



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 18-09
Proposal: Request for short-term rental at Eliason Harbor Stall T4-36
Applicant: Cameo Padilla/Brooks Areson
Owner: Cameo Padilla/Brooks Areson
Location: Eliason Harbor Stall T4-36
Legal: ATS 1496
Zone: P – Public Lands District
Size: vessel/stall
Parcel ID: 1-5409-000
Existing Use: Commercial/Marine
Adjacent Use: Commercial/Marine/Liveaboards
Utilities: Sewer pump out, vessel utilities, municipal electric and water
Access: Dock – Eliason & Thomsen Harbor Parking Lot

KEY POINTS AND CONCERNS:

- Conditional use permits runs with the location and the boat. Any change to either and the permit is void. In addition, the Danasea was operating as the second (non-CUP STR), should the Morning Glass CUP at T4-36 be approved and activated, as a condition of approval (and current harbor policy that limits each Harbor to 2 STR) the Danasea's STR will be voided. Further, to clarify, should the F/V Morning Glass be sold, the CUP will expire since the boat will have to be moved per harbor policy.
- Port and Harbors recommend approval subject to additional conditions of approval regarding honoring the limit of 2 rentals per harbor policy.

RECOMMENDATION:

Staff recommends that the Planning Commission find the proposal to be consistent with Sitka General Code Title 22 and the Comprehensive Plan and to approve the conditional use permit application for a short-term rental on a boat at Eliason Harbor T4-36.



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ATTACHMENTS

Attachment A: Applicant Materials

Attachment B: Staff Materials

Attachment C: Correspondence

BACKGROUND/PROJECT DESCRIPTION

The request is for a conditional use permit for a short-term rental on a boat at slip T4-36 in Eliason Harbor on the F/V Morning Glass. This is a commercial vessel that could accommodate up to 4 people for STR purposes. Applicant did not provide a floor plan or sketch, but did provide pictures that show the layout and a detailed written description (see attached). Owners have operated a STR in the Danasea. The Danasea and the Adak are the current 2 allowable STRs (both did not require a CUP as zone did not require a CUP).

Timeline:

September through December 2015 - Staff recommend to deny the zoning change due to concerns regarding public health and safety. December 2015, the Planning Commission denies the request 5-0.

February 2016 - Administration directs reconsideration. Staff present the proposal again. The Planning Commission supports the zoning text change 4-0.

May 2016 - The CBS Assembly voted to list boat short term rentals as a conditional use in the Public Zone.

October 12, 2016 - Port and Harbors Commission (P&H) requested that short-term rental on boats applications go through P&H for recommendation before Planning Commission considers approval. As a result, staff recommend that the Commission postpone this item until Port and Harbors has considered the proposal and made a recommendation.

December 2016 - Port and Harbors Commission and Planning Commission discussed a short-term rentals on boats plan at a joint work session.

February 8, 2017 - Port and Harbors Commission approved the short-term rentals on boats plan.

April 2018- Port and Harbors Commission recommended approval of the conditional use permit subject to making sure that only the Morning Glass or the Danasea have a total sum of 1 CUP, depending on the final plan. In addition, the sale of the Morning Glass would void the CUP due to

policy to move location. And that all Harbor Policy be followed including limits of STR in each Harbor (2 max).

22.16.020 Public Lands District

The P zoning district may allow short-term rentals in harbors 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

ANALYSIS

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 boat is a smaller vessel that will accommodate up to 4 people. The location is at the end of the dock and would require a long walk. Public parking could be taken up, impacting residents and commercial uses.

b. Amount of noise to be generated and its impacts on surrounding land use: Same amount of noise to slightly more as owner-occupied, but visitors/guests will be on vacation and it is common that hotel or other transient guests can be louder than long-term renters.

c. Odors to be generated by the use and their impacts: Waste in sewage tanks may create odor; however, all boats with holding tanks may create the same issue.

d. Hours of operation: Year-round.

e. Location along a major or collector street: Boat accessed at Eliason Harbor.

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: Renters may be unfamiliar with the harbor/boating environment. Potential impacts can be mitigated by the owners providing safety orientation, walk through, and careful selection of tenants.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Same ability as if the boat was owner-occupied.

i. Logic of the internal traffic layout: Not applicable.

¹ Table 22.16.015-1

² § 22.24.010.E

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: No buffers. Adjacent uses could be impacted.

l. Relationship of the proposed conditional use to the goals, policies, and objectives of the Comprehensive Plan: Conforms to Comprehensive Plan Section 2.6.2(K), which supports facilities to accommodate visitors that do not impact surrounding residential neighborhoods any more than typical residential uses. Proposal also complies with Section 2.8.1, which emphasizes the “encouragement of sightseeing and non-consumptive tourism” by providing a unique experience for visitors. In addition, by adding short-term rentals to boats, this will take some of the demand off the stick-built housing market.

m. Other criteria that surface through public comments or planning commission review: The Harbormaster has indicated that waste must be disposed of properly. Renters may be noisy, which could be bothersome to other harbor users. In addition, this harbor is a working harbor that may be noisy for the tenants.

The Planning Commission has previously discussed concern that short-term rentals may reduce the availability and affordability of long-term rentals.

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 approve the conditional use permit for a short term rental located on the F/V Morning Glass in Eliason Harbor T4-36, ATS 1496, in the P Public zone. The property is also known as a portion of ATS 1496. The application is filed by Brooks Areson and Cameo Padilla. The owner of record of the tidelands is the City and Borough of Sitka. The owner of record of the F/V Morning Glass is Brooks T. Areson.

Conditions of Approval:

1. Notification of renter on board vessel to Port and Harbor Department
2. Must pay live aboard harbor fees
3. \$100 Port and Harbors Annual short term rental fee

4. The facility shall be operated in compliance with harbor regulations concerning sewage disposal and all other matters.
5. The facility shall be operated consistent with the application and plans that were submitted with the request.
6. The facility shall be operated in accordance with the narrative that was submitted with the application.
7. The applicant shall submit an annual report every year to the Planning Commission and the Port and Harbors Commission, 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.~~ Revised reporting procedures have been initiated. Annual reports will be due February 15 of each year.
8. The Planning Commission and/or the Port and Harbors Commission, at their discretion and upon receipt of a meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
9. 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.
10. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
11. The property owner shall provide orientation information to all renters, which shall cover boat and water safety, ingress and egress, and proper waste disposal.
12. The boat must be approved by the CBS Harbor Department as a live aboard, and appropriate live aboard fees must be paid.
13. Shall comply with all applicable United States Coast Guard regulations regarding pleasure craft.
14. Permit to be reviewed by the Planning Commission after 6 months to address any impacts, concerns, and to allow Port and Harbors Commission the opportunity to review and comment on the permit.
15. Occupancy shall be limited to a maximum of 4 guests.
16. The Morning Glass CUP shall be valid only as long as the Danasea is not operated as a STR. Further, if the Morning Glass is sold, harbor policy dictates the vessel must be moved. The CUP runs with the vessel and the stall. IF either change, the CUP is not valid for another vessel or location.
17. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

2) I move to adopt the following findings that the proposal, as conditioned:

- a. Will not be detrimental to the public health, safety, and general welfare due to protecting against safety and environmental impacts.
- b. Will not adversely affect the surrounding area as it is a working harbor.
- c. Will not be any more injurious to surrounding uses as the current commercial and residential use that the vessel was prior to this proposal.
- d. That the proposal is line with the existing and draft comprehensive plans by providing lodging for transient populations. This increased supply of Boat STRs will help tourism and will also add STR supply to the overall market lessening the impacts of STR on stick built rentals.
- e. All the conditions are conditions that could be enforced and monitored with adequate staff and support to seek enforcement.
- f. As conditioned, the proposal will not introduce hazards or affect public infrastructure.

Attachment A

Applicant Materials



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT GENERAL APPLICATION FORM

1. Request projects at least **TWENTY-ONE (21)** days in advance of next meeting date.
2. Review guidelines and procedural information.
3. Fill form out completely. No request will be considered without a completed form.
4. Submit all supporting documents and proof of payment.

APPLICATION FOR:☐ VARIANCE☒ CONDITIONAL USE☐ ZONING AMENDMENT☐ PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: Transfer Condistional Use permit for Cameo Padilla and Brooks Areson
from the F/V Danasea to the F/V Morning Glass

PROPERTY INFORMATION:

CURRENT ZONING: Public Zone PROPOSED ZONING (if applicable): _____

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

APPLICANT INFORMATION:

PROPERTY OWNER: Brooks Areson and Cameo Padilla

PROPERTY OWNER ADDRESS: T3-08 Eliason Harbor, Sitka, AK 99835

STREET ADDRESS OF PROPERTY: T4-36 Eliason Harbor, Sitka, AK 99835

APPLICANT'S NAME: Cameo Padilla

MAILING ADDRESS: PO Box 1356, Sitka, AK 99835

EMAIL ADDRESS: cameodawn@gmail.com DAYTIME PHONE: 907-738-4736

PROPERTY LEGAL DESCRIPTION:

TAX ID: _____ LOT: _____ BLOCK: _____ TRACT: _____

SUBDIVISION: _____ US SURVEY: _____

OFFICE USE ONLY

COMPLETED APPLICATION		SITE PLAN	
NARRATIVE		CURRENT PLAT	
FEE		PARKING PLAN	

RECEIVED MAR 16 2018

REQUIRED SUPPLEMENTAL INFORMATION:

For All Applications:

- ☒ Completed application form
- ☒ Narrative
- ☐ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Deed - *Certificate of Documentation*
- ☐ Copy of current plat
- ☐ Proof of filing fee payment

For Conditional Use Permit:

- ☐ Parking Plan
- ☐ Interior Layout

For Plat/Subdivision:

- ☐ Three (3) copies of concept plat
- ☐ Topographic Information
- ☐ Proof of Flagging
- ☐ Plat Certificate from a title company

If Pertinent to Application:

- ☐ Drainage and Utility Plan
- ☐ Landscape 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 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

3/15/18

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)

3.16.18

Date

RECEIVED MAR 16 2018

Morning Glass Short-Term Rental Plan

Morning Glass O/N 684206

Owners: Brooks Areson and Cameo Padilla

PO Box 1356, Sitka AK 99835

907-738-4736, cameodawn@gmail.com

Eliason Harbor: T4-36

Property Description:

The vessel is arranged as follows: foremost below decks is a small forecabin with a short, raised single berth to Port and two tiered single berths to Starboard, stowage beneath the lower; overhead is a skylight hatch. Aft to Port is a former enclosed head with a sink in cabinetry outboard, currently in use as a wet locker. Up four steps is the deckhouse, with the helm to Starboard, aft a helm seat, a locker beneath, aft a galley counter, accommodating a single basin sink, the cook stove, and aft a cabinet with UHMW plastic top and an under-counter refrigerator, with integral stowage in drawers and lockers. To Port is a raised dinette that converts to a double berth, with stowage in seat lockers, aft is a small locker, inboard are two cabin heaters. Access to the engine compartment is by way of flush hatches in the cabin sole.

Aft, through a hinged watertight aluminum door in an aluminum scuttle is the main deck, with a large raised trunk cabin at center. Below is an aft stateroom, an enclosed head with small sink, toilet and shower forward to Port. Aft is a double berth with stowage beneath, aft are shelves and lockers. To Starboard is the entry ladder, outboard a cabin heater, aft a settee that makes into two tiered berths, stowage beneath, aft are shelves and lockers and a small table with hanging locker.

Aft of this cabin is a small stern deck with a watertight hatch for access to the lazarette, the steering apparatus and tank void. Furthest aft is the stern. Atop the deckhouse is a flybridge with full controls, protected by an FRP canopy attached to the A-frame rigging, aft a fiberglass seat and propane locker, aft an enclosed portable generator. Access is by way of a ladder from the main deck.

Basic Operations:

Date to Begin Operations: May 1, 2018

- Advertise Vessel on Airbnb, entire boat, no more than one group per stay, 4 person max, 2 day minimum stay
 - o Vessel will remain at dock and lodgers will not have ability to start engine
 - o Hatches to engine compartment will be locked
 - o Door to the V-berth area will be locked
 - o All pumps, except emergency bilge pumps, will be disengaged while vessel is at dock
- Maintenance, cleaning, upkeep provided by owners

- Business License under jointly held LLC by owners
- Owners intend to continue to utilize the vessel for personal recreational use on a weekly basis
- Parking will be in the public lot at the top of the dock, but we anticipate most of our clientele will not require a vehicle given the proximity to downtown

Short-Term Rental Requirements:

Vessel Inspection: April 2018

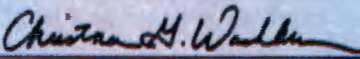
- Vessel Safety Items to update:
 - o Smoke, Carbon Monoxide Detectors
 - o Test fire extinguishers

Business License with State: April 2018

Business License with City: April 2018

- Quarterly Sales Tax
- Bed Tax

**UNITED STATES OF AMERICA****DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD****NATIONAL VESSEL DOCUMENTATION CENTER*****CERTIFICATE OF DOCUMENTATION***

VESSEL NAME MORNING GLASS		OFFICIAL NUMBER 684206	IMO OR OTHER NUMBER SVA36003A585	YEAR COMPLETED 1985	
HAILING PORT LONG NOOK BEACH AK		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 19 GRT	NET TONNAGE 15 NRT	LENGTH 36.0	BREADTH 13.0	DEPTH 6.0	
PLACE BUILT AUBURN WA					
OWNERS BROOKS T ARESON		OPERATIONAL ENDORSEMENTS FISHERY REGISTRY COASTWISE			
MANAGING OWNER BROOKS T ARESON 4-36 ELIASON HARBOR PO BOX 1356 SITKA AK 99835					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS NONE					
ISSUE DATE MARCH 02, 2017		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES MARCH 31, 2018					

