



PUBLIC HEARING APPLICATION FORMS AND REQUIREMENTS

Updated September 1, 2017

WIND TOWERS

CITY OF BETHEL
PLANNING DEPARTMENT
PO BOX 1388
BETHEL AK 99559
www.cityofbethel.org

TEL: 907.543.5306
FAX: 907.543.4186

SUBMITTAL DATES AND HEARING SCHEDULE

Completed applications will be accepted only on, or prior to , the dates indicated as “Submittal Deadline” and only between the hours of 9:00 am and 3:30 pm.

Please note that hearing dates listed below are provided for informational purposes only. Your actual hearing date may be scheduled for a later date due to case load. You will be notified as to your actual hearing schedule by a representative of the City Planning Department. For information, please call (907) 543-5306.

<u>PLANNING COMMISSION</u>	<u>Submittal Deadline</u>	<u>Commission Hearing</u>
Meetings of the Planning Commission are typically held on the 2 nd Thursday of each month.	October 1, 2017	December 14, 2017
	November 1, 2017	January 11, 2018
	December 1, 2017	February 8, 2018
	January 2, 2018	March 8, 2018
	February 1, 2018	April 12, 2018
The Planning Commission hears cases involving requests for conditional use, rezoning, Special use, amendments to the comprehensive plan, amendments to the zoning code, and general public hearing items.	March 1, 2018	May 10, 2018
	April 1, 2018	June 14, 2018
	May 1, 2018	July 12, 2018
	June 1, 2018	August 9, 2018
	July 1, 2018	September 13, 2018
	August 1, 2018	October 11, 2018
	September 1, 2018	November 8, 2018
Recommendations of the Planning Commission are sometimes advanced to the City Council for final consideration.	October 1, 2018	December 13, 2018
	November 1, 2018	January 10, 2019
	December 1, 2018	February 14, 2019
	January 2, 2019	March 14, 2019
	February 1, 2019	April 11, 2019

FEE SCHEDULE FOR PUBLIC HEARING ITEMS

Advertising – <u>CHARGED ON ALL ITEMS</u>	\$275
Conditional Use Permit	\$750
Public Hearing - Tall Towers	\$1,000
Public Hearing – General	\$300
Change to Future Land Use Map	\$800
Special Use Permit	\$750
Variance	\$750

SPECIAL NOTE FOR DEFERRED ITEMS

A re-advertising fee of \$325 will be charged on all items that are deferred by the Applicant after the Notice of Public Hearing has been published. Deferred items will be placed on a future meeting agenda that is a minimum of two (2) months after the notice of deferral is received by the City.

If, following a deferral, the applicant submits revisions, an additional fee of \$350 will be charged for review of the revised submittal.

INSTRUCTIONS FOR FILING PUBLIC HEARING APPLICATIONS

1. No less than thirty (30) days prior to submitting an application for a Public Hearing, the Applicant must complete a pre-submittal meeting. The Applicant must bring one copy of the completed submittal package with all required plans and supporting materials to the meeting.
2. On the appropriate “Submittal Deadline” day, the Applicant must file one (1) original, plus six (6) sets, and one (1) electronic set in .PDF format of the completed Public Hearing Application and supporting documents. Part A of the Citizen Participation Form must be included. Each set will be comprised of the completed Public Hearing Application with the required supporting documents attached. Please note that site plans, elevations, and other exhibits should be provided electronically as individual files of no more than 2mb and a total combined file size of 10mb.
3. Two full-size sets of any drawings, surveys, and any other oversized materials must be included with the original application. The additional six (6) copies of these documents shall be submitted at a size no greater than 11” x 17” and shall each be folded to a size not to exceed 8.5” x 11”.

4. The City of Bethel allows the Applicant two (2) requests for extensions beyond the scheduled public hearing. If the request for extension is received after the Notice of Public Hearing has been published, a \$325 re-advertising fee must be paid by the Applicant. Additionally, with respect to scheduling, the deferred item will be treated as a new application and scheduled for a hearing a minimum of two (2) months following the date of receipt by Staff of the notice of deferral.
5. If, after requesting a deferral, an applicant submits a revised application and/or site plan, a \$325 re-review fee will be assessed in addition to the \$325 re-advertising fee.
6. An application may be withdrawn without prejudice (no waiting time to refile) at any time prior to the public hearing at which final action is taken. A request for such withdrawal must be made in writing.
7. All application fees must be paid at the time of the submittal and are non-refundable.
8. All taxes must be paid in-full and any and all outstanding Code violations on the property must be rectified prior to the public hearing.
9. The Applicant or an authorized agent of the Applicant must be present for all public hearings to present the proposal.

REQUEST FOR PUBLIC HEARING CHECKLIST

*This document is provided as a resource for the Applicant to assist with the Public Hearing process and preparing the application submittal package. Please note that all items are due at the same time as the application submittal. All documents must be clearly labeled. **Incomplete packets will be returned.***

Required Items	Number of Copies
<input type="checkbox"/> Visual Impact Assessment	One (1) original & six (6) copies
<input type="checkbox"/> Project Description/Letter of Intent	One (1) original & six (6) copies
<input type="checkbox"/> Completed Application Form w/Review Criteria <input type="checkbox"/> Identify Tower Owner/Operator <input type="checkbox"/> Design Review Criteria (if applicable)	One (1) original & six (6) copies
<input type="checkbox"/> Narrative	One (1) original & six (6) copies
<input type="checkbox"/> Owner Authorization Form	One (1) original & six (6) copies
<input type="checkbox"/> Full-Size Site Plan with Site Plan Checklist	One (1) original & six (6) copies
<input type="checkbox"/> Design Description and Specifications (design drawings)	One (1) original & six (6) copies
<input type="checkbox"/> Demonstrated Commitment to allow collocation	One (1) original & six (6) copies
<input type="checkbox"/> Evidence the proposed structure will not interfere with the approaches to any existing airfield/airport	One (1) original & six (6) copies
<input type="checkbox"/> Compliance with Migratory Bird Treaty Act	One (1) original & six (6) copies
<input type="checkbox"/> Certification(s) of Engineer(s)	One (1) original & six (6) copies
<input type="checkbox"/> Evidence the Wind Tower is Designed at the Minimum Height Necessary	One (1) original and six (6) copies
<input type="checkbox"/> Public Participation Plan	One (1) original and six (6) copies
<input type="checkbox"/> Public Participation Report (Due 20 business days prior to the Public Hearing date assigned)	One (1) original and six (6) copies

OVERVIEW OF CHECKLIST ITEMS

Pre-Application Review Meeting:

Prior to submitting an application for a wind tower permit, applicants must meet with the Planning Director or their designated representative to review the applicant's proposal and site plan and complete pre-application review. Pre-application review meetings are held on Wednesdays between 9:00 am and noon. Please call (907) 543-5306 to schedule an appointment. Applicants are required to bring the site plan and one full set of the required documents to the meeting.

Visual Impact Assessment:

Photo simulations of the structure, which show the proposed structure from at least four (4) directions within the surrounding area and depict the visibility of the structure from any public right-of-way and other properties zoned or used as residential dwellings, are required. Photo simulations must include "before" and "after" renderings of the site, its surroundings, the proposed Structure and any appurtenance(s) or other support structure(s), as well as vegetation or topography that will conceal or screen the proposed Structure from visibility. Detailed drawings or renderings of the proposed Structure, which further provide the manner in which the proposed facility will be enclosed, camouflaged, screened, and/or obscured to meet the prescribed visibility requirements, are also required. Applicant should include such other visual information as necessary to determine the visual impact of the proposed Wind Tower facility on the existing setting and compliance with the prescribed design standards. *See BMC 16.10.090(B) for specific requirements.*

Project Description/Letter of Intent:

The written project description should provide a general description of the existing land use setting, existing site features, the type of structure proposed, visibility from the public rights-of-way and properties within nearby residential zoned areas, concealment elements and other design features, on and off-site access, landscaping, and other components of the proposed structure. The Letter of Intent should include factual details about the proposed use and its impact on surrounding properties. The Letter of Intent should also provide the additional authorizations, if any, applicant must obtain prior to the installation, collocation or modification of the proposed structure. If any variances are requested, the Letter of Intent should clearly state the requested variances and include explanations of hardships and any other reason(s) why the subject standards cannot be met.

