



Planning Commission Meeting Agenda
Regular Scheduled Meeting Thursday, May 9, 2019– 6:30PM
CITY HALL COUNCIL CHAMBERS 300 CHIEF EDDIE HOFFMAN HIGHWAY

MEMBERS

Kathy Hanson
Chair
Term Expires 12/2021

Lorin Bradbury
Vice-Chair
Term Expires 12/2020

John Guinn
Commission Member
Term Expires 12/2019

Alex Wasierski
Commission Member
Term Expires 12/2021

Shadi Rabi
Commission Member
Term Expires 12/2019

Scott Campbell
Commission Member
Term Expires 1/2020

Tracy Beans
Alternate Member
Term Expires 12/2021

Thor Williams
Council Representative
Term Expires 10/2019

Betsy Jumper
Ex-Officio Member

Pauline Boratko
Recorder

A handwritten signature in blue ink, appearing to read "Pauline Boratko", is written over the typed name and title of the Recorder.

AGENDA

- I. CALL TO ORDER:
- II. ROLL CALL:
- III. PEOPLE TO BE HEARD – (3 Minute Limit)
- IV. APPROVAL OF THE AGENDA:
- V. APPROVAL OF THE MINUTES:
 - A. Regular Meeting- April 11, 2019
- VI. NEW BUSINESS:
 - A. PUBLIC HEARING: Request for Conditional Use Permit- On March 28, 2019, the City of Bethel Planning Office received an application from the Alaska Commercial Company for a Conditional Use Permit to open a packaged retail sales store for alcohol. The legal description lots 3A and 3B, block 15 of United States Survey 3230 A&B, Plat No. 80-5 in the Bethel Recording District. The physical address is 811 Third Avenue. (action item)
 - B. Procedures for changing the BMC 18.48 (Bethel Municipal Code) for off street parking and loading (discussion item).
- VII. PLANNER'S REPORT:
- VIII. SPECIAL ORDER OF BUSINESS:
- IX. COMMISSIONER'S COMMENTS:
- X. ADJOURNMENT:

City of Bethel, Alaska

Planning Commission

April 11, 2019

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER:

A regular meeting of the Planning Commission was held on April 11, 2019 at the Bethel City Hall, Council Chambers in Bethel, Alaska. The Chair of the Commission Kathy Hanson called the meeting to order at 6:30 PM.

II. ROLL CALL:

Comprising a quorum of the Commission, the following members were present for roll call: Kathy Hanson, John Guinn, Alex Wasierski, and Shadi Rabi,
Unexcused Absence: Thor Williams

Excused Absence: Lorin Bradbury, Scott Campbell, and Tracy Beans.

Also Present: Pauline Boratko, Recorder; Patty Burley, City Attorney; Betsy Jumper, City Planner; Calvin Cockroft, ONC Rep.; Rod Kinny, ONC Engineer, and Chase Nelson, City Engineer.

III. PEOPLE TO BE HEARD:

No one wished to be heard

IV. APPROVAL OF THE AGENDA:

MOVED:	John Guinn	Motion to approve the agenda by moving up VIII.) Special Order of Business item A.) Blue Sky wording on subdivision agreement to VI.
SECONDED:	Alex Wasierski	
VOTE ON MOTION	Unanimous	

V. APPROVAL OF THE MINUTES:

MOVED:	Shadi Rabi	Motion to approve the March 21, 2019 rescheduled regular meeting minutes.
SECONDED:	John Guinn	
VOTE ON MOTION	Unanimous	

VI. SPECIAL ORDER OF BUSINESS: Blue Sky Subdivision Agreement wording discussion.

VI. NEW BUSINESS:

A. Ciullkulek Subdivision Development Agreement

MOVED:	John Guinn	Motion to approve the Supplemental Resolution 19-03 as written for Ciullkulek Subdivision preliminary plat approval.
SECONDED:	Alex Wasierski	
VOTE ON MOTION	Unanimous	

MOVED:	Alex Wasierski	Motion to amend Ciullkulek Subdivision Preliminary Plat for final plat 1. 17.23 acre correction. 2. Dumpster dedicated area 3. Strike out hydrants 4. Sewer-hauled correction 5. Cross out sentence 2.15 on page 12.
SECONDED:	Shadi Rabi	

VOTE ON MOTION	Unanimous	
-----------------------	-----------	--

MOVED:	Alex Wasierski	Motion to approve resolution 19-04 to recommend City Council to approve the Ciullkulek Subdivision Development agreement.
SECONDED:	John Guinn	
VOTE ON MOTION	Unanimous	

B. Land Leases:

MOVED:	John Guinn	Motion to approve land lease resolution 19-05 between the City of Bethel and GCI.
SECONDED:	Alex Wasierski	
VOTE ON MOTION	Unanimous	

MOVED:	John Guinn	Motion to approve land lease resolution 19-06 between the City of Bethel and BTP. LLC
SECONDED:	Shadi Rabi	
VOTE ON MOTION	Unanimous	

C. Subdivision Violations:

The commissioners discussed subdivision code violations and chose connexes and encroachment on city property to be evaluated by City Attorney.

VI. PLANNER'S REPORT: Betsy gave her report.

VII. COMMISSIONER'S COMMENTS:

S. Rabi- no comment.

A. Wasierski- no comment.

J. Guinn- no comment.

K. Hanson- next meeting is WECs, CUP for AC, Parking, and update with Patty.

X. ADJOURNMENT:

MOVED:	Shadi Rabi	Motion to adjourn the meeting.
SECONDED:	Alex Wasierski	
VOTE ON MOTION	Unanimous	

With no further business the meeting adjourned at 8:12 pm
 APPROVED THIS _____ DAY OF _____, 2019

 ATTEST: Pauline Boratko, Recorder

 Kathy Hanson, Chair

PRINTED

MAR 28 2019

CITY OF BETHEL
PLANNING DEPARTMENT

APPLICATION FOR CONDITIONAL USE PERMIT ALCOHOLIC BEVERAGES

paid 500.00
3-28-19



City of Bethel - Planning Department
PO Box 1388
Bethel, Alaska 99559

\$500.00 Application Fee (new) \$350 Renewal Fee

Please fill in the information asked for below.

APPLICANT		APPLICANT'S REPRESENTATIVE (IF ANY)	
NAME (Last Name First) <i>THE NORTHWEST COMPANY</i>		NAME (Last Name First)	
Mailing Address <i>(INTERNATIONAL) INC.</i>		Mailing Address	
<i>3830 OLD INTL. AIRPORT RD suite 200</i>			
Contact Phone (Day)	(Night)	Contact Phone (Day)	(Night)
<i>907-273-4679</i>	<i>204-934-1705</i>		
Fax	Cell:	Fax	Cell
	<i>907-632-5166</i>		
Email: <i>license@northwest.ca</i>		Email:	
<i>jcichosz@northwest.ca</i>			
PROPERTY INFORMATION			
Name of Property Owner (if different from Applicant):			
Phone Number(s)			
Home	Work	Cell	
Email Address			
Mailing Address			
Physical Address			
<i>811 3rd Avenue Bethel AK. 99559</i>			
Current Legal Description			
<i>LOTS 3A & 3B, BLOCK 15, U.S. SURVEY 3230 A&B</i>			
<i>PLAT 80-5 BETHEL RECORDING DISTRICT</i>			
Existing Zoning		Existing Use	
<i>General Use</i>		<i>Retail Store</i>	

ALCOHOL LICENSE INFORMATION

The information will be reviewed first by the Planning Commission and then by the City Council.

1. Type of License Being Applied for at the State level		
<input type="checkbox"/> Beverage Dispensary	<input type="checkbox"/> Restaurant/Eating Place	<input type="checkbox"/> Club License
<input type="checkbox"/> Golf Course	<input type="checkbox"/> Brewery License	<input type="checkbox"/> Brewpub License
<input type="checkbox"/> Winery	<input checked="" type="checkbox"/> Package Store	<input type="checkbox"/> Wholesale
<input type="checkbox"/> Distillery	<input type="checkbox"/> Common Carrier	<input type="checkbox"/> Recreational Site
<input type="checkbox"/> Pub License	<input type="checkbox"/> Outdoor Lodge	<input type="checkbox"/> Caterer
2. Is the proposed license: <input type="checkbox"/> New <input checked="" type="checkbox"/> Transfer of Location: ABC License #: 5533		
<input type="checkbox"/> Renewal Transfer License Location: KUSKO LIQUOR 801 FRONT STREET		
3. Name under which business will be operated: ACC LIQUOR STORE		
4. Are you currently operating a business at this location? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, please indicate the name of the business, type of business, and the length of time you have been operating:		
5. If you are purchasing an existing business, please indicate the name and if they had a previous alcohol license: SAMMY'S NO LIQUOR LICENSE		
6. Will any building renovations, remodeling, or repairs be completed prior to opening the business for alcohol sales? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, please describe the nature and extent of this work: MINOR MODIFICATIONS TO INTERIOR. ATTACHED PLANS		
7. Provide a description of the building interior (e.g. square footage, number of rooms, etc.) [include a detailed and to scale drawing] ATTACHED		
8. What are your planned hours of operation? NOON - 8:00 PM MON-SAT CLOSED SUNDAY		
9. How many marked parking spaces are available on the premises for your customers? 22 CUSTOMER SPACES 4 BEHIND STORE - EMPLOYEES		
10. Are there adequate parking facilities to accommodate a reasonably expected increased demand for parking created by issuing the permit? YES.		
11. How many restrooms are available?		
How many are A.D.A. accessible? N/A PACKAGE LICENSE		

12. If a restaurant/dining establishment, is at least 75% of the business in the sale of food for consumption on the premises? Yes No

13. Approximately what is the distance to the nearest residence from your business?
 APPROXIMATELY 200 FEET PLUS

14. Is the business located within 200 feet of a:
 Public Playground Church Other Alcohol Establishment
 School Alcohol Treatment Facility

15. What is the gross leasable floor space in square feet?
 4,096

16. What is the facility occupant capacity?
 THIS WILL BE KNOWN AFTER FIRE MARSHAL REVIEW OF PLANS

17. What is the number of fixed seats (booths and non-movable seats)?
 N/A

18. What is the number of non-fixed seats (movable chairs, stools, etc.)?
 N/A

19. What will be the normal business hours of operation?
 NOON - 8:00 PM MON-SAT SUNDAY CLOSED

20. What will be the business hours that alcoholic beverages will be sold or dispensed?
 SAME AS ABOVE # 19

21. For Restaurant/Eating establishments, what do you estimate the ratio of food sales to alcohol beverage sales will be?
 % Alcoholic Beverage Sales
 % Food Sales

22. Package Stores
 Provide the projected percentage of alcoholic product inventory in the store where the retail unit price is:

<u>0</u>	% less than \$5.00
<u>0</u>	% \$5.00 to \$10.00
<u>15%</u>	% \$10.00 to \$25.00
<u>85%</u>	% greater than \$25.00

23. Will the granting of the conditional use permit be harmful to the public health, safety, convenience and/or welfare? Explain in detail on a separate sheet. ATTACHED

24. Are sufficient setbacks, lot area, buffers and other safeguards being provided? Demonstrate on a separate sheet. ATTACHED

25. In there any potential negative effect upon other properties in the area due to such factors as dust, noise, glare, increased vehicle and/or pedestrian traffic?
 NO MORE THAN ALREADY EXIST AS PROPERTY IS CURRENTLY BEING USED FOR RETAIL STORE

26. If there an potential negative effect on the safe, efficient flow of traffic on any highway, arterial, collector or street from which access to and from the establishment is obtained?

NO, AS THE PROPERTY HAS A WIDE ENTRANCE AND IS A CURRENT RETAIL STORE.

27. What measures are being proposed to reduce any negative effect upon adjacent and nearby properties by property line buffers and arterial buffers, planted berms, landscaping, clustering with other commercial establishments and use of frontage roads to reduce the number of entries and exits onto highways, arterials and collectors and where the surrounding area is predominantly residential in character, site and building design features that contribute to the residential character of the development?

THE CURRENT CONTAINERS WILL BE REMOVED. EMPLOYEE PARKING IN REAR. WIDE ENTRANCE. CURRENT RETAIL STORE WITHOUT ISSUES. GOOD SIGHT LINES FOR DRIVERS

28. Will access to the premises create an unreasonable traffic hazard? Explain

NO, WIDE ENTRANCE W/ CURRENT USAGE AS RETAIL

29. Will a reasonably expected increase in traffic overtax the existing road system? Explain

NO, AS CURRENT ROAD IS WELL SUITED FOR TRAFFIC. SITE IS RETAIL STORE NEXT TO HOTEL & OTHER RETAIL STORE

30. Is the use compatible with the character of the surrounding neighborhood? How?

YES - LOCATED NEXT TO AND AMIDST MANY BUSINESSES.

31. Is there or would the use tend to result in, a high crime rate or a high incidence of alcohol-related accidents in the area? Explain

NO MORE THAN MAY ALREADY EXIST. THERE IS CURRENTLY A LIQUOR STORE IN TOWN.

TRAINING

If application is being made for issue, renewal or transfer of a package store, restaurant or eating place license, pub license, or club license, the City Council will consider whether the applicant can demonstrate prospective or continued compliance with a Liquor Server Awareness Training Program approved by the State of Alaska.

How many employees in direct contact with alcohol will be or are trained in accordance with the Alcohol and Marijuana Control Board Training Program?

100%.

PUBLIC SAFETY

When application is made for issue, renewal or transfer of a beverage dispensary license; a restaurant or eating place license; a package store license; a Club License or a Pub License, the City Council will consider whether the operator can demonstrate the ability to maintain order and prevent unlawful conduct in a licensed premise. In determining the operator's demonstrated ability to maintain order and prevent unlawful conduct, the City Council may consider police reports, testimony presented before the City Council, written comments submitted prior to or during the public hearing, or other evidence deemed to be reliable and relevant to the purpose of this subsection. For purposes of this section, "licensed premises" shall include any adjacent area under the control or management of the licensee.

What are the proposed precautions to maintain order and prevent unlawful conduct at the licensed premises? On a separate sheet, provide a detailed safety and security plan, including cameras, lighting, personnel and all other pertinent safety and security features designed to secure the facility and lessen reliance on City personnel.

Inside the Facility:

ATTACHED

Outside the Facility:

ATTACHED

Documentation Required

Required:

- Site Plan drawn to scale depicting:
 - Building footprints;
 - Parking areas including a description and drawing depicting how parking spaces will be accessed;
 - Location and dimensions of parking areas to be provided;
 - Vehicle and pedestrian circulation;
 - Lighting
 - Landscaping
 - Signage
 - Location of Licensed Premises
 - Location and dimension for all access points to and from the site to the public rights-of-way or public access easements
 - Boundary protection
 - Scale and North Arrow.
- Building plans to scale depicting floor plans indicating the location of sales and service areas; building elevations (photographs are acceptable);
- Photographs of premises from each street frontage that include and show the relationship to adjacent structures and the premises visible street address number
- Narrative: explaining the project, construction (if any), operation schedule, and open for business target date.
- Copy of zoning map, showing the proposed location
- Copy of completed Alcohol and Marijuana Control Board Application form including all drawings and attachments

OPTIONAL:

- Traffic Impact Analysis DOT Authorization Crime Analysis

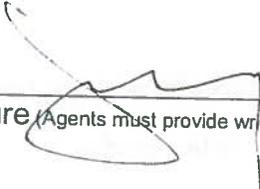
PAYMENT OF TAXES AND DEBTS

Payment of Taxes and Debts. When application is made for issue, renewal or transfer of a license, the City Council shall consider whether the applicant is delinquent in payment of sales taxes or other fees owed to the City of Bethel.

Yes No *Are sales taxes current?*

Yes No *Are there any other debts owed to the City of Bethel?*

The APPLICANT for the permit requested herein, hereby swears and affirms, that he/she and all parties interested in said application have read all questions and answers thereto, all in connection with application of said APPLICANT for a City of Bethel Conditional Use Permit – Alcoholic Beverages as indicated in said application; that he/she and all parties interested in said application fully acknowledge that all statements and facts herein are true and correct to the best of my knowledge. APPLICANT understands that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure the approval of the conditional use. APPLICANT further understands that assigned hearing dates before the Planning Commission and the City Council are tentative and may have to be postponed by the Planning Department, City Clerk or City Council for administrative reasons.

3/20/2019	
Date	Signature (Agents must provide written proof of authorization)

Northwest Company International (ACC Liquor) Application for Conditional Use Permit

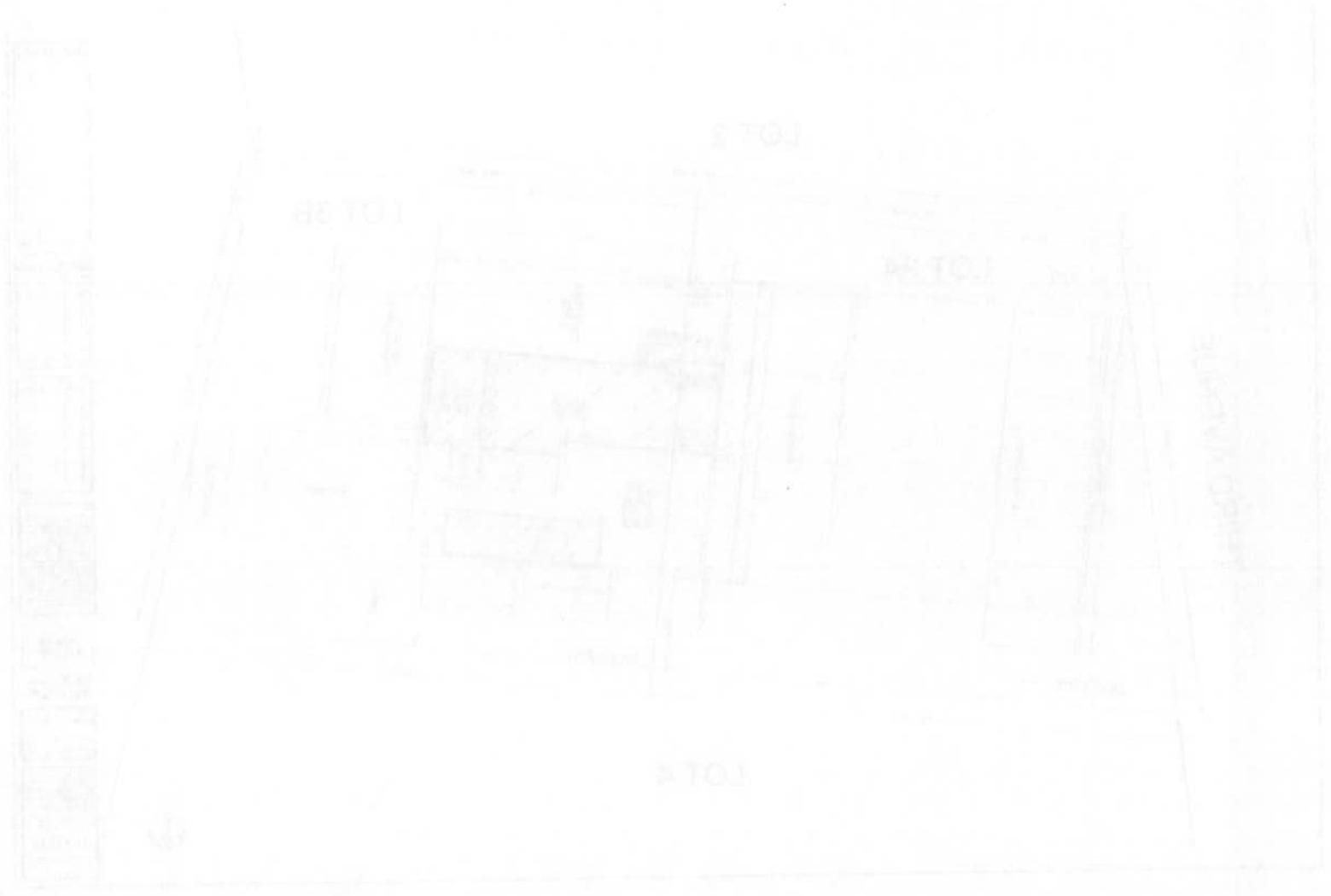
#23. No more than already exists. Property is currently being used for a retail store. There is an operating Liquor store in Bethel already. This store will have a positive impact in regards to competition and traffic mitigation.

#24. Yes, the property is currently being used as a retail store, adjacent to other businesses and already has buffers, safeguards and adequate setbacks in place.

Public Safety Comments.

Alaska Commercial Company plans on meeting and/or surpassing Bethel Municipal Code security camera and lighting requirements. Bars on windows and other physical safeguard will be utilized if deemed necessary. We also plan on working with city officials regarding any requested modifications or safety features. The hours of operation and purchase restrictions will match the current operating Liquor business; Caribou Traders. Security guards will be placed inside the store and in the parking lot during peak traffic times to assist in operations. Entry will be barred to individuals not able to purchase alcohol legally.

This page left intentionally blank



Memo

TO: City of Bethel Planning Commission
FROM: Betsy Jumper, Planner
SUBJECT: Findings and Recommendation for Conditional Use Permit Application Submitted by the Northwest Company, dba ACC Liquor Store—811 3rd Avenue
DATE: May 3, 2019

Background

The Northwest Company doing business as Alaska Commercial Company seeks a Conditional Use Permit (CUP) to open a package liquor store located at 811 3rd Avenue. The legal description of the property is: Lots 3A and 3B, Block 15, United States Survey 3230 A&B, Plat number 80-5 in the Bethel Recording District, State of Alaska. Per Bethel Municipal Code Section 5.08.060 (Alcoholic Beverages), a Conditional Use Permit for Alcohol is required for alcohol sales.

A Conditional Use Permit provides additional review of land uses and is generally considered necessary in certain zoning districts provided that appropriate safeguards are considered to ensure the compatibility of the proposed use with permitted principal uses of the surrounding lands. The conditional use permit procedure is intended to allow more scrutiny on the impact of the proposed conditional use on surrounding property, and the application of controls and safeguards to assure that the conditional use will be compatible with the surrounding area.

Below is Code Section 18.60.040 (Conditional Use Permit) which requires staff and the Planning Commission to address ten (10) specific questions. The answers to these questions form the basis for the Planner's recommendation to the Planning Commission.

BMC 18.60.040 Staff Review

A. The land use administrator shall review the conditional use permit application and the accompanying site plan permit application for completeness and request any additional material required. Upon determining that the application is complete, the land use administrator (in this case the Planner) shall prepare a staff report with analysis and recommendations. The report shall specifically address drainage on the parcel. The land use administrator may recommend any conditions reasonably necessary for the proposed use to permit the conclusions required under subsection B of this section. The written staff report containing the analysis, proposed conditions and conclusions shall be provided to the planning commission [with a copy to the applicant] with their meeting materials [at least] one (1) week prior to the public hearing.

B. The land use administrator may make a recommendation for approval only when the proposed use and conditions clearly support the following conclusions:

ACC Liquor Store 811 3rd Ave.

Staff Findings

1. The proposed conditional use will not be detrimental to the general public health, safety or welfare or to the environment.

Chapter 5.08.030 (J) of the Bethel Municipal Code refers to the proximity of liquor sales to certain establishments such as a school or alcohol inpatient or outpatient treatment facility. The location of the proposed facility does not fall within 200 feet of a school, inpatient or outpatient facility. Despite the location, this writer believes the proposed CUP will be detrimental to the public health due to public intoxication causing overtaxing of the first-responders. ACC previously had a license to sell alcohol and did a poor job of providing adequate security in and around the premises. Additionally, ACC's business policy of selling large quantities of alcohol to the same individuals placed a heavy burden on both the police and EMS as those daily visitors to the ACC store were often intoxicated and in need of aid by the City. Already with the current alcohol store the City is again experiencing complaints by residents and businesses near the alcohol store. Daily repeat customers are purchasing quantities that are large enough to create public intoxication issues and that are causing issues in the nearby dry communities. Unless and until the stores are willing to do more self-policing, their current model of profits first with little to no security is placing a large amount of litter on the City streets and in the Kuskokwim River, is leading to a significant rise in the number of intoxicated pedestrians which need assistance from City first responders and has led to increased alcohol related deaths.

2. The conditional use meets the standards otherwise applicable to a use in the applicable land use district.

ACC Liquor Store would be located in a central location of the General Use District. (*See attached Bethel Zoning Map*). This district is intended to allow a mix of compatible residential and commercial uses. The current structure on the land has been used previously as a grocery store, and before that, an auto parts retail store.

3. There are adequate existing or proposed sewage capacity, transportation facilities, parking area, drainage facilities and water supply to serve the proposed conditional use without causing a substantial negative impact on the existing level of services provided by such public facilities.

The proposed liquor store will experience short-term parking as customers will make purchases and then leave the premises. Access to and from the property would be on Third Avenue. There is not any known traffic problems in the immediate vicinity. It is anticipated that there would be an increase in traffic upon business operation.

Per BMC 18.48.160 D, there is a "Retail Sales and Service" parking requirement of one space per 300 feet of gross floor area. This amounts to a requirement of 14 parking spaces.

ACC proposes to remodel the interior for a package liquor store in one portion (total 1556 square feet) and the remainder for a convenience store and storage/shipping receiving. Total gross square footage is 4096. (*see attached floor plans sheet number 1.0*)

ACC Liquor Store 811 3rd Ave.

The attached parking schematics show a total of 21 parking spots; 5 spots in front of the store for general parking with 1 dedicated spot reserved for persons with disabilities; 8 parking spots are reserved for the general public, and 3 spots on the side of the building are reserved for overflow; 4 employee parking spots will be in the back of the store.

ACC proposes to construct a concrete barrier on the entryway off 3rd Avenue, with ingress indicated adjacent to lot 4, and egress on lot 3A. The reason for this barrier is to create a one-way traffic flow, as well as prevent any backing up into the street. *(See attached site plan, sheet no. ID-0.0.)*

Fencing will be placed on the rear and sides of the property.

Short-term customers will not affect the current capacity of water and sewer facilities on the premises. According to the Public Works Department, drainage is not an issue during spring break up.

4. The conditional use conforms to the intent and purposes of the land use code that are set out in BMC 16.04.010;

The proposed Conditional Use conforms to the intent and purposes of the land use code that are set out in BMC 16.04.010 *(see code directly below)*

16.04.010 Purposes.

A. In addition to the purposes set out in each title, the purposes of BMC Titles 15, 16, 17, and 18 together are to:

1. Promote a logical growth pattern within the city and the economic extension of public services and facilities;
2. Encourage the most appropriate use of land throughout the city;
3. Reduce congestion in the streets;
4. Enhance safety from fire, flooding and other dangers;
5. Provide adequate light, air and open space;
6. Preserve property values;
7. Prevent the overcrowding of the land;
8. Avoid undue concentration of population;
9. Facilitate adequate provisions for transportation, water, sewage, drainage, schools, parks and other facilities;
10. Assure that development does not adversely affect either the ability of the city to deliver public services or the safety of property and the health, safety and welfare of persons;
11. Assure that the burdens placed on public facilities by development are borne by the development;
12. Promote the public health, safety and welfare.

The CUP addresses many but not all of the factors set out in BMC 16.04.010. Due to its location in a general use zoning district, its commercial nature is anticipated. Taking over a previously existing storefront minimizes increased traffic and building footprint. Moreover, the site is located near the center of town which the Comprehensive Plan shows to be in the generally desired growth area.

The residents living near the proposed store will likely argue that the increased intoxicated pedestrian traffic will decrease their home values. However, without actual substantive proof, it is difficult to say that these are accurate statements.

What is concerning, is the burden that this facility will placed upon the City. Please see information in number 1 above.

5. The use and structures proposed are of an appropriate character and scale for the neighborhood in which the project will be located, including parts of the neighborhood that may lie outside the land use district within which the parcel is located.

The planned site is surrounded by commercial businesses and private homes. (*see attached 600' Radius Map*). Within a 600 foot radius of the proposed ACC Liquor store and a land use survey of the area, it was found that there are the following types of uses:

- a hotel
- a law office
- a dental office
- two commercial lodgings (Midtown Cottages & Suite 881)
- two proposed marijuana retail stores
- a lumberyard
- a barber shop
- a telecommunications office (UUI)

There are multi-family dwellings (4 units—Trooper Housing), and approximately 37 single family homes.

