CITY AND BOROUGH OF SITKA

Meeting Agenda

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Randy Hughey
Richard Parmelee
Taylor Colvin

Thursday, April 12, 2018 | **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-42 Approval of the March 22, 2018 meeting minutes.

Attachments: 3.22.18 draft

IV. PERSONS TO BE HEARD

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

V. PLANNING DIRECTOR'S REPORT

MISC 18-13 Director's Report - April 12

Attachments: Comparative 1

Comparative 2

VI. REPORTS

VII. THE EVENING BUSINESS

B MISC 18-12 Public hearing and consideration of the Sitka Hazard Mitigation Plan, specifically regarding the mitigation strategy action steps.

Attachments: Public Meeting Flyer

C P 18- 05

Public hearing and consideration of a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.

Attachments: P18-05.738Alice.PreliminaryPlat.Packet.5Apr2018

D CUP 18-08

Public hearing and consideration of a conditional use permit for a short-term rental at 110 Sand Dollar Drive in the R-1 single-family and duplex residential district. The property is also known as Lot 2 Sandy Beach Subdivision. The request is filed by Jeremy and Savanah Plank. The owners of record are Jeremy and Savanah Plank.

Attachments: CUP 18-08.Plank.110SandDollar.Packet.6Apr2018

SitkaSKramerLandslideReport

E P 18- 07

Public hearing and consideration of an easement vacation request filed for Middle Island in the LI Large Island zone. The request would reduce the pedestrian access easement from 50 feet to 25 feet. The property is known as Lots 3, 4, 5 Block 1 Middle Island Subdivision. The request is filed by Michael Coady. The owner of record is Michael Coady.

Attachments: P18-07.MiddleIsland.EasementVacation.Packet.6Apr2018

F ZA 18-05

Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 18 Property Acquisition and Disposal, specifically 18.16.050, 18.16.060, and 18.16.110. These code amendments relate to Planning Department application fees. Discussion will also include recommendation of adoption of an updated fee schedule as outlined in Sitka General Code Title 21 Subdivision Code 21.52 and Title 22 Zoning 22.30. The applicant is the City and Borough of Sitka Planning and Community Development Department.

Attachments: ZA18-05.Packet.6Apr2018

Fees In Other Communities_Kodiak

G ZA 18-08

Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 21 Subdivision Code and Title 22 Zoning, specifically 21.40.030, 21.40.110, 21.40.120, 21.40.130, 21.40.140, 22.20.030, 22.20.035, 22.20.038, and 22.20.040. The proposal concerns amendments to zoning and subdivision development standards. The request is filed by the City and Borough of Sitka Planning and Community Development Department.

Attachments: ZA18-08.DevelopmentStandards.6Apr2018

H ZA 18-09 Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 22 Zoning, specifically 22.08.025, 22.16.015, 22.20.035, and 22.20.160. The proposal concerns amendments to accessory dwelling unit standards. The request is filed by the City and Borough of Sitka Planning and Community Development Department.

Attachments: ZA18-09.ADU.Memo.6Apr2018

I ZA 18-10 Discussion, direction, and decision regarding a proposed amendment to the zoning map to rezone 501, 509, and 517 Granite Creek Road, 4702 Halibut Point Road, and an unaddressed parcel uplands of Halibut Point Road from C-2 General Commercial Mobile Home District and R-1 Single Family and Duplex Residential District to I Industrial. The properties are also known as Lot 63 US Survey 3475, Lots 1, 2, and 3 of Granite Creek Quarry Subdivision, and a portion of Lot 1 US Survey 3670. The request is filed by the City and Borough of Sitka Planning and Community Development Department. The owners of record are the City and Borough of Sitka and Roger and Judith Sudnikovich.

Attachments: ZA18-10.StaffReport.6Apr2018

J CUP 18-10 PULLED - Public hearing and consideration of a conditional use permit for a quarry at 4660, 4670, and 4702 Halibut Point Road in the Industrial District. The property is also known as Lot 63 US Survey 3475, Lot 1A USS 3670 Subdivision, and Lots 61A and 62A S&S Subdivision. The request is filed by Roger Sudnikovich. The owners of record are Roger, John, and Judith Sudnikovich.

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: April 2 and 4

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	PM-42	**Version:**	1	**Name:**	
Type:	Planning Minutes			**Status:**	AGENDA READY
File created:	3/26/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	
Title:	Approval of the March 22, 2018 meeting minutes.				
Sponsors:					
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Code sections:					
Attachments:	3.22.18 draft				

Date	Ver.	Action By	Action	Result

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CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Randy Hughey
Richard Parmelee
Taylor Colvin

Thursday, March 22, 2018 | **7:00 PM** | **Harrigan Centennial Hall**

I. CALL TO ORDER AND ROLL CALL

Vice-Chair Windsor called the meeting to order at 7:01 PM.

Present: Darrell Windsor, Randy Hughey, Richard Parmelee
Absent: Chris Spivey (excused), Taylor Colvin (excused), Kevin Knox (Assembly liaison), Aaron Bean (Assembly Liaison alternate)
Staff: Michael Scarcelli, Samantha Pierson

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A PM-40 Approval of the February 22, 2018 meeting minutes.

Hughey/Parmelee moved to approve the February 22, 2018 meeting minutes. Motion passed 3-0.

IV. PERSONS TO BE HEARD

Jerry Kilikowski joined the meeting telephonically to represent University of Alaska Southeast and state that UAS doesn't want their land near Whale Park to be designated for residential use in the comprehensive plan, but rather industrial use. Scarcelli noted that the land is currently zoned residential and that the discussion is open; however, the comprehensive plan must look at the best interests of the community and public input was largely in favor of the proposal for residential use of the area.

V. PLANNING DIRECTOR'S REPORT

B MISC 18-10 Director's Report - March 22

Scarcelli shared that a Certified Local Government grant project for historic preservation at Sheldon Jackson Campus garnered national attention in a recent newsletter.

VI. REPORTS

VII. THE EVENING BUSINESS

C VAR 18-03 Public hearing and consideration of a variance request for the reduction in the front setback from 20 feet to 10 feet for the construction of a single-family house in the R-1 single-family and duplex residential district. The property is also known as Lot 4 McCoy Subdivision. The request is filed by Amy Zanuzoski. The owners of record are Brian Oberreuter and Amy Zanuzoski.

Pierson described the request for front setback reduction from 20 feet to 10 feet for construction of a single-family home with garage/shop on the first floor. Pierson clarified that because of the zoning, the shop could only be used for personal residential use. Pierson stated that front setback variances are rare in this neighborhood. Parking is designated in the front and rear. The lot is constrained by a 20 foot access easement on one side and steep rear topography due to excavation. The site is undeveloped except for excavation. Pierson discussed the site plan and stated that there is an electric pole located close outside the property line. Pierson discussed that while the proposal might be okay for existing electric infrastructure, the Electric Department plans upgrades that might require more space between the existing pole and proposed structure. In consultation with the Electric Department and in consideration of existing constraints and zoning development standards found in Sitka General Code, staff recommend granting of a modified variance for the reduction of the front setback from 20 to 15 feet.

Amy Zanuzoski and Brian Oberreuter represented the request. Brian Oberreuter stated that the existing pole is outside of the property line and has heard varying information that the structure needs to be 10 or 15 feet from the electric infrastructure. Oberreuter would like to best utilize the property without having a 15 foot rear retaining wall. Windsor asked about the rear parking and Oberreuter clarified that the rear parking would be accessed by the easement. Oberreuter stated that with a 11 foot front setback the structure would be 34 feet from the street pavement. Scarcelli suggested postponing to allow for more work with the Electric Department and Oberreuter stated that the item had already been postponed and was concerned for delaying construction. Scarcelli suggested a condition of approval to require approval by the Electric Department. Oberreuter stated that further excavation on would make turning vehicles difficult. Parmelee stated that further rear excavation would eliminate parking in the rear.

No public comment.

Commissioners spoke in favor of a condition of approval subject to the Electric Department's approval.

Hughey/Parmelee moved to approve the variance request for the reduction of the front setback from 20 feet to 10 feet for the construction of a single-family house at 1940 Dodge Circle subject to approval of the Electric Department. In the event that Electric Department does not approve that distance, the variance is approved for the reduction in the modified front setback from 20 feet to 15 feet for the construction of a single-family house. The property is also known as Lot 4 McCoy Subdivision. The request is filed by Amy Zanuzoski. The owners of record are Brian Obereutter and Amy Zanuzoski. Motion passed 3-0.

Hughey/Parmelee moved to adopt and approve the required findings for major structures or expansions. Before any variance is granted, it shall be shown:
a) That there are special circumstances to the intended use that do not apply

generally to the other properties, here the steep rear topography;
b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, here, the economical development of a single-family structure on an undeveloped lot;
c) That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels, or public infrastructure, specifically, that sufficient parking is provided on-site and the modified variance would protect future development of electric infrastructure;
d) That the granting of such will not adversely affect the Comprehensive Plan: specifically, the variance is in line with Comprehensive Plan Section 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations," by allowing for the cost-effective development of a single-family structure in the R-1 zone while protecting municipal infrastructure.
Motion passed 3-0.

D P 18- 01 Public hearing and consideration of a minor subdivision to result in 4 lots at 140 Granite Creek Road in the C-2 General Commercial Mobile Home District. The property is also known as Lot 2 Lower Granite Creek Subdivision. The request is filed by Pete Jones. The owner of record is Jones & White, LLC.

Pierson described the request for final approval of the subdivision. Pierson noted that under current code, the lots could not be further subdivided. Items to be completed after the plat approval include receiving approval of the manufactured home park, providing evidence that utilities were installed according to appropriate CBS procedure, and preparing and recording easement agreements. Staff recommend approval of the final plat subject to conditions of approval. Windsor asked about possible future subdivision. Scarcelli stated that while current code would constrain further subdivision, perhaps code will be amended in the future to allow it.

Pete Jones stated that he had nothing additional to share.

No public comment.

Windsor stated that he saw no problems.

Hughey/Parmelee moved to approve the final plat for a minor subdivision at 140 Granite Creek Road subject to the attached conditions of approval. The property is also known as Lot 2 Lower Granite Creek Subdivision. The request is filed by Pete Jones. The owner of record is Jones & White, LLC.
Conditions of Approval.
1. All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design policies including, but not limited to 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
2. This subdivision development and the final plat, prior to recording, complies with all applicable Sitka General Code.
3. Please note: Minor errors, corrections, and language of plat notes, may be approved by the Planning Director that do not substantially and materially impact the nature of the subdivision.
4. All applicable state, federal, and tribal permits, licenses, regulations, and

statutes shall be followed in subdividing this land.
5. Access and utility easement maintenance agreements shall be recorded and referenced on the plat.
6. Manufactured home park must comply with all requirements of Sitka General Code, particularly Title 6, including but not limited to setbacks, parking, and play yard.
7. Manufactured home park must receive approval from the Building Official and Planning Director.
Motion passed 3-0.

Hughey/Parmelee moved to find that:
a. The final plat meets its burden of proof as to access, utilities, and dimensions;
b. That the proposed minor subdivision final plat complies with the Comprehensive Plan Section 2.4.19 by going through the required subdivision process;
c. That the proposed minor subdivision final plat complies with the subdivision code; and
d. That the minor subdivision final plat is not injurious to the public health, safety, and welfare.
Motion passed 3-0.

E P 18- 02 Public hearing and consideration of a minor subdivision to result in two lots at 2310 Halibut Point Road in the R-1 MH District. The property is also known as a portion of Lot 13 US Survey 2418. The request is filed by John and Jamie Licari. The owner of record is JPJL, LLC.

Scarcelli gave an overview of the proposed 2 lot subdivision. The property is in the low landslide risk zone, although the proposed access via Sand Dollar Drive and Kramer Avenue does go through medium and high risk areas. Scarcelli pointed out that access via Halibut Point Road isn't practical. Scarcelli recommended a postponement to work out access issues with the adjacent proposed subdivision. Commissioners noted that the applicant was not present at the hearing.

Hughey/Parmelee moved to postpone consideration of the preliminary plat for a minor subdivision at 2310 Halibut Point Road subject to a staff pre-conceptual design review meeting with all adjacent proposed subdivision requests (Licari, Tisher, Vacation). The property is also known as Portion of Lot 13 US Survey 2418. The request is filed by John Licari. The owner of record is JPJL, LLC.
Motion passed 3-0.

F P 18- 06 Public hearing and consideration of a request to vacate platted access and slope easements and realign the access easement at 2314, 2316, 2318, and 2370 Halibut Point Road in the R-1 MH district. The property is also known as Lots 1, 2, 3, and 4 Oceanview Ridge Subdivision.The request is filed by Michael Tisher. The owners of record are Michael Tisher, Jeremiah Jeske, George and Tamara Eliason, and Volney and Linda Smith.

Scarcelli stated that an application has not been received with signatures of all owners but staff have spoken with three of the four owners who state support for the vacation. Scarcelli stated that a property sale is on hold because of a house encroaching the easement. Scarcelli gave an overview of the vacation in question and the proposed access. Scarcelli stated that a utility plan should be provided and easement agreements agreed to and signed by all parties. Scarcelli stated that the item could be postponed or given conditional approval.

Michael Tisher stated that utilities have been installed since the 1980s and he believes the surveyor can show the utilities. Scarcelli asked if Tisher had been in contact with Smith about the vacation and Tisher replied that he had not yet been in contact. George Eliason stated that Smith is currently out of cell service but he believes Smith will be in support. Scarcelli stated that he received a phone call of support from Jeske.

Parmelee/Hughey moved to approve the request to vacate platted access and slope easements and realign the access easement at 2314, 2316, 2318, and 2370 Halibut Point Road in the R 1 MH district subject to conditions of approval. The property is also known as Lots 1, 2, 3, and 4 Oceanview Ridge Subdivision. The request is filed by Michael Tisher. The owners of record are Michael Tisher, Jeremiah Jeske, George and Tamara Eliason, and Volney and Linda Smith.
Conditions of Approval:
1. Signatures of all ownership interests in easement and agreement to vacate and modify easement must be provided.
2. Access easement agreements including maintenance agreements must be signed and recorded.
3. Utility plans must be provided. If necessary, utility easement agreements including maintenance agreements must be adequately provided.
4. Approval of entire subdivision concepts for Tisher, Licari, and this vacation to ascertain if access and utilities are best provided in the proposed designs. Staff would request a sit-down with all subdivision applicants and staff.
Motion passed 3-0.

Parmelee/Hughey moved to find that the proposal complies with the Comprehensive Plan and Sitka General Code and is not injurious to public health, safety, and welfare. Motion passed 3-0.

G P 18- 04 Public hearing and consideration of a minor subdivision to result in four lots at 2370 Halibut Point Road in the R-1 MH District. The property is also known as Lot 1 Oceanview Ridge Subdivision. The request is filed by Michael Tisher. The owner of record is Michael Tisher.

Scarcelli gave an overview of the proposed 4 lot subdivision. Proposed access is from Kramer Avenue. The submitted plat shows developed building pads and access easement. Scarcelli stated that the applicant and neighboring Licari should sit down with Planning, Public Works, and Electric staff to address access, utilities, and drainage concerns. Other necessary approvals will be DEC and Army Corps of Engineers as the project progresses. Staff recommend a postponement to allow for Tisher and Licari to work with CBS staff to address issues.

Michael Tisher stated that proposed access will be shared with Licari's proposed subdivision. Scarcelli stated that staff will look at options that are cost-effective while meeting requirements. Hughey asked if a postponement would be manageable, and Tisher stated that it would. Tisher asked about moving the Kramer Avenue gate. Scarcelli stated that is an important piece to work out with the CBS team. Scarcelli stated that staff will schedule a development review committee quickly and schedule a special meeting of the Planning Commission.

No public comment.

Parmelee/Hughey moved to postpone consideration of the preliminary plat for minor subdivision to result in four lots at 2370 Halibut Point Road in the R 1 MH District subject to a staff pre-conceptual design review meeting with all adjacent proposed subdivision requests (Licari, Tisher, Vacation). The property

is also known as Lot 1 Oceanview Ridge Subdivision. The request is filed by Michael Tisher. The owner of record is Michael Tisher. Motion passed 3-0.

H VAR 18-02 Public hearing and consideration of a variance major amendment request for the reduction in the front setback from 20 feet to 8 feet for the construction of a carport at 205 Crabapple Drive in the R-1 single-family and duplex residential district. The property is also known as Lot 23 Lakeview Heights Addition. The request is filed by Aaron Routon. The owners of record are Aaron and Emily Routon. The commission will consider a motion to rescind action taken on February 22, 2018.

Scarcelli outlined the procedure for rescinding action taken at the February 22 meeting. Scarcelli explained that the applicant sought to appeal the decision on grounds of misinformation being spoken at the table, and this application can be revisited by the Planning Commission after passing a motion to rescind.

Hughey/Parmelee moved to rescind the following motions adopted at the February 22, 2018 Planning Commission meeting regarding a variance major amendment request filed by Aaron Routon for 205 Crabapple Drive.
• A motion to adopt and approve the required findings in support of approval;
• A motion to adopt and approve the required findings in support of denial; and
• A motion to deny a variance request for 205 Crabapple Drive for the reduction of the front setback from 20 feet to 8 feet for the construction of a carport.
Motion passed 3-0.

Pierson described the request for front setback reduction from 20 to 8 feet for the construction of a carport. The lot does have poor soil in the rear and constraints related to the placement of the home on the lot. After the 2017 variance was granted, the applicant amended the site plan to add a second story addition with apartment, voiding the variance approval. The applicant has provided information that his property is the only one on the street without a carport. Pierson noted that staff found no record of variance approvals for front setbacks on Crabapple Drive. Consideration must be made for possible future development of streets, sidewalks, and utilities. Staff recommend approval of a modified variance to for a 10 foot front setback, which matches the 2017 approval.

Aaron Routon stated that he believes facts were misconstrued at the last meeting. Routon stated that 10 families access through Crabapple Drive and all others have carports or garages. Routon shared measurements of nearby carports. Routon shared average lengths in various vehicle classes, such as the average length of a sedan at 16 feet. Routon stated that the road is not fully developed and 212 Crabapple's front property line is 40 feet inside their yard. Routon stated that there are six feet of undeveloped right-of-way between the pavement and his property line, so his requested carport would be 14 feet from the pavement. Routon read findings in favor of his proposal. Routon stated that last year, he submitted a letter of support signed by all his neighbors in support of his proposal. Windsor asked if Routon measured the neighboring carports in relation to the property lines. Routon stated that two within the front setback were 6 feet and 17 feet from the front property lines.

No public comment.

Scarcelli discussed the purposes of front setbacks and rights-of-way, and stated that the car is currently trespassing on the ROW. Scarcelli stated that use of the ROW can be problematic for the future. Scarcelli stated that there was hesitation with granting a 10 foot front setback during the prior variance request of the meeting. Routon stated that neighbors park in the ROW and it's not problematic.

Routon stated that he would take 10 feet but he would prefer 8 feet. Parmelee asked if Routon thought of the carport while he was building his house addition. Routon stated that he did but the rear soil was problematic.

Commissioners discussed support for a 10 foot front setback in this situation. Scarcelli pointed out that the proposed motion of approval includes a condition that the carport not be enclosed in the future. Routon stated that he does not intend to close in the carport but the option would be nice. Commissioners agreeed to remove the suggested condition of approval.

Parmelee/Hughey moved to approve the variance request for 205 Crabapple Drive. The variance is for the reduction of the front setback from 20 feet to 10 feet for the construction of a carport. The property is also known as Lot 23 Lakeview Heights Subdivision. The request is filed by Aaron and Emily Routon. The owners of record are Aaron and Emily Routon. Motion passed 3-0.

Hughey/Parmelee moved to adopt and approve the required findings:
a. That there are special circumstances to the intended use that do not apply generally to the other properties, here, that the lot's soil is of poor quality and restricts cost-effective development;
b. The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied to this parcel, here, the ability to construct covered parking while balancing public interest in providing a reasonable setback of 10 feet;
c. That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels, or public infrastructure, specifically, that the open carport would minimize view impacts to pedestrians and motorists; and
d. That the granting of such will not adversely affect the Comprehensive Plan: specifically, the variance is in line with Comprehensive Plan Section 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations," by allowing for the cost-effective development of an accessory structure in the R-1 zone while preserving the setback along a public right-of-way to allow for future development of sidewalks, drainage, and installation/maintenance of utilities.
Motion passed 3-0.

I **CUP 18-07** Public hearing and consideration of a conditional use permit for a short-term rental at 116 Knutson Drive in the R-2 multifamily residential district. The property is also known as Lot 17A Knutson Subdivision Phase III Lot Line Adjustment. The request is filed by Michael Finn. The owners of record are Michael and Elizabeth Finn.

Scarcelli reported that additional information warranting postponement was received the day of the hearing, including a covenant agreement. Staff have not yet received a legal opinion on the covenant. Commissioners spoke in favor of postponement so that a legal opinion could be received.

Hughey/Parmelee moved to postpone consideration of the item to the next meeting date. Motion passed 3-0.

J P 18- 03 Public hearing and consideration of a boundary line adjustment request for 1300 and 1306 Halibut Point Road in the R-2 multifamily residential district.

The properties are also known as Lot 1B Little Critter Subdivision and Unsubdivided Remainder SCLT Subdivision. The request is filed by Randy Hughey for Sitka Community Land Trust. The owners of record are Sitka Community Development Corporation, Burgess Bauder, and Victoria Vosburg.

Scarcelli read an opinion by the Municipal Attorney that Hughey does not need to recuse himself from voting on this item, but he does need to disclose it to the commission for their consideration. Windsor asked if Hughey is making any money from the land trust. Hughey stated that he is an employee of the land trust but he won't make any money from the sale. Scarcelli clarified that the boundary line adjustment will not go to the Assembly. Scarcelli stated that boundary line adjustments are typically administratively approved but because of the recent plat recording date, Planning Commission approval is required.

Scarcelli gave an overview of the proposal and stated that easements and maximum lot building footprints as shown on the PUD plat should be included on this plat. Scarcelli shared the parking plan and stated that provision of an updated parking plan to drawn scale is a recommended condition of approval. Staff recommend approval subject to conditions of approval. Hughey clarified that there are parking spaces shown on the left side of the parking plan and that an architect prepared the parking plan with attention to turn radii.

Mim McConnell represented SCLT as Executive Director. Scarcelli asked McConnell how this BLA will help the mission of SCLT. McConnell stated that it will create a good neighbor relationship, meeting the needs of both entities. McConnell stated that the proceeds from the sale will be used to clean up the contaminated soil. Scarcelli stated that the arrangement is a win on numerous fronts.

No public comment.

Parmelee/Hughey moved to approve the boundary line adjustment request for 1300 and 1306 Halibut Point Road in the R 2 multifamily residential district. The properties are also known as Lot 1B Little Critter Subdivision and Unsubdivided Remainder SCLT Subdivision. The request is filed by Randy Hughey for Sitka Community Land Trust. The owners of record are Sitka Community Development Corporation, Burgess Bauder, and Victoria Vosburg.
Conditions of Approval:
1. All conditions of approval from the prior SCLT approval (P 16-04) as referenced in this written staff report are hereby incorporated and adopted into this approval. Conditions that apply only to the SCLT side of things are allowed to be distinguished from conditions that do not apply to the Vet side of things. However, access and utility easements shall serve the intended purposes of the SCLT approvals and conditions.
2. All plat notes from plat 2018-1 shall be included in the BLA plat. Notes that apply only to the SCLT side are allowed to be distinguished.
3. All germane and pertinent details shown on Plat 2018-1 shall be included in the BLA and shall include, but not be limited to:
A. Designating the parking and open space areas
B. Including all footprints of the 7 residential lots
C. Showing all setbacks
D. Providing all area dimensions and totals
E. A parking plan shall be provided that meets the required parking as conditioned for the SCLT that shall at least provided 1.5 spaces per dwelling unit, and shall incorporate applicable aisle widths and ingress and egress.

F. All access and design standards shall be met including local and state permits and regulations.
Motion passed 3-0.

Parmelee/Hughey moved to find that:
a. As conditioned, the boundary line adjustment plat does meet its burden of proof as to access, open space, utilities, easements, and parking.
b. As conditioned, the boundary line adjustment plat does comply with the Comprehensive Plan Section 2.4.19 by going through the required subdivision process;
c. As conditioned, the boundary line adjustment plat does comply with the subdivision code as to appropriate open space, parking, access, easements, and utilities; and
d. As conditioned, the boundary line adjustment plat is not injurious to the public health, safety, and welfare and further that the proposed plat notes and conditions of approval protect the harmony of use and the public's health, safety and welfare.
Motion passed 3-0.

K VAR 18-04 Public hearing and consideration of a variance request for 750 Alice Loop in the WD Waterfront District. The request is for the reduction in the front setback from 20 feet to 15 feet for the construction of a single-family house. The property is also known as Lot 1 Charlie Joseph Subdivision. The request is filed by John and Andrea Leach. The owners of record are John and Andrea Leach.

Scarcelli gave an overview of the request and stated that this lot is a prime example of a lot needing a variance. Scarcelli stated that the extensive front setback on three sides significantly reduces buildable area. Scarcelli stated that the proposal should not negatively impact sight lines for the intersection. Scarcelli talked through the details of the site plan and pointed out features on the projector screen. Scarcelli stated that he intends to recommend reducing development standards to a 10-15 foot front setback during upcoming code amendment discussions. Staff recommend approval.

John and Andrea Leach thanked Scarcelli for the "comprehensive" presentation. J. Leach stated that they have considered sight lines from the beginning of the project. J. Leach asked to clarify that the non-front lot line will be considered a rear, and Scarcelli stated that it is a rear. J. Leach clarified that the structure is shifted on the site plan but the writing on the site plan provides an explanation.

No public comment.

Hughey/Parmelee moved to approve the variance request for 750 Alice Loop in the WD Waterfront District. The request is for the reduction in the front setback from 20 feet to 15 feet for the construction of a single family house. The property is also known as Lot 1 Charlie Joseph Subdivision. The request is filed by John and Andrea Leach. The owners of record are John and Andrea Leach.
Motion passed 3-0.

Hughey/Parmelee moved to adopt and approve the required findings for major structures or expansions. Before any variance is granted, it shall be shown:
a) That there are special circumstances to the intended use that do not apply generally to the other properties, here the frontage of the lot is 307.04 linear feet, which is approximately 73.8% of the perimeter (307.04/416);
b) The variance is necessary for the preservation and enjoyment of a substantial property right of use possessed by other properties but are denied

to this parcel, here, the economical development of a single-family structure on an undeveloped lot with a proposed lot coverage comparable to other lots;
c) That the granting of such a variance will not be materially detrimental to the public welfare or injurious to the property, nearby parcels, or public infrastructure, specifically, that sufficient parking is provided on-site and adequate sight lines are preserved while meeting the standard along the rear property line that has an adjacent property;
d) That the granting of such will not adversely affect the Comprehensive Plan: specifically, the variance is in line with Comprehensive Plan Section 2.4.1 which states, "To guide the orderly and efficient use of private and public land in a manner which maintains a small-town atmosphere, encourages a rural lifestyle, recognizes the natural environment, and enhances the quality of life for present and future generations," by allowing for the cost-effective development of a single-family structure in the WD zone, while preserving sight lines and setbacks between Lot 1 and the neighbor's lot (Lot 2).
Motion passed 3-0.

L MISC 18-11 Short-term rental annual report discussion and direction.

Scarcelli presented information on the short-term rental annual report. Scarcelli stated that the report shows overall compliance with conditional use permits and remitted bed tax. Scarcelli shared the ADOL&WD August 2017 report on the local housing stock. Scarcelli shared pros of short-term rentals and ways to mitigate impacts. Windsor stated his belief that "if it's not broke, don't fix it," and asked if short-term rentals are causing problems. Scarcelli stated that the data is varied, but vacation rentals help to drive tourism which drives jobs. Hughey stated that the commission has heard that some people are able to afford to buy homes because of short-term rental units. Parmelee stated that few short-term rentals continue over the long term, and he doesn't think these rentals should be discouraged. Windsor stated that long-term rentals also supplement income. Parmelee stated that a few property owners make a living from vacation rentals. Scarcelli recommended creating a funding source for affordable housing and ADUs, and requiring short-term rentals to be owner-occupied on the same lot. Parmelee stated interest in looking at smaller lot sizes. Hughey stated that overall, short-term rentals are currently having a positive impact on the local economy. Scarcelli stated that by incentivizing development of ADUs for short-term rentals, many will eventually revert to long-term inhabitants. Scarcelli stated that the Assembly is working on bed tax amendments.

VIII. ADJOURNMENT

Vice-Chair Windsor adjourned at 9:18 PM.

ATTEST: _____
Samantha Pierson, Planner I

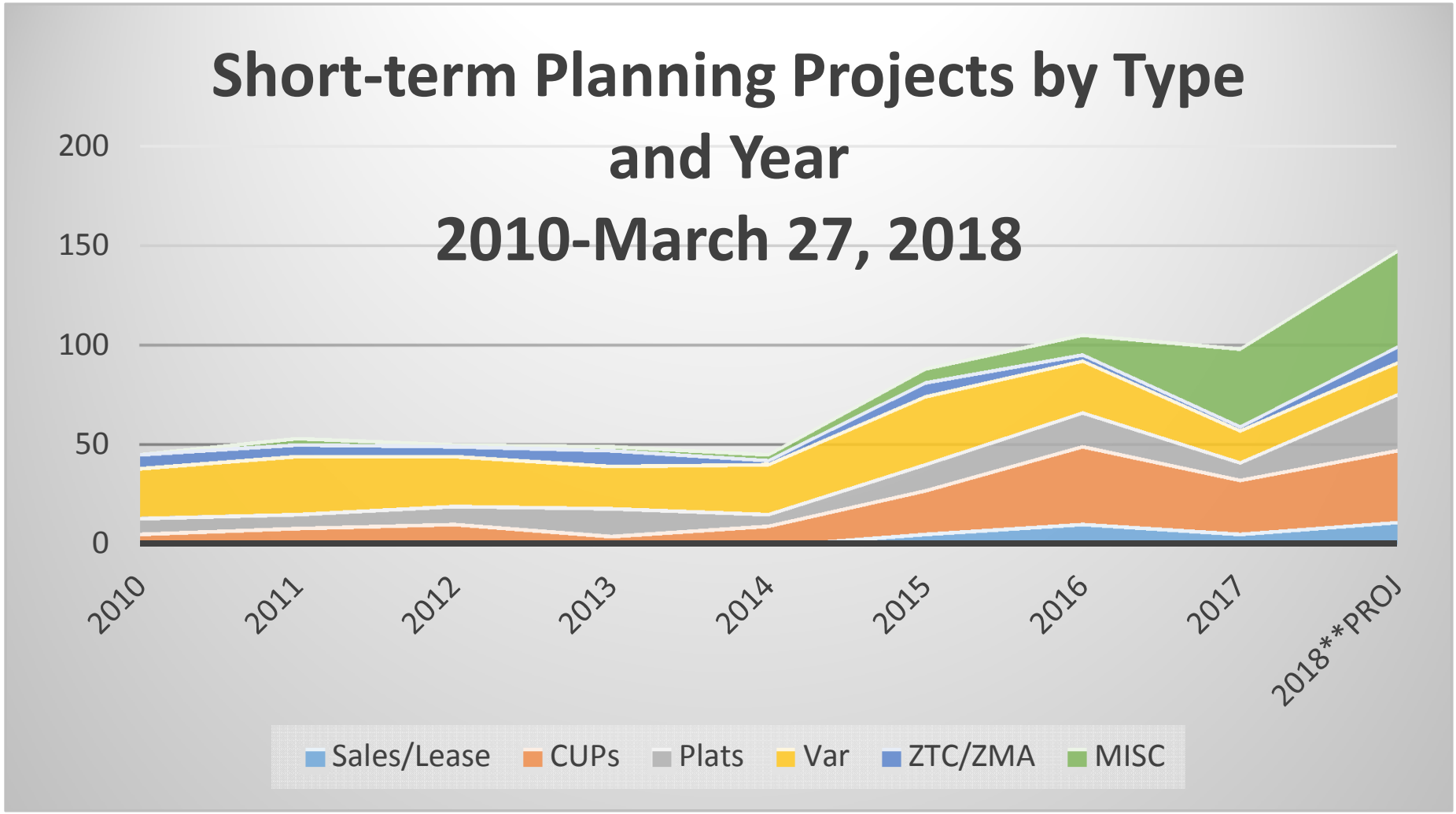
CITY AND BOROUGH OF SITKA

Legislation Details

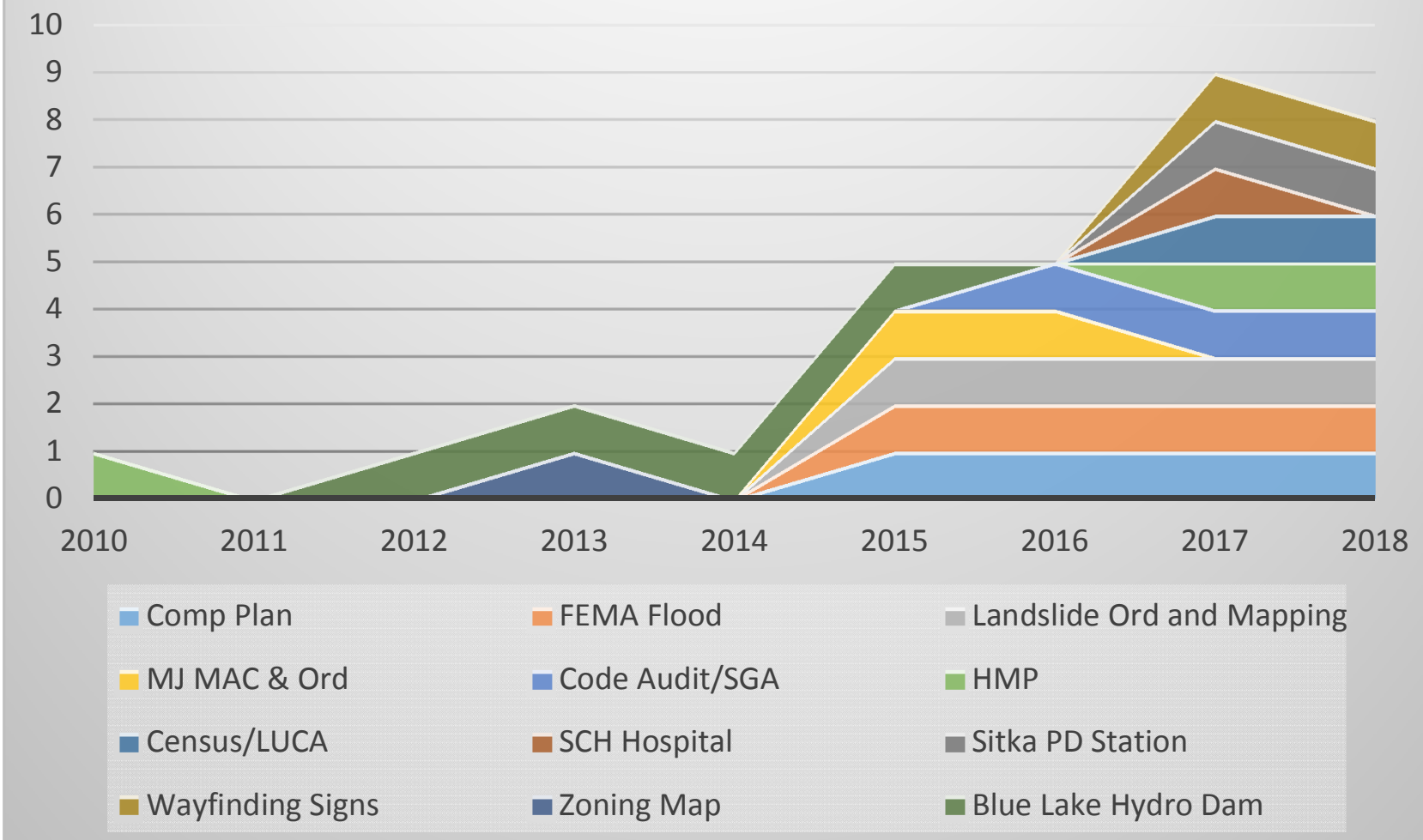
File #:	MISC 18-13	**Version:**	1	**Name:**	
Type:	P&Z Miscellaneous			**Status:**	AGENDA READY
File created:	4/6/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	
Title:	Director's Report - April 12				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Comparative 1 Comparative 2				

Date	Ver.	Action By	Action	Result

powered by Legistar™


Short-term Planning Projects by Type and Year
2010-March 27, 2018
200
150
100
50
0
2010
2011
2012
2013
2014
2015
2016
2017
2018**PROJ
Sales/Lease
CUPs
Plats
Var
ZTC/ZMA
MISC

Long-term Planning Projects by Type and Year 2010-March 27, 2018



CITY AND BOROUGH OF SITKA

Legislation Details

File #:	MISC 18-12	**Version:**	1	**Name:**	
Type:	P&Z Miscellaneous			**Status:**	AGENDA READY
File created:	3/26/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	
Title:	Public hearing and consideration of the Sitka Hazard Mitigation Plan, specifically regarding the mitigation strategy action steps.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Public Meeting Flyer				

Date	Ver.	Action By	Action	Result

powered by Legistar™

ALL HAZARDS MITIGATION PLAN UPDATE PROJECT - PUBLIC MEETING

COMMUNITY PUBLIC MEETING
APRIL 12, 2018 7PM
HARRIGAN CENTENNIAL HALL

The City and Borough of Sitka wants your input! It is time to update the City's All-Hazards Mitigation Plan. A mitigation plan provides the basis for projects the City proposes to do to make the community more disaster-resistant. At this meeting, we will discuss the projects the City would like to include in the plan These projects are:

- **Gavan Hill Landslide Protection**
- **Stormwater System Repair and Upgrade**
- **Public Education Campaign**
- **Data Collection Plans and Systems**
- **CERT Team Development**
- **Food Security Improvement Program for Vulnerable Populations**

The City would like to hear your points of view on these and other projects that might be included in the plan update. If you cannot attend the meeting, there are other ways to provide your input. Please contact the Planning department at planning@cityofsitka.org or (907) 747-1814.

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	P 18- 05	**Version:**	1	**Name:**	
Type:	Subdivision			**Status:**	AGENDA READY
File created:	3/8/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: Public hearing and consideration of a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.

Sponsors:

Indexes:

Code sections:

Attachments: P18-05.738Alice.PreliminaryPlat.Packet.5Apr2018

Date	Ver.	Action By	Action	Result

powered by Legistar™

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No:	P 18-05
Proposal:	Preliminary plat – minor subdivision to result in 2 lots
Applicant:	CJS Property LLC
Owner:	CJS Property LLC
Location:	738 Alice Loop
Legal Desc.:	Lot 4 Charlie Joseph Subdivision
Zone:	WD Waterfront District
Size:	Existing: 12,358 square feet
	Proposed: Lot 4A - 6158 square feet, Lot 4B - 6200 square feet
Parcel ID:	1-9014-004
Existing Use:	Undeveloped
Adjacent Use:	Residential, Commercial, Undeveloped
Utilities:	From Alice Loop and Easement
Access:	Alice Loop

KEY POINTS AND CONCERNS:

- Lots meet dimensional development standards
- Access directly from public street
- Utilities provided by existing and proposed easements
- Creation of new lots could facilitate additional opportunity for development

RECOMMENDATION: Approve the preliminary plat of the minor subdivision of 738 Alice Loop subject to the attached conditions of approval.

ATTACHMENTS:

Attachment A: Applicant Materials

Attachment B: Staff Materials

BACKGROUND:

738 Alice Loop was created by Charlie Joseph Subdivision in 2017, recorded as plat 2017-16. The existing lot is 12,358 square feet. The property is currently undeveloped. Access is directly from Alice Loop.

According to the covenants recorded with Charlie Joseph Subdivision, the covenants shall bind future subdivisions of the properties. If this subdivision is approved, these covenants should be cited in a plat note.

PROJECT DESCRIPTION:

The proposed minor subdivision is intended to divide Lot 4 of Charlie Joseph Subdivision into two parcels, sized 6158 square feet (Lot 4A) and 6200 square feet (Lot 4B). Minimum lot size for WD is 6000 square feet and minimum with is 60 feet.[1] Both proposed lots meet these requirements. The existing lot is primarily flat and already cleared.

Two easements exist on the property: an 80 square foot utility easement on the front of proposed Lot 4A and a 10 foot utility easement spanning the entire front of proposed Lot 4B. A proposed 10 foot utility easement spans the westerly side of proposed Lot 4B. An easement agreement shall be recorded for the new easement and all easement agreements shall be cited by plat note.

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. [2]

Title 22

22.16.100 WD waterfront district.

A. Intent. The waterfront district is intended to be applied to lands with direct access or close proximity to navigable tidal waters within the urban area of the city and borough. Uses are

[1] SGC Table 22.20-1

[2] SGC Section 21.04.020

intended whenever possible to be water-dependent or water-related with particular emphasis on commerce, tourism, commercial or industrial enterprises which derive major economic or social benefit from a waterfront location.

Development Standards

The minimum lot area for the WD District is 6,000 square feet. Minimum lot width is 60 feet.[3] Both lots meet these standards.

ANALYSIS:

Site: Proposed lots to be 6158 square feet (Lot 4A) and 6200 square feet (Lot 4B). Both lots exceed the 60 foot width requirement, at 80.1 feet and 82.17 feet.

Utilities: Utilities are available from Alice Loop and via existing and proposed easement agreements as designated on the plat. A plat note states that the municipality shall be a party to all easements and no changes shall be made without municipal approval.

Access, Roads, Transportation, and Mobility: Both proposed lots would have direct access from Alice Loop, a public street. Applicant should contact Public Works to discuss any required driveway permits.

Public, Health, Safety and Welfare: Locations for utilities are planned via proposed platted easements. A condition of approval requires all utility installations to undertake the required permitting processes. No concerns.

Rec, Light, Air: Lots meet development standards. Utility easements will help maintain setbacks. No concerns.

Orderly and Efficient Layout and Development: Access and utilities are provided, and proposed lot are similar, albeit somewhat smaller, than nearby lots. The same covenants that were recorded with the prior subdivision will be recorded with this subdivision. No concerns.

Comprehensive Plan

The proposed minor subdivision complies with Comprehensive Plan Section 2.4.19 by going through the required subdivision process.

[3] SGC Table 22.20-1

Recommendation and Motions

It is recommended that the Planning Commission adopt the staff analysis and findings and move to approve the minor subdivision preliminary plat subject to conditions of approval.

1) **I move to approve** the preliminary plat for a minor subdivision request to result in two lots for 738 Alice Loop in the WD Waterfront District. The property is also known as Lot 4 Charlie Joseph Subdivision. The request is filed by Chris McGraw for CJS Property LLC. The owner of record is CJS Property LLC.

    a. Conditions of Approval.

        1. All utilities, including water, sewer, and electricity shall be required to have an approved permit from the municipality; and all utility permits and design shall comply with all applicable code and design polices including, but not limited to 15.04.100, 15.04.110, 15.04.240, and 15.04.250.
        2. This subdivision development and the plat, prior to recording, complies with all applicable Sitka General Code.
        3. Please note: Minor errors, corrections, and language of plat notes, may be approved by the Planning Director that do not substantially and materially impact the nature of the subdivision.
        4. All applicable state, federal, and tribal permits, licenses, regulations, and statutes shall be followed in subdividing this land.
        5. Charlie Joseph Subdivision covenants should be cited in a plat note.
        6. An easement maintenance agreement for the proposed utility easement along the westerly side of proposed Lot 4B shall be recorded.
        7. All easement agreements will be cited via plat notes.

2) **I move to find that:**

    a. The preliminary plat meets its burden of proof as to access, utilities, and dimensions as proposed;
    b. That the proposed minor subdivision preliminary plat complies with the Comprehensive Plan Section 2.4.19 by going through the required subdivision process;
    c. That the proposed minor subdivision preliminary plat does complies with subdivision code; and
    d. That the minor subdivision preliminary plat is not injurious to the public health, safety, and welfare.

Attachment A

Applicant Materials

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR: ☐ VARIANCE ☐ CONDITIONAL USE ☐ ZONING AMENDMENT ☒ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Create a minor subdivision of Lot 4 of the Charlie Joseph Sudivision.

PROPERTY INFORMATION:

CURRENT ZONING: WD PROPOSED ZONING (if applicable): NA

CURRENT LAND USE(S): Vacant Land PROPOSED LAND USES (if changing): NA

APPLICANT INFORMATION:

PROPERTY OWNER: CJS Property LLC

PROPERTY OWNER ADDRESS: 1915 Dodge Circle - Sitka, AK 99835

STREET ADDRESS OF PROPERTY: 738 Alice Loop Road - Sitka, AK 99835

APPLICANT'S NAME: Chris McGraw for CJS Property LLC

MAILING ADDRESS: 1915 Dodge Circle - Sitka, AK 99835

EMAIL ADDRESS: chrisrmcgraw@gmail.com DAYTIME PHONE: 907-738-9011

PROPERTY LEGAL DESCRIPTION:

TAX ID: 1-9014-004 LOT: 4 BLOCK: TRACT:

SUBDIVISION: Charlie Joseph Subdivision US SURVEY:

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- [x] Completed application form
- [ ] Narrative
- [x] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- [x] Deed
- [x] Copy of current plat
- [ ] Proof of filing fee payment

For Conditional Use Permit:

- [ ] Parking Plan
- [ ] Interior Layout

For Plat/Subdivision:

- [x] Three (3) copies of concept plat
- [x] Topographic information
- [x] Proof of Flagging
- [x] Plat Certificate from a title company

If Pertinent to Application:

- [ ] Drainage and Utility Plan
- [ ] Landscape Plan

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I understand that attendance at the Planning Commission meeting is required for the application to be considered for approval. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner _____ Date 3-1-2018

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner) _____ Date _____

Site Plan

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT SHEE ATIKA HOLDINGS ALICE ISLAND, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED

DATE 10/2/2017 [signature]
REGISTERED OWNER

NOTARY'S ACKNOWLEDGMENT

U.S. OF AMERICA
STATE OF ALASKA
CITY AND BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 2 DAY OF October 20 17 BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Lance Commana TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND he ACKNOWLEDGED TO ME THAT he SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN

[signature]
NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

STATE OF ALASKA NOTARY PUBLIC Samantha Pierce

MY COMMISSION EXPIRES with office

CERTIFICATE OF PAYMENT OF TAXES (FIRST JUDICIAL DISTRICT)ss

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF SITKA, IN THE NAME OF Shee Atika Holdings Alice Island LLC AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20 17 WILL BE DUE ON OR BEFORE AUGUST 15, 20 17 DATED THIS 16th DAY OF Oct. 2017

[signature]
ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION NO. Plat-15 DATED Feb. 27 20 17 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA.

04-17 2017 [signature]
DATE CHAIRMAN, PLANNING COMMISSION

[signature]
SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK 22 PAGE 30 DATED March 28 2017 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

[signature] [signature]
DATE MAYOR, CITY AND BOROUGH OF SITKA

ATTEST:
[signature]
CITY CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT [illegible]

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING FINANCE DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF Shee Atika Holdings (ALL OWNERS OF RECORD) Alice Island LLC AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL. DATED THIS 16th DAY OF October 20 17 AT SITKA, ALASKA.

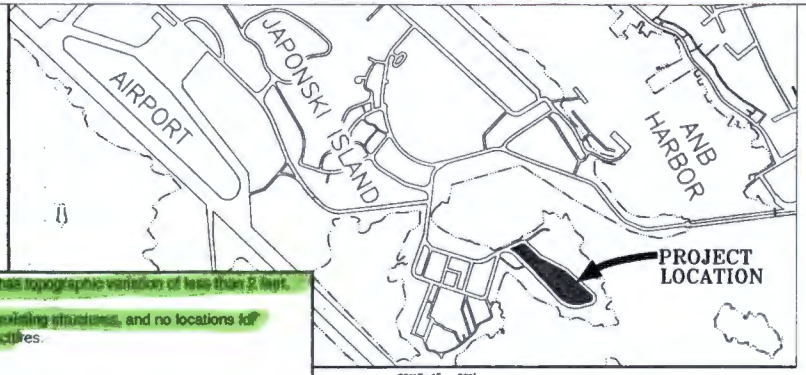
[signature]
FINANCE DIRECTOR
CITY AND BOROUGH OF SITKA

LOT EASEMENT AREA TABLE

LOT #	EXISTING EASEMENT AREA (SF)	PROPOSED EASEMENT AREA (SF)	TOTAL EASEMENT AREA (SF)
1	1929		1929
2	1023		1023
3	827		827
4	901		901
5	1095	1072	2167
6	1003		1003
7	1049		1049
8	3780		3780
9			0
10		1296	1296
11	80		80

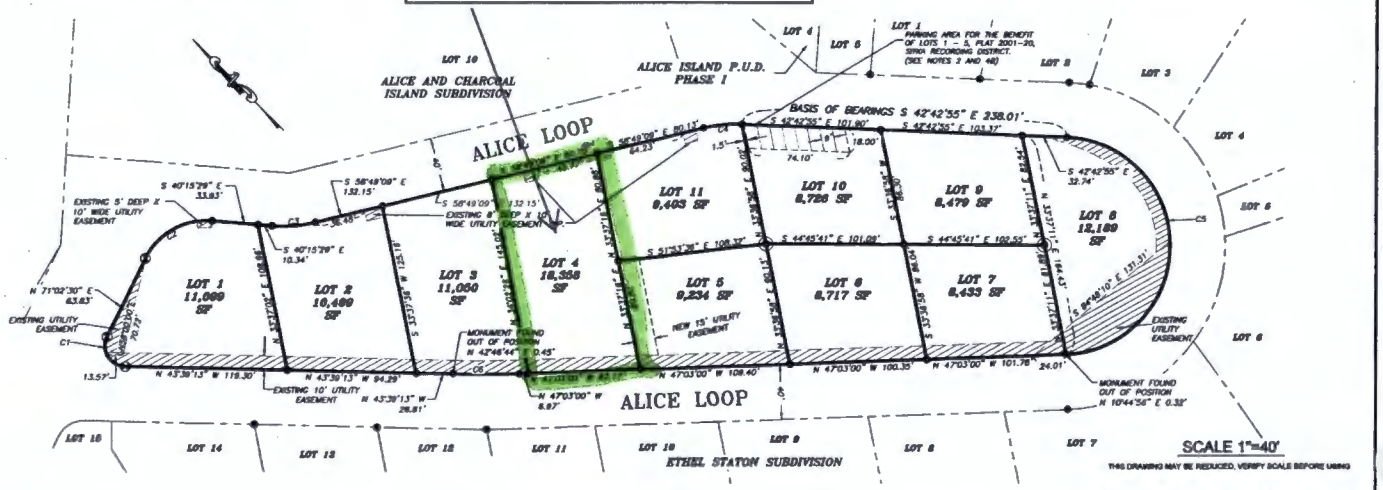
CURVE DATA TABLE

CURVE #	RADIUS	DELTA ANGLE	ARC LENGTH
C1	15.0'	114°41'43"	30.03'
C2	50.0'	88°42'01"	58.85'
C3	100.0'	18°33'40"	32.40'
C4	100.0'	16°06'14"	28.11'
C5	80.0'	175°39'55"	245.26'
C6	823.48'	3°23'47"	48.82'



The property has topographic variation of less than 2 feet.

There are no existing structures, and no locations for proposed structures.



PLAT NOTES

1) PURPOSE – THE PURPOSE OF THIS PLAT IS TO SUB-DIVIDE LOT 10 OF THE ETHEL STATON SUBDIVISION PLAT #2007-23 SITKA RECORDING DISTRICT.

2) THE AREA DESIGNATED WITHIN LOT 10 OF THIS PLAT AS "PARKING AREA" IS HEREBY DEDICATED IN PERPETUITY AS-IS, WHERE-IS, WITH ALL DEFECTS, KNOWN AND UNKNOWN, TO PROVIDE THE PARKING FOR THE GUESTS OF THE OWNERS OF LOTS 1 – 5, PLAT 2001-20, SITKA RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA AS DESCRIBED IN NOTE 6 OF SAID PLAT. THE DEDICATION HEREBY MADE OF THE PARKING AREA WITHIN LOT 10 OF THIS PLAT IS IN FULL AND COMPLETE SATISFACTION OF ALL OBLIGATIONS UNDER PLAT 2001-20 OR OTHERWISE TO PROVIDE PARKING.

3) THE CITY AND BOROUGH OF SITKA SHALL BE DEEMED A PARTY TO ALL EASEMENTS SHOWN ON THIS PLAT AND THIS PLAT (INCLUDING WITHOUT LIMITATION THIS PLAT NOTE) SHALL NOT BE MODIFIED OR AMENDED WITH REGARD TO SUCH EASEMENTS IN ANY FASHION WITHOUT ITS CONSENT.

4) REFERENCE THE FOLLOWING WITHIN THE SITKA RECORDING DISTRICT:

   A) PLAT 2007-23 (UTILITY EASEMENTS OF RECORD.)
   B) PLAT 2001-20 (PARKING EASEMENT OF RECORD SATISFIED BY THIS PLAT.)

5) THE BASIS OF BEARINGS ARE RECORD BEARINGS AND REFERENCED TO THE AK SPC NAD 27 AS OUTLINED ON NOTE 3 OF THE PARENT PARCEL SUBDIVISION RECORDED AS THE ETHEL STATON SUBDIVISION PLAT 2007-23 SITKA RECORDING DISTRICT. ALL MONUMENTS RECOVERED THIS SURVEY WERE ACCEPTED IN THEIR ORIGINAL POSITIONS, UNLESS OTHERWISE NOTED.

6) RESTRICTIVE COVENANTS ARE RECORDED AT THE SITKA RECORDING DISTRICT UNDER SERIAL NUMBER: 2017-000885-0.

LEGEND

- RECONDARY MONUMENT RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- REBAR AND ALUMINUM CAP SET THIS SURVEY
- S 21°01'24" E 208.67 DATA MEASURED, CALCULATED, AND RECORD
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT CREATED IN PLAT #2007-23

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN 100 feet A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

[signature]
CHRISTOPHER E. PIBURN LS 107552

10/2/2017
DATE

2017-16
Plat # SITKA
Rec Dist
Date 10-23 17
Time 11:35 AM

STATE OF ALASKA 49TH Craig E. Piburn No. LS 107552 10/2/17

1 METER = 3.2808333 U.S. SURVEY FEET
1 U.S. ACRE = 0.4047 HECTARES

SITKA RECORDING DISTRICT

Revisions	
No. Date	Description

RSM

RSM ENGINEERING-METCHRAN, INC.
356 Cedarwood Lake Road
Ketchikan, AK 99901
Phone (907) 225-7917
Fax (907) 225-3441

CRAIG OFFICE
P.O. BOX 1273
CRAIG, AK 99921
Phone (907) 826-3294
Fax (907) 826-3441

OWNER: SHEE ATIKA HOLDINGS ALICE ISLAND, LLC
315 LINCOLN STREET, SUITE 300
SITKA, ALASKA 99835-7579

DATE: 10/2/17	DRAWN BY: BKB	JOB NO. 162340	
SCALE: 1"=40'	APPROVED BY: C.E.P.	SHEET 1 OF 1	

PROJECT:
CHARLIE JOSEPH SUBDIVISION
SUBDIVIDING LOT 10 OF THE ETHEL STATON SUBDIVISION

Current Plat

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT SHEE ATIKA HOLDINGS ALICE ISLAND, LLC IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE 10/9/2017 PROPERTY OWNER

NOTARY'S ACKNOWLEDGMENT

U.S. OF AMERICA
STATE OF ALASKA
CITY AND BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS 9 DAY OF October 20 17 BEFORE ME, THE UNDERSIGNED A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED Kenneth Cameron TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND he ACKNOWLEDGED TO ME THAT he SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

STATE OF ALASKA NOTARY PUBLIC Samantha Pierce

MY COMMISSION EXPIRES With office

CERTIFICATE OF PAYMENT OF TAXES (FIRST JUDICIAL DISTRICT)ss

I THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND AN ACTING ASSESSOR FOR THE CITY AND BOROUGH OF SITKA, HEREBY CERTIFY, THAT ACCORDING TO THE RECORDS IN MY POSSESSION, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS OF THE CITY AND BOROUGH OF SITKA, IN THE NAME OF Shee Atika Holdings Alice Island LLC AND THAT ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20 17 WILL BE DUE ON OR BEFORE AUGUST 15, 20 17 DATED THIS 16th DAY OF Oct. 2017

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE PLANNING COMMISSION

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA PLANNING COMMISSION, AND THAT SAID PLAT HAS BEEN APPROVED BY THE COMMISSION BY PLAT RESOLUTION NO 2016-15 DATED Feb. 23 20 17 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA

DATE 2-23-17 2017 CHAIRMAN, PLANNING COMMISSION

SECRETARY

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY AND BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK 23 PAGE 280 DATED March 14 20 17 AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA

October 2017 DATE MAYOR, CITY AND BOROUGH OF SITKA

ATTEST:
Sara Peterson
CITY CLERK

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ACTING FINANCE DIRECTOR FOR THE CITY AND BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF Shee Atika Holdings (ALL OWNERS OF RECORD) Alice Island LLC AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY AND BOROUGH OF SITKA ARE PAID IN FULL. DATED THIS 16th DAY OF October 20 17 AT SITKA, ALASKA.

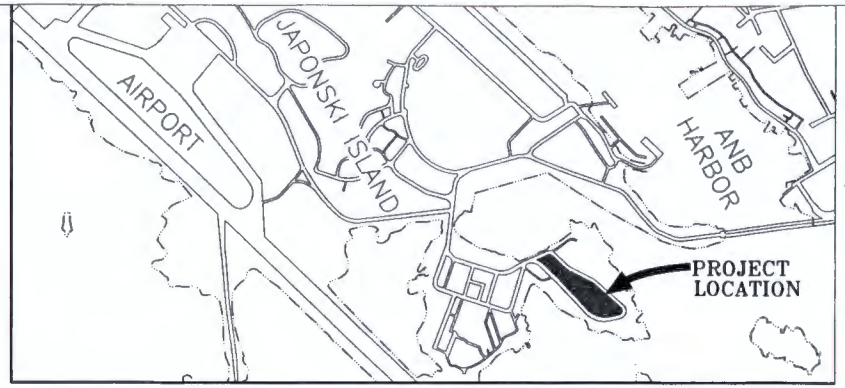
FINANCE DIRECTOR
CITY AND BOROUGH OF SITKA

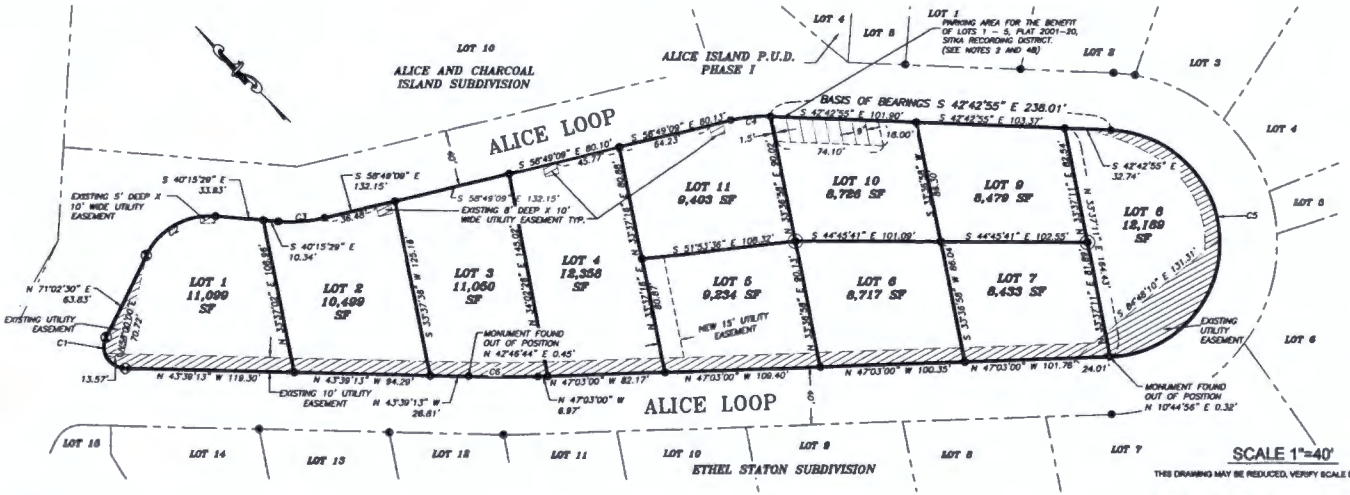
LOT EASEMENT AREA TABLE

LOT #	EXISTING EASEMENT AREA (SF)	PROPOSED EASEMENT AREA (SF)	TOTAL EASEMENT AREA (SF)
1	1929		1929
2	1023		1023
3	827		827
4	901		901
5	1095	1072	2167
6	1003		1003
7	1049		1049
8	3780		3780
9			0
10		1296	1296
11	80		80

CURVE DATA TABLE

CURVE #	RADIUS	DELTA ANGLE	ARC LENGTH
C1	15.0'	114°41'43"	30.03'
C2	50.0'	68°42'01"	58.85'
C3	100.0'	18°33'40"	32.40'
C4	100.0'	18°08'14"	28.11'
C5	80.0'	175°39'55"	245.28'
C6	823.48'	3°23'47"	48.82'





SCALE 1"=40'

THIS DRAWING MAY BE REDUCED, VERIFY SCALE BEFORE USING

0 10 20 30 40 50 METERS 0 20 40 80 120 160 FEET

1 METER = 3.2808333 U.S. SURVEY FEET
1 U.S. ACRE = 0.4047 HECTARES

PLAT NOTES

1) PURPOSE – THE PURPOSE OF THIS PLAT IS TO SUB-DIVIDE LOT 16 OF THE ETHEL STATON SUBDIVISION PLAT #2007-23 SITKA RECORDING DISTRICT.

2) THE AREA DESIGNATED WITHIN LOT 10 OF THIS PLAT AS "PARKING AREA" IS HEREBY DEDICATED IN PERPETUITY AS-IS, WHERE-IS, WITH ALL DEFECTS, KNOWN AND UNKNOWN, TO PROVIDE THE PARKING FOR THE GUESTS OF THE OWNERS OF LOTS 1 – 5, PLAT 2001-20, SITKA RECORDING DISTRICT, FIRST JUDICIAL DISTRICT, STATE OF ALASKA AS DESCRIBED IN NOTE 6 OF SAID PLAT. THE DEDICATION HEREBY MADE OF THE PARKING AREA WITHIN LOT 10 OF THIS PLAT IS IN FULL AND COMPLETE SATISFACTION OF ALL OBLIGATIONS UNDER PLAT 2001-20 OR OTHERWISE TO PROVIDE PARKING.

3) THE CITY AND BOROUGH OF SITKA SHALL BE DEEMED A PARTY TO ALL EASEMENTS SHOWN ON THIS PLAT AND THIS PLAT (INCLUDING WITHOUT LIMITATION THIS PLAT NOTE) SHALL NOT BE MODIFIED OR AMENDED WITH REGARD TO SUCH EASEMENTS IN ANY FASHION WITHOUT ITS CONSENT.

4) REFERENCE THE FOLLOWING WITHIN THE SITKA RECORDING DISTRICT:
   A) PLAT 2007-23 (UTILITY EASEMENTS OF RECORD.)
   B) PLAT 2001-20 (PARKING EASEMENT OF RECORD SATISFIED BY THIS PLAT.)

5) THE BASIS OF BEARINGS ARE RECORD BEARINGS AND REFERENCED TO THE AK SPC NAD 27 AS OUTLINED ON NOTE 3 OF THE PARENT PARCEL SUBDIVISION RECORDED AS THE ETHEL STATON SUBDIVISION PLAT 2007-23 SITKA RECORDING DISTRICT. ALL MONUMENTS RECOVERED THIS SURVEY WERE ACCEPTED IN THEIR ORIGINAL POSITIONS, UNLESS OTHERWISE NOTED.

6) RESTRICTIVE COVENANTS ARE RECORDED AT THE SITKA RECORDING DISTRICT UNDER SERIAL NUMBER: 2017-000885-0.

LEGEND

- SECONDARY MONUMENT RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- REBAR AND ALUMINUM CAP SET THIS SURVEY
- S 21°01'24" E 208.67 DATA MEASURED, CALCULATED, AND RECORD
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- PROPOSED EASEMENT
- EXISTING EASEMENT CREATED IN PLAT #2007-23

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN Aug 2016 A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

CHRISTOPHER G. PIBURN LS 107552 — DATE 10/2/2017

2017-16
Plat # Sitka
Rec Dist
Date 10-25 20 17
Time 11:35 A.M.

STATE OF ALASKA 49TH Chris Piburn Surveyor Registered No. 107552 10/9/17

OWNER: SHEE ATIKA HOLDINGS ALICE ISLAND, LLC 315 LINCOLN STREET, SUITE 300 SITKA, ALASKA 99835-7579		
DATE: 10/2/17	DRAWN BY: RKB	JOB NO. 162540
SCALE: 1"=40'	APPVD BY: C.G.P.	SHEET 1 OF 1

SITKA RECORDING DISTRICT

Revisions	
No. Date	Description

RSM ENGINEERING-KETCHIKAN, INC.
358 Carlanna Lake Road
Ketchikan, AK 99901
Phone (907) 225-7917
Fax (907) 225-3441

CRAIG OFFICE
P.O. BOX 1273
CRAIG, AK 99921
Phone (907) 826-2398
Fax (907) 225-3441

PROJECT:
CHARLIE JOSEPH SUBDIVISION
SUBDIVIDING LOT 16 OF THE ETHEL STATON SUBDIVISION

RECEIVED
MAR 05 2018

CERTIFICATE OF OWNERSHIP AND DEDICATION

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT WE HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH OUR FREE CONSENT AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

DATE _____ OWNER _____ (SIGNATURE)

DATE _____ OWNER _____ (SIGNATURE)

NOTARY'S ACKNOWLEDGMENT

US OF AMERICA
STATE OF ALASKA
CITY & BOROUGH OF SITKA

THIS IS TO CERTIFY THAT ON THIS____DAY OF_____, 20____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED_____

TO ME KNOWN TO BE THE IDENTICAL INDIVIDUAL(S) MENTIONED AND WHO EXECUTED THE WITHIN PLAT AND_____ ACKNOWLEDGED TO ME THAT_____ SIGNED THE SAME FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES THEREIN SPECIFIED.

WITNESS MY HAND AND NOTARY SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST HEREIN WRITTEN.

MY COMMISSION EXPIRES_____

NOTARY PUBLIC IN AND FOR THE STATE OF ALASKA

CERTIFICATE OF PAYMENT OF TAXES
(STATE OF ALASKA)
(FIRST JUDICIAL DISTRICT)

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND ASSESSOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY AND BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE TAX RECORDS IN THE NAME OF_____

AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL TAXES ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL; THAT CURRENT TAXES FOR THE YEAR 20____ WILL BE DUE ON OR BEFORE _____

DATED THIS _____ DAY OF_____, AT SITKA, ALASKA

ASSESSOR, CITY AND BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE BOARD

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA PLATTING BOARD, AND THAT SAID PLAT HAS BEEN APPROVED BY THE BOARD BY PLAT RESOLUTION NO. _____ DATED_____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT MAGISTRATE, EX-OFFICIO RECORDER, SITKA, ALASKA

DATE _____ CHAIRMAN, PLATTING BOARD

SECRETARY _____

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

I, THE UNDERSIGNED, BEING DULY APPOINTED AND QUALIFIED, AND FINANCE DIRECTOR FOR THE CITY & BOROUGH OF SITKA, DO HEREBY CERTIFY THAT, ACCORDING TO THE RECORDS OF THE CITY & BOROUGH OF SITKA, THE FOLLOWING DESCRIBED PROPERTY IS CARRIED ON THE RECORDS IN THE NAME OF:_____

(ALL OWNERS OF RECORD), AND THAT, ACCORDING TO THE RECORDS IN MY POSSESSION, ALL L.I.D.'S ASSESSED AGAINST SAID LANDS AND IN FAVOR OF THE CITY & BOROUGH OF SITKA ARE PAID IN FULL.

DATED THIS ____ DAY OF _____
20 ____, AT SITKA, ALASKA

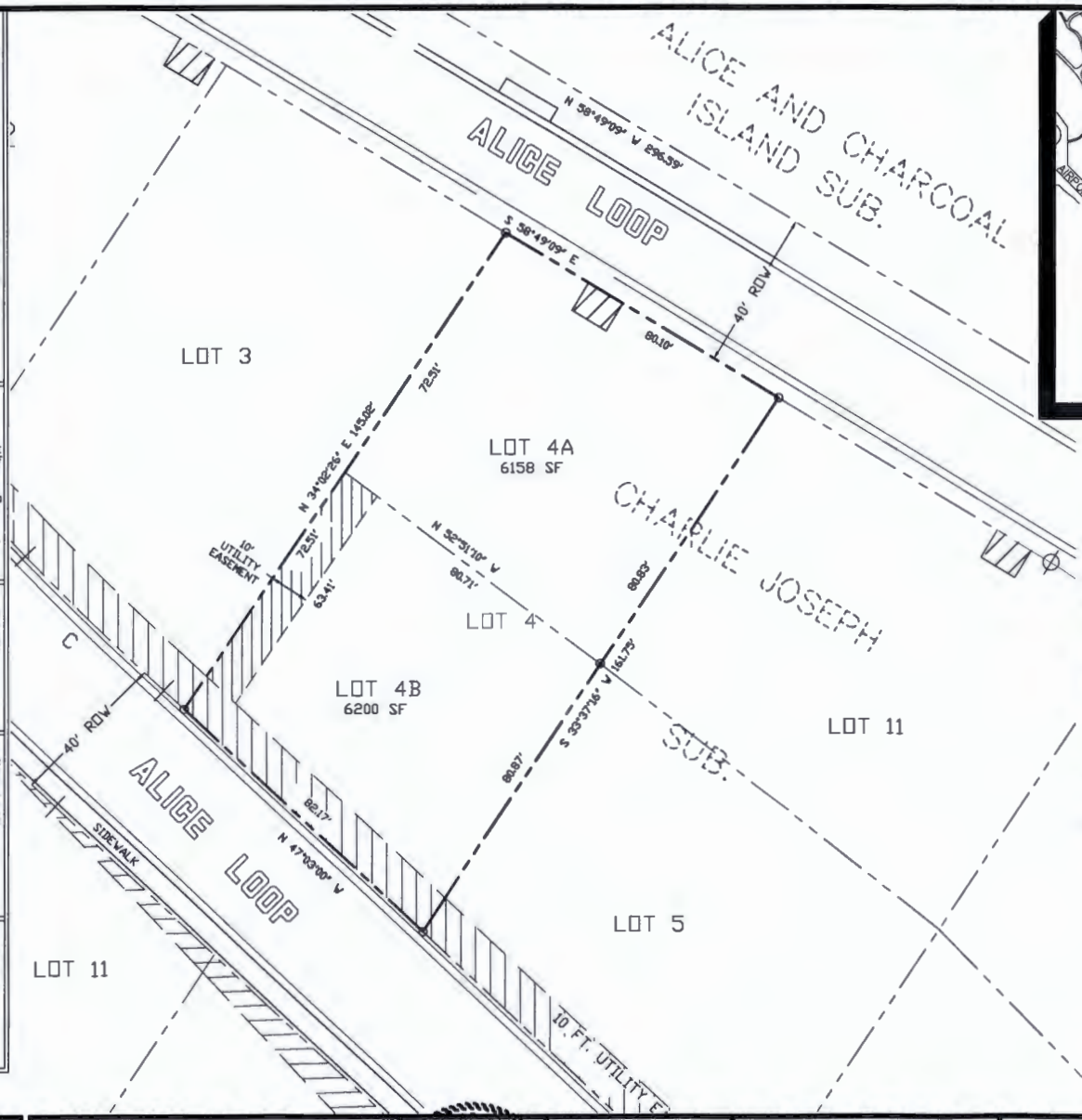
FINANCE DIRECTOR
CITY & BOROUGH OF SITKA

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY & BOROUGH OF SITKA ASSEMBLY AS RECORDED IN MINUTE BOOK_____ PAGE_____ DATED_____ 20____, AND THAT THE PLAT SHOWN HEREON HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE DISTRICT COURT, EX OFFICIO RECORDER, SITKA, ALASKA.

DATE _____ MAYOR _____

CITY AND BOROUGH CLERK



VICINITY MAP
SCALE 1"=1,000'

LEGEND

- PRIMARY CONTROL MONUMENT RECOVERED
- BLM/GLO PRIMARY BRASS CAP (RECOVERED)
- SECONDARY MONUMENT (SET)
- SECONDARY MONUMENT (RECOVERED)
- (R) RECORDED DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

NOTES:

1) THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE LOT 4 CHARLIE JOSEPH SUBDIVISION, INTO TWO LOTS.

2) THE MUNICIPALITY IS PARTY TO ALL EASEMENTS AND PLAT NOTES. THEY SHALL NOT BE MODIFIED WITHOUT APPROVAL OF THE PLATTING BOARD. THERE SHALL BE NO ENCROACHMENTS ON CITY ASSETS OR EASEMENTS.

20 10 0 20 40 60
SCALE IN FEET

PRELIMINARY
SITKA RECORDING DISTRICT

North 57°
land surveying
(907) 747-6700 8067 CASCADE CREEK ROAD, SITKA, AK 99835

BY	DATE	REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA 49TH KELLY J. O'NEILL LS 13321 REGISTERED PROFESSIONAL LAND SURVEYOR

DESIGNED K. O'NEILL
DRAWN KJOH/ACAD
CHECKED KO
DATE OF PLAT OCT 2, 2015 @ 16:01:44
SCALE 1" = 20'
DRAWING NAME 40106-01
PROJECT NO. 40106-01

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR, LICENSED IN THE STATE OF ALASKA, AND THAT IN _____ A SURVEY OF THE HEREIN DESCRIBED LANDS WAS CONDUCTED UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT IS A TRUE AND ACCURATE REPRESENTATION OF THE FIELD NOTES OF SAID SURVEY, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT ACCORDING TO SAID FIELD NOTES.

DATE _____ KELLY J. O'NEILL LS 13321

CJ SUBDIVISION

LOT 4 CHARLIE JOSEPH SUBDIVISION

CLIENT: CHRIS MCGRAW

SHEET 1 OF 1

SOUTHEASTERN TITLE AGENCY, INC.
903 HALIBUT POINT ROAD
P.O. BOX 1223
SITKA, ALASKA 99835
PHONE:(907) 747-3278
FAX: (907) 747-3616
E-MAIL:STAI@ptialaska.net

PLAT CERTIFICATE

CJS Property, LLC
1915 Dodge Circle
Sitka, AK 99835

Order # : S-18-8275

This is a Plat Certificate as of February 5, 2018 at 8:00 AM for a plat on the following property:

Lot Four (4) Charlie Joseph Subdivision, according to the plat thereof filed October 23, 2017 as Plat No. 2017-16, Sitka Recording District, First Judicial District, State of Alaska.

This company hereby certifies that the record title is vested, as follows, free from any liens, encumbrances and objections of record except as follows:

VESTED IN :

CJS Property LLC

SUBJECT TO :

1. Provisions and Reservations contained in the Patent from the United States of America

2. Taxes and assessments, general and special, for the calendar year 2018, are a lien, but not yet due or payable.
   Tax I.D. : 1-9014-004

3. Covenants, Conditions and Restrictions which do not contain express provisions for forfeiture or reversion of title in the event of violation, but omitting any covenants or restrictions if any, based upon race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Title 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons, as provided in an instrument
   Entitled : Declaration and Establishment of Conditions, Reservations and Restrictions
   Executed By : Shee Atika Holdings Alice Island
   Recorded : September 14, 2017
   Document No. : 2017-000985-0

4. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as shown on the filed map.
   Plat No. : 2007-16 (previous subdivision) & 2017-23
   For : Utility Easement
   Affects : 10' strip adjacent to Alice Loop to the southwestern side, and also an 8' deep by 10' long portion of subject property located on the northeast boundary, starting 45.77' northwest of the eastern most corner.

Plat to be known as : CJ Subdivision

Duane L. Kauffman
Southeastern Title Agency, Inc.

A L A S K A

2018-000110-0
Recording Dist: 103 - Sitka
1/30/2018 08:15 AM Pages: 1 of 5

WARRANTY DEED

THE GRANTOR SHEE ATIKÁ HOLDINGS ALICE ISLAND, LLC, a Limited Liability Company organized under the laws of Alaska, 315 Lincoln Street, Suite 300, Sitka, AK 99835, for and in consideration of $1.00 and other good and valuable consideration, in hand paid, the receipt and sufficiency of which are acknowledged by GRANTOR, does hereby convey and warrant to the GRANTEE CJS Property LLC, the address of which 1915 Dodge Circle, Sitka AK 99835, the following described real estate (the "Property"), as is, where is, in its present condition and subject to all defects, known and unknown, and situated in the Sitka Recording District, First Judicial District, State of Alaska and legally described as follows:

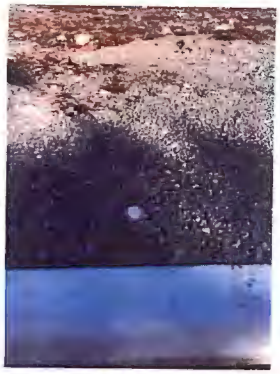
> LOT FOUR (4), Charlie Joseph Subdivision, according to the plat thereof filed October 23, 2017, as Plat Number 2017-16, Sitka Recording District, First Judicial District, State of Alaska.

Grantor makes no representation or warranty, express or implied, as to fitness, use, merchantability, quality of construction, workmanship, or otherwise except as is expressly set forth in this Deed.

The conveyance by Grantor under this Deed is also expressly made subject to all matters described in this Deed, whether or not such matters were created by, through or under Grantor, as follows:

(1) The provisions and reservations contained in Patent # 50-86-0124 from the United States of America, recorded April 1, 1986, at Volume 73, pages

eRecorded Document



Proof of Flooing

Attachment B

Staff Materials

City & Borough of Sitka, Alaska

Selected Parcel: 800 Alice Lp ID: 19012016

Printed 3/5/2018 from http://www.mainstreetmaps.com/ak/sitka/internal.asp

100 m
200 ft

N

MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

City & Borough of Sitka, Alaska

Selected Parcel: 800 Alice Lp ID: 19012016

Printed 3/5/2018 from http://www.mainstreetmaps.com/ak/sitka/internal.asp

20 m
100 ft

N

MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	CUP 18-08	**Version:**	1	**Name:**	
Type:	Conditional Use Permits			**Status:**	AGENDA READY
File created:	3/27/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: Public hearing and consideration of a conditional use permit for a short-term rental at 110 Sand Dollar Drive in the R-1 single-family and duplex residential district. The property is also known as Lot 2 Sandy Beach Subdivision. The request is filed by Jeremy and Savanah Plank. The owners of record are Jeremy and Savanah Plank.

Sponsors:

Indexes:

Code sections:

Attachments: CUP 18-08.Plank.110SandDollar.Packet.6Apr2018
SitkaSKramerLandslideReport

Date	Ver.	Action By	Action	Result

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No:	CUP 18-08
Proposal:	Request for short-term rental at 110 Sand Dollar Drive
Applicant:	Jeremy/Savanah Plank
Owner:	Jeremy/Savanah Plank
Location:	110 Sand Dollar Drive
Legal:	Lot 2 Sand Dollar Subdivision
Zone:	R-1 single-family and duplex residential district
Size:	6932 square feet
Parcel ID:	2-5190-002
Existing Use:	Residential
Adjacent Use:	Residential, Undeveloped
Utilities:	Existing
Access:	Sand Dollar Drive

KEY POINTS AND CONCERNS:

- Property is located in the moderate risk landslide zone
- Rental unit is a 1 bed, 1 bath unit attached to owner's primary dwelling unit
- Sufficient parking on-site – at least 4 spaces shown
- Access via Sand Dollar Drive
- No other short-term rentals on Sand Dollar Drive
- Short-term rentals offer economic opportunity for homeowners but may impact long-term rental rates
- Rental will be managed by on-site owners
- Primary operation during summer season while housing family/friends in the off-season
- Burden is on the applicant to prove that the proposal will not negatively impact the neighborhood or general public health/safety/welfare

RECOMMENDATION:

Staff recommends that the Planning Commission carefully consider the pros and cons of granting the conditional use permit request for a short-term rental at 110 Sand Dollar Drive.

ATTACHMENTS

Attachment A: Applicant Materials
Attachment B: Staff Materials

BACKGROUND/PROJECT DESCRIPTION

The request is for a conditional use permit for a primarily seasonal (summer) short-term rental of one unit of a duplex at 110 Sand Dollar Drive. The house was constructed in 1989. The rental unit has 1 bedroom and 1 bathroom.

The rental will be owner managed with policies and procedures in place to manage guests. Owners will live on-site. Access to this lot is from Sand Dollar Drive. There are no other short-term rentals on Sand Dollar Drive. Parking is proposed adjacent to the cul-de-sac pavement, although sufficient parking is also shown in the driveway. Parking must occur on the owner's property.

The property has been mapped in the moderate risk landslide zone. More discussion on page 4.

22.24.010 Conditional uses.

A conditional use is a use that may not be appropriate in a particular zoning district according to the character, intensity, or size of the lot or the surrounding uses. This section establishes decision criteria and procedures for special uses, called conditional uses, which possess unique characteristics. The conditional use permit procedure is intended to afford the municipality the flexibility necessary to make determinations appropriate to individual sites. The commission may attach conditions necessary to mitigate external adverse impacts. If the municipality determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.

ANALYSIS

1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.[1]

a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses: The unit in question has historically been used as a long-term rental. Short-term renters are likely to have fewer vehicles than long-term inhabitants, likely resulting in less traffic. Renters may have difficulty finding the property. Applicant proposes small signage to mitigate this concern.

[1] § 22.24.010.E

b. Amount of noise to be generated and its impacts on surrounding land use: Vacationers may create noise. Applicants have included 10 PM – 7 AM quiet hours in their rental agreement. Owners live on-site and can monitor.

c. Odors to be generated by the use and their impacts: Improperly managed garbage may attract bears. Applicants have stated that garbage will remain in the unit or in the garage and will be handled by owners. Storage shall occur indoors until 4 am on garbage pick-up day.

d. Hours of operation: Primarily during the summer, but allowing flexibility for rentals throughout the year.

e. Location along a major or collector street: Access from Sand Dollar Drive.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: No cut-through scenarios. Renters may have difficulty locating the correct house, resulting in accidental use of neighboring driveways. Applicants propose small signage to identify the property and renter parking area.

g. Effects on vehicular and pedestrian safety: Sand Dollar Drive does not have sidewalks. Sand Dollar Drive isn't a particularly walkable area, so it can be assumed that most traffic will be vehicular and not pedestrian.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Same as if the unit had a long-term inhabitant.

i. Logic of the internal traffic layout: Applicants report at least 4 parking spaces on the property, meeting requirements. A condition of approval requires all parking to be located on-site.

j. Effects of signage on nearby uses: Applicants discussed installing small directional signage on their property. Signage must comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Street to the front, undeveloped land to the rear, trees on side with entrance door, chain link fence on other side.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: Conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to

accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise. Does not conform to Comprehensive Plan Section 2.1.19 which states "The City and Borough of Sitka will conduct its affairs and will use its resources, powers, and programs to seek, facilitate, maintain, and improve safety from fire, flood, and other disasters" by allowing a conditional use for transient housing in a moderate risk landslide zone.

m. Other criteria that surface through public comments or planning commission review: Short-term rentals may cause the increase of long-term rental rates.

The property is in a moderate risk landslide zone as determined by modeling, field observation, and LiDAR image study conducted after the August 18, 2015 landslide event.[2] The risk is of potential impacts of debris flows. The report assigned three risk categories: high, moderate, and low. No "no risk" lands were identified. In this case, the band of moderate risk properties is a buffer between high and low risk properties. No numerical figures were assigned to high, moderate, and low risk. By contrast, flood mapping adopted by the municipality defines Special Flood Hazard Areas as "the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year."[3]

This is the first such conditional use permit request for the mapped landslide risk area to be considered by the Planning Commission. Sitka General Code 20.01 Landslide Area Management does not address this request, as no additional construction will be undertaken and the duplex constitutes an R-3 International Building Code occupancy designation, which is not prohibited in the landslide risk area. No known geotechnical evaluation or mitigation has occurred on the property. The Commission should carefully consider this request.

If approved, a proposed condition of approval would require disclosure prior to booking. In recent history, staff do not recall disclosures being required for possible flood or tsunami risks. Ultimately, disclosure does not protect against loss of life.

---

[2] South Kramer Avenue Landslide: Jacobs Circle to Emmons Street; Shannon & Wilson, Inc.; February 2, 2016
[3] fema.gov

RECOMMENDATION

It is recommended that the Planning Commission carefully consider the pros and cons of granting the conditional use permit request for a short-term rental at 110 Sand Dollar Drive. Vote on the motion of approval is provided. Then vote on the findings that correspond with the decision.

RECOMMENDED MOTIONS

APPROVAL/DENIAL OF THE REQUEST

I move to approve the conditional use permit for a short-term rental at 110 Sand Dollar Drive in the R-1 single-family and duplex residential district. The property is also known as Lot 2 Sandy Beach Subdivision. The request is filed by Jeremy and Savanah Plank. The owners of record are Jeremy and Savanah Plank.

Conditions of Approval:

1. Contingent upon a completed satisfactory life safety inspection.

2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.

3. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.

4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.

5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.

6. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.

7. To mitigate against the risk and impact of bears from the short term rental, the property owner shall assure all trash is deposited in trash receptacles that

are stored in bear proof areas (whether enclosed garage or other bear proof area) and only placed on street for collection after 4 AM on trash collection day. Should this condition not be followed the CUP shall be revoked.

8. To mitigate against parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should on-street parking occur at any time, the conditional use permit shall be revoked.

9. Any signs must comply with Sitka General Code 22.20.090.

10. A detailed rental overview shall be provided to renters detailing directions to the unit, appropriate access, parking, trash management, noise control, and a general admonition to respect the surrounding residential neighborhood.

12. The property owner shall communicate to renters that a violation of these conditions of approval will be grounds for eviction of the short-term renters.

13. The property owner shall disclose prior to booking that the property is in a moderate risk landslide zone.

14. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

FINDINGS FOR APPROVAL

I move to find that:[4]

1. ...The granting of the proposed conditional use permit will not:
   a. Be detrimental to the public health, safety, and general welfare, *specifically, policies and procedures will be communicated and enforced to protect the neighborhood, and landslide risk disclosure will enable potential renters to make informed decisions in regard to their safety*;
   b. Adversely affect the established character of the surrounding vicinity, *specifically, the unit will continue to operate as a duplex, now with on-site management to monitor for behavior that may impact the neighborhood*; nor
   c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located, *specifically, the property accesses directly from a public street and provides on-site parking.*
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation, *specifically, conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting "economic activities which contribute to a stable, long-term, local economic base" by allowing*

[4] § 22.30.160.C – Required Findings for Conditional Use Permits

local homeowners to launch a small business and participate in the tourism industry and Section 2.6.2(K), which supports "development of facilities to accommodate visitors" that do not negatively impact surrounding residential neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise.

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically that on-site owners can monitor for infractions and take necessary action.*

FINDINGS FOR DENIAL

I move to find that:[5]

1. ...The granting of the proposed conditional use permit:
   a. May be detrimental to the public health, safety, and general welfare, *specifically, the unit is in a mapped moderate risk landslide zone and occupancy may place renters at risk*;
   b. Will not adversely affect the established character of the surrounding vicinity, *specifically, the unit will continue to operate as a duplex, now with on-site management to monitor for behavior that may impact the neighborhood*; nor
   c. Will not be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located, *specifically, the property accesses directly from a public street and provides on-site parking.*
2. The granting of the proposed conditional use permit is not consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation, *specifically, does not conform to Comprehensive Plan Section 2.1.19 which states "The City and Borough of Sitka will conduct its affairs and will use its resources, powers, and programs to seek, facilitate, maintain, and improve safety from fire, flood, and other disasters" by allowing a conditional use for transient housing in a moderate risk landslide zone.*
3. All conditions necessary to lessen any impacts of the proposed use are conditions that cannot be monitored and enforced, *specifically, that disclosure does not eliminate safety risk.*

[5] § 22.30.160.C – Required Findings for Conditional Use Permits

Attachment A

Applicant Materials

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

1. **Request projects at least TWENTY-ONE (21) days in advance of next meeting date.**
2. **Review guidelines and procedural information.**
3. **Fill form out completely. No request will be considered without a completed form.**
4. **Submit all supporting documents and proof of payment.**

APPLICATION FOR: ☐ VARIANCE ✔ CONDITIONAL USE ☐ ZONING AMENDMENT ☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Request to operate Short Term Rental at 110 Sand Dollar Drive, Sitka, AK in attached 1bed/1bath apartment located on bottom floor of residence.

PROPERTY INFORMATION:

CURRENT ZONING: ~~R-Residential~~ R-1 PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): Existing Structure-Residence PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

PROPERTY OWNER: Jeremy S. & Savanah N. Plank

PROPERTY OWNER ADDRESS: 110 Sand Dollar Drive, Sitka, Alaska 99835

STREET ADDRESS OF PROPERTY: 110 Sand Dollar Drive, Sitka, Alaska 99835

APPLICANT'S NAME: Jeremy S. & Savanah N. Plank

MAILING ADDRESS: _____

EMAIL ADDRESS: plankj@uw.edu or savanah50@hotmail.com DAYTIME PHONE: 425-269-3921 or 805-698-3014

PROPERTY LEGAL DESCRIPTION:

TAX ID: Parcel #: 2-5190-002 LOT: 2 BLOCK: _____ TRACT: _____

SUBDIVISION: Sandy Beach Subdivision, Plat No. 86-28 US SURVEY: _____

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- [x] Completed application form
- [x] Narrative
- [x] Site Plan showing all existing and proposed structures with dimensions and location of utilities
- [x] Proof of filing fee payment
- [x] Proof of ownership -
- [x] Copy of current plat

For Conditional Use Permit:

- [x] Parking Plan - site plan w/ 4 P.S. 9' x 18'
- [x] Interior Layout (Floor plan)

For Plat/Subdivision:

- [ ] Three (3) copies of concept plat
- [ ] Plat Certificate from a title company
- [ ] Topographic information
- [ ] Proof of Flagging

If Pertinent to Application:

- [ ] Landscape Plan
- [ ] Drainage and Utility Plan

→ rental overview

1. Overview
2. trash/ Bears.
3. Noise
4. Directions
5. Emergency Contacts

CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner/ Jeremy S. Plank Savanah N. Plank — Date: 3-13-18

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner) — Date

Narrative for Conditional Use Permit

110 Sand Dollar Dr., Sitka, AK 99835

Jeremy & Savanah Plank - Owners

805-698-3014

Requesting to operate short term rental at 110 Sand Dollar Dr., Sitka, AK in an attached 1bed/1bath apartment located on the bottom floor of main residence. Separate entrance from main house.

Thanks,

Planks

110 Sand Dollar Dr. – Rental Agreement / Rules

Owners – Jeremy & Savanah Plank

Contact cell: 805-698-3014

ARRIVAL time is 3:00 pm | **DEPARTURE** time is 10:00 am: If the home is ready before 3:00 pm, you may be allowed to check in early. You must call ahead to make sure the home is ready. Do not enter your rental early without permission.

Quiet hours: 10pm-7am - The Rental Property is located in a quiet residential neighborhood.

No pets unless previously authorized by rental agreement. Any evidence of pets in the Rental Property may result in immediate eviction, forfeiture of all amounts paid, and additional cleaning fees being charged to the Security Deposit Credit Card(s).

No smoking allowed anywhere on property, please walk down driveway if you must smoke.

USE RESTRICTIONS: Property is not to be used for parties in or around the rental property, or in any common areas or facilities, or for gatherings beyond the registered number of guests.

ARRIVAL CONDITION: The home is inspected for cleanliness before your arrival. Please report anything that is not in acceptable condition within one hour of your arrival. Anything not reported in that time frame will be deemed acceptable.

Cancellations: Must be 48 hours ahead of booking time.

MINIMUM STAY: Two NIGHT MINIMUM STAY. One night stays are NOT permitted.

INCLUSIVE FEES: Rates include a one-time linen-towel setup. The home will be furnished with an initial supply of paper towels, toilet paper, trash bags and dishwasher detergent. All additional sundry supplies are the responsibility of the renter. Other incidental sundries may be at the unit, but are not promised or guaranteed.

NO DAILY MAID SERVICE: Linens and bath towels are included in the unit but daily maid service is not included in the rental rate. Washer/Dryer in unit are available during non-quiet hours.

Parking: 2 Parking spots are provided at end of driveway next to retaining wall.

Guest Signature_____ Date_____

Sitka Emergency Information

Call 9-1-1 for emergencies

Sitka Community Hospital
209 Moller Avenue
Sitka, Alaska 99835
Main Phone Line: (907) 747-3241

Sitka Police Department
304 Lake St. #102
Sitka, Alaska 99835
(907) 747-3245

Sitka Fire Department
209 Lake St, Sitka, AK 99835
(907) 747-3233

Tsunami Preparedness – Rental is at 100ft, no need to evacuate if sirens alarm.

At the beach:
If you're at the near the shoreline, one indicator may be unusual activity such as the ocean receding seaward and exposing sea bottom, rocks or sea life, or even the sound of a loud roar. Head for higher ground. Stay away from rivers or streams leading to the ocean.

If you cannot get to higher ground; consider vertical elevation – a concrete building – go to up to a higher floor.

On the boat:
People who are already on boats when an earthquake occurs should understand that the safest place to be is in deep water where wave energy is diffused. Do not return to port until an "ALL CLEAR" is issued by local authorities.

Tsuanmi Warning System:

TSUNAMI WARNING = Danger; follow emergency procedures immediately. Wave inundations of over three feet is possible.

TSUNAMI ADVISORY = Be prepared to take action. Advisories are issued when tsunami amplitude is in the range of one to three feet.

TSUNAMI WATCH = Be alert; listen to local radio station: KCAW FM104.7 or KIFW AM 1230 and NOAA weather channel. Stay tuned for updates.

High Ground, 100+ ft. elevation areas in Sitka:

Halibut Point Road Area:

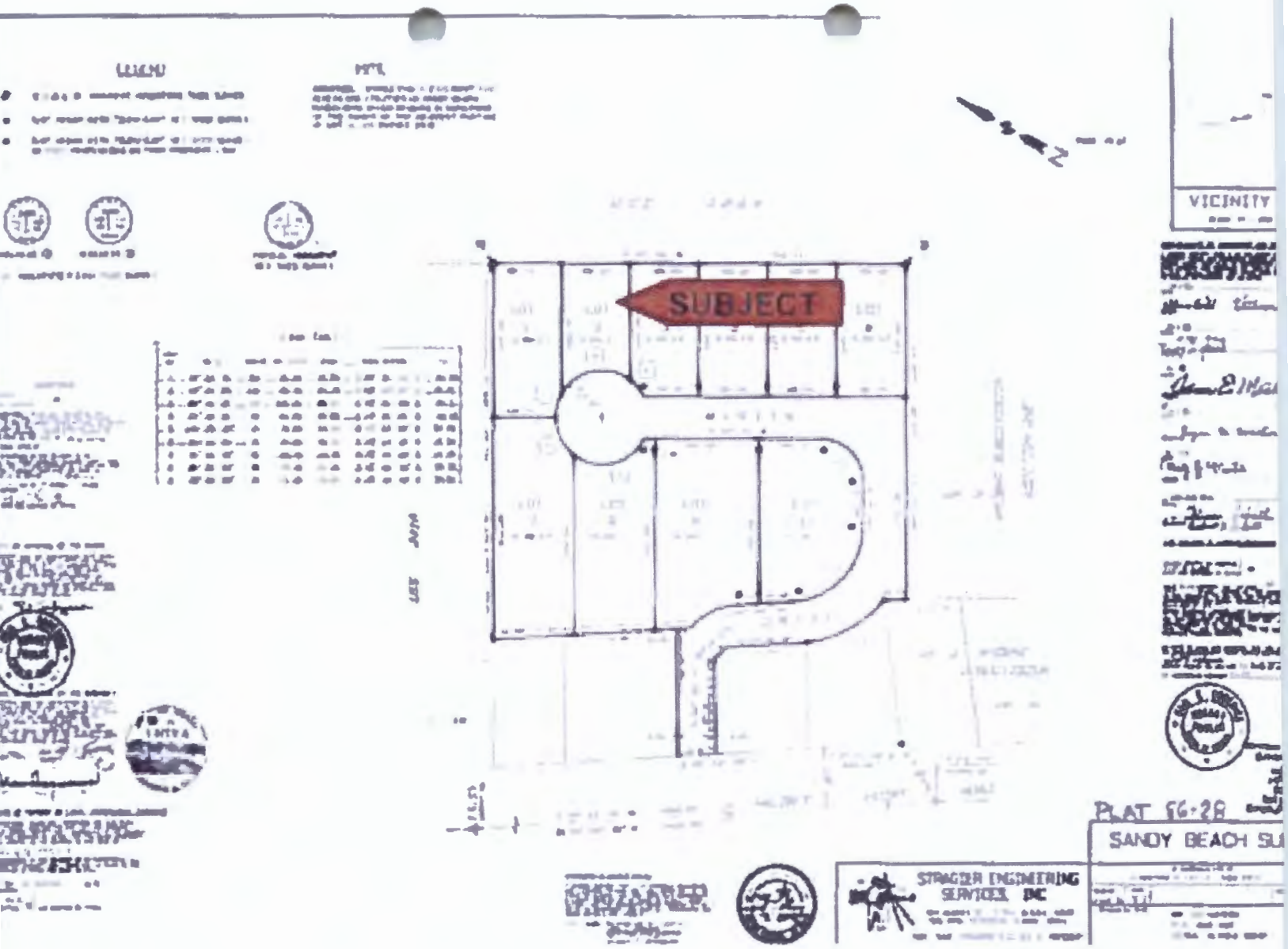
- Granite Creek Road up to the Golf Course driving range which is well over 100 feet high in elevation.
- Kramer Avenue: 100' + elevation – access to Cross Trail access point
- Cascade Creek Road: 100" + elevation and access to Sitka Cross Trail
- Edgecumbe Drive
- Charteris Street

Downtown Sitka Area:

- Sitka High School at 1000 Lake Street
- Pherson Street
- Verstovia Avenue

Sawmill Creek Road Area:

- Mormon Church is at over 100' elevation
- Yaw Drive (down Indian River Road)
- Wolff Drive – 100' – 125' in elevation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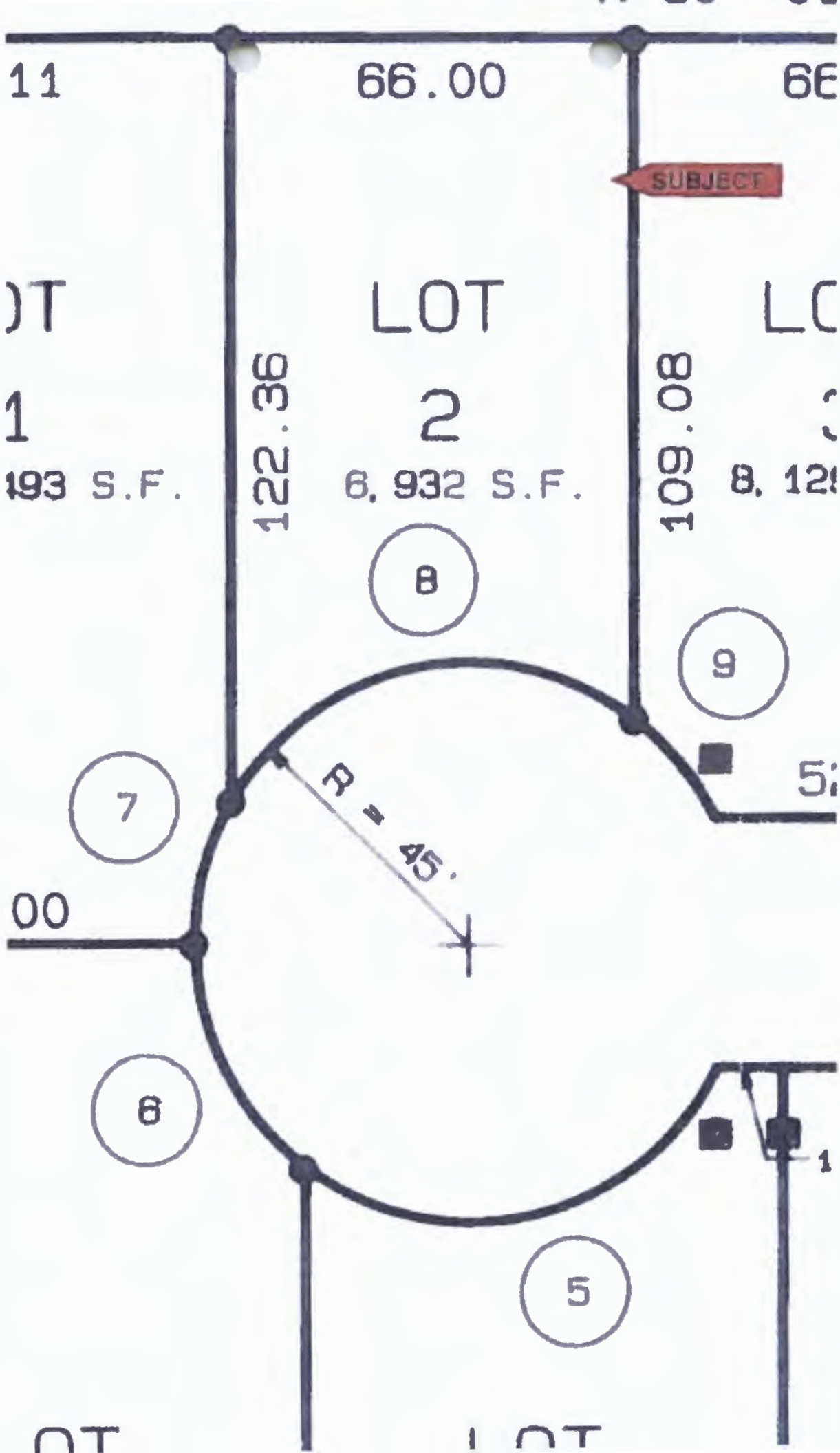
SUBJECT
VICINITY
PLAT 56-28
SANDY BEACH SU
STRAGIER ENGINEERING SERVICES INC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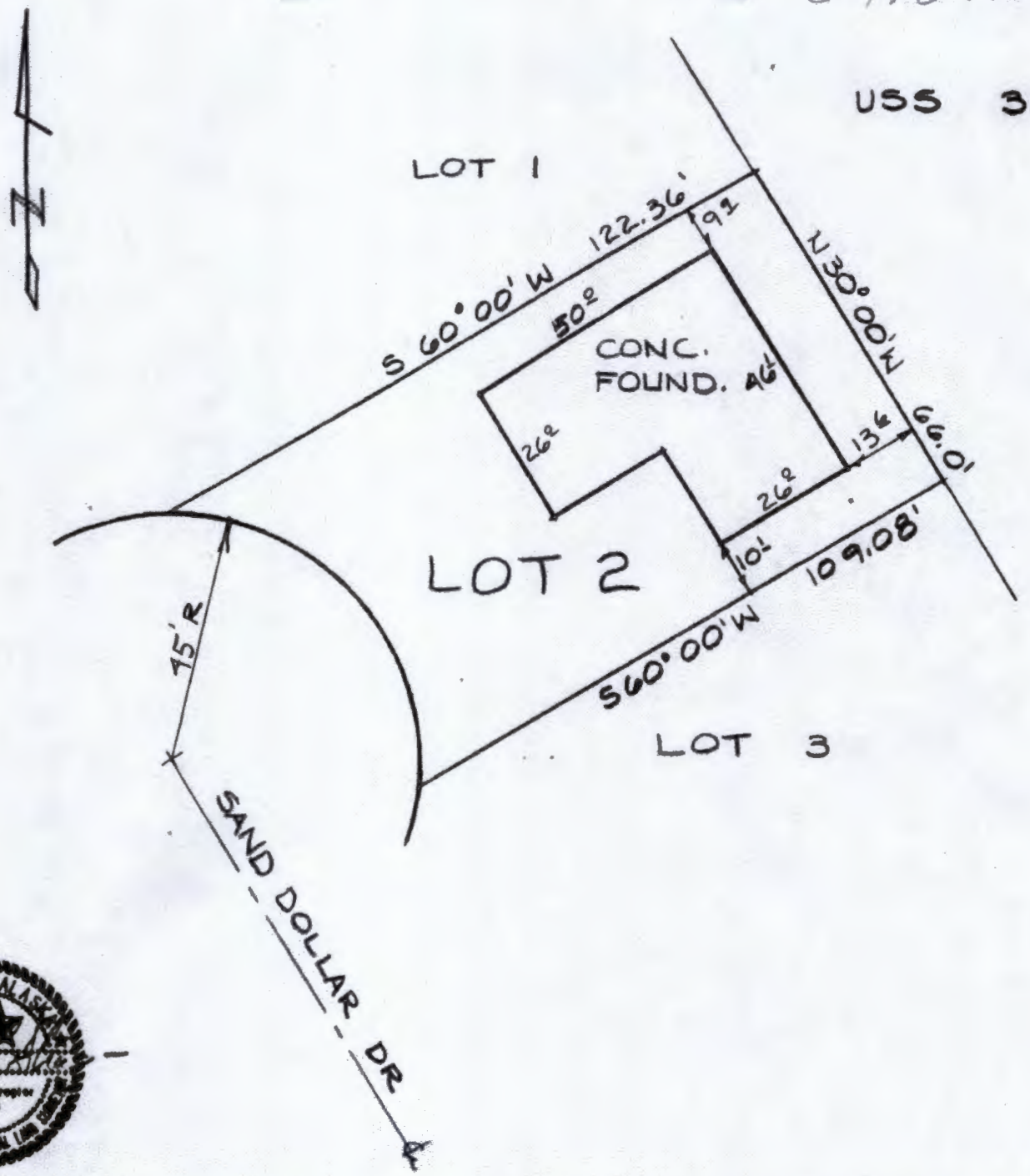

I hereby certify that I have inspected the following described property: LOT 2 SANDY BEACH SUBDIVISION Sitka Recording District, Alaska, and that the improvements situated thereon are within the property lines and do not overlap or encroach on the property adjacent thereto, that no improvements on the property lying adjacent thereto encroach on the premises in question and that there are no roadways, transmission lines or other visible easements on said property, except as noted hereon.
It is the owner's responsibility to determine the existence of any easements, covenants, or restrictions which do not appear on the recorded subdivision plat. Under no circumstances should any data shown hereon be used for construction or for establishing boundary or fence lines. Dated at Sitka, Alaska this 31st day of OCTOBER 1988.

