



CITY AND BOROUGH OF SITKA

Meeting Agenda - Final

Planning Commission

Wednesday, February 5, 2020

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 20-02](#) Approve the January 15, 2020 minutes

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

VI. REPORTS

VII. THE EVENING BUSINESS

B. [CUP 19-20](#) Public hearing and consideration of a conditional use permit for a short-term rental at 103 Kramer Avenue in the R-1 MH single-family, duplex, and manufactured home zoning district. The property is also known as Lot A, Horvath Subdivision. The request is filed by Matthew and Sidney Kinney. The owners of record are Matthew and Sidney Kinney.

C. [CUP 19-21](#) Public hearing and consideration of a conditional use permit for a short-term rental at 3009 Halibut Point road in the R-1 MH single-family, duplex, and manufactured home zoning district. The property is also known as the Northwesterly portion of Lot U, US Survey 2751, Sitka Small Tracts Group. The request is filed by Charles and Theresa Olson. The owners of record are Charles and Theresa Olson.

D. [CUP 19-22](#) Public hearing and consideration of a conditional use permit for a short-term rental at 2160 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district. The property is also known as Lot 1, Vonrekowski Subdivision. The request is filed by Charles and Theresa Olson. The owners of record are Charles and Theresa Olson.

- E. [ZA 20-02](#) Public hearing and consideration of a zoning text amendment to Title 22 of the Sitka General Code to add a definition of bulk retail, and make bulk retail a conditional use in Industrial zones. The request is filed by Jeremy and Savannah Plank.
- F. [MISC 20-02](#) Discussion/Direction on the No Name Mountain/Granite Creek Master Plan stakeholder outreach

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:



CITY AND BOROUGH OF SITKA

Minutes - Draft

Planning Commission

Chris Spivey, Chair
Darrell Windsor, Vice Chair
Randy Hughey
Victor Weaver
Stacy Mudry

Wednesday, January 15, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair) Darrell Windsor (Arrived at 7:13 PM), Stacy Mudry, Victor Weaver, Randy Hughey (Telephonic), Kevin Mosher (Assembly Liason)
Absent: None
Staff: Amy Ainslie, Scott Brylinsky, Andy Corak
Public: Richard Wein, Chuck Trieschield, Mim McConnell, Robert Woolsey, Pat Swedeen, Adam Chinalski, Dan Falvey, Gail Peterson, Richard Riggs, Chandler O'Connell, Cleo Brylinsky, Connor Nelson, Pete Jones, Ben Hilberk, Chris McGraw, Jeremy Twaddle, Matthew Jackson, Kevin Mosher, Clyde Bright, Andrew Jones, and Maureena O'Hanlon.

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

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

M-Weaver/S-Mudry moved to approve the December, 18 2019 minutes. Motion passed 4-0 by voice vote.

A [PM 20-01](#) Approve the December 18, 2019 minutes.

Attachments: [19-December 18 2019 DRAFT](#)

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Amy Ainslie, Planning Director, began her report by introducing Andy Corak as the new Planner I. She discussed the annual Short Term Rental report, and noted that forms had been mailed out for 2019 reporting. Ainslie also reminded the commission of the No Name Mountain kick-off work session on 1/22/20, which would start at 6:00 PM. Ainslie also outlined items that would be on the agenda for the following meeting, including 4 short term rentals and a zoning text change. Ainslie stated that she would be out of the planning office on 1/24/20.

VI. REPORTS**B** [MISC 20-01](#) Annual Election of Officers

Chris Spivey was nominated to continue as chair. M-Weaver/S-Mudry, motion passed 4-0 by voice vote. Darrell Windsor was nominated to continue as vice-chair. M-Weaver/S-Mudry, motion passed 4-0 by voice vote.

VII. THE EVENING BUSINESS**C** [P 19-01](#) Public hearing and consideration of a final plat to result in two lots at 123 Anna Drive in the R-2 multifamily residential district. The property is also known as Lot 3, Miller Subdivision. The applicant is Daniel Falvey. The owners of record are Daniel Falvey and Kathleen O'Gara.

Attachments: [P 19-01 Falvey 123 Anna Drive Staff Report](#)
 [P 19-01 Falvey 123 Anna Drive Aerial](#)
 [P 19-01 Falvey 123 Anna Drive Current Plat](#)
 [P 19-01 Falvey 123 Anna Drive Preliminary Plat](#)
 [P 19-01 Falvey 123 Anna Drive Photos](#)
 [P 19-01 Falvey 123 Anna Drive Drainage Report](#)
 [P 19-01 Falvey 123 Anna Drive Site Plan](#)
 [P 19-01 Falvey 123 Anna Drive Applicant Materials](#)

Ainslie noted that this project had received concept approval on March 6, 2019, and the platting variance and preliminary plat was approved on October 16, 2019. Ainslie described the subdivision process, and noted the 2 lots created would be 24,233 and 13,877 square feet net of easement, placing them well in excess of the 6,000 square foot requirement. Ainslie stated that the applicant had acted on all requests made by the City for this project. The applicant created a use and maintenance agreement for a private utility system, completed a drainage report with plan, determined utility connections for the new lot, and provided site plans. Ainslie recommended approval of the minor subdivision, resulting in two lots within a hybrid minor subdivision, based on all condition/requests being met, the project meeting development standards and fitting the comprehensive plan for higher density, and making use of otherwise undeveloped residential space.

Richard Wein offered public comment, and stated concerns about the limit to the number of potential utility hook ups in the area. He also expressed concerns that this may preclude additional subdivisions in the neighborhood. The applicant, Dan Falvey, was present. Commissioners had no questions for the applicant.

M-Mudry/S-Windsor moved to approve the final plat for a minor subdivision in the hybrid minor subdivision at 123 Anna Drive. The property is also known as Lot 3, Miller Subdivision. The request was filed by Daniel Falvey. The owners of record were Daniel Falvey and Kathleen O'Gara. Motion passed 5-0 by voice vote.

M-Mudry/S-Weaver moved to adopt the findings as listed in the staff report. Motion passed 5-0 by voice vote.

D [P 19- 03](#)

Public hearing and consideration of a final plat for a minor subdivision at 1306 Halibut Point Road in the R-2 zoning district. The property is also known as Lot 1A, Little Critter Subdivision. The applicant is the Sitka Community Land Trust. The owner of record is the Sitka Community Land Trust.

Attachments: [P 19-03 SCLT 1306 HPR Staff Report](#)
[P 19-03 SCLT 1306 HPR Aerial](#)
[P 19-03 SCLT 1306 HPR Current Plat](#)
[P 19-03 SCLT 1306 HPR Preliminary Plat](#)
[P 19-03 SCLT 1306 HPR Applicant Materials](#)

Hughey recused himself due to his Land Trust board position.

Ainslie explained that the conceptual plat for this project was approved 5/1/19, and the preliminary plat was approved 9/18/2019, and described the subject property as the large remaining portion of the old city shop lands, which were deeded to the Sitka Community Land Trust (SCLT) by the City. She stated that this portion of deeded lands had issues with slope and access, with only the southeast corner being buildable. She stated that the Land Trust would not be able to develop this site, however, it could be developed privately via an access/utility easement through the property of Robert Woolsey at 1301 Edgecumbe Drive, as the lot is 6,003 square feet, meeting code. Ainslie stated that there is an agreement made with Public Works for the license of private use of Kostrometinoff Street, and shared maintenance between 1301 Edgecumbe Drive and 1213 Halibut Point Road, which was to be finished before recording.

Ainslie stated that as the lot met development standards, size/access and utility requirements, added to housing inventory, and enabled land to be used to forward affordable housing goals, the Planning Department recommended approval. Jill Hirai, member of SCLT, came forward as representative.

Connor Nelson offered public commentary, and asked to clarify the access easement. Pete Jones requested clarification about the use of the funds resulting from the subdivision and sale. Jones was informed that funds would be returned to SCLT.

M-Mudry/S-Windsor moved to approve the final plat for a minor subdivision at 1306 Halibut Point Road in the R-2 zoning district. The property is also known as Lot 1A, Little Critter Subdivision. The applicant is the Sitka Community Land Trust. The owner of record is the Sitka Community Land Trust. Motion passed 4-0 by voice vote; Hughey recused due to Land Trust board position.

M-Mudry/S-Windsor moved to adopt the findings as listed in the staff report. Motion passed 4-0 by voice vote.

E [VAR 20-01](#)

Public hearing and consideration of a platting variance to connect more than 4 lots to a private utility system in a minor subdivision at 2370 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Michael and Glenda Tisher.

Attachments: [VAR 20-01 Tisher 2370 HPR Platting Variance Staff Report](#)
 [VAR 20-01 Tisher 2370 HPR Platting Variance Preliminary Plat](#)
 [VAR 20-01 Tisher 2370 HPR Platting Variance Applicant Materials](#)

Ainslie explained that the variance was requested to allow more than 5 lots on a private utility system. She also noted that these lots are located off of a right of way, and that once development in the area halted in 2015, expansion of the public infrastructure ceased. Ainslie described the subdivision development by the applicant, and stated that water has been extended at the applicant's expense from Kramer Avenue infrastructure, and that sewer and electric have been run from Halibut Point Road, including an 8-inch sewer line which meets city standards and has capacity for additional development. Also noted was the applicant's DEC approval of this plan.

Ainslie noted that the variance was not injurious to nearby properties, and was in fact, a benefit. She also noted that this variance was not harmful to the lots themselves, but that it was an undue burden to wait for the expansion of public services, due to slowed city-led development in the area. Ainslie recommended approval.

Jill Hirai was present as a representative of the applicant. Commissioners had no questions for the applicant.

M-Windsor/S-Weaver moved to approve the platting variance to connect more than 4 lots to a private utility system in a minor subdivision at 2370 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district. The properties were also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request was filed by Michael Tisher. The owners of record were Michael and Glenda Tisher. Motion passed 5-0 by voice vote.

M-Windsor/S-Weaver moved to adopt the findings as listed in the staff report. Motion passed 5-0 by voice vote.

F [P 19- 08](#)

Public hearing and consideration of a final plat for a hybrid minor subdivision to result in 5 lots at 2370 Halibut Point Road in the R-1 MH single family, duplex, and manufactured home zoning district. The properties are also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request is filed by Michael Tisher. The owners of record are Michael and Glenda Tisher.

Attachments: [P 19-08 Tisher 2370 HPR Staff Report](#)
 [P 19-08 Tisher 2370 HPR Aerial](#)
 [P 19-08 Tisher 2370 HPR Current Plat](#)
 [P 19-08 Tisher 2370 HPR Preliminary Plat](#)
 [P 19-08 Tisher 2370 HPR Applicant Materials](#)
 [P 19-08 Tisher 2370 HPR Ocean Ridge Subdivision updated easement](#)

Ainslie noted the preliminary plat approval for this hybrid subdivision was approved for a 4 lot minor subdivision on 5/15/19, and the preliminary approval for the 5 lot hybrid-minor subdivision was reviewed and approved 12/18/19. Ainslie stated that given the interest in the Lot 4 West Woodbury subdivision, the applicant decided to integrate it into the rest of the subdivision. Ainslie stated that in some ways, this was an

on-paper change, and the applicant had worked diligently with staff on access and utilities, including incurring the expense of relocating gates on Kramer Avenue. Utilities were built to city standards, permits were obtained, and the applicant maintained communication with the planning department throughout the development. Lot sizes ranged from 13,867 sqft to 43,624 sqft, above the 6,000 sqft minimum.

