



## CITY OF WASILLA

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

Code Ordinance  
Requested By: Planning  
Prepared By: Planning  
Introduction Date: 09/22/97  
Public Hearing Date: 10/13/97  
Amended: 12/08/97  
Adopted: 12/08/97

### ORDINANCE SERIAL NO. 97-60(AM)

**AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, AMENDING SECTION 16.43.402, ADMINISTRATIVE APPROVAL AND USE PERMITS, SECTION 16.43.502, PROCEDURE FOR ELEVATIONS, SECTION 16.43.506, PROCEDURE FOR COMMISSION APPROVAL WITH REGARD TO MAILOUT REQUIREMENTS FOR PUBLIC NOTICE, AND SECTION 16.43.804, SUBDIVISION.**

WHEREAS, the Wasilla Planning Commission (WPC) and staff have evaluated the Wasilla Development Code which was adopted in August, 1996; and,

WHEREAS, the Planning Commission has recommended certain changes to Chapter 16.43, the Wasilla Development Code, that it believes will improve the function of the Wasilla Planning Office and better serve community members.

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 16.43, Wasilla Development Code, of the Wasilla Municipal Code to ensure that the public notice preparation and mailing in the Planning Office has adequate time to be done properly, and that out of state land owners have a reasonable opportunity to respond.

SECTION III. Enactment. Chapter 16.43, Wasilla Development Code, of the Wasilla Municipal Code is hereby amended as follows:

16.43.402 Administrative Approval and Use Permits. An Administrative Approval ("AA") or a Use Permit ("UP"), as defined in section 16.43.204 or listed on the district use chart in section 16.43.602 are within the authority of the Planner to approve. Developers must file an application with the Planner and receive a permit or approval prior to commencement of the use.

C. Use Permit. If the accepted application is for a use permit, the Planner shall, within three (3) days of acceptance of the application, issue a public notice ~~draft use permit~~ for review and comment based upon the General Approval Criteria in section 16.43.508.

1. Public Notice. The Planner shall mail or electronically transmit the draft use permit to the applicant, reviewing parties, Commission members, and to the owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of 1200 feet of the lot lines of the development. The public notice ~~draft use permit~~ shall be posted in City hall and on the site.

owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of 1200 feet of the lot lines of the development. The public notice ~~draft use permit~~ shall be posted in City hall and on the site. Staff will allow a minimum of 10 days (14 calendar days) from the date of public notice mailing before making a decision to issue a use permit.

16.43.500 Planning Commission Approvals. Approvals by the Commission are intended to address uses and issues of community wide importance and are therefore subject to a broader public process and higher standards than approvals by the Planner. (Ord. 96-29 Attachment A 1996)

16.43.502 Procedure for Elevations. Once a permit approval has been elevated for review (see section 16.43.406), the following procedures apply:

A. Public Notice. If the Planners' approval is elevated the Planner shall;

5. The public hearing notice ~~agenda item and draft recommendations~~ shall be sent to the owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of 1200 feet of the lot lines of the development. The public notice shall be posted in City Hall and on the site. Staff will allow a minimum of ten days (14 calendar days) from the date of public notice mailing before scheduling a public hearing on the request before the Planning Commission.

16.43.506 Procedure for Commission Approvals. The following procedures apply to approvals by the Commission including conditional uses, rezonings and variances.

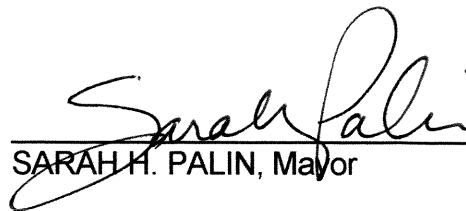
B. Public Notice. If the application is accepted the Planner shall;

2. Publish the agenda item in a newspaper of general circulation or place a public service announcements on radio or television. The published notice must set out the time, date and place of the hearing, the name of the applicant, the address or general location of the property and subject or nature of the action;

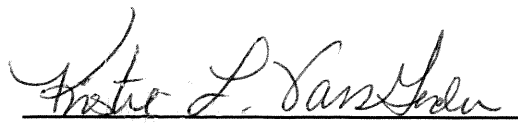
5. The public hearing notice ~~agenda item and draft recommendations~~ shall be sent to the owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of 1200 feet of the lot lines of the development. The public notice shall be posted in City Hall and on the site. Staff will allow a minimum of ten days (14 calendar days) from the date of public notice mailing before scheduling a public hearing on the request before the Planning Commission ~~making a decision to issue a use permit.~~

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

ADOPTED by the Council of the City of Wasilla on this 8th day of December, 1997.

