## Planning and Community Development Department

### AGENDA ITEM

Case No:        CUP 21-05
Proposal:       Request for short-term rental at 1109 Edgecumbe Drive
Applicant:      Patricia Droz
Owner:          Patricia Droz
Location:       1109 Edgecumbe Drive
Legal:          Lot 1, Baranof Estates Subdivision
Zone:           R-1 Single-Family/Duplex District
Size:           4,000 square feet
Parcel ID:      14585001
Existing Use:   Residential
Adjacent Use:   Residential
Utilities:      Existing
Access:         Edgecumbe Drive

### KEY POINTS AND CONCERNS

- Neighborhood is residential, with zero lot-line, duplex, single-family housing, and a nearby church.
- The proposed short-term rental is for a zero lot-line dwelling adjacent to the primary residence of the applicants, available to be rented year-round.
- The renter information handout shall comply with conditions of approval, specifically regarding access, parking, trash management, and transportation.
- No active STR permits in the area.
- Short-term rentals have impacts to long-term rental availability and home values by removing a dwelling from the long-term rental/owner-occupied market.
- The proposed STR in a zero lot-line presents a potential issue if one or both dwellings are sold to different owners and the permit remains active.

### RECOMMENDATION

Staff recommends that the Planning Commission approve the short-term rental at 1109 Edgecumbe Drive subject to the recommended conditions of approval. Given the nature of the proposal as a zero lot-line, the Commission may wish to add a condition of approval that the permit be made void in the event of a sale of either 1109 or 1111 Edgecumbe Drive.

## BACKGROUND/PROJECT DESCRIPTION

This request is for a conditional use permit for a short-term rental (STR) for a two-bedroom, 1.5 bath dwelling unit. As a zero-lot line dwelling attached to the primary residence of the applicant, the owners will be on-site during rental of the property to mitigate any potential negative impacts.

## 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 off-street parking available for at least two vehicles with plans to increase the parking 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. However, disturbance from noise is addressed in the rental agreement and the owners will be on-site to mitigate potential impacts.

**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 Edgecumbe Drive.

**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 Edgecumbe Drive. 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 Edgecumbe Drive for emergency services.

**i. Logic of the internal traffic layout:** The rental unit is a two-story dwelling with 2 bedrooms, 1.5 baths, a kitchen, and living/dining room.

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[1] § 22.24.010.E

**j. Effects of signage on nearby uses:** All signs shall comply with Sitka General Code.

**k. Presence of existing or proposed buffers on the site or immediately adjacent the site:** An 8 ft privacy fence along the southern boundary provides a partial buffer primarily in the rear of the property. As a zero lot-line, the property is directly attached to its neighboring property. This is currently mitigated by the owners owning both dwelling but may become an issue in the event of a sale.

**l. Relationship if the proposed conditional use is in a specific location to the goals, policies, and objectives of the comprehensive plan:** STRs 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. STRs in general 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 1109 Edgecumbe Drive subject to the recommended conditions of approval.

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## ATTACHMENTS
Attachment A: Aerial
Attachment B: STR Density
Attachment C: Building Sketch
Attachment D: Plat and Parking Layout
Attachment E: Photos
Attachment G: Renter Handout
Attachment H: 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 2022, 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.
11. 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.
12. 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 1109 Edgecumbe Drive in the R-1 Single-Family/Duplex District, subject to the attached conditions of approval. The property is also known as Lot 1 of Baranof Estates Subdivision. The request is filed by Patricia Droz. The owner of record is Patricia Droz."**

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