

CODE ORDINANCE

By: Planning
Introduced: 02/08/10
Public Hearing: 02/22/10
Adopted: 02/10/10

**CITY OF WASILLA
ORDINANCE SERIAL NO. 10-01**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING
WMC 16.04.070, DEFINITIONS, TO ADD THE DEFINITION FOR COMMERCIAL
BUILDINGS.**

WHEREAS, the City Planner requested an amendment to WMC 16.04.070, Definitions, adding the definition for 'Building, Commercial'; and

WHEREAS, on November 10, 2009, the Wasilla Planning Commission held a public hearing on this request, which was publically advertised; and

WHEREAS, the Wasilla Planning Commission deliberated on this request taking into account the current provisions of the Title 16; and

WHEREAS, after due consideration, the Wasilla Planning Commission determined that the proposed amendment is appropriate.

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 16.04.070, Definitions, is hereby amended to add the definition as follows:

16.04.070 Definitions.

When used in this title, the following words and phrases shall have the meanings set forth in this section:

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


"Building" means any structure over one hundred twenty (120) square feet intended or used for the support, shelter or enclosure of persons, animals or property of any kind.

"Building, Commercial" all buildings in the downtown core area in the commercial zone; as defined as the area between Nelson St. to the Parks Hwy., and between Lucille St. to Crusey St.; shall have a foundation supporting the structure consisting of a footing and foundation system that is engineered for Alaska.

"Building height" (for purposes of determining the maximum height of a building) means the vertical distance from the average elevation of the finished grade at the foundation to the highest point on the roof, but not including radio antennas, water towers, church spires, penthouses constructed primarily for mechanical equipment and similar building mechanical features.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on February 22, 2010.



VERNE E. RUPRIGHT, Mayor

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

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

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



**CITY OF WASILLA
LEGISLATION STAFF REPORT**

Ordinance Serial No. 10-01: AMENDING WMC 16.04.070, DEFINITIONS, TO ADD THE DEFINITION FOR COMMERCIAL BUILDINGS.

Agenda of: February 8, 2010
Originator: Marvin Yoder, Deputy Administrator

Date: January 27, 2010

Route to:	Department	Signature/Date
	Chief of Police	
	Recreational and Cultural Services Manager	
	Director of Public Works	
X	Director of Finance	<i>Joan J. Kelly 01/27/10</i>
X	Deputy Administrator	<i>Marvin Yoder</i>
X	City Clerk	<i>K. Scott</i>

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

FISCAL IMPACT: yes or no

Funds Available yes no

Account name/number: N/A

Attachments: Planning Commission Resolution Serial No: 09-26 (AM)
(2 pp)

SUMMARY STATEMENT: The City Planner requested an amendment to WMC 16.04.070, to add the word Commercial Building. This addition was requested to prevent temporary buildings being put in place in commercial zones.

STAFF RECOMMENDATION: Approve the adoption of Ordinance Serial No: 10-01.

By: Planning
Public Hearing: 11/10/09
Adopted: 11/10/09

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 09-26 (AM)**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION AMENDING
WMC 16.04.070 DEFINITIONS TO ADD THE DEFINITION FOR BUILDINGS,
COMMERCIAL.**

WHEREAS, the City Planner requested an amendment WMC 16.04.070, Definitions, to add the definition for 'Building, Commercial';

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

WHEREAS, on November 10, 2009, the Wasilla Planning Commission held a public hearing on this request;

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

WHEREAS, after due consideration, the Wasilla Planning Commission determines that the proposed amendment is appropriate; and

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby adopts the WMC amendment and forwards this recommendation for adoption to the City Council with no conditions as follows:

Amendment of section. WMC 16.04.070, Definitions, is hereby amended to add the definition as follows:

16.04.070 Definitions.

When used in this title, the following words and phrases shall have the meanings set forth in this section:

"Berm" means a vegetated, raised earthen barrier.

"Building, Commercial Zone" all buildings in the downtown core area in the commercial zone; as defined as the area between Nelson St. to the Parks Hwy., and between Lucille St. to Crusey St.; shall have a foundation supporting the structure consisting of a footing and foundation system that is engineered for Alaska.

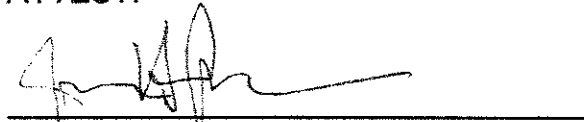
"Building" means any structure over one hundred twenty (120) square feet intended or used for the support, shelter or enclosure of persons, animals or property of any kind.

APPROVED by the Wasilla Planning Commission on November 10, 2009.

APPROVED:


Stan Tucker, Chairman

ATTEST:


Jim Holycross, City Planner

VOTE: Passed Unanimously