

Mayor Edna B. DeVries
Deputy Mayor Sabrena Combs
Council Member Julie Berberich
Council Member Richard W. Best
Council Member Steve Carrington
Council Member Brian Daniels
Council Member Jill Valerius

City Attorney Michael Gatti
City Clerk Norma I. Alley, MMC
City Manager John Moosey

City of Palmer, Alaska
Special City Council Meeting
February 20, 2021, at 9:00 AM
City Council Chambers
231 W. Evergreen Avenue, Palmer
www.palmerak.org

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF AGENDA

1. Approval of Consent Agenda
 - a. Introduction and Setting a Public Hearing for February 23, 2021, for **Ordinance No. 21-001:** Amending Palmer Municipal Code Title 17 Enacting Palmer Municipal Code Chapter 17.30 Creating a Central Business District..... Page 3
 - b. Introduction and Setting a Public Hearing for February 23, 2021, for **Ordinance No. 21-002:** Amending Palmer Municipal Code Title 17 Regarding a Central Business District and Enacting Palmer Municipal Code Section 17.28.020 Palmer Commercial Land Use Matrix..... Page 15

E. AUDIENCE PARTICIPATION

F. NEW BUSINESS

1. **Committee of the Whole:** Strategic Planning Session

G. RECORD OF ITEMS PLACED ON THE TABLE

H. COUNCIL COMMENTS

I. ADJOURNMENT

**City of Palmer
Ordinance No. 21-001**

Subject: Amending Palmer Municipal Code Title 17 Enacting Palmer Municipal Code Chapter 17.30 Creating a Central Business District

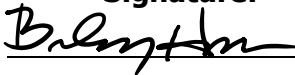
Agenda of: January 12, 2021 – Committee of the Whole
February 20, 2021 – Introduction

Council Action: **Adopted** **Amended:** _____
 Defeated

Originator Information:

Originator: Brad Hanson, Director Community Development

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development	<u></u>	<u>December 22, 2020</u>
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ **0.00**



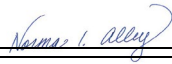
- This legislation (√):
- Creates revenue in the amount of: \$ _____
 - Creates expenditure in the amount of: \$ _____
 - Creates a saving in the amount of: \$ _____
 - Has no fiscal impact

Funds are (√):

- Budgeted Line item(s): _____
- Not budgeted _____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager	<u></u>	_____
City Attorney	<u></u>	_____
City Clerk	<u></u>	_____

Attachment(s):

1. Ordinance No. 21-001
2. Map of proposed Central Business District
3. Planning and Zoning Commission Minutes for September 17, 2020
4. City of Palmer Zoning Map

Summary Statement/Background:

During Planning and Zoning Commission's review of PMC Title 17, it became apparent the need to establish consistent procedures and standards for the traditional downtown within the city of Palmer. The central business district is unique and special consideration should be given due to their character, historical importance and the city's economic well-being. The Central Business District (CBD) will assist Palmer to promote and protect the public health, safety, comfort, character, convenience and general welfare in the CBD zoning district while meeting the goals established in the comprehensive plan.

The general purpose of the Central Business District in the city of Palmer is:

1. To allow for the establishment of other appropriate uses which are determined to be compatible with the intent of the district.
2. To promote additional opportunities for investment and reinvestment by allowing higher intensity of development.
3. To promote the integrity of transportation corridors in the town through motorized and nonmotorized access and beautification improvements.
4. To expand opportunities to create high level development through sound land use practices.
5. Encouraging development and redevelopment that contains a compatible mix of residential and nonresidential uses within proximity to each other, rather than separating uses.
6. Promoting flexibility to encourage quality, scale and character of development consistent with downtown's existing or planned uses.

Administration's Recommendation:

Adopt Ordinance No. 21-001 enacting Palmer Municipal Code Chapter 17.30, Central Business District.

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date: February 20, 2021

Public Hearing:

Action:

Vote:

Yes:

No:

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CITY OF PALMER, ALASKA

Ordinance No. 21-001

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Title 17 Enacting Palmer Municipal Code Chapter 17.30 Creating a Central Business District

WHEREAS, the Planning and Zoning Commission (Commission) proposes and recommends text amendments as necessary to Title 17 Zoning to ensure the regulations and standards are applicable to the current needs of the community; and

WHEREAS, the Commission has reviewed and determined enacting Palmer Municipal Code Chapter 17.30 Central Business District overlay zoning district can promote downtown Palmer’s unique character and general welfare; and

WHEREAS, the Commission has reviewed and discussed Central Business Districts from other similar communities and has drafted code language to allow for the establishment of other compatible uses; and

WHEREAS, the Commission has determined there is a need to expand opportunities to create high level development through sound land use principals, encouraging development and redevelopment that contains a compatible mix of commercial and residential uses.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 17.08 Definitions is hereby amended to include a definition for the Central Business District as follows (new language is underlined, and deleted language is stricken):

17.08.076 Central Business District.

Central Business District (CBD) means an overlay district created to assist Palmer to promote and protect the public health, safety, comfort, character, convenience and to encourage economic growth in the downtown core both commercially and residentially. The boundaries are those described in PMC 17.30.050 3.

Section 4. Palmer Municipal Code Chapter 17.30 Central Business District is hereby enacted to read as follows:

17.30.010 Intent.

The intent of this chapter is to establish consistent procedures and standards for the traditional downtown in the city of Palmer that is unique or requires additional consideration due to their character, historical importance or importance to the town's economic well-being. The overlay districts will assist Palmer to promote and protect the public health, safety, comfort, character, convenience and general welfare in the Central Business District (CBD) overlay zone while meeting the goals established in the comprehensive plan.

17.30.020 Permitted uses.

- A. All uses as defined in Palmer Use Matrix 17.28.020
Permitted principal uses in the Central Business District (CBD) are:
- B. One single-family dwelling per lot;
 - 1. Accessory Dwelling Unit as an accessory use within the CBD.

17.30.021 Compatibility of use not defined

A. Where a proposed use is not specifically identified by this ordinance or the ordinance is unclear as to whether the use is allowed in a particular zone, the zoning administrator may find the use is similar to another use that is permitted, allowing conditionally, or prohibited in the Central Business District and apply the ordinance accordingly. Land use rulings that require discretion on the part of the zoning administrator shall be confirmed by the Planning and Zoning Commission at the next regular meeting that allows due public notice.

17.30.022 Appeal of compatibility of use

A. In the event the petitioner disagrees with the confirmation of the planning and zoning they may appeal to the Palmer City council for final city evaluation. Any subsequent appeal will be the Alaska Superior Court, in Palmer Alaska.

17.30.028 Accessory uses.

- A. Accessory uses in the Commercial Limited district are as follows:
- B. Dwelling units in conjunction with and accessory to the permitted use.
- C. Uses customarily incidental to the permitted use.
- D. Storage Buildings.
 - 1. Development standards.
 - 2. Building Permits. The building and any accessory structures, such as add-on canopies, stairs and decks shall comply with building codes. Trailer-type stands that are raised off wheels shall require building permits for adequate tie-downs and skirted with similar materials as principal siding.
 - 3. Signage. All signs will meet the requirements of PMC 14.
 - 4. Setbacks. All structures shall be set back per the requirements PMC; Structures, signs and parking and maneuvering areas shall not obstruct sight distance.
 - 5. Site Plan. Comply with site plan standards for title 17 PMC.
 - 6. Size Limitations. May not exceed 400 square feet.
 - 7. Placement shall be in rear of primary structure or use

17.30.030 Conditional Uses.

- A. The following conditional uses are allowed in the CBD district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 17.28.020 of this chapter and include:
 - 1. Propane and butane service;
 - 2. Car washes;
 - 3. Crematory;
 - 4. Welding service and supplies;
 - 5. Mental health facility;
 - 6. Residential care facility;

17.30.040 Prohibited uses

A. Land uses as defined in Palmer Use Matrix 17.28.020

B. Connex storage building unless

1. Screened with 6' solid cedar fence, when placed abutting a residential use.
2. Sided with siding of similar material as that of primary structure on lot.
3. Sided or screened when abutting a nonresidential use.
4. Placement shall be in rear of primary structure.
5. Size Limitations. Shall not exceed 200 square feet.

C. Parking or storage of heavy equipment, such as tractors, graders or trucks;

D. Temporary Buildings, except when;

Development Standards.

1. Sites with on-site parking and/or drive-up facilities will require an approved driveway approach with adequate sight distance per Section.
2. Drive-up stacking. Stands with drive-up windows require three (3), eighteen (18) foot-long queuing spaces per window. Fewer spaces may be approved by the responsible official; provided, that a plan is submitted that shows the site has sufficient overflow areas so that traffic will not block streets, sidewalks, or parking lot circulation aisles.
3. Parking. Parking shall meet minimum PMC 17.64.
4. Building Permits. The temporary building and any accessory structures, such as add-on canopies, stairs and decks shall comply with building codes. Trailer-type stands that are raised off wheels shall require building permits for adequate tie-downs and skirted with similar materials as principal siding.
5. Meet all applicable licensing.
6. Signage. All signs will meet the requirements of PMC 14.
7. Setbacks. All structures shall be set back per the requirements PMC; Structures, signs and parking and maneuvering areas shall not obstruct sight distance.
8. Site Plan. Comply with site plan standards for title 17 PMC.
9. Size Limitations. May not exceed 700 square feet.

17.30.050 General provisions.

A. Applicability.

1. The overlay district is created as a special area to be superimposed on the underlying districts by approval of the city council as appropriate.
2. Boundaries of the overlay district(s) are shown on the zoning map but may be modified from time to time by the city of Palmer.
3. Land use standards provided herein are intended to supplement those permitted in the Commercial General and Commercial Limited districts and in most cases may be more restrictive than those of the underlying commercial zoning district.
4. Underlying uses of residential districts shall prevail. Wherever there exists a conflict between the requirements of the underlying commercial zoning and those of the overlay district, the requirements for the overlay district shall prevail.
5. The Central Business District is defined as follows:
Beginning at the intersection of the Palmer/Wasilla Highway & the Glenn Highway centerlines, then north along the centerline of the Glenn Highway, then east to the northwest corner of parcel 18N02E32 Lot D9, then east along the north side of parcels 18N02E32 Lot D9, Tract B, Colony Fair, 18N02E32 Lot D8, 18N02E32 Lot D7, then north along the west side of parcel Tract A-1, Colony Fair RSB T/A & C, then east along the north side of said parcel to the centerline of S. Cobb St., then north along the centerline of S. Cobb St., to the centerline of W. Blueberry Ave., then east along the centerline of W. Blueberry Ave., then southeast to the centerline of E. Blueberry Ave., then east along the centerline of E. Blueberry Ave., then crossing over S. Colony Way to continue east along the centerline of E. Blueberry Ave., to the centerline of S. Denali St., then south along the centerline of S. Denali St., to the centerline of E. Cottonwood Ave., then east along the centerline of E. Cottonwood Ave., to the centerline of S. Gulkana St., then south along the centerline of S. Gulkana

St., to the southeast corner of Tract A, Arbor Estates, then west along the south property line of Tract A to Lot 4, Block 2, Arbor Estates, then south to the southeast corner of Lot 4, Block 2, Arbor Estates, then west along the south property lines of Lots 4, 3, 2, and 1, Block 2, Arbor Estates, then west to the junction of S. Eklutna & E. Fern Ave., then west along the centerline of E. Fern Ave., to the centerline of S. Chugach St., then north along the centerline of S. Chugach St., to the centerline of E. Fireweed Ave., then west along the centerline of E. Fireweed Ave., to the centerline of S. Colony Way, then south along the centerline of S. Colony Way, then west to the southeast corner of parcel 17N02E04 Lot B4, then west along the south side of said parcel, to the centerline of S. Cobb St., then north along the centerline of S. Cobb St., to the centerline of W. Fern Ave., then west along the centerline of W. Fern Ave., to the centerline of S. Dimond St., then north along the centerline of S. Dimond St., to the centerline of W. Elmwood Ave., then west along the centerline of W. Elmwood Ave., to the junction of W. Elmwood and the Glenn Highway, then north along the centerline of the Glenn Highway to the point of beginning.

B. District boundaries, Zoning Map. The Planning and Zoning Commission shall recommend the boundaries of the overlay districts as part of their establishment. Such boundaries shall be delineated on the zoning map, with the identifying name(s).

C. Lot, Yard, setbacks and open space requirements. Any lot, yard, or development standards established by an overlay district shall apply as follows:

1. All lot, yard, setback and open space requirements established by an underlying zoning district shall apply unless alternate standards are provided by the overlay district(s).

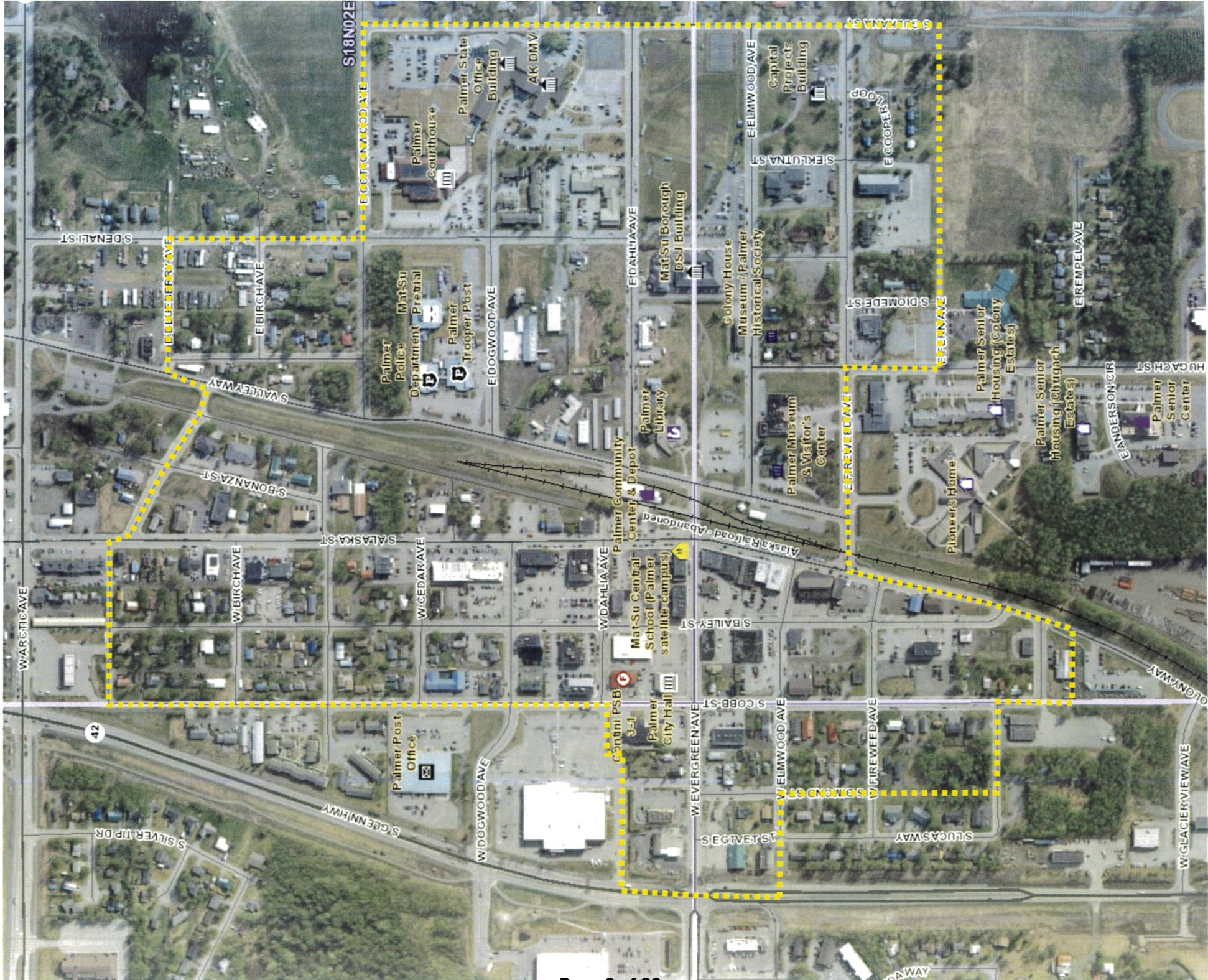
D. Parking. Parking in this overlay district shall be in accordance with provisions of Chapter 17.64

Section 5. Effective Date. Ordinance No. 21-001 shall take effect upon adoption by the city of Palmer City Council.

Passed and approved this _____ day of _____, 2021.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk



A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chair Benedetto at 7:00 p.m.

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

Richard Benedetto, Chair	Kristy Thom Bernier (via teleconference)
Dan Lucas (via teleconference)	Josh Tudor (via teleconference)
Gena Ornquist (via teleconference)	Sabrina Shelton (via teleconference)

Absence(s):

Casey Peterson, Vice Chair (Excused without objection)

Also present were:

Brad Hanson, Community Development Director
Pam Whitehead, Recording Secretary (via teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Chair Benedetto.

D. APPROVAL OF AGENDA:

The agenda was unanimously approved as presented by roll call vote of all Commissioners present. [Shelton, Tudor, Ornquist, Thom-Bernier, Lucas, Benedetto; *Absent:* Peterson]

E. MINUTES OF PREVIOUS MEETING:

The minutes of the **July 16, 2020 Regular Meeting** were unanimously approved as presented by roll call vote of all Commissioners present. [Shelton, Tudor, Ornquist, Thom-Bernier, Lucas, Benedetto; *Absent:* Peterson]

F. PERSONS TO BE HEARD: There were no persons in the audience.

G. PUBLIC HEARINGS:

1. **IM 20-019:** Consideration of map and text amendment to Palmer Municipal Code Chapter 17.xx to create a Central Business District overly zoning district.

Staff Report: Director Hanson provided an update from the previous meeting noting that this is the second public hearing on this topic. The Commission is to continue review and discussion of draft Ordinance No. 20-0xx and map showing new boundaries of the proposed CBD, and if approved, move it forward to the City Council with a recommendation for adoption.

Public Hearing:

Chair Benedetto opened and closed the second public hearing at 7:10 p.m. as there were no members of the public in attendance to testify.

Chair Benedetto reminded of the following motion on the table postponed from the last meeting and opened the matter for continued review and recommendation.

Main Motion: (For review, discussion and recommendation regarding proposed CC Ordinance No. 20-0xx Text Amendment and Map.)

Moved by: (Shelton)
Seconded by: (Tudor)

Director Hanson reported the additions/revisions from discussions at the last meeting. The Commission reviewed and had no additional revisions.

Main Motion: For approval of Ordinance No. 20-0xx of the Palmer City Council Amending PMC Title 17 Zoning by enacting 17.30 Central Business District, and move forward to the City Council with a recommendation for adoption.

Moved by: Shelton
Seconded by: Tudor
Vote: 6 Yes / 0 No (*Absent:* Peterson)
Action: Motion Carried by roll call vote of all Commissioners present.



2. **IM 20-023:** Consideration of text amendments to Palmer Municipal Code Chapter 17.28 and 17.32 and add 17.xx.xxx Palmer Land Use Matrix.

Staff Report: Director Hanson summarized that this proposed Ordinance is the culmination of the Commission’s work on Title 17 CL, CG and the Palmer Land Use Matrix; that essentially this is the introduction of the Land Use Matrix into Title 17 as opposed to listing the permitted uses in each section of the code. He recommended revising the title to state Palmer *Commercial* Land Use Matrix for better clarification and definition.

Public Hearing:

Chair Benedetto opened and closed the public hearing at 7:23 p.m., as there were no members of the public in attendance to testify.

Chair Benedetto called for the motion to put the matter on the table for discussion/review:

Main Motion: For approval of proposed Ordinance No. 20-0xx, Amending PMC Title 17.08 definitions, PMC 17.28 Commercial Limited and PMC 17.32 Commercial General, and Inserting 17.xx Palmer Land Use Matrix, and move forward to the City Council with a recommendation for adoption.

Moved by: Lucas
Seconded by: Shelton

Following brief discussion in agreement with inserting “commercial” in the title Palmer Land Use Matrix:

Primary Amendment #1: To amend the main motion to state in the title: Palmer *Commercial* Land Use Matrix .

Moved by: Lucas
Seconded by: Tudor
Vote: 6 Yes / 0 No; (*Absent:* Peterson)

Action: Motion Carried by Roll Call vote of all Commissioners present.

Vote on Main Motion as Amended:

Vote: 6 Yes / 0 No; (*Absent:* Peterson)

Action: Motion Carried by Roll Call vote of all Commissioners present.

H. UNFINISHED BUSINESS: None.

I. NEW BUSINESS: None.

J. PLAT REVIEWS:

1. **IM 20-021:** Preliminary Plat – To create six lots from Lots 1 and 2, Ravens Ridge to be known as Ravens Ridge 2020.

[Commissioner Lucas declared a conflict of interest as he is one of the petitioners and removed himself from the Commission table and discussion.]

Director Hanson reported comments of City Departments including:

Building Inspector and Fire Chief: Any driveway 150' or longer must have approved fire apparatus turn-around; *Community Development:* The proposed lots are located within the City and the Airport Influence Area. There were no other City comments.

There was brief discussion regarding street access.

The Commission had no additional comments other than for approval.

[Commissioner Lucas returned to the table]

2. **IM 20-022:** Abbreviated Plat – To subdivide Lots 10 and 11, Block 1, Roland Snodgrass, into two new lots to be known as Valley Way.

Director Hanson reported comments of City Departments including:

Community Development: The proposed lots are located within the City and within the Airport Influence Area. There were no other City comments.

The Commission had no additional comments other than for approval.

K. PUBLIC COMMENTS: There were no members of the public in attendance.

L. STAFF REPORT:

Director Hanson:

- Thanked the Commission for approval of the two ordinances moving forward to the City Council;
- Inquired if there was any objection to changing the date of the October P&Z regular meeting from October 15 to *Wednesday, October 21, 2020*, as council chambers may need to be reserved for election purposes. There were no objections by the Commissioners present.

M. COMMISSIONER COMMENTS:

Commissioner Shelton:

- Commented in appreciation for Director Hanson’s hard work on the ordinances.

Commissioner Ornquist:

- Inquired as to the status of the U-Haul appeal. Director Hanson responded that the Appeal hearing before the Hearing Examiner is scheduled for September 29, 2020 at 9:00 am; he will have more to report following the hearing.
- In addition, Director Hanson informed U-Haul has submitted an application for a Large Retail Establishment Limited Development Plan. He further explained the LRE Ordinance and process of administrative review.
- There was further brief discussion.

Chair Benedetto:

- Spoke in appreciation of staff’s work on the ordinances and is glad they are moving forward.