Carl T. Stragier, Surveyor

AS-BUILT PLOT PLAN
LOT 2 SANDY BEACH
SUBDIVISION

STRAGIER
ENGINEERING SERVICES, INC.
504 DeGroff St.
SITKA, ALASKA 99835
(907) 747-5833

AS-BUILT PLOT PLAN
Scale 1" = 30'
Job No. 1015
Date 10-28-88
Field Book 76, PP. 31

PREPARED FOR:
MARTIN ENTERPRISES
MARTY MARTIN
P.O. BOX 437
SITKA, AK. 99835

City & Borough of Sitka, Alaska

Selected Parcel: 110 Sand Dollar Dr ID: 25190002

Printed 3/15/2018 from http://www.mainstreetmaps.com/ak/sitka/public.asp

10 m
20 ft

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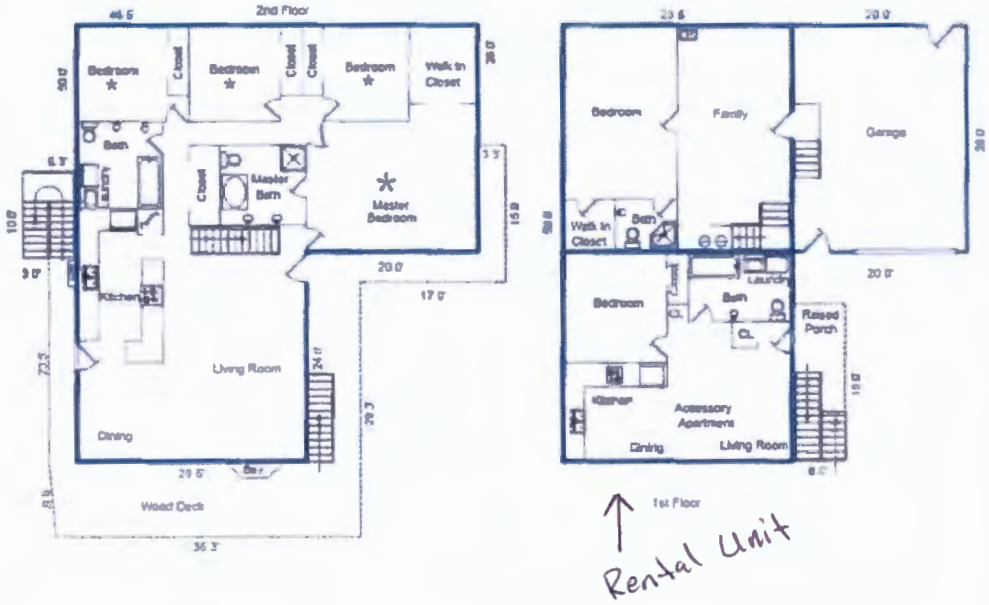
MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.

Archipleago Appraisals LLC
SKETCH ADDENDUM

File No. 7833
Case No 152125

Borrower Jeremy S Plank & Savanah N Plank
Property Address 110 Sand Dollar Dr
City Sitka County City & Borough of Sitka State AK Zip Code 99835
Lender/Client Alaska USA Mortgage Company LLC Address 4000 Credit Union Dr . Anchorage AK, 995503



Comments
All calculations are approximate. Room and utility layout is estimated for visualization.

Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GBA1	First Floor	1.0	689.0	103.0	
	First Floor Apart	1.0	636.0	101.0	1325.0
GBA2	Second Floor	1.0	1845.0	193.0	1845.0
GAR	Garage	1.0	520.0	92.0	520.0
P/P	Wood Deck	1.0	699.3	267.9	
	Porch	1.0	108.0	48.0	807.3
	Net BUILDING			(rounded)	3,170

AREA CALCULATIONS BREAKDOWN

Name	Base x	Height x	Width =	Area
First Floor		26.5 x	26.0 =	689.0
First Floor Apartm		26.5 x	6.0 =	159.0
		26.5 x	18.0 =	477.0
Second Floor		46.5 x	13.8 =	639.4
		33.3 x	26.5 =	882.5
		20.0 x	9.3 =	186.0
		46.5 x	3.0 =	137.2
7 total items			(rounded)	3,170

© Starzap Marketing, LLC dba Apex Software

Attachment B

Staff Materials

City & Borough of Sitka, Alaska

Selected Parcel: 110 Sand Dollar Dr ID: 25190002

Printed 3/21/2018 from http://www.mainstreetmaps.com/ak/sitka/internal.asp

100 m
200 ft

N

MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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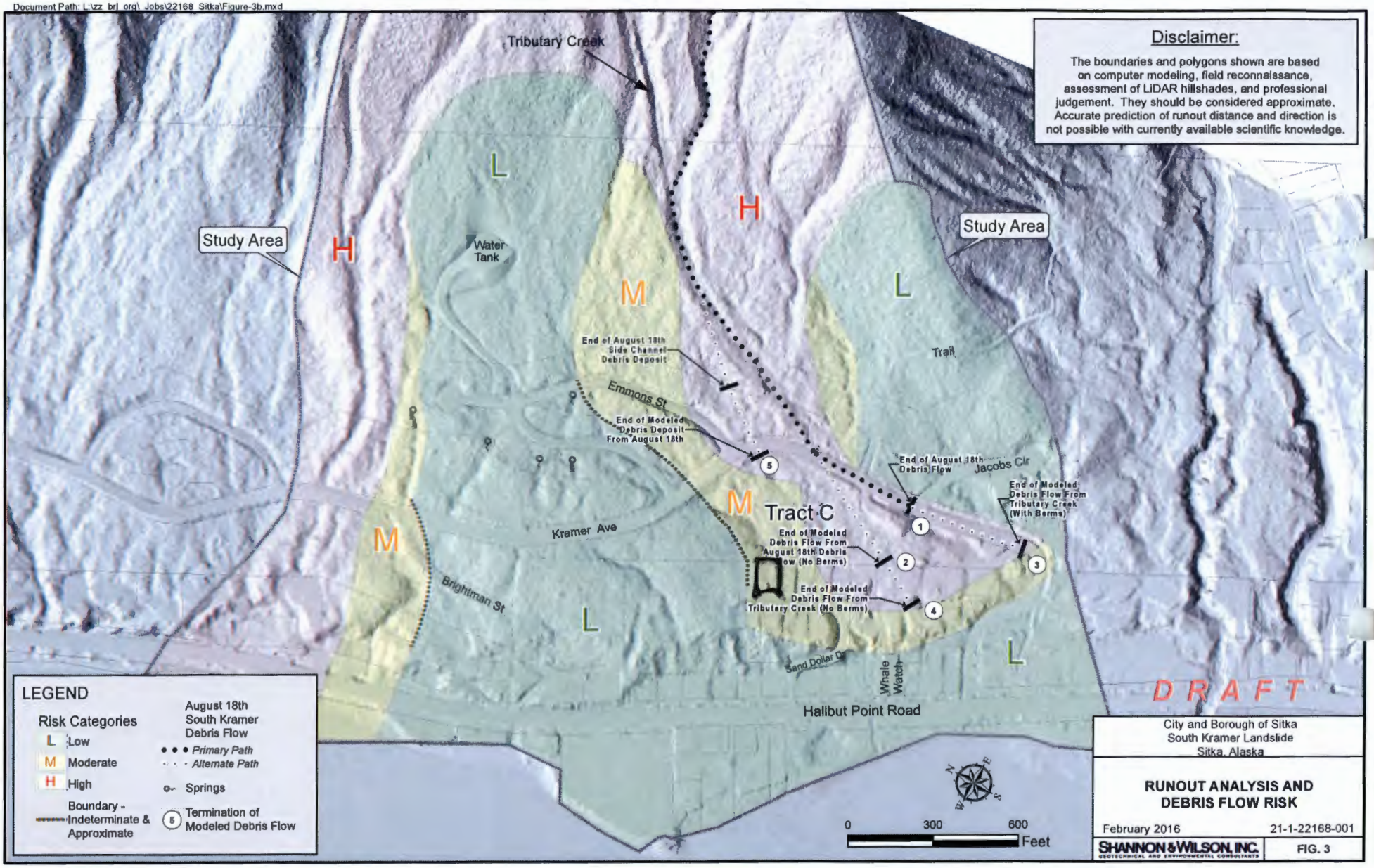


City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

RUNOUT ANALYSIS AND DEBRIS FLOW RISK

February 2016 | 21-1-22168-001

SHANNON & WILSON, INC.
GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIG. 3

LEGEND

- U.S.G.L.O. MONUMENT RECOVERED THIS SURVEY
- 5/8" REBAR WITH "SURV-CAP" SET THIS SURVEY
- 5/8" REBAR WITH "SURV-CAP" SET THIS SURVEY 10 FEET PERPENDICULAR FROM PROPERTY LINE

MONUMENT ① MONUMENT ②

G.L.O. MONUMENTS FOUND THIS SURVEY

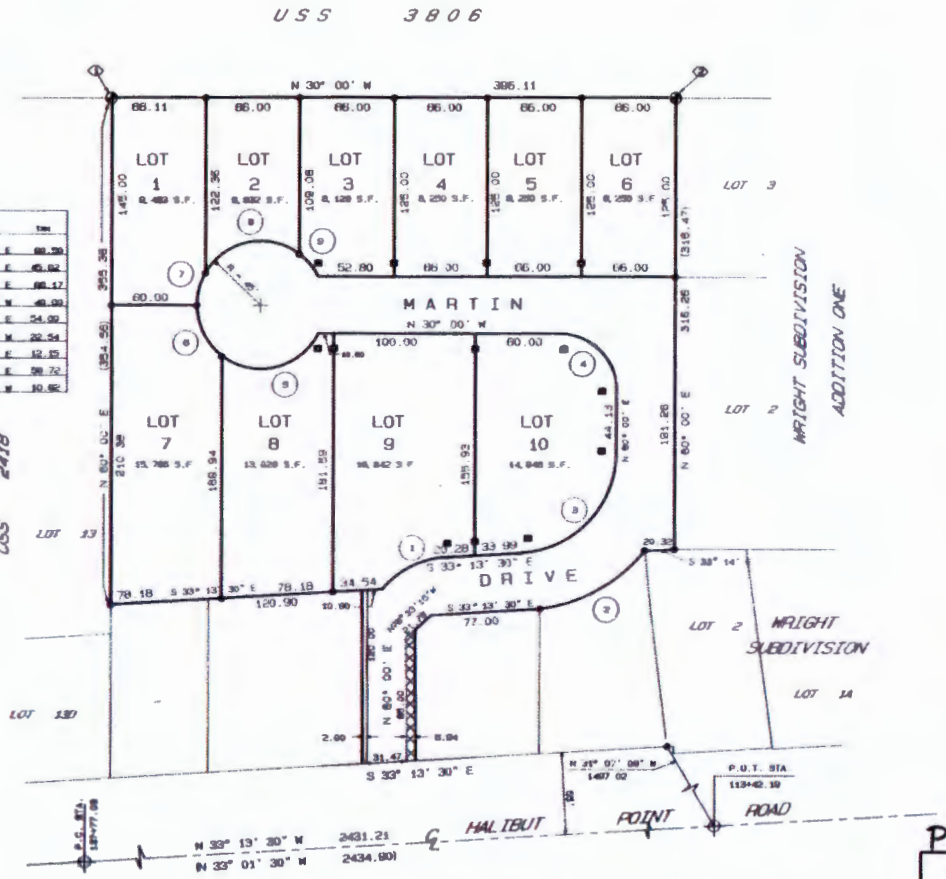
TYPICAL MONUMENT SET THIS SURVEY

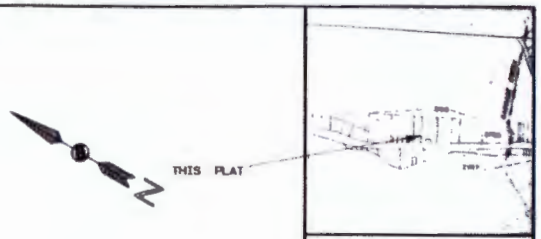
NOTE

XXXXXXX MARKS PUBLIC EASEMENT FOR ACCESS AND UTILITIES OF SANDY BEACH SUBDIVISION WHICH REMAINS IN OWNERSHIP OF THE OWNER OF THE ADJACENT PORTION OF LOT 12, US SURVEY 2418.

CURVE TABLE

CURVE NO.	DELTA	RADIUS	ARC LENGTH	CHORD	CHORD BEARING	TAN
1	48° 23' 40"	84'	52.01	50.59	S 58° 30' 11" E	68.59
2	44° 30' 55"	110'	85.46	83.33	S 58° 23' 47" E	45.02
3	90° 45' 30"	70'	106.02	95.17	S 78° 36' 44" E	68.17
4	60° 00' 00"	40'	62.83	59.57	S 14° 00' 00" W	40.00
5	100° 23' 20"	45'	78.84	68.14	S 47° 24' 56" E	54.00
6	53° 12' 00"	45'	41.80	40.31	S 33° 22' 25" W	22.54
7	30° 12' 40"	45'	23.72	23.45	N 75° 06' 20" E	12.15
8	90° 50' 14"	45'	70.98	67.32	S 47° 22' 13" E	58.72
9	22° 33' 20"	45'	20.86	20.67	S 20° 10' 00" W	10.62





VICINITY MAP

Scale: 1" = 1000'

CERTIFICATE OF OWNERSHIP AND DEDICATION

CERTIFICATE OF NOTARY

CERTIFICATE OF APPROVAL BY THE BOARD

CERTIFICATE OF APPROVAL BY THE ASSEMBLY

CERTIFICATE OF PAYMENT OF LOCAL IMPROVEMENT DISTRICT

SURVEYOR'S CERTIFICATE

STRAGIER ENGINEERING SERVICES, INC.
504 INGRAFF ST. SITKA, ALASKA 99835
BOX 7026 KETCHIKAN, ALASKA 99901
NOEL "BABE" STRAGIER, P.E., R.L.S. PRESIDENT

PLAT 86-28

SANDY BEACH SUB'D

A SUBDIVISION OF
A PORTION OF LOT 12 - USS 2418

Scale: 1"=40' | Date AUG. 1986
Drawn By: C.J.
Prepared For:

MR. ED MARTIN
P.O. BOX 437
SITKA, ALASKA 99835

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 AS 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.

(Ord. 17-14 § 4 (part), 2017.)

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 one hundred fifty feet 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 one hundred twenty 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 preexisting level of risk to the site and affected properties on a long-term basis.

(Ord. 17-14 § 4 (part), 2017.)

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 thirty 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 Section 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); and

3. A certificate of occupancy for the project is issued within two years of initial foundation permit approval.

(Ord. 17-14 § 4 (part), 2017.)

20.01.040 Waiver of geotechnical evaluation.

A. Owner(s) of 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 execut[redacted] of a land-use covenant as provided i[redacted]is 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. Acknowledgment 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 of 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 done or omitted by or for the owner(s), except in each case only for such losses, claims or demands that directly result from the sole negligence of the city; and

8. By way of the land-use covenant, inform future purchasers and other successors and assignees of the risks and of the advisability of obtaining insurance in addition to standard homeowner's insurance to specifically cover the risks posed by development in a restricted landslide area, including risk of damage from loss of use, personal injury and death resulting from soil and water movement.

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

4x4

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

February 2, 2016

SHANNON & WILSON, INC.

GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

Excellence. Innovation. Service. Value.

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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

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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.

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SEATTLE, WASHINGTON 98103-8636
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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.

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

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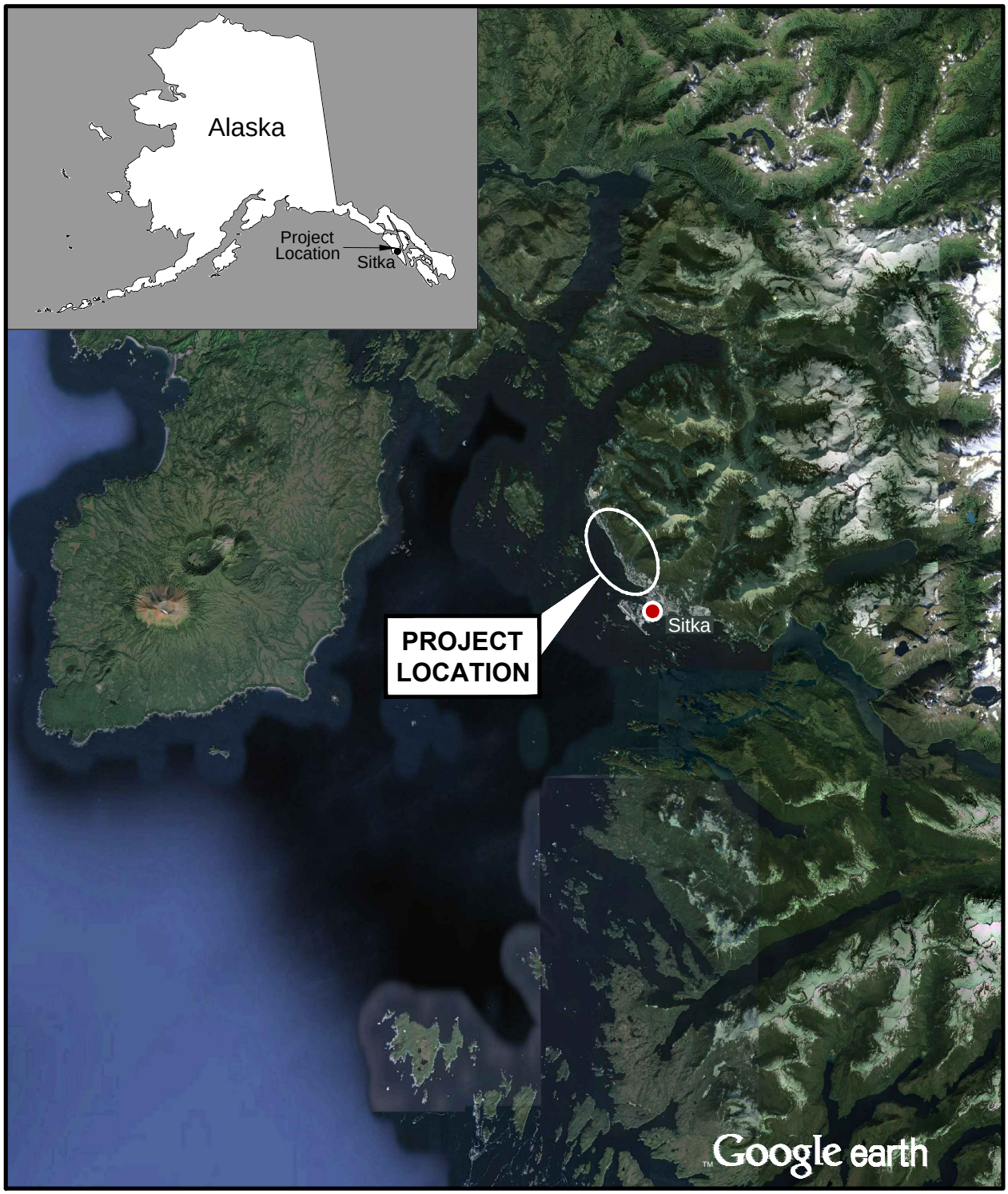

0 5 10

Scale in Miles

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

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FIG. 1

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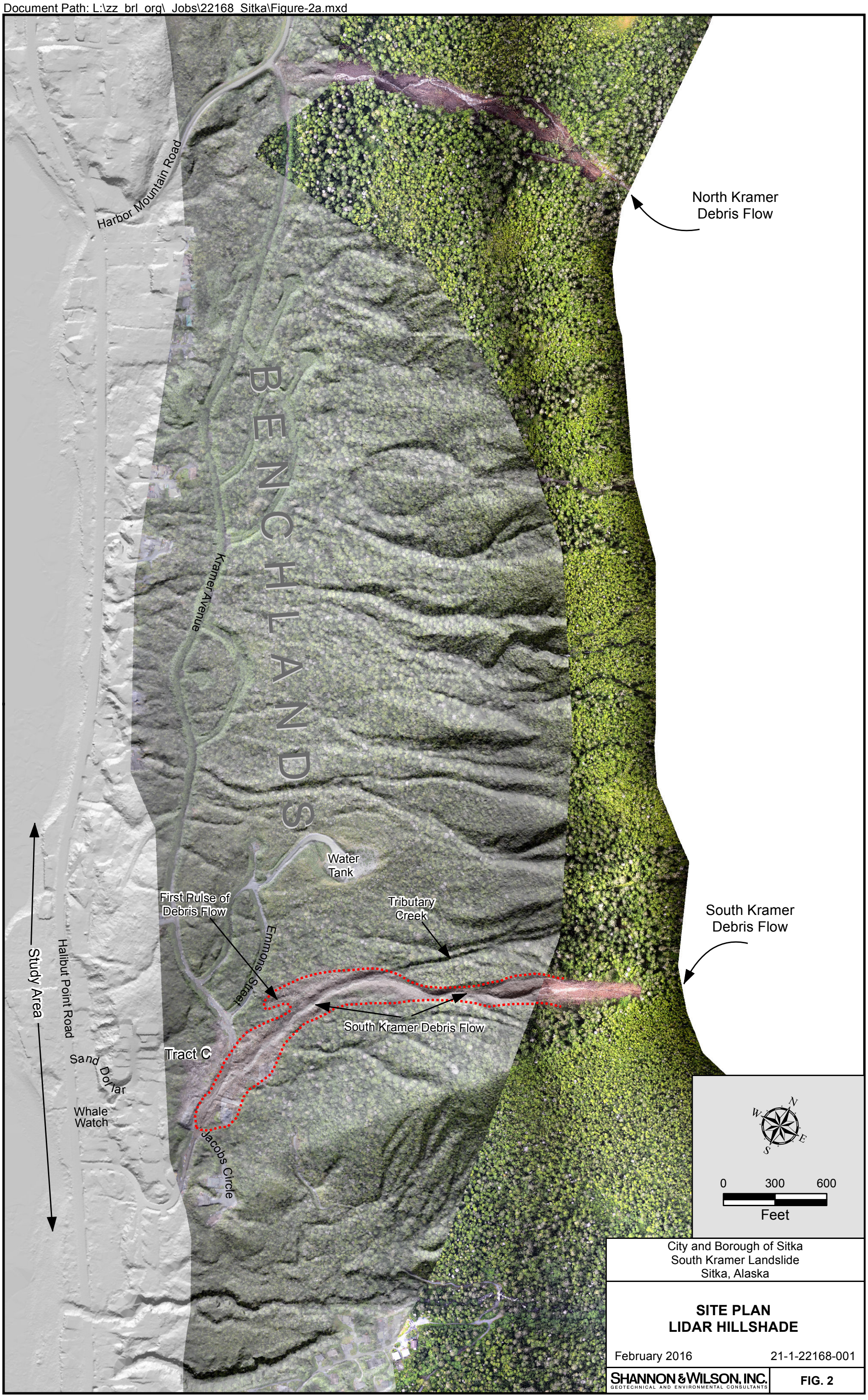

City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

SITE PLAN
LIDAR HILLSHADE

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FIG. 2

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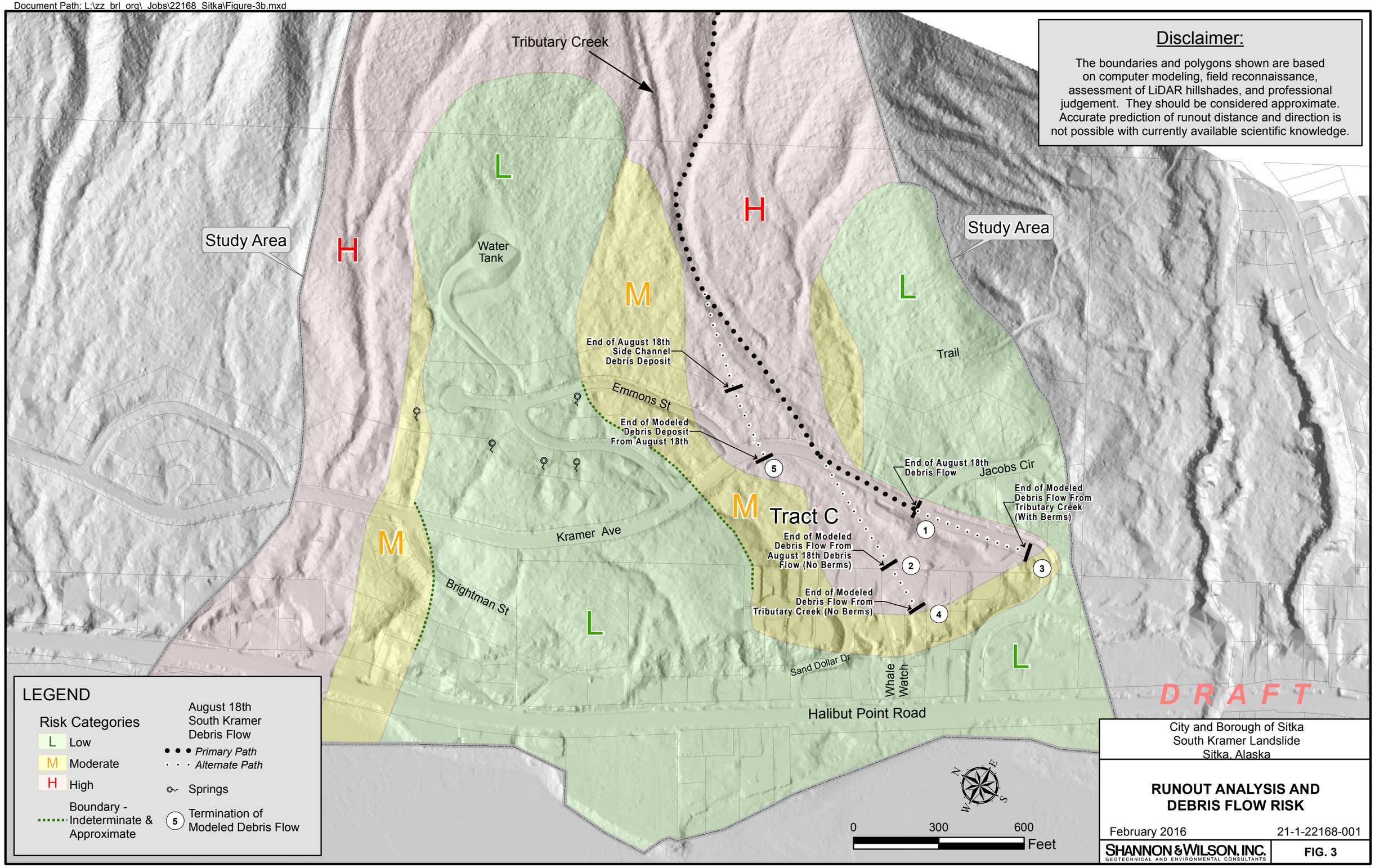

City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

RUNOUT ANALYSIS AND DEBRIS FLOW RISK

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FIG. 3

City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

PHOTOGRAPH OF DEBRIS FLOW INITIATION ZONE

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FIG. 4

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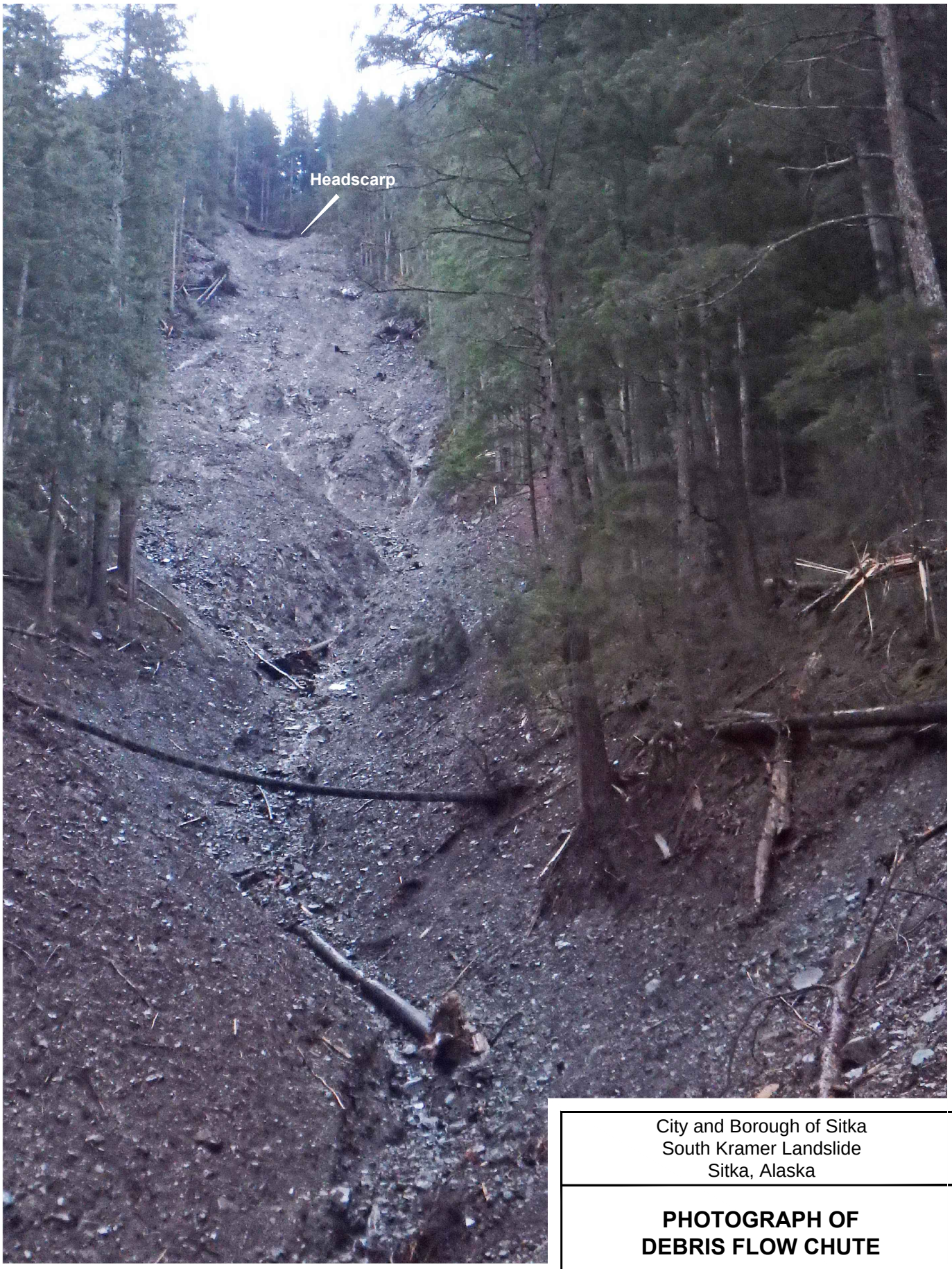

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South Kramer Landslide
Sitka, Alaska

PHOTOGRAPH OF DEBRIS FLOW CHUTE

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FIG. 5

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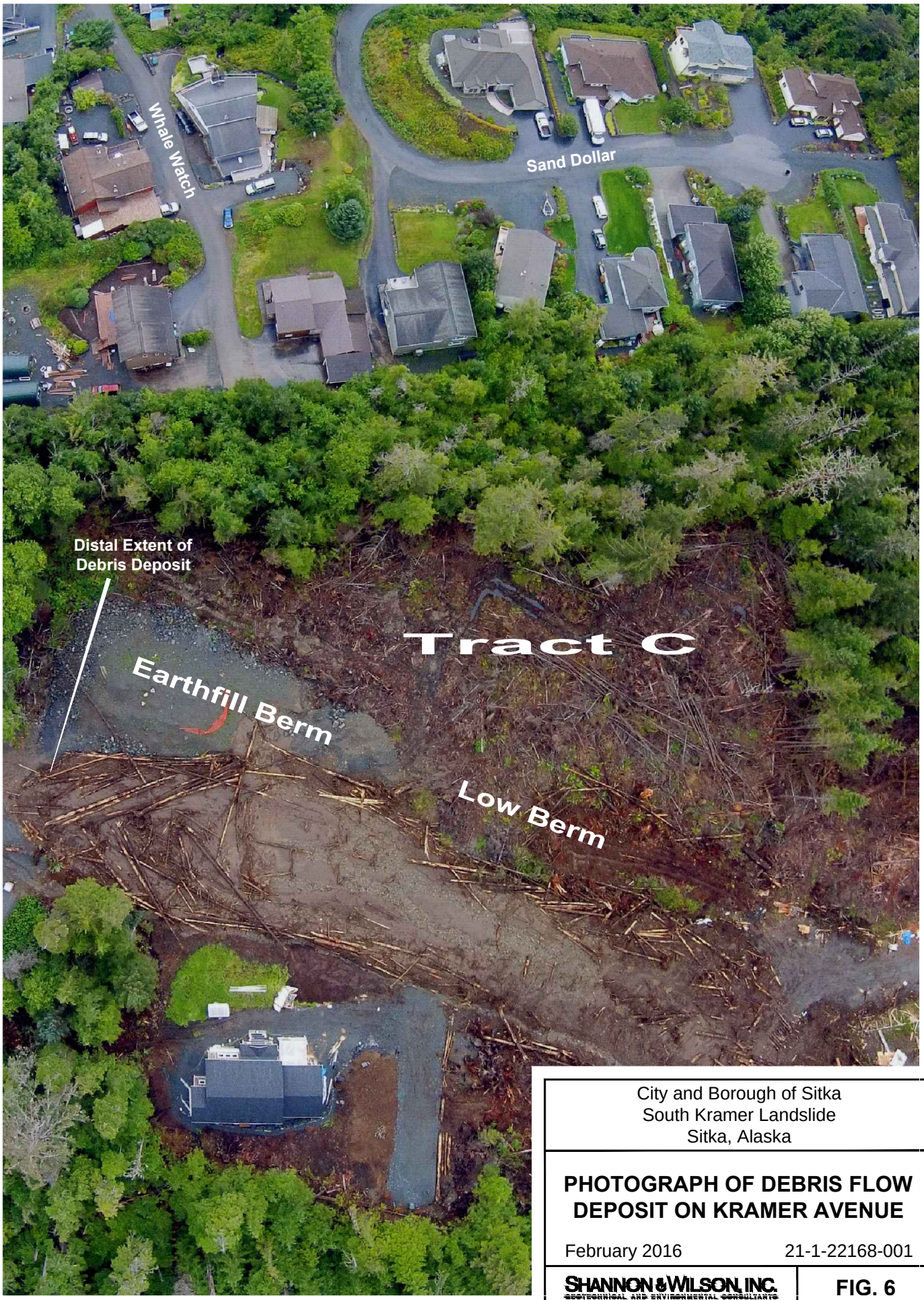

City and Borough of Sitka
South Kramer Landslide
Sitka, Alaska

PHOTOGRAPH OF DEBRIS FLOW DEPOSIT ON KRAMER AVENUE

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GEOTECHNICAL AND ENVIRONMENTAL CONSULTANTS

FIG. 6

Filename: J:\211\22168-001\21-1-22168-001 Site Photos.dwg Date: 02-01-2016 Login: sac

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 #:	P 18- 07	**Version:**	1	**Name:**	
Type:	Subdivision			**Status:**	AGENDA READY
File created:	3/27/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: Public hearing and consideration of an easement vacation request filed for Middle Island in the LI Large Island zone. The request would reduce the pedestrian access easement from 50 feet to 25 feet. The property is known as Lots 3, 4, 5 Block 1 Middle Island Subdivision. The request is filed by Michael Coady. The owner of record is Michael Coady.

Sponsors:

Indexes:

Code sections:

Attachments: P18-07.MiddleIsland.EasementVacation.Packet.6Apr2018

Date	Ver.	Action By	Action	Result

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City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Case No:	P 18-07
Proposal:	Easement vacation
Applicant:	Michael Coady
Owner:	Michael Coady
Location:	Middle Island
Legal Desc.:	Lots 3, 4, 5 Block 1 Middle Island Subdivision
Zone:	LI Large Island
Size:	Lot 5: 1.29 acre, Lot 4: 0.89 acre, Lot 3: 1.82 acre
Parcel ID:	49201003, 49201004, 49201005
Existing Use:	Lodge
Adjacent Use:	Recreational Residential, Undeveloped
Utilities:	Private Utilities
Access:	Water

KEY POINTS AND CONCERNS:

- A state created and protected 50 foot public pedestrian access easement around the outer boundary of Middle Island
- Request to reduce easement to 25 feet
- DNR-managed easement, local platting authority consultation required for vacation
- House and helicopter pad currently encroach on the easement
- Resolution of encroachment was a condition of approval of the lodge conditional use permit

RECOMMENDATION: Approve the vacation of 25 feet of the 50 foot access easement for Lot 5 alone.

ATTACHMENTS:

Attachment A: Applicant Materials

Attachment B: Staff Materials

BACKGROUND:

Plat 89-22 was recorded in 1989, creating Middle Island Subdivision. Lots 3, 4, and 5 of Block 1 were granted a conditional use permit for a lodge in December 2017. A condition of approval stated that the applicant must work with Alaska Department of Natural Resources to remedy encroachments into the 50 foot access easement. This vacation request is a means of achieving a remedy. Once the Planning Commission forwards a recommendation, DNR will make a determination of approval. If approved, a new plat will be filed.

In 1993, DNR approved a vacation of a portion of the pedestrian public access easement for Lot 3 Block 5 Middle Island Subdivision for Mark Gorman. The original request was for the reduction of the easement to 25 feet for the entire front property line. The final easement as approved by DNR was only reduced to 25 feet on the corner as required by the proposed structure.

PROJECT DESCRIPTION:

The request is to vacate 25 feet of a 50 foot pedestrian public access easement for the entirety of the property lines adjacent the ocean for Lots 3, 4, and 5.

Title 21

The purposes of the subdivision regulations are: to promote and protect the public, health, safety and welfare; provide for appropriate roads, streets, and access; provide for useful, adequate and convenient open space; provide for means for efficient transportation, mobility, and access; assure adequate utilities; provide for emergency response accessibility; provide adequate recreation, light, and air; avoid population congestion; facilitate orderly development and growth; and accurate surveying. [1]

Platting Development Standards

Per SGC 21.40.120, pedestrian walkways must be a minimum of 10 feet in width, with easements a minimum of 20 feet in width. Even with a reduction to 25 feet, standards will be exceeded.

[1] SGC 21.04.020

Title 22

22.16.135 LI large island district.

A. Intent. The large island district is intended to replace the open rural low density district. Its goals include protecting the residential character of the larger subdivided islands. It is intended to cover islands such as Middle Island, Long Island, and Galankin. Islands with seven lots or more may be included in this zone. An objective of this zone is to have developments served by access easements built to a defined standard and to have potential moorage areas identified.

Zoning Development Standards

The minimum lot area for the LI Zone is 1 acre. Lot 4 is deficient in size, at 0.89 acres. No change in lot size is proposed.

Project Analysis

Site: Existing lots developed as a lodge with several out-buildings and helipad. Three legal lots under common ownership total 4 acres. Existing 50' public pedestrian access easement bounds the properties on ocean side. House and helipad encroach into public pedestrian access easement as platted.

Utilities: Private utilities serve the lots on Middle Island, and the existing easement is for access only. No concerns.

Access, Roads, Transportation, and Mobility: Access for owners will be via private dock. 25 feet provides sufficient width for pedestrians to walk along the easement.

Public, Health, Safety and Welfare: No concerns for safety. Easement provides legal access for the public to access state-owned tidelands for recreation and subsistence uses, so reduction of the easement has the potential to reduce those activities.

Rec, Light, Air: Lots range in size from 0.89 acres to 1.82 acres. A 25 foot easement will remain to provide public access. No concerns.

Orderly and Efficient Layout and Development: Reduction of the easement would be inconsistent with other nearby properties that have maintained the full 50 foot easement, although DNR agreed to an easement reduction for another Middle Island property in 1993 (Gorman).

Comprehensive Plan

The proposed easement vacation complies with Comprehensive Plan Section 2.4.19 by going through the required platting process.

Recommendation and Motions

It is recommended that the Planning Commission approve the vacation of 25 feet of the 50 foot access easement on Lot 5 alone.

1) **I move to approve** the easement vacation request filed for Middle Island in the LI Large Island zone with the modification that the easement reduction is approved for Lot 5 alone. The request would reduce the pedestrian access easement from 50 feet to 25 feet. The property is known as Lots 3, 4, 5 Block 1 Middle Island Subdivision. The request is filed by Michael Coady. The owner of record is Michael Coady.
2) **I move to find that, as modified:**
    a. The vacation meets its burden of proof as to access, utilities, and dimensions;
    b. That the vacation complies with the Comprehensive Plan Section 2.4.19 by going through the required public hearing process;
    c. That the vacation complies with the subdivision code; and
    d. That the vacation is not injurious to the public health, safety, and welfare.

Attachment A

Applicant Materials

CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

1. Request projects at least TWENTY-ONE (21) days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR: VARIANCE CONDITIONAL USE

ZONING AMENDMENT PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Modify Pedestrian Access Easement (bordering tidewater) by narrowing it from 50 ft. to 25 ft. in accord with drawing (As Built Survey with croshatched easement modification area shown) attached hereto.

PROPERTY INFORMATION:

CURRENT ZONING: LI PROPOSED ZONING (if applicable):

CURRENT LAND USE(S): Residence PROPOSED LAND USES (if changing): Residence and lodge

APPLICANT INFORMATION:

PROPERTY OWNER: Michael Coady

PROPERTY OWNER ADDRESS: 251 Windy Ln., Rockwall, TX 75087

STREET ADDRESS OF PROPERTY: Middle Island Subd., Block 1, Lots 3, 4, and 5

APPLICANT'S NAME: Michael Coady

MAILING ADDRESS: 251 Windy Ln., Rockwall, TX 75087

EMAIL ADDRESS: mkcoady@yahoo.com DAYTIME PHONE: (972) 989-9025

PROPERTY LEGAL DESCRIPTION: Tax ID ##: 49201003, 49201004, and 49201005

TAX ID: LOT: 3, 4, and 5 BLOCK: 1 TRACT: N/A

SUBDIVISION: Middle Island Subd. (Plat 89-22) US SURVEY: N/A

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☐ Completed application form
- ☐ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☐ Proof of filing fee payment
- ☐ Proof of ownership
- ☐ Copy of current plat

For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Plat Certificate from a title company
- ☐ Topographic information
- ☐ Proof of Flagging

If Pertinent to Application:

- ☐ Landscape Plan
- ☐ Drainage and Utility Plan

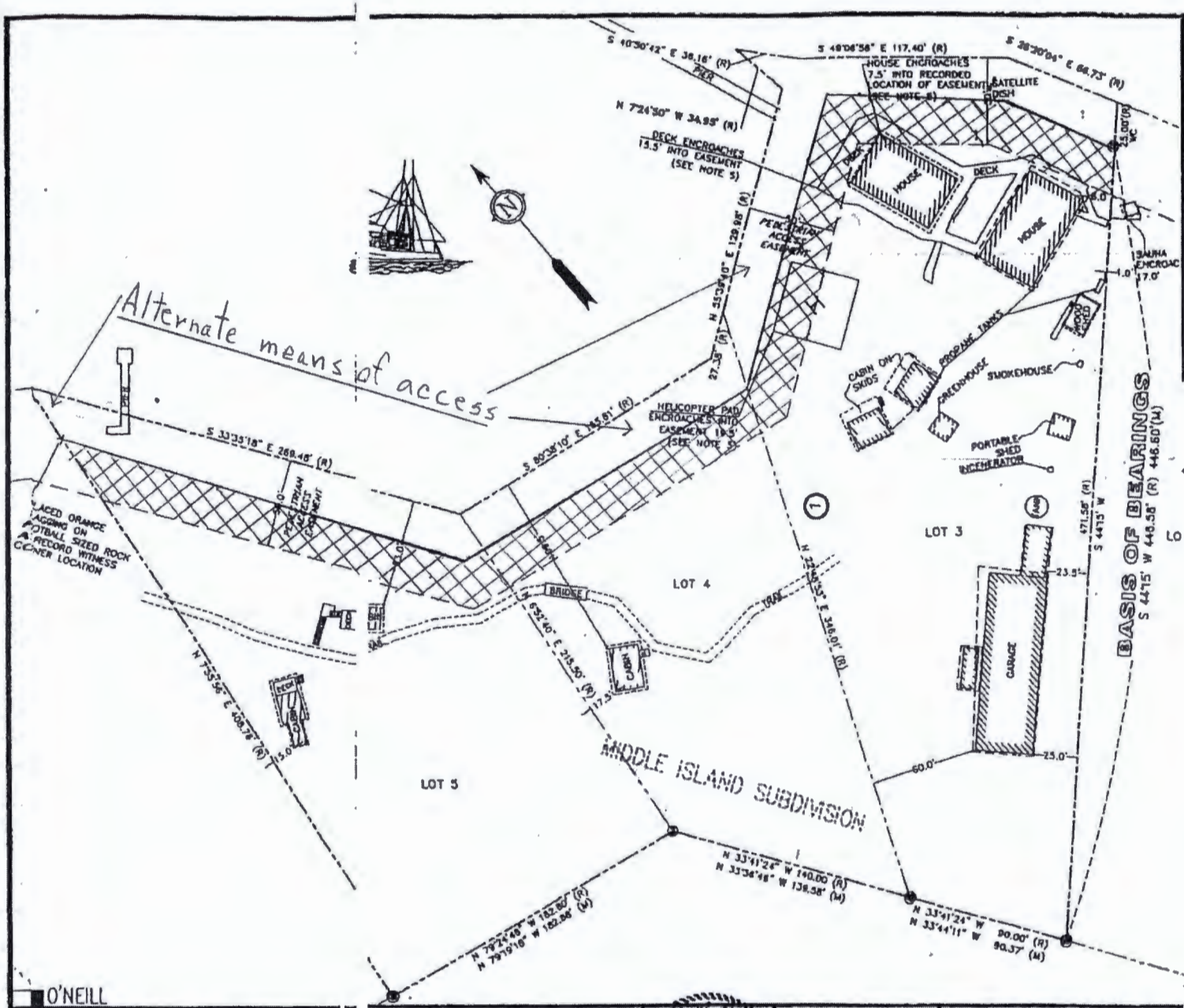
CERTIFICATION:

I hereby certify that I am the owner of the property described above and that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request. I understand that public notice will be mailed to neighboring property owners and published in the Daily Sitka Sentinel. I further authorize municipal staff to access the property to conduct site visits as necessary. I authorize the applicant listed on this application to conduct business on my behalf.

Owner _____ Date 3-20-18

I certify that I desire a planning action in conformance with Sitka General Code and hereby state that all of the above statements are true. I certify that this application meets SCG requirements to the best of my knowledge, belief, and professional ability. I acknowledge that payment of the review fee is non-refundable, is to cover costs associated with the processing of this application, and does not ensure approval of the request.

Applicant (If different than owner) _____ Date 3-20-18



VICINITY MAP

SCALE 1"=1 MI.

LEGEND

- PRIMARY BRASS CAP RECOVERED
- REBAR AND PLASTIC CAP RECOVERED
- REBAR AND ALUMINUM CAP RECOVERED
- (R) RECORD DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

PLAT NOTES

1. OFFSET DISTANCES ARE SHOWN TO THE NEAREST ONE HALF FOOT FROM THE PROPERTY LINE TO THE IMPROVEMENT.
2. THIS PLAT DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AS SET FORTH BY THE ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS (ASPLS).
3. THIS PLAT IS NOT TO BE SCALED FROM, USE GIVEN DIMENSIONS ONLY.
4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN ON THIS PLAT.
5. MEANDERS SHOWN ON THIS DRAWING ARE MEAN HIGH WATER LINE (MHWL) MEANDERS OF RECORD PER THE MIDDLE ISLAND SUBDIVISION PLAT (PLAT NO. 89-22, ASLS 87-129, MIDDLE ISLAND SUBDIVISION). THE ACTUAL MHWL MEANDERS WERE NOT DETERMINED AS PART OF THIS AS-BUILT SURVEY. ACCORDING TO THE MIDDLE ISLAND SUBDIVISION PLAT, NOTE 8: "THE MEANDERS SHOWN HEREON ARE FOR AREA COMPUTATIONS ONLY, AND THE TRUE MEANDERS OF MEAN HIGH WATER OR ORDINARY HIGH WATER FORM THE BOUNDARIES OF THE LOTS."

CLIENT: DAVES REALTY
200 B LAKE ST.
SITKA, ALASKA 99835

40 20 0 40 80 120
SCALE IN FEET

O'NEILL
SURVEYING AND ENGINEERING

BOX 1849 SITKA, ALASKA 99835
PHONE: (907) 747-6700
FAX: (907) 747-7590
EMAIL: oneilleng@ak.net

REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA
49TH
DALE W. O'NEILL
ALASKA
LAND SURVEYOR
10-19-16

DESIGNED P. O'NEILL
DRAWN JOH/ACAD
CHECKED
DATE OF PLAT/ACS 18, 2016
SCALE 1" = 50'
DRAWING NAME/DWG-01
PROJECT NO. 30133-05-00

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN ON THIS PLAT. I BELIEVE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS WERE NOT CONSIDERED TO BE JUST BY MY PROFESSIONAL KNOWLEDGE AND BELIEF. THE SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PROPERTY LINE LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR PURCHASING MAINTENANCE, STRUCTURES, BUILDING PERMITS, OR LOCATING BUILDING LINES. IT IS THE RESPONSIBILITY OF THE OWNER OR VENDOR THAT IMPROVEMENTS SHOWN ON THIS PLAT, MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES IN EFFECT.

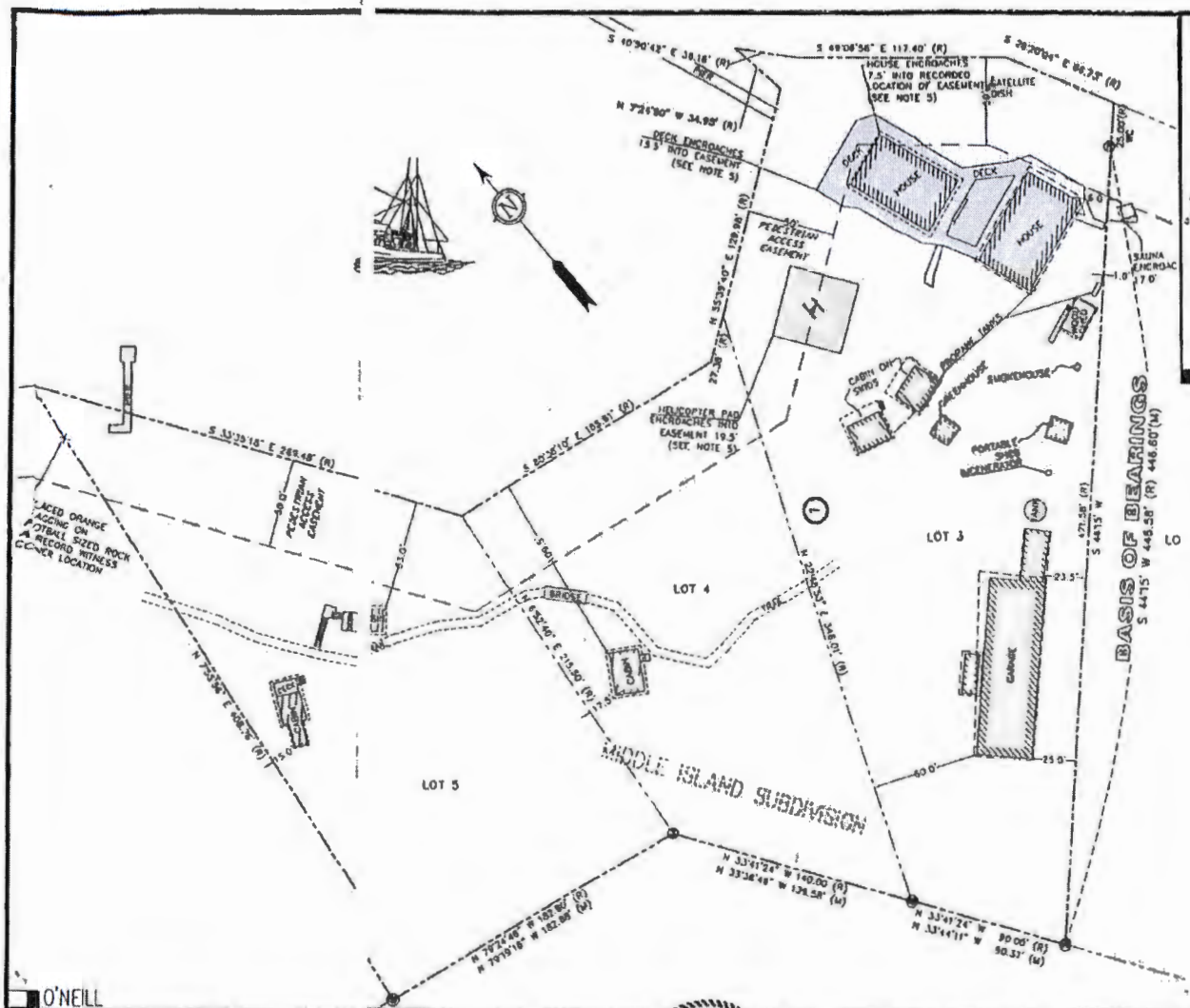
10-19-16
DATE

PROJECT ENGINEER LS 5236

AS-BUILT SURVEY

LOTS 3, 4,5 BLOCK 1, MIDDLE ISLAND SUBDIVISION

SHEET 1 OF 1



VICINITY MAP

SCALE 1"=1 MI.

LEGEND

- PRIMARY BRASS CAP RECOVERED
- REBAR AND PLASTIC CAP RECOVERED
- REBAR AND NEEDHAM CAP RECOVERED
- (R) RECORD DATA
- (C) COMPUTED DATA
- (M) MEASURED DATA

PLAT NOTES

1. OFFSET DISTANCES ARE SHOWN TO THE NEAREST ONE HALF FOOT FROM THE PROPERTY LINE TO THE IMPROVEMENT.
2. THIS PLAT DOES NOT MEET MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AS SET FORTH BY THE ALASKA SOCIETY OF PROFESSIONAL LAND SURVEYORS (ASPLS).
3. THIS PLAT IS NOT TO BE SCALED FROM, USE GIVEN DIMENSIONS ONLY.
4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN ON THIS PLAT.
5. BEARINGS SHOWN ON THIS DRAWING ARE MEAN HIGH WATER LINE (MHWL) BEARINGS OF RECORD FROM THE MIDDLE ISLAND SUBDIVISION PLAT (PLAT NO. 89-22, ASLT 87-129, MIDDLE ISLAND SUBDIVISION). THE ACTUAL MHWL BEARINGS WERE NOT DETERMINED AS PART OF THIS AS-BUILT SURVEY. ACCORDING TO THE MIDDLE ISLAND SUBDIVISION PLAT, NOTE 10 "THE BEARINGS SHOWN HEREON ARE FOR AREA COMPUTATIONS ONLY, AND THE TRUE BEARINGS OF MEAN HIGH WATER OR ORDINARY HIGH WATER FORM THE BOUNDARIES OF THE LOTS."

CLEONY SAVES REALTY
[illegible] LAKE ST.
SITKA, ALASKA 99835

10 20 0 40 80 120
SCALE IN FEET

O'NEILL
SURVEYING AND ENGINEERING

KOI 1849 SITKA, ALASKA 99835
PHONE: (907) 747-8700
FAX: (907) 747-7590
E-MAIL: [illegible]

REV.	DESCRIPTION OF CHANGE

RECORD OF REVISIONS

STATE OF ALASKA 49TH
10-19-16

DESIGNED R. O'NEILL
DRAWN JOHNSON
CHECKED BY
DATE OF PLANNING 10-2003
SCALE 1" = 40'
DRAWING NAME 30133-02
PROJECT NO. 30133-05-00

SURVEYOR'S CERTIFICATE

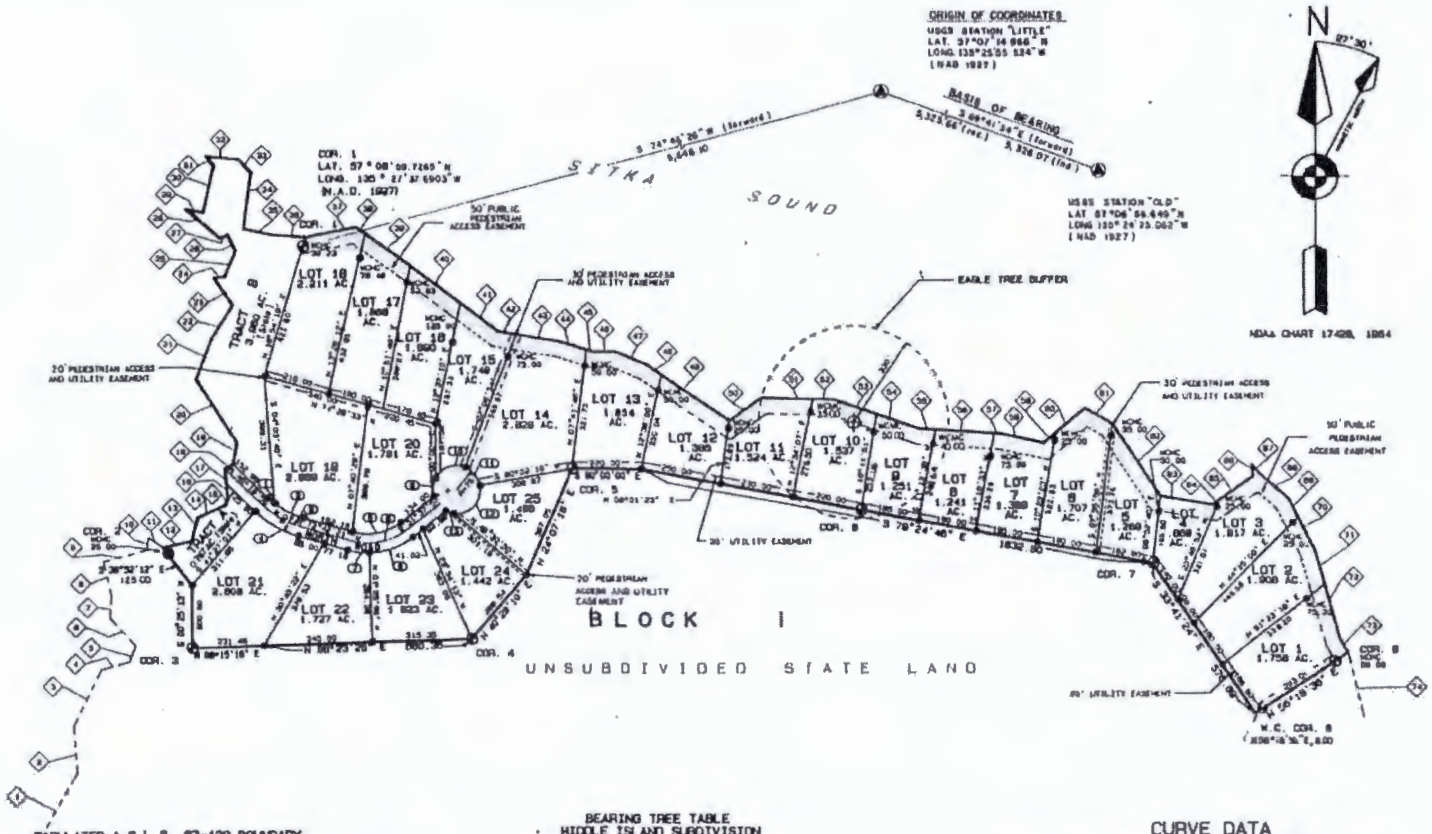
I HEREBY REPORT THAT I HAVE SURVEYED THE PROPERTY SHOWN ON THIS PLAT & BELIEVE THAT DIMENSIONS AND MODULE DIMENSIONS HAVE BEEN ESTABLISHED TO BE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS REPORT IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING IMPROVEMENTS AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA PROVIDED BE USED FOR PROCURING ADVISORY, STRUCTURAL, BUILDING PERMIT, OR LEASING PURPOSES UNLESS IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS WITHIN THE PARCEL MEET ALL APPROVED SETBACKS AND ZONING DISTRICTS & AREA REQ.

10-19-16
DATE

AS-BUILT SURVEY

LOTS 3, 4,5 BLOCK 1,
MIDDLE ISLAND SUBDIVISION

SHEET 1 OF 1



VICINITY M

USGS QUAD SITKA A-5, 19

1" = 1 MILE

TABULATED A.S.L.S. 87-129 BOUNDARY

(1) = MEANDER COURSE

COURSE NO.	BEARING	DISTANCE	REMARKS
1	N 30° 27' 38" E	288.85	
2	N 03° 48' 31" W	120.22	
3	N 28° 33' 34" E	201.29	
4	N 74° 38' 20" E	89.41	
5	N 81° 46' 08" E	83.86	
6	N 41° 38' 51" W	170.42	
7	N 04° 08' 08" E	79.18	
8	N 12° 46' 15" W	112.81	
9	N 75° 57' 56" E	144.31	
10	N 07° 07' 39" E	48.31	
11	S 58° 16' 38" E	54.08	
12	N 77° 28' 18" E	82.20	
13	N 14° 06' 53" E	77.82	
14	N 06° 02' 15" E	88.48	
15	N 38° 38' 54" E	97.38	
16	N 06° 40' 38" W	45.83	
17	N 66° 40' 38" W	48.08	
18	N 38° 14' 11" E	31.08	
19	N 16° 48' 22" E	88.43	
20	N 33° 41' 24" W	234.38	
21	N 21° 46' 08" E	134.83	
22	N 38° 41' 34" E	139.18	
23	N 39° 19' 08" W	104.94	
24	N 81° 53' 12" E	36.38	
25	N 23° 27' 46" E	87.32	
26	N 88° 55' 54" W	50.90	
27	S 88° 15' 05" W	26.98	
28	N 30° 42' 38" W	142.13	
29	S 78° 41' 49" E	86.85	
30	N 13° 08' 56" E	184.83	
31	N 38° 48' 20" W	38.03	
32	S 84° 32' 38" E	108.48	
33	S 41° 38' 51" E	80.21	
34	S 87° 38' 00" W	179.38	
35	S 77° 41' 18" E	98.79	
36	S 88° 18' 38" E	181.08	
37	N 78° 08' 51" E	181.38	

COURSE NO.	BEARING	DISTANCE	REMARKS
38	S 54° 00' 03" E	38.53	
39	S 54° 00' 03" E	172.00	
40	S 54° 28' 28" E	200.04	
41	S 53° 38' 13" E	148.52	
42	S 86° 48' 37" E	38.88	
43	S 40° 05' 18" E	138.84	
44	S 73° 18' 03" E	88.88	
45	S 73° 18' 02" E	21.31	
46	S 89° 40' 22" E	78.75	
47	S 28° 08' 07" E	103.80	
48	S 15° 48' 03 E	58.03	
49	S 35° 48' 00" E	220.28	
50	N 54° 48' 23" E	102.21	
51	S 88° 37' 48" E	103.04	
52	S 88° 37' 48" E	88.88	
53	S 71° 28' 30" E	143.48	
54	S 71° 28' 30" E	148.88	
55	S 88° 32' 00" E	81.88	
56	S 88° 32' 00" E	188.11	
57	S 88° 32' 00" E	28.31	
58	S 77° 22' 22" E	138.18	
59	N 38° 22' 38" E	48.87	
60	N 80° 22' 38" E	118.77	
61	S 81° 18' 28" E	108.88	
62	S 33° 38' 18" E	288.48	
63	S 88° 38' 18" E	180.81	
64	N 88° 38' 40" E	27.38	
65	N 88° 38' 40" E	128.88	
66	N 67° 24' 08" W	34.88	
67	S 40° 38' 42" E	38.18	
68	S 40° 08' 88" E	117.48	
69	S 28° 28' 04" E	88.73	
70	S 28° 28' 04" E	118.81	
71	S 18° 08' 48" E	114.88	
72	S 18° 08' 48" E	188.31	
73	S 27° 58' 03" E	47.87	
74	S 13° 18' 08" E	318.84	

BEARING TREE TABLE
MIDDLE ISLAND SUBDIVISION
A.S.L.S. 87-129
BLOCK NO. I

	MONUMENT	BT/DESCRIPTION	BEARING	DIST
B1 WCMC TR B L49	COR. 1	1 18" SPRUCE	S 87° 00' E	7.1
		2 5" SPRUCE	N 83° 00' W	23.7
		3 18" SPRUCE	S 77° 00' W	22.8
TR A WMC B1 C2	COR. 2	1 14" HEM.DOG	S 32° 00' E	22.0
		2 30" CEDAR	N 87° 00' W	30.6
		3 12" SPRUCE	N 30° 00' E	14.5
B1 L21 C3	COR. 3	1 12" HEM.DOG	S 88° 00' E	23.8
		2 10" HEM.DOG	S 24° 00' E	26.0
		3 8" HEM.DOG	N 42° 00' E	28.1
B1 L23 L24 C4	COR. 4	1 8" HEM.DOG	N 38° 00' W	17.3
		2 12" HEM.DOG	S 24° 00' W	32.8
		3 7" HEM.DOG	N 73° 00' E	30.4
B1 L18 C5 L20 C6	COR. 5	1 10" SPRUCE	N 60° 00' W	80.8
		2 12" SPRUCE	S 38° 00' W	32.7
		3 7" SPRUCE	N 81° 00' E	20.3
B1 L12 L13 C8	COR. 6	1 18" HEM.DOG	S 13° 00' W	21.3
		2 8" HEM.DOG	N 88° 00' W	24.7
		3 10" HEM.DOG	N 78° 00' E	24.4
L3 B1 C7 L6	COR. 7	1 7" HEM.DOG	S 33° 00' W	21.4
		2 6" HEM.DOG	N 58° 00' W	38.7
		3 14" HEM.DOG	N 52° 00' E	21.1
B1 L1 C9 L8	COR. 8	1 10" HEM.DOG	S 22° 00' E	14.3
		2 24" HEM.DOG	N 22° 00' E	42.3
		3 10" HEM.DOG	S 88° 00' W	18.1
B1 WCMC C9 L1	COR. 9	1 8" HEM.DOG	S 32° 00' W	18.3
		2 10" HEM.DOG	N 08° 00' E	27.8
		3 8" HEM.DOG	S 87° 00' E	23.8

CURVE DATA

(D) = R.O.W. CURVE COURSE

CURVE	RADIUS	DELTA	TAN	LENGTH	CHORD	CHORD BEARING
1	270.00	85° 46' 04"	23.27	28.71	28.70	S 40° 00' 06" E
2	270.00	21° 42' 21"	51.78	102.29	101.68	S 62° 51' 11" E
3	300.00	27° 22' 25"	72.08	143.32	141.97	S 68° 01' 08" E
4	300.00	87° 22' 25"	88.38	157.08	156.17	S 88° 01' 08" E
5	170.00	54° 38' 42"	87.08	162.18	156.10	N 78° 57' 48" E
6	200.00	54° 38' 42"	102.28	190.81	183.85	N 78° 57' 48" E
7	230.00	17° 43' 35"	35.87	71.18	70.87	S 80° 34' 08" E
8	230.00	35° 38' 57"	78.81	148.27	145.71	N 70° 08' 08" E
9	75.00	44° 42' 07"	30.80	58.53	57.08	N 07° 34' 07" E
10	75.00	80° 15' 58"	65.41	117.08	108.56	N 71° 01' 03" E
11	75.00	57° 50' 38"	41.31	75.63	72.64	S 26° 08' 38" E
12	75.00	108° 54' 48"	101.20	138.88	120.51	S 43° 38' 33" W
13	75.00	21° 08' 18"	13.87	27.63	27.47	N 73° 38' 54" W

LEGEND

- USGS TRIANGULATION STATION RECOVERED
- PRIMARY MONUMENT SET THIS SURVEY
- SECONDARY MONUMENT SET THIS SURVEY
- WCMC — WITNESS CORNER MEANDER CORNER
- 73.00 — WITNESS DISTANCE
- (1) MEANDER COURSE
- (D) CURVE DATA

89-22

RECORDED - FILED
SITKA
DATE 12-4-81
TIME 1:35 P.M.
RECORDING DISTRICT
AND DATUM
ALASKA

88-17

Sitka
7-17-88
1:35 P
SCS
Service of
Sitka AK 99835

AMENDED
SCALE: 1"

FEET 0 100 200 400 600
METERS 0 100 200

1 METER = 3.2808333 U.S. SURVEY FEET 3 U.S. AC

DATE OF SURVEY Beginning MAY 5, 1987 Ending JULY 22, 1987	NAME O STEAGER COA CREK SITKA

STATE OF ALASKA
DEPARTMENT OF NATURAL R
DIVISION OF LAND & WATER
ANCHORAGE, ALASKA

ASLS 87-1
MIDDLE ISLAND SU

LOCATED WITHIN
SECTION 2, 6, 17, 18, 19 & 20, T 5

DRAWN BY: EAJ	APPROVAL RECOMMENDE
DATE 9/87	Chief Cadastral Surveyor

SHEET 2 OF 5 | SCALE: 1"=200' | CHECKED N.F.S. | FILE

Sitka PLAT 89-22 88-17

NARRATIVE IN SUPPORT OF EASEMENT MODIFICATION APPLICATION

Mike Coady purchased Lots 3, 4, and 5 of the Middle Island Subdivision January 18, 2018. That purchase was made after having had preliminary discussions with Planning Department staff and after having participated in Planning and Zoning Commission meetings at which Mr. Coady's concept for development of the lots was discussed in open sessions.

Lots 3, 4, and 5 were owned by at least one previous owner, perhaps more, who made use of the property in a manner inconsistent with City & Borough codes and state regulations. Mr. Coady is attempting to remedy those various violations associated with the property so that it can be operated as a lodge under a conditional use permit. Given the property's location and what improvements have already been made to it, use as a lodge is the highest and best use for that property.

One of the problems inherited upon Mr. Coady's purchase of the property was that certain structures property were located within a pedestrian access easement reserved by the State of Alaska under A.S. 35.08.127 and 11 AAC 51.045 (see copies of that statute and such regulation attached to this Narrative). Combined, those provisions require a 50-foot wide easement upland from mean high water be retained by the State of Alaska whenever property adjacent to navigable water is sold, leased or granted. The channel between Middle Island (where Lots 3, 4, and 5 are located) and Baranof Island is navigable. As a result, when the Middle Island Subdivision was originally platted, the property now owned by Mr. Coady was encumbered by a 50-foot wide waterfront easement. If the width of that easement were to be reduced to 25 feet, no encroachments (other than an easily movable satellite dish) would remain within easement boundaries. Mr. Coady is petitioning the Alaska Department of Natural Resources to reduce the width of such easement simultaneous with this application to the City and Borough. As a practical matter, however, approval of that petition to the state hinges on the municipal planning and zoning department having no objections to the present proposed easement width reduction.

A.S. 35.08.127(d) permits modification of the easement in question upon petition by "an affected owner of land . . .". As the holder of title to Lots 3, 4, and 5, Mr. Coady is such an affected owner. A copy of his Petition to the Alaska Department of Natural Resources to narrow the easement in question from 50 feet in width to 25 feet in width is attached to this Narrative.

The site plan submitted with this Application, rendered on a copy of an as-built survey of the property, discloses what portion of the easement (the area covered by "crosshatching") Mr. Coady seeks to have narrowed. That crosshatch area extends 25 feet seaward from the upper boundary of such easement. That area would not be within the easement if this application is approved and the State of Alaska concurs. The area left encumbered by the easement is at least 25 feet wide in all places as it traverses the shoreline abutting Lots 3, 4, and 5. As the easement is only for pedestrian access (not for access by either motorized or non-motorized vehicles), the 25-foot wide area that would remain encumbered if this Application is approved likely will be sufficient to permit individuals to walk the length of that shoreline without difficulty any greater than would be encountered if such were to be crossed using the existing 50-foot wide easement.

Few people, other than the previous owners of Lots 3, 4, and 5 (when they owned those properties), have ever been observed making use of the existing easement. Unsubdivided land of substantial acreage has been retained by the State of Alaska abutting upland boundaries of all properties in Block 1 of the Middle Island Subdivision (other than those served by an "inland" access easement). Given the relatively rugged nature of the shoreline of Lots 3, 4, and 5, use of the tidewater access easement on those lots is not likely to increase in the future. Literally, walking from one end of Block 1 to the other is easier on the unsubdivided upland state lands than "on the beach". Practically speaking, the easement on the waterfront sides of Lots 3, 4, and 5 is only desirable for beach-combing. Reducing the width of the existing easement upland of mean high water on such lots from 50 feet to 25 feet would not serve in any way to impair beach-combing activities, either by neighbors or by members of the public. Therefore, the impact on others of Mr. Coady's requested reduction in easement width will, at most, be minimal and in all likelihood nonexistent.

In light of the circumstances outlined in this narrative, Mr. Coady's application should be approved and the Alaska Department of Natural Resources, Survey Section, should be informed that the platting authority of the City and Borough of Sitka does not find reduction of the easement in question from 50 feet in width to 25 feet to be objectionable.

§ 38.05.127. Access to navigable or public water.

