

City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Planning and Community Development Department

Date: February 7, 2017

To: Planning Commission

From: PCDD Staff

Re: CU 17-01 Conditional Use Permit for 2 Short Term Rentals at 3003 Halibut Point Road

GENERAL INFORMATION

Applicant: Jack and Katy Wood

Property Owner: Jackson and Kathryn Wood

Property Address: 3003 Halibut Point Road

Legal Description: Lot 1 Wood Subdivision

Parcel ID Number: 2-5460-001

Size of Existing Lot: 34,225 square feet

Zoning: R-1 MH

Existing Land Use: Residential

Utilities: Full city services
Access: Halibut Point Road

Surrounding Land Use: Residential

ATTACHMENTS

Attachment A: Vicinity Map

Attachment B: Aerial Vicinity Map

Attachment C: Zoning Map Attachment D: Site Plan Attachment E: Floor Plan

Attachment F: Subdivision Plat Attachment G: Parcel Pictures Attachment H: Application Attachment I: Flood Zone Map

MEETING FLOW

- · Report from Staff
- Applicant comes forward
- Applicant identifies him/herself provides comments
- Commissioners ask applicant questions
- Staff asks applicant any questions
- · Floor opened up for Public Comment
- Applicant has opportunity to clarify or provide additional information
- Comment period closed brought back to the board
- Findings
- Motion of Recommendation

Attachment J: Mailing List

Attachment K: Proof of Payment Attachment L: Warranty Deed

BACKGROUND/PROJECT DESCRIPTION

The request is for a conditional use permit for two short-term rental units for a duplex at 3003 Halibut Point Road in the R-1 MH single-family, duplex and manufactured home zoning district. The property will meet the 4 parking space requirement for a duplex upon the removal of a boat. The top unit short-term rental unit has two bedrooms and two baths. One bedroom and one bathroom are located in a loft area, which can be closed off with an existing door if necessary. The downstairs unit has one bedroom and one bathroom on a single story. The property is bounded by the owner's primary residence, a neighbor's residence, Halibut Point Road, and the ocean. A garage is also situated on the property, and is used for the owner's personal storage. The applicants intend to use Sitka Travel as a booking agent.

22.16.045 R-1 MH single-family, duplex and manufactured home zoning district.

The R-1 MH zoning district may allow short-term rentals as a conditional use subject to the ability to mitigate any adverse effects to nonexistent or minimal and reasonable for the zone and in harmony with surrounding land uses.¹

<u>ANALYSIS</u>

- 1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.²
- a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses: The property has a driveway that provides the required 4 parking spaces. Boat will need to be moved or removed when both units are rented to ensure sufficient parking for tenants.
- **b.** Amount of noise to be generated and its impacts on surrounding land use: Renters can be known to create more noise due to being on vacation than typical families might. However, the provision of a rental overview and ability to address concerns adequately mitigate this.
- c. Odors to be generated by the use and their impacts: No additional odors.
- d. Hours of operation: Year-round.

¹ Table 22.16.015-1 and Sections 22.24.010(B) and (C) (Bed and Breakfast and Short-term Rental respectively).

² § 22.24.010.E

- e. Location along a major or collector street: 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: No concerns.
- **g.** Effects on vehicular and pedestrian safety: The driveway may be difficult for newcomers to find. This can be mitigated by providing a detailed directions and traffic circulation information.
- h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: No concerns.
- **i.** Logic of the internal traffic layout: The applicant has indicated more the required parking spaces for a duplex residence. Owners should provide traffic circulation information to tenants.
- j. Effects of signage on nearby uses: No proposed signage.
- k. Presence of existing or proposed buffers on the site or immediately adjacent the site: Foliage provides buffers.
- **I.** Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan: Conforms to Comprehensive Plan Section 2.6.2, which states, "To encourage commercial and industrial developments of a quality that does not adversely impact any adjacent recreational and residential areas;" and Section 2.6.2(K), which supports facilities to accommodate visitors that do not impact surrounding residential neighborhoods any more than typical residential uses. In addition, the Comprehensive Plan identifies the goal of providing various housing opportunities and housing options for seasonal, temporary, emergency, and transitional needs. This application conforms to the above sections by creating short-term transient housing. Removal of boat and provision of rental overview will mitigate concerns for traffic and noise concerns.
- m. Other criteria that surface through public comments or planning commission review: Short-term rentals may increase long-term rental rates for the overall community.⁴

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: ⁵

³ Comprehensive Plan 2.5.11, 2.10.3, and 2.10.4.

⁴ Planning: The Magazine of the American Planning Association, February 2016, p. 31

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

- 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:
 - 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.
- 3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced.
- 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 the burden of proving that the proposed conditional use meets all of the criteria in subsection B of this section.

The city may approve, approve with conditions, modify, modify with conditions, or deny the conditional use permit. The city may reduce or modify bulk requirements, off-street parking requirements, and use design standards to lessen impacts, as a condition of the granting of the conditional use permit. In considering the granting of a conditional use, the assembly and planning commission shall satisfy themselves that the general criteria set forth for uses specified in this chapter will be met. The city may consider any or all criteria listed and may base conditions or safeguards upon them. The assembly and planning commission may require the applicant to submit whatever reasonable evidence may be needed to protect the public interest. The general approval criteria are 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;
- 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;
- 5. Community appearance such as landscaping, fencing and screening, dependent upon the specific use and its visual impacts.

<u>Conclusion on Findings</u>: The required findings of fact have been met as the conditional use as conditioned would not be detrimental to the public's health, safety, or welfare; that the conditions of approval have satisfactorily mitigated any potential harm or impact to the surrounding land uses and properties through the conditions of approval, by meeting all applicable SGC regulations, and by being in support of the Comprehensive Plan regarding transient housing supply.

RECOMMENDATION

It is recommended that the Planning Commission adopt the staff analysis and required findings as found in the staff report and grant the requested conditional use permit subject to attached conditions of approval.

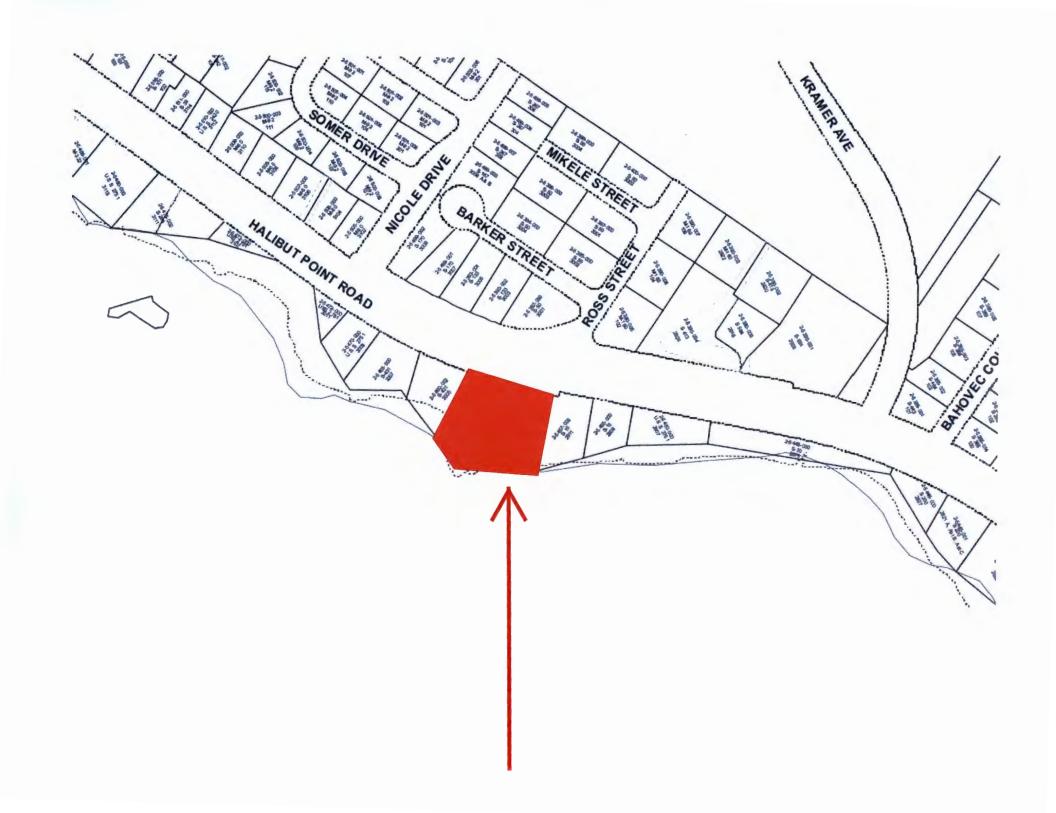
Recommended Motions: (two motions - read and voted upon separately)

