of Sitka, Alaska: Report prepared by R&M Engineering for City and Borough of Sitka, 12 p.
- Riehle, J. R., 1996, The Mount Edgecumbe volcanic field: a geologic history: Anchorage, Alaska, U.S. Forest Service Alaska Region, R10-RG-114, 42 p.
- University of British Columbia (UBC) Civil Engineering Department, [n.d.], UBCDFLOW: Available: <http://dflow.civil.ubc.ca/index.php>.
- USKH, Inc., 2008, Whitcomb Heights subdivision wetlands delineation: Report prepared by USKH, Inc., Juneau, Alaska, 90570, City and Borough of Sitka, Alaska, 10 p.

Yehle, L. A., 1974, Reconnaissance engineering geology of Sitka and vicinity, Alaska, with emphasis on evaluation of earthquake and other geologic hazards: U.S. Geological Survey Open-File Report 74-53, 104 p., 3 sheets, scale 1:9,600.

YourWeatherService, 2015, Climate data for Sitka, Alaska:

Available: <http://www.yourweatherservice.com/weather/sitka/united-states/usak0224>, accessed December 2015.



NOTE

Map adapted from aerial imagery provided by Google Earth Pro, Image © 2015 Terrametrics, Image IBCAO, Image © 2015 DigitalGlobe, and Image Landsat, reproduced by permission granted by Google Earth™ Mapping Service.

City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

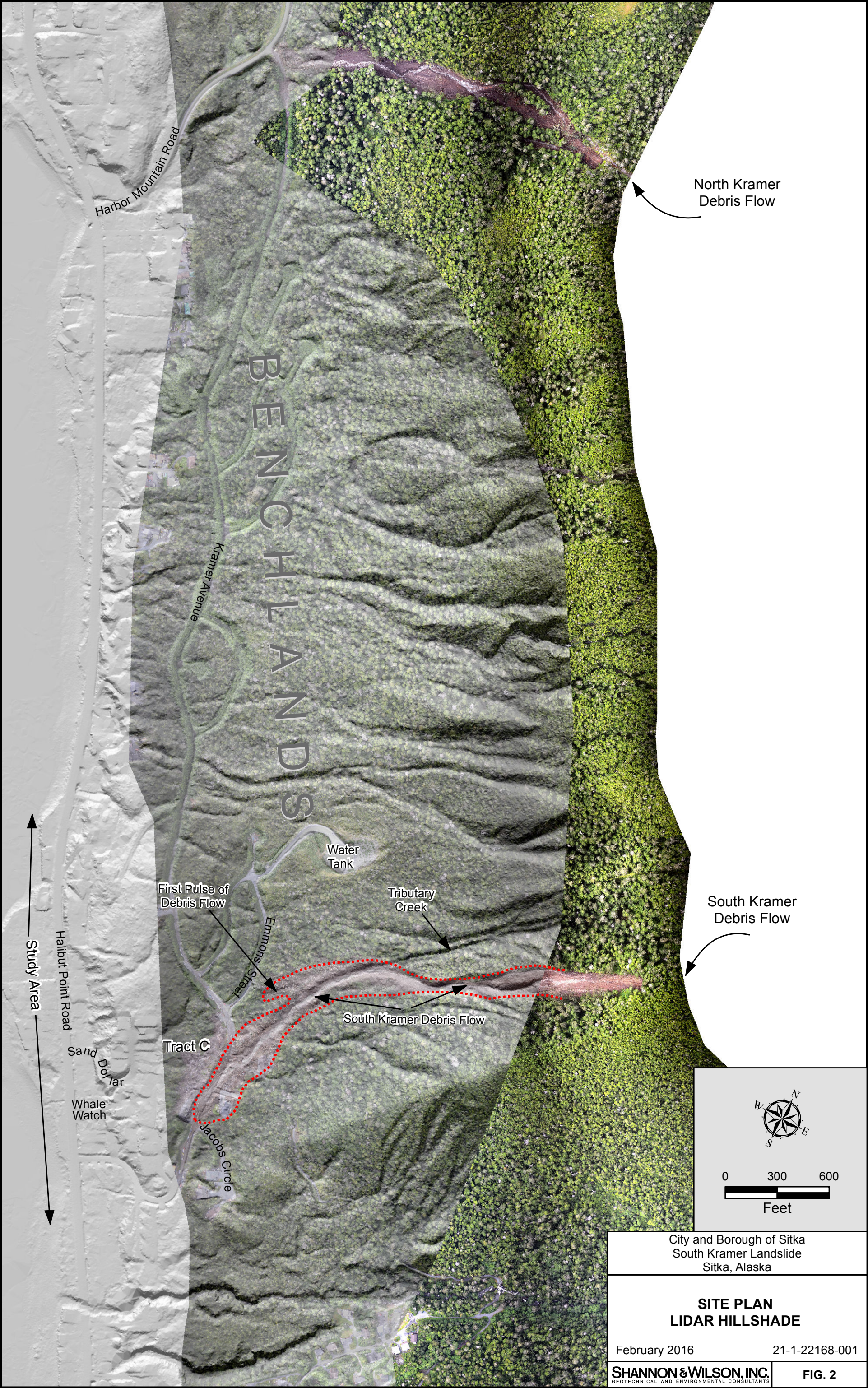
VICINITY MAP

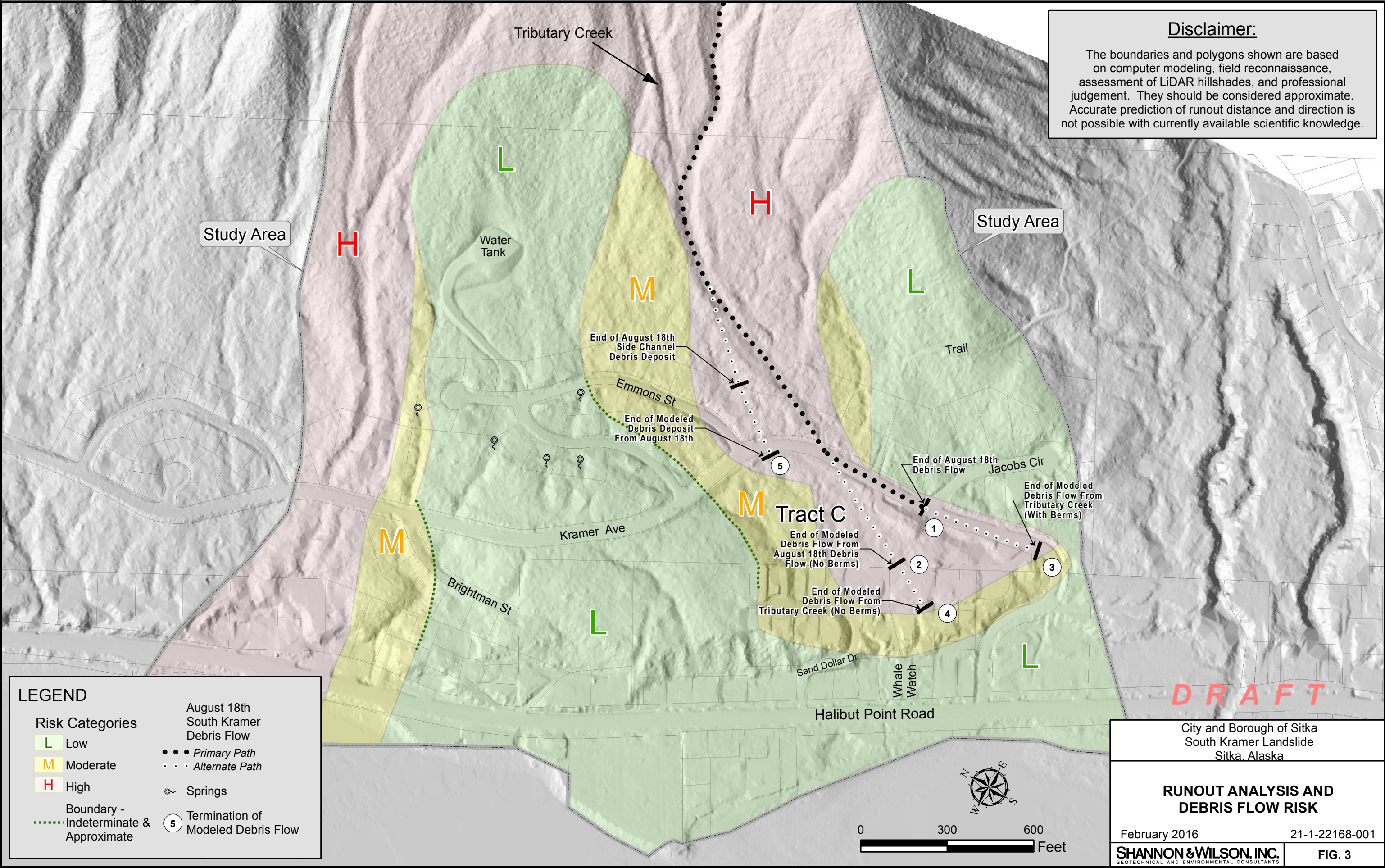
February 2016

21-1-22168-001

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIG. 1







City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

**PHOTOGRAPH OF DEBRIS FLOW
INITIATION ZONE**

February 2016

21-1-22168-001

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIG. 4



City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

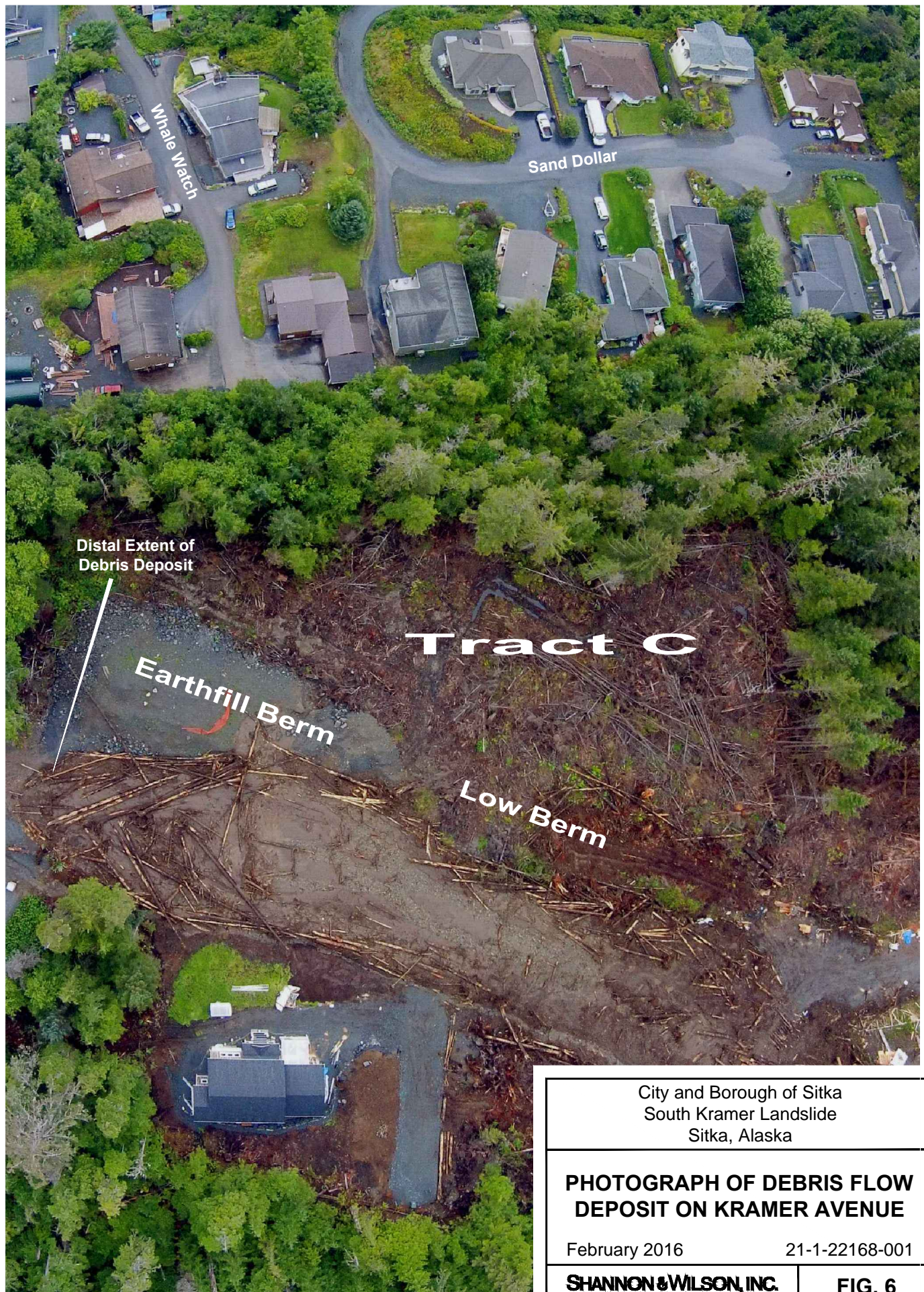
**PHOTOGRAPH OF
DEBRIS FLOW CHUTE**

February 2016

21-1-22168-001

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIG. 5



City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

**PHOTOGRAPH OF DEBRIS FLOW
DEPOSIT ON KRAMER AVENUE**

February 2016

21-1-22168-001

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIG. 6



Date: February 2, 2016
To: Mr. Michael Harmon, P.E.
City and Borough of Sitka, Alaska

IMPORTANT INFORMATION ABOUT YOUR GEOTECHNICAL/ENVIRONMENTAL REPORT

CONSULTING SERVICES ARE PERFORMED FOR SPECIFIC PURPOSES AND FOR SPECIFIC CLIENTS.

Consultants prepare reports to meet the specific needs of specific individuals. A report prepared for a civil engineer may not be adequate for a construction contractor or even another civil engineer. Unless indicated otherwise, your consultant prepared your report expressly for you and expressly for the purposes you indicated. No one other than you should apply this report for its intended purpose without first conferring with the consultant. No party should apply this report for any purpose other than that originally contemplated without first conferring with the consultant.

THE CONSULTANT'S REPORT IS BASED ON PROJECT-SPECIFIC FACTORS.

A geotechnical/environmental report is based on a subsurface exploration plan designed to consider a unique set of project-specific factors. Depending on the project, these may include: the general nature of the structure and property involved; its size and configuration; its historical use and practice; the location of the structure on the site and its orientation; other improvements such as access roads, parking lots, and underground utilities; and the additional risk created by scope-of-service limitations imposed by the client. To help avoid costly problems, ask the consultant to evaluate how any factors that change subsequent to the date of the report may affect the recommendations. Unless your consultant indicates otherwise, your report should not be used: (1) when the nature of the proposed project is changed (for example, if an office building will be erected instead of a parking garage, or if a refrigerated warehouse will be built instead of an unrefrigerated one, or chemicals are discovered on or near the site); (2) when the size, elevation, or configuration of the proposed project is altered; (3) when the location or orientation of the proposed project is modified; (4) when there is a change of ownership; or (5) for application to an adjacent site. Consultants cannot accept responsibility for problems that may occur if they are not consulted after factors which were considered in the development of the report have changed.

SUBSURFACE CONDITIONS CAN CHANGE.

Subsurface conditions may be affected as a result of natural processes or human activity. Because a geotechnical/environmental report is based on conditions that existed at the time of subsurface exploration, construction decisions should not be based on a report whose adequacy may have been affected by time. Ask the consultant to advise if additional tests are desirable before construction starts; for example, groundwater conditions commonly vary seasonally.

Construction operations at or adjacent to the site and natural events such as floods, earthquakes, or groundwater fluctuations may also affect subsurface conditions and, thus, the continuing adequacy of a geotechnical/environmental report. The consultant should be kept apprised of any such events, and should be consulted to determine if additional tests are necessary.

MOST RECOMMENDATIONS ARE PROFESSIONAL JUDGMENTS.

Site exploration and testing identifies actual surface and subsurface conditions only at those points where samples are taken. The data were extrapolated by your consultant, who then applied judgment to render an opinion about overall subsurface conditions. The actual interface between materials may be far more gradual or abrupt than your report indicates. Actual conditions in areas not sampled may differ from those predicted in your report. While nothing can be done to prevent such situations, you and your consultant can work together to help reduce their impacts. Retaining your consultant to observe subsurface construction operations can be particularly beneficial in this respect.

A REPORT'S CONCLUSIONS ARE PRELIMINARY.

The conclusions contained in your consultant's report are preliminary because they must be based on the assumption that conditions revealed through selective exploratory sampling are indicative of actual conditions throughout a site. Actual subsurface conditions can be discerned only during earthwork; therefore, you should retain your consultant to observe actual conditions and to provide conclusions. Only the consultant who prepared the report is fully familiar with the background information needed to determine whether or not the report's recommendations based on those conclusions are valid and whether or not the contractor is abiding by applicable recommendations. The consultant who developed your report cannot assume responsibility or liability for the adequacy of the report's recommendations if another party is retained to observe construction.

THE CONSULTANT'S REPORT IS SUBJECT TO MISINTERPRETATION.

Costly problems can occur when other design professionals develop their plans based on misinterpretation of a geotechnical/environmental report. To help avoid these problems, the consultant should be retained to work with other project design professionals to explain relevant geotechnical, geological, hydrogeological, and environmental findings, and to review the adequacy of their plans and specifications relative to these issues.

BORING LOGS AND/OR MONITORING WELL DATA SHOULD NOT BE SEPARATED FROM THE REPORT.

Final boring logs developed by the consultant are based upon interpretation of field logs (assembled by site personnel), field test results, and laboratory and/or office evaluation of field samples and data. Only final boring logs and data are customarily included in geotechnical/environmental reports. These final logs should not, under any circumstances, be redrawn for inclusion in architectural or other design drawings, because drafters may commit errors or omissions in the transfer process.

To reduce the likelihood of boring log or monitoring well misinterpretation, contractors should be given ready access to the complete geotechnical engineering/environmental report prepared or authorized for their use. If access is provided only to the report prepared for you, you should advise contractors of the report's limitations, assuming that a contractor was not one of the specific persons for whom the report was prepared, and that developing construction cost estimates was not one of the specific purposes for which it was prepared. While a contractor may gain important knowledge from a report prepared for another party, the contractor should discuss the report with your consultant and perform the additional or alternative work believed necessary to obtain the data specifically appropriate for construction cost estimating purposes. Some clients hold the mistaken impression that simply disclaiming responsibility for the accuracy of subsurface information always insulates them from attendant liability. Providing the best available information to contractors helps prevent costly construction problems and the adversarial attitudes that aggravate them to a disproportionate scale.

READ RESPONSIBILITY CLAUSES CLOSELY.

Because geotechnical/environmental engineering is based extensively on judgment and opinion, it is far less exact than other design disciplines. This situation has resulted in wholly unwarranted claims being lodged against consultants. To help prevent this problem, consultants have developed a number of clauses for use in their contracts, reports, and other documents. These responsibility clauses are not exculpatory clauses designed to transfer the consultant's liabilities to other parties; rather, they are definitive clauses that identify where the consultant's responsibilities begin and end. Their use helps all parties involved recognize their individual responsibilities and take appropriate action. Some of these definitive clauses are likely to appear in your report, and you are encouraged to read them closely. Your consultant will be pleased to give full and frank answers to your questions.

The preceding paragraphs are based on information provided by the
ASFE/Association of Engineering Firms Practicing in the Geosciences, Silver Spring, Maryland



CITY AND BOROUGH OF SITKA

Legislation Details

File #: MISC 17-06 **Version:** 1 **Name:**

Type: P&Z Miscellaneous **Status:** AGENDA READY

File created: 1/30/2017 **In control:** Planning Commission

On agenda: 2/21/2017 **Final action:**

Title: Discussion and direction on the framework for process, analysis, and conditions regarding short-term rentals on boats in municipal harbors.

Sponsors:

Indexes:

Code sections:

Attachments: [STR on Boats 2.27.17](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Planning Commission

From: Maegan Bosak, Planning and Community Development Director

Subject: Short-term Rentals on Boats Plan

Date: February 17, 2017

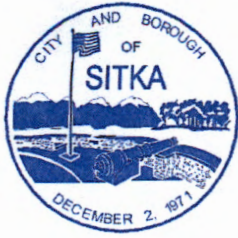
Last spring the Planning Commission and the Assembly approved a zoning text change allowing short term rentals on boats. Since then, there have been parties interested in obtaining a conditional use permit, however the process for approval was confusing and left both the Planning and Port and Harbors Commission struggling with procedure and requirements.

A joint worksession was held between the Planning Commission and Port and Harbors Commission in December. The meeting was well attended and include representatives from the Coast Guard advising the Commissions on the proper procedure to be in compliance with federal laws. The worksession included discussions over process, notification, conditions, fees and the amount of permits that would be allowed per harbor.

The Short-term Rental on Boats Plan, attached, outlines the Commission's discussions and gives clear direction on how to move these permit requests forward.

The Port and Harbors Commission approved the Plan on February 8, 2017.

RECOMMENDED ACTION: Pass a motion granting approval of the Short-term Rental on Boats Plan.



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Short-term Rentals on Boats

Joint planning by the Port & Harbor Commission and the Planning Commission

The purpose of this plan is to create a framework of approval for short term rentals in boats. In 2015, an interested citizen approached the Planning Department with a zoning text change application to allow short term rentals in the P public zone and more specifically in the municipal harbors. After discussion, the Planning Commission recommended approval to the Assembly and the Assembly approved the ordinance.

Since taking effect, there have been two applications for short term rental on a boat. Both have been in Crescent Harbor however the type and size of the vessels have varied.

Upon adjudicating, it became clear that more definition on the process of approval, collaboration on permitting with the United States Coast Guard, notification procedures, etc. was needed.

This plan is a result of a joint worksession between the Port and Harbor Commission and the Planning Commission.

The goal of the plan is to clearly state the review process so applicants can be aware prior to submitting.

Attachments:

Zoning Text Change Application

Planning Commission Minutes

Assembly Ordinance and Minutes

Review Process

1. Consultation with Planning Department on application requirements.
2. Consultation with USCG and inspection. Dockside Courtesy Exam would be completed to address fire, bilge, smoke and carbon monoxide, and sewer.
Vessel then falls into one of the three USCG classifications; 1) Bare Boat Charters, 2) Uninspected Passenger Vessel with Captain on Board at all times or 3) COI- Certificate of Inspection.
3. Completed application is submitted to the Planning Department. Fee is collected.
4. Short term rental on boats plan is consulted to ensure application meets all requirements.
5. Application is forward to Port and Harbor Department for review.
6. Port and Harbor Department scheduled review by the Port and Harbor Commission at their next regularly scheduled meeting.
7. If approved by Port and Harbor Commission, application will be scheduled for review by the Planning Commission at their next regularly scheduled meeting.
8. If approved applicant must fill out paperwork for business license and bed tax.
9. Short term rental Annual Report will be required and submitted to the Planning Department annual.
10. Any meritorious complaints will be addressed at a regularly scheduled Port and Harbor Commission meeting. Should the Commission feel the applicant is not in compliance with Port and Harbor Regulations and/or conditions associated with the permit approval, the Commission has the authority to revoke the short term rental on boats permit.

Notification Process

The public notification process will be increased from current SGC standards due to the harbor environment.

