



CITY OF WASILLA
 • Planning Office •
290 East Herning Avenue • Wasilla • Alaska • 99654-7091
 • Telephone 907-373-9020 •

APPLICATION FOR CONDITIONAL USE CU# _____ - _____

PROPERTY OWNER *		OWNER'S REPRESENTATIVE (If Any)	
Name:	Name:		
Mailing Address:	Mailing Address:		
Contact Phone: Day Night	Contact Phone: Day Night		
FAX:	FAX:		
E-mail:	E-mail:		

*Attach list of additional owners if any.

PROPERTY INFORMATION
Size of property:
Property tax #
Street Address:
Legal Description: Lot(s) _____ Block _____ Subdivision _____
OR Parcel/Tract _____ Section _____ Township _____ Range _____
[Attach additional page if necessary.]
Zoning: RR Residential <input type="checkbox"/> R1 Single-family Residential <input type="checkbox"/> R2 Residential <input type="checkbox"/> RM Multi-family <input type="checkbox"/> C Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Public <input type="checkbox"/>
Requested Use:

AUTHORITY TO APPLY FOR CONDITIONAL USE :

I hereby certify that I am (I am authorized to act for the) owner of the property and that I am applying for a Conditional Use in conformance with Title 16 of the Wasilla Municipal Code of Ordinances. I understand that payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that it does not assure approval of the conditional use.

DATE: _____

SIGNATURE: _____

Comprehensive Plan Information	
Expected Future Land Use Map shows property as :	
Generally Residential <input type="checkbox"/>	Parks <input type="checkbox"/> Mixed Use Area <input type="checkbox"/>
Generally Commercial/Business <input type="checkbox"/>	Generally Industrial <input type="checkbox"/> Public/Institutional <input type="checkbox"/>

Land Use
Describe current use of property covered by this application:
Surrounding property: (Describe how land adjacent to the property is currently being used.) North:
South:
East:
West:

Attach a written narrative addressing the following Criteria –
16.16.050
A. An administrative approval, use permit, elevated administrative approval, elevated use permit or conditional use may be granted if the following general approval criteria and any applicable specific approval criteria of Section <u>16.16.060</u> are complied with. The burden of proof is on the applicant to show that the proposed use meets these criteria and applicable specific criteria for approval. An approval shall include a written finding that the proposed use can occur consistent with the comprehensive plan, harmoniously with other activities allowed in the district and will not disrupt the character of the neighborhood. Such findings and conditions of approval shall be in writing and become part of the record and the case file.
1. Neighbors. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.
2. Plans. The proposal is substantially consistent with the city comprehensive plan and other city adopted plans.
3. Special Uses. The proposal is substantially consistent with the specific approval criteria of Section <u>16.16.060</u> .
4. Reviewing Parties. Due deference has been given to the comments and recommendations of reviewing parties.
5. Neighborhoods. Due deference has been given to the neighborhood plan or comments and recommendations from a neighborhood with an approved neighborhood plan.
6. Fire Safety and Emergency Access. The proposal shall not pose a fire danger as determined by the State Fire Marshal or the fire chief of the district in which the proposed use is located. Adequate access for emergency and police vehicles must be provided.
7. Traffic. The proposed use shall not overload the street system with traffic or result in unsafe streets or dangers to pedestrians.
8. Dimensional Standards. The dimensional requirements of Section <u>16.24.010</u> are met.
9. Parking. The parking, loading areas and snow storage sites for the proposal shall be adequate, safe and properly designed. The developer may be required to install acceptable lighting at pedestrian or vehicular access points.

10. Utilities. The proposed use shall be adequately served by water, sewer, electricity, on-site water or sewer systems and other utilities.
11. Drainage. The proposed use shall provide for the control of runoff during and after construction. All roads and parking areas shall be designed to alleviate runoff into public streets, adjoining lots and protect rivers, lakes and streams from pollution. Uses may be required to provide for the conservation of natural features such as drainage basins, watersheds, and land stability.
12. Large Developments. Residential development of more than four units or nonresidential development of more than ten thousand (10,000) square feet gross floor area may be required to provide a site plan showing measures to be taken for the preservation of open space, sensitive areas and other natural features; provision of common signage; provision for landscaping and provisions for safe and effective circulation of vehicles, pedestrians and bicycles. Nonresidential large developments must be located with frontage on one of the following classes of streets: interstate, minor arterial, major collector or commercial.
13. Peak Use. The proposed use shall not result in significantly different peak use characteristics than surrounding uses or other uses allowed in the district.
14. Off-Site Impacts. The proposal shall not significantly impact surrounding properties with excessive noise, fumes or odors, glare, smoke, light, vibration, dust, litter, or interference in any radio or television receivers off the premises, or cause significant line voltage fluctuation off the premises. Radio transmitters and any electronic communications equipment regulated by the Federal Communications Commission is specifically excluded from regulation by this section. Welding, operation of electrical appliances or power tools, or similar activities that cause off-site impacts as described above are specifically regulated by this subsection. Buffering may be required to ameliorate impacts between residential and nonresidential uses. The owner of the property upon which the buffer is constructed is responsible for the maintenance of the buffer in a condition that will meet the intent of this criteria.
15. Landscaping. The proposed use shall be designed in a manner that minimizes the removal of trees and vegetative cover, and shall conform to the standards in this title concerning the provision and maintenance of landscaping, and any landscaping plan that is required for the proposed use under this title. The approval authority also may condition approval on the provision of the following: <ol style="list-style-type: none"> a. A fenced storage area for common use, adequate to store boats, trailers, snowmobiles, recreational vehicles and similar items. b. Adequately sized, located and screened trash receptacles and areas.
16. Walkways, Sidewalks and Bike Paths. Pedestrian walkways or bicycle paths may be required where necessary to provide reasonable circulation or access to schools, playgrounds, shopping areas, transportation or other community facilities. Improvements must be constructed to standards adopted by the engineer.
17. Water, Sewage and Drainage Systems. If a proposed use is within five hundred (500) feet of an existing, adequate public water system, the developer may be required to construct a distribution system and the connection to the public system. A developer may be required to increase the size of existing public water, sewer or drainage lines or to install a distribution system within the development. The commission may require any or all parts of such installation to be oversized. The developer must submit to the engineer an acceptable plan that shows that if within ten (10) years an increase in capacity will be required to serve other areas, how these needs will be met by oversized facilities. When installation of oversized facilities is required, the developer shall install such facilities at their own expense. The developer shall be reimbursed the amount determined by the engineer to be the difference in cost between the installed cost of the oversized utility lines and the installed cost of the utility lines adequate to serve both the development concerned and all other land to be served by the lines which is owned or under the control of the developer, provided the developer may not be required to install facilities unless funds for such oversizing have been appropriated for the purpose by the city and there is a sufficient unencumbered balance in the balance in the appropriation. No reimbursement may be made unless the

