



# 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 20-16  
Proposal: Request for short-term rental at 1710 Halibut Point Road  
Applicant: Ocean Mayo  
Owner: Ocean Mayo  
Location: 1710 Halibut Point Road  
Legal: Lot 4C, Gibson-Kitka-Snowden Subdivision, USS 2417  
Zone: R-1 single-family, duplex, and manufactured home residential district  
Size: 8,049 square feet  
Parcel ID: 25060000  
Existing Use: Residential  
Adjacent Use: Single-family and duplex housing, mobile home park  
Utilities: Existing  
Access: Halibut Point Road

### **KEY POINTS AND CONCERNS**

- Neighborhood is residential, including single-family and multi-family dwellings.
- The short-term rental is in a single-family home. Owner/applicant lives on site and would rent out while commercial fishing.
- 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 however, as the primary residence of the applicant the proposal does not impact the number of available long-term rentals
- Low density of short-term rentals in the area.

### **RECOMMENDATION**

Staff recommends that the Planning Commission approve the short-term rental at 1710 Halibut Point Road subject to the recommended conditions of approval.

## **BACKGROUND/PROJECT DESCRIPTION**

This request is for a conditional use permit for a short-term rental (STR) for a 2 bedroom, 1.5 bathroom dwelling unit, of which 1 bedroom will be used as storage for the owner's personal belongings and not be made available to renters. As the applicant's primary residence, the property will be made available to renters while the applicant is commercial fishing.

## **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 three cars. This meets the Sitka General Code requirement to afford space for two vehicles per dwelling unit. Given the size of the unit, it is most likely that one car would be used while the unit is rented.

**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. In the renter informational handout, the applicant explicitly addressed noise levels and states that events and parties are not permitted.

**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 during the applicant's commercial fishing season and therefore would not be on the market year-round.

**e. Location along a major or collector street:** Access from Halibut Point Road.

**f. Potential for users or clients to access the site through residential areas or substandard street creating a cut-through traffic scenario:** Property is accessed directly from Halibut Point Road. There is no access to other streets from the property.

**g. Effects on vehicular and pedestrian safety:** No significant changes expected, minimal increase in traffic.

**h. Ability of the police, fire, and EMS personnel to respond to emergency calls on the site:** Residence has adequate access off Halibut Point Road for emergency services.

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<sup>1</sup> § 22.24.010.E

**i. Logic of the internal traffic layout:** The rental unit is a 1 bedroom, 1.5 bathroom dwelling unit with an open kitchen/living/dining room space on two stories.

**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 vegetation and terrain exist on the eastern boundary of the site, as well as a privacy fence along the southern boundary.

**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. While STRs correlate with negative impacts to available housing stock for residents, long-term rental rates, and increased purchase prices for housing, the proposal to use the applicant's primary residence at times where it would otherwise sit empty does not impact long-term rental stock.

**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 1710 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: Parking Layout

Attachment E: As-Built

Attachment F: Photos

Attachment G: Plat

Attachment H: Renter Handout

Attachment I: 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 1710 Halibut Point Road in the R-1 single-family, duplex, and manufactured home residential district, subject to the attached conditions of approval. The property is also known as Lot 4C, Gibson-Kitka-Snowden Subdivision. The request is filed by Ocean Mayo. The owner of record is Ocean Mayo.”
- 2) “I move to adopt and approve the required findings for conditional use permits as listed in the staff report.”

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 duplex 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.*

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