- 1) I move to adopt and approve the required findings for conditional use permits as discussed in the staff report.
- 2) I move to approve the conditional use permit application for two short-term rental units at 3003 Halibut Point Road subject to the attached conditions of approval. The property is also known as Lot 1 Wood Subdivision. The request is filed by Jack and Katy Wood. The owners of Jackson and Kathryn Wood.

Conditions of Approval:

- 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 information on the form prepared by the Municipality, summarizing the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.
- 5. 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.
- 6. 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.
- 7. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.
- 8. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
- 9. Owners shall provide renters with a brief rental overview including respecting the residential neighborhood and regarding directions and traffic circulation patterns to mitigate any potential traffic impacts.
- 10. Boat shall be moved or removed to ensure four parking spaces for the two units.

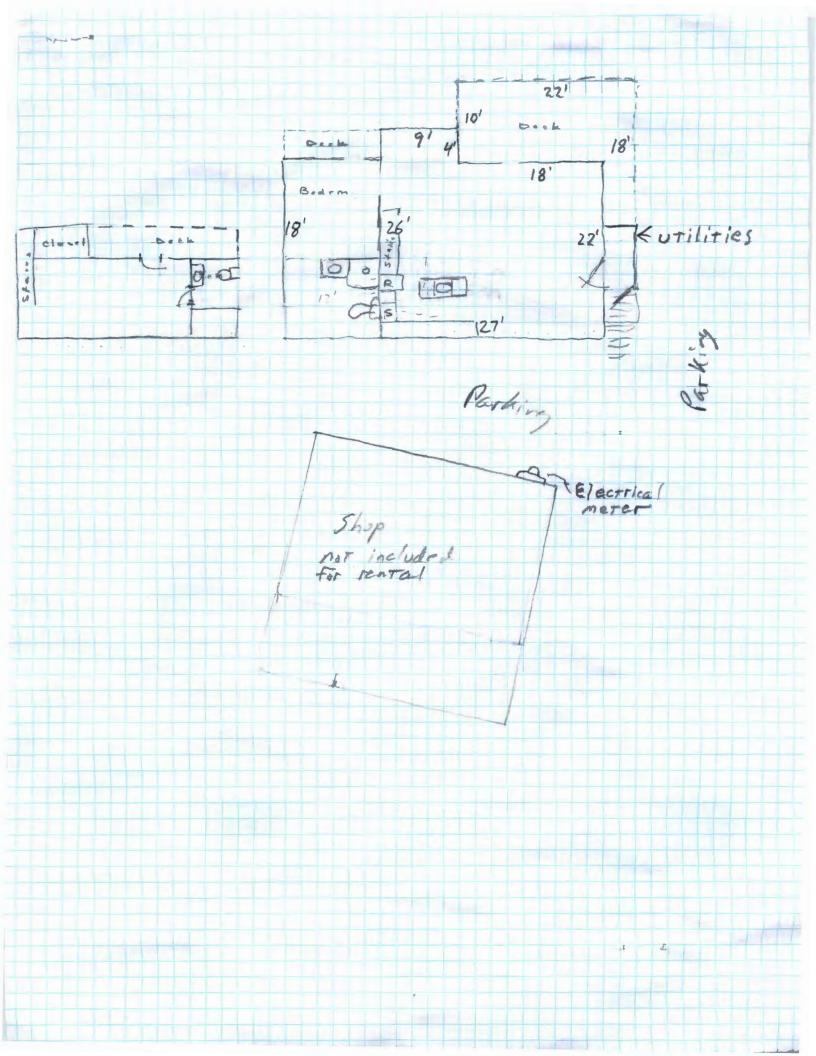


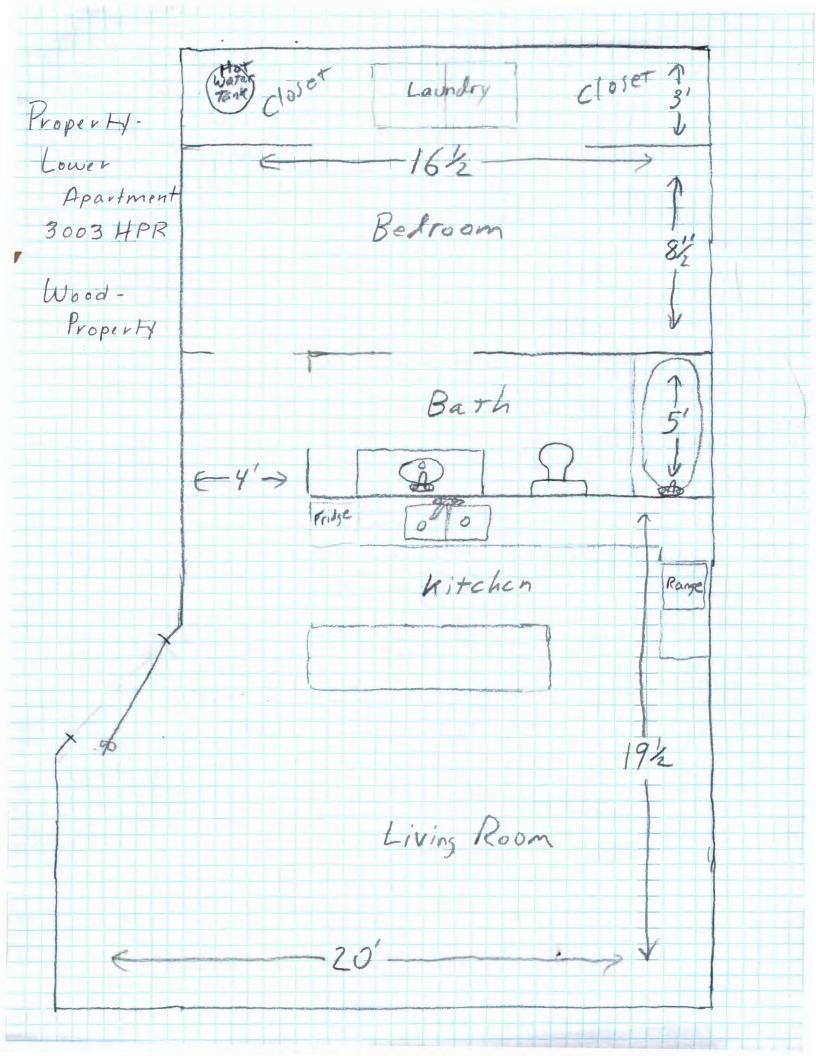


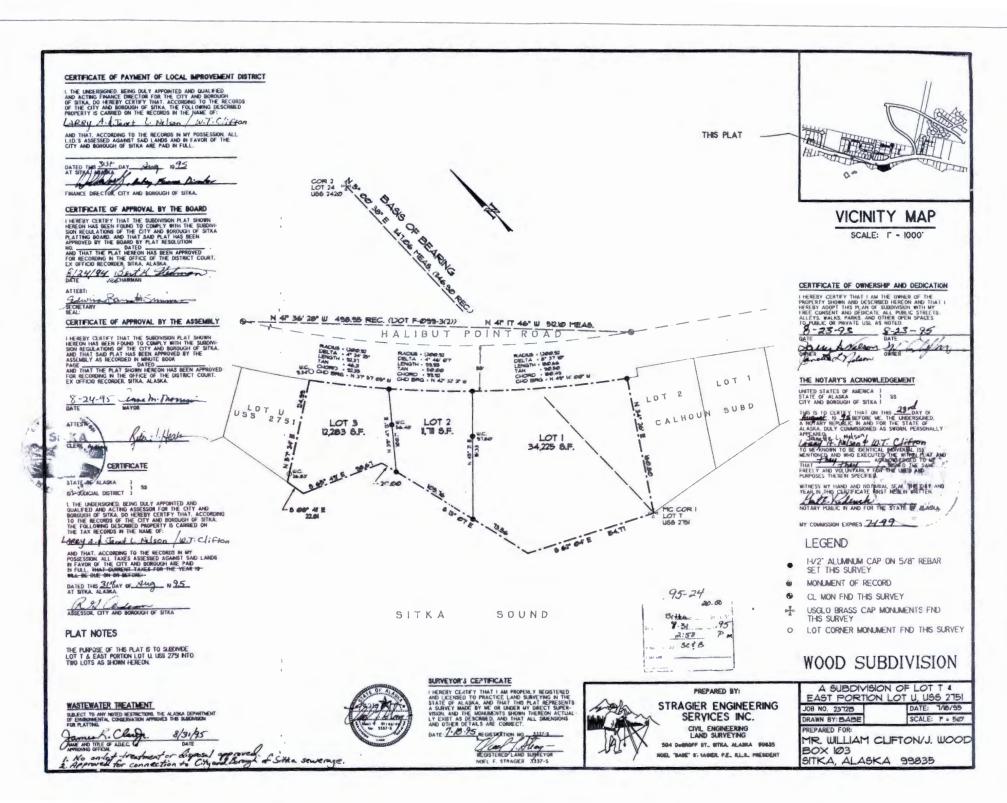




This map is for informational purposes only. It is not for appraisal of, description of, or conveyance of land. The City & Borough of Sitka, Alaska and MainStreetGIS, LLC assume no legal responsibility for the information contained herein.



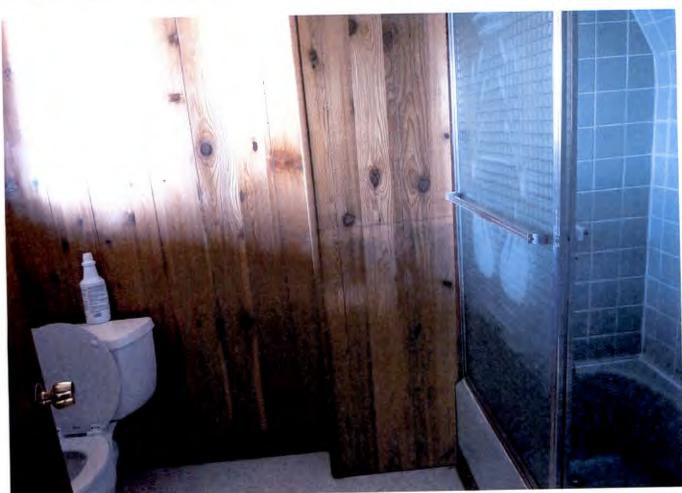


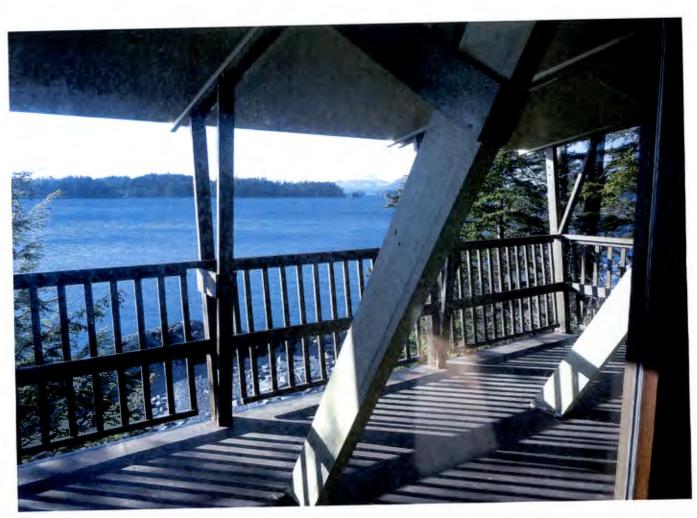








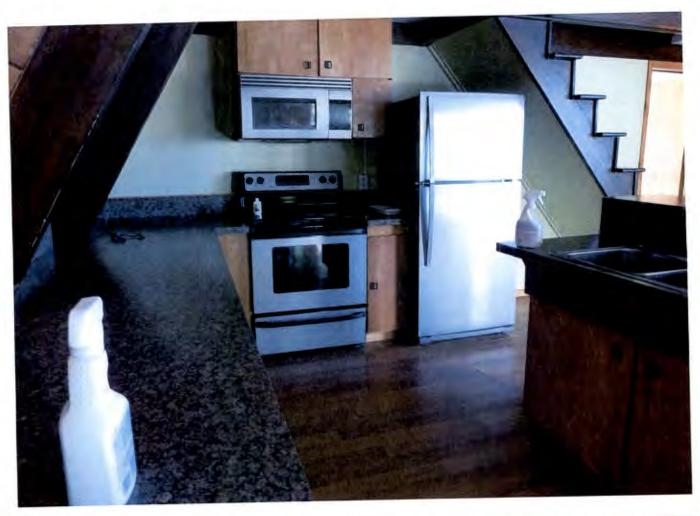


























Attn. Zoning Committee:

Our second residental property located at 3003 HPR will become varated at the end of January. Rather than verenting with a long term tenant we would like to use it as a vacation rental, which would also allow us to have it available for out of town family and friends. It is an 800sg. foot, 2 bedroom 2 bath A frame style house. Daily, weekly or monthly reservations will be available with a 3 night minimum and a four person max. Parking space is abundant with room for four cars on the property. We plan on using Sithe Travel as our

booking agent

Thank You for time,

Kety Wood



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

 Request projects at leas Review guidelines and p Fill form out completely Submit all supporting d 	procedural information. No request will be cor	nsidered without a co	-80	
APPLICATION FOR:		CONDITIONAL USE	\$ 100	
Al PERCHION TON.	ZONING AMENDMENT			
BRIEF DESCRIPTION OF				rm
rental at	our secon	d home	3003	HPR
PROPERTY INFORMATION				
CURRENT ZONING: resid	ental PROPOSED ZO	NING (if applicable):		
CURRENT LAND USE(S): res	dential PROF	POSED LAND USES (if chang	ng):	
APPLICANT INFORMATI	ON:			
PROPERTY OWNER:	lack & Katy	Wood		
PROPERTY OWNER ADDRESS:	3005 H	P.R. Sit	ka	
STREET ADDRESS OF PROPERTY:				
APPLICANT'S NAME:	Katy wood.			
MAILING ADDRESS: 3 o	05 HPR S.	tha AK		
EMAIL ADDRESS: Ktwo	odegcinet	DAYTIME PHONE:	747-5	195
PROPERTY LEGAL DESCR	RIPTION:			
TAX ID: 2-5460-00	/LOT:	BLOCK:	TRACT:	
SUBDIVISION: US 2751	WOODI	US SURVEY:		
