

CITY OF BETHEL
ORDINANCE #188

AN ORDINANCE OF THE CITY OF BETHEL AFFIRMING THE EXISTENCE
OF THE PLANNING COMMISSION AND DELINEATING ITS DUTIES,
FUNCTIONS, AND PROCEDURES

NOW THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska that Ordinance #188 replaces Ordinance #55 and the existing Chapter 2.24 of the Bethel Municipal Code, entitled the City Of Bethel Planning Commission Ordinance. Ordinance #188 and the above-mentioned corresponding chapter of the Bethel Municipal Code are hereby enacted to read as follows:

Section 2.24.010 - TITLE

This Ordinance shall be known as the City of Bethel Planning Commission Ordinance.

Section 2.24.020 - CLASSIFICATION

This Ordinance shall be of a general and permanent nature and shall become a part of the City of Bethel Municipal Code.

Section 2.24.030 - SEVERABILITY

If any section of this ordinance or any application thereof is held invalid, the remainder of this ordinance and the application shall not be affected.

Section 2.24.040 - ESTABLISHMENT OF COMMISSION

As provided in AS 29.40.020 this ordinance affirms the existence of the Planning Commission for the City of Bethel. Its duties, functions, procedures and composition shall be as specified herein.

Section 2.24.050 - PLANNING

The Planning Commission may:

(1) Review proposed public land selection, disposal, or management practices that affect the City;

(2) Issue recommendations concerning the City's annual planning budget and work program, issue recommendations concerning all planning consulting contracts that the City is or proposes to be a party to;

(3) Issue recommendations concerning needed or proposed public improvements;

(4) Recommend to the City Council the annual capital improvements program prioritization;

(5) Administer and update the City's Subdivision Ordinance, Zoning and/or Land Use Ordinance, Site Plan

Ordinance, Land Disposal Ordinance and Flood Zone Ordinance;

- (6) Maintain and update the official map of the City;
- (7) Create a consolidated Land Use Ordinance; and
- (8) Administer and update the Comprehensive Plan to include the following:
 - (a) statements of policies, goals, and standards;
 - (b) a land use plan;
 - (c) a community facilities plan;
 - (d) a transportation plan;
 - (e) recommendations for implementation of the comprehensive plan; and
- (9) Create and administer an ordinance to implement the Comprehensive Plan.

Section 2.24.060 Platting

As specified in the provisions of the Subdivision Ordinance, the Planning Commission shall act as the Platting Board.

Section 2.24.070 Zoning

The Planning Commission shall administer and update the Riverfront Land Use Ordinance, Zoning and/or Land Use Ordinance and Site Plan Ordinance as specified in those respective documents.

SECTION 2.24.080 - COMPOSITION

- (1) **Membership.** The voting members of the Planning Commission shall be six (6) citizens who have been residents of the City for at least one year. The seventh voting member shall be a member of the City Council. The Planning Manager or his/her designee will act as staff to the commission, but will not be allowed to vote.
- (2) **Appointment.** Members shall be appointed to the Commission by the Mayor and shall be confirmed by the Council. Appointments to fill vacancies shall be for the unexpired term only.
- (3) **Term of Office.** The term of office shall be three years. Two commission member's terms shall expire each year on the 31st of December. The City Council representative will be appointed for the duration of his or her term.

(4) Presiding Officer. The Planning Commission shall designate a member to reside as Chairperson for a period of one year. The Commission shall also designate as it's Vice-Chairperson, a member to serve in the absence of the Chairperson. The Planning Department will provide administrative support to the Commission.

(5) Vacancies. The Planning Department staff shall keep attendance records and notify the Mayor when vacancies occur. A vacancy shall be declared and filled when the member:

- a. Fails to qualify and take office within thirty days after appointment by the mayor or confirmation by the council;
- b. Plans to depart from the City for more than ninety days and is unable to attend meetings;
- c. Resigns from service on the Commission;
- d. Misses three unexcused consecutive regular meetings;
- e. Is convicted of a felony or of an offense involving violation of the Planning Commission oath of office.

(6) Quorum. Four members constitute a quorum. Any act of the Commission requires a majority affirmative vote of at least four members.

SECTION 2.24.090 - GENERAL PROCEDURES

(1) Meeting. Regular meetings shall be held. Special meetings may be called by the Chairperson or shall be called by the Chairperson at the request of two members.

(2) Agenda. An agenda shall be prepared, published in a newspaper of general circulation and posted in at least three conspicuous public places within the City.

(3) Minutes and Records. Meetings shall be public and minutes shall be kept. Minutes and records shall be retained as a public record in the office of the Planning Department.

(4) Rules of Order. Meetings shall be conducted under Robert's Rules of Order and such modified or amended rules as may be adopted by the Commission.

(5) Office and Staff. The Commission and its staff shall be provided office space suitable for its needs with adequate room to file its journals, resolutions, records, reference materials, correspondence, maps, plats, charts, all of which shall constitute public records of the City. The City Manager shall make available to the Commission, its staff and consultants the public records to aid the furtherance of the performance of the Commission's duties.

(6) Resolutions. All formal actions of the Commission shall be by resolution bearing:

- a) The heading, "Resolution of the Planning Commission of the City of Bethel";
- b) The space for the resolution number to be assigned, "Resolution No. (number)";
- c) A short and concise title descriptive of its subject and purposes;
- d) A short list of "WHEREAS" clauses descriptive of the reasons for the resolution, if necessary;
- e) The resolving clause, "THEREFORE, BE IT RESOLVED THAT..."; and
- f) A declaration of the date the resolution was adopted: "Adopted (date)", and designated lines for the signatures of the Chairperson and the Commission Clerk.

(7) Funds. All funds of the Commission or the Planning Department received as fees and charges or otherwise shall be deposited in the general fund of the City of Bethel.

(8) Compensation. Compensation and expenses of the Planning Commission are paid as directed by the City Council.

4-11-89
Date Adopted

Clara Kelly
CLARA KELLY, Mayor

ATTEST:
Anna McGowan
Anna McGowan, City Clerk

CITY OF BETHEL

AMENDMENT #1 to ORDINANCE #188

AN ORDINANCE OF THE CITY OF BETHEL AFFIRMING THE EXISTENCE
OF THE PLANNING COMMISSION AND DELINEATING ITS DUTIES,
FUNCTIONS, AND PROCEDURES

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL,
ALASKA, that Section 2.24.080 (1) of Ordinance #188 is
hereby amended to read:

Section 2.24.080 - COMPOSITION

(1) Membership. The voting members of the Planning
Commission shall be seven (7) citizens who have been
residents of the City for at least one year. The Planning
Manager or his/her designee will act as staff to the
commission, but will not be allowed to vote."

PASSED AND APPROVED THIS ____ DAY OF _____, 19__.

Gary Vanasse, Mayor

ATTEST:

Anna McGowan, City Clerk

*This did not pass. (voted down).
Councilman Zaster volunteered to
be on Planning Commission as
Council Rep. (1/30/91) *McGowan*