



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 18-13
Proposal: Request for short-term rental at Lot 19 Kasiana Island
Applicant: Jack Fredrickson
Owner: Jack Fredrickson
Location: Lot 19 Kasiana Island Subdivision
Legal: Lot 19 Kasiana Island Subdivision
Zone: LI Large Island
Size: 1.47 acres
Parcel ID: 49160019
Existing Use: Recreational Cabin
Adjacent Use: Residential/Recreational/Undeveloped
Utilities: None Reported
Access: From water

KEY POINTS AND CONCERNS:

- Off-grid cabin to host 6 guests
- Primarily operational in the summer
- Owner will still use property for personal recreational use
- No existing water, sewage, or electric utilities
- No dock or mooring buoy
- Burden is on the applicant to prove that the proposal will not result in negative impacts

RECOMMENDATION:

Staff recommends that the Planning Commission approve the conditional use permit subject to conditions of approval.

ATTACHMENTS

Attachment A: Applicant Materials

Attachment B: Staff Materials

BACKGROUND/PROJECT DESCRIPTION

The request is for the short-term rental of an off-grid cabin on the southern end of Kasiana Island. Applicant states that the capacity would be 6 guests. The lot is spacious at 1.47 acres. The cabin does not have municipal electricity or DEC permitted water and sewer. Access is strictly by water, and the property lacks a dock or mooring buoy. Operations would be primarily during the summer. The owner will continue to use the cabin for personal recreational use in between short-term renters.

Sitka General Code 22.24.010(F) – directly quoted

Evaluation and Approval or Denial of Conditional Use Applications for Island Properties. It is the intent of this code to recognize the unique qualities of islands within Sitka Sound and the substantial differences that exist between individual islands and island groups.

Specific conditional uses may be fully appropriate in certain circumstances and on specific parcels. Uses that are well designed and/or have low impact may enhance surrounding properties and may not create any impacts. Examples may include structures that are built on larger lots away from exterior property lines, uses that are placed in the middle of parcels, uses that do not materially increase activity on easements or moorage, uses where there is a significant vegetative or terrain buffer between properties, and islands that are separated by substantial distances. In these cases, conditional use requests can and should be handled expeditiously.

Conditional uses on other properties may be totally inappropriate due to the concerns such as impacts on adjacent properties, lack of vegetative or distance buffers, noise generation, unmitigated increased usage of access easements, available moorage, location on parcels, and design.

It is recognized that many applications may be strongly supported after using the criteria above.

If adequate mitigation cannot be accomplished or items such as necessary infrastructure are not available, applications may be denied.

ANALYSIS

Items to be considered in evaluating island conditional use permits include, but are not limited to, the following:¹

¹ SGC 22.24.010(F)1

a. Location on the lot or island. Lot is at the southerly end of Kasiana Island. Lot is bounded by Alaska Mental Health Trust land and two lots in private ownership. Structure is located toward the water and away from adjacent property lines.

b. Generation of noise. Applicant states that guests will not be permitted to launch fireworks, play loud music, or do other activities to create excessive noise. Owner should provide additional information regarding any generators used and detail of noise created. Because of the remote location, oversight will be challenging. Commission may wish to condition periodic site visits by applicant or applicant's agent to monitor.

c. Numbers of guests and employees. No employees proposed on-site. Rental overview states that the unit will accommodate up to 6 guests.

d. Visibility from adjacent uses including waterborne traffic. Cabin can be seen from the water. No negative impacts anticipated.

e. Use of common access easements. The property is not party to any existing easements. Applicant states that visitors will not be permitted to explore the island beyond the property line.

f. Availability of necessary moorage. No dock or mooring buoy provided for this lot. Kasiana Island does have a common mooring area, but Lot 19 does not have an easement to access this mooring area. Applicant states that renters may arrive by boat, kayak, or float plane. Applicant does not propose to provide transportation for renters. Applicant should provide more detailed directions in the rental overview. Additionally, a condition of approval requires the applicant to confirm with DNR that the commercial use of the state tidelands is approved.

Plat note states that "publicly owned tidelands to the properties on the plat may contain important herring habitat and may be used for a variety of recreational, subsistence, customary, and traditional purposes in accordance with state and federal laws."

g. Use of natural or manmade screening or buffers. Lot is large and foliage provides buffering.

h. Availability of municipal power. Not currently available or developed. No evidence provided of DEC permits for water or septic systems. Applicant recommends that renters bring their own water, although rain barrels are available. Current lavatory plan is to use a five-gallon bucket with a toilet seat and lime/cat litter. Bucket is to be kept in the cabin with waste disposed at sea. Staff recommend a condition of approval requiring a DEC permitted lavatory before the property is rented.

