

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.³ 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: Shortterm 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.

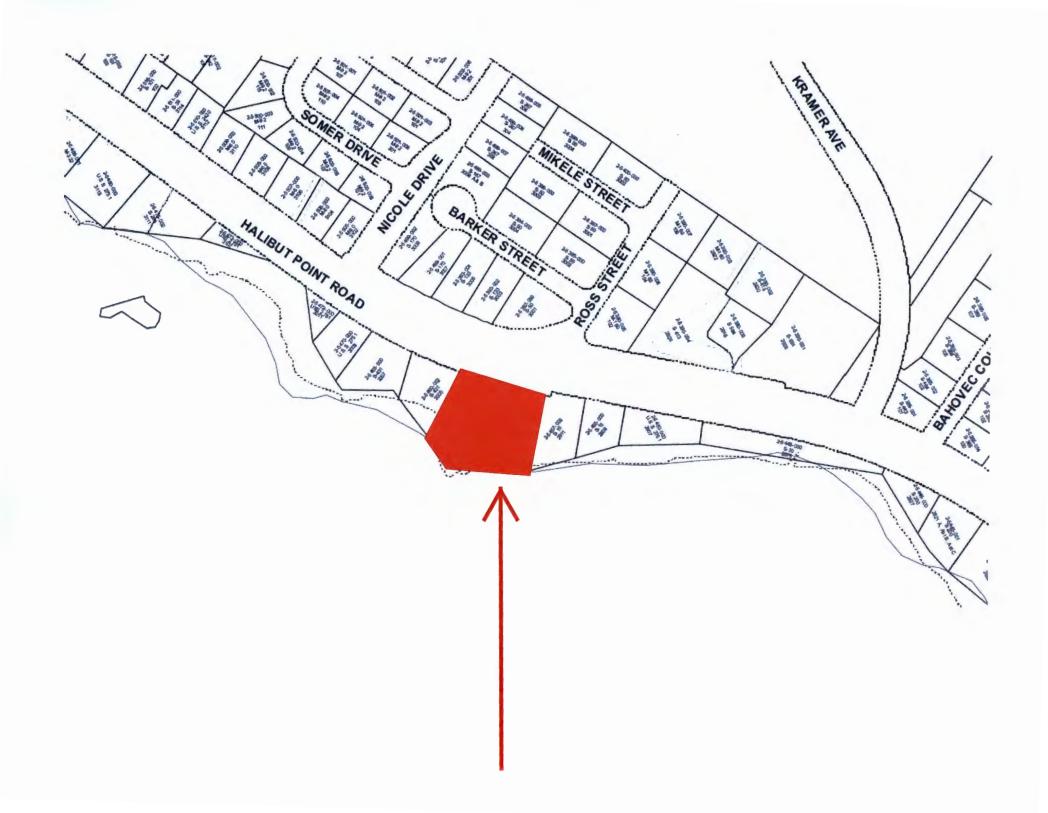
6. Failure to comply with all applicable tax laws, including but not limited to remittance of all sales and bed tax, shall be grounds for revocation of the conditional use permit.

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.

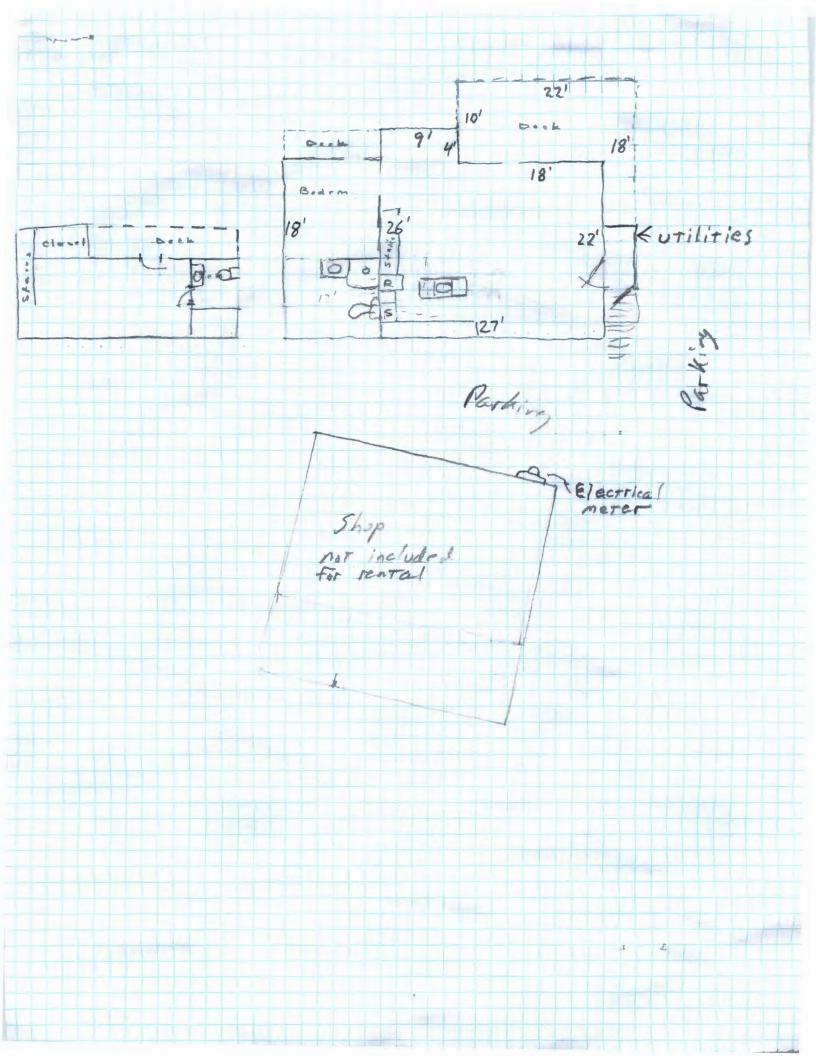
9. Owners shall provide renters with a brief rental overview including respecting the residential neighborhood and regarding directions and traffic circulation patterns to mitigate any potential traffic impacts.

