



CITY OF WASILLA

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CODE ORDINANCE

REQUESTED BY: PLANNING COMMISSION
PREPARED BY: PLANNING

ORDINANCE SERIAL NO. 95-19

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, RESCINDING SECTIONS 16.43.121 THROUGH 16.43.139 (PLANNING COMMISSION) OF CHAPTER 16 (WASILLA DEVELOPMENT CODE) OF THE WASILLA MUNICIPAL CODE.

WHEREAS, the Wasilla Planning Commission is considering the amendment of Chapter 8.01 (Planning Commission) of the Wasilla Municipal Code; and

WHEREAS, Sections 16.43.121 through 16.43.139 (Planning Commission) provide a redundancy of nearly identical provisions to Chapter 8.01 (Planning Commission); and

WHEREAS, Chapter 8.01 (Planning Commission) is the more appropriate chapter to adopt provisions pertaining to the establishment, rules and duties of the Wasilla Planning Commission; and

WHEREAS, the Commission has determined that Sections 16.43.121 through 16.43.139 (Planning Commission) are unnecessary;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA, AS FOLLOWS:

SECTION I. Classification. This ordinance is of a general and permanent nature and shall become part of the Wasilla Municipal Code.

SECTION II. Purpose. To rescind Sections 16.43.121 through 16.43.139 of the Wasilla Municipal Code, in their entirety.

SECTION III. Enactment. If approved by the City Council of Wasilla, the language contained in Sections 16.43.121 through 16.43.139 (Planning Commission) of the Wasilla Municipal Code will be rescinded from Chapter 16 (Wasilla Development Code), and the remaining provisions of Chapter 16 will be reordered as appropriate, subsequent to the adoption of the following:

~~PLANNING COMMISSION~~

- ~~16.43.121 Planning Commission Established~~
- ~~16.43.123 Membership Term of Office~~
- ~~16.43.125 Vacancies~~
- ~~16.43.127 Seal~~
- ~~16.43.129 Meetings~~
- ~~16.43.131 Committees~~
- ~~16.43.133 Rules of proceedings~~
- ~~16.43.135 Office and staff~~

- ~~16.43.137 Decisions~~
- ~~16.43.139 Duties of the Commission~~

~~Planning Commission~~

~~16.43.121 Planning Commission Established.~~ There is established the Planning Commission for the City of Wasilla which has the powers and duties and performs the functions set out in this chapter.

~~16.43.123 Membership Term of Office.~~

~~A. The Commission consists of seven citizens who are residents of the City and who shall serve without pay but may be paid an honorarium. Members are appointed by the Mayor and confirmed by the Council.~~

~~B. Members are appointed for a term of three years. Terms end on December 31st of the year, provided that a member continues to serve until a successor is appointed and takes office. Appointments to fill vacancies are for the unexpired term only.~~

~~C. Officers of the Commission are the chairman and vice chairman and are elected by a majority vote of the members of the Commission. Permanent officers are elected at the first regular meeting of the Commission following the meeting at which one or more newly appointed or reappointed commissioners take their seat. The Commission may postpone such election from time to time, but must elect permanent officers not later than its last regular meeting in February. (Ord. 94-41 Attachment "A")~~

~~16.43.125 Vacancies:~~

~~A. A vacancy must be declared and filled as above provided, under the following conditions:~~

- ~~1. If a person nominated and confirmed to membership fails to qualify and take his office within thirty days;~~
- ~~2. If a member departs from the City with the intent to remain away for a period of ninety or more days;~~
- ~~3. If a member's resignation is submitted and accepted by the Mayor;~~
- ~~4. If a member misses more than three consecutive regular meetings in a twelve-month period unless the member makes written application to the Council within fifteen days of notice of missing the third meeting and shows just reason for retention.~~

~~B. The Clerk shall keep attendance records and notify the Chairman when vacancies occur. (Ord. 94-41 Attachment "A")~~

~~16.43.127 Seal.~~ The seal of the Commission consists of two concentric circles within which appear the words "City of Wasilla Planning Commission," "Seal" and "State of Alaska." It must be retained in the custody of the City Planner. (Ord. 94-41 Attachment "A")

~~16.43.129 Meetings:~~

~~A.~~ Regular meetings are held on the Tuesdays following the second and fourth Mondays of each month. Special meetings may be called by the Chairman or any three members of the Commission. Only those matters stated in the public notice may be acted upon at a special meeting.