As stated in number 2 above, a general use zoned district is meant to have a mixture of compatible residential and commercial uses.

6. The conditional use is in accordance with and furthers the goals and policies of the comprehensive plan.

The proposed conditional use is in accordance with the City of Bethel Comprehensive Plan 2035, adopted in 2011. Under the Goals and Strategies Section of Chapter 4 (Land Use, Housing, and the Environment), the relevant sections, “Growth Patterns” and “Land Use Compatibility” both deal with development site location.

Goal #2 under “Growth Patterns” encourages future growth to locate near existing employment centers and public services (*see page 4-8 of the attached section of the Bethel Comprehensive Plan*). The planned location of this new business in an existing building of past retail activities adheres to the associated Action step #1b that encourages infill of development.

ACC Liquor Store 811 3rd Ave.

Under the Land Use Compatibility section (*see page 4-11 of the attached section of the Bethel Comprehensive Plan*), Goal #3 provides for compatibility among adjoining land uses so that future development maintains or improves the quality of life or land value of surrounding uses". The associated Map 4.4 (*Future Land Use Plan Map - see page 4-10 of the attached section of the Bethel Comprehensive Plan*) is a long-term vision of how and where the city will grow and change over the next 20 years to accommodate expected population and job growth (versus the current City's Zoning Map which designates how land can be used and what can be built on any given property today). The Future Land Use Map indicates no change from the current General Use District (mix of compatible residential and commercial uses).

7. The proposed use will not subject surrounding properties nor vehicles and pedestrians using nearby streets and ways to hazardous or substantially increased traffic conditions.

This same structure has been used as a retail facility for many years, with cars coming to and from the property. The building sits back on lot 3B, with parking on lot 3A. Given that the use will not change from a retail store to a retail store, it is not anticipated that the traffic, both vehicular and/or pedestrian would change noticeably.

8. There is a demonstrated need for the conditional use limited primarily to the area proposed, or, if the use will generally serve a larger area, then a demonstration that the use is essential to the city generally, and because of a feature of the property, the general need can be met by the property, but cannot be met as a principal permitted use on other property in the city.

The planned location of Alaska Commercial Liquor is in the General Use District (mix of commercial and residential). The site is surrounded by other commercial establishments. It is anticipated that customers coming to the store would come from all over the city.

9. The use, under the conditions proposed, will be compatible with existing and principal uses authorized and will not cause negative impacts on nearby property, including impacts from drainage, that exceed the impacts that would ordinarily be expected from principal permitted uses of the property that is the subject of the application.

The planned location for AC Liquor is in a general use zone, surrounded by a variety of commercial activities with nearby residences. There will be no impact on drainage from the business.

10. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the conditions proposed adequately address the relevant matters and standards covered by BMC 15.08.160 through 15.08.180. [Ord. 01-05 § 8.]

The proposed site of AC Liquor is located in a floodplain, and the same building has been there for the past 20+ years. The footprint is not changing. The proposed premises appear to be in a flood hazard area and because of the change in use, the premises are not grandfathered. As a result, it is recommend that the applicant obtain an elevation certificate issued by a certified engineer as well as an engineer report that addresses whether or not there is a potential for any

adverse drainage or flood hazard issues on the premises. If the results of the engineer report indicate issues, those issues will need to be addressed.

Recommendation

Based on the findings above, it is my recommendation that the CUP be denied.

Chapter 18.60 CONDITIONAL USE PERMIT (CUP) STANDARDS AND PROCEDURES

Sections:

- [18.60.010](#) Authorization.
- [18.60.020](#) Application.
- [18.60.030](#) Hearing and notification.
- [18.60.040](#) Staff review.
- [18.60.050](#) Planning commission review.
- [18.60.060](#) Standards for planning commission decision.
- [18.60.070](#) Lapse of approval.

18.60.010 Authorization.

A. The planning commission may grant a conditional use permit for those uses or structures authorized as a conditional use in the applicable land use district chapter of this title, subject to the standards provided in this chapter. An applicant does not have a right to a conditional use permit, but has a right only to have the planning commission give fair consideration to an application for a conditional use. The planning commission has discretion to deny a conditional use permit application if it is not convinced the proposed use is compatible with principal permitted uses, existing neighborhood development, the environment, the comprehensive plan or maintenance of compatible and efficient development patterns.

B. If conditions are imposed on a conditional use permit, the planning commission may delegate authority to the land use administrator to issue the conditional use permit when the conditions have been met. [Ord. 16-27 § 2; Ord. 01-05 § 8.]

18.60.020 Application.

A. The applicant shall complete a conditional use permit application on a form provided by the planning department in which the applicant shall state and describe in narrative:

1. A legal description and street address of the parcel;
2. The names and addresses of the owners of the parcel and of the applicant;
3. A description of the proposed conditional use;
4. A map or plat of the general area surrounding the parcel, with notations of the uses and structures that exist on abutting and nearby lots;
5. Potential impacts on pedestrian and vehicular traffic circulation and safety;
6. Potential output of noise, fumes, dust, wastes and other forms of potential environmental pollution;
7. Special features and restrictions designed to minimize negative impacts and to ensure the public health, safety and welfare of the residents;

8. A complete site plan permit application for the proposed use, including fill placement, quantities and contours and drainage plans;

9. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the proposal shall address the relevant matters and standards covered by BMC [15.08.160](#) through [15.08.180](#);

10. The names and addresses of all persons who own property within six hundred (600) feet of the boundaries of the parcel.

B. A fee shall be included as established by resolution of the city council. [Ord. 01-05 § 8.]

18.60.030 Hearing and notification.

A. Upon receipt of a complete application for a conditional use permit, the land use administrator shall set a date for public hearing before the planning commission. The public hearing shall be scheduled no sooner than twenty (20) calendar days and no later than fifty (50) calendar days from the date of acceptance of a complete application.

B. Notice of the public hearing on a proposed conditional use shall be provided as set out in BMC [18.04.070](#). [Ord. 01-05 § 8.]

18.60.040 Staff review.

A. The land use administrator shall review the conditional use permit application and the accompanying site plan permit application for completeness and request any additional material required. Upon determining that the application is complete, the land use administrator shall prepare a staff report with analysis and recommendations. The report shall specifically address drainage on the parcel. The land use administrator may recommend any conditions reasonably necessary for the proposed use to permit the conclusions required under subsection B of this section. The written staff report containing the analysis, proposed conditions and conclusions shall be provided to the planning commission with their meeting materials one (1) week prior to the public hearing.

B. The land use administrator may make a recommendation for approval only when the proposed use and conditions clearly support the following conclusions:

1. The proposed conditional use will not be detrimental to the general public health, safety or welfare or to the environment;

2. The conditional use meets the standards otherwise applicable to a use in the applicable land use district;

3. There are adequate existing or proposed sewage capacity, transportation facilities, parking area, drainage facilities and water supply to serve the proposed conditional use without causing a substantial negative impact on the existing level of services provided by such public facilities;

4. The conditional use conforms to the intent and purposes of the land use code that are set out in BMC [16.04.010](#);

5. The use and structures proposed are of an appropriate character and scale for the neighborhood in which the project will be located, including parts of the neighborhood that may lie outside the land use district within which the parcel is located;
6. The conditional use is in accordance with and furthers the goals and policies of the comprehensive plan;
7. The proposed use will not subject surrounding properties nor vehicles and pedestrians using nearby streets and ways to hazardous or substantially increased traffic conditions;
8. There is a demonstrated need for the conditional use limited primarily to the area proposed, or, if the use will generally serve a larger area, then a demonstration that the use is essential to the city generally, and because of a feature of the property, the general need can be met by the property, but cannot be met as a principal permitted use on other property in the city;
9. The use, under the conditions proposed, will be compatible with existing and principal uses authorized and will not cause negative impacts on nearby property, including impacts from drainage, that exceed the impacts that would ordinarily be expected from principal permitted uses of the property that is the subject of the application;
10. If any part of the project is located in a flood hazard area or in an area where the project may adversely affect drainage or floods in a flood hazard area, the conditions proposed adequately address the relevant matters and standards covered by BMC 15.08.160 through 15.08.180.
[Ord. 01-05 § 8.]

18.60.050 Planning commission review.

- A. The applicant or an authorized representative shall be present at the public hearing, informed and available for questions relative to the proposed project. The planning commission may take action on the agenda item even if the applicant or an authorized representative is not present at the public hearing. The planning commission may deny the project based entirely on failure of the applicant or an informed, authorized representative to be available at the hearing.
- B. The planning commission shall consider the matter at a public hearing. The commission shall consider the application, the land use administrator's staff report, any written comments from members of the public submitted prior to the public hearing, and oral comments made at the public hearing.
- C. During all phases of the public hearing, any speaker shall address the chairperson prior to making any comment. If any person wishes to question any other person in attendance, the question shall be directed through the chairperson. All public hearings shall be conducted in the following manner:
 1. The chairperson shall explain the hearing procedure;
 2. Planning department staff shall present a staff report and recommendations regarding the subject project;
 3. The planning commissioners shall ask staff any questions they may have regarding the staff review and recommendations;

4. The applicant shall be given the opportunity to explain the nature of the project and any other relevant information, including rebuttal or additional information regarding any of the correspondence received and matters raised by the staff or the commission;

5. Planning commissioners may ask the applicant any questions they may have about the project;

6. The neighbors or any other interested persons will be given the opportunity to speak. The chairperson will read all written comments submitted regarding the proposed project or copies shall be provided to each commission member. Information provided should be limited to facts. Persons who have given testimony previously during the hearing may comment on any new information limiting comments to new information only. The chairperson may limit repetitious testimony based on time constraints or other situations which may arise;

7. Members of the planning commission may ask any questions of neighbors or other interested persons;

8. The applicant shall be given the opportunity to rebut factual matters raised by the staff, neighbors and other interested persons;

9. After the applicant has given rebuttal evidence and summarized, the staff shall be given an opportunity to comment on evidence presented and to make new or amended recommendations.

D. The planning commission may make a decision to approve, conditionally approve, or deny the project. The commission may also decide to take the matter under advisement or continue the hearing or commission discussion to a future date in order to allow time to acquire more information as needed. The planning commission and the planning staff shall be given the opportunity to comment during and between any of these steps.

E. The commission shall make a decision based upon the standards specified in BMC [18.60.060](#). The commission may impose any conditions reasonably necessary for the proposed use to comply with the standards listed in BMC [18.60.060](#). If the planning commission does not adopt the land use administrator's recommendations and conclusions, it must support its findings with a statement of findings and conclusions, which shall be included in the official minutes of the hearing and in the resolution approving or disapproving the conditional use. [Ord. 01-05 § 8.]

18.60.060 Standards for planning commission decision.

A. The planning commission may approve a request for a conditional use permit only if it makes findings, supported by the record, as are set out in BMC [18.60.040](#)(B)(1) through (10).

B. Where the approval of a conditional use permit application would result in a mix of residential and nonresidential uses, any approval of the conditional use may impose conditions and design standards necessary:

1. To ensure the public health, safety, and welfare of residents; and
2. To minimize or eliminate adverse impacts on residential property.

C. All standards contained in this chapter are minimum standards. More restrictive conditions may be imposed by the planning commission where necessary to ensure the public health, safety, and welfare of Bethel's citizens and to maintain consistency with the comprehensive plan and the purposes of this title as set out in BMC 16.04.010.

D. A site plan permit must be obtained following the granting of a conditional use permit and prior to the establishment of the use or structure for which the conditional use permit was sought. [Ord. 01-05 § 8.]

18.60.070 Lapse of approval.

A. Unless a longer time is specifically established as a condition for approval, a conditional use permit approval shall lapse and shall become void if not exercised within one (1) year from the date of approval. For a permit to be considered "exercised," substantial improvement to the land must be performed within one (1) year from the date of approval. Substantial improvement is the completion of fifty (50) percent or more of the total authorized improvements as specified on the subject permit as measured by cost. If the conditional use permit is primarily for a use not involving substantial improvements to the land, the permit is "exercised" when the use commences and continues for thirty (30) days or more.

B. A conditional use permit approval subject to lapse may be extended by the planning commission for an additional period of up to one (1) year; provided, that prior to the expiration date, a written request for extension is submitted to the planning commission and good cause for the extension is shown. [Ord. 01-05 § 8.]

The Bethel Municipal Code is current through Ordinance 18-26, passed November 27, 2018.

