



CITY AND BOROUGH OF SITKA

Minutes - Final

Planning Commission

Wednesday, March 16, 2022

7:00 PM

Harrigan Centennial Hall

I. CALL TO ORDER AND ROLL CALL

Present: Darrell Windsor (Acting Chair), Stacy Mudry, Wendy Alderson, Katie Riley, Thor Christianson (Assembly Liaison)
Absent: Chris Spivey (Excused)
Staff: Amy Ainslie, Ben Mejia
Public: Michael Starnes, Michael Kernin, Pamela Stahla-Kernin, Shannon Haugland (Sitka Sentinel)

Chair Windsor called the meeting to order at 7:00pm.

II. CONSIDERATION OF THE AGENDA

III. CONSIDERATION OF THE MINUTES

A [PM 22-06](#) Approve the March 2, 2022 meeting minutes.

Attachments: [4-March 2 2022 DRAFT](#)

**M-Mudry/S-Alderson moved to approve the March 2, 2022 meeting minutes.
Motion passed 4-0 by voice vote.**

IV. PERSONS TO BE HEARD

V. PLANNING DIRECTOR'S REPORT

Ainslie updated the Commission on the execution of the Short-Term Tourism Plan. Ainslie detailed work done to accomplish the Lincoln Street closure, purchasing portable restroom facilities, and purchasing new bear-proof trash bins for the downtown area. Ainslie explained that contracts for communications support were being extended to assist with ensuring public awareness. Ainslie mentioned that staff was working with Sitka Trail Works to establish a walk and bike incentive program to encourage non-motorized commutes to downtown.

VI. REPORTS

VII. THE EVENING BUSINESS

B [CUP 22-07](#) Public hearing and consideration of a conditional use permit for a short-term rental at 109 Erler Street in the R-1 - single-family and duplex

residential district. The property is also known as Lot 1B and a portion of Lot 1A, Block 26, Spruce Glen Subdivision. The request is filed by Michael Starnes. The owners of record are Michael Starnes and Pamela Musgrove.

Attachments: [CUP 22-07 Starnes 109 Erler Street STR Staff Report](#)
 [A CUP 22-07 Starnes 109 Erler Street STR Aerial](#)
 [B CUP 22-07 Starnes 109 Erler Street STR Plat](#)
 [C CUP 22-07 Starnes 109 Erler Street STR Parking Plan](#)
 [D CUP 22-07 Starnes 109 Erler Street STR Floor Plan](#)
 [E CUP 22-07 Starnes 109 Erler Street STR Photos](#)
 [F CUP 22-07 Starnes 109 Erler Street STR STR Density](#)
 [G CUP 22-07 Starnes 109 Erler Street STR Renter Handout](#)
 [H CUP 22-07 Starnes 109 Erler Street STR Applicant Materials](#)

Ainslie introduced the proposal for a short-term rental of a 4 bedroom, 2.5 bathroom single-family home at 109 Erler Street. Ainslie explained that the property was currently the primary residence of the applicants, that the applicants were being relocated for work, and that applicants wanted to retain the property and visit Sitka when possible. Ainslie noted the applicants had identified a property manager, staff recommended that a condition of approval be added to provide property manager information to the Planning Department.

Ainslie explained that the site had adequate space on the lot for two parking spaces in addition to the one car garage. Ainslie noted the renter handout would serve as mitigation from noise and odor impacts, stating that quiet hours were after 9pm, proper handling of garbage, and not allowing fish cleaning at the property. Ainslie noted the property was accessible to emergency services. Ainslie noted that the site was in a dense residential area with four other active short-term rental permits in the area. Ainslie noted that while cut-through scenarios were not possible, the location was accessible by multiple residential roads. Ainslie described the property as buffered by vegetation and grade changes. Staff recommended approval.

The applicant, Michael Starnes, was present. Starnes added that he served in the Coast Guard, fell in love with Sitka, and hoped to come back when possible.

The Commission opened the floor for public comment. Ainslie read public comment from Melissa Killinger who expressed concerns that a short-term rental may impact the neighborhood.

Alderson expressed her wish for more long-term rental opportunities but understood the applicants rationale for a short-term rental permit. The Commission voiced their support of the proposal.

M-Mudry/S-Alderson moved to approve the conditional use permit for a short-term rental at 109 Erler Street in the R-1 single-family and duplex residential district, subject to the conditions of approval as listed in the staff report. The property was also known as Lot 1B and a fractional portion of Lot 1A, Spruce Glen Subdivision. The request was filed by Michael Starnes. The owners of record were Michael Starnes and Pamela Musgrove. Motion passed 4-0 by voice vote.

M-Mudry/S-Alderson moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 4-0 by voice vote.

C [CUP 22-08](#)

Public hearing and consideration of a conditional use permit for a short-term rental at 114A Jamestown Drive in the R-1 - single-family and duplex residential district. The property is also known as Lot 17, Rosi-Ashby Subdivision. The request is filed by Pamela Stahla-Kernin. The owners of record are Michael Kernin and Pamela Stahla-Kernin.

Attachments: [CUP 22-08 Kernin 114A Jamestown Drive STR Staff Report](#)
[A CUP 22-08 Kernin 114A Jamestown Drive STR Aerial](#)
[B CUP 22-08 Kernin 114A Jamestown Drive STR Plat](#)
[C CUP 22-08 Kernin 114A Jamestown Drive STR Parking Plan](#)
[D CUP 22-08 Kernin 114A Jamestown Drive STR Floor Plan](#)
[E CUP 22-08 Kernin 114A Jamestown Drive STR Photos](#)
[F CUP 22-08 Kernin 114A Jamestown Drive STR STR Density](#)
[G CUP 22-08 Kernin 114A Jamestown Drive STR Renter Handout](#)
[H CUP 22-08 Kernin 114A Jamestown Drive STR Applicant Materials](#)

Ainslie introduced the proposal for a short-term rental of a 1 bedroom, 1 bathroom mother-in-law style dwelling unit with a kitchen, living room, and laundry at 114 Jamestown Drive, Apartment A. Ainslie noted that the unit was located downstairs in the home, with upstairs unit serving as the primary residence of the applicants, who will be on-site to manage the rental. Ainslie explained that there was adequate parking on-site for four vehicles and two spaces would be available for the rental and that the site was accessible to emergency services. Ainslie identified the owners being on-site and the renter handout as mitigation to potential impacts from noise and odor and described the property as buffered by vegetation and grade changes around all property lines. Staff recommended approval.

The applicants, Michael Kernin and Pamela Stahla-Kernin, were present and explained that while they had used the apartment for long-term rentals for several years, they wished to have the flexibility to use the space for family when not rented.

The Commission opened the floor for public comment. No comment was made. The Commission voiced their approval of the proposal.

M-Mudry/S-Alderson moved to approve the conditional use permit for a short-term rental at 114A Jamestown Drive in the R-1 single-family and duplex residential district, subject to the conditions of approval as listed in the staff report. The property was also known as Lot 17, Rosi-Ashby Subdivision. The request was filed by Pamela Stahla-Kernin. The owners of record were Michael Kernin and Pamela Stahla-Kernin. Motion passed 4-0 by voice vote.

M-Mudry/S-Alderson moved to adopt and approve the required findings for conditional use permits as listed in the staff report. Motion passed 4-0 by voice vote.

- D [MISC 22-06](#) Discussion on the Assembly-sponsored ordinance (Ordinance No. 2022-05) for a moratorium on the issuance of conditional use permits for short-term rentals in the R-1 and related zones and the R-2 and related zones.

Attachments: [Ord 2022-05](#)

Ainslie introduced the discussion on the Assembly-sponsored ordinance for a moratorium on the issuance of conditional use permits for short-term rentals in the R-1 and related zones and the R-2 and related zones. Ainslie explained that the item was on the agenda to allow the Commission to provide any recommendations to the Assembly for their second reading.

Riley asked if any changes had been made after the last moratorium. Ainslie replied that to the best of her knowledge there were no Code changes to conditional use permits for short-term rentals as a result of the moratorium that took place between 2004 and 2006 but noted a trend shift from bed and breakfasts to short-term rentals around that time.

Windsor expressed his view that the most 2021 short-term rental annual report indicated little correlation between short-term rental permits and housing. Alderson commented that better defined criteria around short-term rentals would provide the Commission to make determinations on the type of short-term rental operation is best for the community. Alderson expressed concern regarding the use of homes as investment properties by listing as short-term rentals given the housing challenges the community faced. Windsor recognized that bed and breakfasts were better defined in the Code and suggested that short-term rentals might benefit from definitions within the Code as well.

Christianson expressed concerns about the moratorium, specifically the lack of defined consequences for non-compliance and would prefer a cap on the number of permits instead of a moratorium on processing any request. Riley agreed that compliance and enforcement were important but did not feel that those challenges should prevent action. Alderson and Riley expressed their belief that the moratorium must be used as an opportunity to analyze impacts of short-term rentals and make changes to the Code.

M-Riley/S-Alderson moved to recommend approval of the Assembly-sponsored ordinance for a moratorium on the issuance of conditional use permits for short-term rentals in the R-1 and related zones and the R-2 and related zones. Motion failed 2-2 by voice vote.

VIII. ADJOURNMENT

Seeing no objections, Chair Windsor adjourned the meeting at 7:58pm.