



# 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 18-33  
Proposal: Request for short-term rental at 105 Jeff Davis Street #B and #C  
Applicant: Jennifer Corak  
Owner: Jennifer Corak  
Location: 105 Jeff Davis Street  
Legal: Lot 2 Jeff Davis Subdivision  
Zone: R-1 single-family and duplex residential district  
Size: 11,503 square feet  
Parcel ID: 18559002  
Existing Use: Residential  
Adjacent Use: Single-family housing, hostel, Sitka Fine Arts Camp campus  
Utilities: Existing  
Access: Jeff Davis Street

### **KEY POINTS AND CONCERNS**

- Neighborhood appears to be a combination of uses including single-family housing, a hostel on an adjacent lot, and across the street the Sitka Fine Arts Camp campus.
- The short term rental is in a structure housing three dwelling units.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, quiet hours, trash management, transportation, and respect for the neighborhood.
- Short-term rentals have impacts to long-term rentals and home values. This is important to note regarding this specific proposal and STRs at large.

### **RECOMMENDATION**

Staff recommends that the Planning Commission approve the short-term rental at 105 Jeff Davis Street subject to the recommended conditions of approval.

## **ATTACHMENTS**

Attachment A: Applicant Materials

Attachment B: Staff Materials

## **BACKGROUND/PROJECT DESCRIPTION**

This request is for a conditional use permit for short-term rental (STR) for two units of a 3-dwelling unit building. The owner will continue to reside in the primary unit. The two other units have historically been rented as long term dwelling units. The owner intends to have the units available for short term rental year round.

## **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 parking on-site, namely space for four cars. This does not meet the Sitka General Code requirement to afford space for two vehicles per dwelling unit. However, the use of this structure predates the current zoning code and is therefore a legal non-conforming use. Should the need for additional off-street parking spaces become necessary as a practical matter, there is physical space on the site to accommodate additional parking in what is now the yard area.

**b. Amount of noise to be generated and its impacts on surrounding land use:** Short term rentals have the potential to create noise from transient guests.

**c. Odors to be generated by the use and their impacts:** Potential 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.

**d. Hours of operation:** The proposal is to book rentals year round.

**e. Location along a major or collector street:** Access from Jeff Davis Street.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario:** Property is immediately adjacent to, and is accessed directly off of, Jeff Davis Street.

**g. Effects on vehicular and pedestrian safety:** This is a heavily used vehicle and pedestrian traffic area, particularly in the summer months.

---

<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 Jeff Davis Street. Applicant does not anticipate a change from the current ability of emergency services personnel to access the site.

**i. Logic of the internal traffic layout:** The rental unit is a triplex without shared common spaces.

**j. Effects of signage on nearby uses:** No signage proposed. All signs shall comply with Sitka General Code.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** Minimal vegetation buffers. Homes and buildings are in plain sight of each other in this neighborhood.

**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 with short-term housing options that allow the potential for more visitors to visit Sitka, bringing in money and creating opportunities for job creation and economic development. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates and increased purchase prices for housing.

This proposal aligns with economic development goals and objectives of the 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.

**m. Other criteria that surface through public comments or planning commission review:** Not applicable at this time.

**RECOMMENDATION**

The Planning Department recommends that the Planning Commission approve the conditional use permit application for a short-term rental at 105 Jeff Davis Street subject to the recommended conditions of approval.

.....

## **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 2020, 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 impact of odor from the short term rental and comply with bear attraction nuisance requirements, the property owner shall assure all trash is deposited in trash receptacles and only placed on street for collection after 4:00 a.m. on trash collection day.
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 off-site 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. The renter information handout shall reference Sitka's sound ordinance, which renters are expected to comply with upon signing the rental agreement. The renter handout shall include an advisory note to tenants to be mindful of vehicle and especially pedestrian traffic in the area, and to exercise caution coming and going from the property in motor vehicles.

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.

### **Motions in favor of approval**

- 1) I move to approve the conditional use permit for a short-term rental at 105 Jeff Davis Steet in the R-1 zoning district, subject to the attached conditions of approval. The property is also known as Lot 2, Jeff Davis Subdivision. The request is filed by Jennifer Corak.
- 2) I move to adopt and approve the required findings for conditional use permits. The Planning Commission shall not approve a proposed development unless it first makes the following findings and conclusions:<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 management of garbage, noise, traffic, and parking, which will be monitored and enforced by the applicant.*
  - b. **Adversely affect the established character of the surrounding vicinity;** *specifically, the rental makes use of an already developed single-family home with attached rentals with owner-managers monitoring the property.*
  - c. **Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site in which the proposed use is to be located;** *specifically, by the enforcement of mitigation for potential impacts including traffic, odor, noise, and parking.*
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, to help sustain the existing and growing tourism industry in support of economic development goals and objectives to increase employment and attract new business.*
  3. **All conditions necessary to lessen any impacts of the proposed use are conditions that can be monitored and enforced;** *specifically, the applicant will monitor the property to enforce conditions 24/7. Violation of the rules provided in the rental overview may be grounds for eviction.*

---

<sup>2</sup> §22.30.160(C)—Required Findings for Conditional Use Permits