Ainslie noted that this subdivision resulted in large, picturesque residential lots, which met the standards for size, access, and utilities, the applicant had completed conditions of approval as requested, and recommended approval.

Jill Hirai was present as a representative of the applicant. Commissioners had no questions for the applicant.

M-Windsor/S-Weaver moved to approve the final plat for a hybrid minor subdivision to result in 5 lots at 2370 Halibut Point Road in the R-1 MH single family, duplex, and manufactured home zoning district. The properties were also known as Lot 1 Oceanview Ridge Subdivision and Lot 4 West Woodbury Subdivision. The request was filed by Michael Tisher. The owners of record were Michael and Glenda Tisher. Motion passed 5-0 by voice vote.

M-Weaver/S-Weaver moved to adopt the findings as listed in the staff report. Motion passed 5-0 by voice vote.

G [ZA 20-01](#)

Public hearing and consideration of a zoning map amendment at 4513, 4521, and 4533 Halibut Point Road to be rezoned from the Industrial zoning district to the C-2 general commercial and mobile home district. The properties are also known as Lot A, HPM Subdivision, Lot 55, U.S. Survey 3475, and a portion of Lot Fifty-one (51), U.S. Survey 3475. The request is filed by Chris McGraw and Charles McGraw. The owners of record are Halibut Point Marine Services, LLC and Charles McGraw.

Attachments: [ZA 20-01 McGraw Halibut Point Marine Services ZMA Staff Report](#)
[ZA 20-01 McGraw Halibut Point Marine Services ZMA Aerial](#)
[ZA 20-01 McGraw Halibut Point Marine Services ZMA Zoning Map](#)
[ZA 20-01 McGraw Halibut Point Marine Services ZMA Sitka Industrial Zones](#)
[ZA 20-01 McGraw Halibut Point Marine Services ZMA Photos](#)
[ZA 20-01 McGraw Halibut Point Marine Services ZMA Applicant Materials](#)

Ainslie read the staff report, and explained that this zoning amendment applied to three lots on the water side of Halibut Point Road, varying in size between 1/2 and 2 acres. She described the existing use, and noted that the applicants provided detailed site and development plans. Ainslie then described the differences between C-2 and Industrial zoning, highlighting potential changes in use resulting from this amendment, with a focus on the potential residential and retail uses in C-2 not present in industrial zoning, as well as manufacturing/storage allowed in industrial zones, which were conditionally allowed or prohibited in C-2. Additionally, Ainslie discussed allowed retail uses, and noted that the Delta Western fuel distribution center is permitted in both I and C-2 zoning.

Ainslie then discussed the code requirements pertaining to zoning amendments, noting that spot zoning was not an issue here due to adjacent C-2 zones, and that existing uses were accommodated with the new zoning. Ainslie also addressed

community interest, stating that several factors were worth consideration, to include whether the proposed changes allow for harmonious coexistence in the neighborhood, the perception of the cruise ship dock and area being a sort of gateway to the community, and the scarce supply of industrial land.

Ainslie stated that from a code administration perspective, the zoning amendment was recommended, however from a policy/community standpoint, the staff recommendation was neutral, based on a desire to hear from the community to determine the most mutually beneficial agreement.

The co-applicant, Chris McGraw, came forward and stated his intentions for the development. He stated that he did not plan to expand retail operations, but was focused on the restaurant and visitor attractions. He stated that due to the costs of development, the highest and best use of the land is by far the cruise ship dock, and, due to these costs, the property will not be reverting to industrial use.

Members of the public gave their opinions, beginning with Ben Hilberk, who worked at the restaurant on site. He stated that they currently operated out of a tent, but had steadily increased business since starting in 2013. He stated he was hopeful for a more permanent operation/facility. Hugh Bevan stated that he saw benefits to the entire community with these changes, and that this was an opportunity to support local business. Richard Wein stated that he had concerns about this development drawing business away from downtown, and could result in additional businesses closing as visitors would remain at the dock site, or visit the Fortress of the Bear sites, instead of going downtown. Wein referenced the Icy Strait tour operation outside of Hoonah as an example. Chuck Trierschild stated that as a downtown business owner, he supported this development.

M-Weaver/S-Windsor moved to approve a zoning map amendment at 4513, 4521, and 4533 Halibut Point Road to be rezoned from the Industrial zoning district to the C-2 general commercial and mobile home district. The properties were also known as Lot A, HPM Subdivision, Lot 55, U.S. Survey 3475, and a portion of Lot Fifty-one (51), U.S. Survey 3475. The request was filed by Chris McGraw and Charles McGraw. The owners of record are Halibut Point Marine Services, LLC and Charles McGraw. Motion passed 5-0 by voice vote.

M-Weaver/S-Windsor moved to adopt the findings as listed in the staff report. Motion passed 5-0 by voice vote.

H [ZA 19-06](#)

Public hearing and consideration of a zoning text change to amend Titles 6, 19, and 22 of the Sitka General Code to define Tiny Houses and Tiny Houses on Chassis and allow them in Mobile/Manufactured Home Parks. The request is filed by the Planning and Community Development Department.

Attachments: [memo- update to commission 8Jan20](#)
[StaffReport ZA 19-06- 11Dec19](#)
[Action Plan -Tiny Homes, sm dwellings - Draft](#)
[IRC Appendix Q-Tiny Houses](#)
[amending Title 6 ver2 11Dec19](#)
[amending title 19 adopting appendix Q 11Dec19](#)
[amending title 22 - ver2 11Dec19](#)
[Application](#)

Ainslie stated that this initiative for tiny houses was a special project for Scott Brylinsky, who then gave a presentation. Brylinsky explained that there exists a demand for tiny houses as an affordable housing option in Sitka, and that the high cost of housing has been consistently cited as a main challenge for doing business. Brylinsky noted that there is a population in Sitka who would benefit from housing of this type, and is in line with the Sitka 2030 Comprehensive Plan. Brylinsky explained that the tiny houses were required to meet life, health and safety standards, and would require approval from the building department, and that homes mounted on chassis would be subject to the same safety and stability standards as a modular or manufactured home when on site. He also explained that there were four aspects to this decision:

- 1) Adopt Appendix Q, which made allowances for sleeping lofts, ladder access to lofts, and egress/rescue requirements.
- 2) Create a legal status for tiny houses on chassis, and allow them in mobile/manufactured home parks
- 3) Allow tiny houses on permanent foundations in mobile/manufactured home parks
- 4) Allow single tiny homes on chassis to be placed in zones that allow a single manufactured home on lot.

Brylinsky noted that the recommendations are sourced from the IRC (International Residential Code), and are largely supported by the community, based on input received by the planning office. Following Brylinsky's presentation, the floor was opened to public comments.

Chandler O'Connell stated she supported the amendments, and noted that there was great community interest, tiny homes were a benefit for the housing market, and a good middle ground to home ownership. Pete Jones stated that, as a mobile home park owner, he supported this resolution. Matthew Jackson supported the amendment, and stated that it legitimized some activity that was already ongoing. Jeremy Twaddle stated concerns regarding the building standards, the size and quality of the homes, and court owner's control over the process. Mim McConnell thanked the commission for their work, stated she liked all four points offered by the planning department, and noted that tiny homes would be safer than boats, which serve as primary residences for many Sitkans. Rich Riggs stated that as a mobile home park owner, he supported this proposal, and would like conversation about the size limit of the tiny homes. Riggs stated that as an employer, he observes housing as a barrier to growth. Kevin Mosher stated that he's received support from the community, and stated that while tiny houses are not for everyone, they are a tool in the shed to address affordable housing, and a good start towards addressing this problem in Sitka. Richard Wein stated that he had been following this process for a while, and that it could have been done sooner, given the simplicity of it. Connor Nelson spoke, stating that the idea of having homes on wheels on residential zoned lots did not make sense, the roofing and design standards were too exclusive, the loft/ladder access design was discriminatory, and

that he did not want to see substandard housing. Nelson also stated that he did not believe the affordability issue came from housing, but from the price of utilities. Clyde Bright stated in his testimony that as a mobile home park owner, he had attended comprehensive plan meetings and assisted with wording. Bright thought that opening additional land was a better solution, particularly No Name Mountain, but that he also supported these code amendments. Adam Chinalski stated that he supported most of the amendments, but had concerns about the quality of the homes on chassis, and their effect on neighborhoods. Chinalski expressed concerns that people would bring in low quality homes on trailers, and these could be a hazard. Robert Woolsey stated that he supported this proposal, and had increased confidence due in part to the attention to detail. Woolsey stated that Sitka had a housing dilemma, and cited the example of young adults being unable to move back home due to the market, and that Sitka needs many options for housing. Andrew Jones spoke in support for the amendments, and stated his appreciation for work done to update the code. Jones stated that there is a history of local success with tiny homes. Maureena O'Hanlon spoke out in support of the amendments, and thanked the committee for its work.

Following public testimony, staff read comments submitted to the planning department by email.

Karen Hegyi wrote that she supported the amendments, but did have concerns about tiny homes on individual lots, and the accumulation of property that may accompany them. Kathy Kyle wrote that Sitka is in desperate need of affordable housing, and that tiny houses may be an upgrade to trailers currently in place. Cheryl Call wrote in support stating that tiny houses are attractive, innovative and affordable, and that she would love to see clusters of them on city lots. Justin Olbrych wrote that tiny houses make sense, and as a home builder he notes the lower cost to construct and smaller footprint. Olbrych wrote that the City promotes accessory dwelling units, and tiny houses are an extension of this concept. Olbrych suggested making lots subdividable for the addition of tiny homes to residential lots as a benefit to land owners and tiny house owners. Tory Curran wrote that she supports these amendments. Marian Allen wrote in support of these changes, noting the affordable housing issue in Sitka.

Commissioners discussed the amendments. Weaver stated his support for placement of tiny houses in mobile home parks. Spivey noted the risk to the builder and park owner caused by permanent foundations in mobile home parks. Mudry voiced concerns over the height of the structures with regard to transportation through town. Windsor stated his support for the amendments. Hughey stated his concerns on permanent foundations placed on rented land, and stated that without price controls, owners may be vulnerable. The commissioners expressed reservations regarding the placement of tiny houses on chassis in residential zones designated for single family manufactured homes, as well as concerns over the impact on neighboring property values resulting from this placement. Ainslie suggested this type of placement be conditional, in order to provide better oversight, and allow approval on a case by case basis.

M-Windsor/M-Weaver moved to recommend approval of the proposed ordinance changes with the exception that tiny houses on chassis to be placed in zones that allow a single manufactured home on a lot be a conditional rather than allowed use, recognizing that final housekeeping edits and formatting changes may be made during formal ordinance preparation. Motion passed 3-2 by voice vote.

VIII. ADJOURNMENT

Seeing no objection, Chair Spivey adjourned the meeting at 9:45 PM.



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 19-20
Proposal: Request for short-term rental at 103 Kramer Avenue
Applicant: Matthew and Sidney Kinney
Owner: Matthew and Sidney Kinney
Location: 103 Kramer Avenue
Legal: Lot A, Horvath Subdivision
Zone: R-1 MH single-family, duplex, and manufactured home zoning district
Size: 8,340 SF
Parcel ID: 2-5181-001
Existing Use: Residential
Adjacent Use: Single-family and duplex housing
Utilities: Existing
Access: Kramer Avenue

KEY POINTS AND CONCERNS

- Neighborhood appears to be primarily residential uses including single-family and duplex dwellings.
- The short-term rental is in a structure with one dwelling unit, 3 bed/2.5 bath
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 103 Kramer Avenue subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

The following request is for a conditional use permit for short-term rental (STR) within a single-family home. The unit to be used for short-term rentals is a 3,000 sf dwelling unit with 3 bedrooms, 2.5 bathrooms, and a 2 car garage.

Property is located off of Kramer Avenue which has low to moderate traffic volume and is accessed via an easement. The easement, while not signed, appears to have adequate condition and size to handle traffic generated from the rental.

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:

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, meeting the Sitka General Code requirement to afford space for two vehicles per dwelling unit. Home is accessed from Kramer Avenue via an easement.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests, however a property owners live in town and are available to address concerns.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in a municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: Available April – October.

e. Location along a major or collector street: Accessed from a residential street and then via easement.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Home can only be accessed from Kramer Avenue via access easement. No other cut-through routes are present.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal traffic with one or two cars utilized for the rental.

¹ § 22.24.010.E

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

Residence has reasonable access from Kramer Avenue. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: The rental unit is a single dwelling unit on two stories. The structure contains a kitchen, living/dining space, 3 bedrooms and 2.5 bathrooms.

j. Effects of signage on nearby uses: No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: House is set away from main road and accessed via easement. Some vegetation is present to provide buffering. While sides of property are close to neighboring structures due to narrowness of lot, the rear of the lot and abutting properties have extensive green space.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: An STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

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

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 103 Kramer Avenue subject to the recommended conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan

Attachment D: Photos

Attachment E: Plat

Attachment F: Renter Handout

Attachment G: Application

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2020, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and 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 the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
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. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motions in favor of approval

- 1) “I move to approve the conditional use permit for a short-term rental at 103 Kramer Avenue in the R-1 MH single-family, duplex, and manufactured home zoning district subject to the attached conditions of approval. The property is also known as Lot A, Horvath Subdivision. The request is filed by Matthew and Sidney Kinney. The owners of record are Matthew and Sidney Kinney.
- 2) “I move to adopt the required findings for conditional use permits.”

The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

1. ...The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare; *specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.***
 - b. Adversely affect the established character of the surrounding vicinity; *specifically, the rental makes use of an already developed single-family home with owner/manager monitoring the property.***
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located; *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and 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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.***
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.***

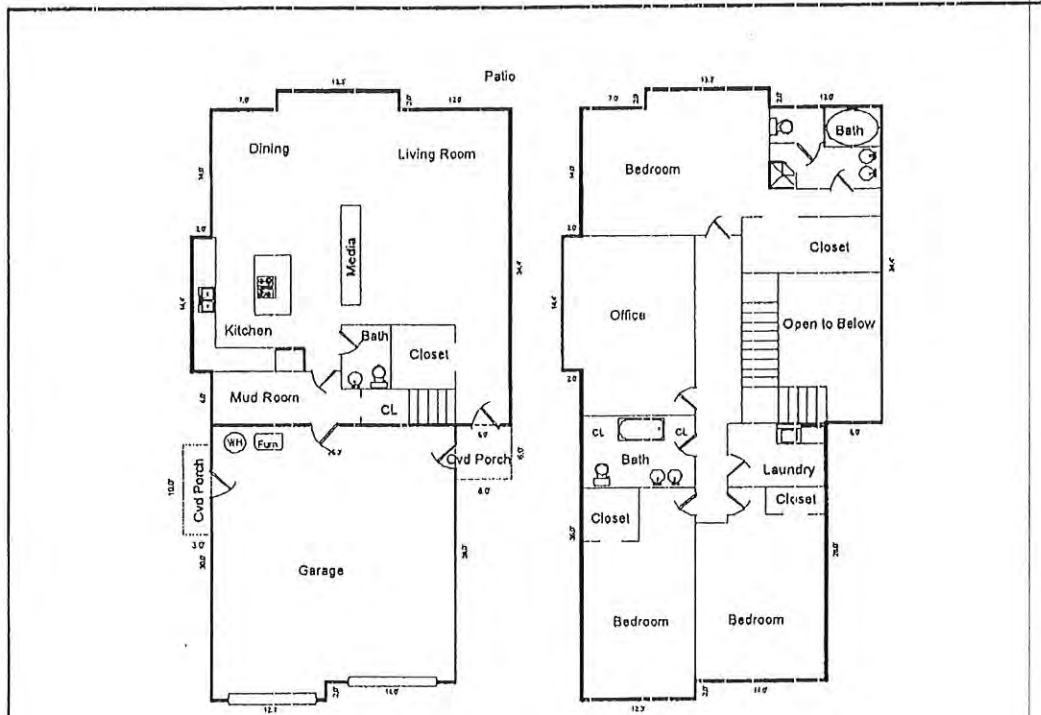
² §22.30.160(C)—Required Findings for Conditional Use Permits





Building Sketch

Client	First Bank					
Property Address	103 Kramer Ave					
City	Sitka	County	City and Borough of Sitka	State	AK	Zip Code 99835
Lender	First Bank					



Sketch by Apex P/A

Comments: Note: Interior walls are not to scale. All calculations are approximate.

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1166.5	1166.5
GLA2	Second Floor	1927.5	1927.5
P/P	Front Cvd Porch	36.0	
	Rear Cvd Porch	30.0	66.0
GAR	Garage	761.0	761.0
Net LIVABLE Area		(Rounded)	3094

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
2.0	x	13.3	26.6
2.0	x	14.4	28.8
6.0	x	34.4	206.4
26.3	x	34.4	904.7
Second Floor			
2.0	x	14.4	28.8
26.3	x	62.4	1641.1
2.0	x	12.3	24.6
6.0	x	34.4	206.4
2.0	x	13.3	26.6
9 Items		(Rounded)	3094

SW 4/7/15
MK 4/7/15





- REBAR AND ALUMINUM CAP RECOVERED

RENTER INFORMATIONAL HANDOUT

LOCATION:

YOUR ADDRESS IS:

103 KRAMER AVE, SITKA, AK 99835

Emergency: 911

Sitka Hospital: SEARHC 907-966-2411

**Rental is approximately 4 miles from airport, 2 miles from downtown
3 miles from Alaska Marine Ferry dock, and 10 miles from end of
Sawmill Creek Road.**

Please adhere to quiet hours from 9pm to 9am.

**Please put all garbage into garbage receptacles provided in your unit
and management will dispose of.**

Parking is provided in front of building for 4 vehicles.

**In the event of a tsunami warning proceed to exit home driveway and
turn left onto Kramer Ave. Proceed as high as comfortable.**

**If time allows proceed to Sitka Highschool. Drive left on Halibut Point
Road until you reach Cascade Creek Road, (across from Seamart
Grocery). Continue up until you reach Edgecumbe Drive. Take
Edgecumbe Drive to Peterson Ave and turn left on Peterson Ave to
Sitka High School.**

Contact:

Sidney Kinney 907-738-1614

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
SHORT-TERM RENTAL &
BED & BREAKFAST APPLICATION

Short-Term Rental Fee	\$100.00
Bed & Breakfast Fee (per Guestroom)	\$35.00
* plus current city sales tax *	

APPLICANT'S NAME: Matthew & Sidney Kinney
PHONE NUMBER: 907 738 1614 / 907 299 7373
MAILING ADDRESS: 103 Kramer Ave

OWNER'S NAME: _____
(If different from applicant)
PHONE NUMBER: _____
MAILING ADDRESS: _____

PROJECT ADDRESS: 103 Kramer Ave
LEGAL DESCRIPTION Lot: Lot A Block: _____
Subdivision: Horvath Subdivision
U.S. Survey _____ Zoning Classification: _____

☐ State all reasons justifying request: Increase affordable rental options and grow spending in other areas by providing affordable options of independent travelers as well as increase potential revenue. Streams to our own personal income.

☐ Describe how the facility will be operated, what meals will be served, and how guests will be transported. (This information may be provided on a separate sheet).
Will operated as a short term rental, no meals will be served and guests will be responsible for their own transportation.

☐ Anticipated start date: May 2020

☐ What months of the year the facility will be in operation: April - Sept



Drawing of the **interior** layout showing:

1. Size and location of rooms
2. Types of facilities in the rooms
3. Windows and exits
4. Location of smoke alarms and fire extinguishers
5. Guestrooms specifically delineated on the plans



Drawing of the **exterior** site plan showing:

1. Dimensions of the home
2. How the house sits on the lot
3. Location of parking



Check if facility is not fully constructed at the time of the application.



Check if Life Safety Inspection has already been completed. If not, please contact the Building Department at 747-1832 to schedule an appointment. This Inspection is to certify that the residence complies with life and fire safety code aspects.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT:

Sidney Kinney

DATE:

10/3/19

SIGNATURE OF OWNER:

[Signature]

DATE:

10/3/19

(If different from applicant)

INSPECTION REPORT
CITY AND BOROUGH OF SITKA BUILDING DEPARTMENT
100 LINCOLN STREET
SITKA, ALASKA 99835
PHONE: 747-1804 FAX: 747-3158
www.cityofsitka.com

DATE 9-27-19
TIME 9:15

TYPE OF INSPECTION

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> EXCAVATION | <input type="checkbox"/> STEM WALLS | <input type="checkbox"/> VAPOR RETARDER |
| <input type="checkbox"/> FOOTING | <input type="checkbox"/> FRAME | <input checked="" type="checkbox"/> FIRE & LIFE SAFETY |
| <input type="checkbox"/> UNDERSLAB | <input type="checkbox"/> ELECTRICAL | <input type="checkbox"/> FINAL |
| (PLUMBING/ELECTRICAL) | <input type="checkbox"/> PLUMBING | <input type="checkbox"/> _____ |

OWNER SIDNEY KINNEY

ADDRESS 103 KRAMER

Fire + Life Safety inspection for

Short-term Rental - OK

~ NO DEFICIENCIES NOTED ~

☒ COPY PROVIDED TO SIDNEY

INSPECTOR [Signature]

☐ CALL FOR REINSPECTION
BEFORE CONCEALMENT

☐ CORRECTIONS OR ITEMS NOTED ABOVE WILL BE
REINSPECTED AT TIME OF NEXT CONSECUTIVE INSPECTION



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 19-21
Proposal: Request for short-term rental at 3009 Halibut Point Road
Applicant: Charles and Theresa Olson
Owner: Charles and Theresa Olson
Location: 3009 Halibut Point Road
Legal: Northwesterly portion of Lot U, U.S. Survey 2751, Sitka Small Tracts Group
Zone: R-1 MH single-family, duplex, and manufactured home zoning district
Size: 9,278 SF
Parcel ID: 2-5470-000
Existing Use: Residential
Adjacent Use: Single-family and duplex housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood appears to be primarily residential uses including single-family and duplex dwellings.
- The short-term rental is in a structure with two dwelling units, one upstairs which is the primary residence of the property owners, and another in the basement/lower floor of the home that has 2 bedrooms and 1 bathroom.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 3009 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

The following request is for a conditional use permit for short-term rental (STR) within a home with two dwelling units. The unit to be used for short-term rentals is approximately 1,250 sf dwelling unit with 2 bedrooms and 1 bathroom.