Applicant states that guests are responsible for trash removal. More information should be provided in the rental overview to explain where, when, and how to dispose of garbage. Additionally, a condition of approval requires that garbage is kept indoors until proper disposal can be arranged in order to avoid problems with wildlife.

i. Distance from adjacent parcels or islands. Lot is large at 1.47 acres and nearby lots have similar sizes. Structure is located toward the water and away from adjacent property lines.

j. Removal of excessive amounts of vegetation. Property is already developed with a recreational cabin. No additional vegetation removal proposed.

RECOMMENDATION

It is recommended that the Planning Commission approve the conditional use permit subject to conditions of approval.

.....

Motions in favor of approval:

1) I move to approve the conditional use permit for a short term rental on Kasiana Island in the LI Large Island zone subject to conditions of approval. The property is also known as Lot 19 Kasiana Island Subdivision. The request is filed by Jack Fredrickson. The owner of record is Jack Fredrickson.

Conditions of Approval:

1. Contingent upon a completed satisfactory life safety inspection.
2. The facility shall be operated consistent with the application, narrative, and plans that were submitted with the request.
3. 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, bed tax remitted, any violations, concerns, and solutions implemented. The report is due within thirty days following the end of the reporting period.
4. 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 upon receipt of meritorious complaint or evidence of violation of conditions of approval.
5. 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.

6. The property owner shall register for a sales account prior to the Conditional Use Permit becoming valid.

7. To mitigate against the risk and impact of wildlife from the short term rental, the property owner shall assure all trash is kept indoors and disposed of properly upon leaving the unit. Should this condition not be followed the CUP shall be revoked.

8. Any signs must comply with Sitka General Code 22.20.090.

9. A detailed rental overview shall be provided to renters detailing directions to the unit, appropriate access, moorage, trash management, noise control, and a general admonition to respect the surrounding neighborhood.

10. A DEC-permitted lavatory must be provided prior to renting the cabin.

11. Applicant shall confirm that the commercial use of the state tidelands is acceptable with DNR.

12. The property owner shall communicate to renters that a violation of these conditions of approval will be grounds for eviction of the short-term renters.

13. Failure to comply with any of the above conditions may result in revocation of the conditional use permit.

2) I move to find that:²

1. ...The granting of the proposed conditional use permit **as conditioned** will not:
 - a. Be detrimental to the public health, safety, and general welfare *specifically, conditions of approval require responsible garbage management;*
 - b. Adversely affect the established character of the surrounding vicinity *specifically, detailed directions will help renters find the property;* 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, *specifically, conditions of approval require installation of a DEC permitted lavatory to mitigate concerns for sewage.*
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation, *specifically, conforms to Comprehensive Plan Section 2.2.1 which emphasizes supporting “economic activities which contribute to a stable, long-term, local economic base” by allowing property owners to participate in the tourism industry and Section 2.6.2(K), which supports “development of facilities to accommodate visitors” that do not negatively impact surrounding residential*

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

neighborhoods, by operating a short-term rental with requirements to mitigate concerns for septic, odors, and noise.

3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, *specifically that the owner continues to visit the property for personal recreational use and rules violations are grounds for eviction.*

Attachment A

Applicant Materials



CITY AND BOROUGH OF SITKA

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
GENERAL APPLICATION FORM

RECEIVED APR 19 2018

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

APPLICATION FOR:

☐

VARIANCE

☒

CONDITIONAL USE

☐

ZONING AMENDMENT

☐

PLAT/SUBDIVISION

BRIEF DESCRIPTION OF REQUEST: 12 month conditional use permit for short-term rental of an off-grid remote recreational cabin located on the Southwest corner of Kasiana Island. My purpose is to let people enjoy the cabin for what it is: peaceful, regal, and disconnected from the rest of the busy world. I will be a good partner in the community, share in the bounty of destination tourism, and be a respectful neighbor.

