



	Presented
Comment:	2/6/06
Verified by:	<i>Smithers</i>

see note below

WASILLA CITY COUNCIL INFORMATION MEMORANDUM

IM No. 06-06

TITLE: Draft Ordinances Relating To Processes For Platting, Planning, And Land Use Issues.

Agenda of: February 6, 2006 (Special Meeting)
Originator: Kristie Smithers, City Clerk

Date: January 31, 2006

Route to:	Department	Signature/Date
X	Finance *signature required	
X	Clerk	<i>Smithers</i>

REVIEWED BY MAYOR DIANNE M. KELLER: *Dianne M. Keller*

FISCAL IMPACT: yes\$ or unknown Funds Available yes no

Account name/number:

Attachments: documents from Joyce and Karl Lund containing twelve proposed ordinances; and one document regarding "Construction impact fees, Define "clearing and grubbing" and Step by Step Exceptions to build in COW."

SUMMARY STATEMENT: At their regular meeting of January 23, 2006, the Wasilla City Council passed a motion to direct the attorney to prepare legislation based on the attached documents presented by Council Member Straub.

The January 23, 2006, Regular Meeting Minutes reflect the following action:

MOTION: Council Member Straub moved to direct the attorney to draft ordinances relating to processes for platting, planning, and land use issues. (Clerk note: Council Member Straub presented the attorney with draft documents to use as a starting point for the legislation drafting, attached.)

VOTE: The main motion passed with Council Members Cox, Ewing, Metiva, and Straub in favor and Council Members Menard and O'Neil opposed.

*Motion above rescinded during 2/6/06
Special meeting. *Smithers*
2/6/06*

From Joyce & Karl Lund

Here are some of our ideas. Please feel free to change them or combine them with other ideas.

PROPOSED Ordinance #1

The mayor's signing authority shall be reduced from \$50,000. to \$10,000.

PROPOSED ORDINANCE #2: LOT SIZE BUFFER

To allow for an appropriate buffer zone and transition between existing property lots of five acres or larger and denser proposed subdivisions lots the size of the adjacent proposed perimeter subdivision lots must be at least 1/2 half the size of the average of the existing adjacent single resident lots touching the new proposed subdivision.

[Theoretical Situation-the average size of all single dwelling lots immediately adjacent to the borders of the proposed Shadowood subdivision is 1.20 acres. The average size of the lots within the proposed Shadowood subdivision which directly touch these surrounding lots would be .6 of an acre. The size of the "Inside" lots of the proposed subdivision would be determined by Wasilla City Code.]

PROPOSED ORDINANCE #3: Natural Vegetation Buffer Zone.

In a subdivision consisting of 25 lots or more or 5 acres or more, an undisturbed natural vegetation zone of a width of at least 20 feet must surround the subdivision to provide a buffer between the proposed subdivision and the lots of surrounding subdivisions.

PROPOSED ORDINANCE #4: Land donations for large developments.

For every five acres of residential lots there are in a subdivision of 25 units or more, at least .5 acre of land should be set aside by the developer for public gathering areas, open space, or parks. When a park is placed in a subdivision [see proposed ordinance #4 as a residential gathering place and safe place for recreation, if the city of Wasilla does not agree to maintain the area, a L I D should be instituted to allow for funding for the city to maintain the park at no cost to the residents outside the subdivision.]

ORDINANCE #5: Land Use Permits.

[Background: The issuing of land use permits is not clearly defined in the current city code. We cannot find any place where this term 'land use permit' is

used]

The granting of a Land Use Permit by the City of Wasilla shall take place only after:

[1] The granting of land use permits are clarified by the planning commission.

[2] A subdivision plan is submitted and approved by the planning commission for property five acres or larger or 25 units or more.

[3] 15 calendar days have passed after the borough platting board has approved the proposed preliminary plat. [this will allow time for reconsiderations or appeals are filed before the land is modified in any way.]

[4] If more than one acre of land is to be cleared in a proposed land parcel, a copy of the builder/developer's Storm Water Discharge from Construction Site Permit that has been filed by the EPA must be on file with the city.

PROPOSED ORDINANCE #6:

All proposals of parcels of two acres or more will be elevated to the Wasilla City Planning Commission for review and the opportunity for public input. The city planner will have the

option of elevating parcels of land under two acres for approval of the planning commission.

●PROPOSED ORDINANCE #7:

In the agency comments section of a preliminary plat request, if there has been no public hearing called by the city planning commission on a proposed preliminary plat of 25 units or more or 5 acres or more, the City of Wasilla will strongly object to the approval of this preliminary plat by the borough platting committee on the basis that a public hearing has not been held to allow for public input based on requirements of the Wasilla City Code.

