



# CITY AND BOROUGH OF SITKA

## Minutes - Final

### Planning Commission

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Wednesday, February 19, 2020

7:00 PM

Harrigan Centennial Hall

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#### I. CALL TO ORDER AND ROLL CALL

Present: Chris Spivey (Chair), Stacy Mudry, Darrell Windsor, Richard Wein

Absent: Randy Hughey, Victor Weaver

Staff: Amy Ainslie, Andy Corak

Public: Larry Trani, Brooks Areson, Cameo Padilla, Henry Colt

**Chair Spivey called the meeting to order at 7:00.**

#### II. CONSIDERATION OF THE AGENDA

#### III. CONSIDERATION OF THE MINUTES

- a [PM 20-03](#) Approve the February 5, 2020 meeting minutes

**Attachments:** [02-Feb 05 2020 DRAFT](#)

#### IV. PERSONS TO BE HEARD

#### V. PLANNING DIRECTOR'S REPORT

Ainslie reported attendance at the local landslide warning system meeting held by Sitka Sound Science Center, and stated that she was requesting a special presentation for the commission. Ainslie stated that there was no new state information to report regarding the landslide mapping system. The commission requested any available information or contacts with the state in order to expedite/advance the mapping process. Ainslie reported on her attendance of the American Planning Association's recent meeting in Anchorage, and noted the annual Short Term Rental report had come due. Chair Spivey requested a list of non-respondents. Ainslie stated this would be provided at the next meeting, and noted that the community short term rental survey garnered about 20 responses at that time. Ainslie notified the commission that the Tiny Houses amendment was returning for a 3rd 1st reading at the following assembly meeting, and that the amendment was changed by removing language about construction standards. Ainslie stated the No Name Mountain community survey was distributed, and would be advertised once the short term rental survey period closed. The No Name Mountain consultant meeting was not yet scheduled. Ainslie noted that Planning obtained drone footage of the area in question. Windsor requested the contract price for the consultants, Ainslie responded with the not to exceed price of \$165,000, and target price of \$150,000.

#### VI. REPORTS

**VII. THE EVENING BUSINESS**

[P 20- 01](#)

Public hearing and consideration of a final plat for a lot merger for three lots on Middle Island to result in one lot in the Large Island zoning district. The properties are also known as Lots 3, 4, and 5, Block 1, Middle Island Subdivision. The applicant is Michael Coady. The owner of record is Michael Coady.

- Attachments:**     [P 20-01 Coady Middle Island Lot Merger\\_ Staff Report](#)  
                                  [P 20-01 Coady Middle Island Lot Merger\\_ Aerial](#)  
                                  [P 20-01 Coady Middle Island Lot Merger\\_ Current Plat](#)  
                                  [P 20-01 Coady Middle Island Lot Merger\\_ Final Plat](#)  
                                  [P 20-01 Coady Middle Island Lot Merger\\_ Applicant Materials](#)

The applicant attempted to appear telephonically, but was not present on the line when he was called.

**M-Windsor/S-Mudry motion to postpone until next meeting passed 3-0 by voice vote.**

[CUP 20-01](#)

Public hearing and consideration of a conditional use permit for a short-term rental aboard the F/V Equinox located at T3-08 of Eliason Harbor in the Public Lands zoning district. The property is also known as a portion of ATS 1496. The request is filed by Cameo Padilla. The owners of record are Cameo Padilla and Brooks Areson.

- Attachments:**     [CUP 20-01 FV Equinox Padilla STR\\_ Staff Report](#)  
                                  [CUP 20-01 FV Equinox Padilla STR\\_ Aerial](#)  
                                  [CUP 20-01 FV Equinox Padilla STR\\_ Vessel Layout](#)  
                                  [CUP 20-01 FV Equinox Padilla STR\\_ Photos](#)  
                                  [CUP 20-01 FV Equinox Padilla STR\\_ Renter Handout](#)  
                                  [CUP 20-01 FV Equinox Padilla STR\\_ Applicant Materials & Inspection Reports](#)

Ainslie provided a brief explanation of the short term rental system in Sitka harbors, noting that only two were allowed per harbor, and only ten were allowed city-wide. The permit did not run with the vessel, stall, or owner, so that the permit did not transfer at sale. Ainslie noted that a dockside Coast Guard inspection was required for short term rentals on boats, in order to ensure safety in lieu of a building inspection. Additionally, boats were required to register as a liveaboard with the harbor system, and Ports and Harbors had to approve the vessel before it could apply for a short term rental permit.

The applicants were approved for a short term rental aboard the F/V Morning Glass in 2018, and purchased the F/V Equinox, for which they needed a new short term rental permit. Ainslie noted that the Equinox passed a Coast Guard inspection, was located in Eliason Harbor, and had a maximum of 6 guests, and described the vessel based on thorough documentation provided by the applicant. Ainslie noted the responsible history of the applicants. Staff recommended approval.

The applicants, Areson and Padilla, were present. Windsor asked for an explanation of the waste water pump out system on the boat, Padilla explained the Coast Guard approved process.

**M-Windsor/S-Mudry moved to approve a conditional use permit for a short-term rental aboard the F/V Equinox located at T3-08 of Eliason Harbor in the Public Lands zoning district. The property was also known as a portion of ATS 1496. The request was filed by Cameo Padilla. The owners of record were Cameo Padilla and Brooks Areson. Motion passed 3-0 by voice vote.**

**M-Windsor/S-Mudry moved to adopt the findings as listed in the staff report. Motion passed 3-0 by voice vote.**

CUP 20-02

Public hearing and consideration of a conditional use permit for a short term rental located at 468 Katlian Street in the R-1 single family and duplex residential district. The property is also known as Lot 105, BIHA 2 Subdivision, USS 2542. The request is filed by Judith Kell. The owner of record is Judith Howard (Kell).

- Attachments:**
- [CUP-20 Kell 468 Katlian STR Staff Report](#)
  - [CUP-20 Kell 468 Katlian STR Density Map](#)
  - [CUP-20 Kell 468 Katlian STR - Floor Plan](#)
  - [CUP-20 Kell 468 Katlian STR Photos](#)
  - [CUP-20 Kell 468 Katlian STR - Plat](#)
  - [CUP 20-02 468 Katlian STR Public Comment](#)
  - [CUP 20-02 468 Katlian STR Application](#)
  - [CUP 20-02 468 Katlian STR Renter Handout](#)

**This item was pulled prior to the meeting. No action was taken.**

VAR 20-02

Public hearing and consideration of a variance to increase maximum building coverage above 50% and a reduction in front, side, and rear setbacks at 3603 Halibut Point Road in the R-1 MH Single-Family/Duplex/Manufactured Home zoning district. The property is also known as Lot 1, Yannikos Subdivision. The request is filed by Larry Trani and Ann Walter. The owners of record are Larry Trani and Ann Walter.

- Attachments:**
- [VAR 20-02 Traini 3603 HPR Staff Report](#)
  - [VAR 20-02 Trani 3603 HPR Variance Aerial](#)
  - [VAR 20-02 Trani 3603 HPR Variance Site & Floor Plans](#)
  - [VAR 20-02 Trani 3603 HPR Variance Plat](#)
  - [VAR 20-02 Trani 3603 HPR Variance Photos](#)
  - [VAR 20-02 Trani 3603 HPR Variance Applicant Materials](#)

Ainslie described the applicant's variance request, detailing restrictions on height, setbacks, and building coverage, and how the request pertained to the code. Ainslie noted the 30 inch-above-grade height threshold for setbacks, and noted that the applicant's structure footprint was only 52% lot coverage, and the 70% coverage requested was due to eave overhangs. Ainslie described the side setback, and noted that this was due to the garage foundation on the north side of the lot, and attempts to

align the home with the garage foundation. Ainslie detailed the front setback, and noted Halibut Point Road was platted much wider than it was built, resulting in space between the platted property line and the actual asphalt. The rear setback was adjacent to tidelands, and Ainslie noted that code potentially allowed for development without setbacks abutting tidelands, but code was inconsistent. Ainslie observed the main reasons for setback requirements were for fire separation, buffer between neighbors, and ingress/egress, none of which were pertinent to the variance request. Staff recommended approval for side and rear setback reductions. Staff recommendation was neutral for front setback reduction and maximum building lot coverage.

Applicant Larry Trani was present. He stated he understood the 30 inch height threshold for coverage, but did not want to add fill to reduce the height above grade of the deck. Randy Hitchcock provided public comment, and stated that the house next door was a great example of a high lot coverage structure. Trani noted the neighboring property was constructed against the rear setback, and stated that it was common for waterfront properties in this neighborhood.

**M-Windsor/S-Mudry moved to approve a variance to increase maximum building coverage above 50% and a reduction in front, side, and rear setbacks at 3603 Halibut Point Road in the R-1 MH Single-Family/Duplex/Manufactured Home zoning district. The property was also known as Lot 1, Yannikos Subdivision. The request was filed by Larry Trani and Ann Walter. The owners of record were Larry Trani and Ann Walter. Motion passed 3-0 by voice vote.**

**M-Windsor/S-Mudry moved to approve the findings as listed in the staff report. Motion passed 3-0 by voice vote.**

## VIII. ADJOURNMENT