PROPERTY INFORMATION:

CURRENT ZONING: L1 - Large Island PROPOSED ZONING (if applicable): No change

CURRENT LAND USE(S): Recreational Remote Cabin PROPOSED LAND USES (if changing):

APPLICANT INFORMATION:

PROPERTY OWNER: Jack Fredrickson

PROPERTY OWNER ADDRESS: 103 Sunset Drive, Sitka, Alaska 99835

STREET ADDRESS OF PROPERTY: Lot 19 of Kasiana Island

APPLICANT'S NAME: Jack Fredrickson

MAILING ADDRESS: 103 Sunset Drive, Sitka Alaska 99835

EMAIL ADDRESS: Jackfredrickson@me.com DAYTIME PHONE: 907-738-3052

PROPERTY LEGAL DESCRIPTION:

TAX ID: 4-9160-019 LOT: 19 BLOCK: TRACT:

SUBDIVISION: Kasiana Island US SURVEY: 3926

Fredrickson	April 19, 2018	Kasiana Island
Last Name	Date Submitted	Project Address

REQUIRED INFORMATION:

For All Applications:

- ☒ Completed General Application form
- ☒ Supplemental Application (Variance, CUP, Plat, Zoning Amendment)
- ☒ Site Plan showing all existing and proposed structures with dimensions and location of utilities
- ☒ Floor Plan for all structures and showing use of those structures
- ☒ Copy of Deed (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Copy of current plat (find in purchase documents or at Alaska Recorder's Office website)
- ☒ Site photos showing all angles of structures, property lines, street access, and parking – emailed to planning@cityofsitka.org or printed in color on 8.5" x 11" paper
- ☒ Proof of filing fee payment

For Marijuana Enterprise Conditional Use Permits Only:

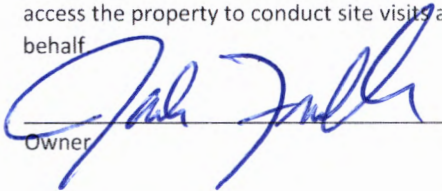
- ☐ AMCO Application

For Short-Term Rentals and B&Bs:

- ☒ Renter Informational Handout (directions to rental, garbage instructions, etc.)

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

April 19, 2018

Date

Owner

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

Last Name

Date Submitted

Project Address



CITY AND BOROUGH OF SITKA
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
SUPPLEMENTAL APPLICATION FORM
CONDITIONAL USE PERMIT

RECEIVED APR 19 2018

APPLICATION FOR

- ☐ MARIJUANA ENTERPRISE
☒ SHORT-TERM RENTAL OR BED AND BREAKFAST
☐ OTHER: _____

CRITERIA TO DETERMINE IMPACT – SGC 22.24.010(E) *(Please address each item in regard to your proposal)*

- Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:

None

- Amount of noise to be generated and its impacts on surrounding land use: Guests will not be permitted to launch fireworks, play loud music, or otherwise participate in activities that would disturb neighbors.

Hiking and firewood gathering will not be permitted. We will be respectful to our neighbors .

- Odors to be generated by the use and their impacts: Fish processing will not occur on the property

- Hours of operation: The only operation will be the guest use of the cabin. Access will be provided via an on-site lock-box.

- Location along a major or collector street: N/A

- Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario: _____

I will not allow visitors to explore the island beyond the property line.

- Effects on vehicular and pedestrian safety: _____

N/A

Fredrickson

April 19, 2018

Kasiana Island

Last Name

Date Submitted

Project Address

- Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: _____
N/A
- Logic of the internal traffic layout: _____
N/A
- Effects of signage on nearby uses: _____
N/A
- Presence of existing or proposed buffers on the site or immediately adjacent the site: _____
Natural foliage provides some buffering and screening from Lots 16 and 18.
- Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan (CITE SPECIFIC SECTION AND EXPLAIN): Kasiana Island is not located in a specific
location that is focusing on the goals, policies, and objectives of the comprehensive plan.
- Other criteria that surface through public comments or planning commission review (odor, security, safety, waste management, etc.): will be addressed after public comments and planning commission review

Fredrickson

April 19, 2018

Lot 19 Kasiana Island

Last Name

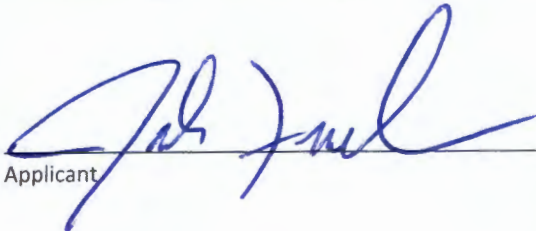
Date Submitted

Project Address

REQUIRED FINDINGS (SGC 22.30.160(C):

1. ...The granting of the proposed conditional use permit will not:
- a. Be detrimental to the public health, safety, and general welfare because the property has already been improved. Any additional improvements that are made will increase the appeal and value;
 - b. Adversely affect the established character of the surrounding vicinity, because Kasiana Island is zoned L-1 - residential recreation and this request falls within this use.; 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, because, The subject lot is located on the southwesterly corner of the island and is screened by natural heavy foliage.;
2. The granting of the proposed conditional use permit is consistent and compatible with the intent of the goals, objectives, and policies of the comprehensive plan and any implementing regulation, specifically, conforms to Comprehensive Plan Section H1.1a - Housing which states to allow, encourage and promote alternative housing types.
- because the proposal serves the greater good for Kasiana Island. The operation of the cabin will commensurate with the other tourist operations in Sitka, running from Mid-May to Mid-September with an occasional off-season guest.
3. All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced, because I am committed to dealing with other issues as they may come to light.