Notification for both the Port and Harbor Commission and Planning Commission meetings for approval will include:

- 1.) Newspaper agenda notification
- 2.) E-gov email notification to subscribers of Port and Harbor Department or Planning Department
- 3.) Harbor bulletin board notification
- 4.) Notification posted on vessel
- 5.) Mail notification to all float renters

Conditions of Approval

1. Notification of renter on board vessel to Port and Harbor Department
2. Must pay live aboard harbor fees
3. \$100 Port and Harbors Annual short term rental fee
4. The facility shall be operated in compliance with harbor regulations concerning sewage disposal and all other matters.
5. The facility shall be operated consistent with the application and plans that were submitted with the request.
6. The facility shall be operated in accordance with the narrative that was submitted with the application.
7. The applicant shall submit an annual report every year to the Planning Commission and the **Port and Harbors Commission**, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
8. The Planning Commission and/or the **Port and Harbors Commission**, at their discretion and upon receipt of a meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
9. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.
10. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
11. The property owner shall provide orientation information to all renters, which shall cover boat and water safety, ingress and egress, and proper waste disposal.
12. The boat must be approved by the CBS Harbor Department as a live aboard, and appropriate live aboard fees must be paid.
13. ~~The boat shall meet all Fire Marshal requirements, including but not limited to smoke alarms, carbon monoxide alarms, fire extinguishers, ventilation, emergency lighting, and emergency escape openings.~~ ***"Pursuant to SGC, Section 22.24.010(C)(2)(C), "Upon filing for sales tax and bed tax accounts, an owner shall obtain a life and safety inspection by the building department and shall comply with the requirements proposed by the department."***
14. **Shall comply with all applicable United States Coast Guard regulations regarding pleasure craft.**
15. ~~Shall receive review and recommendations to Planning Commission from the Port and Harbors Commission.)~~ ***"Permit to be reviewed by the Planning Commission after 6 months to address any impacts, concerns, and to allow Port and Harbors Commission the opportunity to review and comment on the permit."***
16. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Number of Short Term Rentals on Boats

Harbormaster Stan Eliason is recommending that there be a limit of 2 short term rentals on boats per harbor resulting in a total of no more than 10 short term rentals on boats.

This number may change based on a recommendation from the Port and Harbor Commission.

Should the need arise, a waitlist will be developed and kept at the Port and Harbor Office.

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
ZONE CHANGE APPLICATION

ZONE MAP AMENDMENT FEE	\$100.00
ZONE TEXT AMENDMENT FEE	\$100.00
Plus current city sales tax	

Applicant's Name: TIM FULTON
Phone Number: 738-0740
Mailing Address: 225 Lakewood Drive Sitka AK 99835
Applicant's Signature: _____ Date Submitted _____

Provide information or data, as necessary, to fully outline the reasons and justifications for the request. Attach additional sheets as necessary.

For official map amendments, the application shall contain:

1. A legal description of *each* subject property along with the owner's name, address, and contact person for *each* subject property;
2. An analysis showing the public benefit of the proposed amendment;
3. An analysis showing the proposal's consistency with the Comprehensive Plan;
4. A map of the area to be rezoned.

LIST SPECIFIC REQUEST: I am requesting a variance to allow a boat that is moored in one of Sitka's harbors to be used as a short-term vacation rental or B+B.

EXPLANATION OF REQUEST: Having a boat as a short-term rental is not currently done in Sitka. However, utilizing boats as short-term vacation rentals is done successfully in other places & is a growing niche in the travel & vacation market. With Sitka's new branding emphasizing the uniqueness of our town & location, a boat as vacation rental can meet two needs. First, according to the Sitka Convention & Visitors Bureau, often there is not enough bed space in Sitka to accommodate traveler demand. Second, a boat vacation rental can successfully fill a void for those vacationers looking for a unique travel experience. Television shows such as "Deadliest Catch" fuels the world's fascination with Alaska in general & Alaska fishing in particular. Staying overnight on a boat in a working harbor in Alaska's most beautiful city can be a dream come true for world travelers. This vacation rental opportunity can contribute significantly to Sitka's economy both through taxes & spending revenue. It is an opportunity for Sitka to say "yes" to a unique avenue of economic growth in a controlled manner.

After the application and supporting materials has been determined to be complete by the Planning Office, the request will be placed on the next available Planning Commission agenda.

CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
December 1, 2015

Present: Chris Spivey (Chair), Darrell Windsor (Vice-Chair), Tamie Parker Song—via phone (Member), Debra Pohlman (Member), Randy Hughey (Member), Maegan Bosak (PCDD), Michael Scarcelli (Senior Planner), Samantha Pierson (Planner I)

Absent: None

Members of the Public: Kevin Knox, Stan Eliason (Harbormaster), Forrest Dodson (via phone), Mary Holzman (via phone), Michael Tisher, Kelly Pellett, Cliff Richter, Jay Stelzenmeller

Chair Spivey called the meeting to order at 7:01 p.m.

Roll Call:

PRESENT: 5 – Spivey, Windsor, Parker Song (via phone), Pohlman, Hughey

Consideration of the Minutes from the November 3, 2015 meeting:

MOTION: M/S POHLMAN/WINDSOR moved to approve the meeting minutes for November 3, 2015.

ACTION: Motion **PASSED unanimously 5-0** on a voice vote.

The evening business:

**ZONING TEXT CHANGE
SHORT TERM RENTALS AND BED AND BREAKFAST OPERATIONS IN PUBLIC ZONE
TIM FULTON**

Public hearing and consideration of a zoning text change request filed by Tim Fulton. The proposed zoning text change would permit B&B's and Short-Term Rentals on boats in municipal harbors, in the Public Zone. The request is filed by Tim Fulton.

STAFF REPORT: Scarcelli reviewed the request, which would permit B&B's and short-term rentals in all properties zoned Public Lands District. Scarcelli stated that the Port and Harbors Commission had some positive and some negative thoughts about the request. Scarcelli stated concerns for sewage dumping and safety. Scarcelli noted that the applicant was currently at another board where he serves as chair, but can answer questions via phone if commissioners wished. Scarcelli read a letter submitted by the applicant.

