Planning Commission Meeting Agenda
Regular Scheduled Meeting Thursday, October 11, 2018– 6:30PM
CITY HALL COUNCIL CHAMBERS 300 CHIEF EDDIE HOFFMAN HIGHWAY

MEMBERS

Kathy Hanson
Chair
Term Expires 12/2018

Lorin Bradbury
Vice-Chair
Term Expires 12/2020

John Guinn
Commission Member
Term Expires 12/2019

Alex Wasierski
Commission Member
Term Expires 12/2018

Shadi Rabi
Commission Member
Term Expires 12/2019

Scott Campbell
Commission Member
Term Expires 1/2020

Thor Williams
Council Representative
Term Expires 10/2019

Betsy Jumper
Ex-Officio Member

Pauline Boratko
Recorder

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. PEOPLE TO BE HEARD – (5 Minute Limit)

IV. APPROVAL OF THE AGENDA:

V. APPROVAL OF THE MINUTES:
A. Regular Meeting- September 13, 2018

VI. NEW BUSINESS:
A. Wind Energy Conversion Systems (WECS) Draft Ordinance
B. PUBLIC HEARING: ZONING APPLICATION: on July 2, 2018, the City of Bethel Planning Office received a Zoning Application to change the zoning designation of the City of Bethel Official Land Use Map from a Public Lands and Institution Use to a General Use area district from the City of Bethel, the legal description is: Lot 4, Block 15, of United States Survey 3230 A&B Bethel Townsite. The physical address is: 781 3rd Avenue.

VII. PLANNER'S REPORT

VIII. SPECIAL ORDER OF BUSINESS

IX. COMMISSIONER'S COMMENTS

X. ADJOURNMENT

Posted October 5, 2018 at City Hall, Post Office, Bethel Native Corp. and Swanson's Grocery Store Bulletin Boards

City of Bethel, Alaska
Planning Commission

September 13, 2018 Regular Meeting Bethel, Alaska

I. CALL TO ORDER:

A regular meeting of the Planning Commission was held on September 13, 2018 at the Bethel City Hall, Council Chambers in Bethel, Alaska. Chair of the Commission Kathy Hanson called the meeting to order at 6:30 PM.

II. ROLL CALL:

Compromising a quorum of the Commission, the following members were present for roll call: Kathy Hanson, Lorin Bradbury, Alex Wasierski, John Guinn, and Shadi Rabi

Excused Absence: Scott Campbell and Thor Williams

Also Present: Betsy Jumper, City Planner; Pauline Boratko, Recorder; Patty Burley, City Attorney; Chase Nelson, DOWL Engineer.

III. PEOPLE TO BE HEARD:

Anne Kumulainen- opposed the development of Blue Sky Subdivision.
Jessica Judy- opposed the development of Blue Sky Subdivision.
Alex Judy- opposed the development of Blue Sky Subdivision.
Will Montgomery- opposed the development of Blue Sky Subdivision.

IV. APPROVAL OF THE AGENDA:

MOVED:	Lorin Bradbury	Motion to approve the agenda.
SECONDED:	Shadi Rabi	
VOTE ON MOTION	Unanimous	

V. APPROVAL OF THE MINUTES:

MOVED:	John Guinn	Motion to approve the August 9, 2018 meeting minutes.
SECONDED:	Shadi Rabi	
VOTE ON MOTION	Unanimous	

VI. UNFINISHED BUSINESS:

A. Blue Sky Subdivision Development Agreement: DOWL Engineer, Chase Nelson addressed the commission on the impact of water and sewer costs per parcel. Blue Sky developer was not present at the meeting.

MOVED:	Lorin Bradbury	Motion to direct administration to meet with developer to review disagreements (original)
SECONDED:	Alex Wasierski	
VOTE ON MOTION	Unanimous	
MOVED:	Lorin Bradbury	Motion to amend original motion to direct

SECONDED:	Alex Wasierski	administration to meet with Blue Sky's developer giving a deadline of 4 months (January 2019) to resolve disagreements within the 4 month time frame given. If failure to meet the deadline, the subdivision agreement will be automatically denied.
VOTE ON MOTION	4 yes, 1 no, motion passes	

VII. PLANNER'S REPORT: Betsy Jumper gave her monthly report.

VIII. SPECIAL ORDER OF BUSINESS:

IX. COMMISSIONER'S COMMENTS:

A. Wasierski- I don't think water and sewer is an issue.
L. Bradbury- I agree with Alex.
K. Hanson- no comment.
J. Guinn- no comment.
S. Rabi- no comment.

X. ADJOURNMENT:

MOVED:	Alex Wasierski	Motion to adjourn the meeting.
SECONDED:	John Guinn	
VOTE ON MOTION	Unanimous	

With no further business the meeting adjourned at 7:43 pm
APPROVED THIS _____ DAY OF _____, 2018

_____ _____

ATTEST: Pauline Boratko, Recorder Kathy Hanson, Chair

16.15
Small Wind Energy Conversion Systems

16.15.010 Purpose
16.15.020 Definitions
16.15.030 Permitted Use
16.15.040 Design Standards
16.15.050 Minimum System Requirements
16.15.060 Building Mounted WECS
16.15.070 Free Standing WECS
16.15.080 Application Process
16.15.090 Abandoned or unsafe wind energy conversion systems
16.15.100 Abatement of Hazardous WECS
16.15.110 Decommissioning
16.15.120 Violations, Enforcement & Penalties
16.15.130 Appeals
16.15.140 Small Wind Energy Conservation Systems installed Prior to this Chapter

16.15.010 *Purpose*

The purpose of this section is to regulate and provide standards for small wind energy conversion systems (WECS) as defined in this Code, and to encourage the development of small wind energy systems.

Or

The purpose of this section is to promote the safe, effective and efficient use of Small Wind Energy Conversion Systems (WECS) that are installed to reduce the on-site consumption of utility supplied electricity.

Or

The purpose of this ordinance is to accommodate small wind energy systems, while protecting the public's health, safety and welfare. In addition, this ordinance provides a permitting process for Small Wind Energy Conversion Systems (WECS) to ensure compliance with the provisions of the requirements and standards established herein.

16.15.020 *Definitions*

1. Hub Height: Height of the center of the wind turbine rotor above the terrain surface. For a vertical axis wind turbine, the Hub Height is the height of the equator plane.

2. Modification: Any change to a Small Wind Energy Conversion System that materially alters the size, type or location of the WECS. Like-kind replacements shall not be considered to be a modification.

3. Obstruction: Anything that interferes with the laminar (straight, smooth) flow of wind, causing a level of turbulence that could interfere with the proper function and/or productivity of a small wind turbine.

4. Rated Power Output: The power output of a wind turbine at a constant Hub Height wind speed of 11m/s (25 mph).

5. Shadow Flicker: The visible flicker effect when rotating blades of the wind generator cast shadows on the ground and nearby structures causing a repeating pattern of light and shadow.

6. Small Wind Energy System: A wind energy conversion system consisting of a wind turbine, Tower and associated control or conversion electronics, which as a Rated Power Output of 100kW or less. Also referred to as Small Wind Energy Conversion Systems or WECS.

7. Swept Area: projected area perpendicular to the wind direction that a rotor will describe during one complete rotation.

8. Total System Height: The height above grated of the fixed portion of the Tower, plus the wind turbine and extending to the uppermost reach of the rotor.

OR
The vertical distance from ground level to the tip of the wind generator blade when it is at its highest point.

9. Tower: A guyed or freestanding structure, anchors and foundation that is specifically engineered to support a small wind turbine.

10. Wind Generator: The blades and associated mechanical and electrical conversion components mounted on top of the tower whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.

16.15.030 *Permitted Use*
Small Wind Energy Systems are permitted in all zoning classifications where structures of any sort are allowed; subject to the requirements of this chapter.

16.15.40 *Design standards.*

A. Operational noise shall not exceed 50 DBH at property line allowable noise levels at the property line, except for short-term high wind speed events such as storms.

B. All systems shall be equipped with manual and automatic (mechanical or electrical) over-speed controls to limit the blade rotation speed to within the design limits of the system.

C. The rotating turbine shall not produce vibrations that are humanly perceptible beyond the property lines of the site. Lattice type towers and towers using guy wires are prohibited.

D. No tower shall be illuminated unless required by a state or federal agency, such as the FAA.

E. All structures in a project shall be finished in a single, non-reflective, matte finished, neutral color.

F. No commercial or noncommercial advertisements, signs, or other messages shall be placed or painted on the tower, rotor, generator or tail vane, except that a system or tower's manufacturer's logo may be displayed on a system generator housing in an unobtrusive manner.

16.15.050 *Minimum System Requirements*

A. *Access:* To prevent unauthorized climbing, climbing pegs shall be removed from the lower ten (10) feet of the Tower, or ladder access shall be restricted. Fences are not requires as they deny critical access to the Tower base.

B. *Antennas:* Wind turbine Towers installed under this ordinance may also be used to host antennas, so long as the structure is shown to meet the State and any local structural code requirements.

C. *Blade or Vance Clearance:* Lowest point of moving elements, such as blades or vanes, shall be at least 25 feet above grade. No blades may extend over public trails.

D. *Certified Wind Turbines:* Small wind turbines with Swept Areas up to 200m shall be certified to the most current version of AWEA 9.1 by the Small Wind Certification council or a Nationally Recognized Testing Laboratory.

E. *Compliance with FAA Regulations:* Small Wind Energy Systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports or on a flight path.

F. *Compliance with National Electrical Code (NEC):* The installation of a Small Wind Energy System shall comply with section 694 (or the most current applicable section, if updated) of the NEC. Applications must be accompanied by a single-line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the NEC. Wet-stamped drawings shall not be required.

G. *Multiple Wind Turbines*: Applications for multiple small wind turbines on a single property shall follow manufacturer or installer recommendations regarding minimum separation between turbines

H. *Non-*Certified *or Provisionally Certified Turbines*: Applications for provisionally certified or non-certified turbines with Swept Areas over 200m must include a description of the safety features and sound emissions of the turbine and must show compliance with IEC61400-12-1 and IEC61400-11 and may be considered on a case by case basis. Applicants shall bear the City's additional cost for Engineer review.

