

By: Planning  
Public Hearing: 06/23/09  
Adopted: 06/23/09

**WASILLA PLANNING COMMISSION  
RESOLUTION SERIAL NO. 09-14**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION AMENDING THE  
WASILLA PLANNING COMMISSION BY-LAWS TO COMPLY WITH THE LAW AND  
BE CONSISTENT WITH THE WASILLA MUNICIPAL CODE.**

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WHEREAS, the City of Wasilla Planning Commission adopted on September 9, 2008 a set of Planning Commission By-Laws to govern how the Planning Commission functions; and

WHEREAS, the Wasilla Commission finds that the by-laws are not compliant with Wasilla Municipal Code which is the governing code for the Planning Commission; and

WHEREAS, the public hearing date and time was publicly advertised; and

WHEREAS, on June 23, 2009, the Planning Commission held a public hearing on this request; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the current provisions of the Wasilla Municipal Code; and

WHEREAS, after due consideration, the Planning Commission determines that the proposed by-law amendments make the by-laws consistent with Wasilla Municipal Code; and

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby adopts these by-law amendments with no conditions as follows:

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

City of Wasilla

Planning Commission By-Laws

**Consistent with WMC, Chapter 2.44**

**Purpose**

The following bylaws are hereby adopted by the Planning Commission of the City of Wasilla in order to:

1. improve interactions between the Commission and applicants, the public, and other administrative agencies;
2. provide for the efficient use of the time by Commission members, the public, applicants, and the planning staff; and
3. balance the efforts of the Commission between land use applications and the planning work necessary to guide [THE] progressive development in Wasilla.

**Officers**

1. The officers of the Planning Commission shall be Chairperson and Vice-Chairperson.
2. [THE OFFICERS SHALL BE ELECTED NOT LATER THAN THE LAST REGULAR MEETING IN FEBRUARY BY A MAJORITY VOTE OF THE MEMBERS OF THE PLANNING COMMISSION PURSUANT TO THE PROVISIONS IN THE WMC.] **Officers shall be elected by a majority of the commission members for a term of one year.**
3. **Election of officers shall be the first order of business at any time that an officer's seat is not filled.**[IN THE ABSENCE OF THE CHAIR

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

AND VICE-CHAIR, THE MEMBERS PRESENT MAY SELECT A MEMBER TO PRESIDE OVER THE MEETING.]

### **Duties and Powers of Office**

1. The duties of the Chairperson shall be to preside at all [OVER THE]commission meetings, [OF THE COMMISSION AND EXERCISE ALL THE POWERS USUALLY INCIDENT] to call meetings and to perform other duties as required[the office], retaining the full right to vote in all deliberations of the Commission.
2. The Chairperson shall decide on all points of order and procedure, subject to [THESE BY LAWS AND OTHER RULES ADOPTED BY THE COMMISSION] Robert's Rules of Order and the Wasilla Municipal Code.
3. The Chairperson shall [CALL SPECIAL MEETINGS IN ACCORDANCE WITH THE BY LAWS AND] sign documents on behalf of the Commission.
4. The duties of the Vice-Chairperson shall be to perform[, IN THE ABSENCE OF THE CHAIR, ASSUME] the duties of the Chairperson in the Chairperson's absence[AND RESPONSIBILITIES OF THE CHAIR].

### **Open Meetings**

All meetings of the Commission shall be open to the public and shall proceed in accordance with [PROVISIONS OF] AS 44.62.310, the State of Alaska Open Meetings Act.

### **Regular Meetings**

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1. The regular meetings of the Planning Commission of Wasilla shall be at 7:00 P.M. on the second and fourth Tuesday of each month; the Commission will convene for only one regular meeting in December.
2. When a regular meeting date falls on a holiday or city election day, the meeting shall be held at the regular time on the subsequent Thursday.
3. No new agenda item will be considered after 10:00 P.M. unless agreed to by five members present and the meetings will adjourn prior to 11:00 P.M. unless an extension is approved by five of the members present.
4. Before official and formal action can be taken, a quorum shall be present. A quorum is defined for the purposes of the by-laws as four [(4)] members.
5. The Chair, after discussion with the city planner, may cancel meetings when appropriate.

### **Special Meetings**

1. Special meetings may be called by the Chair person or three members of the commission. [, UPON WRITTEN REQUEST OF A MAJORITY OF THE COMMISSION, OR THE CITY COUNCIL PROVIDED THAT AT LEAST FORTY-EIGHT HOURS ADVANCE PUBLIC NOTICE HAS BEEN GIVEN, SETTING OUT THE DATE, TIME, PLACE, AND THE AGENDA ITEM OR ISSUE TO BE CONSIDERED AT THE SPECIAL MEETING.]
2. Only those matters [REFERRED] stated [TO] in the public notice shall be acted upon at [OF] a special meeting [MAY BE CONSIDERED AT A SPECIAL MEETING].

[WORK SESSIONS

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THE CHAIRPERSON MAY FROM TIME TO TIME CALL FOR WORK SESSION MEETINGS FOR THE PURPOSE OF RECEIVING INFORMATION, HEARING PRESENTATIONS, AND DISCUSSING INFORMATION, PROVIDED THAT NO ACTION IS TAKEN OR DETERMINATION MADE.]

### **Rules of Proceedings**

Meetings shall be conducted under Robert's Rules of Order [EXCEPT WHERE SUCH RULES OF PROCEDURE ARE MODIFIED BY THESE BY-LAWS.]