Alaska Statutes

Title 38. PUBLIC LAND

Chapter 38.05. ALASKA LAND ACT

Article 05. RESERVATION OF RIGHTS TO ALASKA

Current through Ch. 25 of the 2017 Legislative Sess.; Ch. 1 of Spec. Sess. 1; Ch. 3 of Spec. Sess. 2; and Ch. 1 of Spec. Sess. 3

§ 38.05.127. Access to navigable or public water

(a) Before the sale, lease, grant, or other disposal of any interest in state land adjacent to a body of water or waterway, the commissioner shall,

(1) determine if the body of water or waterway is navigable water, public water, or neither;

(2) upon finding that the body of water or waterway is navigable or public water, provide for the specific easements or rights-of-way necessary to ensure free access to and along the body of water, unless the commissioner finds that regulating or limiting access is necessary for other beneficial uses or public purposes.

(b) The department shall adopt regulations implementing this section.

(c) Nothing in this section affects valid existing rights or limits in any way the constitutional right of the public to use and have free access to the navigable or public waters of the state.

(d) Upon application by a municipality or an affected owner of land, the department may vacate, release, modify, or relocate an easement and right-of-way for public access to or along navigable or public waters reserved by the department in a patent issued under AS 29.65 or former AS 29.18, if the commissioner determines the action is consistent with the public interest.

(e) The establishment of easements or rights-of-way for oil and gas, gas only, and mineral leases under (a) of this section need not be made until the leases are ready to be developed.

(f) Rights-of-way or easements to waterways established under (a)(2) of this section shall be established approximately once each mile unless the commissioner makes a written finding that regulating or limiting access is necessary for other beneficial uses or public

purposes.

(g) The commissioner may exchange land under AS 38.50 to create access to public water of the state.

Cite as AS 38.05.127

§ 11 AAC 51.045. Easements to and along navigable and public water.

Alaska Administrative Code

Title 11. Natural Resources

Part 6. Lands

Chapter 51. Public Easements

Article 2. Identification, Reservation, and Modification of Public Easements

Current through September 30, 2017

§ 11 AAC 51.045. Easements to and along navigable and public water

(a) As part of a preliminary or proposed written decision under AS 38.05.035(e) before the sale, lease, grant, or other disposal of any interest in state land the department will

(1) list or map the access easements that the department proposes to reserve under this section for public access to and along water determined under 11 AAC 51.035 to be navigable or public water; or

(2) state why reserving an access easement is not necessary to ensure free access to and along water determined under 11 AAC 51.035 to be navigable or public water or why regulating or limiting access is necessary for other beneficial uses or public purposes.

(b) In its final written decision under AS 38.05.035(e), the department will incorporate the list or map prepared under (a)(1) of this section or, in response to public comments or other information known to the department, will incorporate a modified version of that list or map. Unless the final decision under AS 38.05.035(e) determines that reserving an access easement is not necessary to ensure free access to and along the water or that regulating or limiting access is necessary for other beneficial uses or public purposes, the department will reserve access easements as required by this section.

(c) Before the department grants a lease of the land estate or conveyance of land adjacent to any water affected by tidal action, the department

(1) will reserve along that water an access easement that

(A) is continuous, unless topography or land status prevents a continuous easement; and

(B) extends at least 50 feet from the mean high water line on the side to be leased or conveyed, and on both sides of the mean high water line if land

on both sides is to be leased or conveyed; and

(2) may reserve an alternative upland access route, if the department finds that access along an easement reserved under (1) of this subsection might be difficult because of topography or obstructions.

(d) Before the department grants a lease of the land estate or conveyance of land adjacent to or containing any inland water determined under 11 AAC 51.035 to be navigable water, the department

(1) will reserve along that water an access easement that

(A) is continuous, unless topography or land status prevents a continuous easement; and

(B) extends at least 50 feet upland from the ordinary high water mark;

(2) will retain the bed of that water in state ownership; and

(3) may reserve an alternative upland access route, if the department finds that access along an easement reserved under (1) of this subsection might be difficult because of topography or obstructions.

(e) Before the department grants a lease of the land estate or conveyance of land adjacent to or containing any inland water determined under 11 AAC 51.035 to be public water, the department

(1) will reserve, along and on the bed of that water, an access easement that

(A) is continuous, unless topography or land status prevents a continuous easement; and

(B) extends at least 50 feet upland from the ordinary high water mark; and

(2) may reserve an alternative upland access route, if the department finds that access along an easement reserved under (1) of this subsection might be difficult because of topography or obstructions.

(f) Before the department grants a lease of the land estate or conveyance of land adjacent to or containing water determined under 11 AAC 51.035 to be navigable or public water, and if

(1) an existing trail, road, or other overland route provides access to the water but does not already have a reserved easement, the department will reserve an access easement, with a minimum width as required under 11 AAC 51.015(d)(1)(E) ;

(2) a trail, road, or other overland access route to the water does not exist, but a public road or a public trail lies within two miles of the navigable or public water, and if overland access from the road or trail to the water is feasible, the department

(A) will reserve, from the road or trail to the water, an access easement with a minimum width of 50 feet, or with a minimum width of 60 feet if the department also determines that the need for increased public access to navigable or public water may justify construction of a road along an easement; and

(B) will reserve access easements under (A) of this paragraph, at intervals of approximately one mile, from the water to a public road or a public trail that lies parallel to the water; in reserving these easements, the department may designate

(i) a section-line easement under AS 19.10.010 as an access easement, to the extent that the section-line easement runs on state land, and if the section-line easement provides a practical route to the shore; and

(ii) an access easement along a tributary waterway for access to another water body or waterway, if the easement along the tributary waterway provides a practical and reasonably direct route from the road or trail to the other water body or waterway; or

(3) a trail, road, or other overland access route to the water does not exist, but a public railroad crossing authorized by the railroad operator lies within two miles of the navigable or public water, and if overland access from the railroad crossing to the water is feasible, the department will reserve, from the railroad crossing to the water, an access easement with a minimum width of 50 feet, or with a minimum width 60 feet if the department also determines that the need for increased public access to navigable or public water may justify construction of a road along an easement.

(g) If reserving access easements under (f) of this section, the department may reserve additional access easements to a water body or waterway to accommodate existing or anticipated heavy use, to protect portage routes, or to secure access between aircraft landing sites and nearby navigable or public water.

(h) In determining the access easements to be reserved to and along navigable or public water, the department will solicit comments from the Department of Fish and Game and from a municipality or other person entitled under AS 38.05.945 to notice of the preliminary or proposed written decision under AS 38.05.035(e).

Cite as 11 AAC 51.045

History. Eff. 5/3/2001, Register 158

Editor's Note:

The subject matter of 11 AAC 51.045 was formerly located at 11 AAC 53.330. The history note for 11 AAC 51.045 does not reflect the history of the earlier section.

Note:

Authority: AS 38.04.005

AS 38.04.055

AS 38.04.900

AS 38.05.020

AS 38.05.035

AS 38.05.127

TO: State of Alaska
Department of Natural Resources
Survey Section
550 W 7th Avenue, Suite 650
Anchorage, AK 99501-3576

EV No: _____

PETITION FOR: EASEMENT VACATION WITHIN A LOCAL PLATTING AUTHORITY

I (We) the undersigned petitioner (petitioners), being the owner (owners) of a majority of the property (abutting) (lying within). *(Provide a legal description of the property. PO Boxes, street addresses, tax parcel ID numbers and/or mile posts are not acceptable).*
Lots 3, 4, and 5, Block 1, Middle Island Subdivision, Sitka Recording District, State of Alaska.

request the (vacation) (replat) (amendment) (change of basic configuration) of
A.S. 38.05.127 pedestrian access easement on the above-identified lots so that such easement only extends 25 feet above mean high water (i.e, elimination of such easement from the crosshatched area on the accompanying maked-up "as-bulit survey".

as depicted on the accompanying (plat) (map) (plan) (document).

Description of the alternate right(s)-of-way: *(Required by 11 AAC 51.065(f))*
Continued pedestrial access would be available to the public on the remaining 25 foot wide easement upland from mean high water.

The reasons for this request are: *(Why do you need the ROW or easement vacated? Be specific!)*
Previous owner(s) of Lots 3, 4, and 5 constructed permanent structures with the 50 foot wide easement. Petitioner is making substantial expenditures in order to bring the lots into compliance with state requirements for a lodge (i.e., approved septic system, tidelands lease for dock, etc.) and hopes to avoid the additional expense of removing permanent structures from the existing easement area.

The petitioner (petitioners) file this petition under the authority of AS 29.40.120 and 11 AAC 51.065.

The undersigned petitioner (petitioners) by their signature (signatures) certify that I am the owner (they are the owners) of and have possessory rights in the property described next to my (their) signature (signatures).

Submitted this 3rd day of March, 20 18

PETITIONERS:

Name *(clearly printed)* and Signature *(required)*	Legal Description	Mailing Address/ Phone Number	Date
1. Michael Coady	Lots 3, 4, and 5, Block 1, Middle Island Subd., Sitka Recording District, State of Alaska	251 Windy Lane, Rockwall, TX 75087 972-989-9025	
2.			

PETITIONERS (cont.):

Name *(clearly printed)* and Signature *(required)*	Legal Description	Mailing Address/ Phone Number	Date
3.			
4.			
5.			
6.			
7.			
8.			

Petitioner or attorney for the petitioner designated to receive service by mail.
Name Denton Pearson Address 713-B Sawmill Creek Road, Sitka, AK 99835

REQUIRED SUBMISSION IN SUPPORT OF EASEMENT MODIFICATION APPLICATION

Petitioner Mike Coady purchased Lots 3, 4, and 5 of the Middle Island Subdivision January 18, 2018. A copy of his Warranty Deed (in the form in which it was recorded) evidencing his ownership is attached hereto. Petitioner has simultaneously applied to the platting authority of the City and Borough of Sitka, within which municipality the property is located, for its approval of the requested easement modification.

Attached to this document are the following:

- A preliminary drawing (made by marking upon an as-built survey) showing the location of the proposed vacation and proposed alternate means of access and the available access to be made available to surrounding lands (that are affected by the proposal).

- A copy of the entirety of the unaltered recorded plat for the Middle Island Subdivision disclosing the property's location;

- An as-built survey (not marked upon to show proposed easement modification) that has highlighted in yellow the existing structures on petitioner's property;

- A copy of the Block 1, Middle Island Subdivision, plat which identifies existing section-line easements (none of which exist), utilities (none of which have been to date installed) and dedicated rights-of-way (highlighted in yellow) within a one mile radius surrounding the petitioner's property;

- An aerial photograph showing contours.

Lots 3, 4, and 5 were owned by at least one previous owner who made use of the property in a manner inconsistent state regulations (*i.e.*, placement of improvements within the Section 127 easement affecting the property). Mr. Coady is attempting to remedy those violations so that the property can be operated as a lodge under a conditional use permit. Given the property's location and what improvements have already been made to it, use as a lodge is the highest and best use for that property.

The channel between Middle Island (where Lots 3, 4, and 5 are located) and Baranof Island is navigable. Therefore, when the Middle Island Subdivision was originally platted Mr. Coady's property was encumbered by a 50-foot wide waterfront easement (under A.S. 35.08.127). If the width of that easement were to be reduced to 25 feet, no encroachments (other than an easily movable satellite dish) would remain within easement boundaries.

A.S. 35.08.127(d) permits modification of the easement in question upon petition by "an affected owner of land . . .". As the holder of title to Lots 3, 4, and 5, Mr. Coady is such an affected owner.

The preliminary drawing submitted with this Application, rendered on a copy of an as-built survey of the property, discloses what portion of the easement (the area covered by "crosshatching") Mr. Coady seeks to have narrowed. That crosshatch area extends 25 feet seaward from the upper boundary of such easement. That area would not be within the easement if this petition application is approved and the State of Alaska concurs. The area left encumbered by the easement is at least 25 feet wide in all places as it traverses the shoreline abutting Lots 3, 4, and 5. As the easement is only for pedestrian access (not for access by either motorized or non-motorized vehicles), the 25-foot wide area that would remain encumbered if this Application is approved likely will be sufficient to permit individuals to walk the length of that shoreline without difficulty any greater than would be encountered if such were to be crossed using the existing 50-foot wide easement.

Few people, other than the previous owners of Lots 3, 4, and 5 (when they owned those properties), have ever been observed making use of the existing easement. Given the relatively rugged nature of the shoreline of Lots 3, 4, and 5, use of the tidewater access easement on Mr. Coady's lots is not likely to increase in the future. Practically speaking, the easement on the waterfront sides of Lots 3, 4, and 5 is only desirable for beach-combing. Reducing the width of the existing easement upland of mean high water on such lots from 50 feet to 25 feet would not serve in any way to impair beach-combing activities, either by neighbors or by members of the public. Therefore, the impact on others of Mr. Coady's requested reduction in easement width will, at most, be minimal and in all likelihood nonexistent.

In conclusion, Mr. Coady's petition to reduce easement in question from 50 feet in width to 25 feet, contingent upon approval by the platting authority of the City and Borough of Sitka, should be approved by Alaska Department of Natural Resources.

A L A S K A

2018-000063-0

Recording Dist: 103 - Sitka
1/18/2018 03:09 PM Pages: 1 of 2

AFTER RECORDATION RETURN TO:

Michael Coady
251 Windy Ln.
Rockwall, TX 75087

WARRANTY DEED
A.S. 34.15.030

AETI 55008

The GRANTORS, **WILLIAM A. ROBINSON TRUST, dated January 27, 1995 as to Lot 3, Block 1, William A. Robinson Trust acquired title as William A. Robinson Family Trust and WILLIAM A. ROBINSON FAMILY TRUST, as to Lots 4 and 5, Block 1,** whose mailing address is 4830 Line Ave., #135, Shreveport, LA 71106, for and in consideration of TEN DOLLARS ($10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, convey and warrant to GRANTEE, **MICHAEL COADY, a(n)** unmarried **person,** whose mailing address is 251 Windy Ln., Rockwall, TX 75087, the following described real estate located in the Sitka Recording District, First Judicial District, State of Alaska:

Lots 3, 4 & 5, Block 1, Middle Island Subdivision, according to plat 89-22, Records of the Sitka Recording District, First Judicial District, State of Alaska

SUBJECT TO reservations, exceptions, easements, covenants, conditions and restrictions of record, if any.

DATED this 12TH day of January, 2018.

eRecorded Document

GRANTOR: **WILLIAM A. ROBINSON TRUST, dated January 27, 1995 as to Lot 3, Block 1**

X By: _____
Its: Trustee _____

STATE OF LOUISIANA

PARISH OF CADDO

On this 12TH day of JANUARY, 2018, before me personally appeared WILLIAM A ROBINSON as the TRUSTEE of the **WILLIAM A. ROBINSON TRUST, dated January 27, 1995 as to Lot 3, Block 1,** to me known to be the person described in and who executed the foregoing instrument, and acknowledged that HE executed it as HIS free act and deed.

_____

Notary Public

Print Name: JEFFREY S. NORRIS

My commission expires:

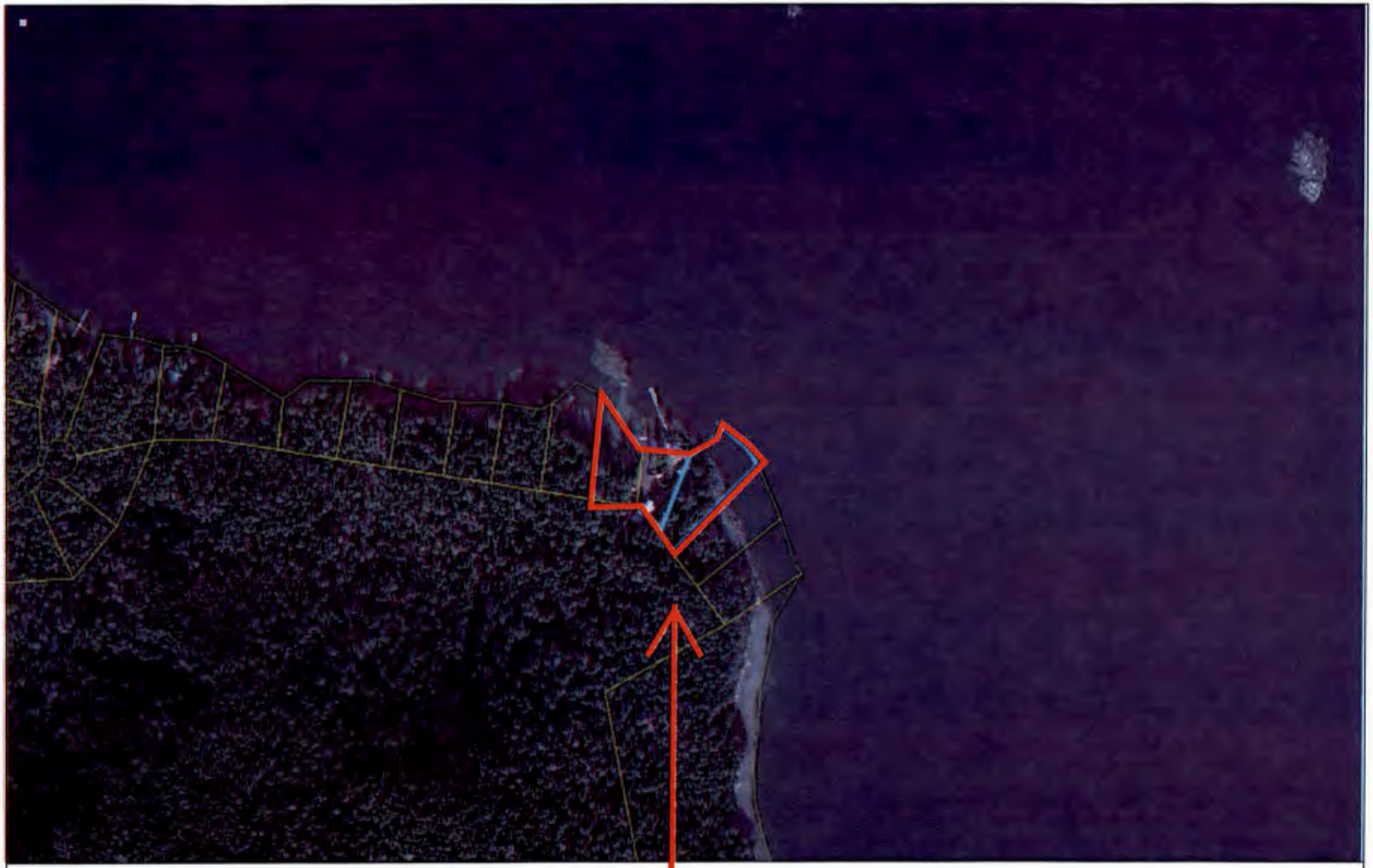
UPON DEATH

JEFFREY S NORRIS
NOTARY PUBLIC
COMMISSIONED FOR LIFE
BAR ROLL NO. 27024
CADDO PARISH, LA

Attachment B

Staff Materials

Middle
Island



City & Borough of Sitka, Alaska

Selected Parcel: Middle Island ID: 49201003

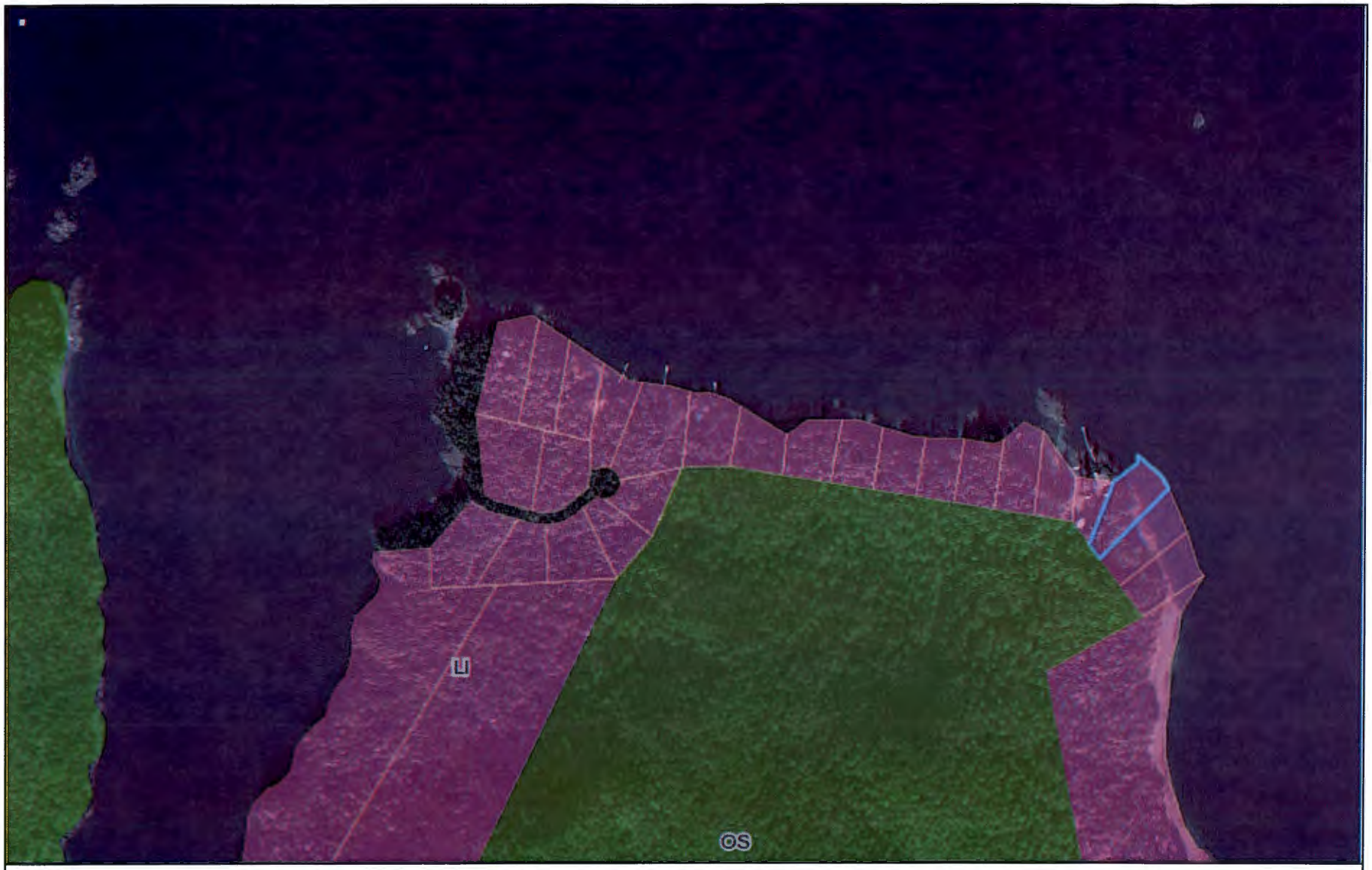
Printed 9/22/2017 from http://www.mainstreetmaps.com/ak/sitka/internal.asp

200 m
1000 ft

N

MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.



City & Borough of Sitka, Alaska

Selected Parcel: NHN Middle Island ID: 49201003

Printed 3/27/2018 from http://www.mainstreetmaps.com/ak/sitka/internal.asp

200 m
1000 ft

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MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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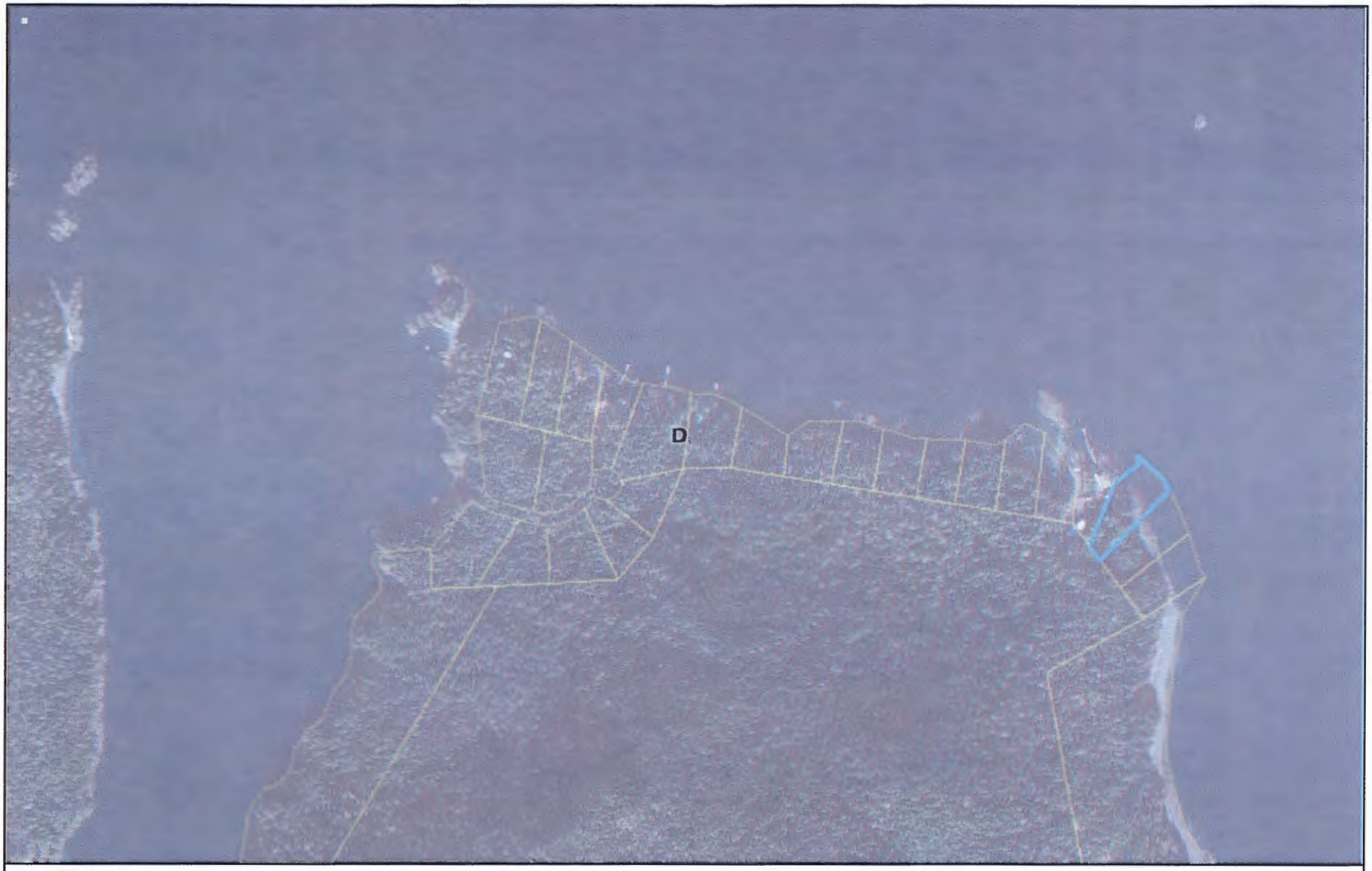

City & Borough of Sitka, Alaska

Selected Parcel: NHN Middle Island ID: 49201003

Printed 3/27/2018 from http://www.mainstreetmaps.com/ak/sitka/internal.asp

200 m
1000 ft

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CITY AND BOROUGH OF SITKA

Legislation Details

File #:	ZA 18-05	**Version:**	1	**Name:**	
Type:	Zoning Amendments			**Status:**	AGENDA READY
File created:	3/26/2018			**In control:**	Planning Commission
On agenda:	4/12/2018			**Final action:**	

Title: Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 18 Property Acquisition and Disposal, specifically 18.16.050, 18.16.060, and 18.16.110. These code amendments relate to Planning Department application fees. Discussion will also include recommendation of adoption of an updated fee schedule as outlined in Sitka General Code Title 21 Subdivision Code 21.52 and Title 22 Zoning 22.30. The applicant is the City and Borough of Sitka Planning and Community Development Department.

Sponsors:

Indexes:

Code sections:

Attachments: ZA18-05.Packet.6Apr2018
Fees In Other Communities_Kodiak

Date	Ver.	Action By	Action	Result

powered by Legistar™

City and Borough of Sitka
100 Lincoln Street • Sitka, Alaska 99835
Coast Guard City, USA

MEMORANDUM

To: Chair Spivey and Members of the Planning Commission

From: Planning and Community Development Department Staff

Subject: Fee Update

Date: April 5, 2018

Planning and Community Development Department is recommending an update to the department's fee schedules. Upon review, application fees have not been updated since at least 1980, and they have not been adjusted for inflation. Staff have compiled several options for the Planning Commission to consider.

Option A is a simple conservative increase of the current fee schedule, very similar to option B. Option B adjusts the current adopted fees for inflation, using 1980 as a baseline. Option C is a fee schedule based on a conservative estimate of what permits cost in notice, staff time, recording costs, and supplies. This conservative estimate does not include all costs, such as overhead and other operation and maintenance costs. Option D is the average between Option B (Inflation from 1980) and Option C (conservative cost of permits).

Costs associated with permitting include staff time (compiling packets, conducting site visits, consulting with other departments, analyzing and writing reports, presenting to relevant commissions, and follow-up work), supplies and postage (mailings, paper copies, notice in the paper, Legistar subscription), and general agency costs (building maintenance, utilities). Option C was calculated conservatively to try to capture the portion of staff salary and benefits expended and the public notice costs associated with each permit. Many other costs, such as building utilities and consultation with other departments, was not included in the calculation. While conservative, the cost Options C and D are those most aligned with covering these costs.

In terms of additional annual revenue and using 2017 figures for numbers of permits, Option A may result in $11,960 additional revenue, Option B in $10,821.72 additional revenue, Option C in $50,350 additional revenue, and Option D in $30,540 additional revenue. In 2017, actual planning fees calculated were calculated at only $4990.

In addition to the proposed fee amendments, staff propose four new fees. These involve appeals and reconsiderations, postponements, preliminary plan review, and provision of property information such as deeds. These four areas can be time-intensive on staff and often result in supplies and postage expenses. In addition to generating some revenue, these proposed new fees can encourage applicants to do more work on their end before bringing projects forward for consideration. Please note that the

proposed new fee for provision of property information, such as deeds, will apply to both Planning and Assessing Departments.

Additional fee revenue can help to cover some of the costs of the department, and shifts the cost burden from the taxpayers at large to the individuals and businesses actually seeking permits. In addition, a fee increase can serve as an encouragement to developers to work out the details of their applications prior to submitting the formal application, and dissuades property owners from seeking unnecessary variances. In conjunction with amendments to development standards that are in process, the fee update has the potential to reduce short-range planning requests, which could free up more staff time and resources to focus on long-range planning projects, such as neighborhood master plans and economic development opportunities.

Several processes are outlined in Sitka General Code (SGC) for fee schedule approval. Lease application fee figures are outlined in SGC Title 18, requiring an ordinance to amend the code and change those fees. SGC 21.52.140 states that fees associated with subdivision code shall be adopted by the Assembly. SGC 22.30.100 states that zoning fees are established by "the municipality." Ultimately, the Planning Commission's role is to make recommendations on such changes to the Assembly.

Recommended Action: Recommend approval of a fee schedule update (Option C or D) and related Sitka General Code text amendment.

City and Borough of Sitka

100 LINCOLN STREET • SITKA, ALASKA 99835

SITKA PLANNING DEPARTMENT
FEE SCHEDULE
April 5, 2000

Variance	$75.00
Conditional Use Permit	$100.00
Bed & Breakfast Conditional Use Permit (per guestroom)	$35.00
Short-term Rental Conditional Use Permit	$100.00
Minor Subdivision	$50.00
Major Subdivision	$50.00
Lot Merger	$35.00
Boundary Line Adjustment	$25.00
Zoning Map Change	$100.00
Zoning Text Change	$100.00
Tideland Lease	$150.00
	Plus advertising costs

PLANNING FEES AND ACTUAL COSTS

TYPE	CURRENT	ADJUSTED FOR INFLATION FROM 1980	STAFF HOURS	STAFF COST	RECORDING FEES	NOTICE (NEWSPAPER AND MAILING)	TOTAL COST
Variance (to the Planning Commission)	$ 75.00	$ 237.65	15	$ 720.00	$ -	$ 110.00	$ 830.00
Variance (administrative)	$ 75.00	$ 237.65	5	$ 240.00	$ -	$ -	$ 240.00
CUP	$ 100.00	$ 316.87	15	$ 720.00	$ -	$ 125.00	$ 845.00
B&B CUP	$ 35.00	$ 110.90	15	$ 720.00	$ -	$ 125.00	$ 845.00
STR CUP	$ 100.00	$ 316.87	15	$ 720.00	$ -	$ 125.00	$ 845.00
PUD	$ 50.00	$ 158.43	30	$ 1,440.00	$ 50.00	$ 300.00	$ 1,790.00
Minor Sub	$ 50.00	$ 158.43	20	$ 960.00	$ 50.00	$ 175.00	$ 1,185.00
Major Sub	$ 50.00	$ 158.43	30	$ 1,440.00	$ 50.00	$ 300.00	$ 1,790.00
Lot Merger	$ 35.00	$ 110.90	20	$ 960.00	$ 50.00	$ 125.00	$ 1,135.00
Boundary Line Adjustment	$ 25.00	$ 79.22	5	$ 240.00	$ 50.00	$ -	$ 290.00
Zoning Map Amendment	$ 100.00	$ 316.87	30	$ 1,440.00	$ -	$ 400.00	$ 1,840.00
Zoning Text Amendment	$ 100.00	$ 316.87	30	$ 1,440.00	$ -	$ -	$ 1,440.00
Tideland Lease	$ 150.00	$ 475.30	40	$ 1,920.00	$ -	$ 400.00	$ 2,320.00
Land Purchase	$ 300.00	$ 950.61	40	$ 1,920.00	$ 50.00	$ 400.00	$ 2,370.00
Devel. Rev. Comm.	$ -	$ -	10	$ 480.00	$ -	$ -	$ 480.00
						$	-

Notes:
Average hourly cost: $48. This figure includes both wages and benefits.
Figures are approximate and may vary on a case by case basis.
Rescheduling at the applicant's request, a minor amendment, and appealing a decision would cost half of the original fee.
A major amendment would require the full fee to be paid again.