  
SARAH H. PALIN, Mayor

ATTEST:

  
KRISTIE L. VANGORDER, CMC  
City Clerk

**ORDINANCE SERIAL NO. 97-60**

**AN ORDINANCE OF THE CITY OF WASILLA, ALASKA, AMENDING SECTION 16.43.402, ADMINISTRATIVE APPROVAL AND USE PERMITS, SECTION 16.43.502, PROCEDURE FOR ELEVATIONS, SECTION 16.43.506, PROCEDURE FOR COMMISSION APPROVAL WITH REGARD TO MAILOUT REQUIREMENTS FOR PUBLIC NOTICE, AND SECTION 16.43.804, SUBDIVISION.**

WHEREAS, the Wasilla Planning Commission (WPC) and staff have evaluated the Wasilla Development Code which was adopted in August, 1996; and,

WHEREAS, the amended required mailout distance is 1200 feet for all required mailings; and,

WHEREAS, mailouts are only one of three required methods of notification to the public, other methods including posting at the sight and publication of the WPC agenda; and

WHEREAS, the 1200 foot distance is deemed to be excessive based on the required mailout distances of other jurisdictions; and,

WHEREAS, the requirement to review subdivisions as a use permit causes the applicant to submit to two mailouts for one replatting action;

WHEREAS, the Planning Commission has recommended certain changes to Chapter 16.43, the Wasilla Development Code, that it believes will improve the function of the Wasilla Planning Office and better serve community members;

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 16.43, Wasilla Development Code, of the Wasilla Municipal Code to ensure that the public notice preparation and mailing in the Planning Office has adequate time to be done properly, and that out of state land owners have a reasonable opportunity to respond.

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C. Use Permit. If the accepted application is for a use permit, the Planner shall, within three (3) days of acceptance of the application, issue a public notice ~~draft use permit~~ for review and comment based upon the General Approval Criteria in section 16.43.508.

1. Public Notice. The Planner shall mail or electronically transmit the draft use permit to the applicant, reviewing parties, Commission members, and to the owners of property, as listed on the Matanuska Susitna Borough property tax rolls, located within a minimum of 600 ~~1,200~~ feet of the lot lines of the development. The public notice ~~draft use permit~~ shall be posted in City hall and on the site.

16.43.500 Planning Commission Approvals. Approvals by the Commission are intended to address uses and issues of community wide importance and are therefore subject to a broader public process and higher standards than approvals by the Planner. (Ord. 96-29 Attachment A 1996)

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5. The public hearing notice ~~agenda item and draft recommendations~~ shall be sent to the owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of 600 ~~1200~~ feet of the lot lines of the development. The public notice shall be posted in City Hall and on the site. Staff will allow a minimum of ten days (14 calendar days) from the date of public notice mailing before scheduling a public hearing on the request before the Planning Commission.

16.43.506 Procedure for Commission Approvals. The following procedures apply to approvals by the Commission including conditional uses, rezonings and variances.

B. Public Notice. If the application is accepted the Planner shall;

2. Publish the agenda item in a newspaper of general circulation or place a public service announcements on radio or television. The published notice must set out the time, date and place of the hearing, the name of the applicant, the address or general location of the property and subject or nature of the action;

5. The public hearing notice ~~agenda item and draft recommendations~~ shall be sent to the owners of property, as listed on the Matanuska-Susitna Borough property tax rolls, located within a minimum of 600 ~~1200~~ feet of the lot lines of the development. The public notice shall be posted in City Hall and on the site. Staff will allow a minimum of ten days (14 calendar days) from the date of public notice mailing before scheduling a public hearing on the request before the Planning Commission ~~making a decision to issue a use permit~~.

16.43.804 Subdivision. All subdivisions are reviewed as an administrative approval use permit under section 16.43.402 of this chapter. No subdivision of land may be given final approval until the Planner has certified that requirements of this chapter and/or other ordinances of the City have been satisfied and that guarantees satisfactory to the City have been provided for all improvements required as a condition of approval of the subdivision plat. The City shall provide the Borough with a copy of all conditions imposed on the permit.

To ensure the installation of the on and off- site required improvements the developer shall guarantee the installation thereof by one or a combination of the methods specified in this Title. The guarantee must be approved as to method and form by the City Attorney and Engineer. (Ord. 96-29 Attachment A 1996)

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

ADOPTED by the Council of the City of Wasilla on this day of \_\_\_\_\_, 1997.

\_\_\_\_\_  
SARAH H. PALIN, Mayor

ATTEST:

\_\_\_\_\_  
MARJORIE D. HARRIS, CMC  
City Clerk



# CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091

## INFORMATION MEMORANDUM

NO. 97-59

From: Tim Krug, City Planner

To: Wasilla City Council

Date: September 12, 1997

Subject: Recommendation for Amendment of Wasilla Development Code Chapter 16.43  
Relating to Mailout Distances and Subdivision Procedures

Area Code (907)