La Constantina	OFFICE	USE ONLY		
COMPLETED APPLICATION		SITE PLAN		
NARRATIVE		CURRENT PLAT	-	
FEE		PARKING PLAN		

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:	For Conditional Use Permit:
Completed application form	Parking Plan
Narrative -	Interior Layout
Site Plan showing all existing and proposed structures with dimensions and location of utilities Proof of filing fee payment Proof of ownership Copy of current plat	For Plat/Subdivision: Three (3) copies of concept plat Plat Certificate from a title company Topographic information Proof of Flagging If Pertinent to Application: Landscape Plan Drainage and Utility Plan
CERTIFICATION:	
I hereby certify that I am the owner of the property described above General Code and hereby state that all of the above statements are the best of my knowledge, belief, and professional ability. I acknowle cover costs associated with the processing of this application, and do notice will be mailed to neighboring property owners and published access the property to conduct site visits as necessary. I authorize the behalf.	true. I certify that this application meets SCG requirements to edge that payment of the review fee is non-refundable, is to oes not ensure approval of the request. I understand that public in the Daily Sitka Sentinel. I further authorize municipal staff to
Owner	Date
I certify that I desire a planning action in conformance with Sitka Ger true. I certify that this application meets SCG requirements to the be acknowledge that payment of the review fee is non-refundable, is to and does not ensure approval of the request.	est of my knowledge, belief, and professional ability. I
Applicant (If different than owner)	Date



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

Parcel ID: 25390004

ALASKA MARINE SAFETY EDUC
ASSOC

ALASKA MARINE SAFETY EDUC
ASSOCIATION
2924 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 25392000 BONITA STEDMAN STEDMAN, BONITA, M. P.O. BOX 158 SITKA AK 99835-0158

Parcel ID: 25394000 ANDREW/REBECCA FRISKE FRISKE, ANDREW/REBECCA 3004 BARKER ST SITKA AK 99835

Parcel ID: 25455000 SCOTT/JONIE CALHOUN CALHOUN, SCOTT, E./JONIE, L. 2909 HALIBUT POINT RD SITKA AK 99835

Parcel ID: 25460002

JACKSON/KATHYRN WOOD

WOOD, JACKSON, H-/KATHRYN, T.
3005 HALTBUT POINT RD

SITKA AK 99835

Parcel 1D: 25472000 ALASKA, STATE OF DNR ALASKA, STATE OF 550 WEST 7TH AVE, STE 1050A ANCHORAGE AK 99501 Parcel ID: 25390005
DANIEL/CAROLINE TRAVERS
TRAVERS, DANIEL/CAROLINE
92046 HAGEN DR
ASTORIA OR 97103-8539

Parcel ID: 25393001 JOHN/CONNIE BISSON *BISSON, JOHN, L./CONNIE, L. P.O. BOX 79 SAINT MARIES ID 83861-0079

Parcel ID: 25395000 NORMAN/LUELLA WILSON WILSON, NORMAN & LUELLA 111 SAND DOLLAR DR SITKA AK 99835

Parcel ID: 25457000 JON/ROSE CALHOUN CALHOUN, JON, E./ROSE, E. 2911 HALIBUT POINT RD SITKA AK 99835

Parcel ID: 25465000
JANETTE NELSON
NELSON, JANETTE, L.
P.O. BOX 1886
SITKA AK 99835-1886

Parcel ID: 25499001 LYLE/BARBARA SPARROWGROVE/JORDAN SPARROWGROVE, LYLE/JORDAN, BARBARA 3007 BARKER ST SITKA AK 99835 Parcel ID: 25390006 ALAN/JUDITH BLANKENSHIP BLANKENSHIP, ALAN/JUDITH 104 ROSS ST SITKA AK 99835

Parcel ID: 25393002
BRENDA/RAMON QUEVEDO
QUEVEDO, BRENDA & QUEVEDO,
RAMON
3003 BARKER ST
SITKA AK 99835

Parcel 1D: 25450000 MICHAEL/GLORIA SNOWDEN SNOWDEN, MICHAEL, K./GLORIA, R. P.O. BOX 178 SITKA AK 99835-0178

Parcel ID: 25460001 JACKSON/KATHRYN WOOD WOOD, JACKSON, H./KATHRYN, T. 3005 HALIBUT POINT RD SITKA AK 99835

Parcel ID: 25470000
CHARLES/THERESA OLSONAWYMAN
OLSON, CHARLES/ALLEN-OLSON,
THERESA
3009 HALIBUT POINT RD
SITKA AK 99835

Parcel ID: 25499002 MICHAEL/SHELLEY YANAK YANAK, MICHAEL/SHELLEY P.O. BOX 6143 SITKA AK 99835-6143



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ite: 2017-00033960 eceipt: Front Counter ashier: aceived From: JACK WOOD LAN - Planning Permits/Zo 100.00 ing T1 - sales Tax 1st Quarte CY 5.00 105.00 eceipt Total Total Check 105.00 105.00 Total Remitted 105.00 Total Received

01/13/2017



CITY & BOROUGH OF SITKA

INVOICE

CITY AND BOROUGH OF SITKA

100 LINCOLN STREET, SITKA ALASKA 99835

To:

ACCOUNT # 100-300-320-3201.002	Mark to the first of the second secon
PLANNING & ZONING	
Variance.	10000
Conditional Use Permit.	100.00
Minor Subdivision.	
Major Subdivision	
Zoning Map Change	
Zoning Text Change	
Lot Merger	
Boundary Line Adjustment	
General Permit	
Appeal of Enforcement Action (Pending)	
Other	
Sales Tax Plos TAX	5.00
,	4.4 A.D
TOTAL	105.00
	Thank you