Revenue Comparison - 2017 Figures

TYPE	NUMBER OF REQUESTS IN 2017	CURRENT FEE	2017 REVENUE	OPTION A FEES (CONSERVATIVE)	OPTION A REVENUE	OPTION A GAIN	OPTION B FEES (INFLATION ADJ.)	OPTION B REVENUE	OPTION B GAIN	OPTION C FEES (ACTUAL COST)	OPTION C REVENUE	OPTION C GAIN	OPTION D COST AVERAGE OF C & B	OPTION D REVENUE	OPTION D GAIN
Variance (to the Planning Commission)	11	$ 75.00	$ 825.00	$ 300.00	$ 3,300.00	$ 2,475.00	$ 237.65	$ 2,614.15	$ 1,789.15	$ 830.00	$ 9,130.00	$ 8,305.00	$ 530.00	$ 5,830.00	$ 5,005.00
Variance (administrative)	5	$ 75.00	$ 375.00	$ 150.00	$ 750.00	$ 375.00	$ 237.65	$ 1,188.25	$ 813.25	$ 240.00	$ 1,200.00	$ 825.00	$ 240.00	$ 1,200.00	$ 825.00
CUP	15	$ 100.00	$ 1,500.00	$ 400.00	$ 6,000.00	$ 4,500.00	$ 316.87	$ 4,753.05	$ 3,253.05	$ 845.00	$ 12,675.00	$ 11,175.00	$ 580.00	$ 8,700.00	$ 7,200.00
B&B CUP	0	$ 35.00	$ -	$ 200.00	$ -	$ -	$ 110.90	$ -	$ -	$ 845.00	$ -	$ -	$ 480.00	$ -	$ -
STR CUP	12	$ 100.00	$ 1,200.00	$ 200.00	$ 2,400.00	$ 1,200.00	$ 316.87	$ 3,802.44	$ 2,602.44	$ 845.00	$ 10,140.00	$ 8,940.00	$ 580.00	$ 6,960.00	$ 5,760.00
PUD	0	$ 50.00	$ -	$ 600.00	$ -	$ -	$ 158.43	$ -	$ -	$ 1,790.00	$ -	$ -	$ 975.00	$ -	$ -
Minor Sub	3	$ 50.00	$ 150.00	$ 200.00	$ 600.00	$ 450.00	$ 158.43	$ 475.29	$ 325.29	$ 1,185.00	$ 3,555.00	$ 3,405.00	$ 670.00	$ 2,010.00	$ 1,860.00
Major Sub	0	$ 50.00	$ -	$ 300.00	$ -	$ -	$ 158.43	$ -	$ -	$ 1,790.00	$ -	$ -	$ 975.00	$ -	$ -
Lot Merger or Other Replat (1 hearing)	4	$ 35.00	$ 140.00	$ 200.00	$ 800.00	$ 660.00	$ 110.90	$ 443.60	$ 303.60	$ 1,135.00	$ 4,540.00	$ 4,400.00	$ 625.00	$ 2,500.00	$ 2,360.00
Boundary Line Adjustment	2	$ 25.00	$ 50.00	$ 100.00	$ 200.00	$ 150.00	$ 79.22	$ 158.44	$ 108.44	$ 290.00	$ 580.00	$ 530.00	$ 185.00	$ 370.00	$ 320.00
Zoning Map Amendment	0	$ 100.00	$ -	$ 600.00	$ -	$ -	$ 316.87	$ -	$ -	$ 1,840.00	$ -	$ -	$1,080.00	$ -	$ -
Zoning Text Amendment	0	$ 100.00	$ -	$ 600.00	$ -	$ -	$ 316.87	$ -	$ -	$ 1,440.00	$ -	$ -	$ 880.00	$ -	$ -
Land/Tideland Lease	5	$ 150.00	$ 750.00	$ 500.00	$ 2,500.00	$ 1,750.00	$ 475.30	$ 2,376.50	$ 1,626.50	$ 2,320.00	$ 11,600.00	$ 10,850.00	$1,400.00	$ 7,000.00	$ 6,250.00
Land/Tideland Purchase	0	$ 300.00	$ -	$ 500.00	$ -	$ -	$ 950.61	$ -	$ -	$ 2,370.00	$ -	$ -	$1,660.00	$ -	$ -
Devel. Rev. Comm.	4	$ -	$ -	$ 100.00	$ 400.00	$ 400.00	$ -	$ -	$ -	$ 480.00	$ 1,920.00	$ 1,920.00	$ 240.00	$ 960.00	$ 960.00
			$ 4,990.00		$ -	$ 11,960.00		$ -	$ 10,821.72	$ -	$ -	$ 50,350.00		$ 35,530.00	$ 30,540.00

Additional Fees Proposed

New Fees Proposed	Rate	Associated Costs
Appeal/Reconsideration of Decision	$100 + public notice	Mailings/Notice, Staff Analysis and Presentation, Assembly Time
Postponement at Petitioner's Request	$100 + public notice	Staff Preparation, Mailings/Notice
Preliminary Plan Review	$50/hour	Staff Analysis and Correspondence
Property Information - Plats, Deeds, As-Built Surveys, etc.	$5/page	Staff Research, Supplies

18.16.050 Procedures and fees for Class I, Class II, and Class III approvals.

A. Class I approvals may be made by the administrator with or without the approval of the assembly. It shall follow the submittal of a completed application on the form prepared by the municipality and detailed sketch. The fee for the permit shall be a monthly charge established by the administrator.

B. Class II approvals shall be made by the assembly by motion following the procedures outlined in Sections 18.16.060 through 18.16.090. The assembly may, at its discretion, require that a Class II facility follow the procedures required for a Class III facility.

C. Class III approvals shall be made in accordance with the procedures outlined in Sections 18.16.100 through 18.16.220.

(Ord. 03-1751 § 4 (part), 2003.)

18.16.060 Class IIA, Class IIB, and Class IIC approvals – Application requirements.

A. Class II approvals for permits for personal noncommercial docks and facilities and mooring buoys that are immediately seaward of deeded lands and deeded tidelands. Application forms for Class II approvals shall be obtained from and returned to the municipal clerk and each form shall include the information required by the municipality. The application shall be accompanied by full dimensioned vertical and horizontal drawings of the facility with an approximate scale. These drawings are in lieu of a plat prepared by a registered surveyor that is required of Class III facilities. These drawings shall show all environmentally sensitive areas. An approved corps of engineers permit shall be submitted with the application for a Class IIA and Class IIB facility.

B. The application shall be accompanied by a two hundred fifty dollar application fee for a Class IIA and Class IIB personal use dock, which is intended to offset the municipality's processing costs. There shall be a one hundred fifty dollar application fee for a Class IIC mooring buoy.

C. Only the upland property owner shall have the ability of applying for a Class II permit.

D. The Class II permit shall only be valid for two years unless construction of the dock is actively underway. Any request for extension of the permit must be filed prior to the end of the approval period. Only one single one-year extension may be granted.

(Ord. 03-1751 § 4 (part), 2003.)

18.16.110 Class III – Formal application.

A. Application forms shall be obtained from and returned to the municipal clerk and each form shall include the information required by the municipality and be accompanied by a filing fee of three hundred dollars unless otherwise directed by the applicable sections. The filing fee will not be refunded, including cases in which the application is rejected. All checks and/or money orders shall be made payable to the city and borough of Sitka.

B. Deposit. In addition to the filing fee the municipal clerk shall require applicants to deposit with the finance director a sum sufficient to cover all anticipated costs of advertisement and notice mailing of the area under application. In the event the land applied for is disposed to other than the applicant, then within twenty days after the auction, the successful bidder shall be required to pay advertising costs including reimbursing the applicant a reasonable amount for the plat. The original deposit will be returned to the depositor. If the depositor cancels his application or fails to accept the lease within thirty days of being offered by the municipality, the deposited moneys shall be forfeited.

(Ord. 03-1751 § 4 (part), 2003.)

21.52.140 Fees.
The assembly shall adopt a schedule of fees for plat, variance, and vacation applications, and for appeals under this title. Specifically, fees shall be set for:

A. All subdivision plat applications;

B. Platting variance;

C. Street or other dedication;

D. Vacation and appeals;

E. Planned unit development;

F. Boundary survey application;

G. Subdivision replat.

(Ord. 03-1729 § 4 (part), 2003.)

22.30.100 Fees.
The municipality shall establish fees for all aspects of the application and review process including, but not limited to, applications for permits, meetings, plan checking, inspections, testing, general facilities charges, impact mitigation, and other administrative activities. (Ord. 02-1683 § 4 (part), 2002.)

Article IV. Public Notice Requirements

Kodiak Island Borough

Community Development Department
710 Mill Bay Road
Kodiak, Alaska 99615
Phone (907) 486-9363 Fax (907) 486-9396
www.kodiakak.us

Memorandum

Date: February 2, 2017

To: CDD Director

From: Community Development Department

RE: Service Fees in Other Municipalities

Attached is a brief overview of fees and required documents for rezoning amendments, zoning variance applications, conditional use permits, and land disposal requests for a selection of municipalities throughout Alaska. The information here is gleaned from materials available online and in some cases phone calls to community development/planning or resource management departments across the state. It is not exhaustive, as in some case materials or information was not readily available. Additionally, there is a range of other services that municipalities may or may not charge fees for, including but not limited to:

- Conditional use permits for bed and breakfasts/telecom towers/specialized uses
- Major/minor subdivisions
- Lot mergers
- Hearing rescheduling
- Tideland leases
- Planned unit developments

Almost all communities have higher fees than the Kodiak Island Borough, and in many instances fees are assessed based on project square footage and project type (residential/commercial/industrial, etc.). Larger communities often require more supplemental documentation such as resource management or expert studies, the costs of which are borne by the applicant. Some communities clearly identify the time limits for review and application, while others appear to process applications using the default public review process. Also attached are the fee schedules of Fairbanks North Star Borough, Anchorage, Homer, and the Kenai Borough.

Cost Chart

	Current Fee	Staff Time	Staff Cost	P&Z Commission Time	P&Z Commission Cost	Assembly Cost	Total Cost
Zoning Compliance	**$30-$120**	45 minutes for paperwork	$41.43	N/A	/	/	**$41.43**
Conditional Use Permit (PH Item)	**$250**	20 hours (mailings, paperwork, research, field visits, presentation)	$1,105	1.5 hours	$1,866 per case	$2,100 per month	**$5,071**
Variance (PH Item)	**$250**	20 hours (mailings, paperwork, research, field visits, presentation)	$1,105	1.5 hours	$3,360 per case	$2,100 per month	**$6,565**
Rezone/Amendment (PH Item)	**$350-1200**	20 hours (mailings, paperwork, research, field visits, presentation)	$1,105	1.5 hours (plus assembly time for two readings of ordinance)	$2,100 per case	$2,100 per month	**$5,305**
Land Disposal Request (PH Item)	**$350**	20 hours (mailings, paperwork, research, field visits, presentation)	$1,105	1.5 hours (plus assembly time adoption of resolution)	$1,400 (cost of one month)	$2,100 per month	**$4,605**
Similar Use Determination (Non-PH Item)	**$150**	12 hours (mailings, paperwork, research, field visits, presentation)	$663	1 hour (nonpublic hearing item)	$1,400 per month	$2,100 per month	**$4,163**
Screening Review (Non-PH Item)	**$150**	12 hours (mailings, paperwork, research, field visits, presentation)	$663	1 hour (nonpublic hearing item)	$1,400 per month	$2,100 per month	**$4,163**
Site Plan Review (Non-PH Item)	**$150**	12 hours (mailings, paperwork, research, field visits, presentation)	$663	1.5 hours (nonpublic hearing item)	$1,400 per month	$2,100 per month	**$4,163**

NOTES:

Community Development average hourly staff cost: $55.25. This figure includes both wages and benefits.
Staff costs ***do not*** include printing and mailing costs.
Seven P&Z Commissioners receive a monthly stipend of $200
Seven Assembly Members receive a monthly stipend of $300
Commission and Assembly costs may vary; these numbers are based on the number of cases of that type of petition or application during FY 2016.

Cost Chart

	Current Fee	Staff Time	Staff Cost	P&Z Commission Time	P&Z Commission Cost	Assembly Cost	Total Cost
Reconsideration of P&Z Commission Decision (PH Item)	**$150**	8 hours (mailings, paperwork, research, presentation)	$442	1.5 hours	$1,400 per month	$2,100 per month	**$3,942**
Appeal of Administrative Decision to the P&Z Commission (PH Item)	**$350**	18 hours (mailings, paperwork, research, presentation)	$995	1.5 hours	$1,400 per month	$2,100 per month	**$4,495**
Postponement at Petitioner's request (PH Item)	**$100**	4 hours (mailings, paperwork, presentation)	$221	.25 hours	$1,400 per month	$2,100 per month	**$3,721**
Postponement at Petitioner's request (Non-PH Item)	**$25**	2 hours (mailings, paperwork, presentation)	$111	.25 hours	$1,400 per month	$2,100 per month	**$3,611**
Abbreviated Subdivision (from submission to Final Plat Approval)	**$300**	20 hours (mailings, paperwork, research, plat review, field visits)	$1,105	N/A	/	/	**$1,105**
Preliminary Plat up to 12 lots (PH Item, from submission to Final Plat Approval)	**$350**	30 hours (mailings paperwork, research, plat review, field visits, presentation)	$1,658	1.5 hours (plus assembly/ council time for approval of any vacations)	$1,400 per month	$2,100 per month	**$5,158**
Preliminary Plat more than 12 lots (PH Item, from submission to Final Plat Approval)	**$350 plus $20 for each additional lot over 12**	30 hours or more, depending on number of lots (mailings paperwork, research, plat review, field visits, presentation)	$1,658	1.5 hours (plus assembly/ council time for approval of any vacations)	$1,400 per month	$2,100 per month	**$5,158**
Vacation Plat (PH Item, from submission to Final Plat Approval)	**$350**	24 hours (mailings paperwork, research, plat review, field visits, presentation)	$1,326	1.5 hours (plus assembly/council time additional approval)	$1,400 per month	$2,100 per month	**$4,826**
Waiver Plat (Non-PH Item, from submission to Final Plat Approval)	**$75**	10 hours (mailings paperwork, research, plat review, field visits)	$553	N/A	/	/	**$553**

Rezone Application/Amendment to Zoning Map

	Fee	Application form	Authorization/Proof of Ownership	Zoning Compliance	Site Plan	Building Plan/Floor Plan	# Of submittals	Written Narrative	Expert Review Deposit (Cell Towers)	Legal Description	Zoning Petition from Neighbors	Public Notice Sign Posting Affadavit/Deposit	Ownership and Beneficial Interest form	Process
Anchorage	**$2,967-9,495**	X	X				35*	X					X	Pre-application conference, Community meeting, Application, Public Notice, Departmental Review, P& Z commission creates a written resolution, with 60 days the director forwards reccomendation to the assembly
Fairbanks	**$ 1,000**	X	X		X			X	X		X	X		Unless the ordinance is not legally approved by the borough attorney, a report of said recommendation together with an ordinance shall be submitted within 30 days of the planning commission's recommendation to the borough assembly.
Kenai	**$ 500**	X												Processing within 45 days by Planning Dept, then place it on agenda
Ketchikan	**$ 500**	X	X							X	X			ordinance shall be available for introduction at a regular meeting of the assembly within 45 days of receipt of the transmittal by the borough clerk
Sitka	**$ 100**	X	X	X	X	X^		X						Submission 21 days in advance of next meeting. Application, Staff Report, Public hearing, Assembly adoption
Soldotna	**$ 250**	X	X								X			/
Juneau	**$ 600**		X											Allowed only in January or July for private property owners
Homer	**$ 500**													30 Days after acceptance
Kodiak	**$350-1500**	X						X						Within 30 days after the commission has acted favorably upon a proposed zoning change in accordance with the above provisions, a report with recommendations shall be submitted to the assembly together with the proposed ordinance.

*including 35 Copies of map, narrative, community meeting summaries, map of surrounding areas

^Copy of current plat

/ information not readily available

Variance (Major)

	Fee	Application form	Authorization/Proof of Ownership	Zoning Compliance	Site Plan	As-Built	# Of submittals	Written Narrative	Mortgage Location Survey (plat)	Public notice Sign Posting Affadavit	Expert Review Deposit (Cell Towers)	Tax Compliance Certificate	Process
Anchorage	**$ 900**	X	X		X	X	35						The director may grant the *variance,* but only after public hearing following 30 days' notice
Fairbanks	**$ 800**	X						X	X	X	X		/
Kenai	**$ 300**	X			X								The planning department shall process the variance application within 45 days of receipt
Ketchikan	**$200-400**	X	X	X									Upon receipt of a complete application, the planning director or designee shall review and prepare a written decision on the request within 15 days. The planning commission shall hold a public hearing on a request for a major variance within 60 days following the date of filing a complete application
Sitka	**$ 75**	X	X	X	X*			X					Submission 21 days in advance of next meeting. Application, Staff Report, Public hearing, Assembly adoption
Soldotna	**$ 250**	X			X							X	/
Juneau	**$ 400**	X	X		X			X					/
Homer	**$ 250**												/
Kodiak	**$ 250**	X	X		X			X					The commission shall hold a public hearing on each properly submitted application for a variance within 50 working days after the date of the next available meeting agenda deadline

*copy of current plat

/ information not readily available

Conditional Use Permit

	Fee	Application form	Authorization	Zoning Compliance	Site Plan	Building Plan/Floor Plan	Parking Plan	Elevation View, Proposed vegetative cover	# Of submittals	Written Narrative	Expert Review Deposit (Cell Towers)	Reclamation Plan	Tax Compliance Certificate	Public Notice Sign Posting Affadavit/Sign requirement	Ownership and Beneficial Interest form	Process
Anchorage	**$ 1,688**	X	X		X	X			35^	X					X	Pre-application conference, community meeting, application submission, public notice, deparmental review, planning and zoning commission action
Fairbanks	**$ 800**	X	X		X	X				X	X			X		Written notice setting forth the specific grounds for the proposed revocation and the time set for hearing before the planning commission must be mailed or delivered to the permittee at least 30 days prior to the hearing
Kenai	**$ 300**	X			X							X				Within 21 days of receiving an application, the planning director or designee shall review the submitted application for completeness and compliance with this chapter
Ketchikan	**$ 500**	X	X	X	X											When the planning director has determined that the said application meets the requirements of this chapter, he shall forward the completed application to the planning commission for its determination, and in any event he should do so within 10 days the planning commission shall study it and shall, within 30 days after the receipt of said application, hold a public hearing whereat it may receive evidence pertinent to the granting or denial of said application
Sitka	**$ 100**	X	X	X	X	X*										~6 weeks
Soldotna	**$ 250**	X	X		X								X			/
Juneau	**$350-1600**	X	X		X	X	X	X		X				X		Pre-Application Conference, Submission, 15 day review period, Planning Commission decision
Homer	**$200-8000**	X			X		X	X		X						2+ months. Other documents include ROW access plan, and map shoqing neighboring lots.
Kodiak	**$ 250**	X					X	X								The commission shall render a decision on the application for conditional use permits within 30 calendar days from the date of public hearing unless the applicant consents to a postponement.

*also requires parking plan

^35copies of site plan, 35 copies of building plans, 35 copies of application and Narrative

/ information not readily available

Land Disposal Request

	Fee	Application
Anchorage	**$500**	X
Fairbanks	**$350**	X
Kenai	**$500**	X
Juneau	**$500**	X
Kodiak	**$350**	X

FAIRBANKS

Appendix E - User Fee Schedule

Borough-wide		Fees
Audio USB/CD of Public Meetings		$15.00
Budget/CAFR CD		15.00
CD (other-records request)		15.00
Copying/scanning fee (letter or legal)		0.25
Copying/scanning fee (11"x17")		0.50
Color copying/scanning fee (letter or legal)		0.50
Color copying/scanning fee (11"x17")		1.00
Certification Copies *(copies certified* by the Borough)		2.00
Microfilm/Microfiche Copies	First copy	1.00
	Each additional copy	0.25

A fee for copying/scanning, responding to a public records request that is less than $5 (monthly cumulative amount) will be waived because the fee is less than the cost to the Borough to arrange for payment.

The Mayor may authorize user-fee discounts in connection with special events and/or promotional activities, as long as those discounts are offered on a legally permissible basis and available to all members of the public who are similarly situated.

Clerk's Office	Fees
Board of Adjustment Filing Fee and Cost Bond*	
(Appeal Fee: $75.00 and Cost Bond: $200.00)	$275.00
*Board of Adjustment - Grandfather Rights (de novo) Appeal Fee**	75.00
Declaration of Candidacy Filing Fee*	25.00
Election Recount Application Fee*	100.00

*Fee set in Fairbanks North Star Borough Code

Community Planning	Fees
Zoning Service †††	
Rezone (Reduced Fee †)	$1,000.00
Conditional Use Permit	800.00
Telecommunications Tower CUP	2,000.00
Expert Review Telecom - CUP	Actual Cost ($2,000.00 Deposit)
Telecommunication Collocation/Modification Permit	350.00
(Section 6409(a) and Substantial Modification)	
Expert Review Collocation/Modification	Actual Cost ($500.00 Deposit)
Variance/Highway Variance (fee waived ††)	800.00
Admin Variance	300.00
Verification of Sensitive Uses within buffers	250.00
Second attempt at verification of sensitive uses, and every time after	100.00
Appeals	200.00
Legal Non-Conforming (Grandfather Rights††††) (with/without Hearing)	25.00
Amnesty Relief†††† (without Hearing)	50.00
Amnesty Relief†††† (with Hearing)	200.00
Mobile Home Park Permits	
Mobile Home Park Permit-New	600.00
Mobile Home Park Permit-Annual Renewal (3-49 spaces)	200.00/yr
Mobile Home Park Permit-Annual Renewal (50-99 spaces)	300.00/yr
Mobile Home Park Permit-Annual Renewal (100+ spaces)	400.00/yr

Appendix E - User Fee Schedule

Community Planning (Continued)			Fees
Zoning Service (continued) †††			
Zoning Permits			No Charge
Flood Zone Permits			No Charge
Platting Service †††			
Preliminary Plat, Replat and Waiver (**exceptions to per lot fee)			$750.00 plus $75.00/per lot
Public Row Vacation Plat (*reduced fee)			500.00
Public Utility Easement (P.U.E.) Vacation (for each vacation)			75.00
Preliminary Plat Variance (for each variance)			200.00
Final Plat *(**exceptions to per lot fee)*			$300.00 plus $75.00 /per lot
Final Plat Review on third attempt and every time after			250.00
Final Plat Subdivision Improvement inspection on third attempt and every time after *(2 hr minimum Public Works Engineer)*			240.00
Quick Plat (**exception to per lot fee)			$350.00 plus $75.00 /per lot
Modifications of Approved Plats (Reduced Fee***)			400.00
Extensions of time on Approved Plats			200.00
Appeals			200.00
Street Renaming			200.00
Street Renaming for the purpose of Health and Safety			No Charge
History of Subdivision Regulations CD			15.00
Admin Fees	**Non-Profit/Journalistic**	**Public Agencies**	**All Other**
Title 15 - Floodplain Management Ordinance			$10.00
Title 17 - Subdivision Ordinance			10.00
Title 18 - Zoning Ordinance			10.00
Bench Mark List			10.00
Recorded Plats List *(Alpha, Chrono, Inst.#)*			25.00
GIS Data Download/DVD	$75.00	No Charge	150.00
Imagery Jump Drive - Pre 2012	125.00	No Charge	250.00
Imagery Jump Drive - 2012	125.00	No Charge	250.00
Lidar Jump Drive	125.00	No Charge	250.00
Electronic Recording Fees *(plats and other documents)*			Actual Cost
Other Fees			
Community Research Quarterly			$10.00
Xerox Engineer Copier-plat/map copies 24" x 36"			6.00
Xerox Engineer Copier-plat/map copies 18" x 24"			4.00
11"x17" Color Copies *(plats/maps)*			1.00
8½"x14" Color Copies *(plats/maps)*			0.50
8½"x11" Color Copies *(plats/maps)*			0.50
Public Notice Signs: Security Deposit			200.00

*$250 if Vacation is part of a preliminary plat, replat or waiver.

**Plats that do not create additional lots are waived from the per lot fee.

***50% Fee reduction for Quick Plats

†No fee if rezoning a split zone parcel or rezoning a GU property to an appropriate residential zone if the rezone encompasses at least 13 acres or 5 or more contiguous lots.

††No Fee for Highway Project Variance requested by private property owners, if AKDOT & PF did not fulfill their statutory responsibility of obtaining a variance.

†††Refunds allowed if application was accepted in error by Fairbanks North Star Borough staff.

††††No fee for Grandfather Rights Affirmation within one year of a rezone or code changes to setbacks or use; The amnesty relief fee is offset by the grandfather rights fee if concurrent applications are brought; amount is due only if grandfather rights are not recognized.

Municipality of Anchorage - Effective Jan. 1, 2014

ANCHORAGE

Zoning Fee Schedule

Conditional use, area master plan, development master plan, (or major amendments to) where gross site area is:	
1.75 acres or less - single family residential	$1,687.50
1.75 acres or less (all except single family residential)	$4,500
1.76 to 5.00 acres	$6,750
5.01 to 40.00 acres	$9,900
40.01 acres or more	$15,750
Rezoning Applications (Area Map Amendments) - total charges not to exceed $32,370	
Rural less than 5 acres - Any parcels (single parcel or contiguous parcels) with rural designations per 21.85.020C with a gross site area of less than 5 acres	$2,697.50
1.75 acres or less - any single parcel with a gross site area of 1.75 acres or less	$2,697.50
Over 1.75 acres - any single parcel or contiguous parcels (base fee incl first 5 acres)	$9,495.50 base fee
+ $1,080 per acre for each acre over the 5 acres included in $9,495.50 base fee	$1,080 per acre
Liquor - Conditional Use to obtain a liquor license	
Base Fee of $1,125.00 plus following amount per square foot (sf):	
(1) Original beverage dispensary license (total with base fee not to exceed $4,500)	$2.80 / sf
(2) Club License (total with base fee not to exceed $4,500)	$1.35 / sf
(3) Package Store license (total with base fee not to exceed $4,500)	$1.70 / sf
(4) Recreational site or Pub (total with base fee not to exceed $4,500)	$0.90 / sf
(5) Brewpub license (total with base fee not to exceed $4,500)	$0.55 / sf
Flat fee of $3,375.00 for a golf course license, without regard to gross site area or square footage	
Liquor - Duplicate Licenses - Conditional Use	
Flat fee for an application adding no additional square footage	$1,125
Flat fee for an application adding 500 sq. ft. or less or an outdoor deck	$1,405
Adding more than 500 sq. ft., base $1,125 + amount per sq. ft. (total w/base NTE $4,500)	$2.80 / sf
Liquor - Restaurant Admin. Site Plan Review	
Base fee of $1,125 plus $0.67/sf (total with base fee not to exceed $4,500)	

Applications for a public hearing before the Assembly on a rezoning with an unfavorable recommendation of the Planning & Zoning Commission	$1,080
Appeals or change of land use heard by the Zoning Board of Examiners and Appeals	$1,080

Variances	
Administrative variance (minor dimensional variance)	$675
Single family residential use on one lot (any district)	$675
Sign permit variance	$1,305
Fence variance	$1,200
Parking space variance	$1,305
All other types of variances (LAND CLASSES)	$3,780

Minor amendments to prev. approved conditional uses, area master plans, development master plans, variances, & site plans, including time extensions & site plan changes.	$1,080
Any other matter requiring a public hearing before the Planning & Zoning Commission	$3,780

Site Plan Review	
Mailed notice not required	$3,780
Mailed notice only	$4,320
Mailed notice and hearing	$5,400
Administrative Site Plan Review	
Admin. site plan (all except ones where mailed notice is not required)	$3,780
Admin. site plan - mailed notice not required	$1,765

Appeal to the Planning & Zoning Commission from a bed and breakfast administrative site	$1,350

Updated December 31, 2013

plan review, a church administrative site plan review, or an antenna tower site plan review (A SITE PLAN REVIEW DECISION PURSUANT TO ANCHORAGE MUNICIPAL CODE 21.45.235G.4.B)	
Appeal to the Planning & Zoning Commission sitting as the Board of Adjustment	$1,350
Context Sensitive Solutions (CSS) Transportation Project (total for all three phases)	$5,400

Platting Fee Schedule

Step 1: Preliminary Plat

Abbreviated plat (short plat)	$2,700
Abbreviated plat that only eliminates one interior lot line	$1,350
All other plats (public hearing required) base fee plus must also add $157.50 per lot or tract created or $863 per commercial fragmented lot	$4,320 plus $157.50 per lot/tract or $863 per commercial frag lot

* Include Vacation/Variance fees below, if applicable

Step 2: Final Plat

Administrative fee for most plats	$2,520
Administrative fee for an abbreviated plat that only eliminates one interior lot line (does not apply if there is a subdivision agreement)	$720
Plat checking fee (one fee from below list)	
Abbreviated plat with survey waiver	$395
Abbreviated plat with survey	$675
Record of survey	$395
Commercial tract	$675
Other plats	$675

Vacation/Variance

Vacation	
With preliminary plat	$900
Without preliminary plat	$3,960
Variance	
With preliminary plat	$900
Without preliminary plat	$2,700

A vacation or variance fee is only charged once per property affected. If there are multiple vacations or variances for the same property, the fee is only charged once (for the same type.) However, vacations and variances differ, and you may owe both a variance fee and a vacation fee for the same property plat.

Other Platting Fees

Re-filing a previously recorded final plat	$562.50
Modification or removal of plat note	$1,350
Minor amendments to previously approved preliminary plats, including time extensions	$900
2nd time extension – same fee as for an original application plus all other applicable fees such as for a variance or vacation, etc.	Same fees as for an original applic.
Appeal of an abbreviated plat to the Platting Board	$1,080
Any other matter requiring a public hearing before the Platting Board	$3,780

MISCELLANEOUS FEES

ANCHORAGE

Accessory dwelling unit processing fee	$112.50
Addressing	
Assign street address	$85/address
Street name change request	$900
Board of Adjustment	
Notice of Appeal	$1,080
Record preparation, supporting documents	$1.70/per page
Bonus Points Calculation – Central Business District	$395
Certifications/Document Registrations	
Certification of zoning status, including nonconforming rights (grandfather rights) 1 hr. min.	$130/hour
Certified zoning map verifying zoning status	$85/sheet
Certificate of nonconforming encroachment	$395
Registration of nonconforming lots of record	$395
Hillside Wastewater Plan Amendments	
1.75 acres or less	$4,500
1.76 to 5.00 acres	$6,750
5.01 to 40.00 acres	$9,900
40.01 acres or more	$15,750
Land Use Administrative Permits	
Premises where minors are not allowed	$1,125
Snow disposal site	$1,125
Antenna attachment to a tower (per antenna attachment)	$265.50/each
Unlicensed nightclub	$562.50
Bed & breakfast or rooming house (biennial)	$280
Parking Access Agreement	$225 per agreement
Planning publications	at cost
Reschedule hearing at petitioner's request	$845
Site Landscaping Review	$130/hr.
Underground utility variance	
Underground utility variance application – temporary	$1,890
Underground utility variance application – permanent	$3,780
Wetlands	
Permit for an area 16,500 sq ft or less	$170
Permit for an area greater than 16,500 sq ft	$535
Wetlands plan amendment – parcel 1.75 acres or less	$4,500
Wetlands plan amendment – parcel 1.76 -5.00 acres	$6,750
Wetlands plan amendment – parcel 5.01 – 40.00 acres	$9,900
Wetlands plan amendment – parcel greater than 40.00 acres	$15,750

Photo copy	$ .15/ea (letter size) and (legal size) per side $.25/ea (11”x17”) per side $0.50/ea color copies (letter size) and (legal size) per side $2.00/ea color copies (11”x17”) per side
Interlibrary loan fee	$3 standard size books $.15 per page for photo copy $4.00 for microfilm/videos/CDS/Audios Additional charges may be assessed.
Replacement/Repair of items	Lost or damaged items: Replacement cost plus $7.00 processing fee per item Lost or damaged cases, hang-up bags, etc.: Replacement cost or $2.00, whichever is greater
Lost map or inserts -	$10/item
Lost out-of print items -	$50/Alaskana $40/nonfiction $35/fiction

Please Note: To receive a refund on a lost item, patrons must return the item within sixty days of lost status. Refunds of payment for items deemed valuable to the collection and returned after the 60- day period may be made at the discretion of the Director. No refunds will be given for digital devices.

Damaged Item -	$2.00/page $3.00/book jacket or cover damaged beyond repair - Full bindery cost or full replacement cost plus $7.00 processing charge.
Improper Return of Digital Devices-	$25 fee if not returned to Front Desk staff

PLANNING AND ZONING DEPARTMENT

235-3106 or 235-8121 (Coordinates with Public Works)

(The following fees, for Zoning Permits have been set by legislative enactments, Resolution 00-17 as authorized by HCC 21.42.060, Resolution 03-12(A), Resolution 03-159, Resolution 04-35, and Resolution 04-98(S)(A), Resolution 05-27(S) and Resolution 05-35, Resolution 07-14 and Resolution 07-45, Resolution 08-124.)

Zoning Permit Fees:

Single Family /Duplex	$200
Multi-Family/Commercial/Industrial	$300, plus $50 per hour when over six hours of administrative time.
Change of Use fee	$50
Deck	$50

Fees for commencing activities, without a permit, shall be assessed at the regular rate multiplied by one and one half (1.5) for Residential and two (2) for Commercial.
(The following fees have been set by legislative enactments to HCC 14.08.035.)

ROW Permit - minor $90
major $90

(The following fees have been set by legislative enactments to HCC 11.08.040).

Driveway Permit Residential	$45
Commercial	$60
Long	$105

Publication Fees

Comp Plan large		$20		
Comp Plan small		$10		
Zoning Map	sm	$ 5	lg	$25
Road Maint. Map		$ 5		

Zoning Ordinance - HCC 21	$ 15
Sign Permit -	$ 50

Variance - $250
Erosion and Sediment Control Plan (BCWPD): $300

Storm Water Protection Plan Fee: $200

Conditional Use Permit Processing Fee

Amendment	$200
Fence	$300
Single Family/Duplex	$200

Multi-Family/Commercial/Industrial
$500 for uses less than 8,000 sq. ft.
$1,000 for uses 8,001 sq. ft. to 15,000 sq. ft.
$2,500 for uses 15,001 sq. ft. to 25,000 sq. ft.
$5,000 for uses 25,001 sq. ft. to 40,000 sq. ft.
$8,000 for uses 40,001 sq. ft. and larger

Recording (as Required) $50

Fees for commencing activities, without a permit, shall be assessed at the regular rate multiplied by one and one half (1.5) for Residential and two (2) for Commercial.

Traffic Impact Analysis and Community Impact Assessment – when required, applicant will be charged for the actual cost of the study, plus a 10% administrative fee. The City will be responsible for hiring and managing the study.

(Resolution 03-159 and 96-13 HCC 12.12.03)

Rezone - $500
(HCC 21.63 repealed via Ordinance 03-21.)

Flood Hazard Development Permit $200

Preliminary Plat Processing Fee $300, or $100 per lot, whichever is greater. (Resolution 07-14, 03-159 and 96-13)

Elimination of a common interior lot line. $200.00
Right of Way and Section Line $300
Easement Vacation Application
Fee: (In addition to applicable preliminary plat fees).
Utility easement vacation: no fee

Bridge Creek Watershed Permit - zoning permits are required for the Bridge Creek Watershed Area. Although no fees will be charged for the zoning permits outside of City Limits, the evaluation process is still in effect.

Street Renaming Fees

(A) For name changes or naming of public dedicated streets other than those named during the subdivision process:

(1) Street Naming Petition and hearing advertising fee $150

(2) Installation of each new City sign, post, etc. Per sign: $150

(3) Replacement of existing City sign due to change where no post is needed. Per sign: $ 80

The minimum fee shall be either a combination of 1 and 2 OR 1 and 3, above; however, all signs that need to be changed and/or maintained by the City must be paid for prior to installation.

(B) For Private Road Naming:

(1) Street Naming Petition and hearing advertising fee $150

(2) Installation of each new City sign, post, etc. Per sign: $150

(3) If no public hearing or public notice is necessary, i.e., 100% petition and no partial dedicated street involved No fee

(4) If no signs are required No fee

PORT AND HARBOR DEPARTMENT

Harbor Office - 235-3160
Fish Dock - 235-3162

(The following fees have been set by legislative enactments to HCC 10, Ord. 95-18(A) and Resolutions 14-114, 12-037(S), 12-023, 10-89, 06-52, 06-04, 05-123, 04-96, 03-154(S), 03-104, 03-88, 00-39, 99-118(A), 99-101, 99-78(S), 99-30(A), 95-69 (Port/Harbor Tariff No. 600), Resolution 95-19, Resolution 01-84(S)(A), Resolution 02-81(A), Resolution 07-121, Resolution 08-123, Resolution 15-091)

All rates except load and launch ramp fees and parking fees for Ramps 1 - 4, which are inclusive of sales tax, will have sales tax applied. The resulting figure will be rounded to the nearest half dollar for billing purposes.

Administrative cost for changing boat in slip - $25.00
A $30.00 per year charge will be assessed for a listing on a permanent reserved stall assignment.
Large quantity waste oil disposal (with Harbor Master approval) - $3.25 gallon

PARKING FEES
Parking fees to be collected at Ramp 1, Ramp 2, Ramp 3 and Ramp 4 seasonally (Memorial Day through Labor Day). Parking fee is $5 per calendar day. Posted parking time limits will be established and enforced as per Homer city code 10.04.100.

Seasonal permits for day use parking (Ramps 1-4): $250.00.
Long Term parking permits required for Vehicles 20' or less parked in excess of seven (7) consecutive 24-hour days.

Long Term Parking annual permit (January 1st through December 31st): fee $200.00.

Long Term Parking annual permit fee for vessel owners paying annual moorage in the Homer Harbor: fee $100.00.

Vehicles over 20' and trailers are not eligible for long term parking permits.