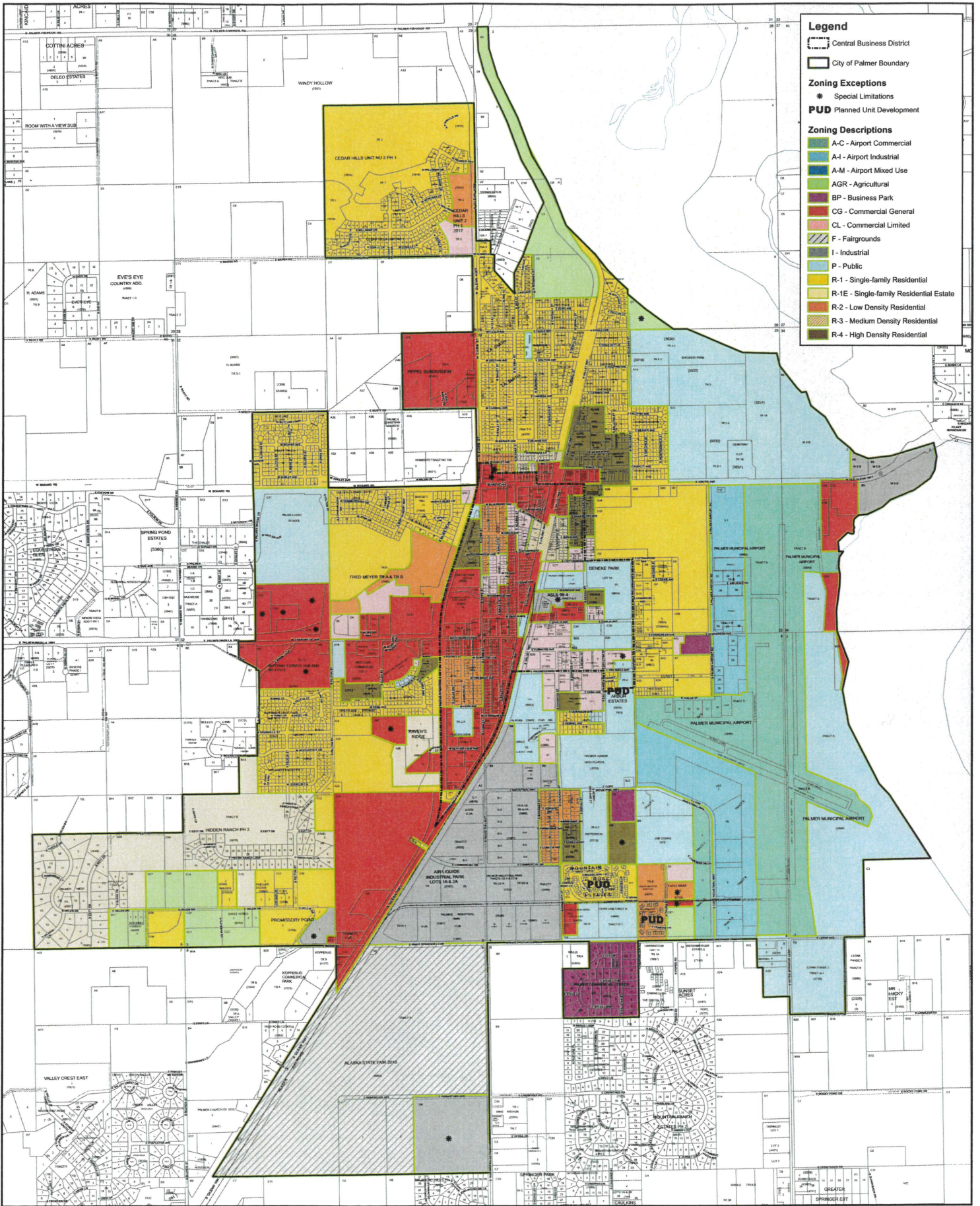
N. ADJOURNMENT:

There being no further business, the meeting adjourned without objection at 7:38 p.m.

APPROVED by the Planning and Zoning Commission this 21st day of October, 2020.

Richard Benedetto, Chair

Brad Hanson, Community Development Director



City of Palmer
Current Zoning Districts
December 2017



This is to certify that this zoning map supersedes and replaces the zoning map adopted February 24, 2015 as part of Ordinance 15-007 of the City of Palmer.

ATTEST:
 Edna DeVries, Mayor City of Palmer
 Norma Alley, City Clerk

**City of Palmer
Ordinance No. 21-002**

Subject: Amending Palmer Municipal Code Title 17 Regarding a Central Business District and Enacting Palmer Municipal Code Section 17.28.020 Palmer Commercial Land Use Matrix


Agenda of: January 12, 2021 – Committee of the Whole
February 20, 2021 – Introduction

Council Action: **Adopted** **Amended:** _____
 Defeated

Originator Information:

Originator: Brad Hanson, Director Community Development

Department Review:

Route to:	Department Director:	Signature:	Date:
_____	Community Development		<u>January 12, 2021</u>
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

Certification of Funds:

Total amount of funds listed in this legislation: \$ **0.00**

This legislation (√):



<input type="checkbox"/>	Creates revenue in the amount of:	\$ _____
<input type="checkbox"/>	Creates expenditure in the amount of:	\$ _____
<input type="checkbox"/>	Creates a saving in the amount of:	\$ _____
<input checked="" type="checkbox"/>	Has no fiscal impact	

Funds are (√):

<input type="checkbox"/>	Budgeted	Line item(s): _____
<input type="checkbox"/>	Not budgeted	_____

Director of Finance Signature: 

Approved for Presentation By:

	Signature:	Remarks:
City Manager		_____
City Attorney		_____
City Clerk	<u>Norma L. Allen</u>	_____

Attachment(s):

1. Ordinance No. 21-002
2. Planning and Zoning Minutes for September 17, 2020
3. City of Palmer Zoning Map

Summary Statement/Background:

Palmer City Council requested the Palmer Planning and Zoning Commission (P & Z) conduct a comprehensive review of title 17, land use. P & Z performed this review over a two-year period, studying similar communities, current land use techniques and incorporation of a land use matrix.

The goal of the amended commercial districts is:

1. To promote opportunities for investment and reinvestment by allowing a more compatible use of land through appropriate land use regulations and uniformity of code.
2. To promote transportation corridors in the City through motorized and nonmotorized access and beautification improvements.
3. To encourage economic opportunities through sound land use practices.
4. To promote land use flexibility to encourage quality, scale and character of development consistent with Palmer's existing or planned uses.

The proposed amendments to the commercial district are to promote the vitality and compatible values of the commercial districts. The amendments are designed to promote flexibility of allowable land use activities within different commercial land use districts. New and innovative land use can be evaluated based on intent of commercial zoning districts and their impacts. This will allow for innovative and responsiveness to new activities to be considered. Current code does not allow for activities to be considered if they are not specifically permitted within the zoning district.

Amendments propose to define and place conditions on the use of Conex and storage buildings within Commercial General and Commercial Limited.

The adoption of the City of Palmer commercial land use matrix should be more convenient for citizens to understand land use and their appropriate zoning district. Land uses are organized by district to allow a discernable comparison by zoning district.

Accessory and temporary buildings are defined allowing for differentiation of occupancy requirements.

Administration's Recommendation:

Adopt Ordinance No. 21-002 amending Palmer Municipal Code Chapters 17.08, definitions, 17.28 Limited Commercial, 17.32 General Commercial and enacting 17.28, City of Palmer Commercial Land Use Matrix.

LEGISLATIVE HISTORY

Introduced by: City Manager Moosey

Date: February 2021

Public Hearing:

Action:

Vote:

Yes:

No:

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CITY OF PALMER, ALASKA

Ordinance No. 21-002

An Ordinance of the Palmer City Council Amending Palmer Municipal Code Title 17.08 definitions, Palmer Municipal Code 17.28 Commercial Limited and 17.32 Commercial General and Enacting 17.28 Palmer Commercial Land Use Matrix

WHEREAS, the Planning and Zoning Commission (Commission) proposes and recommends text amendments as necessary to Title 17, Zoning to ensure that the regulations and standards are applicable to the current needs of the community, and;

WHEREAS, the Commission has reviewed and proposed amendments to Palmer Municipal Code Chapter 17.28 and 17.32 for the promotion of Palmer’s unique character and general welfare, and;

WHEREAS, the Commission has reviewed and discussed the City of Palmer’s commercial district comparing it to other similar districts and has drafted code language to allow for the establishment of other compatible land uses, and;

WHEREAS, the Commission has determined there is a need to expand opportunities for development activities through sound land use principals and projects that contain a compatible mix of commercial and residential uses.

THE CITY OF PALMER, ALASKA, ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Section 17.08.006 Accessory dwelling unit (ADU) is hereby amended to include amendments as follows (new language is underlined and deleted language is stricken):

17.08.0065 Accessory dwelling unit (ADU)

Section 4. Palmer Municipal Code Section 17.08.006 Accessory use is hereby added as follows (new language is underlined and deleted language is stricken):

17.08.006 Accessory Use.

Are uses of land that are found on the same parcel as the principal use but are subordinate and incidental. Accessory uses may be less subordinate and incidental by floor space devoted to use, economic importance of the use to operation, the number of customers/visitors and whether the accessory use serves the purpose of the principal use.

Section 5. Palmer Municipal Code Section 17.08.041 Brewery is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.041 Brewery.

A brewery is duly licensed by the state of Alaska, where beer is manufactured and bottled or barreled for sale.

Section 6. Palmer Municipal Code Section 17.08.041 Brewpub is hereby amended to include amendments as follows (new language is underlined and deleted language is stricken)

17.08.041~~2~~ Brewpub

Section 7. Palmer Municipal Code Section 17.08.071 Building, Storage is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.071 Building, Storage.

Storage "building" means a building or structure not on a permanent foundation, is capable of being moved and is used as an accessory use to a primary use and is not occupied.

Section 8. Palmer Municipal Code Section 17.08.072 Building, Temporary is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.072 Building, Temporary.

Temporary "building" means a building or structure not on a permanent foundation, is capable of being immediately moved and is an occupied structure.

Section 9. Palmer Municipal Code Section 17.08.076 Caretaker Dwelling is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.076 Caretaker Dwelling.

Caretaker dwelling unit means a permanent residence, secondary and accessory to an existing allowed use for persons employed on-site for purposes of care and protection of property, plants, animals, equipment, or other circumstances on site or on contiguous lots under the same ownership.

Section 10 Palmer Municipal Code Section 17.08.091 Commercial Parking is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.091 Commercial parking.

means a parking lot or parking garage that is designed, used or intended to be used for the parking of motor vehicles outside the street right-of-way. Commercial parking areas are used, rented or leased to the general public, customers or residents of development, or are provided as public parking for persons commuting to another location, such as a park-and-ride lot. This use does not include parking lots or garages which are constructed as required for another permitted use.

Section 11 Palmer Municipal Code Section 17.08.011 Conex is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.011 Conex.

Conex – A large, steel-reinforced reusable container principally used for intermodal shipping of cargo and equipment.

Section 12. Palmer Municipal Code Section 17.08.420 Site is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.08.420~~18~~ Site

Section 13. Palmer Municipal Code Section 17.08.420 Special Event is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.08.420 Special Event.

Any kind of public celebration or event designated by the city manager and officially authorized as a Special Event.

Section 14. Palmer Municipal Code Chapter 17.28.020 Palmer Commercial Land Use Matrix is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.28.020 ~~Permitted uses~~ Commercial land uses

**City of Palmer
Commercial Land Use Matrix**

Commercial - Retail	CBD Overlay	C-L	C-G	BP	I	P	A
Large retail establishment (+20000)			P				
Automobile sales			P	P	P		
<u>Airplane, boat, motorcycle, ATV, recreational vehicle sales and service</u>			<u>P</u>	<u>P</u>	<u>P</u>		
Building materials			P	P	P		C
Garden & Farm supplies		C	P	P	P		P
Convenience store (Neighborhood Grocery)	P	P	P				
<u>Renewable energy sales and service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<u>Bicycle sales and service</u>	<u>P</u>	<u>P</u>	<u>P</u>				
<u>Office supplies, home and office sale and service</u>	<u>P</u>	<u>P</u>	<u>P</u>				
<u>Telecommunication sales and service</u>	P		P	P	P		
Tire Sales and Service, auto parts and accessory sales	P		P	P	P		
Liquor Sale	P	C	P				
Sporting-goods store, hunting apparel, camping, firearms, archery and accessory	P		P	P			
<u>Flea Market – indoor</u>			<u>P</u>	<u>P</u>	<u>P</u>		
<u>Butcher, delicatessen sales and service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			
Farmers Market	P	P	P				P
Apparel, shoe, clothing	P	P	P				

Artisan sales and service – art, jewelry, collectibles	P	P	P	P	P		P
General - Book, stationary, video, art supply, hobby, toy, game, fabric, floral, accessor, gift	P	P	P				
Pet shops			P	P	P		P
Auction	P		C	P	P		
Collectibles – Antique, 2 nd Hand, Thrift	<u>P</u>	<u>C</u>	<u>P</u>	<u>C</u>			<u>P</u>
Marijuana – Retail							
Marijuana – Cultivation							
Marijuana – Product Manufacturing							
Marijuana – Testing Facility							
Retail fuel, gas, propane		C	P	P	P		
Home accessory – carpet, blinds, cabinets, or other similar	P	P	P	P	P		<u>P</u>

Education / Training	CBD Overlay	C-L	C-G	BP	I	P	A
Elementary						P	
Secondary						P	
Trade, College / University	C		<u>C</u>	P	P	P	
Boarding			<u>C</u>				
Beauty, art, dancing, drama, modeling, photography, or similar	P	<u>P</u>	P	P			
On-line	P	<u>P</u>	<u>P</u>				

Food Service	CBD Overlay	C-L	C-G	BP	I	P	A
Bakery, coffee Shop	P	P	P	<u>P</u>	<u>P</u>		
Brewery	P				P		P
Itinerant vendors	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Microbrewery, Brewpub, winery, distillery, artesian brewing	P		P	<u>P</u>	<u>P</u>		<u>P</u>
Meat processing and smoking house	P		<u>P</u>	<u>P</u>	P		<u>P</u>
Restaurant / Cafe	P	P	P				
Restaurant / Café with drive thru	P		P				
Specialty – ice cream, candy, other similar	P	P	<u>P</u>	<u>P</u>	<u>P</u>		

