

Non-Code Ordinance

By: Council Member Graham
Introduced: July 25, 2016
Public Hearing: August 22, 2016
Amended: August 22, 2016
Adopted: August 22, 2016

Vote: Burney, Graham, Harvey, O'Barr, Wilson in favor
Sullivan-Leonard absent

**City of Wasilla
Ordinance Serial No. 16-21(AM)**

An Ordinance Of The Wasilla City Council Establishing A Temporary Moratorium On The Construction Of Single Family Dwelling Units Under 700 (Seven Hundred) Square Feet To Expire Not Later Than February 28, 2017, And Referring The Matter To The Planning Commission Seeking A Recommendation Back To The City Council.

WHEREAS, WMC 16.04.010(F) provides that the purpose of Title 16, the Land Development Code, is “[t]o ensure that future growth is of the proper type, design and location, and is served by a proper range of public services and facilities”; and

WHEREAS, WMC 2.60.010(B)(1) provides that the Planning Commission shall “[p]eriodically review the land development code and make recommendations to the council for amendments”; and

WHEREAS, AS 29.40.020 provides that the Planning Commission shall make recommendations concerning zoning regulations restricting the use of land and improvements; and

WHEREAS, the City Council wishes to consider amending WMC 16.24 and 16.04.070 to include the single family dwelling unit requirements outlined in Section 1 of this Ordinance; and

WHEREAS, the amendments address health and safety concerns as well as conformity with the land development code; and

WHEREAS, the City Council wishes to enact a moratorium on the construction of single family dwelling units that do not meet the square footage requirements of 16.24.025, as proposed

in Section 1 below, until the Planning Commission has an opportunity to consider changes to the code.

NOW THEREFORE BE IT RESOLVED, that the City Council refers Section 1 of this Ordinance to the Planning Commission seeking a recommendation back to the City Council and that the Planning Commission take action no later than December 13, 2016.

BE IT FURTHER RESOLVED, that a moratorium on the construction of single family dwelling units that do not meet the square footage requirements of 16.24.025 as proposed in Section 1 below is in effect until action by the City Council or February 28, 2017, whichever is earlier.

Section 1. Referral. The following is referred to the Planning Commission for action by December 13, 2016:

WMC 16.04.070, Definitions, is hereby amended to read as follows:

“Living area” means the commonly heated and/or air-conditioned area of a dwelling unit used for daily living quarters.

WMC 16.24.025, Single Family Dwelling Unit Requirements, is hereby enacted to read as follows:

16.24.025, Single Family Dwelling Unit Requirements

(A) All new single family dwelling units must have a minimum of 700 square feet of living area.

(B) Garages, attached storage facilities, and other areas not intended as living areas shall not be counted toward the minimum size.

Section 2. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on August 22, 2016.


BERT L. COTTLE, Mayor

ATTEST:

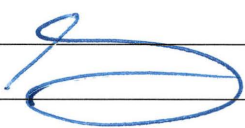
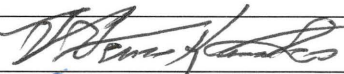



JAMIE NEWMAN, MMC, City Clerk

[SEAL]

CITY COUNCIL LEGISLATION STAFF REPORT

Ordinance Serial No. 16-21: An Ordinance Of The Wasilla City Council Establishing A Temporary Moratorium On The Construction Of Single Family Dwelling Units Under 1,000 (One-Thousand) Square Feet To Expire Not Later Than February 28, 2017, And Referring The Matter To The Planning Commission For Recommendation To The City Council By December 13, 2016

Originator: City Clerk for Council Member Stu Graham 
 Date: 7/14/16 Agenda of: 7/25/2016

Route to:	Department Head	Signature	Date
	Chief of Police		
X	Public Works Director		7/14/16
	Recreation & Cultural Services Director		
X	Finance Director		7/14/16
X	Deputy Administrator		7/13/16
X	City Clerk		7/14/16

Reviewed by Mayor Bert L. Cottle:  7:14:2016

Fiscal Impact: yes or no

Attachments: Ordinance Serial No. 16-21 (3 pages)

Summary Statement:

This ordinance is sponsored by Council Member Graham. The purpose of the ordinance is to establish a temporary moratorium on the construction of single family dwelling units under 1,000 square feet and to refer the matter to the Planning Commission. The moratorium will lapse on February 28, 2017. The intent is to have the Planning Commission take action on the issue by December 13, with their recommendation presented to the Council at its first meeting in January 2017.

Staff Recommendation: Introduce and set the ordinance for public hearing.