



CITY OF WASILLA

290 E. HERNING AVE.

WASILLA, ALASKA 99654-7091

PHONE: (907) 373-9050

FAX: (907) 373-9085

COUNCIL INFORMATION MEMORANDUM NO. 97-24

From: Duane Dvorak, City Planner 

Date: ~~September 18, 1996~~ May 9, 1997

Subject: Information relating to proposed Ordinance No. 97-29, (Planning Commission Case No. R96-102) per request of Councilwoman Keller at the 4/28/97 regular Council Meeting.

Why RR zone instead of Commercial?

The RR—Rural Residential district was developed as a slightly more restrictive version of the prior I—Intermediate development district. The two districts are related. The Commission developed the District Use Chart, Section 16.43.602 of the Wasilla Municipal Code to better reflect the intent of the former Intermediate district, i.e. for low density residential development and neighborhood commercial. The RR district was also designed to conforming to the 1992 Wasilla Comprehensive Plan which was the official City plan prior to August 12, 1996. The code revision process was begun in August of 1995 with the Wasilla Planning Commission and culminated in the adoption of the Wasilla Revised Development Code by the City Council on August 12, 1996.

The 1992 Wasilla Comprehensive Plan identified Tract D4 as Low Density Residential. Most lands so designated in the 1992 plan were located in the I—Intermediate district. The Intermediate district did not restrict residential density or commercial and light industrial use, in accordance with the intent of the district or the comprehensive plan, except through the permit process.

The Borough Ordinance delegating to the City the authority to plan and administer land use regulations is restricted by one caveat: The City has full control to develop and administer its own plans and ordinances, as long as they are consistent with the comprehensive plan. While the Mat-Su Borough wanted no involvement in the day-to-day operations of the City, they did reserve the right to review and adopt the City's comprehensive plan, as an element of the overall Mat-Su Borough Comprehensive Plan. This was required to be done before the plan is to be considered "Official", for the purpose of advising staff and council on development and zoning requests.

The Wasilla Revised Development Code is intended to be consistent with the 1996 Wasilla Comprehensive Plan. When the Commission was ready to make a recommendation on the Wasilla Revised Development Code, the City was still technically under the 1992 plan. Recognizing the need to maintain regulatory stability, and the desire to be consistent with the comprehensive plan, the Commission elected to make as few changes as possible on the new zoning map.

The Commission recognized that changes in district standards and the elimination or consolidation of old districts into new districts was going to be disruptive to the community. In addition, the 1996 plan was not formally adopted and recognized by the Borough. Therefore, the Commission elected to maintain the existing pattern of land use districts, given the changes inherent in the new code, in order to minimize public confusion and inconvenience. It was recognized that once the new code was in place that there should be a time period, when property owners were still becoming aware of the changes, that they could seek a rezone for no fee. For this reason, the Commission recommended that the Council or Administration waive the rezone fee (\$500.00) for a suitable period of time after the new ordinance and zoning map was adopted. This would allow land owners an opportunity to seek a more desirable or appropriate zone for their lands.

The Commission also recognized this approach as a time saver. The Commission had just finished work on the Comprehensive Plan in January 1996, and the contract for consulting services for the code rewrite were nearly exhausted. The Commission did not have time to fully research the effects of the new development code standards every lot in the City. Changes to the proposed new zoning map were the last order of business for the Commission. The Ordinance adopting the new development code specifically references the map dated May 30, 1996. By staying with the same comparable pattern of development districts, this made it easier for the Commission and Council to deal with the ordinance. After the new code was in place it was expected that rezones would be requested, but that they would not come all at once. Each request could be fairly reviewed in accordance with the development code and comprehensive plan provisions that were in effect at that time.

No specific lots were actively investigated by the Planning Commission as they considered the new zoning map, with one notable exception. Several lots along Knik-Goose Bay Road were requested for Commercial zoning by the property owner, who had been following the code revision process (i.e. attending meetings). The Commission did ask staff to investigate these lots, in a fashion similar to a rezone request, and staff made a recommendation that the Commission later implemented on the map before sending its recommendation on the City Council. At no time did the Planning Commission specifically discuss Tract D4.

It was recognized at the time that just because the rezone fee might be waived, the waiver of fee would not entitle any land owner(s) to the requested rezone. It was fully expected that each request would have to stand on its own merits before the Planning Commission and the City Council.

Public Hearing Notices and other Written Comments Received for Case R96-102

Please see the attached copies of all written comments that were received by the Planning Commission, to date, for Case R96-102. Staff has compiled five mail out notices in the file for council review. Staff is not aware of a sixth mail out notice. Behind the mailings are the written comments received for this case in chronological order. Behind that are three main mailing lists that were used for this case due to changes in the mail out area requested by the public and required by changes to the development code itself.

Mailing Costs (per Mailing), Staff Time and Total Costs for Case R96-102

Staff does not keep a running total of costs for each permit review or request that is sent to the Planning Commission. Staff has reviewed the case file in order to come up with an estimate of costs. Costs for postage and materials should be a fairly accurate, because of the ability to assign costs to stamps, envelopes, paper, etc. The amount of staff time is based on staff recollection. During the fall and winter months that this case was reviewed, there were a large number of other cases also ongoing which makes it difficult to say exactly how much time was spent on this case alone. Also, staff costs are not calculated for meeting time.

Advertising	5 advertisements @ \$71.40 each =	\$357.00
Postage	378 notices mailed @ .32 cents each =	\$120.95
Envelops and Paper	378 notices @ .03 cents each =	\$ 11.34
Planning Clerk	23 hours @ \$15.05 =	\$345.00
City Planner	34 hours @ \$23.87 =	\$811.58
Total Cost for Case R96-102		\$1,645.87

Costs by Mailing

Mailing #1	\$ 150.64
Mailing #2	\$ 135.52
Mailing #3	\$ 106.72
Mailing #4	\$ 152.67
Mailing #5	\$ 88.07
Total Cost of Mailings	\$ 633.62