



# City and Borough of Sitka

100 Lincoln Street Sitka, Alaska 99835

*Coast Guard City, USA*

## MEMORANDUM

**To:** Mark Gorman, Municipal Administrator  
Mayor McConnell and Members of the Assembly

**From:** Maegan Bosak, Planning and Community Development Director *MB*

**Subject:** Bosman- Two bedroom Bed & Breakfast Conditional Use Permit

**Date:** February 2, 2015

---

The Planning Commission is recommending approval of a conditional use permit request for operation of a two bedroom bed and breakfast filed by Corrie Bosman at 629 DeGroff Street. Action on this item was taken at the January 6, 2015 Planning Commission meeting. The recommendation to approve the request, based on the following findings, passed unanimously 3-0.

Ms. Bosman owns a two-story, three bedroom, two bathroom home at 629 DeGroff Street. The applicant is requesting the ability to rent the two bedrooms upstairs however she anticipates that the second room will only be used for overflow. Bosman has explained that this is an "Air B&B" with all reservations being made online and primarily servicing the independent traveler. Guests will be responsible for their own food and transportation.

The applicant is able to provide four off-street parking spaces at the residence.

The R-1 single-family and duplex residential district is intended primarily for single-family or duplex residential dwellings at moderate densities, but structures and uses required to serve recreational and other public needs of residential areas are allowed as conditional uses subject to restrictions intended to preserve the residential character of the R-1 district.

The Planning Office has not received any comments on this request.

**Recommendation:**

Approve the recommended request with the following conditions and findings.

**MOTION: M/S SPIVEY/WINDSOR** move to recommend approval to the Assembly of a two bedroom bed and breakfast conditional use permit requested by Corrie Bosman at 629 DeGroff Street. The property is also known as Lot 15, Amended Plat of Pinehurst Addition, US Survey 1804 with the following conditions:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application and plans that were submitted with the request.
3. The facility shall be operated in accordance with the narrative that was submitted with the application.
4. The applicant shall submit an annual report every year, covering the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation.
5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
6. Failure to comply with any of the conditions may result in revocation of the conditional use permit.

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

**MOTION: M/S SPIVEY/WINDSOR** move to approve the following findings:

**FINDINGS: 22.30.160 Planning commission review and recommendation.**

C. Required Findings for Conditional Use Permits. The planning commission shall not recommend approval of a proposed development unless it first makes the following findings and conclusions:

The granting of the proposed conditional use permit will not:

- a. Be detrimental to the public health, safety, and general welfare;
  - b. Adversely affect the established character of the surrounding vicinity; nor
  - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located;
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 Section 2.5.2 Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;*
  3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically, the required annual reporting condition;*
  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;
  5. The conditional use 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;
  6. Burden of proof: the applicant has met the burden of proof.

The request is supported by general approval criteria as follows:

1. Site topography, slope and soil stability, geophysical hazards such as flooding, surface and subsurface drainage and water quality, and the possible or probable effects of the proposed conditional use upon these factors, *specifically the structure is existing;*

2. Utilities and service requirements of the proposed use, including sewers, storm drainage, water, fire protection, access and electrical power; the assembly and planning commission may enlist the aid of the relevant public utility officials with specialized knowledge in evaluating the probable effects of the proposed use and may consider the costs of enlarging, upgrading or extending public utilities in establishing conditions under which the conditional use may be permitted;
3. Lot or tract characteristics, including lot size, yard requirements, lot coverage and height of structures;
4. Use characteristics of the proposed conditional use that affect adjacent uses and districts, including hours of operation, number of persons, traffic volumes, off-street parking and loading characteristics, trash and litter removal, exterior lighting, noise, vibration, dust, smoke, heat and humidity, recreation and open space requirements, *specifically applicant has shown adequate off street parking*;
5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

The following criteria determining impacts of conditional uses have been considered.

- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses.
- b. Amount of noise to be generated and its impacts on surrounding land uses.
- c. Odors to be generated by the use and their impacts.
- d. Hours of operation.
- e. Location along a major or collector street.
- f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario.
- g. Effects on vehicular and pedestrian safety.
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site.
- i. Logic of the internal traffic layout.
- j. Effects of signage on nearby uses.
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site.
- l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan.
- m. Other criteria that surface through public comments or planning commission assembly review.

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