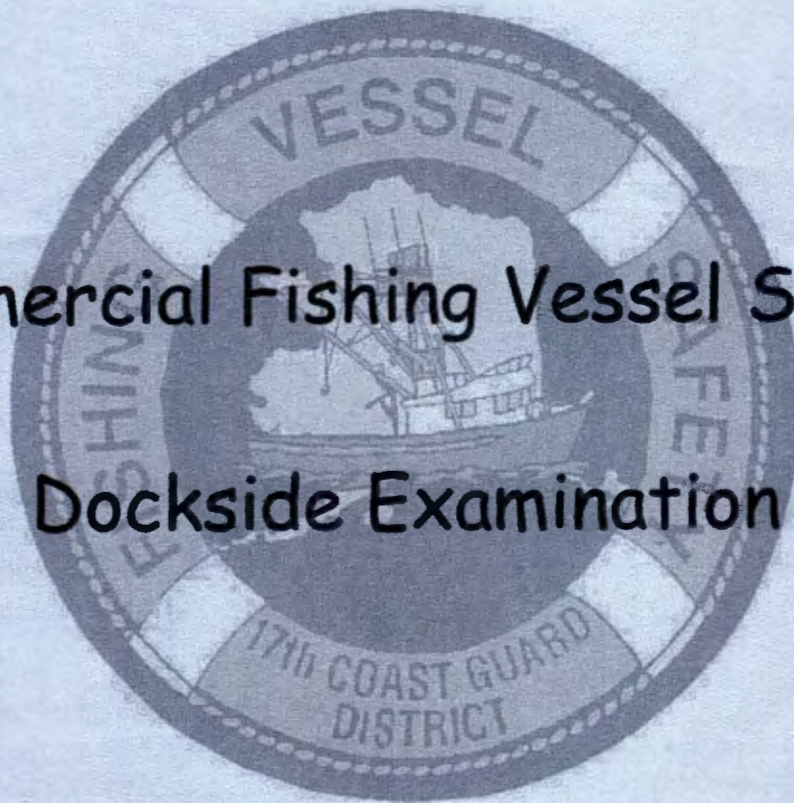


RECEIVED MAR 16 2018

U.S. Coast Guard 17th Coast Guard District

Commercial Fishing Vessel Safety

Dockside Examination



DECAL # 219783

DEC 10, 2014

Safety through prevention and partnership

Updated June 2012

**SEVENTEENTH COAST GUARD DISTRICT COMMERCIAL
FISHING VESSEL SAFETY DOCKSIDE EXAMINATION**

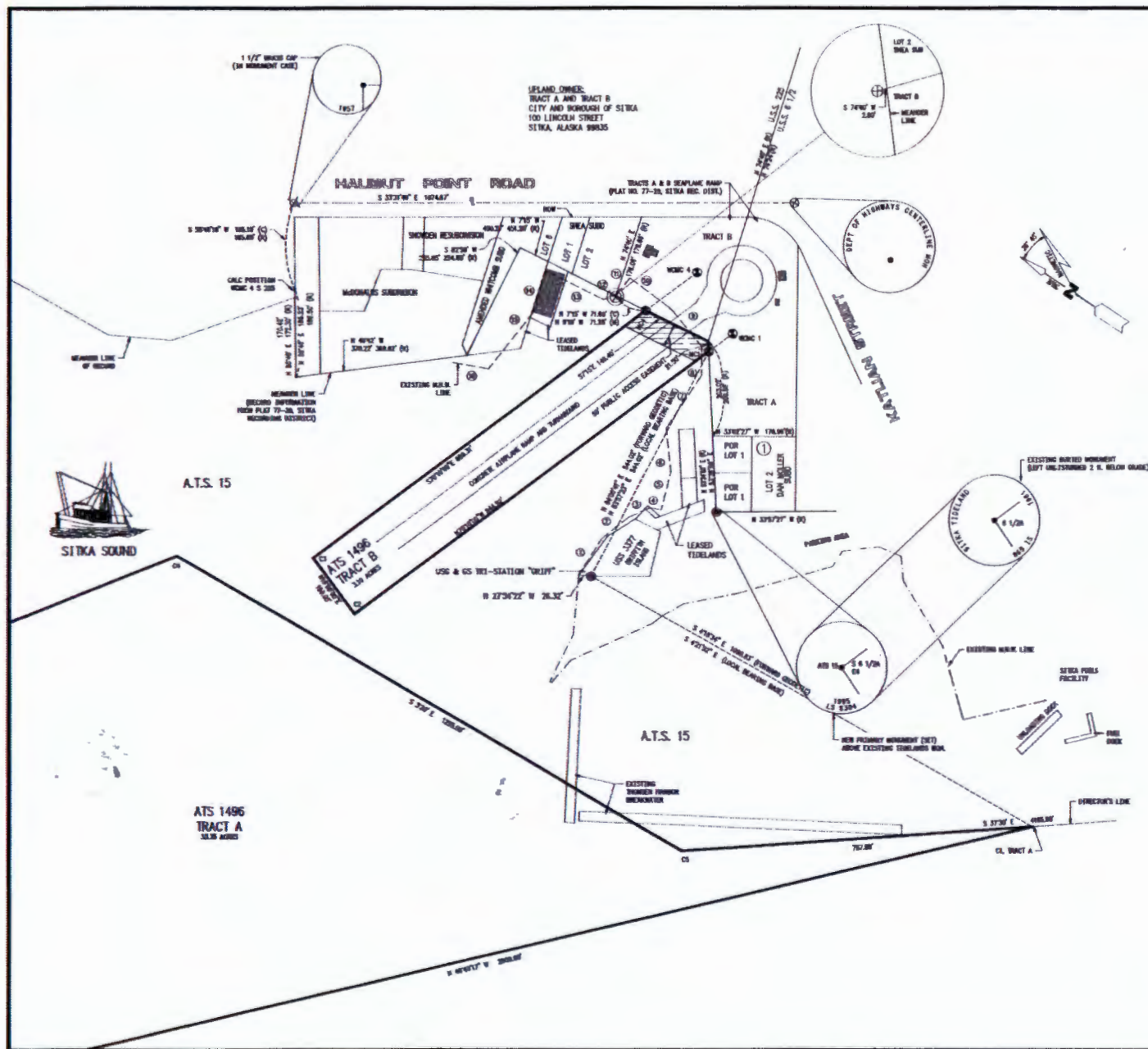
VESEL NAME <u>MORNING GLASS</u>		NUMBER <u>684206</u>	
Call Sign: <u>WDN 7313</u>	ADF&G Number: <u>77528</u>	Date: <u>DEC 9, 2014</u>	
Hull Color: <u>WHT</u>	Trim Color: <u>WHT</u>	Superstructure Color: <u>WHT</u>	
Length: <u>36.0</u>	Gross Tons: <u>19</u>	Year Built: <u>1985</u>	Year Converted: <u> </u>
Vessel Type: <input checked="" type="checkbox"/> FV <input type="checkbox"/> FTV <input type="checkbox"/> FPV	Fishing Equipment: (Check all that apply) <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Long Line <input type="checkbox"/> Pot <input type="checkbox"/> Trap <input type="checkbox"/> Seine </div> <div> <input checked="" type="checkbox"/> Troll <input type="checkbox"/> Trawl <input type="checkbox"/> Gill Net <input type="checkbox"/> Other: <u> </u> </div> </div>		Hull Material: (circle) Aluminum Concrete Steel Wood <u>FRP</u>
			Number of POB: <u>2</u>
Propulsion: <input checked="" type="checkbox"/> Inboard <input type="checkbox"/> Outboard <input type="checkbox"/> Inboard/Outboard <input type="checkbox"/> Sail Horsepower: <u>250</u>	Fuel: <input type="checkbox"/> Gasoline <input checked="" type="checkbox"/> Diesel Other: <u> </u> Lube Oil Capacity: <u>12</u> Hyd. Oil Capacity: <u>3</u>	# of Fuel Tanks: <u>2</u> Capacity: <u>600</u> Tank Material: <u>ALUM</u> Location: <u>SPLIT AFT</u>	Fuel Tank Type <input type="checkbox"/> Portable <input checked="" type="checkbox"/> Fixed (Vented)
DECAL INFORMATION: Is this an Initial Issue? <u>Y</u> / <u>N</u> Is this a Renewal? <u>Y</u> / <u>N</u> Previous Decal # <u> </u>			
ROUTE (Choose one) <input type="checkbox"/> Waters inside Coastal Waters (opening to the sea less than 2 nm) <input checked="" type="checkbox"/> Coastal Waters and beyond	Boundary Line: (Choose one) Inside Boundary: <u> </u> OR <u> </u> Outside the Boundary: <input type="checkbox"/> within 3 nm <input type="checkbox"/> within 3 nm <input type="checkbox"/> within 12 nm <input checked="" type="checkbox"/> within 12 nm <input type="checkbox"/> within 20 nm <input type="checkbox"/> within 20 nm <input type="checkbox"/> within 50 nm <input type="checkbox"/> within 50 nm <input type="checkbox"/> within 100 nm <input type="checkbox"/> within 100 nm <input type="checkbox"/> beyond 100 nm <input type="checkbox"/> beyond 100 nm Fishery Type: <u> </u>		Does vessel operate beyond 3nm from the territorial sea baseline of the U.S.? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Owner Name: <u>BROOKS T ARNOLD</u> Address: <u>PO BOX 1356</u> <u>SITKA, AK 99835</u> Phone: <u>(907) 738-4738</u> Vessel Cell: () <u>SAME</u>		Contact Person: <u>SASAN PADILLA</u> Address: <u> </u> Phone: <u>(907) 747-6576</u>	
Drill Conductor Card# <u>110017</u>	Issued By: <u>AMSEA</u>	Date: <u>10-6-14</u>	
A voluntary dockside examination has been completed on this vessel. However a Commercial Fishing Vessel Safety Decal cannot be issued due to the following deficiencies (note deficiencies by item number, with an explanation, and identify any particularly hazardous condition): <u>1. INSTALL VISIBCE BIGGE ALARM INDICATOR</u> <u>2. PROVIDE SOUND PRODUCING DEVICE</u> <u>3. PROVIDE NEW HRA FOR EPIRB.</u>			
CORRECT HAILING PORT AT NEXT DOCUMENT RENEWAL When these deficiencies are corrected, please call the number below to schedule a re-examination.			
Examiner Name: <u>STEVE RAMP</u>		Phone: <u>(907) 966-5620</u>	
Examiner's Unit: <u>CG MSD SITKA</u>		Location of Exam: <u>ELIASON SLIP 6-20</u>	
CONGRATULATIONS! Your vessel has been examined and is in compliance with all applicable safety regulations. Commercial Fishing Vessel Safety Decal Number <u>219783</u> has been issued. The decal is valid for 2 years provided the vessel safety equipment remains serviceable and the operating conditions described above are not exceeded. Remove the decal if the vessel is sold. Please keep this form on board your vessel and show it to the Coast Guard if the vessel is boarded.			
Issuing Examiner Signature: <u>Steve R. Ramp</u>		Date of Issue: <u>DEC 10, 2014</u>	
Vessel Representative Signature: <u> </u>			