COMMISSIONER DELIBERATION: Commissioners did not have questions for the applicant. Windsor asked for clarification on Public zoning. Scarcelli clarified that if the zoning text change was enacted, bed and breakfast operations and short-term rentals would be permitted or

conditional in all lands zoned Public Lands, beyond the harbors. Hughey asked about infrastructure and sewage concerns.

PUBLIC COMMENT: Port and Harbors Commission Chair Kevin Knox and Harbormaster Stan Eliason expressed concerns for sanitation, safety, traffic, and increased workload of harbor staff. Knox acknowledged that the request is interesting, and short-term rentals are permitted in harbors in other states. Eliason stated that boats must currently be taken to a dump station, since sewage pipes are not run to all boats.

MOTION: M/S HUGHEY/WINDSOR moved to approve the staff findings that 1) the proposal negatively impacts the public's health, safety, and welfare due to the anticipated impact to public infrastructure, the impacts resulting from sewage, the anticipated cost of enforcement and oversight; 2) is inconsistent with the comprehensive plan as discussed in the staff report; and 3) involves the broad impacts that a zoning text change would have on lands zoned Public.

ACTION: Motion **PASSED 5-0** on a voice vote.

MOTION: M/S HUGHEY/WINDSOR moved to recommend denial of a zoning text change request filed by Tim Fulton for a zoning text change to permit short-term rentals and Bed and Breakfast operations in the Public Zone as a permitted or conditional use.

ACTION: Motion **PASSED 5-0** on a voice vote.

7:25—Parker Song stated that she was having a hard time hearing discussion via phone. Commissioners agreed that since a quorum could be met without her, Parker Song could leave the meeting.

VARIANCE REQUEST

**263 KATLIAN AVENUE, LOT 14, BLOCK 5, SITKA INDIAN VILLAGE, U.S. SURVEY 2542
FORREST DODSON AND MARY HOLZMAN**

Public hearing and consideration of a variance request filed by Forrest Dodson and Mary Holzman for 263 Katlian Avenue and the adjacent tidelands. The variance request is for a reduction in lot size from 6,000 square feet to 4,428 square feet. The property is also known as Lot 14, Block 5, Sitka Indian Village, U.S. Survey 2542. The request is filed by Forrest Dodson and Mary Holzman. The owners of record are Forrest Dodson and Mary Holzman.

STAFF REPORT: Scarcelli reviewed the request. The variance would permit the creation of an undersized lot. The current lot is undersized, and the proposal would approximately double the lot size. This proposal would move the lot toward compliance. Scarcelli stated that the Historic Preservation reviewed the project and made a motion to approve, which failed.

APPLICANT: Forrest Dodson and Mary Holzman joined via phone, and stated that there was no new information.

& B, Sitka Indian Village, and Lot 56, Block 2, as shown on the supplemental plat of Sitka Indian Village. The request is filed by Jennifer Alley. The owner of record is Jennifer Alley.

STAFF REPORT: Scarcelli described the property and the request. The three legal lots have historically been held in common ownership. A recently demolished house crossed the adjoining lot lines of Lots 2 and 3. The proposed house would cross the adjoining lot lines of Lots 2, 3, and 56. Scarcelli stated that a replat would be the appropriate process. Scarcelli stated that approval is based on plans submitted, and cited neighbor concerns with building orientation. The prior owner of the property granted an easement to CBS, which resulted in street improvements. Concerns were raised at the February 2nd meeting that property markers may have been removed or covered by the city during construction, but there is no way to know that these markers were in place prior to road construction. Scarcelli stated that the "lot merger" described in Title 22 is a misnomer, and is not a legal lot merger process. State law states that variances cannot be granted solely for pecuniary or convenience reasons.

APPLICANT: Jennifer Alley shared pictures of the lot and proposed house. Hughey asked how much the survey would cost. Alley stated that a survey would be \$2000-3000. Alley stated that without a variance she might build a smaller house on one of the lots. Alley stated that she may move the house back further on the lot, which would give more space between the neighboring house.

PUBLIC COMMENT: Neighbor Mark White stated that he is satisfied with the site plan.

COMMISSIONER DELIBERATION: Pohlman stated that the plat process provides clarity, and a variance would be inconsistent. Bosak stated that staff are supportive of the construction of a new home; however, fairness requires adherence to the Municipal Code. Hughey stated a preference for a replat. Windsor stated a preference for a replat. Scarcelli recommended that if the commission is leaning toward denial, a postponement to allow for amendment could expedite the process and save the applicant money. The amendment would change the application to a variance from development standards.

MOTION: M/S POHLMAN/HUGHEY moved to postpone this item to allow for amendments to the application.

ACTION: Motion **PASSED unanimously 3-0** on a voice vote.

**ZONING TEXT CHANGE
SHORT TERM RENTALS AND BED AND BREAKFAST OPERATIONS IN PUBLIC ZONE
TIM FULTON**

Public hearing and consideration of a zoning text change request filed by Tim Fulton. The proposed zoning text change would permit Bed and Breakfast operations and Short-Term Rentals in the Public Zone. The request is filed by Tim Fulton.

STAFF REPORT: Scarcelli reviewed the request. Administration requested that this proposal be considered again by the Planning Commission. The applicant would like to see short-term rentals

allowed on boats in municipal harbors. This proposal could result in unique experiences for tourists. Planning and Harbors staff believe that previous concerns can be mitigated by harbor regulations and the conditional use process. Hughey asked about the Harbormaster's previously stated concerns. Bosak replied that the Harbormaster is supportive if approvals state that a proposed boat short-term rental is in conformance with Title 13, which addresses sewage. Bosak stated that prospective applications would go before Ports and Harbors Commission before coming to the Planning Commission. Windsor asked which other areas in town are zoned Public, which would also be impacted by the change. Scarcelli stated that staff could include language which specifies that Public zone short-term rentals are limited to boats in harbors.

APPLICANT: Fulton stated that this proposal is a good opportunity for the community. Fulton stated that he has used AirBnB across the world, and it has granted him the opportunity to experience the community more fully. Pohlman asked about sewage processing. Bosak stated that harbor regulations require that boats have a sewage containment system aboard, or that boat owners pay to have sewage pumped out. Pohlman clarified that any boat that did not conformed would not be approved for a permit, and Bosak confirmed this statement.