Kenai Peninsula Borough
Schedule of Rates, Charges and Fees

PLANNING DEPARTMENT

	FEE
Preliminary Plats	$200.00
Time Extensions	No Charge
Counter Permit (material extraction)	50.00
Conditional (material site) Land Use Permit (CLUP)	300.00
Modification of CLUP	300.00
Variance to CLUP	300.00
Local Option Zoning Petition	300.00
Building Setback Exception	50.00
Correctional Community Residential Center (CCRC)	300.00
Concentrated Animal Feeding Operation (CAFO)	0.20 per animal
Easement Vacation Not Requiring a Public Hearing	75.00
Section Line Easement & Right of Way Vacations	500.00
Plat Amendment	50.00
Plat Waiver	50.00
Abbreviated Plat	200.00
Appeal to Board of Adjustment (Clerk's Office)	300.00
Street Naming / Renaming Petition	300.00
Installation of New Street Sign & Post	150.00
Replacement of Existing Sign	80.00
Uniform Address Sign Fee	20.00
8 ½ x 11 Color Copy	1.50
11 x 17 Color Copy	3.00
11 x 17 Black & White Copy	1.00
18 x 24 Black & White Copy	1.00
24 x 36 Black & White Copy	2.00

GEOGRAPHIC INFORMATION (GIS)

8 ½ x 11 Color Map	1.50
11 x 17 Color Map	3.00
11 x 17 Black & White Map	1.00
18 x 24 Color Map	6.00
18 x 24 Black & White Map	1.00
24 x 36 Black & White Map	2.00
24 x 36, 34 x 44 Color Map	12.00
Digital DVD Map Books (complete set)	25.00
Map Books – hardcopy (each)	50.00

KENAI

Kenai Peninsula Borough
Schedule of Rates, Charges and Fees

LAND MANAGEMENT

Temporary Land Use Permit Application fee	100.00
Temporary Land Use Permit Annual fee	400.00
Right Of Way or Easement	500.00
Negotiated Sale. Lease or Exchange	500.00
Commercial Quantity Material Extractions	300.00
Small Quantity Material Extraction application	25.00
General Utility Right Of Way Use (base fee)	250.00
Individual Utility Construction Project (base fee)	50.00
Individual Utility Construction Project (line fee)	0.10 per foot after first 200 feet ($2500 Max)
Classify or Reclassify Borough Land	500.00
Modify Conveyance Document Restrictions	500.00
Borough Financed Land Sales	Prime + 2%
Minimum down payment amount	10%
Late Fees, more than 10 days late	10% of payment amt

DONALD E. GILMAN RIVER CENTER

Floodplain Permit (staff)	0.00
Floodplain Development Permit (staff)	0.00
Floodway Development Permit (staff)	300.00
Floodplain Variance (PC)	300.00
Habitat Protection Permit (staff)	0.00
Habitat Protection Prior Existing Permit (staff)	0.00
Habitat Protection Limited Commercial Permit (PC)	300.00
Habitat Protection Conditional Use Permit (PC)	0.00
Habitat Protection Variance (PC)	300.00

If a project requires more than one Borough River Center Department permit then only the single highest value fee will be charged.

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	ZA 18-08	**Version:**	1	**Name:**	
Type:	Zoning Amendments			**Status:**	AGENDA READY
File created:	3/26/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 21 Subdivision Code and Title 22 Zoning, specifically 21.40.030, 21.40.110, 21.40.120, 21.40.130, 21.40.140, 22.20.030, 22.20.035, 22.20.038, and 22.20.040. The proposal concerns amendments to zoning and subdivision development standards. The request is filed by the City and Borough of Sitka Planning and Community Development Department.

Sponsors:

Indexes:

Code sections:

Attachments: ZA18-08.DevelopmentStandards.6Apr2018

Date	Ver.	Action By	Action	Result

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City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Chair Spivey and Members of the Planning Commission

From: Planning and Community Development Department Staff

Subject: Amendment to Sitka General Code Regarding Title 22 Zoning & Development Standards

Date: April 6, 2018

Existing development standards regarding lot size and setbacks have been observed to be out of line with the reality of existing lots and structures. Various staff reviews have shown there are several neighborhoods where over 65% of lots and structures do not comply with existing regulations. Reductions in development standards have also been recommended by Smart Growth America as a means to reduce development costs and promote affordable housing and affordable development, by more efficiently utilizing our limited developable land. A substantial portion of the Planning Department's work is processing variances, so a reduction in variances would allow staff to focus on more impactful planning work.

Staff have recognized that due to the diverse, if not sporadic zoning scheme, that a major zoning scheme overhaul is needed. However, that would take significant time. Right now, Sitkans need immediate relief from overly burdensome development standards. Staff are offering a two-phase approach. Phase 1: Provide some relief now by improving the standards regarding lot width, lot size, setbacks, height, and lot coverage to very reasonable levels for most zones. And leaving those alone or with little change in areas that require further study, present additional challenges, and may require new zoning. Below is the proffered Phase I changes.

Table 22.20-1
Development Standards(2)

	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS(19)		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
ZONES	**Width**	**Area(1, 18)**	**Front(3)**	**Rear**	**Side**	**Principal Structures**	**Accessory Structures**		
P	(4)	(4)	20 ft.	15 ft.	10 ft.	40 ft.	16 ft.	35%	
SF(16)	80 ft.	8,000 s.f.	20 ft.(8)	10 ft.(9)	8 ft.	35 ft.(10)	16 ft.	35%	

	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS[19]		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
ZONES	**Width**	**Area**[1, 18]	**Front**[3]	**Rear**	**Side**	**Principal Structures**	**Accessory Structures**		
SFLD	80 ft.	15,000 s.f.	20 ft.[8]	20 ft.[9]	15 ft.	35 ft.[10]	16 ft.	35%	
R-1[6, 16]	80 ft.	8,000 s.f.	20 ft.[8]	10 ft.[9]	8 ft.	35 ft.[10]	16 ft.	35%	
R-1 MH[6, 16]	80 ft.	8,000 s.f.	20 ft.[8]	10 ft.[9]	8 ft.	35 ft.[10]	16 ft.	35%	
R-1 LD/ LDMH	80 ft.	15,000 s.f.[5]	20 ft.[8]	20 ft.[9]	15 ft.	35 ft.[10]	16 ft.	35%	
R-2[6, 16]	80 ft.	8,000 s.f. for the first two units and 1,000 s.f. for each additional unit	20 ft.(8)	10 ft.[9]	8 ft.	40 ft.	16 ft.	50%	Maximum density = 24 DU/A
R-2 MHP[6]	80 ft.	Same as R-2	20 ft.(8)	10 ft.(9)	8 ft.	40 ft.	16 ft.	50%	Same as R-2
CBD[17]	None	None[7]	[11]	[11]	[11]	50 ft.	16 ft.	None	
C-1[6]	60 ft.	6,000 s.f.[7]	20 ft.[8]	10 ft.	5 ft.	40 ft.	16 ft.	None, except for setback areas	
C-2[6]	60 ft.	6,000 s.f.[7]	20 ft.[8]	10 ft.	5 ft.	40 ft.	16 ft.	Same as C-1	
WD[6]	60 ft.	6,000 s.f.[7]	20 ft.[8, 12]	5 ft.[12]	10 ft.[12]	40 ft.	16 ft.	Same as C-1	
GP	50 ft.	5,000 s.f.	10 ft.	5 ft.[12]	10 ft.[12]	50 ft.	50 ft.	Same as C-1	
I	100 ft.	15,000 s.f.	20 ft.[8]	10 ft.	5 ft.	40 ft.	16 ft.	50%[13]	
LI	None	1 acre[14]	None[15]	None[15]	None[15]	35 ft.	35 ft.	25%	
GI	None	1 acre	None[15]	None[15]	None[15]	35 ft.	35 ft.	None	
R	[16]	[16]	20 ft.	10 ft.	5 ft.	35 ft.	20 ft.	50%	
OS	None	1 acre	None[15]	None[15]	None[15]	35 ft.	35 ft.	None[15]	

(Ord. 13-14A § 4 (part), 2013; Ord. 11-04S § 4(B) (part), 2011; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.20.035 Notes to Table 22.20-1.

1. Minimum lot area net of access easements.

2. All developed lots and parcels shall have access to a public street and circulation within the development to ensure adequate vehicular circulation for parking, freight, and emergency vehicles. Where lots or parcels do not front on and have direct access to streets, a minimum twenty-foot improved driveway with a minimum of a twelve-foot wide developed driveable surface on a legal easement shall provide access between the subject development and the street.

3. Front setbacks apply to all lot lines adjacent a public street. Corner lots have two front setbacks.

4. As determined by the specific use and its parking and loading requirements.

5. Duplex shall have a minimum of twelve thousand square feet of lot area per unit.

6. Zero lot line lots shall be a minimum of seven thousand five hundred feet in area.

Additional Note: The minimum square footages for each unit of a zero lot line shall be as follows:

R-1 and R-1 MH 4,000 sq. ft.

R-1 LD and R-1 LDMH 7,500 sq. ft.

R-2 and R-2 MHP 4,000 sq. ft.

C-1, C-2 and WD 3,000 sq. ft.

Zero lot lines may be allowed on existing lots of record in the R-1 and R-1 MH zones with square footages less than above if the planning commission finds that there is adequate density and parking.

7. Minimum lot area per dwelling unit shall be six thousand square feet for one and two-family dwellings with an additional one thousand square feet for each additional dwelling unit.

8. Front yard setback shall be ten feet when lots abutting street rights-of-way are equal to or greater than eighty feet.

9. Residential docks are exempt from rear yard setback.

10. Except as exempted by Section 22.20.050.

11. Subject to site plan approval.

12. No setbacks are required from property lines of adjacent filled, intertidal, or submerged tidelands.

13. Additional building coverage may be permitted subject to site plan approval.

14. Unless the subject use occupies the entire island.

15. Where island lots share common property lines, the minimum setback shall be fifteen feet.

16. The minimum site setback on lots in zones SF, R-1, R-1 MH, and R-2 shall be five feet for lots that are sixty feet wide or narrower; in all other cases in those zones, the minimum side setback shall be eight feet.

17. A five-foot setback shall be along any property line abutting a public street, alley, or deed access easement. The purpose of this setback shall be to assure that sidewalks, curb and gutter, power pole locations, or other public necessities can be accommodated.

18. Lot size variances may be allowed for subdivisions that include sidewalks or pathways.

19. Accessory dwelling units in residential zones shall be limited to a maximum height of twenty-five feet or the height of the existing principal dwelling unit on the property whichever is less.

(Ord. 13-14A § 4 (part), 2013; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

Proposed:

Table 22.20-1
Development Standards[2]

	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS[19]		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
ZONES	**Width***	**Area[1, 18]**	**Front[3]**	**Rear**	**Side**	**Principal Structures**	**Accessory Structures**		
P	*	SPR	SPR	SPR	SPR	40 ft.	25 ft.	SPR	

	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS[19]		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
ZONES	**Width***	**Area**[1, 18]	**Front**[3]	**Rear**	**Side**	**Principal Structures**	**Accessory Structures**		
SF[16]		6,000 s.f.	10	8	5/9	35 ft.[10]	16 ft.	50%	
SFLD		15,000 s.f.	20 ft.[8]	20 ft.[9]	15 ft.	35 ft.[10]	16 ft.	35%	
R-1[6, 16]		6,000 s.f.	10	8	5/9	35 ft.[10]	16 ft.	50%	
R-1 MH[6, 16]		6,000 s.f.	10	8	5/9	35 ft.[10]	16 ft.	50%	
R-1 LD/ LDMH		15,000 s.f.[5]	20 ft.[8]	20 ft.[9]	15 ft.	35 ft.[10]	16 ft.	35%	
R-2[6, 16]		6,000 s.f.	10	8	5/9	35 ft.[10]	16 ft.	50%	
R-2 MHP[6]		6,000 s.f.	10	8	5/9	40	16 ft.	50%	
CBD[17]		None[7]	[11]	[11]	[11]	65 ft.	16 ft.	None	
C-1[6]		6,000 s.f.[7]	15 ft.[8]	8 ft.	5/9	40 ft.	16 ft.	None, except for setback areas	
C-2[6]		6,000 s.f.[7]	15 ft.[8]	8 ft.	5/9	40 ft.	16 ft.	Same as C-1	
WD[6]		6,000 s.f.[7]	15 ft.[8]	8 ft.	5/9	40 ft.	16 ft.	Same as C-1	
GP	SPR	SPR	SPR	SPR	SPR	50	50	SPR	
I		15,000 s.f.	15 ft.[8]	8 ft.	5/9	40 ft.	40 ft.	50%[13]	
LI		30,000 sf	None[15]	None[15]	None[15]	35 ft.	35 ft.	25%	
GI		30,000 sf	None[15]	None[15]	None[15]	35 ft.	35 ft.	25%	
R		[16]	20 ft.	10 ft.	5 ft.	35 ft.	20 ft.	50%	
OS		1 acre	None[15]	None[15]	None[15]	35 ft.	35 ft.	None[15]	

(Ord. 13-14A § 4 (part), 2013; Ord. 11-04S § 4(B) (part), 2011; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.20.035 Notes to Table 22.20-1.

Please note that "notes" in this subsection, and various notes throughout the Title will be reviewed and amended or deleted to be consistent and uniform with any proposed code changes.

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	ZA 18-09	**Version:**	1	**Name:**	
Type:	Zoning Amendments			**Status:**	AGENDA READY
File created:	3/30/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: Discussion, direction, and decision regarding proposed amendments to Sitka General Code Title 22 Zoning, specifically 22.08.025, 22.16.015, 22.20.035, and 22.20.160. The proposal concerns amendments to accessory dwelling unit standards. The request is filed by the City and Borough of Sitka Planning and Community Development Department.

Sponsors:

Indexes:

Code sections:

Attachments: ZA18-09.ADU.Memo.6Apr2018

Date	Ver.	Action By	Action	Result

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City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

MEMORANDUM

To: Chair Spivey and Members of the Planning Commission

From: Planning and Community Development Department Staff

Subject: Amendment to Sitka General Code Regarding Title 22 Zoning & Accessory Dwelling Units

Date: April 6, 2018

Accessory Dwelling Units (ADUs) are a means to solve our housing challenges. Housing costs are high in Sitka. The availability of supply for less costly rentals and small homes or dwelling units is not keeping up with demand. The trend is that younger and older populations are shifting from large single-family homes to smaller homes and denser neighborhoods. There is also a growing trend of home sharing, lot sharing, sharing economy, and other creative ownership and living arrangements. Due to financing and capital drive for profit, it is unlikely that major multi-family apartments will be developed without further financial and land incentives (free or subsidized land, development costs, and tax credits). Therefore, Accessory Dwelling Units are arguably the best (#1) means to meet the goal of affordable housing.

ADUs will also help address our challenges with cost of living, walkability, community health, and efficient use and preservation of existing public infrastructure. Infill development, increased density near downtown by utilizing ADUs, and maximization of the utility of existing lots and public infrastructure will help promote vibrant and walkable neighborhoods and also preserve and make efficient our existing infrastructure, which is a major challenge within the municipality.

Staff's recommendation comes from research based on pro forma modeling, recent staff consultation with planners and market development experts in the field of affordable housing and rural sustainable development, understanding of the local real estate market, socio-economic demographics, market trends, best practices, and review of current code, and observation that code is often a barrier to ADU development.

Staff have reviewed and included all applicable Sitka General Code related to ADUs (not including development standards such as setbacks and lot size). Yellow highlighted code is to draw your attention to specific language that is a challenge – followed by underlined code is the suggested change or choices of changes.

Recommendation: Make a motion to recommend approval of these code amendments regarding ADUs subject to legal review and minor amendments.

22.08.025 Accessory dwelling unit.
An "accessory dwelling unit (ADU)" is a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit. An ADU must provide a complete, independent residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. Accessory dwelling units are further regulated under Chapter 22.20 and other sections of this title. (Ord. 13-14A § 4 (part), 2013.)

Proposed:

An "accessory dwelling unit (ADU)" is an additional dwelling unit that is located on the same parcel as the principal dwelling unit(s). An ADU must provide a complete, independently accessed residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. Accessory dwelling units are further regulated under Chapter 22.20 and Chapter 22.24 and other sections of this title. (Ord. 13-14A § 4 (part), 2013.) Accessory uses are further defined as uses that are incidental and supportive of the principal use. In this case, ADUs are incidental if they are less intensive in size and bulk than the principal use; and ADUs are supportive of the principal use, so long as the ADUs does not conflict with the principal or surrounding uses. Such conflict would include impacts to neighborhood character such as noise, traffic, density, and aesthetic feel, potential to conflict with vested and existing commercial, industrial, or recreational uses, and clear excessive impacts to the public's health, safety, and welfare.

22.16.015 Permitted, conditional and prohibited uses.
The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. Each lot or parcel in single-family and related zones shall contain only one principal use as defined by the use tables in this chapter. Multifamily and commercial zones may contain up to three principal uses. Other uses on the lot or parcel may be permitted accessory uses or conditional uses. All applicable requirements of this code, or other applicable state or federal requirements, shall govern a use located in the city and borough of Sitka.

The land use tables contained in this chapter determine whether specific uses are permitted as principal (P) or conditional (C) uses. Each table lists the zoning districts in the vertical columns and the land use activities in the horizontal rows. If no symbol appears in the box at the intersection of a row and column, the use is not allowed and is prohibited unless otherwise noted. In general, prohibited uses shall be as follows:

A. Any use or structure not of a character indicated under permitted principal, accessory or conditional uses;

B. Any use which causes, or may be reasonably expected to cause, an excessive disturbance not in keeping with the character and stated intent of this district. "Excessive" is defined for these purposes as a degree exceeding that generated by uses permitted in the district in their customary manner of operation or to a degree injurious to the public safety, health, welfare or convenience.

If the letter "P" appears in the box, the use is permitted outright subject to the provisions of the code. If the letter "C" appears in the box, the use is a conditional use subject to review and approval including site plan approval. If the box contains a number, there will be a corresponding footnote further specifying the conditions applicable to the use in the zone.

With the exception of the Gary Paxton special district or as otherwise provided in this code, if the letter "P," "C," or another notation does not appear in the box, the use is prohibited.

The Gary Paxton special (GP/GPS) district was specifically developed to allow for a wide range of flexible uses on the site. When the site was acquired, it was recognized that a number of appropriate uses may surface that could not be anticipated. Appropriate and inappropriate uses could be regulated through lease agreements and sales agreements that must be approved by the municipality. As a result, the GP/GPS district use tables shall function differently from the manner outlined above.

Any uses, except retail and business uses, at Table 22.16.015-6, as well as natural resource extracting and mining support facilities uses within Table 22.16.015-5, may be approved in the GP/GPS district without a requirement of a zoning amendment in accordance with Section 2.38.080.

Retail and business uses in the GP/GPS district that are permitted uses, conditional uses, or prohibited uses on the site are governed by Table 22.16.015-6. Natural resource extractions and mining support facilities are conditional uses governed by Table 22.16.015-5 in the GP/GPS district. These use tables are binding on the owners and the operators in the Gary Paxton

industrial park. No changes to these tables shall be made without a zoning ordinance text amendment that follows the full procedures in Chapter 22.30, Zoning Code Administration.

As outlined in Section 22.16.110, the I industrial zone is intended for industrial and heavier commercial uses. The zone also contains a number of heavy public uses as permitted and conditional uses. Additional conditional uses may be approved by the assembly, through the conditional use process, even though they may not be specifically listed as permitted or conditional uses in the following table.

Table 22.16.015-1
Residential Land Uses

Note: The following highlighted text is the focus. The green letters are additions.

Zones	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (11, 12)	C-1 (11)	C-2 (11)	WD (2, 11)	I	GI (3, 10)	LI(3)	R	OS	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			
• 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	P		C	C			
• Mobile home park								P			P	P						
• Accessory dwelling unit				C/P	C/P	C/P	C/P	C/P				C		C/P	C/P			
GROUP RESIDENCES														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 breakfast				C(7)	C(7)	C(7)	C(8)	C(8)	P	P	P	P		P	C			
• 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			

P: Public Lands District

SF: Single-Family District

SFLD: Single-Family Low Density District

R-1: Single-Family/Duplex District

R-1 MH: Single-Family/Duplex/Manufactured Home District

R-1 LDMH: Single-Family/Duplex and Single-Family/Manufactured Home Low Density Districts

R-2: Multifamily District

R-2 MHP: Multifamily/Mobile Home District

CBD: Central Business District

C-1/C-2: General Commercial and General Commercial/ Mobile Home Districts

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

OS: Open Space District

GP: Gary Paxton Special District

P—Permitted (Principal)

C—Conditional Use Permit Required

PU/CS—Permitted on Unsubdivided Islands and Conditional Use on Subdivided Islands

C. Residential Uses Table 22.16.015-1 Footnotes.

1. Public facilities not otherwise identified may be permitted in the public zone subject to planning commission recommendation and assembly approval subject to findings of fact that show the use is in the public interest; all reasonable safeguards are to be employed to protect the surrounding area; and that there are no reasonable alternative locations for the use.

2. All uses in the waterfront district are intended to be water-related or water-dependent except that upland uses may be non-water-related.

3. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.

4. Including zero lot developments.

5. Townhouse, cluster housing developments and planned unit developments are conditional uses subject to this title and Title 21 of this code, Subdivisions.

6. On-site storage of commercial fishing vessels, fishing equipment and other small business equipment is a permitted conditional use so long as such storage does not occupy more than four hundred square feet.

7. Bed and breakfast establishments are limited to three guest rooms in the R-1, R-1 MH, and R-1 LD districts as conditional uses only when no other rental such as apartments is in operation on the same lot.

8. Bed and breakfast establishments are limited to five guest rooms in the R-2, R-2 MHP districts as conditional uses only when no other rental such as apartments is in operation on the same lot.

9. Short-term rentals including legal nonconforming uses shall provide two off-street parking spaces per unit, comply with the municipal fire code, and comply with the requirements of the building department based on a life safety inspection.

10. Hotels, motels, lodges, boarding houses and bed and breakfasts capable of accommodating a maximum of six guests plus one guest for each one-half acre or fraction thereof above one acre on unsubdivided islands are permitted principal uses. Hotels, motels, lodges, boarding houses and bed and breakfasts, on unsubdivided islands that exceed this maximum, are conditional uses.

Bed and breakfast establishments, boarding houses, hotels, motels and lodges are conditional uses on subdivided islands.

11. Many of the permitted and conditional uses in the CBD, C-1, C-2, and WD zones generate traffic, noise, odor, and general impacts to a higher level and greater degree than permitted and conditional uses in residential districts. Owners of residential uses in the CBD, C-1, C-2 and WD districts must be aware of and accepting of all the permitted uses in these districts.

12. Single or multiple apartments shall only be permitted on the first floor of structures in the CBD district if approved through the conditional use process. Single and multiple apartments are permitted uses on upper floors of structures in the CBD district.

13. Any uses, except retail and business uses, and natural resource extraction and mining support facilities uses may be approved in accordance with Section 2.38.080.

14. Accessory dwelling units shall be constructed in conformance with the standards outlined in Chapter 22.20, Supplemental District Regulations and Development Standards; and Chapter 22.24, Special Use Permits.

15. Conditional use limited to allow boats to be used as short-term rentals in harbors and slips within the public lands zoning district.

Table 22.20-1
Development Standards[2]

	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS[19]		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
ZONES	**Width**	**Area[1, 18]**	**Front[3]**	**Rear**	**Side**	**Principal Structures**	**Accessory Structures**		
P	[4]	[4]	20 ft.	15 ft.	10 ft.	40 ft.	16 ft.	35%	
SF[16]	80 ft.	8,000 s.f.	20 ft.[8]	10 ft.[9]	8 ft.	35 ft.[10]	16 ft.	35%	
SFLD	80 ft.	15,000 s.f.	20 ft.[8]	20 ft.[9]	15 ft.	35 ft.[10]	16 ft.	35%	
R-1[6, 16]	80 ft.	8,000 s.f.	20 ft.[8]	10 ft.[9]	8 ft.	35 ft.[10]	16 ft.	35%	
R-1 MH[6, 16]	80 ft.	8,000 s.f.	20 ft.[8]	10 ft.[9]	8 ft.	35 ft.[10]	16 ft.	35%	
R-1 LD/ LDMH	80 ft.	15,000 s.f.[5]	20 ft.[8]	20 ft.[9]	15 ft.	35 ft.[10]	16 ft.	35%	
R-2[6, 16]	80 ft.	8,000 s.f. for the first two units and 1,000 s.f. for each additional unit	20 ft.(8)	10 ft.[9]	8 ft.	40 ft.	16 ft.	50%	Maximum density = 24 DU/A
R-2 MHP[6]	80 ft.	Same as R-2	20 ft.(8)	10 ft.(9)	8 ft.	40 ft.	16 ft.	50%	Same as R-2
CBD[17]	None	None[7]	[11]	[11]	[11]	50 ft.	16 ft.	None	
C-1[6]	60 ft.	6,000 s.f.[7]	20 ft.[8]	10 ft.	5 ft.	40 ft.	16 ft.	None, except for setback areas	
C-2[6]	60 ft.	6,000 s.f.[7]	20 ft.[8]	10 ft.	5 ft.	40 ft.	16 ft.	Same as C-1	
WD[6]	60 ft.	6,000 s.f.[7]	20 ft.[8, 12]	5 ft.[12]	10 ft.[12]	40 ft.	16 ft.	Same as C-1	
GP	50 ft.	5,000 s.f.	10 ft.	5 ft.[12]	10 ft.[12]	50 ft.	50 ft.	Same as C-1	

	MINIMUM LOT REQUIREMENTS		MINIMUM SETBACKS			MAXIMUM HEIGHTS[19]		MAXIMUM BUILDING COVERAGE	MAXIMUM DENSITY
ZONES	**Width**	**Area**[1, 18]	**Front**[3]	**Rear**	**Side**	**Principal Structures**	**Accessory Structures**		
I	100 ft.	15,000 s.f.	20 ft.[8]	10 ft.	5 ft.	40 ft.	16 ft.	50%[13]	
LI	None	1 acre[14]	None[15]	None[15]	None[15]	35 ft.	35 ft.	25%	
GI	None	1 acre	None[15]	None[15]	None[15]	35 ft.	35 ft.	None	
R	[16]	[16]	20 ft.	10 ft.	5 ft.	35 ft.	20 ft.	50%	
OS	None	1 acre	None[15]	None[15]	None[15]	35 ft.	35 ft.	None[15]	

(Ord. 13-14A § 4 (part), 2013; Ord. 11-04S § 4(B) (part), 2011; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.20.035 Notes to Table 22.20-1.

1. Minimum lot area net of access easements.

2. All developed lots and parcels shall have access to a public street and circulation within the development to ensure adequate vehicular circulation for parking, freight, and emergency vehicles. Where lots or parcels do not front on and have direct access to streets, a minimum twenty-foot improved driveway with a minimum of a twelve-foot wide developed driveable surface on a legal easement shall provide access between the subject development and the street.

3. Front setbacks apply to all lot lines adjacent a public street. Corner lots have two front setbacks.

4. As determined by the specific use and its parking and loading requirements.

5. Duplex shall have a minimum of twelve thousand square feet of lot area per unit.

6. Zero lot line lots shall be a minimum of seven thousand five hundred feet in area.

Additional Note: The minimum square footages for each unit of a zero lot line shall be as follows:

R-1 and R-1 MH 4,000 sq. ft.

R-1 LD and R-1 LDMH 7,500 sq. ft.

R-2 and R-2 MHP 4,000 sq. ft.

C-1, C-2 and WD 3,000 sq. ft.

Zero lot lines may be allowed on existing lots of record in the R-1 and R-1 MH zones with square footages less than above if the planning commission finds that there is adequate density and parking.

7. Minimum lot area per dwelling unit shall be six thousand square feet for one and two-family dwellings with an additional one thousand square feet for each additional dwelling unit.

8. Front yard setback shall be ten feet when lots abutting street rights-of-way are equal to or greater than eighty feet.

9. Residential docks are exempt from rear yard setback.

10. Except as exempted by Section 22.20.050.

11. Subject to site plan approval.

12. No setbacks are required from property lines of adjacent filled, intertidal, or submerged tidelands.

13. Additional building coverage may be permitted subject to site plan approval.

14. Unless the subject use occupies the entire island.

15. Where island lots share common property lines, the minimum setback shall be fifteen feet.

16. The minimum site setback on lots in zones SF, R-1, R-1 MH, and R-2 shall be five feet for lots that are sixty feet wide or narrower; in all other cases in those zones, the minimum side setback shall be eight feet.

17. A five-foot setback shall be along any property line abutting a public street, alley, or deed access easement. The purpose of this setback shall be to assure that sidewalks, curb and gutter, power pole locations, or other public necessities can be accommodated.

18. Lot size variances may be allowed for subdivisions that include sidewalks or pathways.

19. Accessory dwelling units ~~in residential zones~~ shall be limited to a maximum height of t~~wenty-five~~ thirty feet. ~~or the height of the existing principal dwelling unit on the property whichever is less.~~

(Ord. 13-14A § 4 (part), 2013; Ord. 06-06 § 4(C), 2006; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

22.20.160 Accessory dwelling units (ADUs).

A. The following code section provides for binding standards and regulates the accessory dwelling units (ADUs). ADUs are intended to:

1. Utilize existing housing stock while preserving the appearance and character of ~~single-family-~~ residential neighborhoods.

~~2. Provide additional affordable options for long-term rental housing.~~

3. Provide a broader range of more affordable housing.

4. Provide a mix of housing that responds to changing family needs, smaller households and multi-generational families.

5. Provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods and obtain extra income, security, companionship and services.

6. Encourage a more economic and energy-efficient use of Sitka's housing supply and public infrastructure.

7. To maintain consistency with city and borough of Sitka's policies as recommended in the Comprehensive Plan (2.2.15, 2.2.16, 2.4.8.A, 2.5.1.B, 2.5.11, 2.10.3.B).

B. Creation. An accessory dwelling unit (ADU) is defined at SGC 22.08.025. ~~a second dwelling unit that is located on the same parcel as the primary single-family dwelling unit.~~ ADUs must provide a complete, independently accessed residential living space and shall include provisions for living, sleeping, eating, cooking and sanitation. ~~ADUs can be studio-sized units, and one- and two-bedroom units.~~ An ADU may be created through the following methods:

1. Constructing a detached ADU on a parcel with an existing principal use.

2. Constructing a new ~~single-family home~~ principal use with a detached ADU.

3. Constructing an attached ADU to a new or existing principal use.

4. Constructing an attached or detached garage with an additional dwelling unit included.

C. Accessory Dwelling Unit Requirements.

1. ~~An ADU is a permitted use, on lots served by a publicly maintained right-of-way in the following residential zoning districts: R-1 and R-2 and related districts exclusive of MH and MHP. An ADU shall not be constructed on lots accessed by access easements. They are also not allowed on lots served by rights-of-way that have not been accepted by the municipality or state of Alaska for maintenance.~~

~~2. ADUs are intended for long-term rental use only. Rental of an ADU for a period of less than ninety consecutive days is prohibited. ADUs shall not be used for short-term vacation rentals and/or bed and breakfast purposes.~~

3. ADUs shall meet all development, design, zoning and building requirements at the time of construction (e.g., setback requirements and lot coverage standards) applicable to the primary dwelling unit, except as otherwise noted.

4. The ADU must be located on the same parcel as the p~~rimary dwelling unit~~ principal structure.

5. ~~Only one ADU is allowed per parcel.~~

6. Mobile homes, travel trailers and recreational vehicles shall ~~not~~ **only be used as an ADU with a conditional use permit, and this use shall be limited to short-term rental use only.**

~~7. ADUs shall only be located on a parcel in conjunction with a single-family dwelling unit. ADUs shall not be located on parcels that contain a duplex and shall not be located on parcels that contain two or more dwelling units.~~

8. ADUs shall be designed so that the appearance of the structure maintains, to the greatest extent possible, the appearance of ~~a single-family property.~~ the existing structure, the adjacent properties, and the neighborhood in terms of exterior materials, design, and pitch of roof.

9~~. If a separate external entrance for the ADU is necessary, where possible, it shall be located on the side or rear of the structure. On a corner lot, where there are two entrances visible from either street, where possible, solid screening is required to screen at least one of the entrances from the street.~~

1~~0. Exterior stairs shall be located in the side or rear yard wherever possible and must comply with setback and building code requirements.~~

11. The maximum size of an ADU shall be ~~eight hundred~~ one-thousand and fifty (1,050) square feet.

12. The following parking requirements are applicable for ADUs:

a. As part of the application submittal process, the applicant shall submit a parking plan delineating parking space(s) for the ADU and the ~~primary dwelling unit~~ principal structure.

~~b. Where parking is located in any portion of the interior side and/or rear setbacks solid screening is required from adjoining properties.~~

c. On-street parking is prohibited.

~~d. If additional parking is necessary, new parking space(s) shall utilize existing curb cuts.~~

e.* 1 off-street parking space shall be provided for each ADU (exemption to 22.20.100.G.1).

~~13. All subdivisions of lots containing ADUs are prohibited unless all minimum lot sizes (exclusive of access easements), setbacks, lot coverage, and other requirements in the zoning and subdivision codes are met.~~

~~14. Variances are prohibited on any lot containing an ADU including, but not limited to, variances for setbacks, lot coverage, building height, and off-street parking requirements.~~

D. Conditional use permits may be sought if the above requirements cannot be met. Conditional use permit must be in conformance with Chapter 22.24.

(Ord. 15-08 § 4 (part), 2015; Ord. 13-14A § 4 (part), 2013.)

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	ZA 18-10	**Version:**	1	**Name:**	
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File created:	3/30/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: Discussion, direction, and decision regarding a proposed amendment to the zoning map to rezone 501, 509, and 517 Granite Creek Road, 4702 Halibut Point Road, and an unaddressed parcel uplands of Halibut Point Road from C-2 General Commercial Mobile Home District and R-1 Single Family and Duplex Residential District to I Industrial. The properties are also known as Lot 63 US Survey 3475, Lots 1, 2, and 3 of Granite Creek Quarry Subdivision, and a portion of Lot 1 US Survey 3670. The request is filed by the City and Borough of Sitka Planning and Community Development Department. The owners of record are the City and Borough of Sitka and Roger and Judith Sudnikovich.

Sponsors:

Indexes:

Code sections:

Attachments: ZA18-10.StaffReport.6Apr2018

Date	Ver.	Action By	Action	Result

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City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

AGENDA ITEM:

Case No:	ZA 18-10
Proposal:	Zoning map amendment
Applicant:	City and Borough of Sitka
Owner:	City and Borough of Sitka, Roger/John/Judith Sudnikovich
Location:	501, 509, and 517 Granite Creek Road, 4702 Halibut Point Road, and an unaddressed parcel uplands of Halibut Point Road
Legal:	Lot 63 US Survey 3475, Lots 1, 2, and 3 of Granite Creek Quarry Subdivision, and a portion of Lot 1 US Survey 3670
Zone:	Current: C-2 General Commercial Mobile Home District and R-1 Single Family and Duplex Residential District Proposed: I Industrial
Parcel ID:	25910000, 2600400, 25643001, 25643002, 25643003
Existing Use:	Undeveloped, Quarry
Adjacent Use:	Commercial, Industrial, Public, Residential
Utilities:	Unknown
Access:	Halibut Point Road, Granite Creek Road

KEY POINTS AND CONCERNS:

1. Purpose of rezone is to allow for extraction and processing of rock resources. In addition, there is a need to expand zone to allow the proper development of existing quarry that was not benched.
2. Blasting and mining can be an abnormally dangerous activity and could result in major impacts to the public's health, safety and welfare. Major safety and health impacts could occur.
3. The old existing quarry is a clear environmental impact. No benching or reclamation of the rock area has occurred. Quarrying can have major impact to the environment.
4. The community needs rock. This is a great location for it.
5. More information and input is needed from public works and the industry.

Recommendation: Postpone and give direction.

CITY AND BOROUGH OF SITKA

Legislation Details

File #:	CUP 18-10	**Version:**	1	**Name:**	
Type:	Conditional Use Permits			**Status:**	AGENDA READY
File created:	3/30/2018			**In control:**	Planning Commission
On agenda:				**Final action:**	

Title: PULLED - Public hearing and consideration of a conditional use permit for a quarry at 4660, 4670, and 4702 Halibut Point Road in the Industrial District. The property is also known as Lot 63 US Survey 3475, Lot 1A USS 3670 Subdivision, and Lots 61A and 62A S&S Subdivision. The request is filed by Roger Sudnikovich. The owners of record are Roger, John, and Judith Sudnikovich.

Sponsors:

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Attachments:

Date	Ver.	Action By	Action	Result

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