Property is an ocean front lot with significant vegetation buffers on both sides of the lot, and is directly served from the highway.

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:

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, meeting the Sitka General Code requirement to afford space for two vehicles per dwelling unit. Home is accessed directly from Halibut Point Road.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests, however the property owners live on site and will be able to monitor any noise disturbances.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in a municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: Available year round.

e. Location along a major or collector street: Accessed from a state-maintained highway.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Home can only be accessed from Halibut Point Road. No other cut-through routes are present.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal traffic with one or two cars utilized for the rental.

¹ § 22.24.010.E

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

Residence has reasonable access from Halibut Point Road. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: The rental unit is a dwelling unit on the first/basement level. The structure contains a kitchen, living/dining space, 2 bedrooms and 1 bathroom.

j. Effects of signage on nearby uses: No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Ample vegetation on each side of the structure is present, and ocean front on rear of property.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: An STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

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

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 3009 Halibut Point Road subject to the recommended conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan

Attachment D: Photos

Attachment E: Plat

Attachment F: Renter Handout

Attachment G: Application

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2020, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and 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 the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
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. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motions in favor of approval

- 1) “I move to approve the conditional use permit for a short-term rental at 3009 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district subject to the attached conditions of approval. The property is also known as the Northwesterly portion of Lot U, U.S. Survey 2751, Sitka Small Tracts Group. The request is filed by Charles and Theresa Olson. The owners of record are Charles and Theresa Olson.
- 2) “I move to adopt the required findings for conditional use permits.”

The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

1. ...The granting of the proposed conditional use permit will not:

- a. **Be detrimental to the public health, safety, and general welfare;** *specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.*
 - b. **Adversely affect the established character of the surrounding vicinity;** *specifically, the rental makes use of an already developed single-family home with owner/manager monitoring the property.*
 - c. **Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located;** *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and 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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.*
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced;** *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.*

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







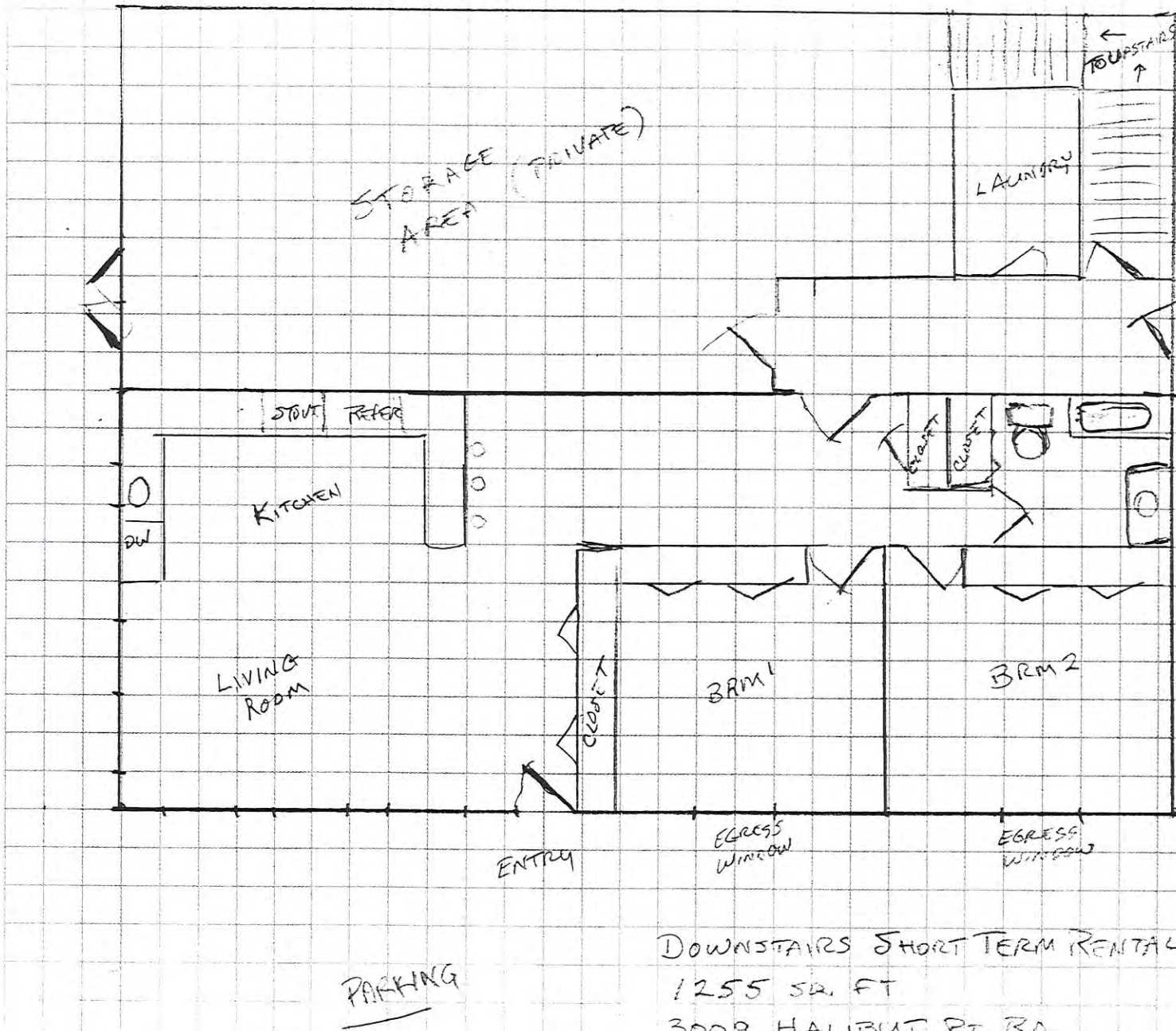
Distributor of



Quality Products



Ingersoll Rand.



DOWNSTAIRS SHORT TERM RENTAL
1255 SQ. FT
3009 HALIBUT PT. RD.
SITKA, AK 99835

4749 Ballard Ave. NW. Seattle, WA 98107

206-783-6626 fax 206-782-4181 800-926-0380

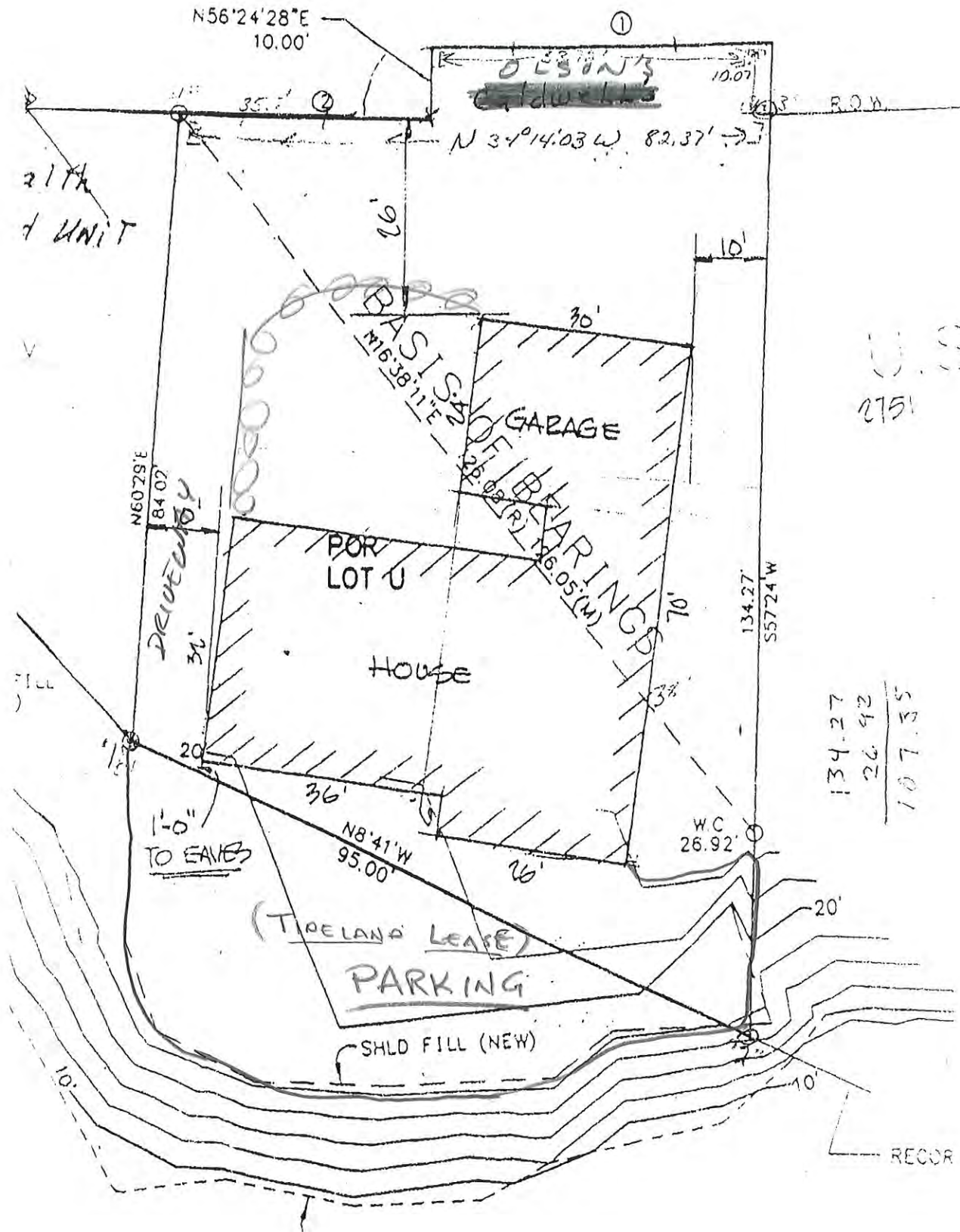
sales.help@ballardindustrial.com

Supplies. Services. Solutions.



PAKE MAP FROM A. BUILT SURVEY BY
 SHERP & ASSOC. 7.1.96

HALIBUT POINT HIGHWAY



RENTER INFORMATIONAL HANDOUT

LOCATION:

YOUR ADDRESS IS:

3009 HALIBUT POINT ROAD, SITKA, AK 99835

Emergency: 911

Sitka Hospital: SEARHC 907-966-2411

Rental is approximately 5 miles from airport, 3 miles from downtown 2 1/2 miles from Alaska Marine Ferry dock, and 12 miles from end of Sawmill Creek Road.

Please adhere to quiet hours from 9pm to 9am.

Please put all garbage into garbage receptacles provided in your unit and management will dispose of.

Parking is provided in front of your rental and alongside building.

In the event of a tsunami warning proceed to Harbor Mtn Road to the right of driveway on Halibut Pt. Rd., turn left on the Harbor Mtn Road approximately 300 yards down Halibut Pt. Rd. continue as high as you feel comfortable.

If time allows proceed to Sitka Highschool. Drive right on Halibut Point Road until you reach Cascade Creek Road, (across from Seamart Grocery). Continue up until you reach Edgecumbe Drive. Take Edgecumbe Drive to Peterson Ave and turn left on Peterson Ave to Sitka High School.