ANY ADDITIONAL COMMENTS The cabin will return to private use for the owner during the off season and when not occupied by a guest. My purpose is to let people enjoy the cabin for what it is: peaceful, regal, and disconnected from the rest of the busy world. I will be a good partner in the community by sharing in the bounty of destination tourism and will be a respectful neighbor .


Applicant

April 19, 2018

Date

Fredrickson

April 19, 2018

Lot 19 - Kasiana Island

Last Name

Date Submitted

Project Address

Renter Information Handout

Kasiana Island Cabin sits on the Southwest shore of Kasiana Island on Lot 19, 1 mile southwest of Sitka, Alaska.

This remote site is generally accessible year-round by boat or kayak from Halibut Point Recreation Site on Sitka. The cabin can also be accessed via float plane, a 2-minute ride from Sitka. Visitors are responsible for their own travel arrangements and safety, and must bring their own amenities.

The 16'x20' wood Craftsmen-style cabin accommodates up to six people with a loft. The cabin does include foam mattress/pads and cooking utensils. Guests should bring sleeping bags and pads, a cooking stove, pots, pans, plates, utensils, food, toilet paper, garbage bags, a lantern, fire extinguisher, fire starter and personal flotation devices (PFDs). Rain gear and boots are recommended.

Amenities include a wood stove for heat, a table with benches, cooking counter, cupboard, broom, an axe or splitting maul.


Water is available from the rain barrels, but it's recommended that visitors bring their own.

Guests are responsible for removing all of their trash at the end of the stay.

Survey of
KASIANA ISLAND SUBDIVISION

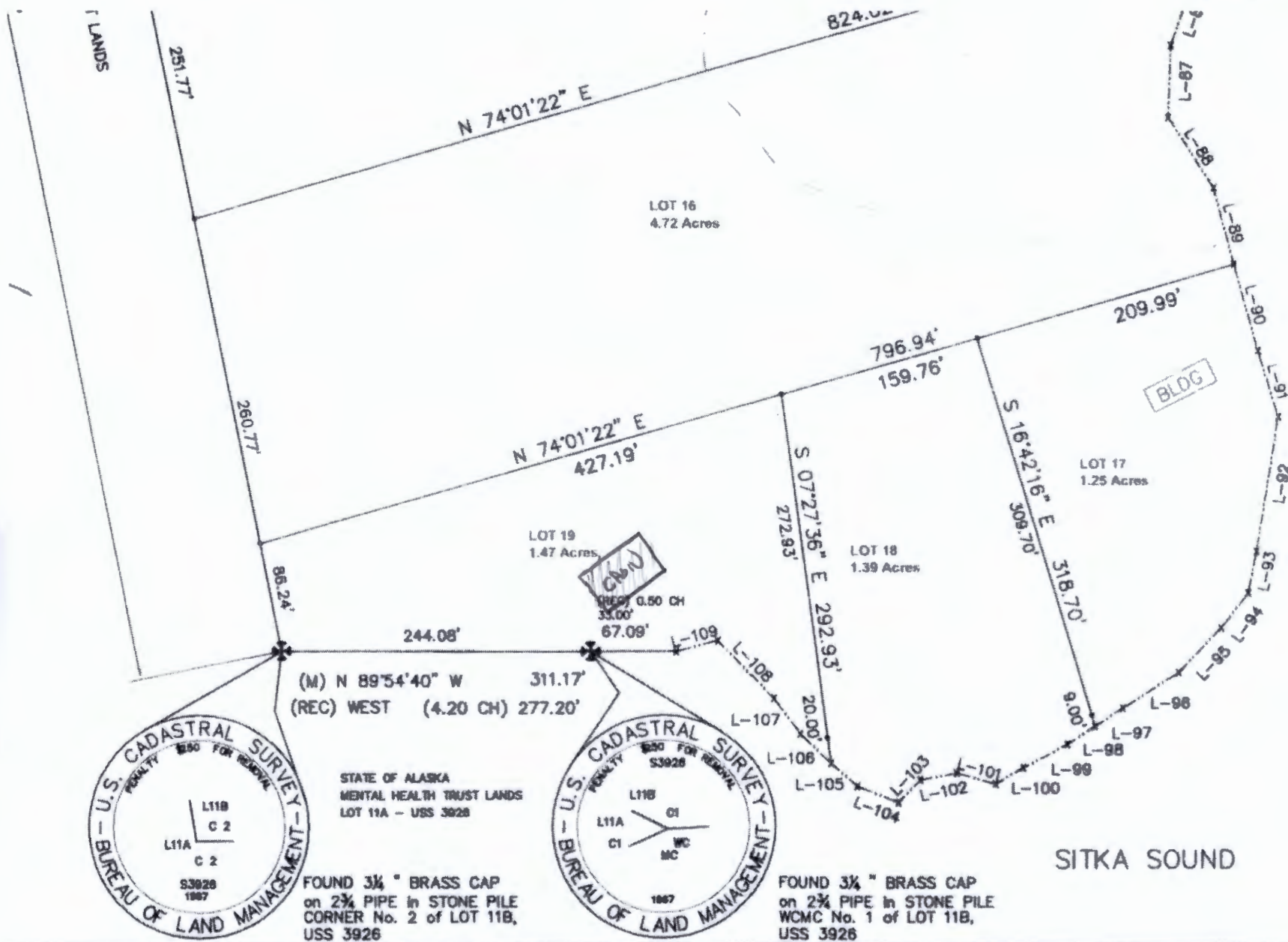
Being a Subdivision of LOT 11B of
US SURVEY 3626