developer has entered into such agreement with the city, including conveyances of personal property including lines, lift stations and valves and conveyances of land or rights in land, as the city determines may be necessary to ensure complete control by the city of its sewer, drainage and water lines when they are extended to serve the property of the developer. Notwithstanding the requirement that the developer construct improvements to existing systems, the commission may elect to accomplish the design or construction, or both, of improvements to be made to existing public systems. In such a case, the commission may require advance payment to the city of the estimated cost of work to be accomplished by the city. The developer shall reimburse the city for all expenses of such design or construction not paid in advance. A public system is adequate if, in the judgment of the engineer, it is feasible for the developer to make improvements to the public system which will provide the increased capacity necessary to serve the existing users and the new development at the same level as is being provided to the existing users. Prior to approval of a use for which a community water system is required, the developer must submit evidence showing that there is available a satisfactory source of water. A source of water is satisfactory only if it can be shown that the proposed source will produce water sufficient in quality and quantity to supply the development. The water system and the connection between such distribution systems and the source must be sized and constructed to meet fire flow and hydrant requirements for fire protection and that the developer has obtained or can obtain a water appropriation permit or certificate for the water from the state. The system must be built to city specifications available from the engineer.

18. Historic Resources. The proposed use shall not adversely impact any historic resource prior to the assessment of that resource by the city.

19. Appearance. The proposed use may be required to blend in with the general neighborhood appearance and architecture. Building spacing, setbacks, lot coverage, and height must be designed to provide adequate provisions for natural light and air.

20. Open Space and Facilities. The applicant may be required to dedicate land for open space drainage, utilities, access, parks or playgrounds. Any dedication required by the city must be based on a written finding that the area is necessary for public use or safety and the dedication is in compliance with adopted municipal plans and policy. The city finding shall conclude that a direct connection exists between the development and the need for the provision of the dedication. No land may be accepted by the city unless:

- a. The location, shape, size and character of the area is suitable for the planned use;
- b. The uses authorized for an area are appropriate to the scale and character of the uses considering its size, density, expected population, topography, and the number and type of dwellings and uses to be conducted;
- c. The area must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved;
- d. If the final development plan provides for buildings, landscaping or other improvements in the dedicated area, the developer must provide a bond or other adequate assurance that such improvements will be completed. The city shall release the bond or other assurance when the buildings, structures or improvements have been completed according to the development plan;
- e. All land must be conveyed under one of the following options:
 - i. It may be conveyed to an agency that will agree to maintain in perpetuity the area and any buildings, structures, or improvements which have been placed on it.
 - ii. When no maintenance of the area is required, it may be conveyed to all new owners in undivided joint ownership.
 - iii. When the land is not dedicated to a public agency and maintenance of the common space is required, an association for maintenance of the area must be established. Covenants establishing the association must be approved as to form by the city attorney, and by the commission as to whether the covenants provide for maintenance of the area in a manner which

assures its continuing use for its intended purpose.
 iv. Conveyance of an area must be consistent with AS 34.07 the Horizontal Property Regime Act.
 21. Winter Hassles. The proposed use shall not significantly increase the impact on the surrounding area from glaciation or drifting snow. (Ord. 06-47(AM) § 4, 2006; prior code § 16.43.508)

Application Check list:

- Applicant has owner's authorization to submit application.
- Narrative addressing criterion is attached.
- Application fee.
- Legal description.

Accepted by:	Representative Affidavit: N/A <input type="checkbox"/> Attached <input type="checkbox"/>	Fee:	Tentative WPC Hearing Date:
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City Planner Approval:
This Land Use Permit is valid beginning _____, 20_____, unless an appeal is filed, upon which all activity must cease on this property.
Approval of City Planner: _____ Date: _____

Notice of Right to Appeal: All decisions of the City Planner are appealable per WMC Title 16.