Disclaimer: The City Clerk's Office has the official version of the Bethel Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

This page left intentionally blank

This page left intentionally blank

FLOOR PLAN
SCALE 1/8"=1'-0"

64'-0"

CONVENIENCE
ENTRANCE
ONLY

CONVENIENCE
STORE
1 227 SQ/FT

CASH
CASH
SALES PERSON ACCESS ONLY

37'-0"

LIQUOR
STORE
1 241 SQ/FT

LIQUOR
ENTRANCE
ONLY

LIQUOR
COOLER

64'-0"

OFFICE

STORAGE

27'-0"

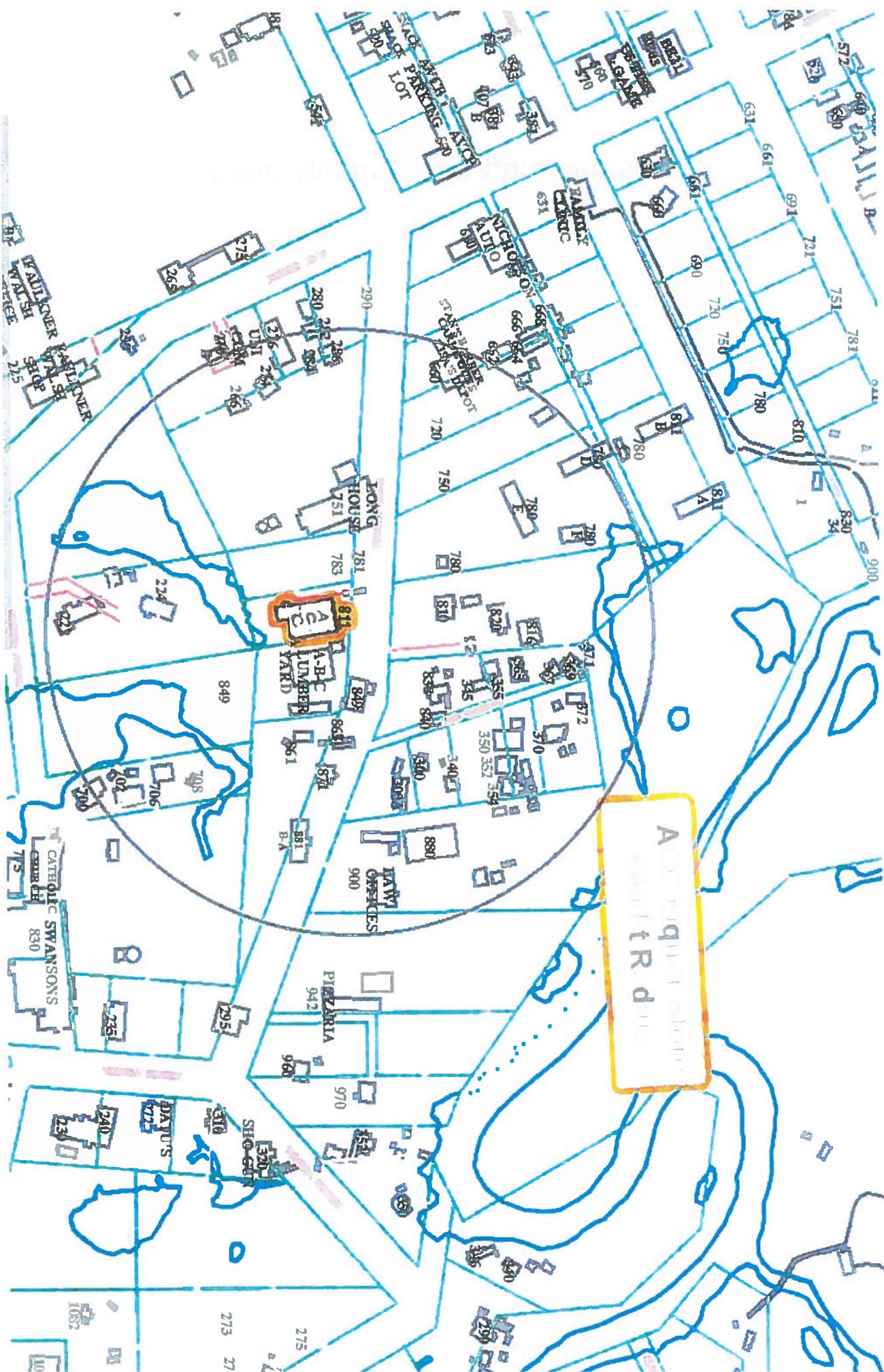
SHIPPING /
RECEIVING
& STORAGE

CHAINLINK
SECURED
ENCLOSURE
FOR LIQUOR
STORAGE
3 115 SQ/FT

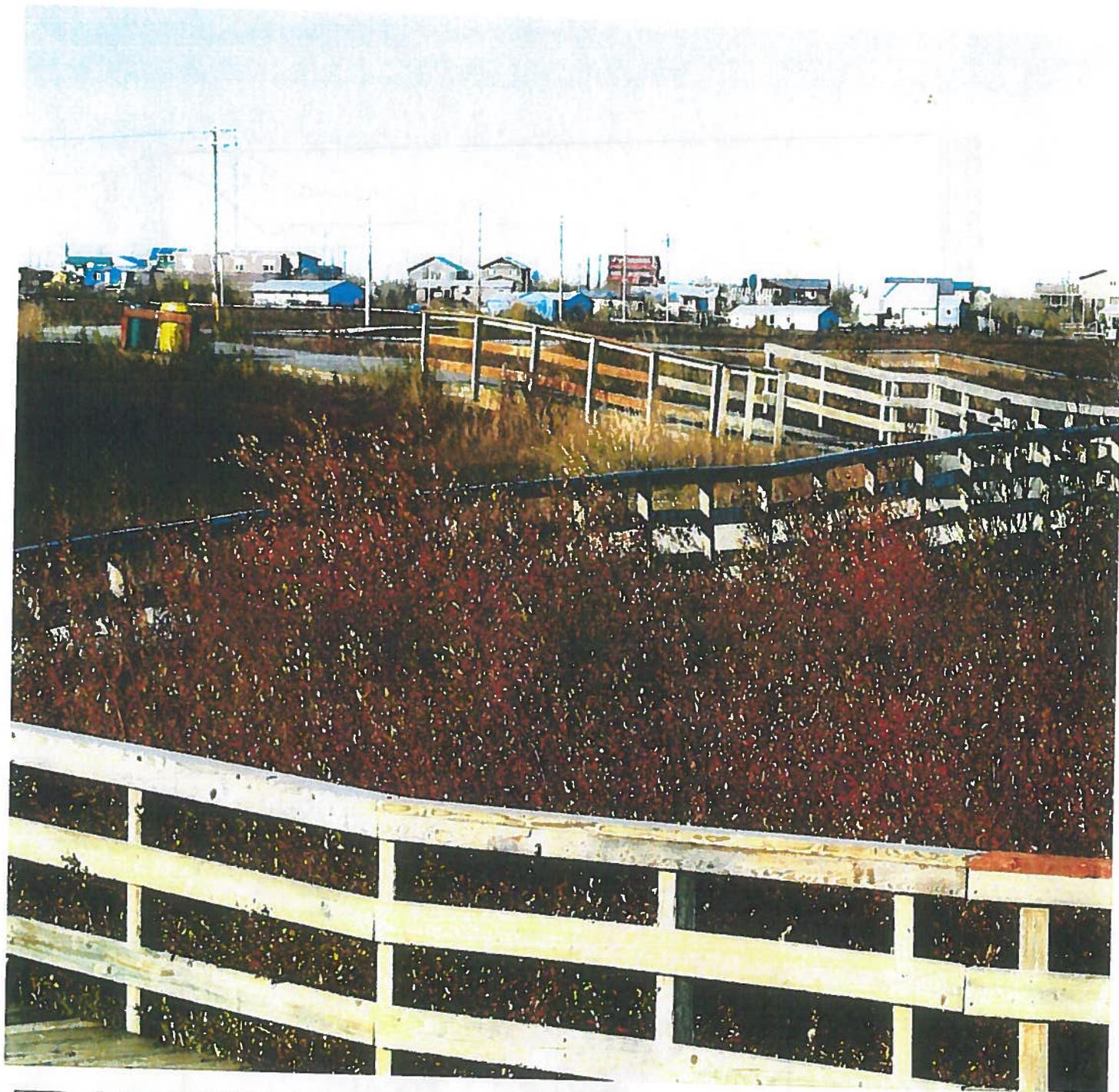
RST

8'x6' O.H. DOOR

Project: CHAINLINK SECURED ENCLOSURE FOR LIQUOR STORAGE
Sheet: ID-1.0
Scale: 1/8"=1'-0"
North Arrow
North West
Date: 12/12/2018
Author: [Name]
Checked: [Name]
Title: [Title]



This page left intentionally blank



BETHEL

COMPREHENSIVE PLAN

2035

SEPTEMBER 2011

prepared by AGNEW::BECK Consulting
for the City of Bethel, Alaska





Map 4.4
City of Bethel Future Land Use Plan Map



Data courtesy of the USGS
 BLM, DNR, and Agnew/ Beck. The map was
 compiled for the City of Bethel with assistance
 from Agnew/ Beck Consulting. File: Bethel_Community_11/22/10

Growth Patterns

GOAL 2: Encourage future growth to locate near existing employment centers and public services. Coordinate plans affecting the location of growth with plans for the location of water, wastewater and roads, as economically feasible.

Strategy 1: Explore policies (including infill and redevelopment) that could be used to encourage development of lands within or adjoining existing developed areas that have the potential to accommodate new growth.

Action 1a: Identify and map areas within or adjoining existing developed areas that have the potential to accommodate new growth; these include vacant or underutilized lands served by roads, with good access to public services and employment.

Candidate areas include:

- *The developed areas of "downtown Bethel."*
- *Undeveloped land immediately adjoining downtown Bethel, for example, the land adjoining the easternmost of the possible "donut hole" road routes – a new north-south road and water/sewer line just west the existing downtown Bethel.*
- *River front land downriver from the existing port, and the vicinity of the East Harbor.*

Action 1b: Review and work to remove barriers that discourage infill and redevelopment (e.g., lack of access to properties, excessive restrictions in the BUC).

Action 1c: Create appropriate incentives for individual landowners to redevelop property and/or carry out infill projects that would otherwise not be feasible.

This might include assisting land owners apply for façade improvement grants, energy-related building upgrades or temporary reductions in taxes (this latter is a strategy that typically applies in communities with property taxes, and may not be possible in Bethel).

Action 1d: Plan for and develop expanded infrastructure, as needed, to support priority uses.
For example, water and sewer lines serving expanded or relocated port facilities.

Policy 1e: Protect the interests of current users as land is redeveloped.

For example, if the City partners with a private developer in redeveloping land currently used for housing, take steps to provide affordable housing available to households currently living on the property.

Strategy 2: Remove regulatory hurdles and/or create incentives for more concentrated development.

Action 2a: Review and revise (as necessary) Bethel's existing parking requirements; where possible, reduce parking requirements and encourage shared parking or access for alternative transportation modes (e.g., pedestrian facilities, public transit).

Public discussion indicated some concern about new retail businesses having adequate off-street parking. BMC Chapter 18.48 Article II. Off-Street Parking and Loading includes parking requirements for all uses. If there is a lack of parking, this code could be revised to require additional spaces. However, if development is concentrated (particularly in central commercial areas) and transportation policies promote alternative modes (e.g., sidewalks for walking or bicycling, legal access for snowmachines), the need for off-street parking can be reduced. Likewise, the need for larger parking areas can be reduced through the use of shared parking arrangements.

Land Use Compatibility

GOAL 3: Provide for compatibility among adjoining land uses, so future development maintains or improves the quality of life or land values of surrounding uses.

Strategy 1: Review and revise Bethel land use regulations.

Action 1a: Examine existing Bethel code and existing land uses; revise and simplify land use designations to better fit the reality of Bethel's mixed use land use patterns.

A first suggestion for these uses includes the following categories:

- *Low density residential areas*
- *Mixed use - residential primary (residential and limited, residential-compatible uses)*
- *Mixed use (mix of commercial & residential, fewer constraints on size and character of commercial).*
- *Industrial/heavy commercial zone,*
- *Public Use*
- *Airport and related uses*

Action 1b: Use the generalized future land use designations in the Land Use Plan Map (Map 4.4), which broadly identifies areas intended for various uses, as the starting point for revising the zoning code in BMC Title 18 (Bethel zoning code).

For example,

- *Low density residential areas. This zone takes in several specific subdivisions, e.g., Tundra Ridge, Larson and Blueberry. In these areas uses should be generally limited to residential uses. Exceptions would be for small home-based businesses with minimal off-site impacts, or perhaps neighborhood serving commercial, such as a small grocery store.*
- *Mixed use. This use is intended to be the most common land use zone, made up of residential and residential-compatible uses. Examples of residential compatible uses include schools and other community serving, non-industrial facilities, and churches, office and professional services uses (e.g. health facilities), and neighborhood-serving commercial*
- *Industrial/Heavy Commercial. This zone is intended for uses that are generally incompatible with residential, and consequently need to be located where they do not disrupt adjoining residential or residential-compatible uses. This zone includes such uses as warehousing, storage, construction-related industries, marine and aviation-related industries. Key industrial locations include the tank farm, the port, the airport and portions of the waterfront between Second Avenue and the waterfront and the airport.*

Action 1c: Modify code to require a conditional use review process for large-scale uses or any other use likely to have significant off-site impacts.

Examples of such projects include a large scale public building, or a private use such as car repair.

**ALL NOTICES WERE DONE IN ACCORDANCE WITH
BETHEL MUNICIPAL CODE 18.04.070**

**PUBLIC HEARING NOTICE
CONDITIONAL ZONING**

The following is a list of the properties that are being considered for conditional zoning. The public hearing will be held on the 15th day of the month of [Month] at [Time] at the [Location].

1. [Property Address] - [Property Description]

2. [Property Address] - [Property Description]

3. [Property Address] - [Property Description]

4. [Property Address] - [Property Description]

PUBLIC HEARING NOTICE
CONDITIONAL USE PERMIT

Notice is hereby given that on March 28, 2019, the City of Bethel Planning Office received an application for a Conditional Use Permit to open a retail package liquor store. The legal description is lots 3A and 3B of Block 15, of United States Survey 3230 A&B, Plat 80-5, in the Bethel Recording District. The physical address is 811 Third Avenue.

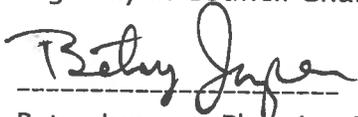
Land Owner: The Northwest Company, doing business as Alaska Commercial Company, 3830 Old International Airport Road, Suite 200, Anchorage, AK. 99502. Contact person Jeff Chihosz, phone 907-273-4679.

Applicant: same as above.

Purpose: To obtain a package liquor store license in order to sell alcohol.

City of Bethel Contact: Betsy Jumper, Planning Director, City of Bethel Planning Dept., phone 907-543-5306.

Time and Place: The regular scheduled meeting of the City of Bethel Planning Commission, 6:30 PM May 9, 2019, at City Hall, located at 300 Chief Eddie Hoffman Highway in Council Chambers.



Betsy Jumper, Planning Director

I hereby certify that this Notice of Hearing - Conditional Use Permit for Alcohol - has been posted at City Hall, the Post Office, Bethel Native Corp. and Swanson's Bulletin Boards on or before May 3, 2019. It is further certified that this Notice will be published in the Delta Discovery weekly newspaper beginning the week May 1, 2019, for one week's publication.



May 2, 2019

To Whom this May Concern:

You are receiving this notice of a Public Hearing pursuant to Bethel Municipal Code 18.04.070 "Notice shall be mailed to the owners of each parcel of property part of which is within six (600) feet of the exterior boundary that is the subject of the application". If you are not the owner, please pass this notice on.