PUBLIC COMMENT: None.

COMMISSIONER DELIBERATION: Pohlman stated support for the amendment if the approval clearly indicates that the conditional use is for boats in harbors.

MOTION: M/S HUGHEY/POHLMAN moved to approve the staff findings that 1) The proposal does not impact public health, safety, and welfare; 2) The proposal is consistent with the comprehensive plan as discussed in the staff report; and; 3) The proposal would promote tourism, alleviate some burdens on the housing market, promote economic development, and utilize existing resources for the betterment of the public, health, and safety of the community.

ACTION: Motion **PASSED 4-0** on a voice vote.

MOTION: M/S POHLMAN/HUGHEY moved to recommend approval of a zoning text change request filed by Tim Fulton to permit boats as short-term rentals and Bed and Breakfast operations in harbors in the Public Zone as a conditional use.

MOTION: M/S HUGHEY/POHLMAN moved to amend the motion to remove "Bed and Breakfast operations" from the motion.

ACTION: Motion **PASSED 4-0** on a voice vote.

ACTION: Main motion as amended **PASSED 4-0** on a voice vote.

CONDITIONAL USE PERMIT REQUEST
LOT 27 OF US SURVEY 3302
FRANCES ANNE BUDYNGE AND KRISTINA ANN SCHELLER

municipal procurement procedures on a regular basis

Guevin shared concern that this ordinance would eliminate the public process of contracts coming before the Assembly. Eisenbeisz echoed the same concern.

Gorman stated the current contracting process significantly slowed down efficiencies for staff and put the City and Borough of Sitka (CBS) at a disadvantage for purchasing capacity.

Public Works Director, Michael Harmon, noted the policy would afford the municipality to conduct business in a more productive, modern, consistent and professional manner. Utility Director, Bryan Bertacchi, reiterated that the process would be significantly streamlined and allow staff to devote time to other work. Harmon noted the Public Works monthly report could be restructured to include progress on ongoing contracts and list awarded contracts.

Hunter spoke in support of the ordinance and stated if the project was in the budget, and below or under budget, staff could proceed with the task they'd been given. If over budget, it would need to come back before the Assembly. He stated it was a way to cut bureaucracy, increase productivity, and still respect authority for spending.

Guevin noted his biggest concern was transparency and wished to see a list of contracts available for public viewing. Gorman and staff stated this was achievable.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

XII. NEW BUSINESS:

New Business First Reading

K ORD 16-13 Adjusting the FY16 Budget

Chief Finance and Administrative Officer, Jay Sweeney, answered questions related to the two budget adjustment items: 1) a request from Sitka Community Hospital for a reappropriation of \$93,074, and 2) a \$50,000 appropriation of Commercial Passenger Excise Tax funds required to pay for the costs of bus transportation of cruise ship visitors.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

L ORD 16-14 Amending Sitka General Code Title 22.16.015 "Permitted, Conditional and Prohibited Uses" to allow short-term rentals in the public zone as a conditional use

Tim Fulton spoke in support of the ordinance and offered it could result in increased opportunities for visitors and economic development.

Guevin spoke to sanitation concerns. He also hoped that passage of this ordinance wouldn't result in liveaboards being taken off the market for year round residents.

Hunter stated this idea had come before the Port and Harbors Commission. The Commission had stressed the importance of safety, visitors being familiar with the boat, and harbor surroundings.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

- M** [ORD 16-15](#) Amending Title 15 of the Sitka General Code by adding a new Chapter 15.15 entitled "Community Assisted Utility Subsidization Effort" (first reading)

This item was pulled from the agenda.

Additional New Business Items

- N** [16-070](#) Discussion/Direction/Decision on the recruitment for a Municipal Attorney

Human Resources Director, Mark Danielson, presented hiring schedule options. The following was decided: review of applications at a Special meeting on June 14 and Skype interviews the week of June 20 and June 27.

XIII. PERSONS TO BE HEARD:

None.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:40pm.

ATTEST: _____

**Sara Peterson, CMC
Municipal Clerk**

- A [16-094](#) Approve the minutes of the April 19, 21, 25, 26 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

- B [ORD 16-16](#) Adjusting the FY16 Budget (*Airport baggage and TSA project*)

This Ordinance was APPROVED ON THE CONSENT AGENDA - FIRST READING.

X. **UNFINISHED BUSINESS:**

- C [ORD 16-13](#) Adjusting the FY16 Budget

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

Yes: 6 - McConnell, Hunter, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - Swanson

- D [ORD 16-14](#) Amending Sitka General Code Title 22.16.015 "Permitted, Conditional and Prohibited Uses" to allow short-term rentals in the public zone as a conditional use

Kevin Knox, Chair of the Port and Harbors Commission, suggested if the ordinance passed, it would be helpful to revisit the floathome ordinance to consider allowing floathome short-term rentals. Administrator Gorman concurred and noted the floathome ordinance could be amended in the future to allow floathome short-term rentals.

Guevin stated it was important to ensure there weren't adverse affects on harbor sanitation and hoped the short-term rentals wouldn't affect long-term housing opportunities.

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

Yes: 6 - McConnell, Hunter, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - Swanson

XI. **NEW BUSINESS:**

- E [ORD 16-15](#) Amending Title 15 of the Sitka General Code by adding a new Chapter 15.15 entitled "Community Assisted Utility Subsidization Effort" (first reading)

This item was pulled from the agenda.