10. Boat shall be moved or removed to ensure four parking spaces for the two units.

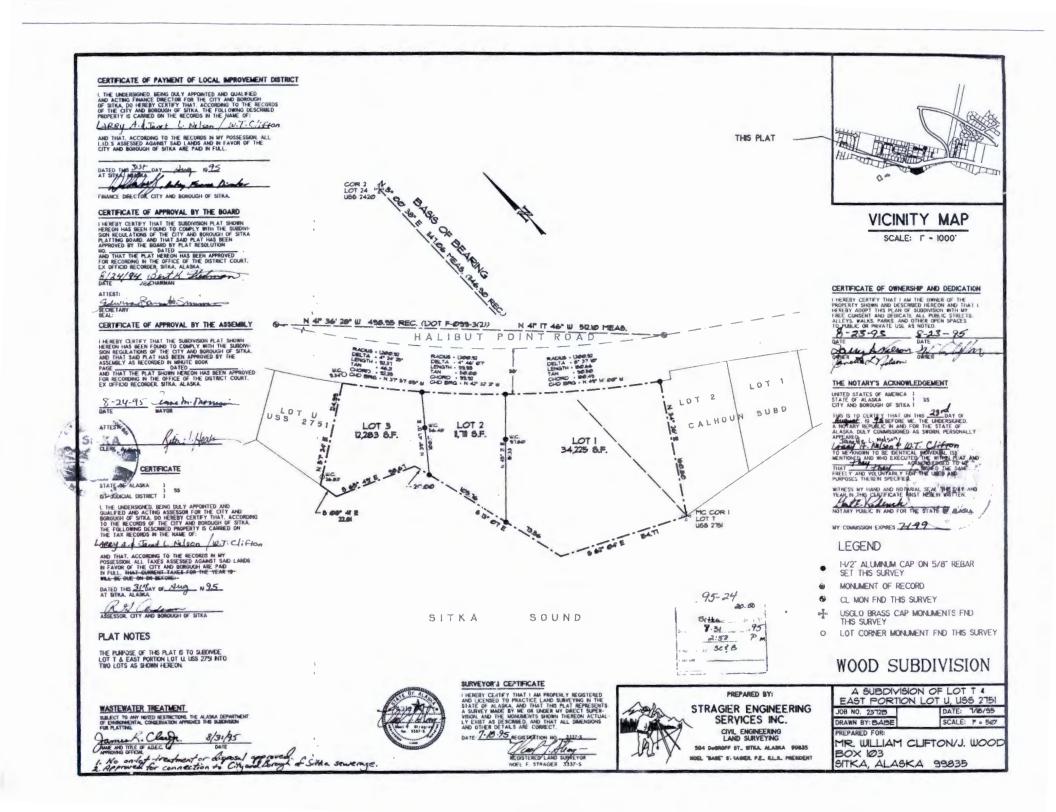








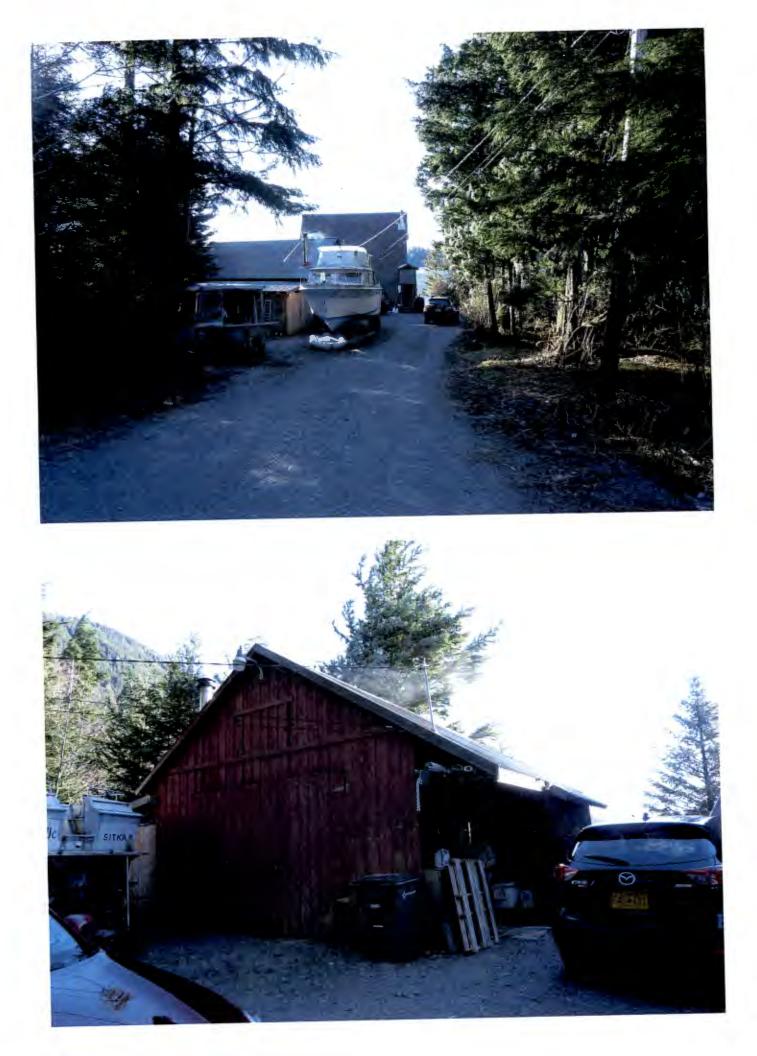
Water Tone Toset Closer 73' Laundry Property-Lower 16/2 Apartment Betroom 3003 HPR 8% Wood -Property Bath P E-4'-> 00 Fridge 1 kitchen Range 19/2 Living Room 20' in V 6



















Atta. Zoning Committee : Our second residental property located at 3003 HPR will become vacated at the end of January. Rather than correcting 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 Boosg. 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

PLANNING A	D BOROUGH C ND COMMUNITY DEV PPLICATION FORM		TMENT	
 Request projects at lease Review guidelines and Fill form out <u>completely</u> Submit all supporting of 	procedural information. 2. No request will be con	sidered without a cor	mpleted form.	
APPLICATION FOR:		CONDITIONAL USE	\$ 100	
	ZONING AMENDMENT	PLAT/SUBDIVISION		
BRIEF DESCRIPTION OF	REQUEST: To	operate a's	hort term	
			3003 HPR	
rentat at	oht secon	d home	3003 HTR	
	•		ng):	
APPLICANT INFORMAT	ON:			
PROPERTY OWNER:	Jack + Katy	Wood		
PROPERTY OWNER ADDRESS: 3005 H.P.R. SItka				
STREET ADDRESS OF PROPERTY: 3003 H.P.R.				
APPLICANT'S NAME: Katy wood				
MAILING ADDRESS: 3005 HPR, SITKE AK				
			747-5195	
PROPERTY LEGAL DESC	RIPTION:			
TAVID: 2-5410-00		RIOCK.	TRACT	

TAX ID: 2-54	60-001	LOT:	BLOCK:	TRACT:	
SUBDIVISION:	152751	WOODI	US SURVEY:		

	OFFICE USE ONLY	
COMPLETED APPLICATION	SITE PLAN	
NARRATIVE	CURRENT PLAT	
FEE	PARKING PLAN	

REQUIRED SUPPLEMENTAL INFORMATION:

For Conditional Use Permit:
Parking Plan
Interior Layout
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 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 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

25 November 2016 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



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 ID: 25472000 ALASKA, STATE OF DNR ALASKA, STATE OF 550 WEST 7TH AVE, STE 1050A ANCHORAGE AK 99501 Parcel 1D: 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 1D: 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

