



CITY OF WASILLA

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COUNCIL MEMORANDUM NO. 94-57

Date: August 17, 1994

Subject: Adoption of Title 16, Chapter 43, Wasilla Development Code.

BACKGROUND

The Commission adopted resolution 94-08 at its regular meeting on June 28, 1994. The Commission directed staff to make the necessary changes to the Wasilla Development Code so that it could be adopted into the Wasilla Municipal Code. The Commission indicated that the changes should be minimal to preserve the existing intent and procedures of the code. The Commission considered doing a review of the code provisions after the delegation of planning and zoning authority from the Borough to the City is completed.

The Commission reviewed the draft presented by staff and forwarded it to the City Council at a subsequent meeting. The City Attorney performed a cursory review of the draft and found only one minor conflict with the general penalty of the existing municipal code. This has been addressed by Ordinance Serial No. 94-42.

Staff notes that provisions in the development code may conflict with new street definitions recently adopted by the Council. Staff recommends some language to make it clear that the more recent street language adopted by the Council will rule over the provisions of the development code until the Commission can review the provisions for consistency.

Mat-Su Borough Ordinance 92-079 says that, in addition to the adoption of the Wasilla Development Code, the City must have a memorandum of agreement with the Borough prior to the delegation of planning and zoning authority. The administration will begin drafting such a memo when the City Mayor returns from leave. This will establish the policy and procedures for interactions between the City and Borough once the delegation is completed. This will be the last hurdle to complete once the Wasilla Development Code is adopted and in place.

RECOMMENDATION

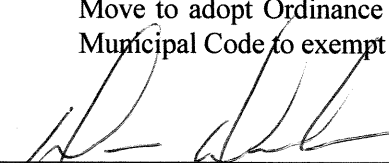
Staff recommends that the City Council adopt Ordinance Serial No. 94-41 and Ordinance Serial No. 94-42.

APPROPRIATE MOTIONS

Should the Council agree with the Commission and staff recommendations, the following motions are appropriate:

Move to adopt Ordinance Serial No. 94-41, adopting Title 16, Chapter 43, The Wasilla Development Code as part of the Wasilla Municipal Code.

Move to adopt Ordinance Serial No. 94-42, amending the general penalty section of the Wasilla Municipal Code to exempt the provisions of the Wasilla Development Code.



Duane Dvorak, Planner



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PLANNING COMMISSION MEMORANDUM NO. 94-07

From: City Planner
To: Wasilla Planning Commission
Date: July 21, 1994
Subject: Review of the Wasilla Development Code, Chapter 17.43. of the Mat-Su Borough Code, as minimally modified for inclusion in the Wasilla Municipal Code.

BACKGROUND

At the regular meeting of June 28, 1994, the Planning Commission directed staff to modify the Wasilla Development Code for inclusion, *in toto*, as part of the Wasilla Municipal Code. This action was taken in order to expedite the delegation of planning and zoning authority to the City of Wasilla from the Matanuska-Susitna Borough. Commission Resolution 94-08 is attached for the Commission's review. This resolution was adopted by the Commission and drafted by staff after the June 28, 1994 regular meeting.

Staff has made some changes to the Wasilla Development Code as follows:

1. Chapter 17.43 of the Mat-Su Borough Code is renamed Title 16 of the Wasilla Municipal Code. All section numbers remain the same.
2. References to Planning Director have been changed to City Planner.
3. References to Borough Assembly have been eliminated and City Council retained as appropriate.
4. City Clerk is referenced in Appeal procedures to the City Council.
5. Gender references have been eliminated to the extent possible.
6. Commission recommended language added for the Animal regulations. This is the only substantive change to the language as it exists now. This Animal regulation language is also pending before the City Council as recommended by the Commission at the July 12, 1994 regular meeting. If forwarded and adopted by the Borough, it will become part of the Wasilla Development Code chapter of the Mat-Su Borough Code prior to the delegation of planning and zoning authority to the City. The same language should, therefore, be included in the Wasilla Development Code that is recommended for adoption into the Wasilla Municipal Code.

7. Other minor typographical changes of a general nature noted by staff during the revision process.

Proposed language in the draft is shaded and the language to be deleted is struck through in the draft. The draft is bound in a separate notebook to facilitate future discussion of changes that may be requested by the Commission. In order to fulfill the Commission's intent in Resolution 94-08, staff recommends that the Commission forward this draft to the City Council as presented. This will help to expedite the process of obtaining planning and zoning authority.

The Commission may wish to consider a meeting schedule for the purpose of discussing other changes to the Wasilla Development Code. Although this is an additional task, it may be beneficial to consider possible changes to the code while the Commission is also reviewing the Wasilla Comprehensive Plan.

Although the Wasilla Development Code has been on the books a long time, it may be beneficial to have the City Attorney review it at some point to see if changes are necessary due conflicts with other city codes or recent court decisions.

RECOMMENDATION

Staff recommends that the Commission direct staff to forward the draft Wasilla Development Code to the City Council to accompany Commission Resolution 94-08.

The Commission should consider the timing of work sessions to discuss changes to the Wasilla Development Code if it intends to make any amendments immediately after the delegation of planning and zoning authority is complete.

APPROPRIATE MOTION

Should the Commission agree with the staff recommendation, the following motion is appropriate:

Move to direct staff to forward the draft language for the Wasilla Development Code to the City Council, along with Commission Resolution 94-08, recommending adoption of Title 16, the Wasilla Development Code as part of the Wasilla Municipal Code.



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RESOLUTION NO. 94-08

A RESOLUTION OF THE WASILLA PLANNING & UTILITIES COMMISSION OF THE CITY OF WASILLA, RECOMMENDING THAT WASILLA CITY COUNCIL ADOPT THE CHAPTER 17.43, (WASILLA DEVELOPMENT CODE) OF THE MAT-SU BOROUGH CODE, IN ORDER TO EXPEDITE THE DELEGATION OF PLANNING AND ZONING AUTHORITY FROM THE MAT-SU BOROUGH TO THE CITY OF WASILLA.

WHEREAS, the Planning and Utilities Commission has considered the time that would be required to change or amend the Wasilla Development Code prior to adoption by the City of Wasilla; and

WHEREAS, the Commission believes that amendments cannot be made under the existing time constraint so that the delegation of planning and zoning authority can occur on or before the December 1, 1994 deadline; and

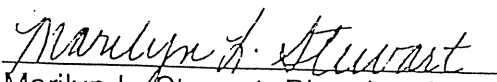
WHEREAS, the Commission believes that it would be a more efficient use of time to initiate the delegation of planning and zoning authority while at the same time considering potential changes to the Wasilla Development Code, if needed, so that the changes can be considered by the City Council shortly after the delegation of planning and zoning authority has taken place;

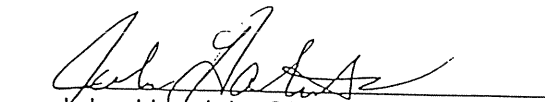
NOW THEREFORE BE IT RESOLVED, that the Wasilla Planning & Utilities Commission of the City of Wasilla, Alaska respectfully requests the Wasilla City Council to favorably consider the adoption of Chapter 17.43 (Wasilla Development Code) of the Mat-Su Borough Code, in order to expedite the delegation of planning and zoning authority from the Mat-Su Borough to the City of Wasilla.

I certify that a resolution in substantially the above form was passed by the Wasilla Planning & Utilities Commissioners at a duly conducted meeting of the Wasilla Planning & Utilities Commission on June 28, 1994.

RESPECTFULLY SUBMITTED:

APPROVED:


Marilyn L. Stewart, Planning Clerk


John Hartrick, Chairman