~~B.~~ Public notice of a special meeting must be given twenty four hours in advance of the meeting and must be supplied to the local media and posted on the municipal bulletin board. At least twenty four hours before a special meeting, oral or written notice must be provided to each Commission member or written notice of the meeting must be left at the usual place of residence of the Commission member.

~~C.~~ Public notice and the notice to each commissioner must set out the subject of the special meeting. (Ord. 94-41 Attachment "A")

~~16.43.131 Committees:~~

~~A.~~ The Chairman of the Commission shall appoint members to such committees as may be established by the commission. Committee membership is restricted to Commission members. Committee chairmen are appointed by the Commission Chairman. The Commission Chairman may not serve as a committee chairman but is an ex officio voting member of all committees and will coordinate their activities. Committee chairmen will have full responsibility for conducting the affairs of their committees and reporting same to the Commission. In addition, the chairman or alternate designated by the chairman acts as spokesman for the committee at all public hearings and meetings. Committees are advisory only.

~~B.~~ A Subdivision Review Committee may be appointed by the Commission Chairman with approval of the full Commission. It will be the duty of this Committee to review and comment to the Commission upon all major subdivision development. (Ord. 94-41 Attachment "A")

~~16.43.133 Rules of proceedings:~~

~~A.~~ Meetings shall be conducted pursuant to Robert's Rules of Order as amended by resolution to the Commission.

~~B.~~ The Commission may, by resolution, establish committees and its rules of procedure, meeting times, and places; request addition of agencies to the list of referral and review agencies; and any other matter reasonably necessary or desirable for the full and complete conduct of its duties, pursuant to this chapter and any other provision of City, Borough or State law. (Ord. 94-41 Attachment "A")

~~16.43.135 Office And Staff.~~

~~A. The Commission will be provided office space suitable for its needs and adequate to file its journals, resolutions, records, reference materials, correspondence and maps, plats, and charts, all of which shall constitute public records.~~

~~B. There is a clerk of the Commission. The clerk is appointed by the mayor and is compensated by the city.~~

~~C. In addition to other duties under this chapter and as may be assigned by the Commission, the clerk shall furnish secretarial assistance at each regular or special meeting to assist in preparing the journals and resolutions of the Commission and shall prepare Commission correspondence under the direction of the Chairman of the Commission. (Ord. 94-41 Attachment "A")~~

~~16.43.137 Decisions. All permit actions of the Commission must be in the form of a resolution setting forth: 1) the decision, 2) the basic facts and the reasoning leading to the decision, and 3) conditions on the permit, and must be signed by the Commission Chair and Planning Clerk. Notice must be mailed to the applicant with a copy retained in the permanent records of the Planning Department. (Ord. 94-41 Attachment "A")~~

~~16.43.139 Duties Of The Commission. The Commission has the following duties:~~

~~1. The Commission shall undertake a general review of the Comprehensive Plan at least once every two years and recommend to the Council amendments to the plan that it determines to be appropriate.~~

~~2. The Commission shall review and make determinations on state construction projects in accordance with A.S. 35.30.010 and may impose conditions or modifications on such projects based on the requirements and policies of this chapter, the Comprehensive Plan, and such plans or programs of the City as may be applicable. If the Commission determines the project should be disapproved or that modifications should be made to which the state disagrees, the Commission shall immediately notify the Council and recommend disapproval by Council resolution pursuant to A.S. 35.30.010(e).~~

~~3. The Commission shall make recommendations to the Council on all proposed rezonings, indicating compliance with the applicable provisions of this chapter and the Comprehensive Plan. At least once each year the Commission shall conduct a review of Sections 16.43.801 et seq. of this chapter and recommend to the Council changes it determines are desirable.~~

~~4. The Commission shall hear and decide all Major Development Permit applications, including applications for variances, intensity bonuses and~~

~~density bonuses. It may hear appeals of permit decisions by the City Planner.~~

~~5. The Commission may perform such other duties as may be assigned by the Council. (Ord. 94-41 Attachment "A")~~

SECTION IV. Effective Date. This ordinance becomes effective upon adoption.

Introduction: 04/24/95

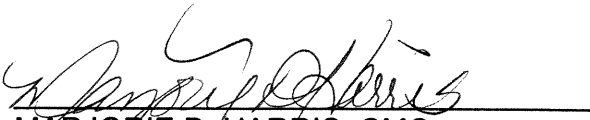
Public Hearing: 05/08/95

ADOPTED by the Council of the City of Wasilla on this 22nd day of May, 1995.



JOHN C. STEIN, Mayor

ATTEST:


MARJORIE D. HARRIS, CMC
City Clerk

(SEAL)