Introduced by: Planning Commission
Date: March 22, 2016
Public Hearing: April 12, 2012
Action: Approved
Vote: 6-0

CITY OF BETHEL, ALASKA

Ordinance #16-11

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.36.030 OF THE BETHEL MUNICIPAL CODE TO ADD ALCOHOL SALES AND DISPENSING AS A CONDITIONAL USE PERMIT DESIGNATION IN THE GENERAL USE ZONING DISTRICT

WHEREAS, Bethel Municipal Code (BMC) Section 5.08.060 states that any use which includes the retail sale or dispensing of alcoholic beverages is permitted only by a Conditional Use Permit; and

WHEREAS, the Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses; and

WHEREAS, conditional uses are specifically identified in certain zoning districts described in BMC Chapter 18; and

WHEREAS, the General Use District is intended to allow a mix of compatible residential and commercial uses; and

WHEREAS, the **PLANNING COMMISSION** has reviewed BMC Title 18 and recommends that alcohol sales and dispensing shall be limited to the City of Bethel General Use District ~~only~~, and that it be added as a Conditional Use designation in Section 18.36.030 , General Use District Conditional Uses; and

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, that:
Alcohol sales and dispensing shall be limited to the City of Bethel General Use District only, and that it be added as a Conditional Use designation in Section 18.36.030 (General Use District Conditional Uses).

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

SECTION 2. Amendment. Section 18.36.30 of the Bethel Municipal Code is amended as follows (new language is underlined):

Introduced by: Planning Commission
Date: March 22, 2016
Public Hearing: April 12, 2012
Action: Approved
Vote: 6-0

Chapter 18.36
GENERAL USE DISTRICT – GU DISTRICT

Sections:

18.36.010 Intent.
18.36.020 Permitted and principal uses and structures.
18.36.030 Conditional uses.
18.36.040 Minimum lot size.
18.36.050 Minimum setback requirements.
18.36.060 Maximum height of structure.

18.36.010 Intent.

The general use district is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district.

18.36.020 Permitted and principal uses and structures.

The following are permitted and principal uses and structures in the GU district:

A. Trails and boardwalks.

B. Non-motorized public access areas to the Kuskokwim River or other areas that require public access.

C. Single-family dwelling units.

D. Duplex uses.

E. Greenbelts and land reserves.

F. Subsistence activities.

G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van as a residential unit is specifically prohibited, but its use as an accessory structure for storage is not prohibited.

H. The facilities of sewer, water and other utilities.

I. All uses listed as conditional uses in the PLI district.

J. Triplexes and apartment buildings.

K. Commercial uses and structures, including:

1. Delicatessens, meat, seafood, and other food specialty shops.

2. Art and picture framing shops.
3. Shoe repair shops.
4. Bookstores, stationery, gift, novelty, souvenir, and card shops.
5. Drug stores.
6. Laundry and dry cleaning shops.
7. Beauty and barber shops.
8. Cafes, restaurants, drive-in and fast-food restaurants, and other places serving food and beverages.
9. Knit shops, yarn shops, dry goods, dressmaking and notions stores.
10. Small appliance repair shops.
11. Photography studios, art studios.
12. Sporting goods stores, bicycle sale shops.
13. Business, professional, and administrative offices.
14. Day care facilities.
15. Video stores.
16. Clothing, apparel, and shoe stores.
17. Hobby store.
18. Florist.
19. Tobacco store.
20. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale at retail or wholesale on the premises, but not to include yards for storage or display of any scrap, junk, or salvaged materials or for any scrap or salvage operations.
21. Jewelry stores.
22. General merchandising store.
23. Wholesale and retail camera and photographic supply stores.
24. Funeral services, including crematoriums.
25. Motion picture theaters and live theaters.
26. Banking and financial institutions.
27. Medical and health services.

28. Business service establishments, including office supply and printing and publishing establishments.
29. Parking lots.
30. Taxicab and dispatching offices.
31. Hotels, motels, hostels, bed and breakfasts, bunk houses and boarding houses.
32. Radio and television studios.
33. Plumbing and heating service and equipment dealers.
34. Paint, glass and wallpaper stores.
35. Electrical or electronic appliances, parts and equipment.
36. Gasoline service stations.
37. Aircraft and marine parts and equipment stores, and outboard motor repair.
38. Antiques and secondhand stores, including auctions, pawnshops.
39. Automotive accessories, parts and equipment stores.
40. Automotive repair, services and garages.
41. Motor vehicle dealers, new and used.
42. Wholesale and retail fur repair, storage, and sales.
43. Automobile display lots, new and used.
44. Lumber yards and builders supply stores.
45. Nurseries and garden supply stores.
46. Automobile car washes.
47. Air passenger terminals.
48. Amusement arcades, billiard parlors, bowling alleys, roller and ice skating rinks.
49. Veterinary clinics and boarding kennels, with activities conducted in a completely enclosed building.
50. Vocational or trade schools.
51. Wholesale and retail furniture and home finishing stores.
52. Wholesale and retail radio and television stores.
53. Wholesale and retail household appliance stores.
54. Wholesale, industrial, and retail hardware stores.
55. Merchandise vending machines sales and service.

56. Frozen food lockers.
57. All-terrain vehicles remodeling or repair.
58. Boat building.
59. Sign shops.
60. Cabinet shops.
61. Cleaning, laundry or dyeing plants.
62. Other commercial uses of a character similar to those uses listed in this section.

18.36.030 Conditional uses.

The following uses and structures are permitted in the GU district under the terms of a conditional use permit:

A. Industrial uses permitted in the I district.

B. Radio and television towers and antennas, but not including amateur radio and citizen band radio antennas that are accessory to the principal use of the lot.

C. Landing strips and air taxi services.

D. Planned unit developments.

E. Alcohol Sales and Dispensing

18.36.040 Minimum lot size.

The minimum lot size in the GU district is seven thousand (7,000) square feet.

18.36.050 Minimum setback requirements.

Structures, other than minor structures, in the GU district shall be set back from property lines to provide yards as follows:

A. Front yard: Fifteen (15) feet.

B. Side yard: Ten (10) feet.

C. Rear yard: Ten (10) feet.

D. Twenty-five (25) feet from the mean high water mark of any drainage or lake.

18.36.060 Maximum height of structure.

The height of a structure in the GU district is not restricted except as may be limited under airport height restrictions applied under BMC 18.48.250 through 18.48.270.

Introduced by: Planning Commission
Date: March 22, 2016
Public Hearing: April 12, 2012
Action: Approved
Vote: 6-0

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

ENACTED THIS 12th DAY OF APRIL 2016, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk