



CITY OF WASILLA

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

Code Ordinance
Requested By: Planning Commission
Prepared By: Planning
Introduction Date: 06/09/97
Public Hearing Date: 06/23/97

ORDINANCE SERIAL NO. 97-37

AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, AMENDING CHAPTER 8.01 PLANNING COMMISSION, TO BETTER REFLECT THE DUTIES, RESPONSIBILITIES AND PROCEDURES OF THE WASILLA PLANNING COMMISSION.

WHEREAS, Chapter 8.01 of the Wasilla Municipal Code establishes the Wasilla Planning Commission and provides a framework for its duties, responsibilities, procedures and support staffing; and,

WHEREAS, over time, the Commission come to believe that the job it is doing, and that it believes it should be doing, are increasingly at odds with the direction set forth in Chapter 8.01; and,

WHEREAS, changes in the Wasilla community and in the structure of local government require that legislation like Chapter 8.01 be updated and clarified periodically in order to reflect the needs of the community at a given time; and,

WHEREAS, the Commission now wishes to suggest amendments to Chapter 8.01 that it believes will clarify its duties and ensure that the Planning Commission is doing the job that is needed by the Community and that is authorized by the City Council by ordinance;

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

SECTION I. Classification. This is a code ordinance.

SECTION II. Purpose. To amend Chapter 8.01, Planning Commission, of the Wasilla Municipal Code to ensure that the chapter is current and meeting the needs of the community.

SECTION III. Enactment. Chapter 8.01, Planning Commission, of the Wasilla Municipal Code is hereby amended as shown below:

CHAPTER 8.01

PLANNING COMMISSION

SECTIONS:

- 8.01.010 Planning Commission Established
- 8.01.020 Membership - Term of Office
- 8.01.030 Vacancies

8.01.040	Seal
8.01.050	Meetings
8.01.060	Committees
8.01.070	Rules of Proceedings
8.01.080	Office and Staff
8.01.090	Decisions
8.01.100	Duties of the Commission

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.

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 chair and vice-chair and are elected by a majority vote of the members of the Commission, in the absence of the Chair the Vice-Chair will assume the duties of the Chair. 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.

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 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 Chair when vacancies occur.

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 Planning Clerk.

8.01.050 Meetings.

A. Regular meetings are held on the ~~first~~second and ~~third~~fourth Tuesday of each month. Special meetings may be called by the Chair 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 ~~Forty-eight (48)~~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 ~~Forty-eight (48)~~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.

8.01.060 Committees.

A. The Chair of the Commission shall appoint members to such committees as may be established by the Commission. ~~Committee membership is restricted to Commission members.~~ Committee chairs are appointed by the Commission Chair. The Commission Chair may not serve as a committee chair but is an ex officio voting member of all committees and will coordinate their activities. Committee chair will have full responsibility for conducting the affairs of their committees and reporting same to the Commission. In addition, the chair or alternate designated by the chair 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 Chair 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.

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 procedural guidelines~~by laws~~.

B. The Commission ~~may shall~~ adopt a set of procedural guidelines~~by-laws~~ 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 ~~procedural guidelines~~~~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 ~~procedural guidelines~~~~by-laws~~ may will provide for the establishment of committees, rules of procedure, meeting times and places; the 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 duties, pursuant to this chapter and any other provision of City, Borough or State law.

8.01.080 Office and Staff.

A. The Commission may 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 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, and other staff as may from time-to-time be necessary, to provide support to the Commission and to administer WMC Chapter 16.43 (Wasilla Development 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 these positions.

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 assist in preparing the journals and resolutions of the Commission and shall prepare Commission correspondence under the direction of the Commission Chair.

8.01.090 Decisions.

A. Resolution Required. -All permit actions of the Commission must be in the form of a resolution setting forth:

1. The date of significant meetings or hearings relating to the request;~~The decision;~~
2. The decision;~~The basic facts and the reasoning leading to the decision;~~ and
3. The basic facts and the reasoning leading to the decision; and ~~Conditions on the permit, and must be signed by the City Planner.~~
4. Conditions on the permit, and must be signed by the Planning Clerk and Commission Chair.

