



CITY OF WASILLA

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CODE ORDINANCE

REQUESTED BY: PLANNING COMMISSION

PREPARED BY: PLANNING

ORDINANCE SERIAL NO. 95-20

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, AMENDING CHAPTER 8.01 (PLANNING COMMISSION) OF THE WASILLA MUNICIPAL CODE, TO PERMIT THE CHANGE OF REGULAR MEETING DATES AND TO GENERALLY UPDATE THE CHAPTER.

WHEREAS, the Wasilla Planning Commission is considering a change of its regular meeting date schedule; and

WHEREAS, the regular meeting date schedule for the Planning Commission is established by ordinance in Chapter 8.01 (Planning Commission) of the Wasilla Municipal Code; and

WHEREAS, the entire chapter establishing the Wasilla Planning Commission and establishing its duties and responsibilities needs to be updated and made current;

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 amend Chapter 8.01 (Planning Commission) of the Wasilla Development Code, to reflect the recent delegation of planning and zoning authority to the City of Wasilla, to permit a change of the regular meeting schedule of the Commission and to generally update the duties and responsibilities of the Wasilla Planning Commission as they may have evolved since the revisions to the chapter were adopted.

SECTION III. Enactment. If approved by the City Council of Wasilla, the language contained in Chapter 8.01 (Planning Commission) of the Wasilla Municipal Code, will be amended to include the changes to be adopted as follows:

8.01.010 Planning Commission Established. There is hereby established the Planning Commission for the City of Wasilla which has the powers and duties and performs the functions set out in this chapter. (Ord. 86-17 §3 1986)

8.01.020 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. 86-17 §3 1986: Ord. 88-17 §3 1988: Ord. 89-02 §3 1989)

8.01.030 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 (30) days;
2. If a member departs from the City with the intent to remain away for a period of ninety (90) or more days;
3. If a member's resignation is submitted and accepted by the Mayor;
4. If a member is physically unable to attend Commission meetings for a period of more than ninety (90) days;
5. If a member misses more than three consecutive regular meetings in a twelve (12) month period unless the member makes written application to the Council within fifteen (15) days of notice of missing the third meeting and shows just reason for retention.

B. The Planning Clerk shall keep attendance records and notify the Chairman when vacancies occur. (Ord. 86-17 §3 1986)

8.01.040 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 Director. (Ord. 86-17 §3 1986)

8.01.050 Meetings.

A. Regular meetings are held on the first and third Tuesday of each month ~~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.

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 (24) 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 (24) 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. 86-17 §3 1986)

8.01.060 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 chairsmen 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 spokesperson 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. 86-17 §3 1986)

8.01.070 Rules of Proceedings.

A. Meetings shall be conducted pursuant to Robert's Rules of Order as may be amended by Commission resolution and set forth in the Commission's by-laws of the Commission.

B. The Commission shall adopt a set of by-laws ~~may~~, by resolution, consistent with the intent of this chapter, and to clarify the applicable procedural requirements set forth in the Alaska Statutes and the Wasilla Municipal Code. The by-laws adopted by the Planning Commission are subject to review and approval by the Wasilla City Council as they may, from time-to-time, be amended. The by-laws will provide for the establishment of committees, and its rules of procedure, meeting times and places; the 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 the Commission's ~~its~~ duties, pursuant to this chapter and any other provision of City, Borough or State law. (Ord. 86-17 §3 1986)

8.01.080 Office and Staff.

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

B. There is a Planning Clerk of the Commission. The Planning Clerk is appointed by the Mayor or the Mayor's designee and is compensated by the City.

C. There is a City Planner to provide staff support to the Commission and to administer Chapter 16 (Wasilla Development Code of the Wasilla Municipal Code. In addition to those duties the City Planner will also provide planning information to the public, investigate requests that may come before the Commission and accomplish other planning duties as may be set forth in the job description for this position.

D. In addition to other duties under this chapter and as may be assigned by the Commission, the Planning Clerk shall furnish secretarial assistance at each regular or special meeting. The planning staff will also to assist in preparing the journals and resolutions of the Commission and shall prepare Commission correspondence under the direction of the Commission Chairman of the Commission. (Ord. 86-17 §3 1986)

8.01.090 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 City Planner~~Director~~.

Notice must be mailed to the applicant with a copy retained in the permanent records of the Planning Department. (Ord. 86-17 §3 1986)

8.01.100 Duties of the Commission. The Commission has the following duties:

A. ~~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. ~~Council recommendations are forwarded to the Borough Planning Commission for its review and recommendation to the Borough Assembly.~~

B. On an annual basis, the Commission will undertake a special project to update one or more elements of the Wasilla Comprehensive Plan. The elements of the Comprehensive Plan, such as Parks and Recreation or Transportaion for example, will be expanded so that each element is a comprehensive look at the subject. As each element is adopted by the City Council, it will become part and parcel of the overall Wasilla Comprehensive Plan.

C. ~~The Commission shall~~ Rreview and make determinations on state construction projects in accordance with AS 35.30.010 and may impose conditions or modifications on such projects based on the requirements and policies of Chapter 16 (Wasilla Development Code) of the Wasilla Municipal Code, Matanuska-Susitna Borough Title 17 Chapter 43, the Comprehensive Plan, and other 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 AS 35.30.010(c).

D.G. ~~The Commission shall~~ Mmake recommendations to the Wasilla City Council on all proposed rezoning, indicating compliance with the applicable provisions of Chapter 16 (Wasilla Development Code) of the Wasilla Municipal Code, Matanuska-Susitna Borough Title 17 Chapter 43 and the Comprehensive Plan. The Comission will periodically review the Wasilla Development Code ~~At least once each year the Commission shall conduct a review of Sections 801 of Matanuska-Susitna Borough Title 17 Chapter 43 and recommend to the City Council changes it determines are desirable. The Council shall recommend to the Borough Planning Commission changes it determines are desirable.~~

E.D. ~~The Commission shall~~ Hhear and decide all permit major Development Permit applications that require a public hearing, including but not limited to, applications for variances, rezones, and other procedures that may be required by the amendment of the Wasilla Development Code. intensity bonuses and density bonuses. The Commission may also hear ~~It may hear~~ appeals of permit decisions made by the City Planner, Director.

F.E. ~~The Commission shall~~ Investigate and prepare on an annual basis, ~~under such directions and conditions as the Council may from time to time request,~~ the Commission's recommendations on a capital improvements program, and to review the same periodically and revise it from time to time but not less frequently than annually. Said recommendations will be adopted by Commission resolution and transmitted to the City Council for its consideration. ~~The annual capital improvements programs shall constitute permanent records of the Commission which shall be a public record.~~

G.F. ~~The Commission shall~~ Investigate and prepare, ~~from time to time, and to initiate on its own motion in the absence of directions from the~~

~~Council~~, reports on the availability of public lands ~~by selections, transfer at less than appraised value, and otherwise~~, for City purposes. In this regard Special attention shall be given to acquisition of land for public recreation.

HG. ~~The Commission shall~~ At the request of the Mayor or Council, Investigate and prepare, reports on the location and establishment of: public facilities.

- ~~1. Outdoor public recreation, including parks;~~
- ~~2. Trap, skeet, rifle and pistol ranges, and other similar uses; and~~
- ~~3. Public campgrounds.~~

IH. ~~The Commission shall investigate and make recommendations relative to all aspects of public safety, both within and closely adjoining the City of Wasilla.~~


Jt. ~~The Commission may~~ perform such other duties as may be requested assigned by the Council. (Ord. 86-17 §3 1986)

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)