



# 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 18-30  
Proposal: Request for short-term rental at 1616.5 Sawmill Creek Road  
Applicant: Anthony and Lindsey Bird  
Owner: Abalonie Point Vistas, LLC.  
Location: 1616.5 Sawmill Creek Road  
Legal: Lot 2, Olsen Subdivision, USS 2184  
Zone: R-1 zoning district  
Size: approx. 8,030 square feet  
Parcel ID: 30740002  
Existing Use: Single-family residence  
Adjacent Use: Residential  
Utilities: Existing  
Access: Off of Sawmill Creek Road

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

- Rental overview shall comply with conditions of approval, specifically regarding access, parking, quiet hours, respect for neighborhood, trash/bears, transportation, and visitor options.
- Sitka Comprehensive Plan 2030 Jamestown Bay land use promotes light commercial uses in the area.
- STR have impacts to LTR and home values. This is important in regards to this specific proposal and to the issue at large.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission approve the conditional use permit request for a short-term rental at 1616.5 Sawmill Creek Road subject to the recommended conditions of approval.

## **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 (STR) of a two bedroom, three bathroom existing single-family residence.

## **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 nor impact from proposed use as there is adequate parking on-site. Garage also provides parking. Appears applicant is allowing one vehicle however SGC requires space for two vehicles.

**b. Amount of noise to be generated and its impacts on surrounding land use:** could create noise from transient guests. Staff defers to applicant to explain how they propose to manage potential noise conflicts.

**c. Odors to be generated by the use and their impacts:** Odor impacts are minimal and in line with similar residential uses. Garbage shall be disposed of in municipal container and in accordance with Sitka General Code requirements. Rental overview and conditions of approval shall address garbage disposal and compliance with trash and nuisance bears ordinances.

**d. Hours of operation:** Renters may come and go 24/7. Quiet hours will be enforced. Applicant details quiet hours as 10 p.m. to 6 a.m.

**e. Location along a major or collector street:** Access from Sawmill Creek Road.

**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 residential driveway directly off of Sawmill Creek Road.

**g. Effects on vehicular and pedestrian safety:** Applicant shall provide a rental overview that summarizes various safe means of access and transportation options. And details location/directions to and from.

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<sup>1</sup> § 22.24.010.E

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:**

Residence has reasonable access off of maintained streets/highway.

**i. Logic of the internal traffic layout:** The rental unit is a single-family home without any shared common spaces.

**j. Effects of signage on nearby uses:** No signage proposed. Address is posted above the front door.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Trees and vegetation provide buffer on one side of the unit however there are no buffers on the other. Homes were built close together in this subdivision however focus is on to the rear of the property and on the water.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** an STR can help support the existing and growing tourism industry. By providing transient guests short-term housing options, that allows the potential for more visitors to visit here, which in turns brings in more outside money and creates opportunities for additional job creation and economic development. On the flip side, STRs are linked to negative impacts to LTR rates and increased purchase prices for housing. “Applicant references Comprehensive Plan Section 2.1 which states promote multistory development with commercial and residential uses because the proposal conforms to the future growth map of Jamestown Bay waterfront area of light commercial.”

**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 shall keep garbage in city garbage bins with closed lid, which may be located in garage or bear resistant enclosure. 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 a.m. on garbage collection day.

**RECOMMENDATION**

It is recommended that the Planning Commission approve the conditional use permit application for a short-term rental at 1616.5 Sawmill Creek Road subject to the recommended conditions of approval.



**Motions in favor of approval:**

- 1) I move to approve the conditional use permit for a short-term rental at 1616.5 Sawmill Creek Road in an R-1 zoning district subject to the attached conditions of approval. The

request is filed by Anthony and Lindsey Bird. The owner is Abalonie Point Vistas, LLC. The property is described as Lot 2, Olsen Subdivision, US Survey 2184.

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 beginning in 2019, 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 began 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 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 4:00 a.m. on trash collection day. Should this condition not be followed the CUP shall be revoked.
8. To mitigate 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, transportation options, appropriate access, parking, trash management, noise control/quiet hours, and a general condition 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, and it will be monitored constantly by applicants;*
  - b. adversely affect the established character of the surrounding vicinity *specifically, the rental would make use of an already developed single-family home 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, the Jamestown Bay future growth map which supports light commercial in the area.*

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