B. Permit Required. All permit actions by the Planning Commission shall be summarized in a permit by the planning staff. The basis of the decision and findings-of-fact and conditions of approval on a permit shall be mailed to each applicant, along with an explanation of the appeal procedure as it may be applicable in each case. A copy of every permit issued will be retained in the permanent records of the Wasilla Planning Office.

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. 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.

B. On an annual basis, the Commission will undertake a special project to review or update one or more elements of the Wasilla Comprehensive Plan. The elements of the Comprehensive Plan, such as Parks and Recreation or Transportation for example, may 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 review 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 WMC Chapter 16.43 (Wasilla Development Code), 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. The Commission shall make recommendations to the Council on all proposed rezoning, indicating compliance with the applicable provisions of WMC Chapter 16.43 (Wasilla Development Code), and the Comprehensive Plan. The Commission will periodically review the Wasilla Development Code and recommend to the City Council changes it determines are desirable.

E. Hear and decide all 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. The Commission may also hear appeals of permit decisions made by the City Planner.

F. Investigate and prepare on an annual basis, the Commission's recommendations on a capital improvements program. Said recommendations will be adopted by Commission resolution, after a public hearing has been held, and transmitted to

the City Council for its consideration. The annual capital improvements program shall be a public record.

G. Investigate and prepare reports on the availability of public lands for public purposes. Special attention shall be given to the acquisition of land for public recreation.

H. At the request of the Mayor or Council, investigate and prepare reports on the location and establishment of public facilities.

I. Perform such other duties as may be requested by the Council.

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

ADOPTED by the Council of the City of Wasilla on this 28th day of July, 1997.



SARAH H. PALIN, Mayor

ATTEST:



MARJORIE D. HARRIS, CMC
City Clerk

ORDINANCE NO. 97-37

Subject: **Amendments to Chapter 8.01, Planning Commission of the Wasilla Municipal Code, to ensure the duties, responsibilities, procedures, etc. of the Wasilla Planning Commission are clear and meeting the current needs of the Wasilla Community.**

Meeting Date: **06/09/97**

RECOMMENDATION AND MOTION:
Introduce Ordinance Serial No. 97-37 and schedule for public hearing and final action under unfinished business at the next regular meeting on 06/09/97.

Administration Recommendation: Introduce and set for public hearing and unfinished business. *I don't support going back to re-name commission "Planning + Utilities" as was named year ago until I get to hear reasons. I do support meeting date changes.*
 Reviewed by Sarah H. Palin, Mayor: *[Signature]*

Route To:	Department:	Approval (Initials):	Remarks:
1	Clerk's Office		
2	Finance		
3	Library		
4	Museum		
5 XX	Planning	<i>[Signature]</i>	
6	Police		
7	Public Works		
8	Admin.	<i>[Signature]</i>	<i>MEETING Will conflict w/ Parks + Rec Commission Meeting</i>
9	City Attorney		

Attachment (s): Fiscal Note: YES NO XX
 (List other attachments; i.e., maps, bid information, etc.)

1) Planning Commission Resolution No. 97-15

Staff Recommendation: **Introduce Ordinance Serial No. 97-37 and schedule for public hearing and final action under unfinished business at the next regular meeting on 06/23/97.**

Summary Statement: The Commission wishes to clarify its mission and to ensure that its role in City government is consistent with the needs of a changing community. The Commission also wishes to change its regular meeting schedule from the 1st and 3rd Tuesday of each month to the 2nd and 4th Tuesday. It is believed that the meeting schedule change will enable the planning staff to better serve the needs of both the Commission and the Council by providing a more balanced work load between the two bodies. It is believe that this change will also help the staff ensure that planning issues are properly prepared before sending them to the Council for review and that they are transmitted in a timely fashion.



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PHONE: (907) 373-9050

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WASILLA PLANNING COMMISSION RESOLUTION NO. 97-15

A RESOLUTION OF THE WASILLA PLANNING COMMISSION OF THE CITY OF WASILLA, ALASKA, RECOMMENDING AMENDMENT OF CHAPTER 8.01, PLANNING COMMISSION, OF THE WASILLA MUNICIPAL CODE, WITH REGARD TO THE TITLE, PROCEDURES AND DUTIES OF THE WASILLA PLANNING COMMISSION.

WHEREAS, the Wasilla Planning Commission (WPC) has reviewed the Chapter 8.01 of the Wasilla Municipal Code; and,

WHEREAS, the Commission believes that certain amendments to the title, procedures and duties of the Commission will make the Commission more efficient and effective when it reviews zoning, permitting, capital projects and other land use related issues; and,

WHEREAS, the WPC is primarily responsible for advising the Council on such issues as Land Acquisition, Capital Projects, Zoning Requests, Annexations, etc; and,

WHEREAS, the WPC now wishes to update and amend Chapter 8.01 of the Wasilla Municipal Code which establishes the Planning Commission as set forth below:

NOW, THEREFORE, BE IT RESOLVED, that the Wasilla Planning Commission, of the City of Wasilla, respectfully recommends that the Wasilla City Council amend Chapter 8.01, Planning Commission, of the Wasilla Municipal Code in the following manner:

CHAPTER 8.01

PLANNING AND UTILITIES COMMISSION

SECTIONS:

- 8.01.010 Planning and Utilities Commission Established
- 8.01.020 Membership - Term of Office
- 8.01.030 Vacancies
- 8.01.040 Seal
- 8.01.050 Meetings
- 8.01.060 Committees
- 8.01.070 Rules of Proceedings
- 8.01.080 Office and Staff
- 8.01.090 Decisions
- 8.01.100 Duties of the Commission

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

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 chair and vice-chair and are elected by a majority vote of the members of the Commission. 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.

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3. If a member's resignation is submitted and accepted by the Mayor;

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B. The Planning Clerk shall keep attendance records and notify the Chair when vacancies occur.

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 Planning Clerk.

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2. The decision;~~The basic facts and the reasoning leading to the decision; and~~

3. The basic facts and the reasoning leading to the decision; and ~~Conditions on the permit, and must be signed by the City Planner.~~
4. Conditions on the permit, and must be signed by the Planning Clerk and Commission Chair.

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F. Investigate and prepare on an annual basis, the Commission's recommendations on a capital improvements program. Said recommendations will be adopted by Commission resolution, after a public hearing has been held, and transmitted to the City Council for its consideration. The annual capital improvements program shall be a public record.

G. Investigate and prepare reports on the availability of public lands for public purposes. Special attention shall be given to the acquisition of land for public recreation.

H. At the request of the Mayor or Council, investigate and prepare reports on the location and establishment of public facilities.

I. Perform such other duties as may be requested by the Council.

I certify that a resolution in substantially the above form was passed by a majority of those voting at a duly called and conducted meeting of the Wasilla Planning Commission this 15th day of April, 1997.

APPROVED:

John Cannon, Chair

RESPECTFULLY SUBMITTED:

Helen Y. Kaye, Planning Clerk

(SEAL)



CITY OF WASILLA

290 E. HERNING AVE.
WASILLA, ALASKA 99654-7091
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COUNCIL MEMORANDUM NO. 97-54

From: Karol Kolehmainen, Assistant City Planner ^{KLC}

To: Wasilla City Council

Date: June 17, 1997

Subject: Amendments to Ordinance No. 97-37, Wasilla Planning Commission recommendation for proposed amendments to Chapter 8.01.

The following amendments are necessary due to typographical errors in the original Ordinance No. 97-37, introduced June 9, 1997. The amendments do not change the substance of the recommendation, they merely change the narrative to match the recommended changes. Two motions are provided for the Council. Motion 1 assigns the duties of the Chair, in the absence of the Chair, to the Vice Chair. Motion 2 addresses the proposed change in the meeting dates from the first and third Tuesday to the second and fourth Tuesday.

RECOMMENDED MOTIONS

Motion 1

Motion to amend Section 8.01.020 Membership - Term of Office, Paragraph C. to add, "In the absence of the Chair, the Vice-Chair will assume the duties of the Chair."

Motion 2

Motion to amend Section 8.01.050 Meetings, Paragraph A, First sentence to read, "Regular meetings are held on the second and fourth Tuesday of the month."