I. *Setback:* Local building and zoning ordinances for structures shall be followed with the express provision that no part of the wind system structure, including guy wire

anchors or any other appurtenance may extend closer than ten (10') feet to any property boundary line. The system must also meet any fire setback requirements.

1. WECS shall be set back at least 1.5 times the height of the system from property lines abutting residentially-zoned lots.
2. WECS shall be set back at least 1.1 times the height of the system from property lines abutting rights-of-way and non-residentially zoned lots.
3. *Overhead power lines and other setbacks*: Wind turbines shall follow existing ordinances for structures in regard to setback from overhead utility lines, roads, easements, public buildings and other utilities, provided the setback requirement shall not exceed the Total System Height.

J. *Signage:* A "Danger, High Voltage" sign shall be installed where it is clearly visible by persons standing near the tower base.

K. *Sound:* During normal operation, Small Wind Energy Systems shall not exceed five (5) dBA over ambient sound as measured at the closest neighboring inhabited dwelling that exists or is permitted for construction at the time of Small Wind Tower Site Plan application. This sound level may be exceeded during short-term events, such as utility outages and storms. Complainants shall bear the burden of proof until and unless the wind turbine system has been proven to be out of compliance with this ordinance.

L. *System Height:* Wind turbine systems shall be allowed to be tall enough to facilitate proper function. Specifically, they shall adhere to the industry standard that the entire wind turbine should be at least 30' above both (a) any Obstruction within a 500' radius and, (b) the surrounding tree height.

1. Minimum System Height: In no case shall the Hub Height be less than 30'.
2. Maximum System Height: The maximum height for non-commercial wind turbines is 80'. In cases where the manufacturer's minimum Hub Height recommendation is higher than 95', the applicant must refer to the Tall Tower Ordinance found in BMC Chapter 16.10.
3. Building Mounted Systems: Wind turbines mounted on buildings are still required to follow the industry standard that the entire wind turbine should be 30' above all Obstructions within a 500' radius of the turbine, including the structure to which it is mounted, and the surrounding tree height.

M. *Utility Company Notification:* No grid-tied Small Wind Energy System shall be installed until evidence has been submitted that the local utility company has been informed of the applicant's intent to install an interconnected customer-owned generator.

N. *Visual Impacts:* Should be minimized or mitigated for surrounding neighbors and the community. This may include, but is not limited to, design and appearance, buffering, and screening of ground mounted equipment.

16.15.060 *Building-mounted WECS*

A. Small WECS in residential zoning districts shall have a rated power capacity of not more than 10 kW. Small WECS in nonresidential zoning districts shall have a rated power capacity of not more than 25 kW.

B. In residential districts on lots less than 20,000 square feet, a building-mounted WECS shall not exceed the maximum height for principal structures of the underlying zoning district by more than ten feet.
C. On buildings of 60 feet or less in height, building-mounted WECS shall be no taller than thirty feet.
D. On buildings over 60 feet in height, building-mounted WECS shall be set back from the structure edge by at least two feet for every one foot of height greater than ten feet.
E. Building-mounted WECS shall meet the design standards for free-standing WECS in section .070 below, with the exception of .070(E).
F. Building-mounted WECS shall be located at least 1.1 times the height of the system (rooftop to top of WECS) from all overhead power and telecommunication lines, and any telecommunication towers.

16.15.070 *Free-standing WECS*

A. *Number of WECS.* Only one small WECS per lot is allowed in residential zoning districts. Adjoining lots under the same ownership shall be treated as one lot for purposes of this limitation.
B. Maximum height. The height of a small WECS shall be determined by compliance with the setback provisions of subsection .040 above. In no instance shall a small WECS exceed 80 feet in height.

16.15.080 Application process

A. Small WECS are subject to an administrative Small Wind Tower Site Plan review. Sufficient information shall be provided with the application to show that the standards below have been met. The Planning Director, or their designee, shall grant approval if the standards of this section have been met, and the applicant has sized and sited the system to reduce impacts on surrounding properties to the maximum extent feasible. Structural stability of the foundation will be assured through the Small Wind Tower Site Plan Application Process. The Planning Director shall take action on the Site Plan within 45 days of the submittal of a complete application.
B. Applications submitted to the Planning Department shall contain a site plan with the following information:
    1. A description of the project, including the maximum rated power output capacity of the WECS.
    2. The make, model, an illustrative photograph or brochure, the manufacturer's specifications including noise decibels data for the proposed WECS, the support structure, and method of attachment to the ground and/or structure.
    3. Elevation drawing of the WECS showing total height, turbine dimensions, tower and turbine colors, distance between ground and lowest point of any blade, and if proposed, the location of ladders, climbing pegs, and access doors.
    4. If the WECS is not certified as meeting the IEEE 1547 standard (Institute of Electrical and Electronic Engineers), then assessment by an engineer licensed to

do business in the State of Alaska, of any potential electromagnetic interference and microwave, radio, television, personal communication systems and other wireless communication is required.

5. Applications shall include a visual impact analysis of the proposed WECS as installed, which shall include color photographs of the proposed site from at least two locations accurately depicting the existing conditions. A computerized photographic simulation, demonstrating any visual impacts from strategic vantage points, is desirable and may be required at the director's discretion. The applicant shall indicate any visual screening proposed to be incorporated into the project that is intended to lessen the system's visual prominence.
6. Property lines and physical dimensions of the applicant's property.
7. Location, dimensions, and types of existing major structures on the property.
8. Location of the proposed small wind energy system, foundations, guy anchors and associated equipment.
9. Tower foundation blueprints or drawings.
10. Tower blueprints or drawings.
11. Setback requirements as outlined in this ordinance.
12. The right-of-way of any public road that is contagious with the property.
13. Any overhead utility lines.

16.15.090 *Abandoned or unsafe wind energy conversion systems*

A. *Abandonment.* Any system that is not operated for a continuous period of at four (4) months shall be considered abandoned and shall be decommissioned, dismantled and removed from the property at the expense of the property owner.

B. *Unsafe Structures.* Anyone may file a complaint with the Planning Director, Fire Chief, Police Chief or City Manager regarding the safety of a Small Wind Turbine. Complaints may also be initiated by City personnel.

   1. Complaints shall be in writing and shall state, with specificity, the reason or condition which makes the Small Wind Tower unsafe;
   2. Upon receipt of a complaint, the Planning Director shall investigate the complaint and prepare a written report.
   3. If the Planning Director has reason to believe the structure may be unsafe, the Planning Director shall set the matter for a hearing before the Planning Commission.
   4. Once a hearing before the Planning Commission is set, the Planning Director, or their designee, shall cause a notice of the contents of the complaint and Planner's report, as well as the date and time of the hearing to be served upon the property owner.
   5. At the time and place for the hearing, the Planning Commission shall determine whether the complaint and findings of the City Planner are substantially correct in all material respects. The City Planner may present written, photographic, and oral evidence to support the report. The Planning Commission may, as part of the hearing, inspect the Turbine and may treat any observations as evidence to determine the correctness of the report.

Observations relied upon by any member of the Planning Commission shall be stated at the hearing and become a part of the record. At the hearing, the owner or his/her representative, if present, shall be heard and may present evidence. If the report is substantially correct, the Planning Commission may, by resolution, declare the Turbine a hazard.

16.15.100 Abatement of Hazardous WECS

A. If the Planning Commission declares a WEC a hazard, it may order correction of the defects or decommissioning thereof by the owner or his agent.
B. Unless the Planning Commission determines that a longer or shorter period of time is required, notice of a correction or decommissioning order shall specify a period of not less than thirty (30) days from the date of the Planning Commission declaration by which the correction or decommissioning must be completed, and shall state that the City may correct or decommission the WEC thereafter.
C. At any time before the date set for completion of correction or decommissioning, the owner of the WEC or may request a rehearing. The rehearing shall be scheduled at the next regular Planning Commission meeting or at a special meeting called for that purpose, occurring at least three (3) business days following the date the request for rehearing is filed. The request for rehearing shall include a notarized statement setting out with specificity the corrective actions taken or initiated, and how these steps did or will eliminate the hazard found by the Planning Commission. At the rehearing, the owner or his agent may show that the deficiencies proved have been substantially remedied or that action has been taken to remedy them. If it is shown that the hazard or nuisance has been eliminated or will be eliminated in a reasonable time, and that the public health, safety and welfare will not be threatened if the prior Planning Commission order is modified, the Planning Commission may rescind or modify its prior order.
D. If the WEC is not fixed or removed in accordance with the order, the City may remove or repair it or cause it to be removed or repaired. If the city removes or repairs the WEC, the cost of removal or repair is a lien upon the land and chargeable to the proceeds of the sale of the structure and any salvaged material, which may be sold at public auction or by competitive bid or by negotiated agreement if no acceptable bids are received. The balance of cost, if any, remains a charge against the land. If the proceeds of any sale of the structure and salvaged material exceed the total cost to the City of the removal or repair and sale, the excess shall be returned to the owner of the land.
E. If a condition of a structure or property on a parcel that has been ordered corrected has not been corrected in accordance with the order, the City may enter upon the property and take such action as necessary to correct the hazard condition. The cost of correcting the condition shall be a lien against the land.
F. The owner and the person to whom the order is directed, if other than the owner, shall comply with the order and each such person is liable for failure to comply. Failure to comply is a violation of this section.

G. Notice of a lien arising out of this chapter shall be filed in the Bethel district recording office and thereafter may be foreclosed as provided for in Alaska Statute.

16.15.110 *Decommissioning.*

A small wind tower that has reached the end of its useful life or which has become a hazard shall be removed within sixty (60) days of such determination. A small wind system is considered to have reached the end of its useful life when it has been inoperable for four (4) consecutive months. Time extensions are allowed when good faith efforts to repair the turbine can be demonstrated.

16.15.120 Violations, enforcement and penalties.

A. Any person violating the provisions of this chapter may be guilty of a minor offense punishable by a fine of Five Hundred ($500) Dollars per day.
B. Additionally, the City may utilize any other provisions of law available to it in order to enforce the provisions of this chapter, including, but not limited to, injunction and abatement.
C. Every day there is a violation of this chapter shall be considered a unique and separate offense.
D. Complaints received by the City of violations of state or federal law will be forwarded to the appropriate agency for enforcement.
E. The permittee shall assist and cooperate with authorized inspections upon reasonable notice from the City.