PUBLIC HEARING NOTICE

CONDITIONAL USE PERMIT

Notice is hereby given that on March 28, 2019, the City of Bethel Planning Office received an application for a Conditional Use Permit for a liquor license. The legal description is lots 3A and 3B of Block 15 of United States Survey 3230 A&B, Plat No. 80-5 in the Bethel Recording District. The physical address is 811 Third Avenue.
Land Owner and Contact: The Northwest Company, doing business as Alaska Commercial Company, 3830 Old International Airport Road, Suite 200, Anchorage, AK. 99502. Contact person Jeff Chihosz, phone 907-273-4679.

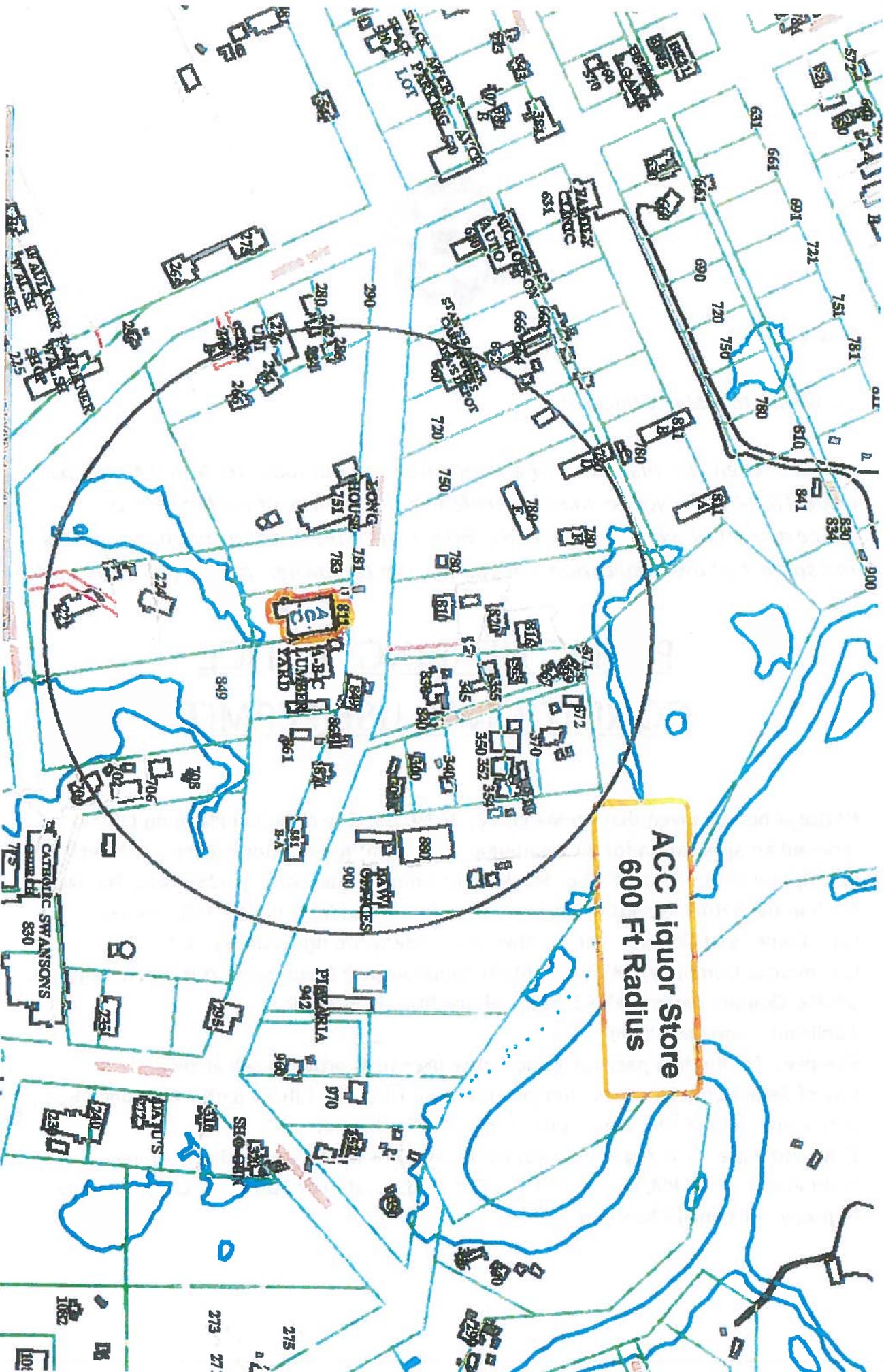
Applicant: same as above

Purpose: To obtain a package liquor store license in order to sell alcohol.

City of Bethel Contact: Betsy Jumper, Planning Director, City of Bethel Planning Dept., phone 907-543-5306, email: planning@cityofbethel.net

Time and Place: The regular scheduled meeting of the City of Bethel Planning Commission, 6:30 PM, May 9, 2019 at City Hall, located at 300 Chief Eddie Hoffman Highway in Council Chambers.

ACC Liquor Store
600 Ft Radius



For Rent

OUTSIDE STORAGE SPACE FOR RENT. EQUIPMENT, BOATS OR VEHICLES. NEAR BOAT HARBOR. FENCED IN AREA. 543-2402. (16)(317-cn)

Employment

Asset Supervisor II - BETHEL Alaska Housing Finance Corporation (AHFC)

\$6,327 mo., Excellent benefit package Obtain a job description and online application at <https://www.ahfc.us/about-us/jobs/all-job-seekers/>. or a paper application may be picked up and submitted at the AHFC office located at 1029 Ridgcrest Dr., Bethel, AK.

An AHFC application must be submitted for each position (a resume may be attached). APPLICATION MUST BE RECEIVED BY 5 p.m., May 2, 2019. Public Housing Residents are encouraged to apply.

EQUAL OPPORTUNITY EMPLOYER (79) (4/24-5/1)

Maintenance Laborer - Bethel Alaska Housing Finance Corporation (AHFC)
\$25,96 hr. Union Position Excellent benefit package
Obtain a job description and online appli-

7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e(b)).
Section 7(b) requires that, to the greatest extent feasible:

(A) Preferences and opportunities for training and employment shall be given to Indians; and
(8) Preferences in the award of contracts and subcontracts shall be given to Indian Organizations and Indian-owned economic enterprises. (168)(4/24-5/8)

INVITATION TO BID

Native Village of Napaimute
The Native Village of Napaimute is seeking proposals for the purchase one (1) Landing Craft Mechanized 8 (LCM-8), or similar type vessel, in fair or better overall condition, RFP#2019-01.

Proposals must be received by the Napaimute Bethel Office at PO Box 1301 Bethel AK 99559-1301 no later than 5:00 p.m., local time, May 17, 2019. Any proposal received later than the specified time and date will NOT be accepted or considered. No facsimile, email, or telephone proposals will be accepted. Submitted proposals shall contain all information requested and be submitted in the format shown within the solicitation document. Proposals MUST be sealed and clearly identify the name and number of the RFP on the outside of the envelope/package, as well as the Proposer's name, address, and business affiliation (if applicable). The full solicitation (RFP#2019-01) can

\$15,000
Bid Opening: 1:30 PM on May 10, 2019
Telephone: (907) 269.0767
TTD: (907) 269.0473
TTY: (800) 770.8973

Copies of the Contract bid documents may be obtained at the Crooked Creek Post Office or the M&O Aniak Station Airport Manager's Office.

Up to date and additional information is available on the web at (<http://dot.alaska.gov>). Under the Section called Find it Fast!, select DOT&PE Public Notices. Look through the section called Procurement for the Invitation for Quotes. (108)(4/24-5/1)

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES (DOT&PF) CENTRAL REGION

INVITATION FOR QUOTES
Project Bid Title: Korgiganak Airport (DUY) Maintenance
Project Bid No.: 20-25A-1-002
Estimated Cost: Between \$20,000 and \$25,000
Bid Opening: 1:30 PM on May 10, 2019
Telephone: (907) 269.0767
TTD: (907) 269.0473
TTY: (800) 770.8973

Copies of the Contract bid documents may be obtained at the Korgiganak Post Office or the M&O Bethel Station Airport Manager's Office.

Up to date and additional information is available on the web at (<http://dot.alaska.gov>). Under the Section called Find it

Has begun its reconveyance program under Section 14 (c) of the Alaska NATIVE CLAIMS SETTLEMENT ACT.

The reconveyance will be for land around Nunam Iqua: which was occupied by individuals, or organizations on December 18, 1971 as either (1) a primary place of residence (2) primary place of business, (3) subsistence campsite, (4) site of a nonprofit organization.

Application forms and further information are available from:
Swan Lake Corporation PO Box #31
Nunam Iqua Alaska 99666
Telephone (907) 498-4800.
Applications will be accepted until June 28th, 2019. (91)(4/10-6/26)

PUBLIC HEARING NOTICE

CONDITIONAL USE PERMIT
Notice is hereby given that on March 28, 2019, the City of Bethel Planning Office received an application for a Conditional Use Permit for a liquor license. The legal description lots 3A and 3B, block 15 of United States Survey 3230 A&B, Plat No. 80-5 in the Bethel Recording District. The physical address is 811 Third Avenue.

Land Owner: The Northwest Company, doing business as Alaska Commercial Company 3830 Old International Airport Road, Suite 200, Anchorage, AK. 99502.
Contact person Jeff Chinosz, phone 907-273-4679.

Applicant: same as above.
Purpose: To obtain a package liquor store
continued on page 15

Discover it! In the Delta Discovery classifieds
Free Listing Online with each printed classified ad!
25 cents a word · Deadline: Friday, 5 p.m.
Office: In the Subway Building - 401 Ridgcrest Drive
P. O. Box 1028, Bethel, AK 99559
Phone: (907) 543-4113 · Fax: (907) 543-4116

Alaska Senate urges railroad crossing through Canada

The Alaska Senate today (April 15, 2019) unanimously voted for a resolution urging the U.S. to issue a presidential permit allowing a railroad crossing between Alaska and Canada.

"A railroad connecting Alaska to Alberta would provide a huge boost to our state's economy," said Senator Shelley Hughes, R-Palmer, chairwoman of the Senate Transportation Committee. "Access to the North American railroad system would mean faster and more efficient shipping of goods, lowering the cost of living for all Alaskans."

In 1914, the U.S. Congress passed legislation approving construction of up to 1,000 miles of railroad in the Territory of Alaska, to connect coastal and interior regions to support development, rail service, and military operations. Little more than 500 miles of the Alaska Railroad have been built thus

far.

In 2004, the 23rd Alaska Legislature authorized the Alaska Railroad Corporation to delineate a corridor between the existing railroad utility corridor and the Canadian border, as well as to investigate an extension of the Alaska Railroad from the border of Alaska and Canada to connect with the North American railroad system. This connection to Canada and the Lower 48 starts with a border crossing permit into Canada.

No state funds would be required for the construction of a railroad connecting Alaska to Alberta, Canada.

SJR 11 passed the Senate by a vote of 19-0 and is now on its way to the Alaska House of Representatives for consideration.

For more information, contact Senate Majority Communications Director Daniel McDonald at (907) 465-4066.

From the Editor from page 3

we can enjoy even in the midst of sorrow and grief. At one point it was difficult, even impossible to share in the joy of others' accomplishments at the onset. If you can imagine, it is like an emptiness where you are unable to give anything or offer anything. And the numbness, you cannot

Classifieds from page 13

license in order to sell alcohol.
City of Bethel Contact: Betsy Jumper, Planning Director, City of Bethel Planning Dept., phone 907-543-5603.
Time and Place: The regular scheduled

feel emotion for others who are suffering. Forgive us!
We hope that you will find your own NYO, something that you love to do or have loved in the past and are now finding fulfillment in remembering the things you love about it.

meeting of the City of Bethel Planning Commission, 6:30 PM May 9, 2019 at City Hall, located at 300 Chief Eddie Hoffman Highway in Council Chambers. (154)(5/1-8)

Fresh eyes on ice from page 4

monitoring projects in the past but nothing continuous," said Katie Spellman, who studies ecology and education at UAF's International Arctic Research Center. She has been tasked with designing a community-based approach to help sustain the Fresh Eyes on Ice observing network.

"If we want to sustain river and lake ice observing into the future, engaging multiple generations is critical," explained Spellman. "We pair members of the community who have longtime knowledge of ice conditions with a local educator and their students."

Fresh Eyes on Ice is recruiting community-youth partnerships to gather ice data across the state. So far, 11 communities have confirmed participation, including Galena, Shageluk and Noatak. Fourth graders from Anne Wien Elementary

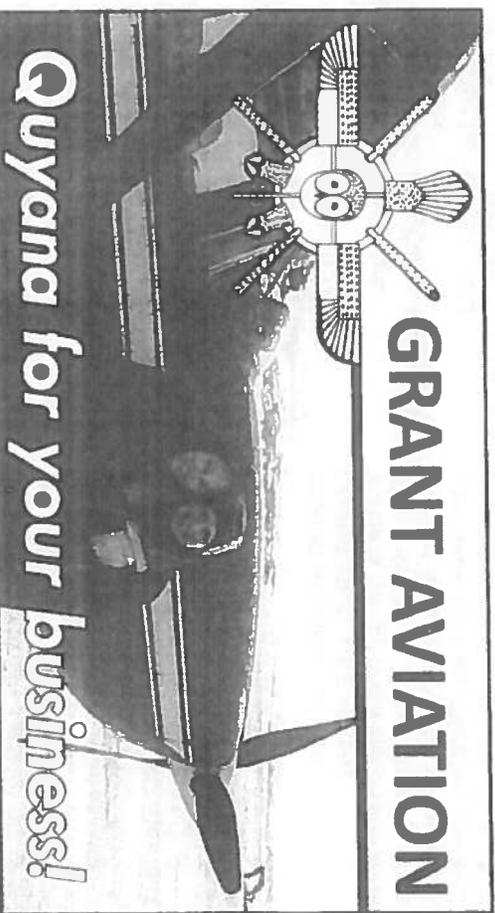
School in Fairbanks also have signed up.

Arp and Spellman tested their ice-measuring protocols in March 2019 with the Anne Wien students in preparation for the official project kickoff next fall.

In addition to using data gathered by students, UAF researchers will spend three winters traversing the state by snowmachine to gather ice data at critical lake and river locations and to visit project participants. The expeditions will travel through Bethel, Nome, Utqiagvik, Arctic Village and Fairbanks.

To learn more about Fresh Eyes on Ice or to express interest in participating, visit fresheyesonice.org.