10 DEC 14: FOLLOW UP EXAM. ALL DEFICIENCIES CORRECTED

VESSEL NAME		NUMBER
REQUIREMENTS FOR ALL VESSELS		
1	Registration/ Certificate of Documentation - Expiration Date: <u>3-31-15</u>	(Y) (N) (N/A)
2	Document Endorsements: <u>FISH/REGISTRY/COASTW</u> Hull Markings (Y)(N)	(Y) (N) (N/A)
3	Tonnage Certificate for undocumented vessel under 5 Net Tons (see job aid)	(Y) (N) (N/A)
4	FCC Ship Station License Expiration Date <u>11-1-2014</u>	(Y) (N) (N/A)
5	Injury Placard All vessels	(Y) (N) (N/A)
6	Oil Pollution Placard Vessels ≥26'	(Y) (N) (N/A)
7	MARPOL (Garbage) Placard Vessels ≥26'	(Y) (N) (N/A)
8	Waste Management Plan Ocean going vessels ≥40'	(Y) (N) (N/A)
9	Load Line Certificate Fish Tenders or Fish Processors (See Job Aid)	(Y) (N) (N/A)
10	Licensing / Manning Masters, Mates & Chief Eng. on ≥200GT Citizenship—75% US / 25% Foreign	(Y) (N) (N/A) (Y) (N) (N/A)
11	Automated Identification System: Commercial Vessels over 65 feet must have AIS when operating in the vicinity of a VTS. Fishing vessels are currently exempt EXCEPT fishing vessels that have ever operated or continue to operate (full or part-time) as a fish tender.	(Y) (N) (N/A)
12	Navigation Lights / Sound Producing Device / Day shapes <input checked="" type="checkbox"/> Side Lights 112.5° deg, W / Black Screens <input checked="" type="checkbox"/> All Around Mast Light - 360° for vessels ≥50 meters <input type="checkbox"/> Stern Light - 135° <u>N/A</u> <input type="checkbox"/> Red over White (Green over White - Trawling) - 360° <u>N/A</u> <input type="checkbox"/> Day shape <u>N/A</u> <input type="checkbox"/> Sound Producing Devices: Vessels <12m (39.4') Whistle or Air Horn, No Bell required Vessels 12m - 20m (39.4' - 65.6') Audible 1/2 Mile, Whistle & 7.9" Bell Vessels 20m - 100m (65.6' - 328.1') Audible 1 mile, Whistle & 11.8" Bell	(Y) (N) (N/A)
13	Alcohol Test Kit (If more than 2 hours from port) Expiration Date <u>6-15</u>	(Y) (N) (N/A)
14	Visual Distress Signals - (Indicate # of each type; red handheld, orange smoke, parachute) <u>3 + 6 + 3</u>	(Y) (N) (N/A)
15	Immersion Suits / PFDs (Circle type on board) <input checked="" type="checkbox"/> Markings (Name and Retro-Tape) PML (Battery Exp.) <u>9-15</u> # on board <u>2</u> <input checked="" type="checkbox"/> Properly Maintained	(Y) (N) (N/A)
16	Ring Life Buoys / Cushions / Life Sling (must have mechanical means to retrieve MOB) <input checked="" type="checkbox"/> Retro-Tape <input checked="" type="checkbox"/> Markings <input checked="" type="checkbox"/> Line # on Board: <u>1</u>	(Y) (N) (N/A)
17	Survival Craft/ Stowage / Equipment <u>INFLATABLE SKIFF</u> <input type="checkbox"/> Float Free Capacity: _____ Hydro Release exp: _____ <input type="checkbox"/> Proper Storage Pack Type: SOLAS A or SOLAS B or Coastal <input type="checkbox"/> Hydro Release Next service Date _____ Waiver Letter date <u>11-25-14</u>	(Y) (N) (N/A)
18	Emergency Position Indicating Radio Beacon (EPIRB) All vessels on high seas (beyond 3NM) <input checked="" type="checkbox"/> NOAA Registration Decal Expires <u>3-25-16</u> <36° Cat. 1 or Cat. 2 406 MHz <input checked="" type="checkbox"/> Vessel Name (Matches Vessel) ≥36° Cat. 1 406 MHz Master/Crew demonstrates Testing EPIRB Hexadecimal code: <u>20CC662BFCEFFBFF</u>	(Y) (N) (N/A) Make: <u>McMurdo</u> Type: <u>CAT 1</u> Battery Exp: <u>3-20</u> Hydro Exp: _____
19	Portable Fire Extinguishing Equipment No fixed system With fixed system (note 1) Total # on board <u>2 B1's</u> <26' - 1 Type B-I <26' - None 26' <40' - 2 Type B-I 26' <40' - 1 Type B-I 40' <65' - 3 Type B-I 40' <65' - 2 Type B-I See 46 CFR 28.155 for vessels 65' or greater Note 1: Fixed CO2 system per NFPA or properly sized/serviced Halon pre-engineered	(Y) (N) (N/A)
20	Escape Routes Unobstructed	(Y) (N) (N/A)
21	Flame Arrestor / Ventilation - Gas powered only	(Y) (N) (N/A)
22	Marine Sanitation Device (circle one) Type 1 Type 2 Type 3	(Y) (N) (N/A)
EXAMINER COMMENTS:		

VESSEL NAME		NUMBER
ADDITIONAL REQUIREMENTS FOR DOCUMENTED VESSELS OPERATING BEYOND THE BOUNDARY LINE OR WITH MORE THAN 16 PERSONS ON BOARD		
23	First Aid Equipment & Training 3-16 POB = 1* 17-49 POB = 2* ≥50 POB = 4* <input type="checkbox"/> First Aid Training* <input type="checkbox"/> CPR Certification* <input checked="" type="checkbox"/> First Aid Kit/Medicine Chest <input checked="" type="checkbox"/> First Aid Manual	(Y) (N) (N/A)
24	Navigation Information <input checked="" type="checkbox"/> Charts for Safe Navigation <input checked="" type="checkbox"/> CG Light List <input checked="" type="checkbox"/> Tide Tables <input checked="" type="checkbox"/> U.S. Coast Pilot <input checked="" type="checkbox"/> Tidal Current Tables	(Y) (N) (N/A)
25	Crew Contracts Vessels ≥20 GT info only, not required to be maintained on board	(Y) (N) (N/A)
26	Magnetic Compass with Deviation Table	(Y) (N) (N/A)
27	Communication Equipment <input checked="" type="checkbox"/> All vessels: (VHF) 156-162 MHz Identify # and type <input checked="" type="checkbox"/> 20-100 Miles: 2 - 4 MHz VHF <u>2</u> <input type="checkbox"/> >100 Miles: 2 - 27.5MHz SSB <u>2</u> HF _____ AIS _____ <input checked="" type="checkbox"/> 3-Hour Emergency Source of Electrical Power <u>200</u> Cell-Phone <u>0</u>	(Y) (N) (N/A)
28	Electronic Position Fixing Devices Vessels ≥79' GPS or SATNAV or OTHER	(Y) (N) (N/A)
29	General Alarm System <input type="checkbox"/> Tested <input type="checkbox"/> 1/2 Inch Red Lettering <input type="checkbox"/> Flashing red light in engine room	(Y) (N) (N/A)
30	High Water Alarms - Vessels >36' <input checked="" type="checkbox"/> Tested in all floodable spaces <input checked="" type="checkbox"/> Audible Alarm <input checked="" type="checkbox"/> Visual Alarm(s) <u>NO</u>	(Y) (N) (N/A)
31	Emergency Instructions - Must be posted on vessels with ≥4 POB	(Y) (N) (N/A)
32	Instructions, Drills & Safety Orientation: (Note: Not required to be logged, but examiner must be satisfied that drills are performed as required) <input checked="" type="checkbox"/> Drills last conducted within 30 days of decal issuance - Date: _____ <input checked="" type="checkbox"/> Safety Orientation Performed	(Y) (N) (N/A)
33	Drug Testing Program - Vessels >200 GT	(Y) (N) (N/A)
34	<input checked="" type="checkbox"/> Radar Reflector - Non-Metallic Hulls: Signal 6 NM <input checked="" type="checkbox"/> Anchor - Suitable size Anchor with Line and Chain	(Y) (N) (N/A)
35	Fireman's Outfits if >49 POB (SCBA, lifeline, flashlight, ridged helmet, boots, gloves, protective clothing, ax)	(Y) (N) (N/A)
36	SCBAs - Vessels with ammonia refrigerant - # on board _____ # spare bottles _____ MSHA / NIOSH	(Y) (N) (N/A)
37	Guards for Exposed Hazards - Rotating machinery & equipment, exhaust lagging	(Y) (N) (N/A)
38	Bilge Pumps / Dewatering System <input checked="" type="checkbox"/> Tested pumps and supply pump interlock # of pumps <u>6</u>	(Y) (N) (N/A)
MISCELLANEOUS		
39	GMDSS Requirements Vessels ≥300 GT (Some exemptions - See NVIC) <input type="checkbox"/> Radio Operators License <input type="checkbox"/> NAVTEX receiver <input type="checkbox"/> DSC equipped VHF, MF & HF radios <input type="checkbox"/> 406 MHz EPIRB in addition to requirement of 46 CFR 28.150 <input type="checkbox"/> SART <input type="checkbox"/> GPS Interfaced with radios	(Y) (N) (N/A)
40	Safe Boarding Ladder Vessels with >4' freeboard when fishing in Federal waters	(Y) (N) (N/A)
41	Constructed or Had a Major Conversion after 15 SEP 91 & Carry More Than 16 POB (If YES, use prior edition of exam form supplement 2)	(Y) (N) (N/A)
42	Vessel Has Capacity to Carry ≥ 10,500 Gallons (250 BBL) of Oil or Hazardous Materials (If YES, use supplement 2)	(Y) (N) (N/A)
43	Fish Processor <input type="checkbox"/> Must have a Certificate of Compliance issued by class society or CG approved 3rd party <input type="checkbox"/> If built or undergoes major conversion after 27 July 1990 must be classed	(Y) (N) (N/A)
44	STCW Requirements - Fish processors >200 GT	(Y) (N) (N/A)
EXAMINER COMMENTS:		





MONUMENT ACCESSORY TABLE

CORNER	DESCRIPTION
MON 1	MON 1-1/2" CAP ON 5/8" BAR BEARS SURVEY 20.88 FEET
MON 2	MON 2-1/2" CAP ON 5/8" BAR BEARS SURVEY 20.88 FEET
MON 3	MON 3-1/2" CAP ON 5/8" BAR BEARS SURVEY 13.30 FEET
MON 4	MON 4-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 5	MON 5-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 6	MON 6-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 7	MON 7-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET
MON 8	MON 8-1/2" CAP ON 5/8" BAR BEARS SURVEY 16.84 FEET

FLAG	BEARING	DISTANCE
1	N 89°57'30" E	85.35
2	S 71°50'30" E	72.84
3	S 89°01'15" E	48.82
4	S 12°50'45" E	24.87
5	N 70°50'30" E	84.57
6	N 89°01'15" E	83.48
7	N 89°01'15" E	136.17
8	N 89°01'15" E	80.72
9	N 17°50'30" E	97.28
10	N 28°50'30" E	105.81
11	N 89°01'15" W	45.35
12	N 89°01'15" W	30.31
13	N 71°50'30" W	136.37
14	S 72°50'30" W	84.84
15	N 84°47'30" W	151.91
16	N 23°14'30" W	74.47



BAR SCALE
1 METR = 3.28083 U.S. SURVEY FEET
1 U.S. ACRE = 6.4647 HECTARE

DATE OF SURVEY: 7-8-85
BY: S. H. H. & ASSOCIATES
SITKA, ALASKA 99505

NAME OF SURVEYOR: S. H. H. & ASSOCIATES
SITKA, ALASKA 99505

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF LAND
ANCHORAGE, ALASKA

ALASKA TIDELAND SURVEY NO. 1496
NORTH PROTRACTED SECTION 26,
T. 59 N., R. 13 E., CH. 14, ALASKA
SITKA RECORDING DISTRICT

DRAWN BY: S. H. H.
DATE PREPARED: 7-8-85
SCALE: 1"=100'

APPROVED: S. H. H.
SITKA RECORDING OFFICER
FILE NO.: A.T.S. 1496

95-78
S.H.H.
7-8-85
3:10 P.M.
A.H.H.

Attachment B

Staff Materials



City and Borough of Sitka

100 Lincoln Street • Sitka, Alaska 99835

Coast Guard City, USA

Short-term Rentals on Boats

Joint planning by the Port & Harbor Commission and the Planning Commission

The purpose of this plan is to create a framework of approval for short term rentals in boats. In 2015, an interested citizen approached the Planning Department with a zoning text change application to allow short term rentals in the P public zone and more specifically in the municipal harbors. After discussion, the Planning Commission recommended approval to the Assembly and the Assembly approved the ordinance.

Since taking effect, there have been two applications for short term rental on a boat. Both have been in Crescent Harbor however the type and size of the vessels have varied.

Upon adjudicating, it became clear that more definition on the process of approval, collaboration on permitting with the United States Coast Guard, notification procedures, etc. was needed.

This plan is a result of a joint worksession between the Port and Harbor Commission and the Planning Commission.

The goal of the plan is to clearly state the review process so applicants can be aware prior to submitting.

Attachments:

Zoning Text Change Application

Planning Commission Minutes

Assembly Ordinance and Minutes

Review Process

1. Consultation with Planning Department on application requirements.
2. Consultation with USCG and inspection. Dockside Courtesy Exam would be completed to address fire, bilge, smoke and carbon monoxide, and sewer.
Vessel then falls into one of the three USCG classifications; 1) Bare Boat Charters, 2) Uninspected Passenger Vessel with Captain on Board at all times or 3) COI- Certificate of Inspection.
3. Completed application is submitted to the Planning Department. Fee is collected.
4. Short term rental on boats plan is consulted to ensure application meets all requirements.
5. Application is forward to Port and Harbor Department for review.
6. Port and Harbor Department scheduled review by the Port and Harbor Commission at their next regularly scheduled meeting.
7. If approved by Port and Harbor Commission, application will be scheduled for review by the Planning Commission at their next regularly scheduled meeting.
8. If approved applicant must fill out paperwork for business license and bed tax.
9. Short term rental Annual Report will be required and submitted to the Planning Department annual.
10. Any meritorious complaints will be addressed at a regularly scheduled Port and Harbor Commission meeting. Should the Commission feel the applicant is not in compliance with Port and Harbor Regulations and/or conditions associated with the permit approval, the Commission has the authority to revoke the short term rental on boats permit.

Notification Process

The public notification process will be increased from current SGC standards due to the harbor environment.

Notification for both the Port and Harbor Commission and Planning Commission meetings for approval will include:

- 1.) Newspaper agenda notification
- 2.) E-gov email notification to subscribers of Port and Harbor Department or Planning Department
- 3.) Harbor bulletin board notification
- 4.) Notification posted on vessel
- 5.) Mail notification to all float renters

Conditions of Approval

1. Notification of renter on board vessel to Port and Harbor Department
2. Must pay live aboard harbor fees
3. \$100 Port and Harbors Annual short term rental fee
4. The facility shall be operated in compliance with harbor regulations concerning sewage disposal and all other matters.
5. The facility shall be operated consistent with the application and plans that were submitted with the request.
6. The facility shall be operated in accordance with the narrative that was submitted with the application.
7. The applicant shall submit an annual report every year to the Planning Commission and the **Port and Harbors Commission**, 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.
8. The Planning Commission and/or the **Port and Harbors Commission**, at their discretion and upon receipt of a meritorious complaint, may schedule a public hearing at any time for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.
9. 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.
10. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.
11. The property owner shall provide orientation information to all renters, which shall cover boat and water safety, ingress and egress, and proper waste disposal.
12. The boat must be approved by the CBS Harbor Department as a live aboard, and appropriate live aboard fees must be paid.
13. ~~The boat shall meet all Fire Marshal requirements, including but not limited to smoke alarms, carbon monoxide alarms, fire extinguishers, ventilation, emergency lighting, and emergency escape openings.~~ ***"Pursuant to SGC, Section 22.24.010(C)(2)(C), "Upon filing for sales tax and bed tax accounts, an owner shall obtain a life and safety inspection by the building department and shall comply with the requirements proposed by the department."***
14. Shall comply with all applicable United States Coast Guard regulations regarding pleasure craft.
15. ~~Shall receive review and recommendations to Planning Commission from the Port and Harbors Commission.)~~ ***"Permit to be reviewed by the Planning Commission after 6 months to address any impacts, concerns, and to allow Port and Harbors Commission the opportunity to review and comment on the permit."***
16. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

Number of Short Term Rentals on Boats

Harbormaster Stan Eliason is recommending that there be a limit of 2 short term rentals on boats per harbor resulting in a total of no more than 10 short term rentals on boats.

This number may change based on a recommendation from the Port and Harbor Commission.

Should the need arise, a waitlist will be developed and kept at the Port and Harbor Office.