16.15.130 Appeals – In general.

A. An applicant desiring relief, waiver or exemption from any aspect or requirement of this chapter may request same. Such relief may be temporary or permanent, partial or complete. However, the burden of proving the need for the requested relief, waiver or exemption is solely on the applicant to prove.
B. No such relief or exemption will be granted unless the applicant demonstrates that, if granted, the relief, waiver or exemption will have no significant adverse effect on the health, safety and welfare of the city of Bethel, its residents and other service providers.
C. Denials of relief requested must be appealed as follows:
    1. Decisions of the planning director may be appealed to the planning commission.
    2. Decisions of the planning commission may be appealed to the City Council.
    3. Decisions of the City Council may be appealed to a hearing officer.
    4. Decisions of the hearing officer(s) are final.

16.15.140 WECS in existence on the date of adoption of this chapter.

A. A WEC already installed within the City of Bethel before this Chapter was adopted, must register with the City within ninety (90) calendar days of the adoption of this chapter.
B. WECS purchased prior to adoption of this Chapter but not yet installed, must comply with the provisions of this Chapter.

CITY OF BETHEL

ZONING AMENDMENT

STAFF REPORT

October 11, 2018
TO: The Planning Commission
FROM: Betsy Jumper, Planner
SUBJECT: Amendment to the Official Land Use Map

The City of Bethel (the applicant) has requested a Zoning Amendment to the Official City of Bethel Land Use Map. (Attachment 1). The applicant is requesting to change lot 4, block 15 of United States Survey 3230 (Attachment 2), from a Public Lands and Institutions (PLI) Use zone, to a General Use (GU) Zone. As stated in the Zoning Application form, the reason for wanting a zone change to the City of Bethel Official Land Use Map in order to be able to lease the land out.

BACKGROUND INFORMATION/HISTORY: The City of Bethel owns this land which was deeded over in 1972 from a private citizen (Attachment 3). It previously was used as a fire department site, as there is an old water tank located on-site (Attachment 4). Photos of current views of the lot are included. (Attachment 5).

Other buildings currently surrounding this lot includes a retail food store, a lumberyard, a hotel, a barber shop, cottages rented out as lodging, a restaurant, a dental office, a gas station and two auto repair shops, a church, law offices, a dirt hauling and moving business, and several residential homes. (Attachment 6 -1000' radius of surroundings).

This is currently designated a Public Lands and Institutions (PLI) District. The applicant wishes to redesignate the zone as a General Use Zone (GU). Research reveals that the subject parcel has operated under the current Public Lands and Institutions zoning designation for 30+ years. A change to a General Use zone would enable the City to lease out the land. (Attachment 7 - City of Bethel Official Land Use Map).

STAFF REVIEWS-- BETHEL MUNICIPAL CODE 18.76.040

A. The Planning Dept. shall evaluate the application for amendment to the text of this title and shall conduct such investigation as may be relevant. The Planning Dept. may only make a recommendation for approval with the following findings:

1. The proposed amendment will be consistent with the comprehensive plan and will further specific goals and objectives of the plan.

The proposal will be consistent with the 2011 Bethel Comprehensive Plan's Future Land Use Plan Map, and land use compatibility "Mixed Use—Commerical"; 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 industries." Page 4-11, Action 1b. (Attachments 8 & 9).

2. The proposed amendment will be fair and reasonable to implement and enforce.

The amendment changes the use from PLI to general use. Many retail shops are in the area, as well as some residential homes.

3. The proposed amendment will enhance the stated purpose of this title of promoting the public health, safety, and welfare of the present and future inhabitants of the City.

The public's health, safety, and welfare are promoted by the proposed General Use of this land. The property is surrounded by areas supporting many mixed uses. A General Use change could expand use of the land and its proximity to the downtown area supports the concepts of limiting multiple trips generation. Goods and services can be obtained in a concentrated location without the expense of traversing the community.

4. The proposed amendment will be consistent with the intent and wording of the other provisions of this title.

The amendment is consistent and has not been found to be in conflict with other provisions of Title 18 of the BMC.

B. The Planning Department shall make such investigations as are relevant and evaluate the proposed amendments to the official map. The department shall submit its analysis and recommendations to the planning commission along with findings consistent with its recommendations. The department may only recommend approval of the map amendment if it makes and supports the following findings:

1. The proposed redesignation will be consistence with and further the goals of the comprehensive plan: *Yes (see #1A above).*

2. If applicable, the proposed redesignation is better suited to the area because either the conditions have changed in the area to be redesignated since the present designation was assigned, or the area was previously assigned an inappropriate zoning district designation: *Since Bethel has grown since 1990, it*

would be better suited to be a General Use Zone, in order to allow more usage in a concentrated area.

3. The principal and conditional uses permitted in the proposed re-designated area will be compatible with the principal and conditional uses permitted in the surrounding area for a one-thousand (1,000) foot radius considering factors such as distance, topography, materials, screening, actual and potential development, comprehensive plan designations, and other relevant factors:

The amendment will conform to all recognized principle and conditional uses in the surrounding area considering all the factors listed above.

4. The area proposed to be re-designated either constitutes an expansion of area for the same designation or is at least two acres in size.

The proposed designation constitutes an area of the same designation. General Use District surround the property.

5. The existing or proposed water, sewage and transportation systems are adequate to serve the principal and conditional uses permitted in the proposed redesigation. [Ord.01-05 8]

Not applicable, but would be adequate as any future development would be on the existing hauled water and sewer route. The City bus routinely runs that way.

RECOMMENATION:

Approval of the zoning amendment application as presented and forward to the City Council in an ordinance form.

CITY OF BETHEL
PLANNING DEPARTMENT

1155 Ridgecrest Drive – P.O. Box 1388
Telephone: (907) 543-5306 * Fax: (907) 543-4186

ZONING MAP AMENDMENT APPLICATION FORM

Applicant: The City of Bethel

Legal Description of properties covered by this application (use additional sheets if necessary): Lot 4, block 15, United States Survey 3230 A Bethel Townsite. The physical address is 781 3rd Avenue.

Requested District Zone Change: **From**: Public Lands and Institutions zone

To: General Use zone.

Reason for Request: To be able to lease land out.

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Please provide written narrative explaining the following:

1. Is the proposed change in accordance with the City Comprehensive Plan? Yes, it enhances the value of the land for the City, as well as expands the use.

2. How is the proposed change compatible with surrounding zoning districts and the established land use pattern? It is surrounded by a general use area, consisting of a retail shop nearby, a lumberyard, hotel, gas station and auto repair, cottages for rent, and residential houses.

3. Are public facilities such as schools, utilities and streets adequate to support the proposed change? Yes

4. Do changed conditions effecting the subject parcel or the surrounding neighborhood support the proposed change? N/A

5. Is the proposed change consistent with public welfare and will it grant a special privilege to the owners? Yes, the proposed change fits in better under a general use zone, and no, it will not grant any special privileges to the owner (City of Bethel).

Date of application: 7-2-18
$100.00 Filing fee: Waived

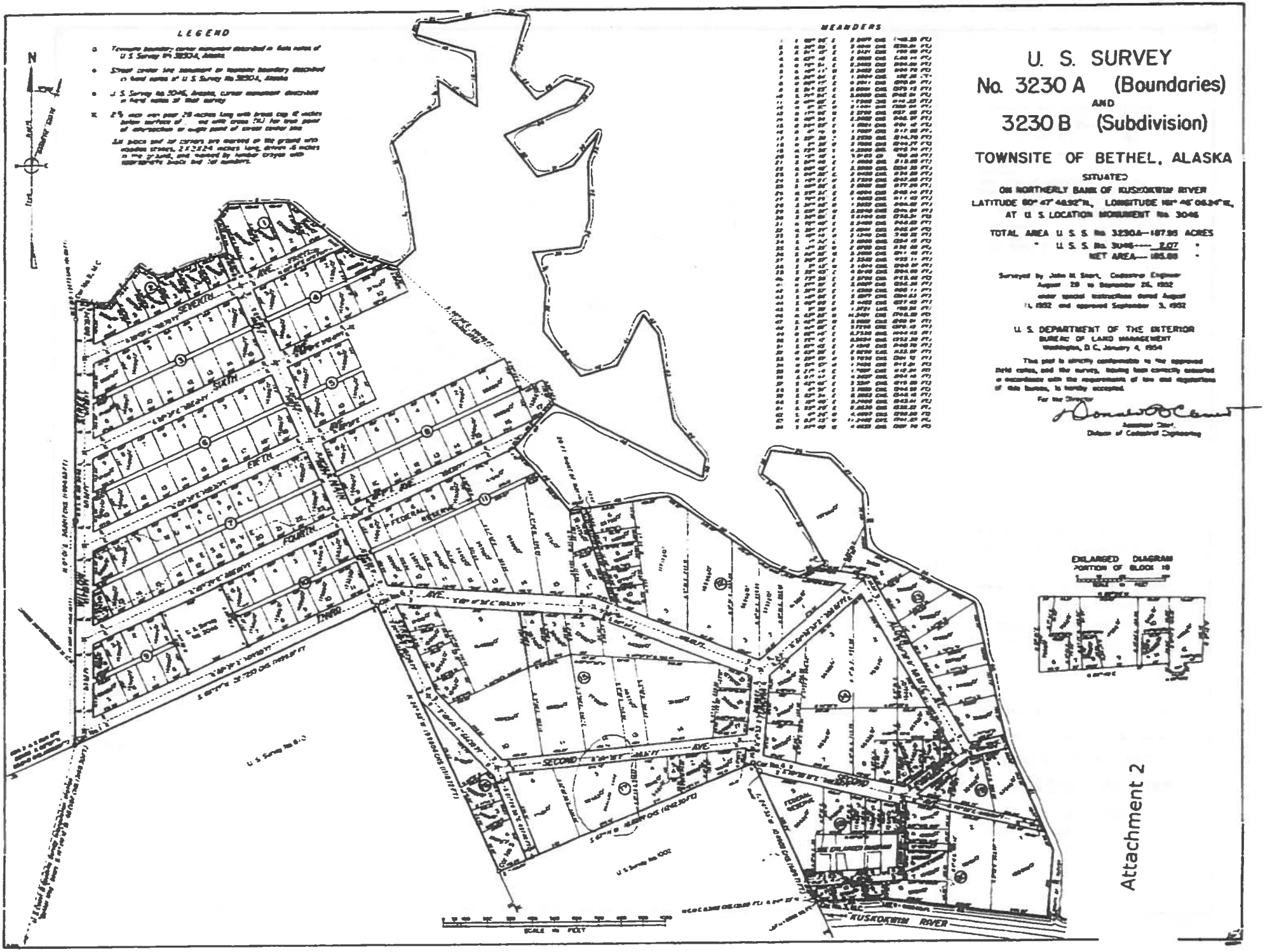
Peter Williams
Signature of owner or owner's authorized representative

Address PO BX 1388 Bethel, AK 99559

Attachment 1

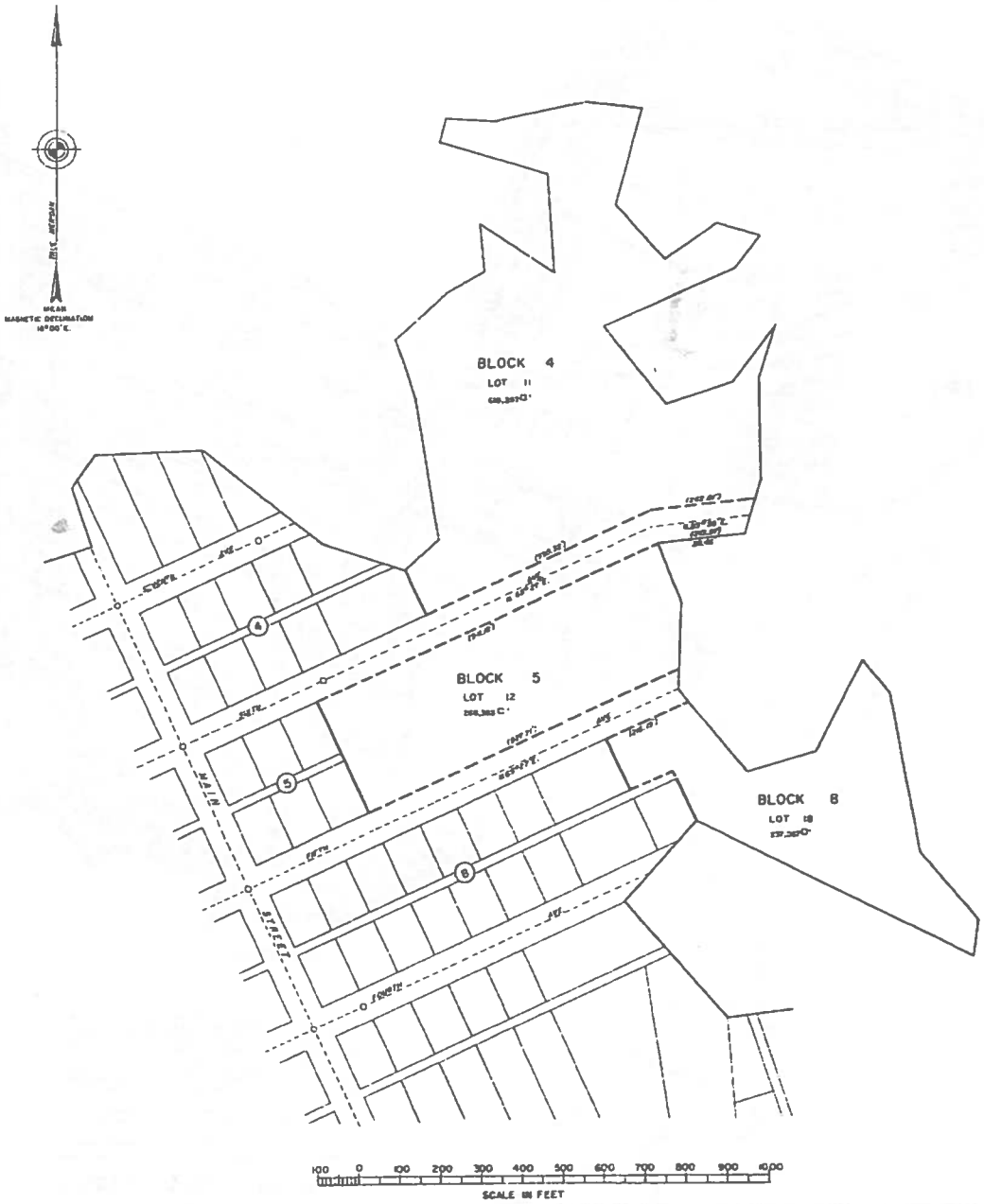
3230 A+B

ORIGINAL



Attachment 2

ORIGINAL



SUPPLEMENTAL PLAT

U. S. SURVEY No. 3230 B, ALASKA

TOWNSITE OF BETHEL

Showing Additional Subdivision & Area in Blocks 4, 5, & 8

This supplemental plat of U. S. Survey No. 3230 B (Subdivision) shows the protraction of Blocks 4, 5, and 8 to include the unplatted portion of the Townsite of Bethel as shown on the original townsite plat with resultant lottings and areas, and is based on plat accepted January 4, 1954.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D. C. May 8, 1959

This plat, showing amended lottings, is based upon the official records, and having been correctly prepared in accordance with the regulations, is hereby accepted.

For the Director

Earl G. Harrington

Cadastral Engineering Staff Officer

BOOK 19 PAGE 5
Bethel Recording District

STATUTORY WARRANTY DEED

The Grantors, ARTHUR L. NICHOLSON and HELEN D. NICHOLSON, husband and wife of P. O. Box 214, Bethel, Alaska 99559, for and in consideration of the sum of TEN DOLLARS ($10.00), lawful money of the United States of America, and other good and valuable consideration, convey and warrant unto the CITY OF BETHEL, a municipal corporation, P. O. Box 537, Bethel, Alaska 99559, its successors and assigns forever, the following described real property situated in the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

Lot 4, Block 15, U.S. Survey 3230A (boundaries) and U.S. Survey 3230B (subdivision), Townsite of Bethel, Alaska

TOGETHER WITH, ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and SUBJECT TO the rights and reservations in patent to said land expressed, existing easements for power, light and other utilities, restrictions of record, and to encroachments ascertainable by physical inspection of the property.

DATED at ~~July~~ Anchorage 24/72, Alaska, this 26 day of July, 1972.

Arthur L. Nicholson
Arthur L. Nicholson

Helen D. Nicholson
Helen D. Nicholson

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

On this 4 day of ~~July~~ August, 1972, before me, the undersigned Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared ARTHUR L. NICHOLSON and HELEN D. NICHOLSON, known to me and known to me to be the persons named in the within instrument as Grantors and they acknowledged that they executed, each for himself and not one for the other, the foregoing Deed as their free and voluntary acts and deeds for the uses and purposes therein set forther.

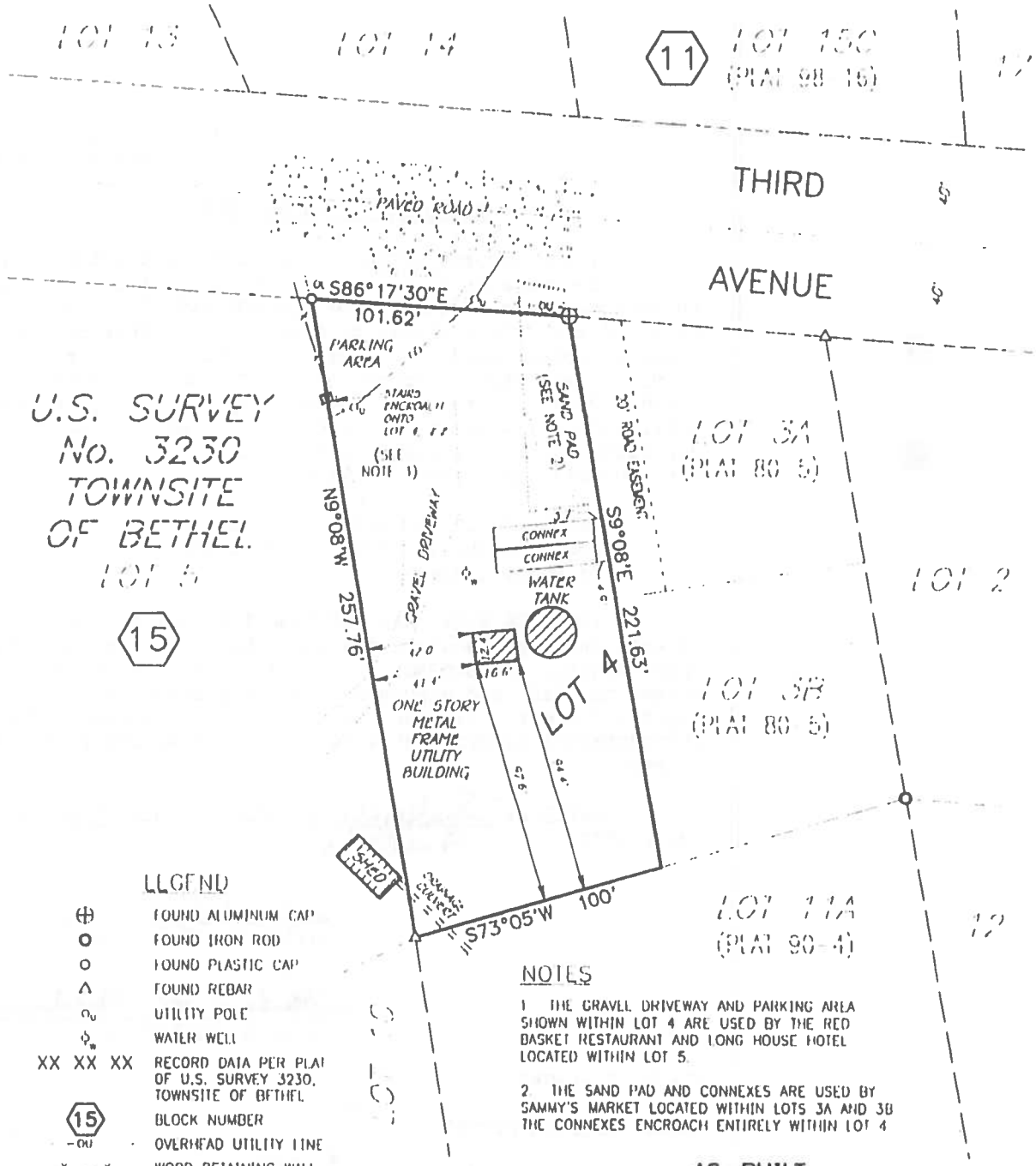
Serial No. 72-346 IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year first hereinabove written.

