

CITY AND BOROUGH OF SITKA

Meeting Agenda - Draft

Planning Commission

Wednesday, December 2, 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 20-19 Approve the November 4, 2020 minutes.

Attachments: 18-November 4 2020 DRAFT

IV. PERSONS TO BE HEARD

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

V. PLANNING DIRECTOR'S REPORT

VI. REPORTS

VII. THE EVENING BUSINESS

- B CUP 20-16** Public hearing and consideration of a conditional use permit for a short-term rental at 1710 Halibut Point Road in the R-1 MH single-family, duplex and manufactured home zoning district. The property is also known as Lot 4C, Gibson-Kitka-Snowden Subdivision, USS 2417. The request is filed by Ocean Mayo. The owner of record is Ocean Mayo.

Attachments: CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Staff Report
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Aerial
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_STR Density
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Floor Plan
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Parking Layout
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_As-Built
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Photos
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Plats 77-5
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Renter Handout
CUP 20-16_Ocean Mayo_1710 Halibut Point Rd_STR_Applicant Materials

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

Wednesday, November 4, 2020

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Darrell Windsor, Stacy Mudry, Wendy Alderson, Katie Riley
Absent: None
Staff: Thor Christianson (assembly liaison), Amy Ainslie (Planning Director), Ben Mejia (Planner I)
Public: Robert Woolsey

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

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

M-Windsor/ S-Mudry moved to approve the October 21, 2020 minutes. Motion passed 5-0 by voice vote.

A [PM 20-18](#)

Approve the October 21, 2020 minutes.

Attachments: [17-October 21 2020 DRAFT](#)

IV. PERSONS TO BE HEARD

Speaking as a member of the public, Mudry expressed concern that the current overburden site operated by McGraw Construction was nearly full. Staff explained that the city was aware and was working toward a solution.

V. PLANNING DIRECTOR'S REPORT

Ainslie informed the Commission that City Hall would be closed Wednesday November 11th in observance of Veteran's Day. Ainslie sought input on upcoming meeting dates, as they fell close to winter holidays. Ainslie explained that no applications had been received in time for the November 18th meeting and asked if the Commission wanted to hold the meeting to discuss ongoing items. Alderson and Riley addressed scheduling conflicts for November 18th and the Commission decided not to hold the meeting. Spivey expressed concern about scheduling conflicts for the December 16th meeting and Ainslie informed the Commission that the December 2nd meeting would meet the Code mandated one meeting per month and allow for the Commission not to meet on December 16th.

VI. REPORTS

VII. THE EVENING BUSINESS

- B** [P 20-08](#) Public hearing and consideration of a boundary line adjustment of the properties at 1301 Edgecumbe Drive and Lot 1 Little Critter Highlands Subdivision in the R-1 single-family and duplex residential district and the R-2 multifamily residential district. The properties are also known as Lot 1 Old City Shops Subdivision and Lot 1 Little Critter Highlands Subdivision. The request is filed by Robert Woolsey Jr. The owner of record is Robert Woolsey Jr.

Attachments: [P20-08 Woolsey BLA Staff Report](#)
 [Aerial](#)
 [Current Plat](#)
 [Proposed Plat](#)
 [Photos](#)
 [CBS Applications](#)

Ainslie prefaced the report with an explanation of procedure regarding boundary line adjustments(BLA). Ainslie explained that most BLA requests are handled administratively per Sitka General Code 21.16 however, Ainslie noted a provision in the code that specified circumstances where properties sought a BLA with plats that had been recorded within 18 months of the request needed Planning Commission approval.

Ainslie stated that the property was a result of a minor subdivision by Sitka Community Land Trust that had been approved by the Commission on the January 15th, 2020 meeting and had been recorded in June. Ainslie explained that the applicant had shared his vision for a BLA at the January 15th meeting were he to acquire the lot, which he since has. Ainslie stated that the applicant was now proceeding with that same plan.

Ainslie described the proposal as an increase to the smaller lot from 6,000 sq. ft. to 10,802 sq. ft. and decreasing the larger lot from 17,600 to 11,874 sq. ft. net of easements. The proposal reduced easement restrictions on the larger lot and increase the size and building space of the smaller lot. Ainslie noted that the proposal did not increase density or the number of users on Kostrometinoff Street while meeting development standards. Staff recommended approval.

The applicant, Robert Woolsey, was present.