Contact:

Charles Olson, 907-738-2947 or

Sidney Kinney 907-738-1614

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
SHORT-TERM RENTAL &
BED & BREAKFAST APPLICATION

Short-Term Rental Fee	\$100.00
Bed & Breakfast Fee (per Guestroom)	\$35.00
* plus current city sales tax *	

APPLICANT'S NAME: Charles & Theresa Olson
PHONE NUMBER: 907 738 3947 / 907 738 2947
MAILING ADDRESS: 3009 Halibut Point Rd

OWNER'S NAME: _____
(If different from applicant)
PHONE NUMBER: _____
MAILING ADDRESS: _____

PROJECT ADDRESS: 3009 Halibut Point Rd
LEGAL DESCRIPTION Lot: See attached Block: _____
Subdivision: _____
U.S. Survey _____ Zoning Classification: _____

☐ State all reasons justifying request: see attached

☐ Describe how the facility will be operated, what meals will be served, and how guests will be transported. (This information may be provided on a separate sheet).
see attached

☐ Anticipated start date: see attached

☐ What months of the year the facility will be in operation: see attached



Drawing of the **interior** layout showing:

1. Size and location of rooms
2. Types of facilities in the rooms
3. Windows and exits
4. Location of smoke alarms and fire extinguishers
5. Guestrooms specifically delineated on the plans



Drawing of the **exterior** site plan showing:

1. Dimensions of the home
2. How the house sits on the lot
3. Location of parking



Check if facility is not fully constructed at the time of the application.



Check if Life Safety Inspection has already been completed. If not, please contact the Building Department at 747-1832 to schedule an appointment. This Inspection is to certify that the residence complies with life and fire safety code aspects.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT:

DATE:

10/7/19

SIGNATURE OF OWNER:

DATE:

10-7-19

(If different from applicant)

Our reason for justifying our request was prompted after attending the McDowell Economic health of Sitka presentation. We became motivated to do our part in helping retain the economic viability of our community.

We believe by helping provide affordable housing for the more than 40+% seasonal workers we can help Sitka in continuing to provide economic viability.

If we can assist in the additional housing needs Sitka faces it is our hope that local businesses will also benefit from the seasonal stability of affordable and available housing provides.

It will be our intentions to provide summer housing starting from approximately April to possible September. We will not be providing meals nor transportation. The community ride has stations very close.

If needed for conventions, sporting tournaments or other housing shortages in Sitka if housing is needed, we would like the flexibility to possibly activate our rental in the winter months as well.

INSPECTION REPORT
CITY AND BOROUGH OF SITKA BUILDING DEPARTMENT
100 LINCOLN STREET
SITKA, ALASKA 99835
PHONE: 747-1804 FAX: 747-3158
www.cityofsitka.com

DATE 8-13-19
TIME 9:45

TYPE OF INSPECTION

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> EXCAVATION | <input type="checkbox"/> STEM WALLS | <input type="checkbox"/> VAPOR RETARDER |
| <input type="checkbox"/> FOOTING | <input type="checkbox"/> FRAME | <input checked="" type="checkbox"/> FIRE & LIFE SAFETY |
| <input type="checkbox"/> UNDERSLAB
(PLUMBING/ELECTRICAL) | <input type="checkbox"/> ELECTRICAL | <input type="checkbox"/> FINAL |
| | <input type="checkbox"/> PLUMBING | <input type="checkbox"/> _____ |

OWNER CHUCK OLSEN

ADDRESS 3009 HPR

FIRE & LIFE SAFETY INSPECTION FOR DOWN STAIRS
APARTMENT SHORT TERM RENTAL -

-OK-

— NO DEFICIENCIES NOTED —

☒ COPY PROVIDED TO ON-SITE

INSPECTOR 

☐ CALL FOR REINSPECTION
BEFORE CONCEALMENT

☐ CORRECTIONS OR ITEMS NOTED ABOVE WILL BE
REINSPECTED AT TIME OF NEXT CONSECUTIVE INSPECTION



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 19-22
Proposal: Request for short-term rental at 2160 Halibut Point Road
Applicant: Charles and Theresa Olson
Owner: Charles and Theresa Olson
Location: 2160 Halibut Point Road
Legal: Lot 1, Vonrekowski Subdivision
Zone: R-1 MH single-family, duplex, and manufactured home zoning district
Size: 15,832 SF
Parcel ID: 2-5183-001
Existing Use: Residential
Adjacent Use: Single-family and duplex housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood appears to be primarily residential uses including single-family and duplex dwellings.
- The short-term rental is in a structure with one dwelling unit which has 1 bedroom, 1 bathroom, and a 2 car garage
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 2160 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

The following request is for a conditional use permit for short-term rental (STR) within a single family home. The unit is approximately 1,100 sf with a kitchen, living/dining room, 1 bedroom, 1 bathroom, and a 2 car garage.

Property is a large lot directly served from the highway. The house is set over 100 feet back from the front property line, there is vegetation behind the home to serve as a substantial buffer from rear properties, and is across the street from a recreational area.

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:

Applicant does not anticipate significant increase in vehicular traffic nor impact from proposed use as there is parking on-site, meeting the Sitka General Code requirement to afford space for two vehicles per dwelling unit. Home is accessed directly from Halibut Point Road.

b. Amount of noise to be generated and its impacts on surrounding land use: Short term rentals have the potential to create noise from transient guests, however the property owners live in town and will be available to monitor disturbances.

c. Odors to be generated by the use and their impacts: Potential odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in a municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: Available year round.

e. Location along a major or collector street: Accessed from a state-maintained highway.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Home can only be accessed from Halibut Point Road. No other cut-through routes are present.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal traffic with one or two cars utilized for the rental.

¹ § 22.24.010.E

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

Residence has reasonable access from Halibut Point Road. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

i. Logic of the internal traffic layout: The rental unit is a dwelling unit on the second level above a garage. The structure contains a kitchen, living/dining space, 1 bedroom and 1 bathroom.

j. Effects of signage on nearby uses: No signage proposed. All signs shall comply with Sitka General Code.

k. Presence of existing or proposed buffers on the site or immediately adjacent the site: House is set over 100 feet back from the front property line, ample vegetation on rear and sides of the structure is present, highway frontage, across the street from a recreation area.

l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: An STR can help support the existing and growing tourism industry by providing transient guests with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

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

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 2160 Halibut Point Road subject to the recommended conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan

Attachment D: Photos

Attachment E: Plat

Attachment F: Renter Handout

Attachment G: Application

Attachment H: Public Comments

CONDITIONS OF APPROVAL

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. The applicant shall submit an annual report beginning in 2020, covering the information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility began operation, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. The Planning Commission, at its discretion, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and 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 the impact of odor from the short-term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
8. To mitigate parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should off-site parking occur at any time, the conditional use permit shall be revoked.
9. Any signs must comply with Sitka General Code 22.20.090.
10. A detailed rental overview shall be provided to renters detailing directions to the unit, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition to respect the surrounding residential neighborhood. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.
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. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Motions in favor of approval

- 1) “I move to approve the conditional use permit for a short-term rental at 2160 Halibut Point Road in the R-1 MH single-family, duplex, and manufactured home zoning district subject to the attached conditions of approval. The property is also known as Lot 1, Vonrekowski Subdivision. The request is filed by Charles and Theresa Olson. The owners of record are Charles and Theresa Olson.
- 2) “I move to adopt the required findings for conditional use permits.”

The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:²

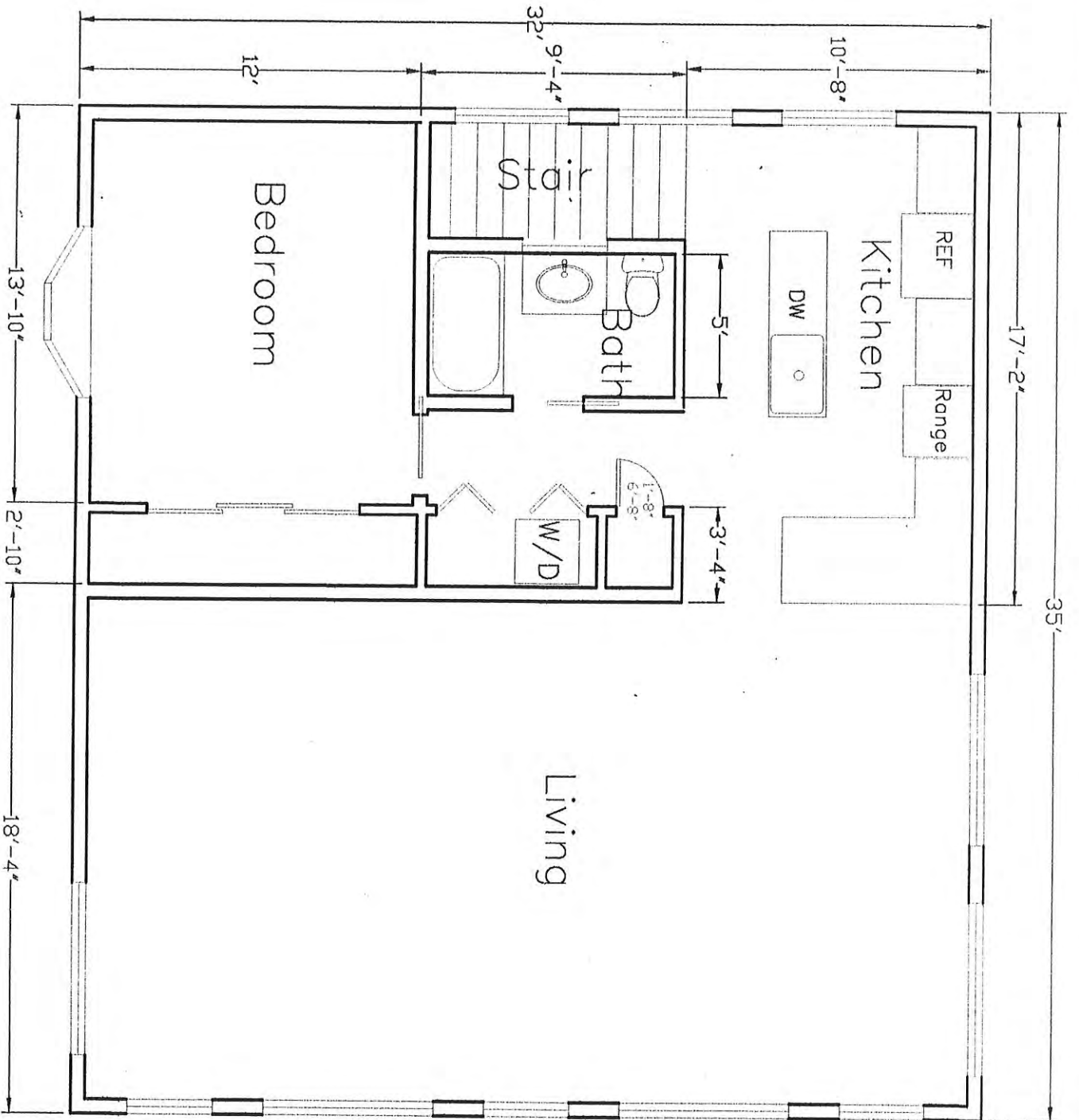
1. ...The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare; *specifically, conditions of approval require responsible management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.***
 - b. Adversely affect the established character of the surrounding vicinity; *specifically, the rental makes use of an already developed single-family home with owner/manager monitoring the property.***
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located; *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and 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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.***
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced; *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.***

