

RESOLUTION
Bethel Planning Commission
Resolution No. 2016 – 10

A RESOLUTION OF THE PLANNING COMMISSION TO THE CITY COUNCIL RECOMMENDING A ZONING MAP AMENDMENT TO THE OFFICIAL LAND USE MAP OF BETHEL THAT WILL APPLY A RESIDENTIAL ZONING DESIGNATION TO TSIKOYAK SUBDIVISION LOCATED ON THE NORTH SIDE OF BIA ROAD, KNOWN ALSO AS THE LARSON SUBDIVISION, A SUBDIVISION OF MARTHA LARSON'S NATIVE ALLOTMENT, NUMBER SN-F17469- PARCEL C, SITUATED IN SECTION 12, TOWNSHIP 8 NORTH, RANGE 72 WEST, BETHEL ALASKA, TO INCLUDE:

BLOCK 1, LOTS 1 TO 29
BLOCK 2, LOTS 1 TO 8
BLOCK 3, LOTS 1 TO 9
BLOCK 4, LOTS 1 TO 9
BLOCK 5, LOTS 1 TO 8
BLOCK 6, LOTS 1 TO 8

WHEREAS, the Larson Subdivision is currently an un-zoned subdivision located inside the City of Bethel boundaries, and

WHEREAS, Bethel Municipal Code Section 18.04.050A (Zoning Jurisdiction) states the territorial jurisdiction under this title shall include all lands located within the corporate limits of the city. The provisions of this title shall apply equally to private and public property except to the extent prohibited by law, and

WHEREAS, BMC Section 18.04.030B (Zoning Application) states that no structure or land shall be used or occupied and no structure or part thereof shall be erected, moved, or altered except in conformity with the provisions of this Title, and

WHEREAS, the Bethel City Planning staff performed a windshield survey of the subdivision neighborhoods and counted 52 single family residences (74%), six duplexes (8%), two properties with a residential garage only (2%), and 11 vacant lots (16%), and determined the subdivision to be predominantly residential, and

WHEREAS, BMC Section 18.32.010 states the intent of the residential district is to provide protection to residential areas from encroachment from nonresidential activities, and

WHEREAS, BMC Section 18.80.010 states that preexisting non-residential structures and land uses made unlawful by the adoption of this zoning map amendment shall become legal nonconforming uses in the zoning district, and

WHEREAS, the Planning Commission held a public hearing on Thursday, December 8, 2016 for the purpose of bringing the Larson Subdivision into compliance with BMC Sections 18.04.050A and 18.04.030B, and determined:

1. Applying a Residential Zone designation to the subdivision would be consistent with existing residential development, and
2. Applying Residential Zoning to the Larson Subdivision is consistent with the City of Bethel Comprehensive Plan 2035 in which the Future Land Use Map designates the Larson Subdivision as being in the Residential Zone, and Action 1b under Land Use Compatibility designates the Larson Subdivision to be a "low density residential area" and should be generally limited to residential uses.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission recommends to the City Council to approve a zoning map amendment to the Official Land Use Map of Bethel that will apply a residential zoning designation to Tsikoyak Subdivision located on the north side of BIA Road, known also as the Larson Subdivision, a subdivision of Martha Larson's Native Allotment, number sn-f17469- parcel C, situated in Section 12, Township 8 North, Range 72 West, Bethel Alaska, to include:

BLOCK 1, LOTS 1 TO 29
BLOCK 2, LOTS 1 TO 8
BLOCK 3, LOTS 1 TO 9
BLOCK 4, LOTS 1 TO 9
BLOCK 5, LOTS 1 TO 8
BLOCK 6, LOTS 1 TO 8

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this 8th day of December, 2016. City of Bethel City Planning Commission Action:

Vote: In Favor: 5 Opposed: 0 Abstained: 0

ATTEST:



Joy Shantz, Chairman
 City of Bethel Planning Commission



Betsy Jumper, Recorder

Bethel Recording District:

After recording please return to:

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