City & Borough of Sitka, Alaska

Selected Parcel: 617 Katlian Ave ID: 15408000

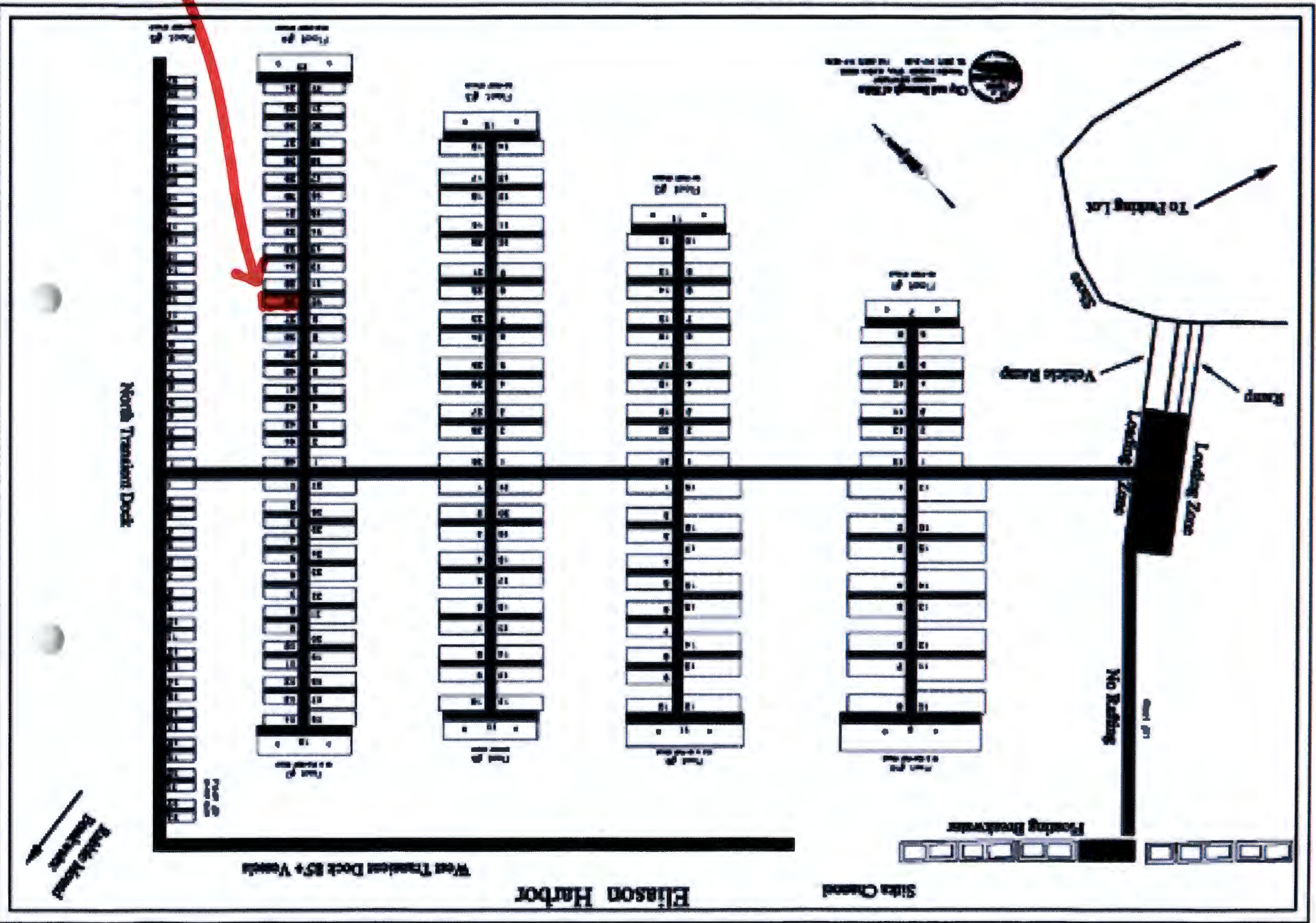
Printed 3/21/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

200 m
1000 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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.



Sitka Port and Harbors Commission Agenda

April 11th, 2018

6:15 PM

Harrigan Centennial Hall

Commission Members:

Josh Arnold, Ken Creamer, Melissa Greenhalgh,
Dave Gordon, Brendan Jones, Michael Nurco, Shauna Thornton,
Assembly Liaison: Aaron Bean

I. CALL TO ORDER

II. ROLL CALL

III. CORRESPONDENCE

IV. AGENDA CHANGES

V. PERSONS TO BE HEARD

Public participation on any item off the agenda – time limit not to exceed 3 minutes for any individual.

VI. APPROVAL OF MINUTES

Approval of the February 28th 2018 meeting minutes

VII. REPORTS

- 1) Harbormaster
- 2) City Staff
- 3) Chair
- 4) Assembly Liaison
- 5) Other(s)

VIII. UNFINISHED BUSINESS

- 1) Dock Carts-update
- 2) Long Liner Lodge tidelands permit 485 Katlian St.
- 3)

IX. NEW BUSINESS

- 1) Sea Plane Base update
- 2) Short term rental, Eliason Harbor, float 4, stall 36
- 3) Baranof Warm Springs update

W/ Conrad. That
2 per harbor only
- Flv M/G same spot for car
- either down or M/G

X. SET NEXT MEETING DATE AND AGENDA ITEMS

- 1) Agenda items for the next regular meeting of Wednesday, May 9th, 2018

XI. ADJOURNMENT

New World Systems
4/11/18

W -Change Legal Description-----LB0185S1-

LB0100S1

Jurisdiction: S Sitka, AK
Reset:
Type option, press Enter.
2=Change 4=Delete 5=Displ
10=Legal 14=Buildings 15=0

Opt	Address
724	SIGINAKA WAY
724	SIGINAKA WAY
725	SIGINAKA WAY
725	SIGINAKA WAY
725	SIGINAKA WAY
725	SIGINAKA WAY
726	SIGINAKA WAY
726	SIGINAKA WAY
726	SIGINAKA WAY
10	730 SIGINAKA WAY
	SILVER BAY

F3=Exit F4=Prompt F6=Add

Jurisdiction : S Sitka, AK
Property # : 1-5409-000-000-0000
Primary Owner: CITY & BOROUGH OF SITKA

Legal Description:
ATS 1496 (ELIASON HARBOR)
PLAT 95-28

Bottom

-F3=Exit F6=Insert Line F22=More Keys-----

Attachment C

Correspondence

Samantha Pierson

From: RCNelson <sea2sea@gci.net>
Sent: Thursday, April 19, 2018 9:20 AM
To: Planning Department
Subject: Comments to Notice of Public Hearing CUP 18-09

Hello

These are our written comments regarding a notice of public hearing concerning an application for a short term rental on a boat in Eliason Harbor at T4-36 made by Cameo Padilla and Brooks Areson.

My wife and I moor our boat on T4-39, so are just a few slips away. We do not support short term rentals in this area for the following reasons:

1. Security at the far end of the dock is almost non-existent and we do not want additional foot traffic that is unmonitored.
2. Our harbor personnel are already stretched, so how will they be able to ensure harbor policy is enforced regarding short term rentals?
3. Holding tanks will be required for black and grey water. Who will ensure this requirement is met?
4. In closing, we do not believe the harbor staff is adequate to manage short term boat rentals. These rentals should not be sprinkled through out the harbors in Sitka, but should be concentrated in one harbor area for purposes of efficiency of management, and to ensure the occupants (who are likely non-mariners and unaware of the workings of a public dock) are safe and do not add liabilities to the City of Sitka and thus our taxpayers.

Richard and Cheryl Nelson
907 414 0556