2006-001939-0

Recording Dist: 103 - Sitka

10/20/2006 3:46 PM Pages: 1 of 4



CC

PERSONAL REPRESENTATIVE'S DEED

The GRANTOR, Norman H. Wood, as court-appointed Personal Representative of the Estate of William T. Clifton, of P.O. Box 2304, Sitka, Alaska 99835, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, conveys to GRANTEES, Jackson H. Wood and Kathryn T. Wood, of 3005 Halibut Point Road, Sitka, Alaska 99835, husband and wife, as tenants by the entirety, decedent William T. Clifton's entire interest in the following-described real estate, situated in Sitka, Alaska, in the Sitka Recording District, First Judicial District, State of Alaska:

All of Lot 1 of the Wood Subdivision of U.S. Survey 2751, as shown on the approved plat thereof recorded on 31 August 1995 as Plat # 95-24, Sitka Recording District, First Judicial District, State of Alaska.

OCT. DATED this day of September, 2006, at Sitka, Alaska.

Norman H. Wood

SUBSCRIBED AND SWORN TO before me by Norman H. Wood, who is known to me, this 29 day of September, 2006, at Sitka, Alaska.



Notary Public in and for Alaska My Commission Expires: 8/18/10

Personal Representative's Deed: William T. Clifton Estate to Wood, Page 1 of 2

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VANCE A. SANDERS LLC Doug 23 Record in Sitka, Alaska

After Recording, Return to:

Jackson H. & Kathryn T. Wood 3005 Halibut Point Road Sitka, Alaska 99835



Personal Representative's Deed: William T. Clifton Estate to Wood, Page 2 of 2

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IN THE SUPERIOR COURT FOR THE STATE OF AL Filed in the Trial Courts
Sitka

FIRST JUDICIAL DISTRICT AT SITKA

SEP 0 6 2006

IN THE MATTER OF THE ESTATE OF		Gier	k of the Trial Court	3
WILLIAM T. CLIFTON,)	Ву	Dep	ity
Deceased.)	No. 1SI-06-31 PR		

LETTERS TESTAMENTARY AND ACCEPTANCE

The Last Will and Testament of William T. Clifton having been admitted to informal probate, Norman H. Wood is hereby appointed Personal Representative of the Estate of William T. Clifton.

DATED this 5 day of May, 2006, at Sitka, Alaska

I, Norman H. Wood, hereby accept the duties and responsibilities of the office of
Personal Representative of the Estate of William T. Clifton, which I will perform as required
by law.

In this important capacity, I acknowledge my duty to:

- (a) Take possession and control of the decedent's property as required by AS 13.16.380; determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;
- (b) Provide notice to heirs and devisees as required by AS 13.16.360, except as provided by AS 13.36.690;
- (c) Provide notice to creditors as required by law, public notice when required, and review and either accept or reject claims as required by AS 13.16.455 13.16.515;

 Letters Testamentary and Acceptance, Estate of William T. Clifton, 1SI-06-3 PR, Page 1

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- Advise the court in writing of changes in the personal representative's address (d) or telephone number as required by Alaska R. Probate 8;
- File returns for state estate taxes if required by AS 43.31.121 and AS (c) 43.31.250;
- Pay homestead, exempt property and family allowances as required by AS (f) 13.11.125 - 13.11.140, cost of administration and other claims as required by AS 13.16.470, and distribute the assets of the estate; and
 - Close the estate as soon as appropriate as required by AS 13.16.620 .670. (g) I have not filed a bond because none is required.

norman I word

STATE OF ALASKA

) ss.:

FIRST JUDICIAL DISTRICT

On this ____ day of May, 2006, before me, personally appeared Norman H. Wood, who I know to be the individual described herein and who indicated to me that he freely and voluntarily executed the foregoing acceptance; he duly acknowledged to me that he executed the same for the above-stated purposes, and after being duly sworn, did depose and state that the statements contained herein are true.



My Commission Expires: N

6 day of Sept 2006

a true copy of this do was praced

in attorney's box marrer: he following:

I comily that this is a full, true and corner! with of an original document on file in the Alexia-Trial Courts at Sitka.

Grant Class

Letters Testamentary and Acceptance, Estate of William T. Clifton, 1SI-06- 1 PR, Page 2