Additional project leaders include Laura Oxtoby and Ben Jones. The National Science Foundation provided funding for the research through the Navigating the New Arctic grant.



GRANT AVIATION

Quyana for your business!

Book online at www.FLYGRANT.com - coming soon!
888-FLY-GRANT or 543-2000 in Bethel & Emmonak Areas

This page left intentionally blank

AGENDA ITEM #2.

Adding Item to BMC Code

This page left intentionally blank

Memo

To the Planning Commission

Date: May 9, 2019

From: Betsy Jumper, Planning Director

RE: Adding an item/subject to the Bethel Municipal Code—Beginning Procedures

Per the City Clerk, in order to draft an ordinance to add language to the code, the steps to take are:

1. Establish the language wanted.
2. Find a place in the Code where it would fit best.
3. Draft an Ordinance with the chapter listed in it and underline the new language.
4. Have the Planning Commission consider the ordinance and finalize it for the City Council's consideration.
5. Send it to the City Clerk for the City Council.

Attached is BMC Chapter 18.48, Supplemental Regulations, sample Code from another Alaska City, and an example of an ordinance that the draft should resemble.

Things to remember upon doing the draft ordinance when the time comes, be sure to identify why the Planning Commission wants to make the changes in the whereas statements AND that the Ordinance is written on behalf of the Council, not the Commission.

This page left intentionally blank

Chapter 18.48 SUPPLEMENTAL REGULATIONS

Sections:

Article I. Zero Lot Line Development

[18.48.030](#) Zero lot line development.

Article II. Off-Street Parking and Loading

[18.48.150](#) Purpose of off-street parking, loading and driveway requirements.

[18.48.160](#) Off-street parking requirements.

[18.48.170](#) Parking area location.

[18.48.180](#) Off-street parking design standards.

[18.48.190](#) Disabled parking standards.

[18.48.200](#) Driveway standards.

[18.48.210](#) Loading standards.

Article III. Height Restrictions

[18.48.250](#) Air navigation hazards – Purpose.

[18.48.260](#) Height restrictions.

[18.48.270](#) Airport height map.

Article I. Zero Lot Line Development

18.48.030 Zero lot line development.

- A. The purpose of this section is to allow more flexibility in site design and to provide for increased open or yard space.
- B. The planning commission may approve a residential zero lot line development following the conditional use procedures pursuant to Chapter [18.60](#) BMC. Except as provided in subsection C of this section, the development requirements shall be in conformance with all other requirements of the district. The required yard on the side of the lot opposite the property line on which the party wall rests shall be increased by the amount of yard otherwise required adjacent to the party wall property line. A site plan permit is required prior to construction of a structure exempted from a yard requirement under this section.
- C. Single-family, duplex and triplex residential structures may be exempted from a side or the rear yard requirements by the planning commission if:
1. The party wall of the separate residential units rests on the lot line;
 2. A signed party wall agreement is submitted to the planning commission and approved by the commission; and

3. The planning commission determines that the yard adjacent to the party wall lot line is not necessary for drainage, access, circulation, parking or for use as a buffer area from adjacent uses. [Ord. 01-05 § 8.]

Article II. Off-Street Parking and Loading

18.48.150 Purpose of off-street parking, loading and driveway requirements.

The purpose of off-street parking, loading and driveway requirements is to establish and maintain areas for efficient and convenient driveway access and parking for residential, civic, commercial and industrial uses, and to provide a safe means for discharging people and products from ground transportation. BMC 18.48.150 through 18.48.210 may be referred to as the off-street parking and loading code. [Ord. 01-05 § 8.]

18.48.160 Off-street parking requirements.

A. No parking area provided for the purpose of complying with the provisions of this code shall be eliminated, reduced, or converted to another use unless equivalent facilities are provided in conformance with this chapter and approved by the planning department on a site plan permit. New structures or uses on a lot must provide parking space as required by this chapter. Additions or expansions to any structure or a change in use on a property shall be accompanied by parking facilities to replace parking lost or to achieve conformance with this chapter.

B. Space computations for any parking requirements that result in fractional requirements shall be increased to the next higher whole number.

C. Parking requirements for types of structures or uses not specifically listed in this section shall be determined by the land use administrator based on comparable uses listed in this chapter or on standards recommended by a professional planning or engineering organization.

D. Off-street parking space shall be provided as set out in this subsection:

1.	Single-family and duplex	2 spaces per dwelling unit
2.	Multifamily, including triplex	1.5 spaces per dwelling unit
3.	Religious assembly	1 space per 4 seats or 8 feet of bench in the main assembly
4.	Library, cultural exhibits	1 space per 400 square feet gross floor area

5.	Primary and secondary schools	1 space per classroom plus 1 space per administrative employee, and 1 space per 6 students design capacity or 1 space per 4 seats/8 feet of bench in the main auditorium, whichever is greater
6.	College/trade school	1 space per 1 faculty FTE plus 1 space per 5 student FTE design capacity
7.	Stadium/fairground	1 space per 4 seats or 1 space per 8 feet of bench, whichever is greater
8.	Other public assembly, recreation, or entertainment	1 space per 4 seats or 1 space per 8 feet of bench, or 1 space per 100 square feet of gross floor area, whichever is greater
9.	Hospital	1 space per two beds
10.	Professional/administrative offices	1 space per employee plus 1 space per 400 square feet gross floor area
11.	Medical offices and clinics	1 space per employee plus 1 space per 200 square feet gross floor area
12.	Retail sales and service	1 space per 300 square feet gross floor area
13.	Retail sales and service of large items such as furniture and appliances	1 space per 750 square feet gross floor area
14.	Personal service	1 space per 300 square feet gross floor area

15.	Shopping center/department store	5 spaces per 1,000 square feet gross floor area, except restaurant space shall be provided as set out in subsection (D)(16) of this section
16.	Restaurant	1 space per 100 square feet gross floor area
17.	Motel, hotel, bed and breakfast, boarding and lodging facilities	1 space per guestroom
18.	Warehouse, wholesale, distribution, manufacturing	1 space per employee plus 1 space per commercial vehicle plus 1 space per 700 square feet of patron service area
19.	Heavy industrial	1 space per each 1.5 employees

[Ord. 01-05 § 8.]

18.48.170 Parking area location.

A. Required parking facilities for long-term residential uses shall be located on the same lot as the use the parking facilities are intended to serve.

B. Required parking facilities shall be located on the same lot as the use such parking facilities are intended to serve or, except for uses other than long-term residential use on a lot under the same ownership if such parking is located adjoining or in close proximity to the actual use or uses served, and there is a safe, convenient pedestrian connection between the lots.

C. Except for long-term residential uses, required parking facilities of two (2) or more uses, structures or contiguous lots or parcels may be satisfied by the same parking facilities used jointly if the parking facility meets the total requirement for all uses and situations; provided, an overlap of up to twenty (20) percent of the highest overlapping single user's requirement may be permitted if, but only for so long as, the hours of operation of the overlapping users do not overlap and the right of joint use is evidenced by a deed, lease, contract, or similar written instrument establishing the joint use which remains effective for so long as the users' requirements must be met by overlapping use. [Ord. 01-05 § 8.]

18.48.180 Off-street parking design standards.

A. All off-street parking spaces shall be no less than nine (9) feet by twenty (20) feet in size, except that all parallel parking spaces shall be no less than nine (9) feet by twenty-two (22) feet in size.

- B. The aisle width between parking spaces shall be no less than:
1. Sixteen (16) feet between rows of parking spaces angled thirty (30) degrees or less;
 2. Eighteen (18) feet between rows of parking spaces angled at greater than thirty (30) degrees but not greater than sixty (60) degrees;
 3. Twenty-five (25) feet between rows of parking spaces angled at greater than sixty (60) degrees;
 4. Twelve (12) feet for one-way aisles and twenty-four (24) feet for two-way aisles between parallel parking spaces.
- C. Each parking space shall have access to a circulation isle which shall access a street or alley.
- D. Maneuvering and access aisle area shall be sufficient to permit vehicles to enter the space in a forward motion except that residential and employee parkers may back in from alleys.
- E. Parking lots with four (4) or more stalls shall have an improved surface approved by the city engineer; provided, the overall finished grade of a parking lot shall not exceed a five (5) percent slope.
- F. The lot shall be graded so that it will drain as required by the city engineer.
- G. All boundaries of the lot directly abutting public or private property shall have a landscaped setback of at least eight (8) feet or shall have a suitable barrier to prevent vehicle encroachment beyond the property line.
- H. Neither the landscaped setback required in subsection G of this section nor any landscaping or sign shall block the visibility of drivers exiting across a public sidewalk or entering a public street. If located closer than eight (8) feet to the nearest sidewalk or twenty (20) feet from the nearest improved edge of the street, any closed fence, wall, ground-mounted sign, bush, or hedge line shall not exceed twenty-four (24) inches in height along any side having a driveway exit across a sidewalk or to a street.
- I. Parking facilities available for night use by employees or patrons shall be lighted during the night hours of use.
- J. Covered parking spaces shall have a vertical clearance of a least seven (7) feet six (6) inches above the parking lot surface for all uses except residential. [Ord. 01-05 § 8.]

18.48.190 Disabled parking standards.

- A. Parking lots which contain six (6) to twenty-five (25) required spaces shall provide one (1) space for restricted use of disabled persons. Parking lots that contain twenty-six (26) to fifty (50) required spaces shall contain two (2) spaces for restricted use of disabled persons. Parking lots which contain more than fifty (50) required spaces shall contain one (1) additional space for restricted use of disabled persons for each additional one hundred (100) parking spaces or fraction thereof that are required.

- B. Parking spaces required by this section shall be at least nine (9) feet wide and shall have an adjacent aisle that is at least six (6) feet wide. Two (2) adjacent parking spaces that meet the requirement of this section may share an aisle.
- C. A sign shall be posted for each disabled person parking space. The sign shall be clearly visible, and be marked with the international symbol of handicap access.
- D. All other design considerations must comply with the Americans With Disabilities Act. [Ord. 01-05 § 8.]

18.48.200 Driveway standards.

- A. Driveways serving residential uses on lots served by piped sewer and water shall have a minimum width of not less than nine (9) feet when serving four (4) or fewer dwelling units and a driveway width of not less than sixteen (16) feet when serving five (5) or more dwelling units or in lieu thereof, two (2) separate driveways not less than nine (9) feet in width.
- B. Driveways serving other than residential uses on lots served by piped sewer and water shall have a minimum width of fifteen (15) feet to accommodate one-way traffic and a minimum width of twenty-five (25) feet to accommodate two-way traffic.
- C. Driveways serving any use on a lot that is not served by both piped water and piped sewer shall have a minimum width of not less than twenty-five (25) feet unless the land use administrator determines that practical considerations such as lot frontage, proximity to a street intersection, lot size, lot topography, drainage patterns, the location of preexisting structures or the proposed principal structure and other considerations require a lesser width be provided. Before authorizing a lesser width, the land use administrator shall obtain and consider the recommendations of the director of public works.
- D. Parking areas for two (2) or more vehicles shall be designed to prevent or discourage cars from backing out into a public street, public or private pedestrian walk, or public alley, in order to leave the area or to maneuver out of the parking space. Parking lots shall be designed and improved so as to prevent ingress and egress at any point other than designated entrance or exit drives.
- E. Access driveways to parking areas containing four (4) or more spaces shall be located and designed as follows:
1. Parking area entrance and exit driveways shall be located a minimum of fifty (50) feet from the nearest street intersection, as measured from the centerline of the driveway to the nearest line of the nearest travel lane of the intersecting street.
 2. Driveways crossing the street property line of a single lot shall be limited to one (1) entrance and one (1) exit driveway along the frontage of a single street. The centerline of the driveways on the same lot shall be separated by a minimum of thirty (30) feet.
 3. A combined entrance and exit driveway shall be perpendicular to the street centerline for a distance of twenty-five (25) feet from the street property line.

F. Driveways that cross drainageways are subject to the requirements of BMC [15.12.040\(B\)\(3\)](#) and [15.12.050\(A\)\(11\)](#). [Ord. 01-05 § 8.]

18.48.210 Loading standards.

A. Structures that are constructed, altered or used which receive or distribute materials or merchandise by truck shall provide off-street loading berths as follows:

Gross Floor Area of Structure in Square Feet	Number of Required Berths
1 – 4,999	0
5,000 – 19,999	1
20,000 – 50,000	2
Greater than 50,000	Two plus one for each additional 50,000 square feet

B. A loading berth shall contain a space not less than ten (10) feet wide and fifty (50) feet long, and have an overhead clearance of not less than fourteen (14) feet. In no case shall a loading berth be designed such that any truck using the berth would interfere with a public street or occupy any area designated to meet off-street parking requirements. [Ord. 01-05 § 8.]

Article III. Height Restrictions

18.48.250 Air navigation hazards – Purpose.

BMC [18.48.250](#) through [18.48.270](#) may be referred to as the air navigation hazards regulations or the airport height restrictions. It is the purpose of these sections to promote the safety of aircraft using public airports for landing and departures by providing a mechanism whereby the city's regulation of land use within the vicinity of a public airport may complement the height restrictions established by the Federal Aviation Administration. [Ord. 01-05 § 8.]

18.48.260 Height restrictions.

A. No structure may exceed the lower of the height or elevation limits provided in other parts of this code or the height or elevation limits as determined from the applicable airport height map that meets the requirements of BMC [18.48.270](#).

B. A development proposed for a site within the boundaries of any approach surface or approach zone shown on an approved airport height map may not be approved if any structure in the proposed development exceeds the height or elevation restriction shown on the airport height map for that location; provided, if the Federal Aviation Administration or the airport operator provides a certification or other statement that the proposed development does not exceed the federal height limitations applicable to that location or provides a waiver, variance or other form of a permit authorizing the

intrusion of the structure into the prohibited air space, the structure may be approved with respect to the limitations on height or elevation set out in this article. [Ord. 01-05 § 8.]

18.48.270 Airport height map.

A. The owner or manager of a public airport may prepare for filing with the planning department and approval of the land use administrator a proposed airport height map. A proposed airport height map becomes an approved airport height map upon the written approval of the map as meeting the requirements of this section by the land use administrator set out upon or appended to the map.