BETHEL
LAW OFFICE
HUGHES, THORSNESS, LOWE, GANTZ & CLARK
657 G STREET
PHONE 279-4528
ANCHORAGE, ALASKA

RECORDED - FILED
Bethel REC. DIST.
DATE 8-11 1972
TIME 1:10 P.M.
Recorded by City of Bethel
Address Bethel, Alaska

Notary Public in and for Alaska
My Commission Expires 2/9/75

Attachment 3



LEGEND

⊕	FOUND ALUMINUM CAP
O	FOUND IRON ROD
o	FOUND PLASTIC CAP
Δ	FOUND REBAR
○	UTILITY POLE
○	WATER WELL
XX XX XX	RECORD DATA PER PLAT OF U.S. SURVEY 3230, TOWNSITE OF BETHEL
(15)	BLOCK NUMBER
-OU	OVERHEAD UTILITY LINE
x—— x	WOOD RETAINING WALL

NOTES

1. THE GRAVEL DRIVEWAY AND PARKING AREA SHOWN WITHIN LOT 4 ARE USED BY THE RED BASKET RESTAURANT AND LONG HOUSE HOTEL LOCATED WITHIN LOT 5.

2. THE SAND PAD AND CONNEXES ARE USED BY SAMMY'S MARKET LOCATED WITHIN LOTS 3A AND 3B THE CONNEXES ENCROACH ENTIRELY WITHIN LOT 4

AS-BUILT

I hereby certify that I have, or someone under my supervision has, inspected the property described as:

LOT 4, BLOCK 15,
U.S. SURVEY No.3230,
TOWNSITE OF BETHEL
Bethel Recording District

The improvements situated thereon are within the property lines and do not encroach or overlap onto adjacent properties, nor do any improvements from adjacent properties encroach or overlap onto this property, except as indicated hereon

STATE OF ALASKA
49TH
MICHAEL E. MILLER
LS 7222
9/13/18
REGISTERED PROFESSIONAL LAND SURVEYOR

No lot corners have been set. The property dimensions shown are from the record plat and are not necessarily as we may have measured. The improvement locations are approximate and have been determined only to the extent that enables us to determine if there are any encroachments onto or off of the lot. Drafting and reproduction may produce graphic inconsistencies, therefore scaling should not be attempted to determine unshown dimensions. This drawing is not adequate for additional construction or for determining the exact location of property lines. Only easements from the recorded subdivision plat noted above are shown hereon and it is the responsibility of the owner to determine if any other easements, covenants, or restrictions exist.

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This document is copyrighted and is authorized to be used for one real property transaction or project only. Any copy is to be considered unauthorized unless it bears an original surveyor's signature (usually in blue ink) or a stamp showing recorder's office date. Copyright restrictions (but not re-use restrictions) are waived if this document has been officially recorded. Lending institutions may also make additional copies for their own records. Liability to MLA is limited to fees received for this project.

0 25 50 75 100
SCALE

NORTH

McCLINTOCK LAND ASSOCIATES, INC.
16942 NORTH EAGLE RIVER LOOP ROAD
EAGLE RIVER, ALASKA 99577-7801
(907) 694-4499
LICENSE No. AECC596

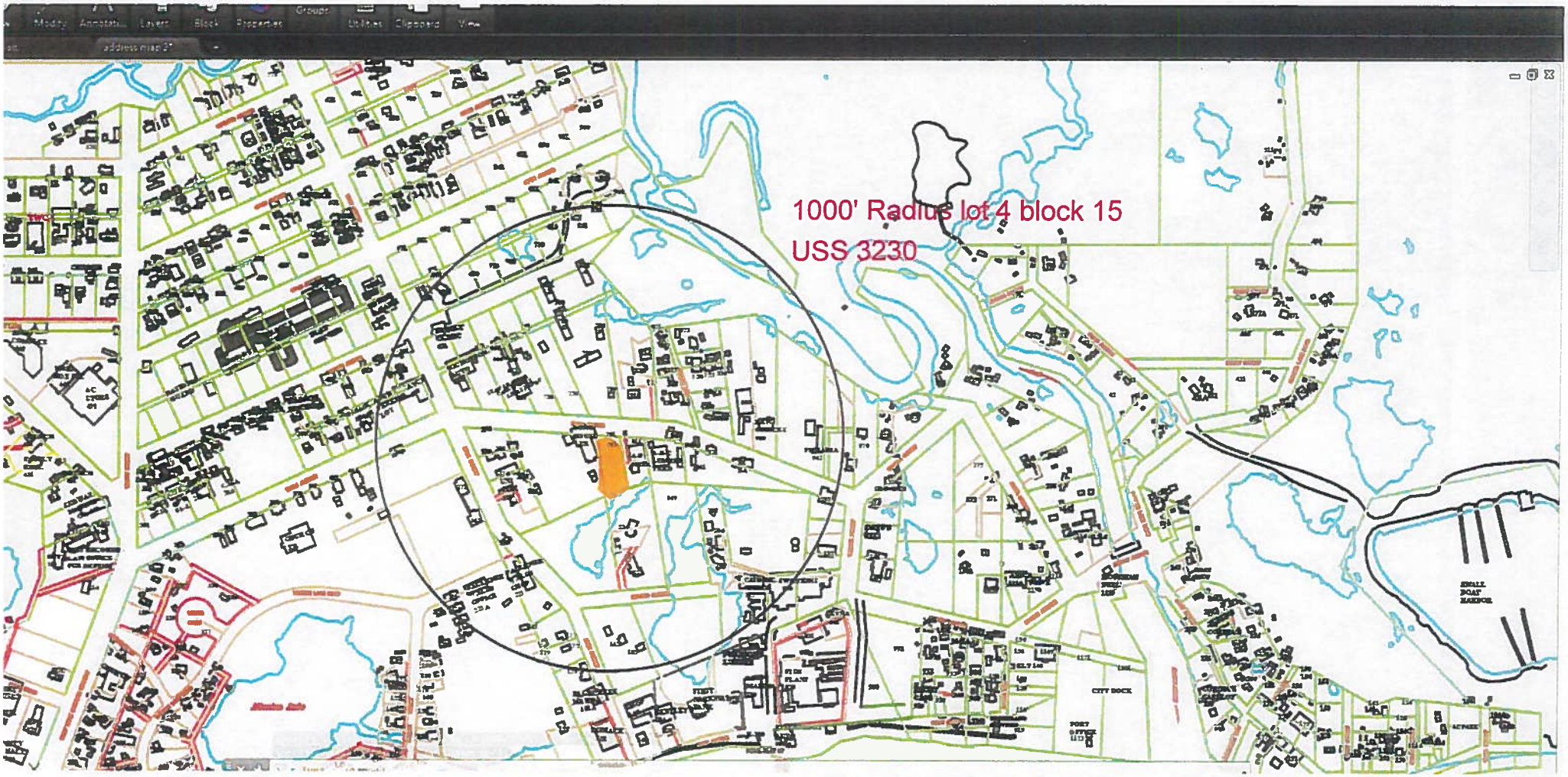
FIELD WORK DATE 8-15-18	PARTY CHIEF TH	FIELD BOOK 532 21	PLOT SCALE 1"=50'
DRAWN DATE 9-13-18	DRAWN BY JC	GRID BETHEL	DWG NAME A018-180
JOB NO 18-180			