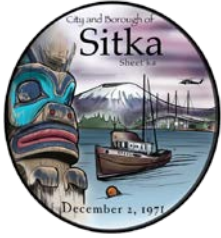
Alderson asked if the proposal would result in any changes to the zoning of the properties. Spivey replied that there would be no change to the zoning as a result of the proposed BLA.

M-Windsor/S-Alderson moved to approve the final plat for a boundary line adjustment for 1301 Edgecumbe Drive and Lot 1, Little Critter Highlands Subdivision in the R-1 single family and duplex residential district and the R-2 multifamily residential district. The properties were also known as Lot 1 Old City Shops Subdivision and Lot 1 Little Critter Highlands Subdivision. The request was filed by Robert Woolsey Jr. The owner of record was Robert Woolsey Jr. Motion passed 5-0 by voice vote.

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

VIII. ADJOURNMENT

Seeing no objection, Chair Spivey moved to adjourn the meeting at 7:17 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 20-16
Proposal: Request for short-term rental at 1710 Halibut Point Road
Applicant: Ocean Mayo
Owner: Ocean Mayo
Location: 1710 Halibut Point Road
Legal: Lot 4C, Gibson-Kitka-Snowden Subdivision, USS 2417
Zone: R-1 single-family, duplex, and manufactured home residential district
Size: 8,049 square feet
Parcel ID: 25060000
Existing Use: Residential
Adjacent Use: Single-family and duplex housing, mobile home park
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood is residential, including single-family and multi-family dwellings.
- The short-term rental is in a single-family home. Owner/applicant lives on site and would rent out while commercial fishing.
- 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 however, as the primary residence of the applicant the proposal does not impact the number of available long-term rentals
- Low density of short-term rentals in the area.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 1710 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

This request is for a conditional use permit for a short-term rental (STR) for a 2 bedroom, 1.5 bathroom dwelling unit, of which 1 bedroom will be used as storage for the owner's personal belongings and not be made available to renters. As the applicant's primary residence, the property will be made available to renters while the applicant is commercial fishing.

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, namely space for three cars. This meets the Sitka General Code requirement to afford space for two vehicles per dwelling unit. Given the size of the unit, it is most likely that one car would be used while the unit is rented.

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. In the renter informational handout, the applicant explicitly addressed noise levels and states that events and parties are not permitted.

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 municipal container and in accordance with Sitka General Code requirements.

d. Hours of operation: The proposal is to book rentals during the applicant's commercial fishing season and therefore would not be on the market year-round.

e. Location along a major or collector street: Access from Halibut Point Road.

f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario: Property is accessed directly from Halibut Point Road. There is no access to other streets from the property.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal increase in traffic.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Residence has adequate access off Halibut Point Road for emergency services.

¹ § 22.24.010.E

i. Logic of the internal traffic layout: The rental unit is a 1 bedroom, 1.5 bathroom dwelling unit with an open kitchen/living/dining room space on two stories.

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: Natural buffers of vegetation and terrain exist on the eastern boundary of the site, as well as a privacy fence along the southern boundary.

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. While STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing, the proposal to use the applicant's primary residence at times where it would otherwise sit empty does not impact long-term rental stock.

m. Other criteria that surface through public comments or planning commission review: Not applicable at this time.

RECOMMENDATION

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 1710 Halibut Point Road subject to the recommended conditions of approval.

ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan

Attachment D: Parking Layout

Attachment E: As-Built

Attachment F: Photos

Attachment G: Plat

Attachment H: Renter Handout

Attachment I: Applicant Materials

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 2021, 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 1710 Halibut Point Road in the R-1 single-family, duplex, and manufactured home residential district, subject to the attached conditions of approval. The property is also known as Lot 4C, Gibson-Kitka-Snowden Subdivision. The request is filed by Ocean Mayo. The owner of record is Ocean Mayo.”
- 2) “I move to adopt and approve the required findings for conditional use permits as listed in the staff report.”