Located within
Section 21 of T 66 S R 83 E C 14 M
Sitka Municipality District
Sitka, Alaska

 **PREPARED BY**
G. MARCUS BRITAIN, P.L.B.
P.O. BOX 870468
FAIRBANKS, AK 99707
PH: 907-452-4777

DATE: Sept. 10, 2004	SCALE: 1" = 100'
ISSUED: DATE	SHEET: 1 of 1
OWNED: GMB	P.L.B. INC. DC

RECEIVED APR 19 2018



2004-1

RECORDED F

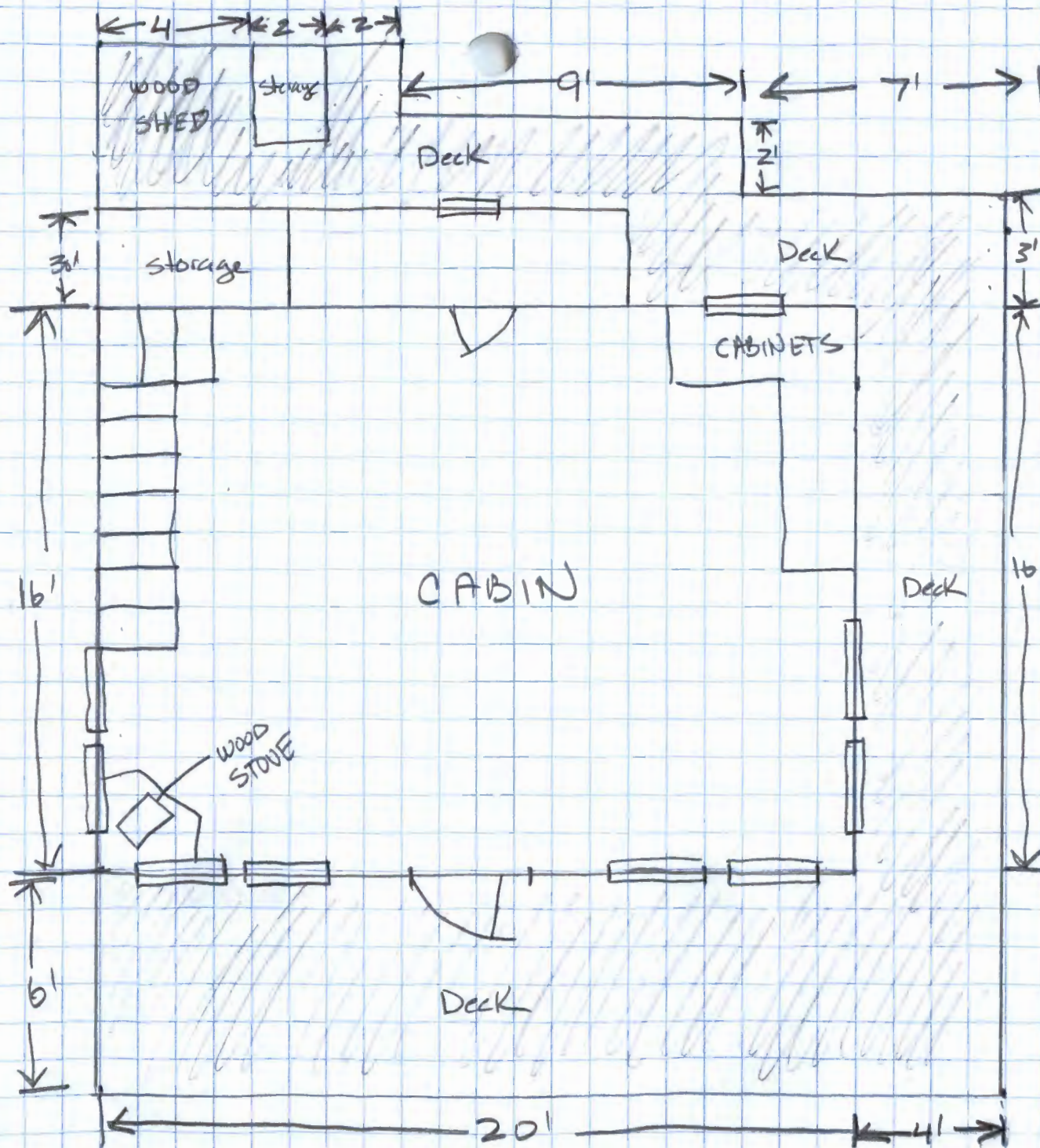
SITKA REC. DIST.