Attachment 4

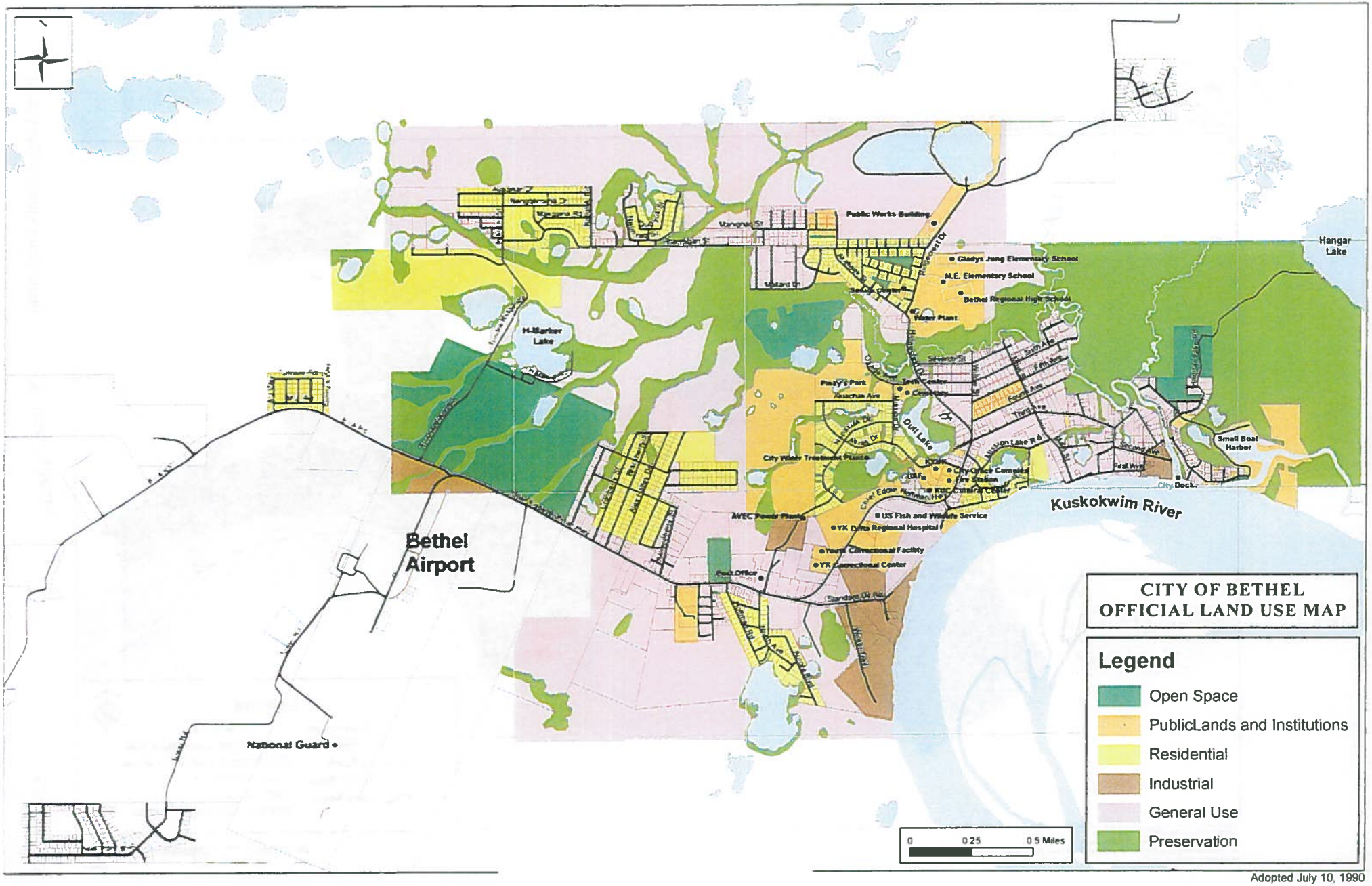
Attachment 5

Attachment 5

Attachment 5



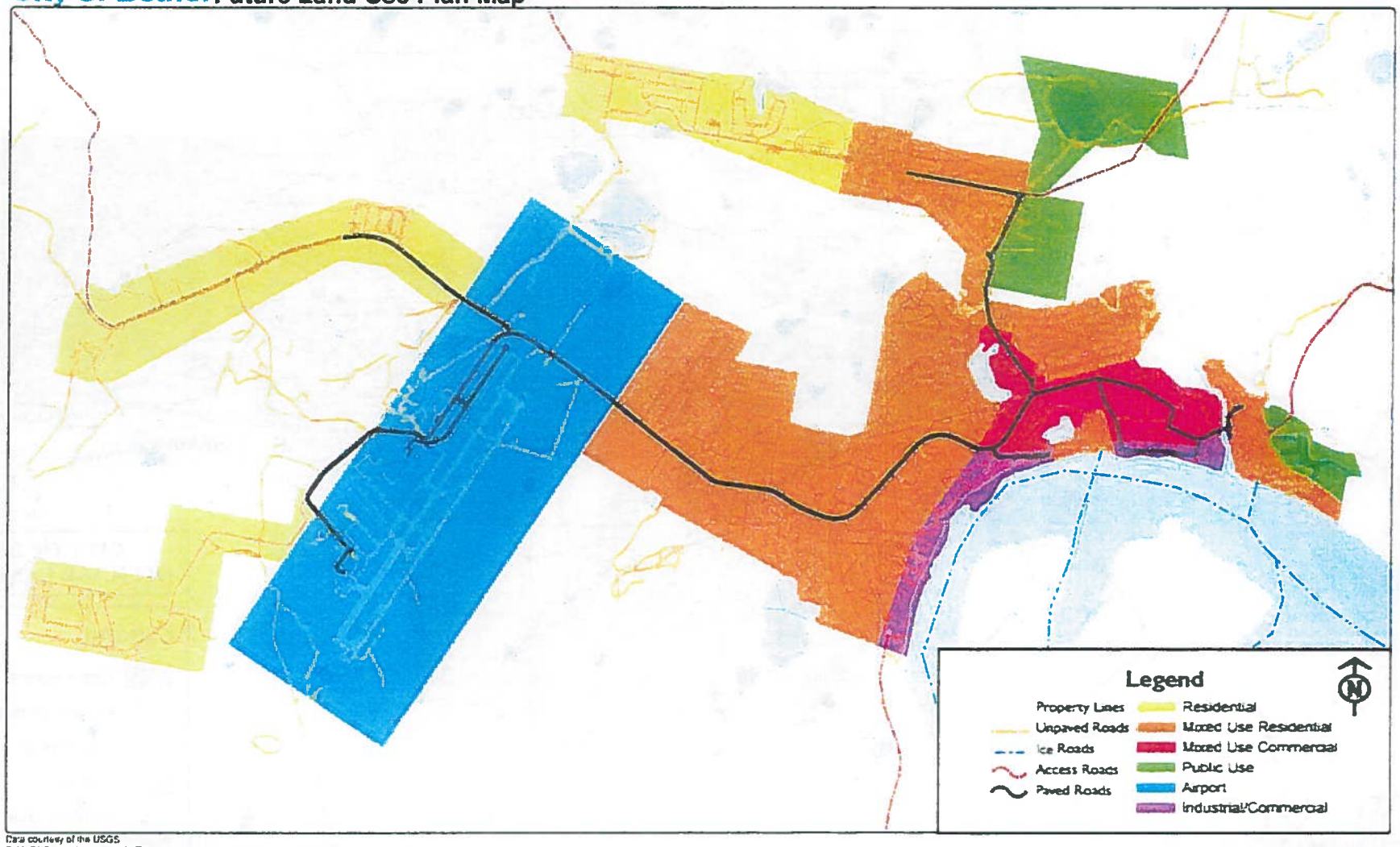
Attachment 6



Attachment 7

Map 4.4

City of Bethel Future Land Use Plan Map



Data courtesy of the USGS
BLM, DNR, and Agnew Beck. This map was compiled for the City of Bethel with assistance from Agnew Beck Consulting
Alaska State Plane, Zone 4, NAD 1983
File: Bethel_Ownership 11/22/10

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.*

Attachment 9

Chapter 18.76
AMENDMENTS TO THE OFFICIAL MAP AND LAND USE CODE

Sections:

18.76.005 Status of actions.
18.76.010 Initiation of text amendments and land use map modifications.
18.76.020 Application.
18.76.030 Hearing and notification.
18.76.040 Staff review.
18.76.050 Planning commission hearing.
18.76.060 City council hearing.

18.76.005 Status of actions.

Requests for amendments to the text of the land use code or amendments to the official map are requests for legislative actions. The actions of the planning commission in recommending for or against requested amendments is legislative and policy-making in nature. An applicant who is a property owner does not have a right to a requested amendment, but has only the right to have the application heard by the planning commission and, if a timely request is filed upon a rejection by the planning commission, to have an ordinance that would implement the requested amendment transmitted to the city council for its consideration for rejection or introduction and hearing. The requirement for planning commission hearings is to provide an opportunity for broad public input and does not create a due process right in the applicant or a property owner. The requirements for findings, support and reasons is for the purpose of communicating the commission rationale for the policy decision it made or followed in taking its action on the applications. The lack of findings, support or reasons does not invalidate a planning commission action under this chapter. The requirements for hearings, findings, support and reasons do not change the nature or substance of the proceeding under this chapter from legislative to quasi-judicial or quasi-administrative. [Ord. 01-05 § 8.]

18.76.010 Initiation of text amendments and land use map modifications.

An amendment to any portion of the text of this title or of the official land use map may be initiated by application from any of the following:

A. The city council;

B. The planning commission;

C. Any citizen, group of citizens, firm or corporation residing, owning, or leasing property in the city;

D. The manager. [Ord. 01-05 § 8.]

18.76.020 Application.

A. An application for an amendment to any portion of the text of this title shall be made by filing a written request with the planning department. The application shall request the planning commission review the proposed change in this title. The application shall specifically state the proposed change

and the rationale for the change including how the change would further the goals and objectives and better implement the comprehensive plan. The application shall also include the fee as established by resolution by city council.

B. An application for an amendment to the official land use map to change a district designation or boundary shall contain:

1. A description of the land area to be redesignated, the requested new designation, along with the existing designation of the area proposed for redesignation and of the areas on all adjacent sides of the area proposed for redesignation;

2. A written statement of justification for the redesignation setting out the facts that show that the redesignation proposed is consistent with the comprehensive plan and furthers its goals and objectives, and showing that one (1) or more of the following conditions exist:

a. Changing area conditions;

b. Error in original land use designation;

c. Demonstrated suitability of the area for the uses that would be authorized as principal and conditional uses under the new designation and the compatibility of the potential new uses with established uses within the existing district and property abutting the area proposed for redesignation;

3. A description of the structures and uses within three hundred (300) feet of the boundary of the proposed area of change, in all directions, and the effects of the potential uses upon the adjacent areas;

4. The fee as established by resolution of the city council.

C. A request by the city council, the planning commission or the manager for an amendment to the text or map need not meet the fee or content requirements of subsections A and B of this section but must clearly describe the amendment requested. [Ord. 01-05 § 8.]

18.76.030 Hearing and notification.

A. Upon receipt of a complete application for an amendment to the text of this title or to the official map, the land use administrator shall set a date for a 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 text or map amendment shall be published once a week for at least two (2) consecutive weeks preceding the public hearing in a newspaper of general circulation in the city or posted at City Hall and in at least three (3) public places at least two (2) weeks before the public hearing. If notice is published in a newspaper, the last publication shall be on the day of the hearing or any day that is within fourteen (14) days of the hearing. The notice shall also be delivered to a local radio station five (5) days prior to the scheduled hearing for use on public announcements. The notice shall include a brief description of the amendment or redesignation. Failure to provide one (1) or more of the forms of notice does not invalidate action of the planning

commission on the matter so long as there is substantial compliance with either the posting or the publication requirement.

C. If an amendment of the official map is involved and the area proposed for redesignation is small or involves only a few lots, the planning administrator should, but is not required to, send written notice of the hearing to owners of land that is within three hundred (300) feet of the boundaries of the area proposed for redesignation and may send notice to owners of land beyond the three-hundred- (300-) foot boundary. [Ord. 01-05 § 8.]

18.76.040 Staff review.

A. The planning department shall evaluate the application for amendment to the text of this title and shall conduct such investigations as may be relevant. The planning department may only make a recommendation for approval with the following findings:

1. The proposed amendment will be consistent with the comprehensive plan and will further specific goals and objectives of the plan;

2. The proposed amendment will be fair and reasonable to implement and enforce;

3. The proposed amendment will enhance the stated purpose of this title of promoting the public health, safety and welfare of the present and future inhabitants of the city;

4. The proposed amendment will be consistent with the intent and wording of the other provisions of this title.

B. The planning department shall make such investigations as are relevant and evaluate the proposed amendments to the official map. The department shall submit its analysis and recommendations to the planning commission along with findings consistent with its recommendations. The department may only recommend approval of the map amendment if it makes and supports the following findings:

1. The proposed redesignation will be consistent with and further the goals and objectives of the comprehensive plan;

2. If applicable, that the proposed redesignation is better suited to the area because either the conditions have changed in the area to be redesignated since the present designation was assigned, or the area was previously assigned an inappropriate zoning district designation;

3. The principal and conditional uses permitted in the proposed redesignated area will be compatible with the principal and conditional uses permitted in the surrounding area for a one-thousand- (1,000-) foot radius considering factors such as distance, topography, materials, screening, actual and potential development, comprehensive plan designations, and other relevant factors;

4. The area proposed to be redesignated either constitutes an expansion of an area of the same designation or is at least two (2) acres in size;

5. The existing or proposed water, sewage and transportation systems are adequate to serve the principal and conditional uses permitted in the proposed redesignation. [Ord. 01-05 § 8.]

18.76.050 Planning commission hearing.

A. The land use administrator or other representatives of the planning department and interested persons shall be heard at the hearing on the amendment application. The planning commission may adjourn the hearing from day to day. After the hearing is closed, the commission shall consider the merits of the application. The commission shall only consider:

1. The application for text or map amendment and accompanying materials submitted by the applicant;

2. The planning department's report which shall include the analysis, findings and recommendation of the planning department;

3. Written comments and material submitted prior to the public hearing; and

4. Verbal comments made and written materials received at the public hearing.

B. The planning commission may approve the application, modify and approve the application, or deny the application. Notwithstanding other quorum or voting requirements that may apply to planning commission actions, a commission approval or recommendation of approval of a text or map amendment application is effective only if the motion receives the number of affirmative votes equal to a majority of the authorized membership of the commission.

C. If the planning commission approves the application without modifications it shall set out its findings and the factual support for its findings. For this purpose, it may adopt, or modify and adopt, the findings and support of the planning department as its own findings and support. The commission findings must meet the requirements of BMC 18.76.040(A) or (B), as appropriate, if it recommends approval of the application.

D. The planning commission may modify the application and approve the application as modified. If it approves the application as modified, it shall set out its findings and the factual support for its findings. It may incorporate from the planning department's findings and support those findings and support that are appropriate to the modified application approved by the commission. The commission findings must meet the requirements of BMC 18.76.040(A) or (B), as appropriate, if it recommends approval of a modified application.

E. If the planning commission approves the application or a modified application, the planning department shall draft and forward to the manager for introduction at the next regular city council meeting an ordinance making the amendments as approved by the commission. If the approved application was for a map amendment, there shall be included as an attachment or exhibit to the ordinance a map or drawing that accurately depicts the area that is subject to the redesignation. The application and all reports, recommendations, maps, correspondence and other documentary evidence shall be provided to the city council with the application and the planning commission's findings and support.

F. If the planning commission denies the application, the members of the commission that voted against the proposal shall set out the deficiencies and negative factors of the proposal that they believe justify the denial.

G. If the planning commission recommends denial of any proposed text or map amendment (including a failure to recommend), the denial will be considered a final decision of the planning commission. Within ten (10) days of the date of the decision, the applicant may file a written application with the city clerk requesting that the proposed amendment be considered by the city council. The city clerk shall then request the land use administrator to submit an ordinance that would effect the proposed amendment and any additional application materials for the proposed amendment, including the written record before commission and the commission decision and findings. The ordinance and materials shall be forwarded to the city council which may, in its discretion, take such action on the ordinance as it believes appropriate. [Ord. 01-05 § 8.]

18.76.060 City council hearing.

An ordinance transmitted to the city council pursuant to this chapter may be rejected by the council or introduced and set for a public hearing. The ordinance is subject to the procedural requirements of other ordinances. [Ord. 01-05 § 8.]

The Bethel Municipal Code is current through Ordinance 18-15, passed July 10, 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.

ZONING DISTRICTS
Definitions, Principle Uses, and CUPs

1. 18.20 PRESERVATION DISTRICT

The preservation district is intended to apply to significant wetlands and drainage ways that should be preserved as open areas or to which careful attention must be given to development that would disturb the wetlands or affect the drainage ways.

Principle Uses

A. Greenbelts.
B. Trails and boardwalks that do not require the use of fill material.
C. Subsistence and recreational uses that do not require the use of fill material.
D. Any accessory use or structure that does not require the use of fill material. [Ord. 01-05 § 8.]

Conditional Uses

1. Subsistence, recreational, and accessory uses and structures that require fill;
2. Trail, walkways, boardwalks, and roads that require the use of fill;
3. Agricultural uses;
4. Single-family, duplex, triplex and apartment residential uses; provided, the use of freezer vans as residential units is prohibited;
5. Planned unit development;
6. Commercial uses permitted as a principal use in the GU district;
7. Public and institutional uses permitted as principal uses in the PLI district;
8. Landing strips and air taxi services.

2. 18.24 PUBLIC LANDS AND INSTITUTIONAL DISTRICT

The public lands and institutional district is intended to apply to undeveloped public lands not dedicated for open space, and public and quasi-public institutional uses, including government office buildings, facilities, and existing land reserves for public and institutional use. [Ord. 01-05 § 8.]

Principle Uses

A. Greenbelts and land reserves.
B. Trails and boardwalks.
C. Sewer facilities and water supply facilities.
D. Utility facilities.
E. Any accessory use or structure associated with the principal use or structure on the lot. [Ord. 01-05 § 8.]

Conditional Uses

A. Parks, playfields, and playgrounds.
B. Museums, historic and cultural exhibits.
C. Educational institutions, including public, private or parochial academic schools, colleges, and universities.
D. Hospitals, sanitariums, children's homes, group homes, nursing homes, convalescent homes, homes for the aged, and similar homes.
E. Cemeteries.
F. Churches and synagogues, along with the customary accessory uses, including administrative offices, parsonages, day nurseries, kindergartens and meeting rooms.
G. Headquarters or administrative offices for charitable organizations and similar quasi-public organizations of a noncommercial nature.

H. Governmental office buildings.
I. Radio and television transmission towers and antennas, not including amateur radio and citizen band radio antennas that are accessory to a residential use.
J. Recreation uses.
K. Governmental service shops, maintenance and repair centers, and equipment storage yards.
L. Private roads and parking areas.
M. Animal control facility.
N. Other public buildings and uses.
O. Landing strips and air taxi services.
P. Other uses and structures that are compatible with existing development and support or supplement existing development. [Ord. 01-05 § 8.]

3. 18.28 OPEN SPACE DISTRICT

The open space district is intended to provide undeveloped open space, to protect trails, to provide open areas for recreation, and to provide buffers between incompatible districts. [Ord. 01-05 § 8.]

Principle Uses

A. Trails and boardwalks.
B. Nonmotorized public access areas to the Kuskokwim River or other areas that require public access.
C. Public recreation areas.
D. Greenbelts and buffers.
E. Subsistence uses. [Ord. 01-05 § 8.]

Conditional Uses

A. Parks, playgrounds and playfields.
B. Parking area related to a permitted or conditional use.
C. Moorage of skiffs in a designated area.
D. Motorized vehicle (including snowmachine and four-wheeler) access areas to and from the Kuskokwim River.
E. Landing strips and air taxi services. [Ord. 01-05 § 8.]

4. 18.32 RESIDENTIAL DISTRICT

The intent of the residential district is to provide protection to residential areas from encroachment from nonresidential activities.

Principle Uses

A. Trails and boardwalks.
B. Nonmotorized public access areas to the Kuskokwim River or other areas that require public access.
C. Single-family dwelling units.
D. Duplex uses.
E. Greenbelts and land reserves.
F. Subsistence activities.
G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van for any purpose is specifically prohibited; except, during the construction or substantial improvement of the primary structure on a lot, a freezer van used solely for storage of construction materials and equipment may be located on the lot for a period not to exceed twelve (12) months unless, for good cause shown, the time is extended in writing by the land use administrator.
H. The facilities of sewer, water and other utilities required to serve the lots in the district.

I. Home occupations, but not more than two (2) per dwelling unit. [Ord. 01-05 § 8.]

Conditional Uses

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

A. Triplex and residential apartment buildings.
B. Planned unit developments.
C. Professional offices.
D. Parks, playfields, and playgrounds.

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5. 18.34 NEIGHBORHOOD COMMERCIAL (Not shown on Zoning Map)

The intent of the neighborhood commercial district is to establish and maintain places for limited retail sales and services that are accessible and convenient to nearby residents. The NC district is applied to areas serving only a limited, local market and is intended to permit only those uses which do not create adverse impacts that are incompatible with nearby residences. [Ord. 01-05 § 8.]

6. 18.35 DOWNTOWN COMMERCIAL (Not shown on Zoning Map)

The intent of the downtown commercial district is to create a concentrated area of retail, financial, and public institutional facilities in order to encourage the development of interrelated uses and functions, reduce pedestrian walking distance between activities, and ensure the development of compatible pedestrian-oriented uses in the downtown commercial district. [Ord. 01-05 § 8.]

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7. 18.36 GENERAL USE DISTRICT

The general use district is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district. [Ord. 01-05 § 8.]

Principle Uses

A. Trails and boardwalks.
B. Non-motorized public access areas to the Kuskokwim River or other areas that require public access.
C. Single-family dwelling units.
D. Duplex uses.
E. Greenbelts and land reserves.
F. Subsistence activities.
G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van as a residential unit is specifically prohibited, but its use as an accessory structure for storage is not prohibited.
H. The facilities of sewer, water and other utilities.
I. All uses listed as conditional uses in the PLI district.
J. Triplexes and apartment buildings.

K. Commercial uses and structures, including:

1. Delicatessens, meat, seafood, and other food specialty shops.
2. Art and picture framing shops.
3. Shoe repair shops.
4. Bookstores, stationery, gift, novelty, souvenir, and card shops.
5. Drug stores.
6. Laundry and dry cleaning shops.

