



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 20-06
Proposal: Request for short-term rental at 2625 Halibut Point Road
Applicant: David Adams
Owner: David Adams
Location: 2625 Halibut Point Road
Legal: Portion No. 3 of Lot L, US Survey No. 2750
Zone: R-2 MHP Multifamily and mobile home district
Size: 22,800 square feet
Parcel ID: 25410000
Existing Use: Residential
Adjacent Use: Mobile/manufactured home park, single-family housing
Utilities: Existing
Access: Halibut Point Road

KEY POINTS AND CONCERNS

- Neighborhood is residential, including mobile/manufactured homes and some single-family homes.
- The short-term rental is a renovated bus that has been registered as a recreational vehicle (RV). The unit cannot be used for long-term residential occupancy (greater than 180 days per year) per building code requirement.
- 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 STRs at large. However, this particular unit cannot be used for long-term habitation (owner-occupied or rental) for more than 180 days, so its impact on long-term housing is different than that of a traditional dwelling unit.

RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 2625 Halibut Point Road subject to the recommended conditions of approval.

BACKGROUND/PROJECT DESCRIPTION

This request is for a conditional use permit for short-term rental (STR) for a renovated bus that has been registered with the DMV as an RV. It has a full sized bed and a couch/bunk, along with a galley style kitchen, couch/rec area, and bathroom. The owner of the RV uses it intermittently in the summer while he fishes, and wishes to rent it out when it would otherwise be vacant.

The zoning code does not specifically address using RVs as short-term rentals. However, SGC 22.24.010(C)(2)(e) states “*Short-term rentals may only be approved for mobile homes that are located along streets maintained by the city and borough or the state of Alaska.*” Staff has historically interpreted this to mean that dwellings such as mobile homes, manufactured homes, and RVs cannot be used as short-term rentals if they are within a mobile home park that relies on a common access drive in. While this RV is technically in a mobile home park, vehicular access comes in from Halibut Point Road, a State maintained ROW. The Commission should consider this in their deliberation.

ANALYSIS

1. CRITERIA TO BE USED IN DETERMINING THE IMPACT OF CONDITIONAL USES.¹

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 at least two cars. This meets the Sitka General Code requirement to afford space for two vehicles per dwelling unit.

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. The owner has indicated that there is family nearby to help manage the rental.

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: Available May – September

e. Location along a major or collector street: Halibut Point Road, State of Alaska Highway

¹ § 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 is located directly off Halibut Point Road, there is no ability to access the property with a vehicle from any other route.

g. Effects on vehicular and pedestrian safety: No significant changes expected, minimal increase in traffic ingress and egress from the property.

h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site: Residence has reasonable access from Halibut Point Road. 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: Converted bus to RV. Open layout with a couch/bunk, full size bed in back, galley kitchen, living space, and bathroom.

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: Natural buffers of bushes and trees on the site, as well as buffering due to elevation, and proximity to ocean frontage.

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. STRs also increase the affordability of housing for owners by offsetting housing costs with rental income. However, STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing.

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 2625 Halibut Point Road subject to the recommended conditions of approval.

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ATTACHMENTS

Attachment A: Aerial

Attachment B: STR Density

Attachment C: Floor Plan
Attachment D: Photos
Attachment E: Renter Handout
Attachment F: Applicant Materials

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 2021, 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 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 2625 Halibut Point Road in the R-2 MHP multifamily and mobile home district subject to the attached conditions of approval. The property is also known as Portion No. 3 of Lot L, US Survey 2750. The request is filed by David Adams. The owner of record is David Adams.**
- 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:²**
 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.***
 - 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.***

² §22.30.160(C)—Required Findings for Conditional Use Permits