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

1. ...The 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 duplex home.*
 - 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





Area: 8049 Zoning: R1MH
Use: R - Residential
& Tract: U.S. Survey 2417
Division: GK/S

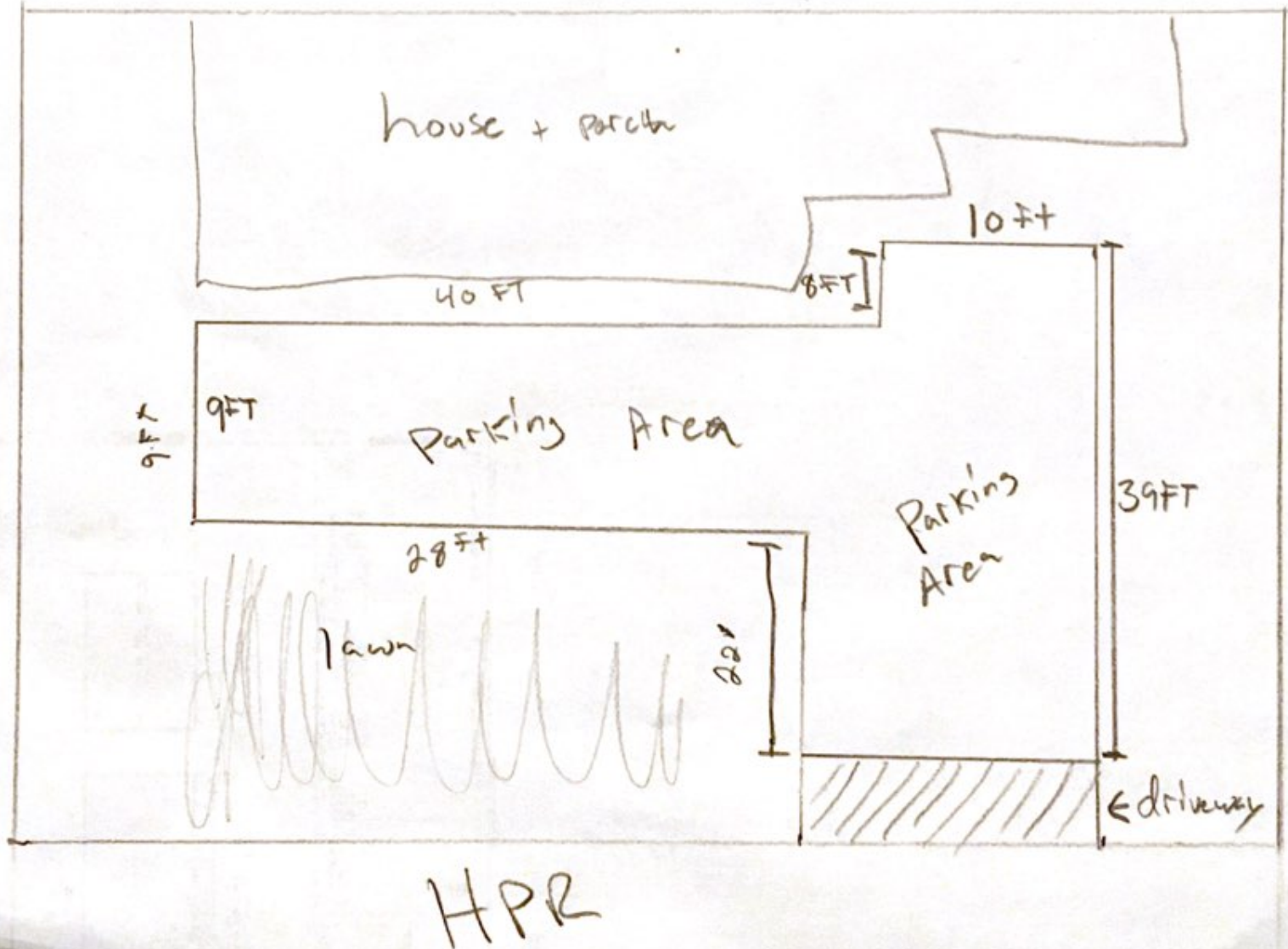
Mayo

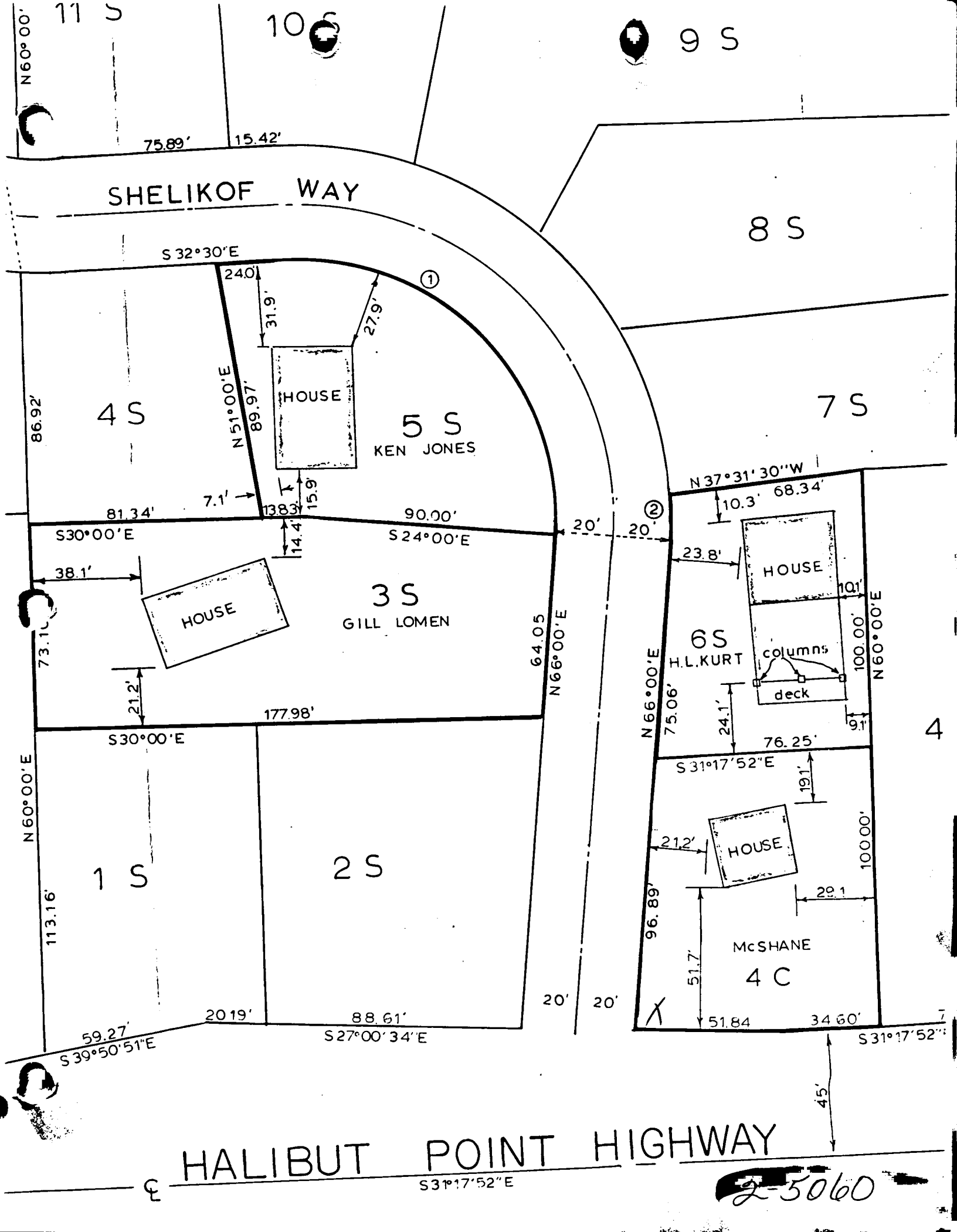
**B
S
Y
G**

The drawing shows two floor plans. The "UP stairs" plan includes a Bathroom (5' x 5'), a Bedroom in use (23' x 23'), and a 1/2 Bay (23' x 23'). The "Down Stairs" plan includes a First Floor (23' x 23'), a Bedroom in use (23' x 23'), and a Bedroom not for BnB (23' x 23'). The drawing also includes a table with the following data:

| Room | Area | Volume | Notes |
|----------------------|--------|--------|-------|
| Bathroom | 25.00 | 25.00 | |
| Bedroom in use | 529.00 | 529.00 | |
| 1/2 Bay | 529.00 | 529.00 | |
| First Floor | 529.00 | 529.00 | |
| Bedroom in use | 529.00 | 529.00 | |
| Bedroom not for BnB | 529.00 | 529.00 | |
| WD OK R | 529.00 | 529.00 | |
| WD OK R (Poor Cond.) | 529.00 | 529.00 | |

Parking Layout 1710 HPR







Welcome to the last frontier, we are glad to have you stay with us at the F/V Coral Lee Cottage!

Check-in is at 11:00am and check-out is at 3:00pm.

Directions: F/V Coral Lee Cottage is located at 1710 Halibut Point Rd. Sitka, Alaska 99835.

Parking: There is a graveled parking area with the capacity for 3 vehicles max, please do not park on grass or obstruct the sidewalk in any way.

Door Code: The door code is XXXX.

Internet: Network is Netgear62 and password is .

