



CITY OF WASILLA

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SEE: ORDINANCE # 97-19
ORD.# 97-19 Failed 4/14/97

COUNCIL MEMORANDUM NO. 97-11

From: Duane Dvorak, City Planner

Date: March 5, 1997

Subject: Planning Commission recommendation to amend the Wasilla Development Code, making Public Facility development in the P—Public district a Conditional Use rather than an Administrative Approval.

The Commission has considered the potential impact of public facility developments on neighborhoods and businesses in Wasilla. The Commission believes that public facility developments, whether they be sponsored by City, Borough, State or Federal governments, should be required to obtain the highest level of land use permit review available under the Wasilla Development Code.

Section 16.43.204 defines a public facility as follows:

- BU. Public Facility is a use, lot or building owned or used by a federal, state, or local government agency, school board or utility company, including fire stations, public education facilities, libraries, hospitals, and accessory uses.

The use characteristics and impact of public facilities are often similar to commercial developments of similar size and construction. These characteristics can include signage, vehicle and pedestrian traffic generation, hours of operation, etc. All commercial uses in excess of 10,000 square feet gross floor area are required to obtain a conditional use permit.

Staff does not believe it was the Commission's intent to question the location or design of particular public facilities. Generally, development permits are not requested until a final decision to construct a facility (whether public or private) has already been determined. The primary intent of the development code is to ensure that projects are consistent with City plans and that they can comply with the development standards set forth in code. These standards should apply to public facilities just as they do to privately developed projects, regardless of which agency or level of government is responsible for the project. Council should particularly note other uses on the district use chart that require conditional use approval. This will give an idea of the level of review required for other land uses in other zones. The complete permit review process and notice requirements are set forth in Sections 16.43.420 through 16.43.512 of the Wasilla Development Code, Chapter 16.43 of the Wasilla Municipal Code.

This recommendation is consistent with the perceived intent of the development code to permit neighborhoods to have greater influence in the permit review process. The Public development district is likely to be included in any subdivision where governmental agencies own land whether they be commercial or residential in nature. Neighboring property owners are not likely to have much influence on the process if they are not notified and allowed an opportunity to be heard during the permit review process. Increased mail out distances and due deference requirements of the code are primarily oriented towards the public hearing process.

Staff notes that the elevation process allows any permit to be elevated from the lowest level of review to the highest. This provision is intended to provide some flexibility in the process. This provision relies on the discretion of staff, however, or the discretion of at least two planning commissioners who request elevation. Amendment of the code as recommended would ensure that all public facilities, as defined in the code, would require a conditional use permit.

Section 16.43.312 permits the Mayor to waive or reduce the fee for a permit in where a governmental entity requests a permit and the other entity reciprocates in-kind. An Administrative Approval is a \$50.00 permit and a Conditional Use Permit is a \$500.00 permit.



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**WASILLA PLANNING COMMISSION
RESOLUTION NO. 97-09**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION OF THE CITY OF WASILLA, ALASKA, RECOMMENDING AMENDMENT OF CHAPTER 16.43, WASILLA REVISED DEVELOPMENT CODE, OF THE WASILLA MUNICIPAL CODE, WITH REGARD TO THE DEVELOPMENT OF PUBLIC FACILITIES IN THE P—PUBLIC DEVELOPMENT DISTRICT.

WHEREAS, the Wasilla Planning Commission (WPC) has reviewed the Wasilla Revised Development Code as adopted by the City Council on August 12, 1996, and as subsequently amended; and,

WHEREAS, the Commission has specifically considered the development of Public Facilities in the P—Public Development District; and,

WHEREAS, the WPC now wishes to forward a recommendation to the Wasilla City Council regarding the amendment of Section 16.43.602, (District Use Chart) of the Wasilla Municipal Code;

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla Planning Commission, of the City of Wasilla, respectfully recommends that the Wasilla City Council amend Chapter 16.43, the Wasilla Revised Development Code in the following manner:

16.43.602 District Use Chart. The following chart summarizes the uses allowed and the standard of review for each use. In the commercial and industrial districts, more than one building housing a permissible principal use may be erected on a single lot, provided that each building and use shall comply with all applicable requirements of this chapter and other borough, state and federal regulations.

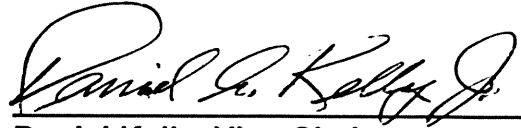
AA = Administrative Approval
UP = Use Permit
EX = Excluded

CU = Conditional Use Permit
Blank = No City approval necessary

Districts	RR Rural Residen- tial	R1 Single- Family	R2 Residen- -tial	RM Multi- Family	C Commer- cial	I Indus- trial	P Public
Uses							
Public Facility	UP	CU	UP	UP	UP	AA	<u>CU</u> AA—

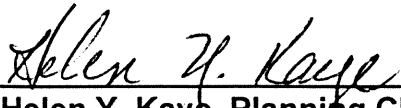
I certify that a resolution in substantially the above form was passed by a majority of those voting at a duly called and conducted meeting of the Wasilla Planning Commission this 4th day of March, 1997.

APPROVED:



Daniel Kelly, Vice-Chair

RESPECTFULLY SUBMITTED:



Helen Y. Kaye, Planning Clerk

(SEAL)