Application Form:

The applicant is required to submit one (1) original and six (6) copies of the application form. Each copy of the application form will have attached to it a complete set of all required supporting materials (site plans, drawings, photo simulations, etc.) and must be bound or stapled. The original application form and supporting materials should be unbound.

Wind Tower Owner/Operator:

The name of the respective parties that will own, operate and be responsible for the maintenance of the proposed wind tower.

Narrative:

The written narrative must be technically accurate and reliable, explaining the nature of the permit sought (new installation, modification, removal) and further state whether the applicant believes (and if so, the basis therefore) that the application or proposed Wind Tower complies with the requirements of the Bethel Municipal Code, particularly, section 16.10 (Tall Towers).

Owner Authorization:

Original and notarized signatures of the property owner(s) and applicant or a notarized letter of authorization from the property owner(s), including, to the extent allowed by law, the owner of any existing support, collocation or auxiliary structure(s), that demonstrates knowledge and acceptance of the applicant's proposed Wind Tower facility and use on the subject property, are required. If a contract is used in lieu of the owner's signature, the signature on the contract must be an original and the contract must be valid for the duration of the SUP process.

Site Plan Checklist:

The Site Plan Checklist (included in this package) details the minimum requirements for site plans submitted in support of an application for administrative review and approval. Applications that include site plan documents that do not meet these requirements will not be accepted. Site plans must be drawn to scale, and the scale must be displayed in the lower left corner of the plan page. Prior to submitting an application, a review of the draft site plan, drawings and other related materials will be conducted as part of the pre-application review meeting. Site plans must be drawn to scale, and the scale must be displayed on the plan page. The maximum page size for original full-size site plan documents is 30" x 42".

Copies of Site Plan:

The Applicant must attach a site plan on paper no larger than 11" x 17" and folded to a maximum size of 8.5" x 11" to each submitted copy of the application package.

Design Description and Specifications:

Written explanation and drawings to describe and depict the proposed Wind Tower, including the following:

Description of the Wind Tower's components and design (including dimensions, colors, and materials), including, but not limited to, height of the Wind Tower, blade clearance, maximum diameter of the rotors, any accessory equipment, concealment enclosures, and climb prevention features.

Front, side, and rear elevation plans showing the proposed Wind Tower, including any support structure(s), ancillary structure(s), accessory equipment, and all ground-mounted transmission equipment; and

Manufacturer specifications, schematics, renderings, and illustrations of the proposed design of the Wind Tower, including, but not limited to, samples of colors and materials of any proposed concealment elements.

Also include design drawings approved by an Engineer (up to a minimum of 65% complete).

Demonstrated Commitment to Allow Collocation:

The City of Bethel is committed to minimizing the number of Tall Towers by promoting collocation whenever possible. Describe, in detail, efforts made to solicit additional users for the proposed Wind Tower.

Non-Interference with Flight Approaches:

Provide evidence that the proposed Wind Tower will not interfere with the approaches to any existing airport or airfield, including water bodies supporting aircraft use.

Compliance with Migratory Bird Treaty Act:

Provide evidence of correspondence and cooperation with local wildlife agency/agencies to prevent harm to migrating birds.

Certificate of Engineer:

Certification from a professional civil and/or structural engineer (licensed in the State of Alaska) that the proposed Wind Tower and any attachments or ancillary structure(s) meet the applicable design standards for wind loads and have structural integrity to accommodate the proposed use.