Trash: Trash is to be deposited in the city issued trash can and kept close to house due to bears. Trash day is on Thursdays and you may pull the trash can to the curb, if you would like to do so.

Please keep noise levels at appropriately quiet levels throughout the day, especially during the morning and evenings.

No parties or events on this property.



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:

Using my primary residence
as a short term / long term rental while I am
out commercial fishing.

PROPERTY INFORMATION:

CURRENT ZONING: R1 PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: Ocean Mayo

PROPERTY OWNER ADDRESS: 1710 Halibut Point Rd Sitka, AK 99835

STREET ADDRESS OF PROPERTY: "

APPLICANT'S NAME: Ocean Mayo

MAILING ADDRESS: 1710 Halibut Point Rd. Sitka, AK 99835

EMAIL ADDRESS: oceanmayo@hotmail.com DAYTIME PHONE: 907-738-0880

PROPERTY LEGAL DESCRIPTION:

TAX ID: 25060000 LOT: 4C BLOCK: 1700 TRACT: _____

SUBDIVISION: Cascade Creek US SURVEY: 3806

Last Name

Mayo

Date Submitted

11/18/20

Project Address

1710 Halibut Point Rd. Sitka, AK 99835

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

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

94835

Margo

11/18/20

1710 Halibut Point Rd. Sitka, AK



CITY AND BOROUGH OF SITKA
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
CONDITIONAL USE PERMIT

APPLICATION FOR

- ☐ MARIJUANA ENTERPRISE
☒ SHORT-TERM RENTAL OR BED AND BREAKFAST
☐ OTHER: _____

CRITERIA TO DETERMINE IMPACT – SGC 22.24.010(E) (Please address each item in regard to your proposal)

- Hours of operation: Check in at 3pm Check out at 11am
- Location along a major or collector street: House is on a Major Road way
- Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:
Traffic will be similar to existing traffic when I am actively at my residence. I see no impact on nearby land uses
- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: None
- Effects on vehicular and pedestrian safety: None, that currently don't already exist.
- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Very accessible
- Describe the parking plan & layout: Parking is on the lot on gravel with space for multiple vehicles
- Proposed signage: None

Mayo
Last Name

11/18/20
Date Submitted

1710 HPR
Project Address

- Presence of existing or proposed buffers (ie. Fences, boundary walls, natural barriers, etc.) on the site or immediately adjacent the site:

There is currently a Privacy Fence between my neighbor to the South. And a hill full of trees ~~and~~ between my neighbor on the West East

- Amount of noise to be generated and its impacts on neighbors: I anticipate no more noise than I currently generate living in my residence

- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc):

- Mitigation/ Management Plan (How will site be managed to ensure low/no impact on neighbors?)

My rental is only for two guests. The renters informational handout states to keep the noise down in the evenings and mornings. Also parties and Events are not allowed.

Mayo

Last Name

11/18/20

Date Submitted

1710 HPR

Project Address

REQUIRED FINDINGS (SGC 22.30.160(C):

1. The city may use design standards and other elements in this code to modify the proposal. A conditional use permit may be approved only if all of the following findings can be made regarding the proposal and are supported by the record that the granting of the proposed conditional use permit will not:

| | Initial |
|---|---------|
| a. Be detrimental to the public health, safety, and general welfare; | Om |
| b. Adversely affect the established character of the surrounding vicinity; nor | Om |
| c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located. | Om |
| c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located. | Om |
| 2. The granting of the proposed <u>conditional use</u> permit is consistent and compatible with the intent of the goals, objectives and policies of the <u>comprehensive plan</u> and any implementing regulation. | Om |
| 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced. | Om |
| 4. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties, the vicinity, and the public health, safety and welfare of the community from such hazard. | Om |
| 5. The <u>conditional use</u> will be supported by, and not adversely affect, adequate public facilities and services; or that conditions can be imposed to lessen any adverse impacts on such facilities and services. | Om |
| 6. Burden of Proof. The <u>applicant</u> has the burden of proving that the proposed <u>conditional use</u> meets all of the criteria in subsection B of this section. | Om |

ANY ADDITIONAL COMMENTS I feel I am in line with Sitka Comprehensive Plan. My Proposed Conditional use permit will only bring in tax revenue to Sitka without taking any long term rentals off the market, because I will only be renting while out fishing and using my residence the rest of the year.

 Ocean Mayo
Applicant

11/18/20
Date

Mayo
Last Name

11/18/20
Date Submitted

1710 HBR
Project Address