### **Order of Business**

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of the Agenda
- V. Reports
- VI. Public Participation
- VII. Consent Agenda
- VIII. New Business
- IX. Unfinished Business
- X. Communications
- XI. Audience Comments
- XII. Staff Comments
- XIII. Commission Comments
- XIV. Adjourn

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## Procedure

1. At each regular meeting of the Planning Commission the applicant and all persons having an interest in or desiring to be heard upon any matter which is the subject of a specific agenda item requiring a public hearing, shall be given an opportunity to be heard during the public hearing portion of the meeting.
2. There shall be a time during regular meetings for members of the public to address the Planning Commission concerning any matter relevant to the Planning Commission's jurisdiction but not on the agenda.
3. The time for such public participation, and any reasonable limitations thereon, shall be established from time to time by the Commission.

## Committee of the Whole

1. **At any regular or special meeting at which doing so is an agenda item, the Commission may vote to convene as a committee of the whole.** Discussion of any and all internal matters of the Commission, including reports of the staff of a general nature or of a subcommittee of the Commission may be considered by the Commission acting as a Committee of the Whole.
2. There shall be no public participation in Committee of the Whole except as follows:
  - a. By those persons specifically scheduled in advance to meet with the Commission on a specific topic; or

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- b. By persons specifically permitted and authorized to speak by a majority vote of the Commission prior to convening as a Committee of the Whole.

### **Conflict of Interest**

**No member of a commission shall vote on any question upon which he has a substantial direct or indirect financial interest. No member shall represent any person before the commission of which he is a member** [A MEMBER SHALL DISQUALIFY HIMSELF/HERSELF FROM PARTICIPATING IN ANY OFFICIAL ACTION IN WHICH HE OR SHE HAS A SUBSTANTIAL FINANCIAL INTEREST].

### **Voting**

1. Each member of the Commission, including the Chairperson, shall be entitled to one vote on any matter before the Commission.
2. Four affirmative votes shall be required to carry any measure before the Commission unless a greater number is required by ordinance.
3. Failure of a motion to approve any matter upon which the Commission is authorized to act shall be deemed a denial.
4. Failure of a motion to deny any matter upon which the Commission is authorized to act shall not constitute approval.
5. All Commission members present will vote unless the Commission permits a member to abstain. A member of the Commission requesting to be excused from voting may make a brief oral statement of the reasons for the request and the question of granting permission to abstain shall be taken without further debate.

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## **Decisions**

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

**1. The date of significant meetings or hearings related to the request;**

**2. The decision;**

**3. The basic facts and the reasoning leading to the decision; and**

**4. Conditions on the permit.**

**The decision must be signed by the chairperson and the city planner or planning clerk.**

**B. All permit actions by the Commission shall be summarized in a permit by the planning staff. The conditions of approval on a permit shall be mailed to each applicant. A copy of every permit issued will be retained in the permanent records of the planning office.**

## **[FINDINGS**

**THE COMMISSION SHALL INCLUDE FINDINGS OF FACT SUPPORTING ANY ACTION TAKEN ON AN APPLICATION FOR A CONDITIONAL USE, VARIANCE, OR ZONING. FINDINGS WILL ARTICULATE THE BASIS OF THE ACTION TAKEN ON THE APPLICATION.]**

## **Consensus**

**[THE COMMISSION MAY FROM TIME TO TIME EXPRESS ITS OPINION OR PREFERENCE CONCERNING A SUBJECT BROUGHT BEFORE IT FOR CONSIDERATION. AN OPINION REPRESENTING THE WILL OF THE BODY AND A**

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



MEETING OF THE MINDS OF THE MEMBERS MAY BE GIVEN BY THE PRESIDING OFFICER AS THE CONSENSUS OF THE COMMISSION WITHOUT TAKING A MOTION OR VOTE.

COMMITTEES]

1. With the consent of the Commission, the Chairperson may appoint ad hoc committees of the Commission for special study or review.
2. No committee of the Commission shall have the power to commit the Planning Commission to the endorsement of any plan or program without its submission to the Commission for consideration at a regular or special meeting.

#### Staff Support

A. The City Planner and the City Planner's staff shall assist[BE EXPECTED TO ATTEND ALL PUBLIC MEETINGS, COMMITTEE OF THE WHOLE, AND SUBCOMMITTEE MEETINGS OF] the Planning Commission.

B. The planning clerk shall act as the secretary to the commission and shall keep minutes of all meetings, which shall be a public record.

#### Notice of Meetings

Reasonable public notice of [A]all regular and special meetings of the commission shall be posted at City Hall. [AT LEAST SEVEN DAYS PRIOR TO THE MEETING. WPC 97-10]

[2. NOTICE SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION AVAILABLE IN THE COMMUNITY.]

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**Amendment**

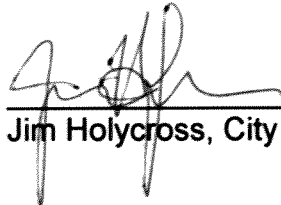
These By-laws may be amended by majority vote of the Commission at any regular or special meeting, provided that notice in writing has been given to each member at least ten days prior to the meeting, or provided that the proposed amendment was read at the last regular meeting of the Commission.

APPROVED by the Wasilla Planning Commission on June 23, 2009.

APPROVED:

  
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Stan Tucker, Chairman

ATTEST:

  
\_\_\_\_\_  
Jim Holycross, City Planner

VOTE: Passed Unanimously

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