PROPOSED ORDINANCE #8:

[BACKGROUND: While the Wasilla City Code states that "DUE DEFERENCE HAS BEEN GIVEN TO THE NEIGHBORHOOD PLAN OR COMMENTS AND RECOMMENDATIONS FROM A NEIGHBORHOOD WITH AN APPROVED NEIGHBORHOOD PLAN" there are no city guidelines as to how to construct a good neighborhood plan.] The city of Wasilla will set up procedures, guidelines and training, for neighborhoods to construct neighborhood plans and for the Wasilla Planning Commission to properly evaluate and approve them

●PROPOSED ORDINANCE #9:

In subdivisions of 25 lots or more or 5 acres or more, if the proposed subdivision will result in traffic flow to major collector city traffic artery, the city will require the developer to pay for a traffic impact study. This study will be completed and recommendations forwarded to the borough platting office as a part of agency comments to the preliminary platting hearing, and the developer will modify proposed subdivision streets to result in safe flow of traffic and safe pedestrian movement.

●PROPOSED ORDINANCE #10:

No motorhomes/trailers over 17 feet in length will be allowed to be parked on the street of a subdivision that has an average lot size of 1/4 an acre or less or more than 25 units.

●PROPOSED ORDINANCE #11:

A pull-off space for the loading of school buses must be provided every 1500 linear feet of a street in a subdivision

that has 25 units or more or 5 acres or more.

●PROPOSED ORDINANCE #12:

In a subdivision of 25 units or more or 5 acres or more, in order to allow for the safe movements of pedestrians, tricycles and bicycles, paved sidewalks must be installed on both sides of the street.

Ordinances

Construction impact fees.

Residential construction \$1.00 per sq. ft on re-model or additional construction

Residential new construction \$2.00 per sq. ft.

Commercial new construction \$2.00 per sq. ft.

It is the primary purpose of these fees to cover the costs of additional signage, pedestrian needs, school needs, traffic needs as a result of the new construction.

I request additional public testimony for this ordinance to allow for **four public hearings** on this ordinance. *to allow for community & Agency Comments*

Repeal WMC 8.12.030 and 10.08.020

Define "clearing and grubbing".

I want the ordinance to allow for 10% of the lot to be cleared prior to a construction plan. I want that ordinance to include any language regarding protected animals (such as Eagle and their nests) for the property owner.

Step by Step Expectations to build in COW

Ordinance that clearly lays out the step by step requirements; start to finish; to build in the City of Wasilla. It is the intent of this ordinance that the average person could print this ordinance off the City website at midnight and not have any personal contact with any city employee and know CLEARLY what is expected of the builder and what is expected of the city for any item to be constructed within the city limits.


I wish to schedule extended public testimony for this ordinance to include **four public hearings**.



OFFICE OF THE CITY CLERK

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TO: Council Members

FROM: Kristie Smithers, MMC, City Clerk 

DATE: February 6, 2006

SUBJECT: **IM No. 06-06**

Based on a few discussions I have held with Council Members over the past week, I have outlined below a few possibilities that the Council could use if it is desired to change or void the motion that was made on January 23, 2006, which was adopted as follows:

MOTION: Council Member Straub moved to direct the attorney to draft ordinances relating to processes for platting, planning, and land use issues.

VOTE: The main motion passed with Council Members Cox, Ewing, Metiva, and Straub in favor and Council Members Menard and O'Neil opposed.

Amend Something Previously Adopted

Amend Something Previously Adopted is a motion that can be used if it is desired to change a part of the text of a motion. Example motion:

Move to amend the motion adopted at the Regular City Council Meeting of January 23, 2006, to direct the attorney to draft ordinances relating to processes for platting, planning, and land use issues by striking . . . and adding . . .

Rescind, also known as Repeal or Annul

Rescind is a motion that is used to cancel something that the voting body did at previous meeting. Example motion:

Move to rescind the motion adopted at the Regular City Council Meeting of January 23, 2006, to direct the attorney to draft ordinances relating to processes for platting, planning, and land use issues.

Actions that cannot be Rescinded or Amended

The motions to *Rescind* or to *Amend Something Previously Adopted* are not in order if something has been done as a result of the vote and it is too late to undo it. I spoke with Tom Klinkner, the City Attorney today, and he has not begun to draft these ordinances, therefore, one of the motions above are in order if desired by the Council.

Thank you.

pc: Mayor Keller