



CITY OF BETHEL

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Introduced by: City Manager Hunter
Date: February 14, 1995
Action: Failed to be Introduced
Vote: 2-Yes, 3-No (Chris, Harding, Miller)

ORDINANCE #95-03

AN ORDINANCE OF THE BETHEL CITY COUNCIL AMENDING TITLE 18, CHAPTER 18.32 ENTITLED RESIDENTIAL DISTRICT, BY ADDING SECTION 18.32.055 LOT COVERAGE, AND AMENDING SECTION 18.12.020, ENTITLED DEFINITION OF TERMS--BUILDING

WHEREAS, limiting lot coverage would maintain a consistent density of development and preserve the residential character of the neighborhood by preventing sprawling, warehouse-sized buildings that encompass almost the entire lot; and

WHEREAS, the current minimum setback requirements are insufficient for maintaining a consistent density of development in the residential area; and

WHEREAS, the Planning Commission has reviewed and recommends the City Council adopt the proposed addition to Chapter 18.32.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF BETHEL, ALASKA, AS FOLLOWS:

Section 1: Title 18 of the Bethel Municipal Code is hereby amended by adding Section 18.32.055 Entitled Lot Coverage

Section 2: If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 3: Chapter 18.32.055 of the Bethel Municipal Code is hereby adopted as follows:

18.32.055 Lot Coverage. No more than 40% of the lot area may be covered with buildings.

Section 4: Chapter 18.12.020 of the Bethel Municipal Code, definition of Building is hereby amended as follows:

18.12.020 Definition of terms.

BUILDING. A structure, of permanent construction, having a roof and intended to be used for sheltering people, animals, property or business activity. Temporary structures such as

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tents, fish-dry racks, dog houses and shipping vans placed on a lot only for the duration of construction are not buildings. Permanent structures such as houses, stores, mobile homes, manufactured homes, garages, storage sheds, shops, steambaths and smokehouses are buildings. For setback and maximum lot coverage purposes, a building shall include such extended structures as arctic entries, balconies, carports, decks, exterior stairways, garages, porches, wannigans, water, sewer and oil tanks, and windows. Where independent units with separate entrances are not joined by a common wall and/or ceiling or floor, each unit is a separate building.

Section 5: This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in this title.

Section 6. This ordinance shall take effect upon passage.

PASSED AND APPROVED THIS _____ DAY OF _____, 1995.

Allan Wintersteen, Mayor

ATTEST:

Connie Tucker, City Clerk