7. Beauty and barber shops.
8. Cafes, restaurants, drive-in and fast-food restaurants, and other places serving food and beverages.
9. Knit shops, yarn shops, dry goods, dressmaking and notions stores.
10. Small appliance repair shops.
11. Photography studios, art studios.
12. Sporting goods stores, bicycle sale shops.
13. Business, professional, and administrative offices.
14. Day care facilities.
15. Video stores.
16. Clothing, apparel, and shoe stores.
17. Hobby store.
18. Florist.
19. Tobacco store.
20. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale at retail or wholesale on the premises, but not to include yards for storage or display of any scrap, junk, or salvaged materials or for any scrap or salvage operations.
21. Jewelry stores.
22. General merchandising store.
23. Wholesale and retail camera and photographic supply stores.
24. Funeral services, including crematoriums.
25. Motion picture theaters and live theaters.
26. Banking and financial institutions.
27. Medical and health services.
28. Business service establishments, including office supply and printing and publishing establishments.
29. Parking lots.
30. Taxicab and dispatching offices.
31. Hotels, motels, hostels, bed and breakfasts, bunk houses and boarding houses.
32. Radio and television studios.
33. Plumbing and heating service and equipment dealers.
34. Paint, glass and wallpaper stores.
35. Electrical or electronic appliances, parts and equipment.
36. Gasoline service stations.
37. Aircraft and marine parts and equipment stores, and outboard motor repair.
38. Antiques and secondhand stores, including auctions, pawnshops.
39. Automotive accessories, parts and equipment stores.
40. Automotive repair, services and garages.
41. Motor vehicle dealers, new and used.
42. Wholesale and retail fur repair, storage, and sales.
43. Automobile display lots, new and used.
44. Lumber yards and builders supply stores.
45. Nurseries and garden supply stores.
46. Automobile car washes.
47. Air passenger terminals.
48. Amusement arcades, billiard parlors, bowling alleys, roller and ice skating rinks.
49. Veterinary clinics and boarding kennels, with activities conducted in a completely enclosed building.
50. Vocational or trade schools.
51. Wholesale and retail furniture and home finishing stores.
52. Wholesale and retail radio and television stores.
53. Wholesale and retail household appliance stores.
54. Wholesale, industrial, and retail hardware stores.

55. Merchandise vending machines sales and service.
56. Frozen food lockers.
57. All-terrain vehicles remodeling or repair.
58. Boat building.
59. Sign shops.
60. Cabinet shops.
61. Cleaning, laundry or dyeing plants.
62. Other commercial uses of a character similar to those uses listed in this section. [Ord. 01-05 § 8.]

Conditional Uses.

A. Industrial uses permitted in the I district.
B. Radio and television towers and antennas, but not including amateur radio and citizen band radio antennas that are accessory to the principal use of the lot.
C. Landing strips and air taxi services.
D. Planned unit developments. [Ord. 01-05 § 8.]

8. 18.40 INDUSTRIAL DISTRICT

The industrial district is intended to apply to areas where industrial development is the predominant, or is expected to be the predominant use. [Ord. 01-05 § 8.]

Principle Uses

A. Commercial uses permitted as principal uses in the GU district, except that all residential uses and structures are prohibited unless specifically authorized in this section.
B. One dwelling unit occupied by the owner, the manager or a watchman of a principal use on the lot.
C. Any accessory use or structure associated with the principal use or structure on the lot.

D. Industrial uses, including:

1. Airplane assembly, remodeling or repair.
2. Airports.
3. Machine shops.
4. Metal working or welding shops.
5. Sawmills.
6. Steel fabrication shops or yards.
7. Irethane foaming yards or plants.
8. Warehouses.
9. Shipping or receiving terminals.
10. Bulk fuel distribution and storage.
11. Cement manufacturing.
12. Distillation of wood, coal or bones.
13. Tannery.
14. Paper manufacturing.
15. Poison manufacturing.
16. Printing ink manufacturing.
17. Rock and stone crushing mill.
18. Natural resource extraction, such as a sandpit.
19. Cargo dock facility or freight transfer area.
20. Fish processing plants.
21. Fiberglass fabrication shops or yards.
22. Junk yards and salvage yards.
23. Land fills, solid waste processing facilities.
24. Sewage treatment facilities.
25. Other industrial uses of a character similar to those uses listed in this section.

26. Recreational uses, to include the Bethel shooting range. [Ord. 11-22 § 2; Ord. 01-05 § 8.]

Conditional Uses.
A. Planned unit developments. [Ord. 01-05 § 8.]

Overlay District **(Shown on Zoning Map, but not stated in the Code)**

ALL NOTICES WERE DONE IN ACCORDANCE WITH BMC 18.76.030

Pitka's Point
On behalf of the Pitka's Point Tribal Council, the Association of Village Council Presidents (AVCP) completed a 2018 Long Range Transportation Plan. This plan is available for review at the AVCP Transportation Department in Bethel. Written comments may be submitted by October 18, 2018, to AVCP Transportation Department at: P.O. Box 219, Bethel, Alaska 99559. For more information call Clarence Daniel at 907-543-7300. (65) (9/26-10/17)

NOTICE OF PUBLIC HEARING – ZONING APPLICATION
NOTICE IS HEREBY GIVEN that on July 2, 2018, the City of Bethel Planning Office received a Zoning Application to change the zoning designation from a Public Lands and Institution Use to a General Use area district.
APPLICANT: City of Bethel, 350 Chief Eddie Hoffman Highway. City Manager Pete Williams, phone 543-2047 ex. 223.
SITE LOCATION APPLIED FOR: Lot 4, Block 15, of United States Survey 3230 A&B Bethel Townsite. The physical address is 781 3rd Avenue.
PURPOSE: To allow for lease of the land that is afforded other properties in the area. The land was designated as a Public Lands and Institutions area district in 1990 and allowing it to be designated as a General Use district would enhance the value of the land for the City of Bethel.
HEARING DATE: At the regularly scheduled Planning Commission meeting to be held October 11, 2018.
TIME & PLACE OF HEARING: 6:30 PM, Council Chambers, Bethel City Hall at 300 Chief Eddie Hoffman Highway.
Betsy Jumper, City of Bethel Planning Director, 543-5603 (177)(9/26-10/3)

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For Bulletin Board

NOTICE OF PUBLIC HEARING – ZONING APPLICATION

NOTICE IS HEREBY GIVEN that on July 2, 2018, the City of Bethel Planning Office received a Zoning Application to change the zoning designation from a Public Lands and Institution Use to a General Use area district.

APPLICANT: City of Bethel, 350 Chief Eddie Hoffman Highway. City Manager Pete Williams, phone 543-2047 ex. 223.

SITE LOCATION APPLIED FOR: Lot 4, Block 15 of United States Survey 3230 A&B, Bethel Townsite. The physical address is 781 3rd Avenue.

PURPOSE: To allow for the lease of the land that is afforded other properties in the area. The land was designated as a Public Lands and Institutions area district in 1990 and allowing it to be designated as a General Use district would enhance the value of the land for the City of Bethel.

HEARING DATE: At the regularly scheduled Planning Commission meeting to be held on October 11, 2018.

TIME & PLACE OF HEARING: 6:30 PM, 1st floor Council Chambers, Bethel City Hall located at 300 Chief Eddie Hoffman Highway.

Betsy Jumper, Planning Director

I hereby certify that this Notice of Zoning Change Request has been posted at City Hall, Alaska Commercial Store (A.C.), Swanson's Store, and A.C. QuickStop Store, on September 26, 2018. It is further certified that this Notice will be published in the Delta Discovery for two weeks, beginning the week of September 26, 2018.

City of Bethel
Planning Office
P.O. Box 1388
Bethel, Alaska 99559
907-543-5301

09-28-2018

To Whom this may concern:

You are receiving this notice of a public hearing pursuant to the Bethel Municipal Code 18.76.020 (C). If you are not the owner of this residence please forward this letter to them.

NOTICE OF PUBLIC HEARING – ZONING APPLICATION

NOTICE IS HEREBY GIVEN that on July 2, 2018, the City of Bethel Planning Office received a Zoning Application to change the zoning designation from a Public Lands and Institution Use to a General Use area district.

APPLICANT: City of Bethel, 350 Chief Eddie Hoffman Highway. City Manager Pete Williams, phone 543-2047 ex. 223.

SITE LOCATION APPLIED FOR: Lot 4, Block 15, of United States Survey 3230 A&B Bethel Townsite. The physical address is 781 3rd Avenue.

PURPOSE: To allow for lease of the land that is afforded other properties in the area. The land was designated as a Public Lands and Institutions area district in 1990 and allowing it to be designated as a General Use district would enhance the value of the land for the City of Bethel.

HEARING DATE: At the regularly scheduled Planning Commission meeting to be held October 11, 2018.

TIME & PLACE OF HEARING: 6:30 PM, Council Chambers, Bethel City Hall at 300 Chief Eddie Hoffman Highway.

Betsy Jumper, City of Bethel Planning Director, 543-5603

Betsy Jumper, Planner

PUBLIC SERVICE ANNOUNCEMENT FOR KYUK RADIO

PLEASE READ ONCE (1) TIME A DAY FOR 5 DAYS BEGINNING ON October 5TH THRU October 9TH.

The City of Bethel Planning Office received a Zoning Application to change the zoning designation from a Public Lands and Institution Use to a General Use area district which is located at Lot 4, Block 15 of United States Survey 3230 A&B, Bethel Townsite. The physical address is 781 3rd Avenue. The Hearing date is scheduled on the regularly Planning Commission meeting to be held on October 11, 2018. 6:30 PM, Bethel City Hall located at 300 Chief Eddie Hoffman Highway.

To: Pete Williams, City Manager
From: Betsy Jumper, Planner
Subject: Sept. Manager's Report
Date: Oct. 1, 2018

- Had a Planning Commission meeting on the 13th.
- Residential site plan applications processed this month include: 3) infill; 1) construct addition for mechanical room; Commerical site plan applications processed include 1) relocation of a cottage rental and placement of storage unit; 2) infill for placement of a private road.
- Research of property owners.
- Answer public's questions on miscellaneous topics.
- Research into City of Bethel property.
- Removal of junk cars in conjunction with Streets and Roads on City rights of way.
- Employee safety meetings.
- Minor replat process for lot split.