

Introduced by: Mayor Joseph Klejka  
Introduction Date: January 10, 2012  
Public Hearing: January 24, 2012  
March 13, 2012  
Action: Passed  
Vote: 5-0

# *CITY OF BETHEL, ALASKA*

## **Ordinance #12-01**

### **AN ORDINANCE AMENDING THE BETHEL MUNICIPAL CODE SECTION 2.24 PLANNING COMMISSION**

**BE IT ORDAINED** by the City Council of Bethel, Alaska, that:

**SECTION 1. Classification.** This ordinance is of permanent nature and shall be codified within the Bethel Municipal Code.

**SECTION 2. Amendment.** Sections 2.24 of the Bethel Municipal Code Planning Commission, is amended as follows (new language is underlined and old language is stricken out).

#### **Chapter 2.24 Planning Commission**

##### **2.24.010 Assumption of power.**

Pursuant to AS 29.35.260(c), the city has assumed the powers of planning, platting and land use regulation.

##### **2.24.020 Establishment of commission.**

Pursuant to AS 29.35.260(c) and 29.40.020, there is established the city planning commission. Its duties, functions, procedures and composition shall be as specified in this chapter.

##### **2.24.030 Planning, subdivision and land use functions.**

A. The planning commission may:

1. Review and make recommendations on existing and proposed federal, state and city land selection, acquisition, disposal or management practices that affect the city;
2. Make recommendations concerning the city's annual planning budget and work program;
3. Make recommendations concerning all planning consulting contracts to which the city is or proposes to be a party;
4. Make recommendations concerning needed or proposed public improvements;

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5. Recommend to the city council the prioritization of the projects in the city's annual and long-term capital improvements program;
6. Recommend to the city council adoption of and changes to subdivision, land use, site plan, land acquisition and disposal, flood control, housing, building and similar codes.

B. The planning commission shall:

1. Maintain and update the official map of the city;
2. Recommend to the city council integrated or consolidated land use and related codes;
3. Regularly review the comprehensive plan or its components and recommend to the city council updates or other changes. The comprehensive plan should include:
  - a. Statements of policies, goals and standards,
  - b. A land use plan,
  - c. A community facilities plan,
  - d. A transportation plan, and
  - e. Recommendations for implementation of the comprehensive plan;
4. Recommend to the city council ordinances to implement the comprehensive plan;
5. Act as the platting authority for the city;
6. Perform such other duties and functions as are provided for in BMC Titles 15, 16, 17 and 18 and other provisions of this code.

**2.24.040 Composition and staff.**

A. The voting members of the planning commission shall be six (6) citizens who have been residents of the city for at least one (1) year. The seventh (7th) voting member shall be a member of the city council. The planning department manager or his/her designee will act as staff to the commission and may participate in commission discussions, except appeals of decisions of the planning manager or planning staff, but is not allowed to vote.

B. 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.

C. The term of office shall be three (3) years. Two (2) commission members' terms shall expire each year on December thirty-first (31st). ~~The city council representative will be appointed for the duration of his or her city council term.~~

D. The planning commission shall designate a member to preside as chairperson for a period of one (1) year. The commission shall also designate as its vice chairperson, a

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member who shall exercise the powers of the chairperson during the absence of the chairperson.

E. Four members constitute a quorum. Any act of the commission requires an affirmative vote of at least four (4) members.

F. The planning department shall provide administrative support to the commission.

G. Alternate Members. The mayor shall appoint up to two (2) additional members to serve as alternate members, subject to confirmation by the council. An alternate member will be activated as a voting member whenever there is an absence or conflict of interest of another member. At all other times the alternate member shall be an ex officio member.

## **2.24.050 General procedures.**

A. Regular meetings shall be held on a schedule established by the planning commission. The schedule of the regular meeting dates, times and places shall be published at least twice in a newspaper of general circulation in the city. The publication shall cover the regular meetings scheduled for the next twelve (12) months or through the end of the next calendar year. The two (2) publications should be within five (5) to fifteen (15) days of each other. Publication of notice of a specific regular meeting may also be made, but is not necessary unless required by other provisions of this code. A copy of the proposed agenda shall be posted at least five (5) days before the meeting at City Hall and in three (3) other public places where such notices are regularly posted. ~~The posted agenda does not limit the matters the commission may act upon.~~

B. Postponing or Rescheduling of Regular Meetings. A regular meeting may be postponed or rescheduled to another date upon a vote of the majority of the members at a previous regular or special meeting. A regular meeting may be postponed or rescheduled because of an expected lack of a quorum of the members at a scheduled regular meeting. Notice of the postponing or rescheduling of a regular meeting shall be given in accordance with subsection C of this section. If a regular meeting is rescheduled, it may not be rescheduled before five (5) days after the last regular meeting in order to give the public notice of the rescheduled date.

C. Special meetings may be called by the chairperson or shall be called by the chairperson at the request of two (2) members of the commission ~~or the planning manager~~. Notice of special meetings shall be given by posting notice of the date, time and place of the meeting at least five (5) days prior to the meeting at City Hall and three (3) other public places where such notices are regularly posted. ~~A copy of the agenda for the special meeting shall be attached to the posted notice, and matters not on the agenda may not be acted upon by the commission.~~

D. Meetings shall be public and minutes shall be kept. Minutes shall be retained as a public record in the office of the city clerk.

E. Meetings shall be conducted under Robert's Rules of Order with such modifications and additions as may be adopted by the commission.

F. 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,

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reference materials, correspondence, maps, plats and 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.

G. All formal actions of the commission shall be by resolution bearing:

1. The heading, "Resolution of the Bethel Planning Commission";
2. The space for the resolution number to be assigned, "Resolution No. (number)";
3. A short and concise title descriptive of its subject and purpose;
4. A short list of "Whereas" clauses descriptive of the reasons for the resolution, if necessary;
5. The resolving clause, "THEREFORE, BE IT RESOLVED THAT..."; followed by a statement of the action approved by the commission and such factual findings, conclusions and other matters as may be appropriate; and
6. A declaration of the date the resolution was adopted: "Adopted (date)" and designated lines for the signatures of the chairperson and the commission clerk.

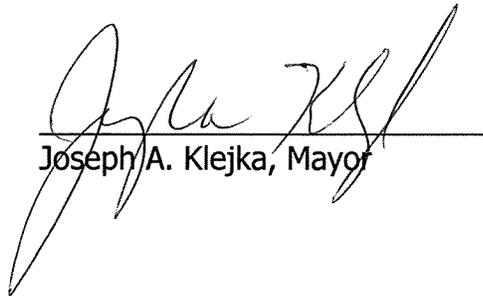
H. All funds received by the commission or the planning department as fees, charges, or otherwise shall be deposited in the general fund of the city and may be expended only pursuant to an appropriation.

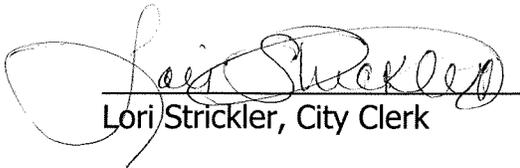
I. Members of the planning commission may be paid a fee or honorarium and reimbursed for expenses as provided by resolution of the city council.

**SECTION 3. Effective Date.** This ordinance shall become effective immediately, upon passage by the City Council.

**ENACTED THIS 13 DAY OF MARCH 2012, BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED.**

ATTEST:

  
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Joseph A. Klejka, Mayor

  
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Lori Strickler, City Clerk