



## CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091  
PHONE: (907) 373-9050  
FAX: (907) 373-9085

### INFORMATION MEMORANDUM NO. 97-38

Date: July 21, 1997

TO: Wasilla City Council

From: Karol Kolehmainen,<sup>KK</sup> Acting City Planner

Subject: Information relating to proposed Ordinance No. 97-37, per request of the Council at the July 14, 1997 regular Council Meeting.

---

Staff was requested by Council to provide cost analysis information on implementation of the requested changes in proposed Ordinance No. 97-37. In a Staff conversation with Councilman Carney, it was determined that his primary concern was with Section 8.01.090, Decisions, Paragraph B, Permit Required, regarding the cost of Staff time and mailout to each applicant.

There is no appreciable change in costs to the Planning Office resulting from this requested ordinance change. It is a clarification of procedure to more closely match the requirements of the Wasilla Revised Development Code, WMC Section 16.43.506, Procedure for Commission Approvals (extract provided), and the procedures of the Wasilla Planning Commission, WMC Section 8.01.090, Decisions, as indicated.

2. Applicant or representative, ten minutes;
3. Private person supporting the proposal five minutes each;
4. Private person opposing the proposal five minutes each.
5. Applicant, for rebuttal, ten minutes.

F. **Decision.** The Commission shall decide to deny, approve or approve with conditions the proposal or appeal. The burden of proof shall be on the applicant. The Commission's decision may be made immediately following the public hearing portion of the Commission meeting. The decision of the Commission shall set forth the facts it finds relevant to its decision and the reasons for its decision. The effective date of the decision is the date the findings and the reasons are set out in writing and signed by the Commission chairman or the chairman's designee.

G. **Super Majority.** If written objections are timely received from more than 50 per cent of the property owners of record notified in number 5 of B above or are presented in writing by the same by the close of the written testimony period, the Commission may only act if five members of the Commission vote in agreement. (Ord. 96-29 Attachment A 1996)

16.43.508 General Approval Criteria. An administrative approval, use permit, elevated administrative approval, elevated use permit or conditional use may be granted if the following general approval criteria and any applicable specific approval criteria of section 16.43.510 are complied with. The burden of proof is on the applicant to show that the proposed use meets these criteria and applicable specific criteria for approval. An approval shall include a written finding that the proposed use can occur consistent with the Comprehensive Plan, harmoniously with other activities allowed in the district and will not disrupt the character of the neighborhood.

Such findings and conditions of approval shall be in writing and become part of the record and the case file.

A. **Plans.** The proposal is substantially consistent with the City comprehensive plan and other City adopted plans.

B. **Special Uses.** The proposal is substantially consistent with the Specific Approval Criteria of section 16.43.510.

C. **Reviewing Parties.** Due deference has been given to the comments and recommendations of reviewing parties.

D. **Neighborhoods.** Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.

E. **Fire Safety and Emergency Access.** The proposal shall not pose a fire danger as determined by the State Fire Marshal or the fire chief of the district in which the proposed use is located. Adequate access for emergency and police vehicles must be provided.

F. **Traffic.** The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians.