



# 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 18-18  
Proposal: Request for short-term rental at 453 Charteris Street  
Applicant: Melissa Pardy  
Owner: Adam Pardy  
Location: 453 Charteris Street  
Legal: Lot 23B Charteris Subdivision  
Zone: R-1 LD single family and duplex low density residential district  
Size: 15,000 square feet  
Parcel ID: 24611000  
Existing Use: Residential duplex  
Adjacent Use: Residential  
Utilities: Existing  
Access: Charteris Street and access easement

### **KEY POINTS AND CONCERNS:**

- Rental unit is one unit of a duplex
- Parking on-site
- Access from Charteris Street and easement
- Owner lives on-site
- Neighborhood is developed with residential use
- Property meets minimum lot square footage for the zone (15,000 square feet)
- Short-term rentals offer economic opportunity for homeowners but may impact long-term rental rates
- Burden is on the applicant to prove that the proposal will not negatively impact the neighborhood

### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the conditional use permit request for a short-term rental at 453 Charteris Street.

## **ATTACHMENTS**

Attachment A: Applicant Materials

Attachment B: Staff Materials

## **BACKGROUND/PROJECT DESCRIPTION**

The request is for a conditional use permit for a short-term rental of one unit of an owner-occupied duplex at 453 Charteris Street. The first floor has the proposed rental unit and a garage, and the owners occupy the unit on the second floor. The rental unit has a full kitchen, one bedroom, and one bathroom. Maximum occupancy will be four guests. The owners will manage the rental.

Access to this lot is from Charteris Street via an easement. Three properties utilize the easement; this property is second on the easement. No known short-term rentals on Charteris Street are currently operating. Two CUPs granted in 1997 have expired.

## **ANALYSIS**

### **1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.<sup>1</sup>**

#### **a. Amount of vehicular traffic to be generated and impacts of the traffic on nearby land uses:**

Applicant does not anticipate significant increase in vehicular traffic. The property in question is the second property of three on the access easement. Parking requirements for a short-term rental in a duplex are the same as long-term duplex usage (4 spaces per duplex), and the applicant indicates these spaces in the parking plan. Rental overview directs renters to park directly in front of the house. Instructions should include a diagram for safe turning, as renters may back down the easement to Charteris Street.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Applicant plans outdoor quiet hours Sunday – Thursday 9 PM – 7 AM and Friday – Saturday 11 PM – 8 AM.

**c. Odors to be generated by the use and their impacts:** Possible grilling of food. No smoking or consumption on the property. Garbage will be disposed of in municipal container and in accordance with Sitka General Code requirements.

**d. Hours of operation:** Check-in between 8 AM and 6 PM. Renters may come and go 24/7.

**e. Location along a major or collector street:** Access from Charteris Street to access easement.

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<sup>1</sup> § 22.24.010.E

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut through traffic scenario:** Property can only be accessed by Charteris Street. Rental overview includes detailed directions with map.

**g. Effects on vehicular and pedestrian safety:** Charteris Street does not have sidewalks. Applicants state that they will provide safe pedestrian access directions for renters who wish to access the Cross Trail. Renters may back cars down the easement and onto Charteris. Owners/managers should discuss proper vehicle ingress and egress with renters.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Same as if the unit had a long-term inhabitant. Apartment is accessible by a front door and large window.

**i. Logic of the internal traffic layout:** The rental unit has a private entrance at the front of the structure, and does not share any common spaces with the existing home.

**j. Effects of signage on nearby uses:** No signage proposed. Address is posted at the end of the easement.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Existing buffering includes a retaining wall, yard, and trees.

**l. 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 2.2.1 which emphasizes supporting “economic activities which contribute to a stable, long-term, local economic base” by allowing local homeowners to launch a small business and 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 neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, odors, and noise. Applicant cited 10 sections of the Comprehensive Plan in the application and explained how the proposal fits those sections. See attachments for additional information.

**m. Other criteria that surface through public comments or planning commission review:** Short-term rentals may cause the increase of long-term rental rates.

Property owners keep garbage in city garbage bins with closed lid, which may be located in garage. Conditions of approval require that garbage management follow Sitka General Code requirements, including but not limited to the restriction from putting garbage out until 4 am on garbage

collection day. The property is equipped with flashing motion sensor lights to deter bears. Applicants are considering installation of an electric fence.

**RECOMMENDATION**

It is recommended that the Planning Commission approve the conditional use permit application for a short-term rental at 453 Charteris Street.

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**Motions in favor of approval:**

1) I move to approve the conditional use permit request for a short-term rental at 453 Charteris Street in the R-1 LD single-family or duplex low density residential district. The property is also known as Lot 23B Charteris Subdivision. The request is filed by Melissa Pardy. The owner of record is Adam Pardy.

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 bears from the short term rental, the property owner shall assure all trash is deposited in trash receptacles that are stored in bear proof areas (whether enclosed garage or other bear proof area) and

only placed on street for collection after 4 AM on trash collection day. Should this condition not be followed the CUP shall be revoked.

8. To mitigate against parking and traffic impacts, property owner shall provide detailed parking and traffic rules, and shall ensure all parking for all uses (residential or short-term rental) shall occur off-street, on-site, and further that should on-street parking occur at any time, the conditional use permit shall be revoked.

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

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

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:<sup>2</sup>

1. ...The granting of the proposed conditional use permit will not:
  - a. Be detrimental to the public health, safety, and general welfare *specifically, conditions of approval require responsible garbage management and noise monitoring;*
  - b. Adversely affect the established character of the surrounding vicinity *specifically, the rental would make use of an already developed unit of a duplex with on-site owner-managers to monitor for concerns; 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, on-site parking is provided.*
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 local homeowners to launch a small business and 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 neighborhoods, by operating a short-term rental with requirements to mitigate concerns for traffic, 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 on-site owner can monitor for infractions and take action as warranted.*

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<sup>2</sup> § 22.30.160.C – Required Findings for Conditional Use Permits