B. The map shall be prepared in a manner that shows the airspace zones as defined and set forth in Federal Aviation Regulations, Part 77, subpart C, that are applicable to the airport. The map may consist of more than one (1) sheet, shall be to scale and shall accurately show the following:

1. The exterior boundaries of the applicable air space zones;
2. The name or other identification of each of the airspace zones;
3. A legend that provides a description of the location of each zone or surface, including a reference to the paragraph in the Federal Aviation Regulations that describes the zone or surface;
4. The reference points within or outside the airport from which distance, elevation, height, bearing, vertical angle or other measurements are made in describing the airspace zones or surfaces;
5. Existing topography, if available;
6. Existing subdivisions, streets, roads and other rights of way, U.S. Surveys, section lines and similar features of land that will be useful in determining the location of a proposed development with respect to the boundaries of any airspace zone.

C. The map required by subsection A of this section shall accurately show the airspace zones. Airspace zones that have a sloping surface shall be shown in ten- (10-) foot increments unless the land use administrator requires more frequent contour lines close to the airport or permits larger increments in areas farther from the airport. Separate maps may be submitted for the different airspace zones. Before submission to the land use administrator for final approval, the map must have been certified by the Federal Aviation Administration as accurately depicting the requirements of the relevant Federal Aviation Regulations, Part 77, subpart C. Upon reasonable intervals, and upon learning of a change in the airport or applicable regulations, the land use administrator may request Federal Aviation Administration review and recertification of the airport height map. [Ord. 01-05 § 8.]

The Bethel Municipal Code is current through Ordinance 18-26, passed November 27, 2018.

Disclaimer: The City Clerk's Office has the official version of the Bethel Municipal Code. Users should contact the City Clerk's

Introduced by: Council Member Williams
Date: August 28, 2018
Public Hearing: September 11, 2018
Action: Passed
Vote: 6-0

CITY OF BETHEL, ALASKA

Ordinance #

AN ORDINANCE AMENDING CHAPTER 18.48 OF THE BETHEL MUNICIPAL CODE SUPPLEMENTAL REGULATIONS --OFF

WHEREAS

WHEREAS

WHEREAS;

WHEREAS Bethel Municipal Code sets no standard for

WHEREAS

WHEREAS

Whereas the Bethel City Council excises the term and reference of Lousetown from the Bethel Municipal Code.

NOW BE IT ORDAINED, the City Council amends Bethel Municipal Code Chapter 17.50 to establish uniform address signage requirements, new penalties and direct the administration to develop a process to provide signs to property owners.

SECTION 1. Classification. This is a Codified Ordinance and shall become part of the Bethel Municipal Code.

SECTION 2. Amendment. Bethel Municipal Code Section 17.50 is amended as follows (new language is underlined and old language is stricken):

Chapter 17.50 PROPERTY NUMBERING AND STREET NAMES

17.50.010 ~~Number map~~ City of Bethel Address Map.

The ~~property numbering map~~ entitled "~~Property Number Map~~ City of Bethel Address Map" is adopted as the official property numbering map of the city. All property numbers assigned shall be assigned in accordance with the ~~numbering official address map~~ and no other property numbers shall be used or displayed in the city unless in accordance with the official ~~numbering address map~~. The ~~property numbering~~ City of Bethel Address Map shall be kept on file in the office of the city clerk.

Introduced by: Council Member Williams
Date: August 28, 2018
Public Hearing: September 11, 2018
Action: Passed
Vote: 6-0

17.50.020 Street names.

Street names shall be determined by planning commission resolution. The planning commission shall review the proposed street names for duplication of names, appropriateness of names, and for overall compliance with the street naming and numbering policy. The planning commission may modify or amend the street name proposed on a plat as it deems necessary in order to bring it into compliance with the street naming and numbering system. The decision of the commission may be appealed to the board of adjustment under the procedures set out in Chapter 18.68 BMC within fifteen (15) days after action by the planning commission.

17.50.030 Final subdivision plats.

The approved street names and property numbers shall be included in all final maps and plats.

17.50.040 Street name signs.

Street name signs will be uniform in appearance.

17.50.050 Numbering blocks.

A. On the official ~~property numbering map~~ City of Bethel Address Map, Ridgecrest Drive, from Ptarmigan Street to Sixth Avenue, is designated the north-south axis. The east-west axis is designated as follows: First Avenue to the east of the State Highway intersection and the State Highway west of the First Avenue intersection.

B. All avenues, streets, and alleys running generally north and south shall be numbered from east-west axis consecutively to the corporate limits of the extremities of such avenues, streets, or alleys. Avenues, streets, or alleys running generally east and west shall be numbered from the north-south axis in the same manner.

C. Whenever possible, one hundred (100) numbers shall be allowed to each block. New blocks shall be numbered each five hundred (500) feet of ground or existing streets shall be assigned the number nearest the five-hundred (500) foot interval.

17.50.060 Numbering individual property.

A. One whole number shall be assigned for every thirty-three (33) feet of ground whether improved property or vacant lot on every street within the corporate limits, excluding U.S.S. 3790 from south of the bridge (East Avenue) (~~Lousetown~~) and U.S.S. 870 (Mission Lake), which will be assigned whole numbers every twenty-five (25) feet.

B. Odd numbers shall be assigned to the west side of all north-south streets and even numbers on the east side. On east-west streets, odd numbers shall be assigned on the south side and even numbers on the north side. In the case that a street does not run north-south or east-west, the direction to which a street is closest shall be used for the pure of odd/even numbering.

Introduced by: Council Member Williams
Date: August 28, 2018
Public Hearing: September 11, 2018
Action: Passed
Vote: 6-0

17.50.070 Exceptions.

Block 9, Northwest Addition of U.S. 3770 (City Subdivision) and the Tundra Ridge Subdivision shall retain their present numbers.

17.50.0890 Maintenance of numbers.

Every owner of improved property shall be responsible for displaying in a conspicuous place on said property the number assigned. The owner, occupant or person in charge of a house or building shall affix the number assigned within sixty (60) days of the date of written notice from the city to do so. Within sixty (60) days of the date of written notice from the city to do so, such person shall remove any numbers affixed to the house or building which may be confused with the number assigned.

17.50.090 Address sign requirements

A. New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall be a minimum of 4 inches (101.6 mm) in height, high intensity engineer grade, white retro reflective affixed to a minimum of a 6 inches in height, high intensity, engineer grade, green retro reflective background plaque. Background plaques shall provide a minimum 1 inch border around all characters. These numbers shall be reflective with a minimum of 4" height and contrast with their background. Numbers and letters shall be shall be Arabic or alphabetic, upper case, plain block font, minimum of 1/2 (12.7 mm) inch stroke. Signs and numbers shall be placed horizontally on buildings.

B. Where access is by means of a private road or driveway and the building (numbers) cannot be viewed from the public way, address numbers meeting the requirements of this section shall be placed on a monument, pole, sign or other means, at the nearest intersection with the public way in addition to the numbers on the building. ~~Address Numbers shall not be installed on the handrails or guardrails of exterior decks or landings.~~ Address numbers shall be maintained in good condition and replaced when faded, deteriorated or otherwise unreadable

C. Said numbers shall be a minimum of four (4") inches (101.6 mm) in height with retro-reflective capability to a minimum of six (6") inches in height and shall contrast with the background in such a manner and location as to be plainly visible from the street.

D. On a corner lot, the business or dwelling number shall face the street named in the address.

Introduced by: Council Member Williams
Date: August 28, 2018
Public Hearing: September 11, 2018
Action: Passed
Vote: 6-0

E. If necessary to avoid confusion, additional street address signs may be placed along access road and near the entrance to a structure.

17.50.100 Numbers for future buildings.

Each building in which the principal use of a lot takes place shall be assigned a number in accordance with the property numbering map and the owner of said building or structure shall be responsible for the purchase and display of such numbers as set forth in BMC 17.50.0890.

17.50.110 Unlawful to deface number.

It is unlawful for any person to alter, deface, or take down any number placed on any property in accordance with this chapter, except for repair or replacement of such number.

17.50.120 Penalties.

~~In the event that if the owner or occupant or person in charge of any house or building fails to comply with the terms of this chapter by failing to affix the number assigned or to remove any numbers affixed to such house or building which may be confused with other numbers assigned thereto, within sixty (60) days after notification or by failing within said period of sixty (60) days to remove any numbers affixed to such house or building which may be confused with the number assigned thereto, the owner shall be fined subject to denial of utilities \$30 dollars per infraction in addition to any other penalty that may be imposed for violation of this chapter. for failure to comply with the numbering Ordinance.~~

- A. Any person who violates any of the provisions of this chapter or who fails to comply with any of the requirements of this chapter, may be guilty of an infraction and may be issued a citation.
- B. Citations issued under this section shall be correctable within thirty (30) days.
- C. The penalty for these infractions is thirty (\$30) dollars.

~~17.50.130 Use of Address Fines~~

~~The Planning Director shall use fines collected from numbering ordinance violations to purchase and provide compliant address signage for the owner, occupant or person in charge of the house or building.~~

17.50.140 Notification of number change.

Official notification of any change in property number shall be sent to property owners thirty (30) days before the effective date of the change.

The City Planner shall send official notifications of any change in property number to property owner and occupants at least thirty (30) days before the effective date of a change

Introduced by: Council Member Williams
Date: August 28, 2018
Public Hearing: September 11, 2018
Action: Passed
Vote: 6-0

17.50.150 Address Numbering for Large Developments
Educational, Healthcare and other large campus type developments bearing multiple buildings shall submit an address and signage plan to the Planning Director and Fire Chief for review and approval. Each building shall display numbers or other approved signage meeting the requirements of this chapter.

17.50.160 Verification of Numbering
The Planning Director and Police Chief or their designees shall verify that all address numbers issued concur with the Bethel E-911 database and the City of Bethel address map.

~~17.50.170 Existing or decorative signage~~
~~Existing or decorative address signs may be left in place or added as long as they do not conflict with or obscure address numbering required in this chapter.~~

~~17.50.180 Deficiency reporting~~
~~The Planning Director shall provide a means for City employees and the Public to report missing, incorrect or non-compliant address numbers to the Planning Department. The Planning Director or their designee shall investigate and seek remedy on reported deficiencies within ten business days.~~

~~17.50.190 City provided address numbers~~
~~The City Manager or their designee shall develop a process whereby the City manages ordering and delivery of address numbers and bills the customer for actual costs.~~

17.50.200 Address number installation
Installation of numbers are the responsibility of the property or building owner. The City Manager or Planning Director may authorize City Employees or an approved contractor or volunteer to install an address sign(s) on the private residence of a disabled person or elder.

SECTION 3. Effective Date. This ordinance shall become effective ninety (90) days after passage by the Bethel City Council.

ENACTED THIS 11 DAY OF SEPTEMBER 2018, BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.

Introduced by: Council Member Williams
Date: August 28, 2018
Public Hearing: September 11, 2018
Action: Passed
Vote: 6-0

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Chapter 10.12 DRIVEWAY CONSTRUCTION AND SUBSECTIONS

Sections:

- [10.12.010](#) Permits required.
- [10.12.020](#) Specifications.
- [10.12.030](#) Excavated material.
- [10.12.040](#) Reconstruction.
- [10.12.050](#) Maintenance.

10.12.010 Permits required.

A. No person, firm or corporation shall hereafter construct, reconstruct, build, establish or maintain any driveway over, across or upon any portion of the public sidewalk or public right-of-way without first having obtained a written permit to do so from the Public Works Director. No such permit shall be issued for construction or establishment of any such driveway except in accordance with the provisions herein contained. No permit shall grant the permittee exclusive rights to use the area encroached upon.

B. Application for permit must be made in writing upon forms furnished by the City. Said application shall contain the name and address of the person, firm or corporation making the application, the name of the contractor or person who is to construct said driveways and the proposed location and dimensions of such driveways.

C. Driveway permit fees shall be established in accordance with the published City of Houston Fee Schedule and HMC [4.01.050](#), are nonrefundable, and shall be paid at the time of application for the permit. Such fees obligate the City for the pre-inspection.

1. Work will be completed by the first of October. In the winter months an extension may be requested. In the event the driveway construction fails to meet the specified standards, an additional fee shall be established in accordance with the published City of Houston Fee Schedule and HMC [4.01.050](#) and will be required for each subsequent inspection.

2. A fine of \$300.00, as provided in HMC [1.16.030](#), shall be imposed on any property owner whose driveway is found to have been established without a permit; the property owner may also be subject to subsection (D) of this section. Each day constitutes a new violation.

D. Driveways hereafter constructed without a permit upon public rights-of-way will be considered as unauthorized encroachments and subject to removal under HMC [10.14.090](#).

E. Applicants for driveway permits agree to perform all work in accordance with this chapter, conditions specified on the permit, and any conditions made contingent for approval of the land use permit; and shall indemnify and save harmless the City of Houston, its officers and employees from all liability, judgment, costs, expenses and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of performance or nonperformance of said work or the existence of said driveways.

F. The issuance of a driveway permit by the City of Houston waives none of the powers or rights of the City to direct the removal, relocation, and/or proper maintenance of any driveway within the right-of-way of the City street or road. Any permits granted will be construed as regulatory and not contractual. Such permits are revocable by the City of Houston whenever the use and presence of a driveway or approach unduly interferes with the required use of that portion of the right-of-way occupied by the driveway or constitutes a hazard to traffic. (Ord. 09-23 § 4, 2009; Ord. 12-18 § 4, 2012)

10.12.020 Specifications.

A. During winter period when excavation in rights-of-way is prohibited, permits will allow construction of temporary driveways. When excavation restrictions are lifted in the spring, temporary driveways shall be upgraded in accordance with the permanent driveway standards contained herein.

B. Residential or dwelling house lots will not have more than two driveways per 100 feet of frontage. Driveways will not be constructed closer than 40 feet from the tangent point of the radius return to any intersections. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications. Driveways shall intersect public rights-of-way at a 90-degree angle.

C. The width of a driveway's finish surface for residential or dwelling house lots shall be a minimum of 12 feet with a six-foot radius which equals 24 feet total and a maximum of 16 feet. The width of driveways for commercial buildings shall be a minimum of 18 feet and a maximum of 30 feet. The intersection of the driveway and public road shall be constructed with minimum fillet radii of 15 feet.