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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 ID: 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 OLSON/WYMAN 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

P&Z Mailing February 15, 2017

ty and Borough of Sitka, 100 Lincoln St Sitka, AK 99835	AK
ite: iceipt: ashier: eceived From:	01/13/2017 2017-00033960 Front Counter JACK WOOD
LAN - Planning Permits/Zo ing T1 - Sales Tax 1st Quarte CY	100.00 5.00
eceipt Total	105.00
Total Check	105.00
Total Remitted	105.00
Total Received	105.00

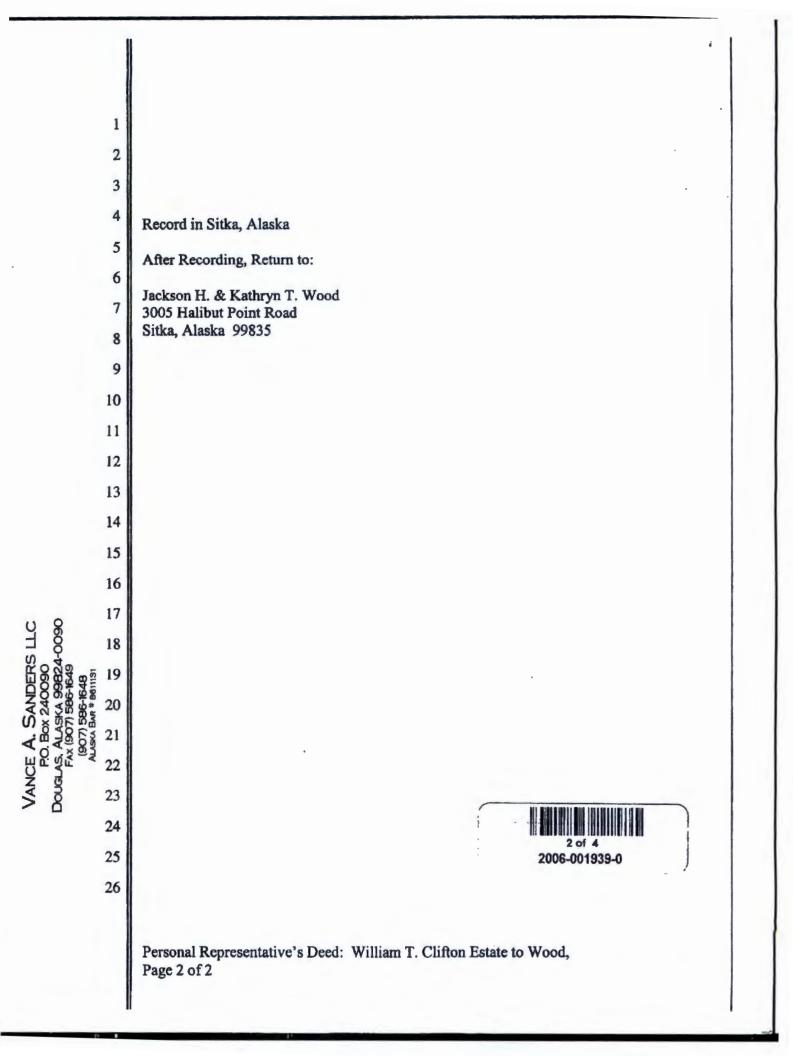
PAID JAN 13 2017 CITY & BOROUGH OF SITKA

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INVOICE		
CITY AND BOROUGH OF SITKA		
100 LINCOLN STREET, SITKA ALASKA 99835		
DATE: 1-13-17-		
To: Jack Wood		
ACCOUNT # 100-300-320-3201.002 PLANNING & ZONING		
Variance		
Boundary Line Adjustment		
Other Sales Tax		
TOTAL 105.00		
Thank you		

	1	A 2006-001939-0 L Recording Dist: 103 - Sitka s 10/20/2006 3:46 PM Pages: 1 of 4 K A		
	3	CC		
	4	PERSONAL REPRESENTATIVE'S DEED		
	5	The GRANTOR, Norman H. Wood, as court-appointed Personal Representative		
	7	of the Estate of William T. Clifton, of P.O. Box 2304, Sitka, Alaska 99835, for and in		
	8	consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable		
	9	consideration, in hand paid, conveys to GRANTEES, Jackson H. Wood and Kathryn T.		
	10	Wood, of 3005 Halibut Point Road, Sitka, Alaska 99835, husband and wife, as tenants		
	11	by the entirety, decedent William T. Clifton's entire interest in the following-described		
	12	real estate, situated in Sitka, Alaska, in the Sitka Recording District, First Judicial		
	13	District, State of Alaska:		
	14	All of Lot 1 of the Wood Subdivision of U.S. Survey 2751, as shown on the		
	15	approved plat thereof recorded on 31 August 1995 as Plat # 95-24, Sitka		
	16	Recording District, First Judicial District, State of Alaska.		
0 8	17	DATED this day of September, 2006, at Sitka, Alaska.		
S LI S LI	18			
UDERS 00090 99824- 6-1649 1648	19	Norman H. Wood		
SAI OX 24 ASKA OX 24 OX 24	20	SUBSCRIBED AND SWORN TO before me by Norman H. Wood, who is		
FO.B. (90) (90) (90)	21 22	known to me, this 29 day of September, 2006, at Sitka, Alaska.		
ANCE Pices	23			
> 8	24	Willing and the Killer		
	25	NOTARY Notary Public in and for Alaska PUBLIC My Commission Expires: 8/18/10		
	26	OF ALAST		
		Personal Representative's Deed: William T. Clifton Estate to Wood, Page 1 of 2		

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	IN THE SUPERIOR COURT FOR THE STATE OF AL Fired in the Trial Cours		
2	FIRST JUDICIAL DISTRICT AT SITKA		
3	SEP 0 6 2006		
4	IN THE MATTER OF THE ESTATE OF) Clerk of the Trial Courts WILLIAM T. CLIFTON,) By Deputy		
5	Deceased.) No. 1SI-06-3/ PR		
6			
7	LETTERS TESTAMENTARY AND ACCEPTANCE		
8	The Last Will and Testament of William T. Clifton having been admitted to informal		
9	probate, Norman H. Wood is hereby appointed Personal Representative of the Estate of		
10	William T. Clifton.		
12	DATED this 5 day of May, 2006, at Sitka, Alaska		
13			
14	Registrar		
15	I, Norman H. Wood, hereby accept the duties and responsibilities of the office of		
16	Personal Representative of the Estate of William T. Clifton, which I will perform as required		
U 0 17	by law.		
18 18 19 18 19 18 19	In this important capacity, I acknowledge my duty to:		
4NDEF ANDEF 240090 586-1648 586-1648 586-1648 586-1648 586-1648	(a) Take possession and control of the decedent's property as required by AS		
S S BOX 3 S S BOX 3 S S BOX 3 S S S S S S S S S S S S S S S S S S S	13.16.380; determine the liabilities of the estate, and complete an inventory as required by AS		
ANCE ANCE ANCE 22	13.16.365;		
23	(b) Provide notice to heirs and devisees as required by AS 13.16.360, except as		
24	provided by AS 13.36.690;		
25	(c) Provide notice to creditors as required by law, public notice when required,		
26 3 0 4 3 0 4 2000-9001933	and review and either accept or reject claims as required by AS 13.16.455 - 13.16.515;		
2006-	Letters Testamentary and Acceptance, Estate of William T. Clifton,		
	1SI-06- <u>3</u>] PR, Page 1		
18 · · ·			

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Advise the court in writing of changes in the personal representative's address (d) 1 or telephone number as required by Alaska R. Probate 8; 2 File returns for state estate taxes if required by AS 43.31.121 and AS 3 (c) 4 43.31.250; 5 Pay homestead, exempt property and family allowances as required by AS **(f)** 6 13.11.125 - 13.11.140, cost of administration and other claims as required by AS 13.16.470, 7 and distribute the assets of the estate; and 8 Close the estate as soon as appropriate as required by AS 13.16.620 - .670. (g) 9 I have not filed a bond because none is required. 10 11 norman 21 selort 12 Norman H. Wood 13 STATE OF ALASKA 14) ss.: 15 FIRST JUDICIAL DISTRICT) 16 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 17 voluntarily executed the foregoing acceptance; he duly acknowledged to me that he executed 0000 the same for the above-stated purposes, and after being duly sworn, did depose and state that 18 VANCE A. SANDERS the statements contained herein are true. 99824 Box 240090 19 AUDISSI BAR # 861113 586-1648 EUB 20 ALASKA (106) Notary Public in and for Alaska (200) 50 21 My Commission Expires: M i 22 - Date (Inde) Cler 23 WHI HIM MILLING CERTIFICATION I contily that this is a full, true and extract any 24 day of Sept 2006 et an original document on file in the Aleska 0 I certify that on Trial Courts at Sitka. NA a true copy of this de AND praced Signed and sealed this 25 attomey's box marees the following: anders 26 Cirta/Prosty Ciati Letters Testamentary and Acceptance, Estate of William T. Clifton, 1SI-06- ク PR, Page 2