

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 09-46**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING WMC 16.34.030, APPEALS TO THE PLANNING COMMISSION TO INCREASE THE AMOUNT OF TIME TO FILE AN APPEAL TO THE PLANNING COMMISSION, AND WMC 16.36.060.A, APPEAL FROM PLANNING COMMISSION, TO REDUCE THE AMOUNT OF TIME TO FILE AN APPEAL TO 15 CALENDAR DAYS.**

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**Section 1. Classification.** This ordinance is of a general and permanent nature and shall become part of the city code.

**Section 2. Amendment of section.** WMC 16.34.030, Appeals to the planning commission, is hereby amended as follows:

Any interested person may appeal a decision or order of the city planner to the planning commission by filing a written notice of appeal with the city planner on a form provided by the city planner within **fifteen (15) calendar** [FIVE BUSINESS] days after date of the decision or order. The notice of appeal shall state with specificity the grounds for the appeal, include the appellant's mailing address or that of the appellant's attorney, and be accompanied by a filing fee of two hundred fifty dollars (\$250).

**Section 3. Amendment of subsection.** WMC 16.36.060.A, Appeals from the planning commission, is hereby amended as follows:

A. Any interested person adversely affected by a decision or order of the commission, other than a recommendation to the council regarding a rezoning or an amendment to this title, may appeal the decision or order to

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]

the hearing officer by filing an appeal application with the clerk on a form provided by the clerk within fifteen (15) **calendar** [BUSINESS] days after the date of the decision or order. The appeal application shall state with specificity the grounds for the appeal, include the appellant's mailing address or that of the appellant's representative.

**Section 4. Effective date.** This ordinance shall be take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on July 13, 2009.

  
VERNE E. RUPRIGHT, Mayor

ATTEST:

  
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KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

VOTE: Cox, Hall, Larson, and Woodruff in favor. Harris and Holler absent.

**Bold and underline added.** [CAPS AND BRACKETS, DELETED.]



**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**RE: ORDINANCE 09-46: AMENDING WMC 16.34.030, APPEALS TO THE PLANNING COMMISSION, TO INCREASE THE AMOUNT OF TIME TO FILE AN APPEAL.**

**Agenda of:** June 22, 2009

**Date:** June 4, 2009

**Originator:** Office of the City Clerk for Council Member Woodruff

*Christine Woodruff*

Route to:	Department	Signature/Date
X	City Planner	<i>[Signature]</i>
X	Finance Director	<i>[Signature]</i> 6.15.09
X	Deputy Administrator	<i>[Signature]</i>
X	City Clerk	<i>[Signature]</i>

**REVIEWED BY MAYOR VERNE E. RUPRIGHT:**

*[Signature]*

**FISCAL IMPACT:**  yes or  no

Funds Available  yes  no

**Account name/number:**

**Attachments:** Ordinance Serial No. 09-46

**SUMMARY STATEMENT:**

Currently WMC 16.34.030 allows for an interested party to file an appeal within five business days after the date of the decision of the planner. This timeframe is not adequate to allow for a party to prepare and file an appeal. An increase to allow 15 calendar days to file an appeal from the date of the decision will allow for the interested party to fully prepare and file their appeal.

Further, this ordinance also amends WMC 16.36.060.A to be consistent with the change above and amends the timeframe for filing an appeal on a decision of the planning commission to a hearing officer from 15 "business days" to 15 "calendar days." This amendment will make both sections relating to appeals consistent with one another.

This ordinance will also make our filing timeframe consistent with Matanuska-Susitna Borough code section 27.30.005 which allows for 15 calendar days for appeals to be filed.

**RECOMMENDATION:** Adoption of Ordinance Serial No. 09-46.