Evidence of Minimum Height:

Provide evidence the Wind Tower being proposed is the minimum height required for the effective functioning of the Tower's proposed use.

Public Participation Plan

The Public Participation Plan is to ensure that Applicants pursue early and effective public participation in conjunction with their applications, ensure that citizens of the City of Bethel have an adequate opportunity to learn about applications that may affect them, and to ensure ongoing communication between applicants, adjoining property owners, community associations and other organizations. Applicants are required to submit a Public Participation Plan at the time of the filing of the Public Hearing Application.

Public Participation Report

The Public Participation Report (included in this packet) must be completed in full and submitted to the City of Bethel Planning Department a minimum of twenty (20) days from the date prior to the Public Hearing Date to which the application has been assigned.

OTHER RELEVANT INFORMATION

Supplemental Information:

Additional information necessary for review in order to confirm compliance with prescribed design requirements, as reasonably determined by the Planning Director (or their designee), or as otherwise relied on by Applicant to support an application for administrative review and approval, should be provided. Such information may be identified during the pre-application meeting.

Public Hearing

Public Hearings on Wind Tower Applications are held at the Bethel Cultural Center and are attended by the City of Bethel Planning Commission. Meetings begin at 6:30 pm.

Public Hearing Notice

The City of Bethel posts notices of public hearings regarding wind towers at the following locations: City Hall, A-C Store, Swanson's Store, and the Post Office. Additionally, the City of Bethel will post at least two (2) notices in a local newspaper and will request the notice be advertised on at least one local radio station.

Adjacent Property Owner Notice

Notices are sent to all property owners within 500 feet of properties subject to public hearing. Notices are sent by US Postal Service. Such notices are mailed by the City of Bethel Planning Department at least fourteen (14) calendar days prior to the Public Hearing. This notification is in addition to the Applicant's activities in the Public Participation Plan.

Staff Report

Prior to the public hearing, the Planning Department will prepare and make available its findings, recommendations. A courtesy copy will be mailed to the Applicant at least one (1) week prior to the Public Hearing.

SITE PLAN CHECKLIST

*This document is provided as a resource for the Applicant to assist in the preparation of site plans to be submitted with the application package for a wind tower Special Use Permit. The items listed below reflect the **minimum** information that must be included on all site plans submitted as part of the administrative review process.*

ELEMENTS DESCRIPTION	
<input type="checkbox"/>	Key and/or legend and site location map with North arrow
<input type="checkbox"/>	Boundary survey of subject property which includes metes and bounds along property lines.
<input type="checkbox"/>	Acreage of the subject property.
<input type="checkbox"/>	Location of land lot lines and identification of land lots.
<input type="checkbox"/>	Current zoning of the subject site and adjoining properties.
<input type="checkbox"/>	The location and dimensions of the entire site area and the exact location of the support structure, any ground-mounted equipment and additional support equipment (if applicable)
<input type="checkbox"/>	Proposed setbacks, buffers, landscaping and other development or site features.
<input type="checkbox"/>	Existing, proposed, and future reserved rights-of-way of all streets and roads adjacent to and on the subject property.
<input type="checkbox"/>	Proposed access driveways and the available intersection sight distance and proposed parking spaces, loading and unloading facilities.
<input type="checkbox"/>	Existing buildings (with square footages, heights, and stories), driveways, fences, utility equipment, and any other structures or improvements on the subject property.
<input type="checkbox"/>	Topography of the subject site.
<input type="checkbox"/>	Existing setbacks and buffers.
<input type="checkbox"/>	100-year flood plan horizontal limits and flood zone designations as shown on FEMA survey or FEMA FIRM maps. Wetlands shown on GIS maps or survey.
<input type="checkbox"/>	Required and proposed storm water management facilities (if applicable) and existing lakes, streams and other waters on the site and associated buffers.
<input type="checkbox"/>	Existing driveways located within 150 feet of the subject property on adjacent or nearby parcels (including those parcels on the opposite side of a public street).