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2016-14

AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA GENERAL CODE TITLE 22.16.015 "PERMITTED, CONDITIONAL AND PROHIBITED USES" TO ALLOW SHORT- TERM RENTALS IN THE PUBLIC ZONE AS A CONDITIONAL USE

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is 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 1) allow short term rentals in the public zone as a conditional use.
4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC Chapter 22.16.015 is amended to read as follows (new language underlined; deleted language stricken):

Chapter 22.16 DISTRICT REGULATIONS

22.16.015 Permitted, conditional and prohibited uses.

**Table 22.16.015-1
Residential Land Uses**

Zones	P(1)	S F	SF LD	R-1	R-1 MH	R-1 LD MH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	O S	GP (13)
RESIDENTIAL																		
• Single-family detached		P	P	P(4)	P(4)	P(4)	P(4)	P(4)		P	P	P		P	P	P	P	
• Townhouse				C(5)	C(5)	C(5)	C(5)	C(5)	C	P	P	P		C	C			
• Duplex				P	P		P	P		P	P	P		P	P			

Zones	P(1)	S F	SF LD	R-1	R-1 MH	R-1 LD MH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	O S	GP (13)
• Residential zero lot line				P	P	P	P	P		P	P	P						
• Multiple- family				C(5)	C(5)	C(5)	P(5)	P(5)	P(5,8)	P(5)	P(5)	P(5)		C	C			
• Single manufactured home on an individual lot					P	P		P			P			C	C			
• Mobile home park								P			P	P						
• Accessory dwelling unit				P(14) C	C	C	P(14) C	C										
GROUP RESIDENCE S														C	C			
• Assisted living	C						C	C						C	C			
• Bunkhouse for transient workers							C	C				C		C				
• Dormitory	C(4)						C	C										
• Quasi- institutional	C			C	C	C	C	C						C	C			
TEMPORARY LODGING																		
• Hostel							C	C		P	P	P						
• Hotel/motel									P	P	P	P		PU/ CS	C	C		
• Bed and				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C			

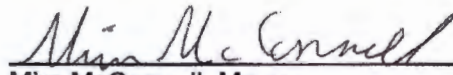
Zones	P(1)	S F	SF LD	R-1	R-1 MH	R-1 LD MH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	O S	GP (13)
breakfast																		
• Short-term rental	C(15)			C	C	C	C	C	P	P(9)	P(9)	P(9)		P	C	P(9)		
• Rooming house							C	C	C	P	P	P		C	C			
• Lodge										P	P	P		PU/ CS	C			
• Limited storage				C(6)	C(6)	C(6)	C(6)	C(6)						P	C			

C. Residential Uses Table 22.16.015-1 Footnotes.

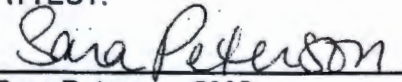
15. Conditional Use limited to allow boats to be used as short-term rentals in Harbors and slips within the Public Lands zoning district.

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 10th day of May, 2016.


Mim McConnell, Mayor

ATTEST:


Sara Peterson, CMC
Municipal Clerk

Sitka Port and Harbors Commission Minutes

Wednesday, February 8, 2017 6:00PM

Harrigan Centennial Hall

Port and Harbors Commission Members:

Josh Arnold, Melissa Greenhalgh, Dave Gordon,
Michael Nurco, Brendan Jones,
Matt Hunter (Assembly Liaison)

I. CALL TO ORDER

Chair Nurco called the meeting to order at approximately 6:12PM.

II. ROLL CALL

Present: Chair Michael Nurco, Melissa Greenhalgh (phone in), Josh Arnold, Dave Gordon, Brendan Jones (absent)

Assembly Liaison: Matthew Hunter

Staff: Harbormaster Stan Eliason, Deputy Harbormaster Chuck Hackett, Office Manager Kristi Jones

III. CORRESPONDENCE:

None.

IV. AGENDA CHANGES

None.

V. PERSONS TO BE HEARD

None.

VI. APPROVAL OF MINUTES

M – Arnold/S – Gordan moved to approve the January 11, 2017 minutes. Motion carried unanimously.

VII. REPORTS

- 1) Harbormaster – Stan Eliason, Harbormaster, let the commission know that the pilings at the Port Facility will be rescheduled to be fixed, due to a scheduling conflict with Turnagain Marine. Eliason stated that the Electric Department is busy fixing lights out in all of the harbors. Eliason let the commission know that OSHA was in town last week and gave us a few items to come in compliance with. Since he asked OSHA voluntarily to oversee any problems we had, the Harbor Department has time to fix these issues.

- 2) City Staff – Planning and Community Development Director Maegan Bosak. Baranof Warm Springs infrastructure management plan. Harbor short term rental plan.

The Baranof Warm Springs subject was placed on the next agenda, due to the Planning and Zoning waiting for more information from the Baranof Warm Spring homeowner's association. Maegan Bosak explained to the commission that the Planning Department and Harbor

Department worked together to create a framework for the applicant and the City, so that the review process is clear for both parties for short term rentals. Meagan explained the review process, the notification process, the conditions of approval and the limitations of each short term rental per harbor.

M – Arnold/S – Gordan moved to approve Short-Term Rentals on Boats. Motion carried unanimously.

3) Chair – None.

4) Assembly Liaison – Matthew Hunter let the commission know that the Assembly approved the Resolution in support of State of Alaska adopting changes to the National Electric code.

5) Other (s) - None

VIII. UNFINISHED BUSINESS

- 1) **Parking permits for live-a-boards.** – Commission table the issue, seeing that it was a non-issue, due to the City of Sitka having a permit process on the books.

IX. NEW BUSINESS

- 1) **Baranof Warm Springs moorage rates.** – Postponed till next meeting.

- 2) **Meeting in a box activity – input for the comprehensive plan.**

Maegan Bosak spoke about the City of Sitka updating their long-term comprehensive Plan as it looks at the year 2030. The packet and plan looks at issues addressing, land, economic and housing issues. The commission members asked if they could have time to take the plan home and turn in their comments to either city hall or the harbor department.

X. SET NEXT MEETING DATE AND AGENDA ITEMS

- 1) Agenda items for the next regular meeting of Wednesday, March 8th, 2017

Agenda Items:

- 1) Animal Landmines on the docks.
- 2) Financial Review of Harbors – Jay Sweeney

XI. ADJOURNMENT

M – Arnold/S – Gordan made a motion that the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 7:05pm

Attest:
Chuck Hackett, Deputy Harbormaster