

CITY AND BOROUGH OF SITKA
Planning Commission
Minutes of Meeting
January 6, 2015

Present: Richard Parmelee (Chair), Chris Spivey (Vice Chair), Darrell Windsor (Member), Maegan Bosak (Planner I), Scott Brylinsky (Interim Planning Director)

Absent: Debra Pohlman (Member)

Members of the Public: Michael LaGuire, James Poulson, George Eliason, Lynne Brandon (CBS Parks and Rec), Corrie Bosman, Cliff Richter, Andrew Thoms, Janet Eddy

Chair Parmelee called the meeting to order at 7:08 p.m.

Roll Call:

PRESENT: 3 – Parmelee, Windsor, Spivey

Consideration of the Minutes from the December 16, 2014 meeting:

MOTION: M/S SPIVEY/WINDSOR moved to approve the meeting minutes for December 16, 2014.

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

The evening business:

CONDITIONAL USE PERMIT- B&B
LOT 15, AMENDED PLAT OF PINEHURST ADDITION, US SURVEY 1804
CORRIE BOSMAN

Public hearing and consideration 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.

Planner I, Bosak, summarizes the case. The applicant is requesting a bed and breakfast permit in a single family 3 bedroom, 2 bathroom home. The two rooms upstairs will be rented. Applicant is providing four off street parking spaces, more than the required amount. No public comment has been received.

APPLICANT: Corrie Bosman explains that this will be an air b&b, all bookings will take place online and primarily servicing the independent traveler. Bosman expects that she will get a lot of people coming to town for local events at SJ or Fine Arts Camp. Asking for two bedrooms however the second room will only be for overflow guests, the rooms will not be booked independently. Bosman says she will only have 1-2 guests unless it is a family.

COMMISSIONER DELIBERATION: Commissioner Spivey has concerns over traffic and cars pulling in and out of the driveway. Commission agrees that this will mainly be walking guests and that the applicant is providing more than enough parking.

PUBLIC COMMENT: No public comment.

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

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.

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.

DISCUSSION

OLD CITY CEMETARY LOCATED AT THE END OF BARANOF STREET CBS PARKS AND RECREATION

Public hearing and consideration of a proposed Cross Trail temporary heavy equipment access using the old roadway through the old city cemetery located at the end of Baranof Street.

Interim Planning Director Brylinsky describes request and findings after staff site plan. He explains the historic travel route. Will be a change to sacred ground; research has shown that no gravesites will be disturbed. Photo shows memorial marker on rock, a seven foot buffer from marker will be established. Historic Preservation Commission recommended the temporary heavy equipment access.

APPLICANT: Lynne Brandon, CBS Parks and Rec, is available to answer any questions.

PUBLIC COMMENT: No public comment.

COMMISSIONER DELIBERATION: Commissioner Spivey asks why this is happening. Materials can't be taken in on Gavan trail as there is boardwalk so this temporary access will allow small equipment to be transported. Chair Parmelee ask the width of the path and Brandon responds that it will be 10 feet wide. Parmelee said when he walked it he thought he noticed other markers. Brandon explains legal process which has been subject to cultural resources study. They have had public meetings, contacted neighbors, worked with 9 different agencies, etc. Confident that everything is going to be done according to plan. This will be the first section of the cross trail that connects to downtown, very gradual grades.

DISCUSSION
ACCESSORY DWELLING UNITS (ADU)
CBS PLANNING DEPARTMENT

Discussion of possible modifications to the SGC requirements for Accessory Dwelling Units (ADUs).

PUBLIC COMMENT: Andrew Thoms, Sitka Conservation Society, interested in how this applies to micro homes. Lots of people interested in tiny homes, as it reduces environmental footprint and reverses the trend of large square footage. High School vocational program is building a micro home. Clear that restrictions on ADUs limited construction and SCS is submitting ideas on making it more lenient so the permit applies to more people. They propose that an ADU be a conditional use permit with conditions such as: hooked up permanently to utilities, uses locally sourced materials and blends in the neighborhood aesthetics. Commissioner Spivey asks how hard will it be to put on foundation rather the trailer? Thoms says it's not hard but about being able to easily transport. Easier to build in different location and then move onsite. It could be dropped on a foundation.

George Eliason, says ADUs are great idea but has concern over restrictions. Wonders why it can't be located off an access easement and why it must be a standalone dwelling. Commission addresses why access from easement was restricted as typically maintenance costs are shared and effects neighbors. Spivey states that standalone dwelling doesn't apply, that would simply be an apartment over the garage. The buildings wouldn't have to be connected if the garage/apartment could be considered an ADU. Brylinsky says that this could be a good example of an ADU as a conditional use.

COMMISSIONER DELIBERATION: Parmelee talks about zoning and ADUs and doesn't think we should apply all zoning, specifically SF and SFLD. Spivey is also against moving it into SF. Bosak explains that historically the reason limiting the zones to R-1 and R-2 was the idea against blending stick and manufactured structures for fire purposes. Also the aesthetics of the neighborhood and blending a mobile home. Parmelee asks about a new zone specifically for ADUs. Staff will come back with a proposal.

The Commission thinks that a no-car covenant might be a good idea however there is no way to enforce other than it being through a conditional use permit. ADUs currently must have two parking spaces and the Commission thinks that one space would be sufficient. Spivey reminds the group of the historical discussion and refers to enforcement and guests as the reason it wasn't reduced in the past. Commission says there should not be a no-car covenant.

Discussion over enforcement and Brylinsky talks to self regulation by the property owner. He thinks that owner compliance of a conditional use permit is the best form of enforcement. Commission is in support of a one car requirement. Commission again states that this would best be served through the conditional use permit process. Parmelee says this ADU permit isn't being used and he would like to see it revised and then come back again if there are issues. Spivey says it will lead to more non conformities. Commissioners ask Bosak about ADU inquires. She states there were approximately 10 and 3-4 could not meet parking requirements. Parmelee and Windsor are in favor of reducing parking requirements to one space. Spivey is against.

Commissioners might be for micro homes as ADUs if they are put on permanent foundations, skirted, hooked up to utilities and blends into the neighborhood aesthetics. Commission feels this deserves further discussion.

Commissioners feel that ADUs should be on a conditional use permit basis.

Brylinsky will draft a new ordinance for ADUs and submit for Commission discussion.

PLANNING DIRECTOR'S REPORT: Next meeting is only for Stormwater Ordinance. Planning Director position closes January 15th.

ADJOURNMENT:

MOTION: M/S SPIVEY/WINDSOR moved to adjourn at 8:12 pm.

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

Richard Parmelee, Chair

Maegan Bosak, Secretary