DATE 10-11-04

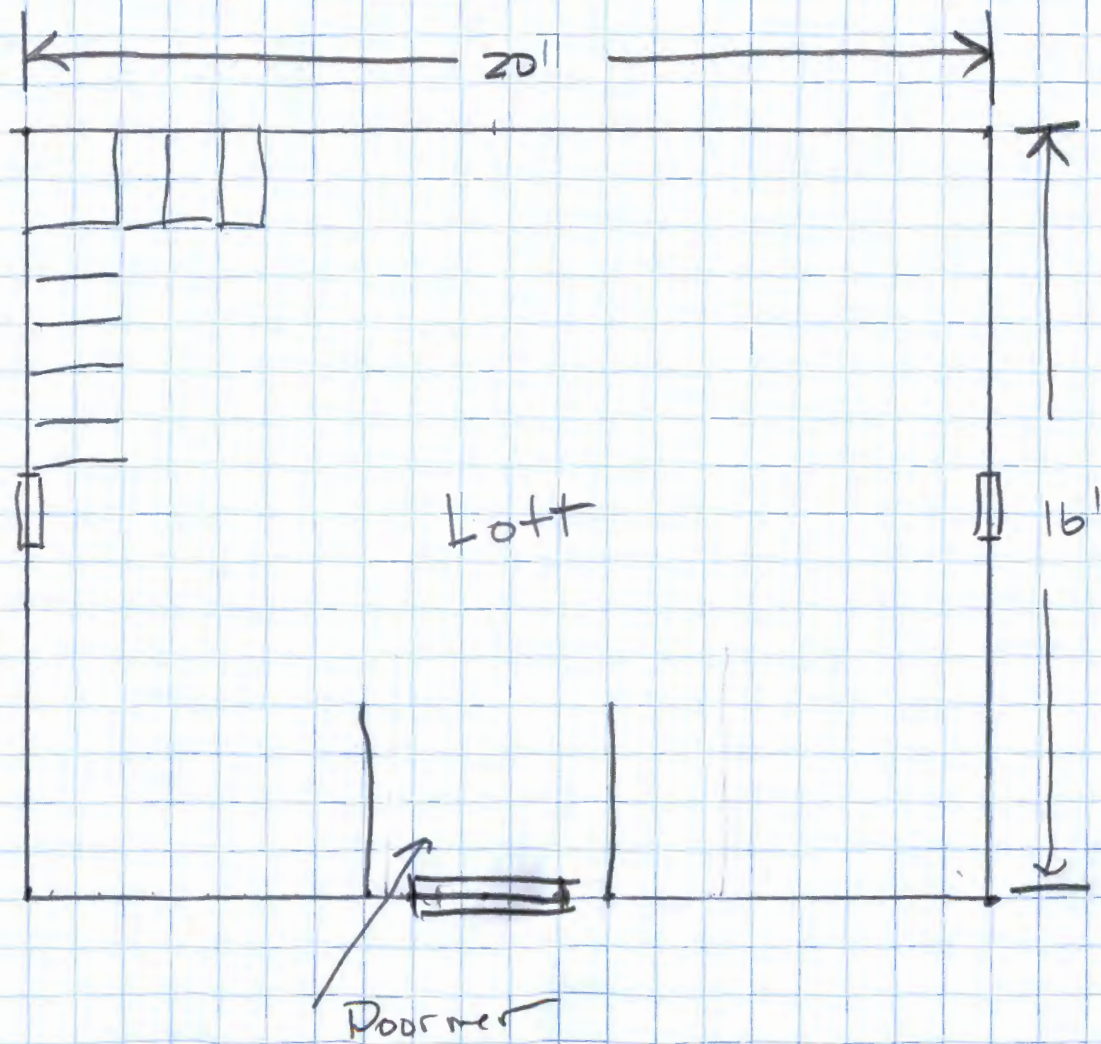
TIME 1:32

Requested by SCB

site plan



RECEIVED APR 19 2018



RECEIVED APR 19 2018





©Keith Fredrickson Sitka, Alaska















Samantha Pierson

From: Melanie Robinson <melanielynnrobinson@yahoo.com>
Sent: Wednesday, May 02, 2018 1:47 PM
To: Samantha Pierson
Cc: Jack Fredrickson
Subject: Re: RE: Fwd: Kasiana photos

Hello Samantha,

Jack has been using a five-gallon bucket with a toilet seat and lime/cat litter. He then disposes the waste at sea. It is located in the small main floor separate room inside the cabin.

If need be he could add an outhouse.

Please let us know.

Thanks,

Melanie L. Robinson
571-309-8965

On Monday, April 30, 2018, 4:44:30 PM AKDT, Samantha Pierson <samantha.pierson@cityofsitka.org> wrote:

Thanks, Melanie. Can you provide me with some information on the toilet facilities?

Sam

Samantha Pierson

Planner I

City and Borough of Sitka

100 Lincoln Street

Sitka, AK 99835

(907) 747-1814

Attachment B

Staff Materials



City & Borough of Sitka, Alaska

Selected Parcel: NHN Kasiana Island ID: 49160019

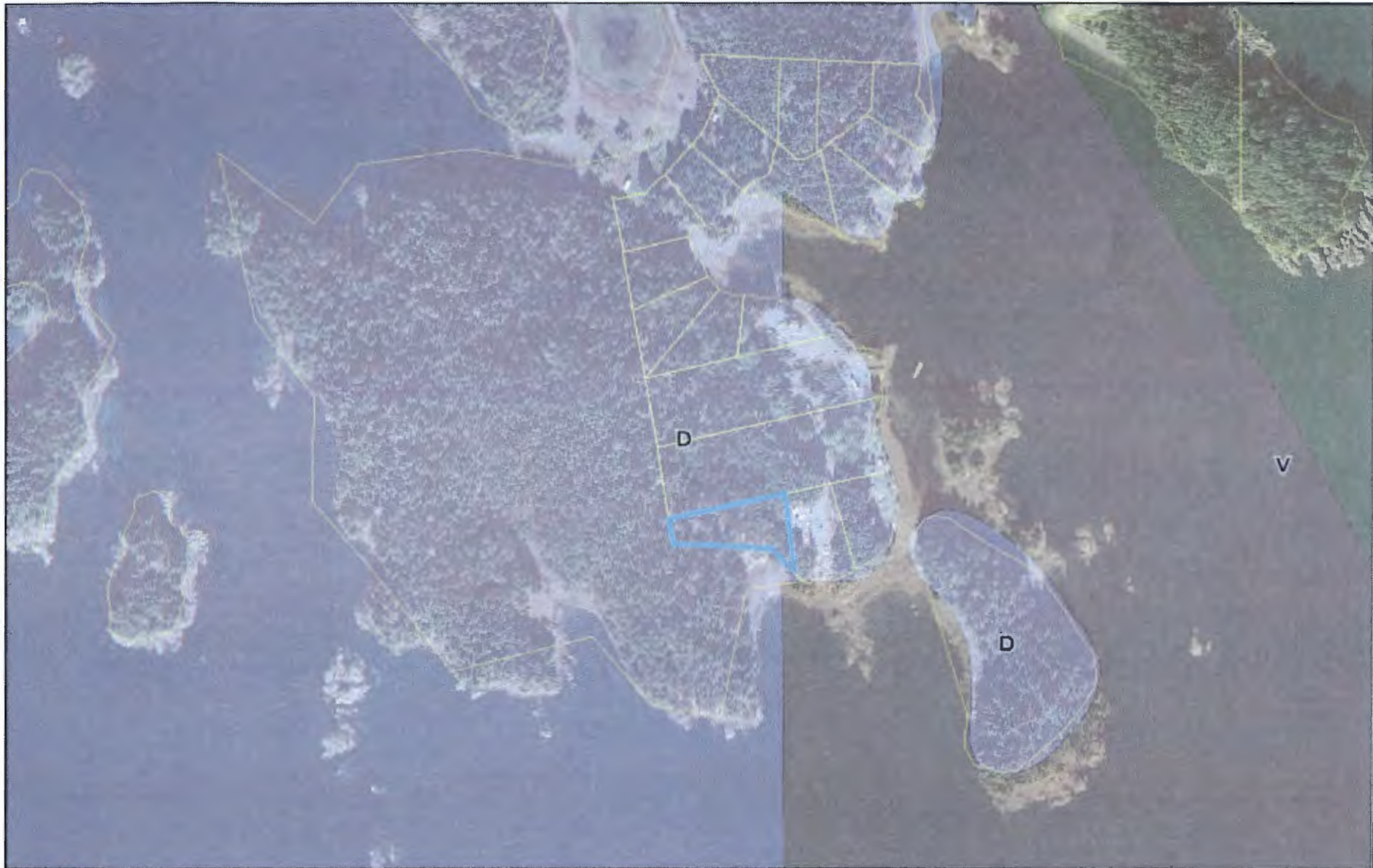
Printed 4/23/2018 from <http://www.mainstreetmaps.com/ak/sitka/Internal.asp>