CITY OF BETHEL

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY
<input type="checkbox"/> Fee Paid

PLANNING DEPARTMENT • PO BOX 1388 • BETHEL, AK 99559

1. This page should be the first page in each of your completed application packets.
2. All responses must be legible and in ink or typed. Illegible applications will **not** be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following papers to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made by company check made payable to "City of Bethel" or credit card.
5. Applications will be accepted only on the designated submittal dates between the hours of 9:00 Am and 3:30 PM.
6. If you have any questions regarding this form, please contact the Planning Department at (907) 543-5301.

Contact Information:

Contact Name: _____ Telephone: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Fax #: _____ Mobile #: _____

Email: _____

Subject Property Information:

Address: _____

Current Zoning: _____ Current Use: _____

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

Applicant Request (please itemize proposal):

Applicant's Intent (*Please describe what the proposal would facilitate*):

PROPERTY OWNER AUTHORIZATION

Property Owner Information: (Use separate sheet for each owner)

Contact Name: _____ Telephone #: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Authorization:

I do solemnly swear and attest, subject to criminal penalties for perjury, that I am the legal owner, as reflected in the Records of the State of Alaska, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Bethel, Alaska.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

Special Use Permit Rezoning Variance

Other: _____

Name of Authorized Applicant: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone #: _____ Email: _____ Cell #: _____

So Sworn and Attested:

Owner Signature

Date

Notary Signature

Date

CITY OF BETHEL PLANNING COMMISSION REVIEW CRITERIA

Applicants are encouraged to type their answers or write legibly. Illegible answers will not be accepted.

How will this proposal be compatible with surrounding properties?

How will this proposal affect the use and value of the surrounding properties?

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

What would be the increase to population and traffic if the proposal were approved?

What would be the impact to schools and utilities if the proposal were approved?

How is the proposal consistent with the City of Bethel Comprehensive Plan; particularly the Future Land Use Map?

Are there existing or changing conditions which affect the development of the property and support the proposed request?

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

ZONING COMMISSION REVIEW CRITERIA

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

On a separate sheet or sheets, please provide information or evidence that supports your request and the statements that you have provided in this application.

CITIZEN PARTICIPATION FORM – PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Bethel without a completed Citizen Participation Form – Part A, will not be accepted.

Public Hearing or Project Name: _____

Contact Name: _____ Contact #: _____

The following people will be notified of this application and provided information describing the subject proposal. Please note ALL adjoining property owners MUST be notified. Use additional pages as needed.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Method by which these individuals will be contacted. Please mark all that apply. If you select "Other," you must provide a description of the method of contact that will be used.

- Letter Personal Visits Telephone
 Group Meeting Email Other: _____

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

CITIZEN PARTICIPATION FORM – PART B

This form must be completed and submitted to the City of Bethel Planning Department a minimum of twenty (20) calendar days prior to the scheduled Public Hearing. Failure to do so will result in a cancelation of the scheduled hearing.

Public Hearing or Project Name: _____

Contact Name: _____ Contact #: _____

Please describe comments and concerns provided by any individuals contacted as part of the Citizen Participation Program. If any individuals provided written correspondence, please attach copies of same to this report.

Method by which these individuals were contacted. Please mark all that apply. Please provide samples of any and all written communications used to provide notification.

Letter Personal Visits Telephone

Group Meeting Email

Other (*Please Specify*): _____

Attach a list of people who have been notified of this Application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified.

I, the undersigned, as an authorized representative of the applicant and Public Hearing item identified above, do solemnly swear and attest, subject to criminal penalties for perjury, that the information provided in this Citizen Participation Form – Part B and in any and all documents provided in support of this report are true and accurate. I further understand that any false statements provided by representatives of the applicant as part of this report may result in penalties up to and including denial of the subject application.

Signature of Authorized Agent: _____

Dated: _____

Print Form