D. Driveways shall be constructed so that runoff is directed to the ditch line and not onto the road surface and shall not exceed four percent grade within 50 feet of the road shoulder. Culverts shall be installed when required by the Director of Public Works. Culverts shall extend a minimum of two feet beyond both edges of the toe of the slope of the driveway where it crosses the ditch. All culverts shall be corrugated metal pipe or other materials authorized by the Director of Public Works, and shall have a minimum diameter of 15 inches for residential uses. The permittee shall be responsible for maintenance of the culvert to ensure proper drainage. In areas of major drainage, a steam thaw pipe shall be required to be inserted into the culvert in which case the City Inspector will note that specification on the permit application.

E. Driveways within City rights-of-way shall be constructed of well-graded, non-frost-susceptible gravel with 100 percent passing a six-inch sieve and less than six percent passing a No. 200 sieve. Bedding material within six inches of a culvert shall have 100 percent passing a three-inch sieve. Any driveways connecting to a street surfaced with crushed rock, asphalt or other surfacing material shall be surfaced with the same material at least six feet from the centerline of the ditch, and the City shall require that the applicant provide a means of accommodating the additional drainage.

F. With the exception of temporary driveways, all work shall be completed within 30 days of date of initial inspection or permit is void. Temporary driveways shall be upgraded to permanent standards within 30 days of lifting of winter excavation restrictions or permit is void.

G. Initial and final inspections shall be scheduled during normal working hours, a minimum of 48 hours in advance. It is the responsibility of the applicant to notify the Public Works Department that construction is complete and ready for final inspection.

H. The following standards apply to construction of driveways that are intended to serve commercial or industrial establishments:

1. The standards call for not more than two driveways for any one property. Additional driveways will not be approved unless there is shown to an absolute necessity for them.

2. Entrances onto public thoroughfares from major commercial and industrial establishments require a roadway illumination review by the City. The applicant will be required to provide a roadway lighting if the City determines that lighting is necessary for the safe and efficient use of the driveway. The City, using the latest guidelines established by the American Association of State Highway and Transportation Officials and the Alaska Department of Transportation and Public Facilities, will specify the type, number and location of luminaries to be installed. Unless otherwise specified in the permit, the lighting materials and installation shall conform with Section 660, Signals and Lighting, of the Alaska Standard Specifications for Highway Standard Details L-03.00, L-10.00, L-14.00, L-20.00, L-23.00, and L-30.00.

3. Markers, signs, curbs, or other types of barricades shall be installed on the property to clearly delineate and define driveway entrances and exits and to prevent egress and ingress from the right-of-way onto the property at points other than the approved driveway location. All driveways leading to duplexes or larger buildings shall be marked with reflective delineators. Reflectors shall be installed perpendicular to the public road.

4. Driveways for business enterprises that serve vehicles, or provide services or entertainment to customers while in vehicles, shall not be constructed so as to cause traffic congestion within the public right-of-way. The driveway beyond the right-of-way must be of sufficient length and width to accommodate the vehicles as determined by the Planning Commission or designated City representative. (Ord. 09-23 § 4, 2009)

10.12.030 Excavated material.

All materials other than gravel excavated in the construction of driveways or building projects and deposited on public rights-of-way shall be removed. The dumping of frost-susceptible material, stumps, etc., on public rights-of-way, will be considered as unauthorized encroachment and subject to removal under HMC 10.14.090. (Ord. 09-23 § 4, 2009)

10.12.040 Reconstruction.

The City reserves the right to upgrade to City standards the portion of any existing driveway that is on or over the public right-of-way. Once upgraded to City specifications, the maintenance of the driveway becomes the responsibility of the property owner in accordance with the provisions of this chapter. (Ord. 09-23 § 4, 2009)

10.12.050 Maintenance.

All driveways constructed or reconstructed over, across, or upon any public street or right-of-way in the City shall be kept and maintained at all times in accordance with the provisions hereof by the owners and/or users of said driveways. The only exception being that in those cases where the City requires installation of thaw pipes, the actual cost of thawing operations will be borne by the City. (Ord. 09-23 § 4, 2009)

The Houston Municipal Code is current through Ordinance 19-04, passed April 11, 2019.

Disclaimer: The City Clerk's Office has the official version of the Houston Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.



PLANNING DEPARTMENT



Monthly Manager's Report April 2019

To: Acting City Manager Bill Howell
From: Planning Director, Betsy Jumper

The Planning Department has officially entered the development season. We have received 10 site plan permits for adding fill to properties, relocating houses on existing properties to abide by setback requirements, and the construction of single family dwellings.

We had a Planning Commission meeting on the 11th of April. Our action items included ONC's Ciullkulek Subdivision Development Agreement recommendation. Commissioners also approved land leases with GCI and BTP LLC.

If all goes well we will have AC Liquor Store's Conditional Use Permit (CUP) on the upcoming May agenda. We are also currently reviewing the Bethel Municipal Code on how to change and rewrite codes. We are also looking into commercial parking lots and the backing up onto the highway.

The 1st of April, administration purposed a new Planning budget that will be reviewed by City Council. The proposal is to defund the current administrative assistant position and change my position to assistant planner and a hire a new planner. I have attended three city council budget meetings but they have not gotten to the Planning budget yet.

KYUK's Reporter Anna Rose MacArthur stopped by the Planning Office for an interview with Pauline and I. We discussed the paper process about the removal of junk vehicles. We shared with her details of the process, and gave her a tour of the Public Works yard where the impounded vehicles get stored.

I also have been working with the subdivision developers. I am currently working with Tanqik and waiting to hear back from them so that we can get everything processed to go to the planning commission. Tanqik Subdivision Agreement is scheduled to be on the June's 2019 agenda.

In conclusion, we anticipate a busy summer, and look forward to what the season is going to bring.

This page left intentionally blank

John Sargent, Grant Manager
Project Status Report

Grant Administration

Sewer Lagoon Jetty Project

- Charge JDO legal expenses to grant.
- Five sewer trucks ordered – to be delivered summer 2019.
- Close grant.
- Complete revolving loan fund online form to see about refinancing the loan.

Sewer Lagoon Dredging Project

There is about \$50,000 left on two grants.

- Sludge samples need to be taken and sent to lab for analysis.
- CH2M must take test results and advocate for City's use of sludge as landfill cover.

Lift Station and Five E-Panels

DOWL prepared bid documents. City Legal to review them before issue. Two bid packages: (1) electric panels, and (2) construction of rehabilitated lift station.

Heat Trace Project

City to receive grant agreement soon. AM will go before Council for them to accept grant award. City must prepare bid documents for contract work to replace heat trace. Utilities Maintenance crew must open and close shell of pipe to save construction costs. City donated living space in BH Water Treatment Plant to contractor.

The Avenues Project

City engaged First National Bank to provide City with interim "bridge loan." Cynthia Cartledge (Legal-JDO) is working to prepare bond documents. Bond Resolution and other docs to be presented to City Council for approval soon.

Bethel Heights Water & Sewer PER/ER (Preliminary Engineering Report/Environmental Report)

DOWL has 95% draft to City to review (any day now). VSW and USDA should be given copies too. City may decide to pursue grants/loans to fund one phase of Alternative 3.

Institutional Corridor

Grant closed. Project ongoing. City has \$300,000 of its money to complete project. Project is substantially complete. Moving toward full completion.

Sports Field in Pinky's Park

Land and Water Conservation Fund Grant closed. City using its money for additional hydroseeding in early summer. City property maintenance personnel must assemble portapotties (2), bleachers (2), soccer goals (4), install 11-wave bike racks (2), and allow access of soccer supplies to Shane Iverson/Brian Lefferts and other soccer coaches.

CSP Program

City Council must approve AM to pursue FY2020 grant application. Grant Manager to submit it by May 23, 2019 deadline.

Transit System Grant

City ordered one bus from FY 2019 funds that expire Dec. 31, 2019. Bus will be on barge this summer. Transit Manager completing billing summaries as fast as he can get info. from Finance Dept. FY 2020 funds to be announced in May. City will have to sign grant agreements.

Grant Reports

VSW Grant Reports now due monthly. Homeland Security grants (2) due quarterly on the 20th of the month following quarter. State grant due 30th of the month following quarter. Rasmuson Foundation and YKHC Diabetes Grant due at end of project.

Grant Applications

CSP FY 2020

I am entering information to online grant application for FY 2020 CSP Program. Need Council approval of AM on May 14, 2019.

STIP Nomination (Akakeek-Ptarmigan-Delapp)

Supplying DOWL (Alexa) with information and answers to criteria questions so that she can prepare nomination narrative. City has contract with DOWL for them to prepare STIP nomination.

RFPs/RFBs

The RFP/RFB Master List was updated and is available on the P-Drive > UPDATED DOCUMENTS. Two RFPs out now: (1) electricians – approved list, (2) chemicals for water treatment and pool and road implements. RFP for sales tax auditor sent to reviewers (Christine, City Manager). In Legal review: RFP for Auditor. Being developed by Grant Manager: Janitorial services for City Hall.

Committee Work

Community Action Grant Technical Review Board

I continue to track time devoted to my service as Recorder and Ex-Officio. My work is concentrated quarterly. May 1-30 open grant period. June will be heavy work for two meetings and execution of grant awards.

Grant Manager - General Do List Items

- Complete Water and Sewer Master Plan Update (pick up where Larson Consulting Group left off and finish the document).
- Apply for Revolving State Loan to replace USDA-RD \$913K loan.
- Complete Procurement Method Report for repeater purchase; submit it to ADHS&EM.
- Give STIP info. to DOWL.

Updated
4/26/2019

Active Grants

	Description	Amount	Fund	Dept	Object Code
1	CSP - DHSS FY 2019	323,081	27	50	
2	Volunteer Firefighter Assistance 2017	7,453	33	52	
3	Police Dispatch Center - 12-DC-042	328,800	46	51	
4	USDA Loan - Lagoon Jetty	913,000	64	50	
5	USDA Grant - Lagoon Jetty	1,669,358	64	51	
6	VSW - Sewer Lagoon Dredging - 15EQ92	2,071,473	63	54	
7	VSW - Sewer Lagoon Dredging - 16EP29	2,230,851	63	50	
8	VSW - Lift Station Upgrades - 18AQ36	900,000	63	53	643
9	VSW-Bethel Hts. PER & ER 19RQ98	75,000	63	56	643
10	VSW-Infrastructure Protection Grant-Heat Trace	127,500			
11	GIS Mapping et al. - 20SHSP-GY17	126,055	71	52	
12	Cyber Security Course -SHSP-GY19	4,350	71	53	545
13	AK Com. Transit Grant (FTA Sec. 5311) FY 2019	334,764	56	50	
14	State Transit Match Grant FY 19	5,868	56	50	690
15	Rasmuson Foundation - Pool O&M	5,000	60	52	
16	YKHC-Diabetes Prevention & Control-Activity	19,922	26	50	
	Total	9,142,475			

Pending

USDA Loan - Avenues	8,250,000	20	50
USDA Grant - Avenues	5,021,000	18	50

Active Grant-Related

Fleet Replacement Fund	Varies	58	50
PER/ER The Avenues	70,000	51	16

Acronyms

APEI - Alaska Public Entity Insurance
CSP - Community Service Patrol
DEC - Ak Dept. of Environmental Conservation
GIS - Government Information Systems
IC - Institutional Corridor Project (water pipe)
LWCF - Land and Water Conservation Fund (federal)
SHSP - State Homeland Security Program
SOA - State of Alaska
VSW - Village Safe Water Program (at DEC)

RFPs and RFBs in Process

Updated April 25, 2019

Step 1 – Before RFP Written								
Step 2 – Approved to Write <ul style="list-style-type: none"> • Monitor fire alarms/lift stations, /Controls • Janitorial Services-City Hall 	Step 2 – Sent for Feedback <ul style="list-style-type: none"> • Audit services for City sales taxes Step 2 – Sent to Legal <ul style="list-style-type: none"> • Audit Services for yearly audits 							
Step 3 – RFP/RFBs Issued <ul style="list-style-type: none"> • RFB-Chemicals & Road Implements • RFP-Approved Electrician List 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Issued</th> <th style="width: 50%;">Due</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">4/25/19</td> <td style="text-align: center;">5/17/19</td> </tr> <tr> <td style="text-align: center;">3/22/19</td> <td style="text-align: center;">4/26/19</td> </tr> </tbody> </table>	Issued	Due	4/25/19	5/17/19	3/22/19	4/26/19	
Issued	Due							
4/25/19	5/17/19							
3/22/19	4/26/19							
Step 4 – Scoring Proposals/Bids Received	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Date</th> <th style="width: 50%;"># Received</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> </tr> </tbody> </table>	Date	# Received					
Date	# Received							
Step 5 – Council Approval	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Date</th> <th style="width: 50%;">Status</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> </tr> </tbody> </table>	Date	Status					
Date	Status							
Contract or RFP/RFB List	Notes	Expiration						
Bulk Fuel (Delta Western)		6/30/20						
Gravel (KNIK)		6/30/24						
Engineer Services (DOWL)		6/30/22						
Barge Transportation (AML)	2/1 renewal notice due	10/31/20						
Calcium Chloride & Sodium Chloride & Water Treatment Plant Chemicals, Pool Chemicals (Span Alaska)	Annual							
Auditing Services (Altman Rogers)		3/31/20						
Accounting Services (Carmen Jackson, CPA)		6/30/20						
Computer/IT Services		6/30/20						
YK Fitness Center Mgmt.	Contract renewable	6/30/20						
Website Hosting (GovOffice)		4/17/20						
Background Checks (Accusource)	Annual – no contract now							
Dog Pound Operation (Bethel Friends of Canines)		12/31/20						
Insurance Broker-Gen. Liability (Coombs Ins.)		6/30/22						
Insurance Broker-Health (Wilson Agency)	3 yr. renewal option notice due July-not given 2018.	6/30/21						
Custodian-City Hall & DMV (Midnight Sun)		6/30/19						
Custodian-Dept. of Law (Midnight Sun)		6/30/22						
Custodian-Courthouse (Kagista)	Monthly after expiration							
Dumpsters	Annual-check budget							
Bus Barn Repairs								
Senior Center Repairs								
Pinky's Park Lighting Project								
Public Works Building Assessment								
PD Dispatch Center Console	ProComm Alaska, LLC							
City Hall Roof								
Courthouse remove water tank								