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







Sheet 1 of 1

NO.	Revisions/Issues	Date

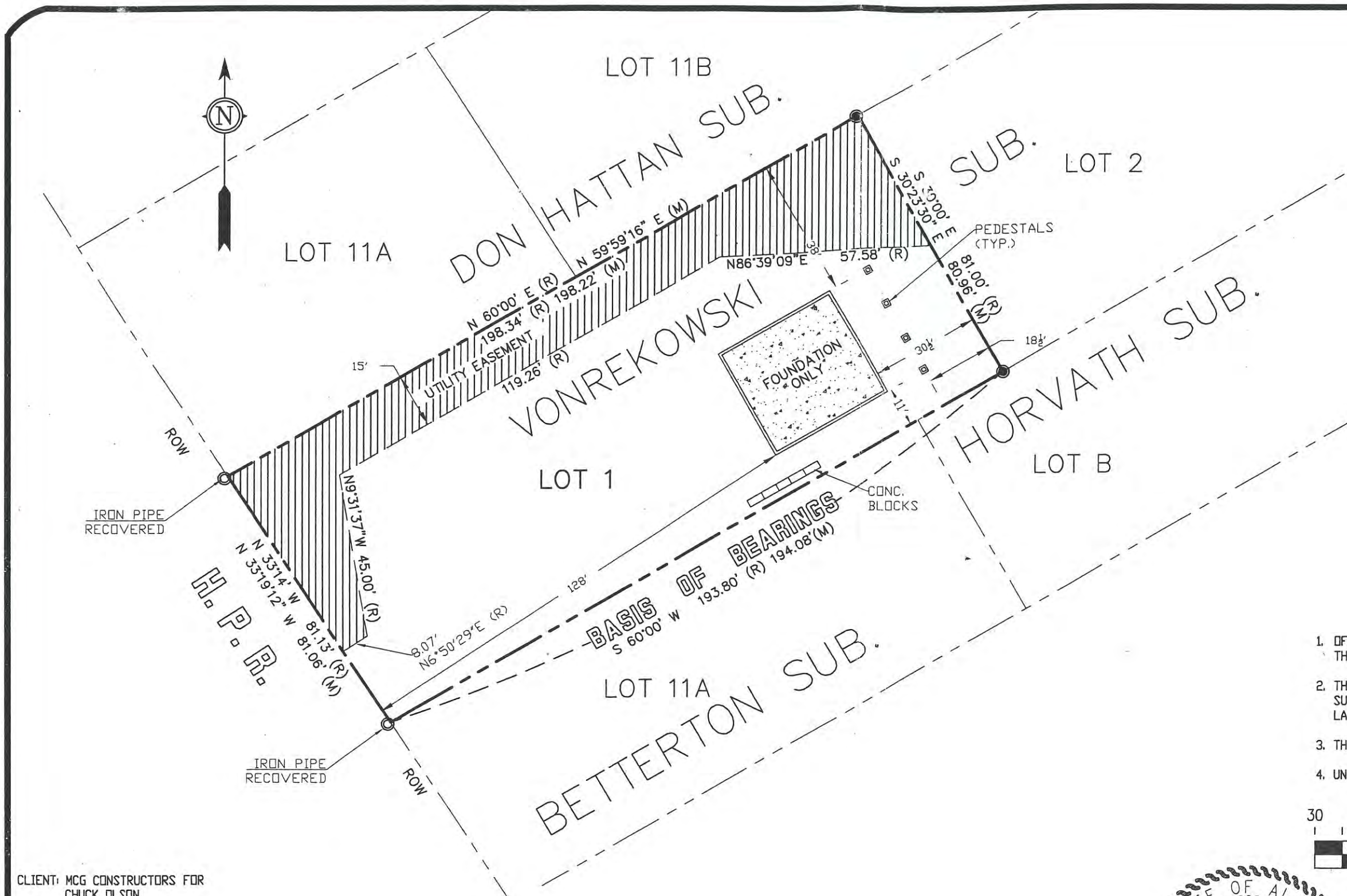
McG
Constructors Inc.

PO Box 718
Saks, AK 99835
907-623-0620

Apartment
2160 Halibut Point Road

07-28-17
A01
8' = 1'-0"



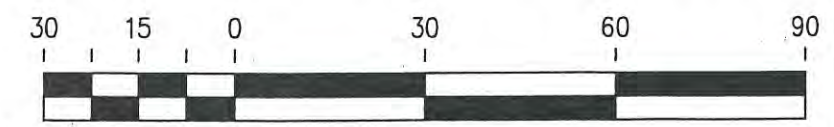


LEGEND

- REBAR AND ALUM. CAP (RECOVERED)
- IRON PIPE (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. (A.S.P.L.S.)
3. THIS PLAT IS NOT TO BE SCALED FROM, USE GIVEN DIMENSIONS ONLY.
4. UNDERGROUND UTILITIES, IF ANY, ARE NOT SHOWN ON THIS PLAT.



SCALE IN FEET

CLIENT: MCG CONSTRUCTORS FOR
CHUCK OLSON



(907) 747-6700 215-C SMITH STREET, SITKA, AK
MAILING ADDRESS - 2007 CASCADE CREEK ROAD, SITKA, AK 99835
EMAIL: north57landsurveying@yahoo.com

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED ON THIS PLAT. I DECLARE THAT IMPROVEMENTS AND VISIBLE ENCROACHMENTS HAVE BEEN ESTABLISHED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF. THIS SURVEY IS FOR THE USE OF LENDING INSTITUTIONS SPECIFICALLY TO SHOW ANY CONFLICTS BETWEEN EXISTING STRUCTURES AND PLATTED LOT LINES OR EASEMENTS. UNDER NO CIRCUMSTANCES SHOULD THE DATA HEREON BE USED FOR POSITIONING ADDITIONAL STRUCTURES, BUILDING FENCES, OR LOCATING BOUNDARY LINES. IT IS THE RESPONSIBILITY OF THE OWNER TO VERIFY THAT IMPROVEMENTS SITUATED ON THIS PARCEL MEET ALL SUBDIVISION COVENANTS AND ZONING ORDINANCES. D. COR. SET.

Kelly J. O'Neill
KELLY J. O'NEILL LS 13321

DATE Oct. 5, 2017



**FOUNDATION ONLY
AS-BUILT SURVEY**

LOT 1, VONREKOWSKI SUB.

DRAWN BY: JCH/ACAD	DATE SURVEYED: 10-04-17
CHECKED BY: KD	SCALE: 1" = 30'

RENTER INFORMATIONAL HANDOUT

LOCATION:

YOUR ADDRESS IS:

2160 HALIBUT POINT ROAD, SITKA, AK 99835

Emergency: 911

Sitka Hospital: SEARHC 907-966-2411

**Rental is approximately 4 miles from airport, 2 miles from downtown
3 miles from Alaska Marine Ferry dock, and 10 miles from end of
Sawmill Creek Road.**

Please adhere to quiet hours from 9pm to 9am.

**Please put all garbage into garbage receptacles provided in your unit
and management will dispose of.**

Parking is provided in front of your rental and alongside building.

**In the event of a tsunami warning proceed to Kramer Avenue to the
left of driveway as you exit and continue as high as you feel
comfortable.**

**If time allows proceed to Sitka Highschool. Drive left on Halibut Point
Road until you reach Cascade Creek Road, (across from Seamart
Grocery). Continue up until you reach Edgecumbe Drive. Take
Edgecumbe Drive to Peterson Ave and turn left on Peterson Ave to
Sitka High School.**

Contact:

**Charles Olson, 907-738-2947 or
Sidney Kinney 907-738-1614**

CITY AND BOROUGH OF SITKA
PLANNING DEPARTMENT
SHORT-TERM RENTAL &
BED & BREAKFAST APPLICATION

Short-Term Rental Fee	\$100.00
Bed & Breakfast Fee (per Guestroom)	\$35.00
* plus current city sales tax *	

APPLICANT'S NAME: Charles & Theresa Olson
PHONE NUMBER: 907 738 3947 / 907 738 2947
MAILING ADDRESS: 3009 Halibut Pt. Rd Sitka, AK 99835

OWNER'S NAME: _____
(If different from applicant)
PHONE NUMBER: _____
MAILING ADDRESS: _____

PROJECT ADDRESS: 2160 Halibut Point Rd.
LEGAL DESCRIPTION Lot: _____ Block: _____
Subdivision: _____
U.S. Survey _____ Zoning Classification: _____

☐ State all reasons justifying request: See attached

☐ Describe how the facility will be operated, what meals will be served, and how guests will be transported. (This information may be provided on a separate sheet).
See attached

☐ Anticipated start date: see attached

☐ What months of the year the facility will be in operation: see attached

☒ Drawing of the interior layout showing:

1. Size and location of rooms
2. Types of facilities in the rooms
3. Windows and exits
4. Location of smoke alarms and fire extinguishers
5. Guestrooms specifically delineated on the plans

☐ Drawing of the exterior site plan showing:

1. Dimensions of the home
2. How the house sits on the lot
3. Location of parking

☐ Check if facility is not fully constructed at the time of the application.

☒ Check if Life Safety Inspection has already been completed. If not, please contact the Building Department at 747-1832 to schedule an appointment. This Inspection is to certify that the residence complies with life and fire safety code aspects.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after Planning Commission's review for the purposes of inspecting the proposed and/or approved structures.

SIGNATURE OF APPLICANT:

[Signature]

DATE:

10/7/19

SIGNATURE OF OWNER:

Theresa Allen-Olsen

DATE:

10-7-19

(If different from applicant)

Our reason for justifying our request was prompted after attending the McDowell Economic health of Sitka presentation. We became motivated to do our part in helping retain the economic viability of our community.

We believe by helping provide affordable housing for the more than 40+% seasonal workers we can help Sitka in continuing to provide economic viability.

If we can assist in the additional housing needs Sitka faces it is our hope that local businesses will also benefit from the seasonal stability of affordable and available housing provides.

It will be our intentions to provide summer housing starting from approximately April to possible September. We will not be providing meals nor transportation. The community ride has stations very close.

If needed for conventions, sporting tournaments or other housing shortages in Sitka if housing is needed, we would like the flexibility to possibly activate our rental in the winter months as well.

INSPECTION REPORT

CITY AND BOROUGH OF SITKA BUILDING DEPARTMENT

100 LINCOLN STREET

SITKA, ALASKA 99835

PHONE: 747-1804 FAX: 747-3158

www.cityofsitka.com

DATE

7-23-19

TIME

11:00

TYPE OF INSPECTION

☐ EXCAVATION

☐ STEM WALLS

☐ VAPOR RETARDER

☐ FOOTING

☐ FRAME

☒ FIRE & LIFE SAFETY

☐ UNDERSLAB

☐ ELECTRICAL

☐ FINAL

(PLUMBING/ELECTRICAL)

☐ PLUMBING

☐

OWNER Chuck Olsen

ADDRESS 2160 HPR

Short-Term Rental Fire & Life Safety Inspection -

OK - NO DEFICIENCIES NOTED -

☒ COPY PROVIDED TO Chuck Olsen

INSPECTOR [Signature]

☐ CALL FOR REINSPECTION
BEFORE CONCEALMENT

☐ CORRECTIONS OR ITEMS NOTED ABOVE WILL BE
REINSPECTED AT TIME OF NEXT CONSECUTIVE INSPECTION

Amy Ainslie

From: George Eliason <eliason@gci.net>
Sent: Saturday, December 07, 2019 5:33 PM
To: Planning Department
Subject: Olson short term rental

Members: We have no problem with the Olson's desire to operate a short term rental at 2160 HPR and wish them the very best in this venture.

George & Tammy Eliason

- Remember, when seconds count, the police are only minutes away.



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 20-02
Proposal: Add a definition for “bulk retail” and change “bulk retail” to a conditional use in Industrial zones
Applicant: Jeremy and Savannah Plank
Location: N/A
Legal: N/A
Zone: Industrial

PROJECT DESCRIPTION

This request is for a zoning text change to amend the Sitka General Code (SGC) to add a definition of “Bulk retail” - a use that is identified in the zoning code’s use tables but not defined, and to make “Bulk retail” a conditional use in Industrial zones.

KEY POINTS AND CONCERNS

- Bulk retail is already an identified use in the zoning code, this amendment provides clarity to enable better administration of this use.
- A few retail uses are currently allowed in the Industrial zone – bulk retail is a logical extension of these uses in the Industrial zone.
- Making bulk retail a conditional use in the Industrial zone will allow staff and the Commission to analyze on a case-by-case basis the appropriateness of categorizing a proposal as bulk retail and consider whether it will be conducive to the industrial area in question.
- Other professional and political organizations have worked to create a definition of bulk retail that can be adopted for local use.
- The applicants are working with staff to operate a business under the name “Sitka Bulk Retail” in an industrial zone.

RECOMMENDATION

Staff recommends approval of this zoning text change.

ATTACHMENTS

Attachment A: Draft Ordinance

Attachment B: APA Glossary of Zoning, Development, and Planning Terms Excerpt

Attachment C: Applicant Materials

BACKGROUND

The intent of the Industrial zone as stated in SGC 22.16.110 is *“for industrial or heavier commercial uses including warehousing, wholesale, and distribution operations, manufacturing, natural resource extraction, contractors’ yards, and other such uses that require larger property or larger water and sewer services.”*

Retail services are very limited, primarily allowing wholesale, business-to-business type sales. Allowed retail uses currently include (per SGC Table 22.16.015-6):

- Building, hardware and garden materials
- Bulk forest products sales
- Retail forest products sales
- Agricultural product sales
- Gasoline service stations
- Monuments, tombstones, and gravestones
- Fuel dealers

Conditional uses in the Industrial zone include eating and drinking places, and marijuana retail facilities.

“Bulk retail” is a use that is identified in the use tables of the zoning code under 22.16.015-6 Retail and Business Uses. Bulk retail is allowed in the C-1 and C-2 zones, and a conditional use in the GI and LI zones. It is a prohibited use in the Industrial zone. However, the zoning code lacks a definition of what constitutes bulk retail.

The American Planning Association (APA) in its Glossary of Zoning, Development, and Planning Terms defines bulk retail as: *“A retail establishment engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of such goods. Bulk retail involves a high volume of sales of related and/or unrelated products in a warehouse setting and may include membership warehouse clubs (i.e. “big box” retail). Bulk retail is differentiated from general retail by any of the following characteristics: items for sale include large, categorized products (e.g., lumber, appliances, household furnishings, electrical and heating fixtures and supplies, wholesale and retail nursery stock, etc.) and may also include a variety of carry out goods (e.g., groceries, household, and personal care products).”*

Staff recommends that along with changing the zones of allowed/conditional use of this activity, we adopt the above definition into Sitka’s zoning code to allow for/enable better administration of the use.

ANALYSIS

Definition: As previously stated, the zoning code recognizes bulk retail as a use, but does not provide a definition of said use. Adopting a definition of this use would make it easier for both staff and the Commission to administer. Even the definition provided by the APA requires a degree of judgement, so having a baseline of standards from which to judge is an important code update.

Use: When considering the other allowed retail uses in the Industrial zone, there are a few common themes. First, retail sales are limited to items conducive/related to other industrial uses – construction, garden, agricultural, gasoline, and stonework. Second, most of these items generate only moderate, rather than high, vehicular and pedestrian traffic. The current allowed retail uses are not “convenience” in nature that would draw in high traffic, and thereby do not conflict with large vehicle and heavy machinery traffic needed for other industrial uses. Third, the allowed retail uses are not what staff would characterize as “aesthetically sensitive”. Patrons of apparel, jewelry, hobby, craft supply, art, books, florists, and other specialty retail stores, may expect a particular aesthetic of the stores and surrounding areas. These expectations could create conflict between shop owners and other industrial users if in close proximity to one another. The current allowed retail uses in the industrial zone are not of this “aesthetically sensitive” nature.

Bulk retail fits within these themes of currently allowed retail uses in Industrial zones. The items themselves are large, categorized products (their relatedness to industrial use is proposal-specific). Bulk retail would likely generate only moderate traffic, as bulk retail operations do not sell convenience goods. Most consumers would visit this type of establishment on a once-weekly or bi-weekly basis due to the large quantities of packaging/goods sold. Lastly, bulk retail takes place in a “warehouse” type setting conducive to many Industrial properties/developments.

Making bulk retail a conditional use, rather than allowed use, in Industrial zones allows staff and the Commission to consider these factors and determine on case-by-case basis if the proposal 1) fits within the definition of bulk retail and 2) is conducive with the industrial area in question.

STAFF RECOMMENDATION/CONCLUSION

Staff recommends the zoning text change to amend Title 22 of the Sitka General Code to add a definition of “Bulk retail” and to make bulk retail a conditional use in the Industrial zone.

RECOMMENDED MOTION

“I move to recommend approval of the zoning text change to amend Title 22 of the Sitka General Code to add a definition for bulk retail, and to make bulk retail a conditional use in Industrial zones.”

Chapter 22.08 Definitions

22.08.160 Building, principal or main

“Principal or main building” means a building which contains the principal or main use of the lot on which it is situated. In a residential district, the principal building shall be the residence. In a commercial district, the principal building would be the commercial use. (Ord. 02-1683 § 4 (part), 2002.)

22.08.162 Bulk Retail

A retail establishment engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of such goods. Bulk retail involves a high volume of sales of related and/or unrelated products in a warehouse setting and may include membership warehouse clubs (i.e. “big box” retail). Bulk retail is differentiated from general retail by any of the following characteristics: items for sale include large, categorized products (e.g., lumber, appliances, household furnishings, electrical and heating fixtures and supplies, wholesale and retail nursery stock, etc.) and may also include a variety of carry out goods (e.g., groceries, household, and personal care products).

22.08.164 Cemetery

“Cemetery” means an area set apart for or containing graves, mausoleums, urns, or similar arrangements for the deceased. (Ord. 19-15 § 4 (part), 2019.)

Table 22.16.015-6
Retail and Business Uses

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP	C (10)
RETAIL USES																			
• Building, hardware and garden materials										P	P		P	C	C			P	
• Bulk forest products sales									P	P	P	P	P	P				P	
• Retail forest products sales										P	P	P	P					C	
• Art galleries and sales of art									P	P	P	P							
• Department and variety stores									P	P	P	P(5)		C	C				
• Food stores									P	P	P	P(5)		C	C	C(6)		C	
• Agricultural product sales										P	P		P	C	C			P	
• Motor vehicle and boat dealers									P(7)	P	P	P(5)		C				P	
• Auto supply stores									P	P	P			C	C			P	
• Gasoline service stations									C	P	P		P	C	C			C	
• Apparel and accessory stores									P	P	P	P(5)		C	C				
• Furniture and home furnishing stores									P	P	P			C				C	
• Eating and drinking places									P	P	P	P	C	PU/ CS	C			C	
• Drug stores									P	P	P			C	C				
• Liquor stores									P	P	P	P(5)		C	C				
• Used goods, secondhand stores									P	P	P	P(5)		C	C			C	
• Sporting goods									P	P	P	P(5)		C	C				
• Book, stationery, video and art supply									P	P	P	P(5)		C	C				
• Jewelry stores									P	P	P	P(5)		C	C				
• Monuments, tombstones and gravestones									P	P	P		P	C	C			P	
• Hobby, toy, game stores									P	P	P			C	C				
• Photographic and electronic stores									P	P	P	P(5)		C	C				
• Fabric stores									P	P	P			C	C				
• Fuel dealers										P	P		P	C	C			C	
• Florists									P	P	P			C	C				
• Medical supply stores									P	P	P			C	C				

ZONES	P(1)	SF	SFLD	R-1	R-1 MH	R-1 LDMH	R-2	R-2 MHP	CBD (8)	C-1	C-2	WD(2)	I(3)	GI(4)	LI(4)	R	OS	GP	C (10)
• Pet shops									P	P	P			C	C				
• Sales of goods that are wholly manufactured at Gary Paxton industrial park GPIP																		P	
• Sales of gifts, souvenirs and promotional materials that bear the logo or trade name of a GPIP permitted use business																		P	
• Stand alone souvenir and gift shops									P	P	P	P							
• Bulk retail										P	P		C	C	C				
• Commercial home horticulture	P	C	C	C(9)	C(9)		C(9)	C(9)	P	P	P	P		PU/ CS(9)	C(9)	P	P		
• Horticulture and related structures	P								P	P	P	P						P	
• Marijuana retail facility									C	C	C	C	C	C	C			C	
BUSINESS SERVICES																		P	
• General business services									P	P	P	P(5)	P	C	C			C	
• Professional offices							C	C	P	P	P	P(5)		C	C			P	
• Communications services									P	P	P	P(5)		C	C			P	
• Research and development services									C	P	P	C(5)	P	C	C			P	

P: Public Lands District

SF: Single-Family District

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

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

WD: Waterfront District

I: Industrial District

GI: General Island District

LI: Large Island District

R: Recreational District

R-2: Multifamily District

OS: Open Space District

R-2 MHP: Multifamily/Mobile Home District

GP: Gary Paxton Special District

CBD: Central Business District

C: Cemetery District

P—Permitted

C—Conditional Use Permit Required

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

A. Retail and Business Uses Table 22.16.015-6 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. No industrial use shall be of a nature which is noxious or injurious to nearby properties by reason of smoke, emission of dust, refuse matter, odor, gases, fumes, noise, vibration or similar conditions.
4. Uses listed as conditional uses in the GI and LI zones may be considered, but not necessarily approved, on a case-by-case basis.
5. When associated with a water-related principal use.
6. Small scale convenience stores subordinate to principal permitted uses.
7. Motor vehicles and boat dealers permitted on a short-term basis.
8. Kiosks, outdoor restaurants, portable structures such as food stands and other temporary structures that are clearly incidental to the primary use on the lot are permitted uses. Mobile food carts on wheels are permitted uses on private property. Kiosks, outdoor restaurants, portable structures such as food stands and other temporary structures that are not clearly incidental to the primary use on the lot are conditional uses.
9. Commercial home horticulture conditional use permits governed by Section 22.24.025.
10. All uses in the cemetery district are intended to be cemetery-related and conducted with reverence and respect for those interred.

(Ord. 19-15 § 4 (part), 2019; Ord. 16-14 § 4, 2016; Ord. 16-11 § 4 (part), 2016; Ord. 15-42 § 4 (part), 2015; Ord. 15-08 § 4 (part), 2015; Ord. 14-38A § 6, 2014; Ord. 14-21 § 4 (part), 2014; Ord. 13-14A § 4 (part), 2013; Ord. 12-31A §§ 4(E), (F), 2012; Ord. 11-34 § 4, 2011; Ord. 11-31 § 4, 2011; Ord. 11-04S § 4(A), 2011; Ord. 10-32 § 4, 2010; Ord. 10-12 § 4 (part), 2010; Ord. 09-78 § 4, 2010; Ord. 09-51 §§ 4(A), (B), (D), 2009; Ord. 08-44 § 4,

2008; Ord. 08-30 § 4, 2008; Ord. 07-08 § 4 (part), 2007; Ord. 06-24 § 4, 2006; Ord. 06-09 § 4, 2006; Ord. 06-06 § 4(A), (B), (G), (H), (I), 2006; Ord. 05-47 § 4(B), 2005; Ord. 05-16 § 4(A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), 2005; Ord. 05-09 § 4(A), 2005; Ord. 05-03 § 4(A), 2005; Ord. 04-60 § 4(A), (B), (E), (I), (O), (P), (Q), (V), 2004; Ord. 03-1750 § 4 (part), 2003; Ord. 03-1746 § 4 (part), 2003; Ord. 02-1683 § 4 (part), 2002.)

A Glossary of Zoning, Development, and Planning Terms

Edited by Michael Davidson and Fay Dolnick



American Planning Association

Planning Advisory Service
Report Number 491/492

Establishments engaged in selling commodities or goods in small quantities to ultimate customers or consumers. (*Burlingame, Calif.*)

A business having as its primary function the supply of merchandise or wares to the end consumer. Such sales constitute the "primary function" of the business when such sales equal at least 80 percent of the gross sales of the business. (*Maple Grove, Minn.*)

The retail sale of any article, substance, or commodity within a building but not including the sale of lumber or other building materials. (*King City, Calif., which uses the term "retail business"*)

■ **retail sales establishment, bulk merchandise** A retail establishment engaged in selling goods or merchandise to the general public as well as to other retailers, contractors, or businesses, and rendering services incidental to the sale of such goods. Bulk retail involves a high volume of sales of related and/or unrelated products in a warehouse setting and may include membership warehouse clubs (i.e., "big box" retail). Bulk retail is differentiated from general retail by any of the following characteristics: items for sale include large, categorized products (e.g., lumber, appliances, household furnishings, electrical and heating fixtures and supplies, wholesale and retail nursery stock, etc.) and may also include a variety of carry out goods (e.g., groceries, household, and personal care products). (*Federal Way, Wash.*)

■ **retail sales establishment, food** Any establishment selling food or beverages for consumption off-premises either immediately or with further preparation. Such establishments may include, but not be limited to, supermarket, grocery store, bakery, candy store, butcher, delicatessen, convenience store, and similar establishments. (*Champaign, Ill.*)

■ **retail sales establishment, general merchandise** Establishments that are retail operations that carry an assortment of merchandise from all the other categories. Such establishments may include, but are not limited to, department

store, discount store, farm store, and similar establishments. (*Champaign, Ill.*)

■ **retail sales establishment, household** Establishments are retail operations that sell goods for furnishing or improving housing units. These establishments may include, but are not limited to, furniture store, home improvement center, electronic store, appliance store, and similar establishments. (*Champaign, Ill.*)

■ **retail sales establishment, specialty** Retail operations that specialize in one type or line of merchandise. Such stores may include, but are not limited to, apparel stores, jewelry stores, bookstores, shoe stores, stationary stores, antique stores, and similar establishments. (*Champaign, Ill.*)

■ **retail services establishment** Establishments providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, hotels and motels, finance, real estate and insurance, personal service, motion pictures, amusement and recreation services, health, educational, and social services, museums, and galleries. (*Maryland Heights, Mo.*)

■ **retaining wall** A wall or similar structure devised used at a grade change to hold the soil on the up-hillside from slumping, sliding, or falling. (*Beaufort County, S.C.*)

Any fence or wall built or designed to retain or restrain lateral forces of soil or other materials, said materials being similar in height to the height of the wall. (*Fort Wayne, Ind.*)

A wall or terraced combination of walls used to retain more than 18 inches of material and not used to support, provide a foundation for, or provide a wall for a building or structure. (*Beverly Hills, Calif.*)

■ **retaining wall, enclosed** A retaining wall located on a lot such that it is visually shielded by other permanent structures and cannot be seen from public streets and adjacent lots. (*Oakland, Calif.*)

■ **retention** (See also *detention definitions*) The permanent on-site maintenance of stormwater. (*Gurnee, Ill.*)

■ **retention basin** A wet or dry stormwater holding area, either natural or manmade, which does not have an outlet to adjoining watercourses or wetlands other than an emergency spillway. (*Grand Traverse County, Mich.*)

■ **retention system** A stormwater facility that is designed to accept runoff from a developed site and discharge it at a limited rate. Flows exceeding the limited rate are stored until they can be released at the limited rate (when the runoff rate into the system drops below the limited rate). A specified volume is stored indefinitely (retained) until it is displaced by runoff from another storm. (*Redmond, Wash.*)

■ **retreat center** A facility used for professional, educational, or religious conclaves, meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Housing for participants may be in lodges, dormitories, sleeping cabins (with or without baths), or in such other temporary quarters as may be approved, but kitchen and dining facilities shall be located in a single centrally located building or buildings. (*Carroll County, Md.*)

■ **retrofitting** To improve or reconstruct an existing facility with the intent of bringing it into compliance (or where that is not feasible, more nearly into compliance) with modern standards for such facilities. . . . (*Volusia County, Fla.*)

■ **reversion clause** A requirement that may accompany special use permit approval or a rezoning that returns the property to its prior zoning classification if a specified action, (such as taking out a building permit or beginning construction) does not begin in a specified period of time, say, one year. (*Handbook for Planning Commissioners in Missouri*)

■ **rezoning** An amendment to the map and/or text of a zoning ordinance



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

- Applications must be deemed complete at least TWENTY-ONE (21) days in advance of next meeting date.
- Review guidelines and procedural information.
- Fill form out completely. No request will be considered without a completed form.
- Submit all supporting documents and proof of payment.

APPLICATION FOR:

☐

VARIANCE

☐

CONDITIONAL USE

☒

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: We are requesting a zoning text change to allow the planning department to issue a conditional use permit for Bulk Retail operations occurring within an industrial zoned building

PROPERTY INFORMATION: N/A

CURRENT ZONING: _____ PROPOSED ZONING (if applicable): _____

CURRENT LAND USE(S): _____ PROPOSED LAND USES (if changing): _____

APPLICANT INFORMATION:

✓ **PROPERTY OWNER:** _____

✓ **PROPERTY OWNER ADDRESS:** _____

✓ **STREET ADDRESS OF PROPERTY:** _____

APPLICANT'S NAME: Jeremy & Savannah Plank

MAILING ADDRESS: 110 Sand Dollar Dr. Sitka, AK 99835

EMAIL ADDRESS: plankj@outlook.com **DAYTIME PHONE:** 425-269-3921

PROPERTY LEGAL DESCRIPTION: N/A

TAX ID: _____ **LOT:** _____ **BLOCK:** _____ **TRACT:** _____

SUBDIVISION: _____ **US SURVEY:** _____

Last Name

Date Submitted

Project Address

REQUIRED INFORMATION:

For All Applications:

- ☐ Completed General Application form
- ☐ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☐ ~~Site Plan~~ showing all existing and proposed structures with dimensions and location of utilities
- ☐ ~~Floor Plan~~ for all structures and showing use of those structures
- ☐ ~~Copy of Deed~~ (find in purchase documents or at Alaska Recorder's Office website)
- ☐ ~~Copy of current plat~~ (find in purchase documents or at Alaska Recorder's Office website)
- ☐ ~~Site photos showing~~ all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☐ Proof of filing fee payment **\$100 + tax**

For Marijuana Enterprise Conditional Use Permits Only:

- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☐ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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

Owner

Date

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

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
ZONING AMENDMENT APPLICATION

APPLICATION FOR

☐

ZONING MAP AMENDMENT

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ZONING TEXT AMENDMENT

ANALYSIS: (Please address each item in regard to your proposal)

- NEED/HARDSHIP/JUSTIFICATION FOR PROPOSAL: Due to Sitka's limited size
with limited commercial retail, this will open up opportunities
and spaces, upon board approval, for new business to try and
start new businesses without incurring the high commercial
Rent.
- PUBLIC BENEFIT OF PROPOSAL: A text change will allow the board
to review requests for new business looking for cheaper
sites to get started and/or operate. They are still subject to Life's
Safety inspections.
- CONSISTENCY WITH COMPREHENSIVE PLAN (Cite Section and Explain): This doesn't
change existing plans, but allows the board to
hear cases from business owner & approve requests if
satisfactory to the board.
- CONSISTENCY WITH PHYSICAL BOUNDARIES (Streets, Major Creeks, etc.): There are no
changes from this request.
- DOES NOT RESULT IN SPOT ZONING BECAUSE: W/A - no changes

- PUBLIC HEALTH, SAFETY, AND WELFARE: No impact to public health, safety,
or welfare as all premises are still subject to
city inspections.

Jeremy Plank
Applicant

1-5-20
Date

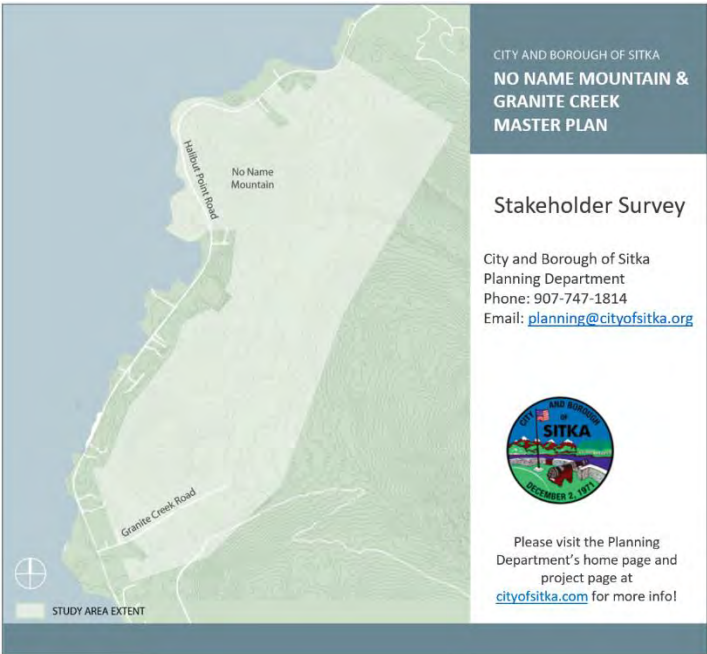
Plank
Last Name

1-5-20
Date Submitted

Project Address

NO NAME MOUNTAIN & GRANITE CREEK MASTER PLAN

STAKEHOLDER SURVEY COMMENTS FOR BEST USES



BUSINESS (If applicable): _____

NAME: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

COMMENTS: _____



--- Cross Trail Phase 6

Study Area Extent,
830 acres