100 m
500 ft



MainStreetGIS
MainStreetGIS, LLC
www.mainstreetgis.com

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City & Borough of Sitka, Alaska

Selected Parcel: NHN Kasiana Island ID: 49160019

Printed 4/23/2018 from <http://www.mainstreetmaps.com/ak/sitka/internal.asp>

100 m
500 ft



MainStreetGIS
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Sitka, AK



Become a host

Saved

Trips

Messages

Credit

Help



(/?logo=1)

Share

Save

[View Photos](#)**ENTIRE CABIN**

(/s/Sitka--AK?listing_types[]=4)

Kasiana Island Remote Cabin

Sitka



Lynn

2 guests 1 bedroom 1 bed 0 baths

Kasiana Island Cabin sits on the west shore of Kasiana Island, 1 mile southwest of Sitka, Alaska. The cabin was built in 2011.

This remote site is generally accessible year-round by boat or Kayak from Halibut Point Recreation Site on Sitka. The cabin can also be accessed via float plane, a 2-minute ride from Sitka. Visitors are responsible for their own travel arrangements and safety, and must bring their own amenities.

The space

The 16'x20' wood Craftsmen-style cabin accommodates up to six people with a loft and foam mattresses. Amenities include a wood stove for heat, a table with benches, cooking counter, cupboard, broom, an axe or splitting maul

The cabin does include foam mattress/pads or cooking utensils. Guests should bring sleeping bags and pads, a cooking stove, pots, pans, plates, utensils, food, toilet paper, garbage bags, a lantern, fire extinguisher, fire starter and personal flotation devices (PFDs). Rain gear and boots are recommended.

Water is available from the rain barrels, but it's recommended that visitors bring their own water.

Hide ^

Contact host

Amenities

 Indoor fireplace

 Kitchen

 Laptop friendly workspace

Show all 9 amenities

Sleeping arrangements



Bedroom 1

1 queen bed, 1 sofa bed, 5 floor mattresses, 1 hammock

House Rules

No smoking

Not suitable for pets

Check-in is anytime after 3PM

Self check-in with lockbox

You must also acknowledge

Must climb stairs

Hide rules ^

Cancellations

Strict

Cancel up to 7 days before check in and get a 50% refund (minus service fees). Cancel within 7 days of your trip and the reservati...Read more

[Get details \(/home/cancellation_policies?guest_fee_policy=grace_period_48_hours#strict\)](/home/cancellation_policies?guest_fee_policy=grace_period_48_hours#strict)

1 Review

Q Search reviews



Jessica

October 2017

[\(/users/show/24521085\)](/users/show/24521085)

Lynn's place was a perfect get away for the weekend!! The cabin looked exactly as it did in pictures. The hosts were amazing! They were very helpful and communication was perfect! If you had a question, it didn't take long to get an answer. I would recommend this stay to everyone!

This host has 11 reviews for other properties.

[View other reviews \(/users/show/78118174\)](/users/show/78118174)

Hosted by Lynn

Joined in June 2016

★ 12 Reviews Verified



[\(/users/show/\)](/users/show/)

Lynn is a Superhost • Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



I am from Washington D.C. and own a small corporate housing company. I rehab, design, shop, and uniquely furnish residential spaces. I have several properties available at any given time. Sometimes additional properties may be available that are not listed on this site. Please in...Read more