Administration

Ph: 373-9055

Fx: 373-9092

Clerks Office

Ph: 373-9090

Fx: 373-9092

Finance

Ph: 373-9070

Fx: 373-9085

Library

Ph: 376-5913

Fx: 376-2347

Museum

Ph: 373-9071

Fx: 373-9072

Parks &

Recreation

Ph: 373-9053

Fx: 373-9072

Planning

Ph: 373-9094

Fx: 373-9092

Police

Ph: 373-9077

Fx: 373-9051

Public Works

Ph: 373-9095

Fx: 373-9054

\_\_\_\_\_

Ph: \_\_\_\_\_

Fx: \_\_\_\_\_

As early as September of 1996, following the approval of the Wasilla Development Code in August, amendments were considered by the Council. Some of these amendments were never introduced and others failed on introduction. One of the latter was Ordinance Serial No. 96-45, which would have amended the required mailout distance for Use Permits to 1600 feet. In November of 1996, a controversial mailout generated considerable public interest and, again, the required mailout distance came under scrutiny. The ultimate result was Ordinance Serial No. 96-64 which adjusted the required mailout distance to 1200 feet for Use Permits, but did not adjust any of the other distances for procedures requiring mailouts, those being elevated permits and Wasilla Planning Commission (WPC) approvals. These changes were made with Ordinance Serial No. 97-39. At the request of the Council, Staff prepared Information Memorandum No. 97-39 to address the costs associated with the increased mailout distance requirements. In Staff's final comments, the impact on Staff time is discussed. The current requested change to the required mailout distances is intended to eliminate these additional costs and return the City to a policy more in line with the Matanuska-Susitna Borough (MSB) and the Municipality of Anchorage. Required mailout distance for the Municipality is "500 feet or the nearest 50 residences". Distances in the MSB are 600 feet.

The Planning Commission and Staff have noted that mailouts are only one of three ways the public is notified of public hearing items. Agendas are posted at six places in town and all public hearings are advertised in the newspaper. Also, the City Planner has the discretion to elevate any permit, meeting certain specified criteria, to one requiring a public hearing.


The WPC and Staff have also recommended a change regarding the handling of subdivision reviews. Current procedures require a review as a use permit. City of Wasilla reviews occur after a complete review by the MSB Platting Board. MSB procedures require a 600 foot mailout and a public hearing. The City has an opportunity to provide comment as part of this review process. The change to an administrative approval would still provide an opportunity for the City to determine that any concerns have been met without requiring a duplication of the mailout process and without causing the applicant a two week delay in acquiring their final plat. Again, the City Planner could elevate the permit review if conditions warranted such an action.




# CITY OF WASILLA

290 E. HERNING AVE.  
WASILLA, ALASKA 99654-7091

## INFORMATION MEMORANDUM 97-68

From: Tim Krug, City Planner 

Thru: Sarah H. Palin, Mayor 

To: Wasilla City Council

Date: October 20, 1997

Subject: Ordinance No. 97-60 Mailout Requirements

I strongly encourage the approval of Ordinance 97-60 for the following reasons:

- Soldotna, a community similar to Wasilla, has a mailout distance of 300 feet minimum.
- Kodiak Island Borough, a community surrounded by water, has a mailout distance of 350 feet minimum.
- Ordinances as modified by Council don't have mailout requirements.
- We are duplicating the requirements of the Matanuska-Susitna Platting Division when a landowner requires a subdivision change.
- According to WMC §8.01.090(D) the Wasilla Planning Commission will periodically review the Wasilla Development Code and recommend to the City Council changes it determines are desirable. The Commission **unanimously** voted in favor of these modifications of mailout distances.
- The current code allows the administration to go beyond the mailout distance. Example: If someone requires a variance on Lake Lucille a mailout should go out to all the property owners on the lake. Another example would be if someone requires a use permit in a distant corner of their subdivision the entire subdivision would receive the mailout notice.

Area Code (907)

Administration  
Ph: 373-9055  
Fx: 373-9092

Clerks Office  
Ph: 373-9090  
Fx: 373-9092

Finance  
Ph: 373-9070  
Fx: 373-9085

Library  
Ph: 376-5913  
Fx: 376-2347

Museum  
Ph: 373-9071  
Fx: 373-9072

Parks & Recreation  
Ph: 373-9053  
Fx: 373-9072

Planning  
Ph: 373-9094  
Fx: 373-9092

Police  
Ph: 373-9077  
Fx: 373-9051

Public Works  
Ph: 373-9095  
Fx: 373-9054

\_\_\_\_\_  
Ph: \_\_\_\_\_  
Fx: \_\_\_\_\_



ORDINANCE NO. 97-60

Subject: *Amendment to Waxilla Development Code Chapter 16.43  
Relating to Mailout Distances and Subdivision Procedures*  
Meeting Date: *September 22, 1997*

RECOMMENDED MOTION: *Introduce and set for  
public hearing October 13, 1997.  
and action*

Administration Recommendation: *Planning Commissioners & Staff have  
solid and valid reasons for requesting  
Council intro, public hearing & action on  
Approved by Sarah H. Palin, Mayor: this matter. Council: please contact  
Planning Dept. to gather your info. in order*

Route To:	Department:	Approval (Initials):	Remarks: <i>to make an informed decision</i>
1	Clerk's Office		
2	Finance		
3	Library		
4	Museum		
5	Planning	<i>[Signature]</i>	
6	Police		
7	Public Works		
8	Admin.	<i>SP</i>	

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

Ordinance Serial # 96-45, Ord. Serial # 96-64, Ord. Serial # 97-39, IM 97-39  
Staff Recommendation:

*Staff requests accelerated action to benefit the public.*

Summary Statement:

*Please see attached IM 97-59*