Health / Veterinary	CBD Overlay	C-L	C-G	BP	I	P	A
Hospital with heliport	C		C			C	
Urgent care, medical complex	P	P	<u>P</u>				
Health practitioner - Medical, dental, eye, Psychiatrist, physical therapy or other specialty with laboratories,	P	P	<u>P</u>			P	
Pharmacy, drug	P	P	<u>P</u>				
Mental Health facility	C		C			C	C
Veterinary practice, surgery, overnight boarding, veterinary groomers	P	<u>C</u>	<u>P</u>				
Boarding Kennels ¹				P	<u>P</u>		

General Services	CBD Overlay	C-L	C-G	BP	I	P	A
Lodging – STR (see 17.89), boarding, hotel, motel,	P	<u>C</u>	P				P
Automobile, equipment rental	P		<u>P</u>	P	<u>P</u>		
Daycare – Adult, children, infants	P	P	<u>P</u>				
Commercial parking	P	<u>C</u>	<u>P</u>	<u>C</u>	<u>C</u>		
Carwash	C	<u>C</u>	<u>P</u>	<u>P</u>	P	C	
Transportation terminals	P	<u>C</u>	<u>P</u>				
Personal Care – beauty, nail, spa, tattoo, massage therapist or other similar	P	P	<u>P</u>			P	
Laundromats, dry-cleaning, laundry and linen service	P	<u>P</u>	<u>P</u>	<u>P</u>	P		
Personal services – delivery, domestic, clothing alteration,	P	P	<u>P</u>	<u>P</u>			
<u>Exercise Facilities – gyms, health, yoga, Pilates, or other similar</u>	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Printing and Post-office and accessory activities	P	<u>P</u>	<u>P</u>				
Mini – storage – Indoor				<u>P</u>	<u>P</u>		
<u>Indoor shooting range</u>			<u>P</u>	<u>P</u>	<u>P</u>		
<u>Screen printing, sign design and construction</u>	P	<u>P</u>	P	<u>P</u>	<u>P</u>		<u>P</u>
Bingo or other games of chance	P		<u>P</u>				
Taxidermy shops sales and service (excluding large scale tanning)	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
Meat storage – individual lockers, bulk	P	<u>C</u>	<u>P</u>	P	P		<u>P</u>
Pawn shops			P				P
Entertainment – billiards, bowling, arcade or other similar	P	<u>P</u>	<u>P</u>				

Machine shop		<u>C</u>	P	P	P		
Aeronautical (outside airport boundaries)		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		
Wireless communication towers	C	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		
Automotive repair, including autobody			P	P	P	C	<u>C</u>
Radio/Television studios, music or recording studio	P		P	P			
Bail bonds	P		<u>P</u>				
Authorized Special Event/Activity	P	<u>P</u>	<u>P</u>	P	P	P	P

Office	CBD Overlay	C-L	C-G	BP	I	P	A
Banks – alternative financial, credit unions, saving and loans, or other similar	P	P	P				
Professional – business services, insurance, real-estate, administrative, engineering, drafting, lawyers	P	P	P				
Medical	P	P	P				
Construction (excluding storage of heavy equipment)	P	P	P	P	P		
Governmental	P	<u>P</u>	<u>P</u>	P	<u>P</u>	P	

Industrial / Manufacturing	CBD Overlay	C-L	C-G	BP	I	P	A
Warehousing and Freight movement and storage			C	P	P		
Impound vehicle yards				<u>P</u>	P		
Contractor yards – Electrical, masonry, building, roofing, Industrial, Manufacturing, processing, fabrication, packaging, or assembly of goods			<u>C</u>	P	P		
Large wholesale sales				P	P		
Mining/extraction				C	C		C
Recycling, including organic, junk yards				C	<u>C</u>		C
Landfills				C	C	C	C
Meat slaughterhouse and packing, wholesale fur dealers				<u>C</u>	<u>C</u>		
Heavy vehicle and equipment sales and service					P	P	
Asphalt plant				<u>C</u>	C		

Public Assembly	CBD Overlay	C-L	C-G	BP	I	P	A
Assembly Halls – Auditorium, civic center, concert hall, performing arts center, theaters, senior, youth	P	P	<u>P</u>			P	
Humanitarian service and shelter facilities – long-term	C		<u>C</u>				
Funeral parlors and mortuaries	P		<u>P</u>				
Libraries, Museums, Art galleries,	P		<u>P</u>			P	P
Recreational Facilities – ice arena, swimming pools	P					P	
Private clubs or lodges with alcohol	P		<u>P</u>				
Private clubs or lodges without alcohol	P	<u>P</u>	P				
<u>Racetrack - non-motorized</u>				<u>C</u>	C		C
<u>Racetrack – motorized</u>						C	C
Place of worship – churches	P	<u>C</u>	<u>P</u>				P
<u>Outdoor concert venue</u>	P		<u>P</u>	<u>P</u>			
Center – youth, senior	P	P	<u>P</u>				

Recreational	CBD Overlay	C-L	C-G	BP	I	P	A
Managed open space	P	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Boat – Launch, club,			<u>P</u>		<u>P</u>	P	
<u>Shooting ranges – indoor</u>				<u>P</u>	<u>P</u>		C
<u>Shooting ranges – outdoor</u>				<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Campgrounds – recreational vehicle parks						C	
Golf course						<u>P</u>	P
Miniature golf	P		<u>P</u>				P
Go-cart facility			<u>C</u>				

Public / Institutional	CBD Overlay	C-L	C-G	BP	I	P	A
Courthouse						P	
Jails						P	
Playgrounds, parks, ballfields	P	<u>P</u>	<u>P</u>			P	P
Electrical distribution substations, communication huts				P	<u>P</u>	P	P
Cemeteries						C	C
Fire stations/Emergency Services	C	C	C	P	<u>P</u>	P	C

Residential	CBD Overlay	C-L	C-G	BP	I	P	A
Single-Family residence	P	P	P				P
<u>Accessory Dwelling Unit associated with a single-family residence</u>	<u>P</u>						P
Single or Multiple family dwelling as a part of a mixed-use development on and above the second floor or below the ground level of the structure	P	P	P				P
Temporary Buildings	P	P	P	P	P		P

Zoning District Symbols

CBD Overlay = Central Business District
 BP = Business Park District
 A = Agriculture District

C-L = Commercial Limited District
 I = Industrial District

C-G = Commercial General District
 P = Public District

P = Permitted Use
 C = Conditional use
 Blank= Not permitted

¹ Provided such an activity be conducted within a completely enclosed building, except that outdoor exercise yard may be permitted.

Section 15. Palmer Municipal Code Chapter 17.28.010 Limited Commercial District is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.-28.29.010 Intent.

C. All of the permitted principal uses listed in PMC 17.29.020 shall be uses conducted wholly within an enclosed building. (Ord. 10-011 § 3, 2010; Ord. 05-026 § 4, 2005; Ord. 454 § 4, 1992)

D. Land uses as defined in Palmer Use Matrix 17.28.020

Section 16. Palmer Municipal Code Chapter 17.28.020 is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.-28.29.020 Permitted uses.

A. Land uses as defined in Palmer Use Matrix 17.28.020

Permitted principal uses in the C-L district are:

- A. ~~One single family dwelling per lot;~~
- A. ~~Single- or multiple-family dwellings as part of a mixed-use development, on and above the second floor or below the ground level of the structure;~~
- C. ~~Truck gardens, raising of bush and tree crops, flower gardening and greenhouses;~~
- D. ~~Home occupations;~~
- E. ~~Churches;~~
- F. ~~Banks;~~
- G. ~~Barber or beauty shop;~~
- H. ~~Bakery shop, candy or ice cream store or delicatessen;~~
- I. ~~Cafe or restaurant;~~
- J. ~~Clothing, dress, or shoe store;~~
- K. ~~Office building, financial and professional offices;~~
- L. ~~Repealed by Ord. 10-011;~~
- M. ~~Dentist, doctor, optometrist, medical, or dental clinic;~~
- N. ~~Pharmacy, dry goods, grocery, meat market or locker plant;~~
- O. ~~Dry cleaner or laundromat;~~

- P. Clothing alterations or shoe repair;
- Q. Florist, gift shop, music store, stationery, variety store, hobby and model shop;
- R. Book, camera, luggage, jewelry or toy store;
- S. Senior citizen centers;
- T. Hospitals and homes for the elderly;
- U. Child care facilities and preschools;
- V. Special needs day care facilities;
- W. Accessory uses customarily incidental to any of the above uses. (Ord. 10-011 § 3, 2010; Ord. 05-042 § 7, 2006; Ord. 05-026 § 4, 2005; Ord. 489 § 9, 1995; Ord. 454 § 4, 1992)

Section 17. Palmer Municipal Code Section 14.29.021 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.29.021 Compatibility of Land Uses not defined

Where a proposed use is not specifically identified by this ordinance or the ordinance is unclear as to whether the use is allowed in a particular zone, the Zoning Administrator may find, based on a finding of facts, the use is similar to another use that is permitted, allowed conditionally, or prohibited in the subject zone and apply the ordinance accordingly. Land use findings by zoning administrator will be based on zoning district compatibility, intensity of use and comparison to like activities or land use. Land use rulings that require discretion on the part of Zoning Administrator shall be confirmed by the Planning and Zoning Commission at the next regular meeting that allows due public notice.

Section 18. Palmer Municipal Code Section 14.29.022 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.29.022 Appeal of Compatibility of Use

In the event the petitioner disagrees with the decision of the Planning and Zoning Commission they may appeal to the Palmer City Council for final city evaluation. Any subsequent appeal will be the Alaska Superior Court in Palmer, Alaska.

Section 19. Palmer Municipal Code Section 14.29.028 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.29.028 Accessory uses.

Accessory uses in the Commercial Limited district are as follows:

- A. Dwelling units in conjunction with and accessory to the permitted use.
- B. Uses customarily incidental to the permitted use.
- C. Storage Buildings.

Development standards.

1. Building Permits. The building and any accessory structures, such as add-on canopies, stairs and decks shall comply with building codes. Trailer-type stands that are raised off wheels shall require building permits for adequate tie-downs and skirted with similar materials as principal siding.
2. Signage. All signs will meet the requirements of PMC 14.
3. Setbacks. All structures shall be set back per the requirements PMC; Structures, signs and parking and maneuvering areas shall not obstruct sight distance.
4. Site Plan. Comply with site plan standards for Title 17 PMC.
5. Size Limitations. May not exceed 400 square feet.
6. Placement shall be in rear of primary structure or use.

Section 20. Palmer Municipal Code Chapter 17.28.030 Limited Commercial District is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.28.030 Conditional uses.

A. Land uses as defined in Palmer Use Matrix 17.28.020

~~Uses which may be permitted in the C-L district by obtaining a conditional use permit are:~~

- ~~A. Utility substations;~~
- ~~B. Funeral parlors;~~
- ~~C. Residential care facilities;~~
- ~~D. Brewpubs;~~
- ~~E. Wineries;~~
- ~~F. Public and private schools.~~

Section 21. Palmer Municipal Code Chapter 17.28.040 is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.-28.29.040 Prohibited uses.

A. Land uses as defined in Palmer Use Matrix 17.28.020

~~Prohibited uses and structures in the C-L district are all uses and structures not specified as permitted outright, including, for example, large retail establishments and the outside storage of heavy equipment, such as tractors, graders or trucks, used for gain. (Ord. 05-026 § 4, 2005; Ord. 606 § 4, 2004; Ord. 454 § 4, 1992~~

B. Conex storage building unless

1. Screened with 6' solid cedar fence, when placed abutting a R-1 residential use.
2. Sided with siding of similar material as that of primary structure on lot.
3. Sided or screened when abutting a nonresidential use.
4. Placement shall be in rear of primary structure.
5. Size Limitations. Shall not exceed 200 square feet.

C. Parking or storage of heavy equipment, such as tractors, graders or trucks;

D. Temporary Buildings, except when;

Development Standards.

1. Sites with on-site parking and/or drive-up facilities will require an approved driveway approach with adequate sight distance per section.
2. Drive-up stacking. Stands with drive-up windows require three (3), eighteen (18) foot-long queuing spaces per window. Fewer spaces may be approved by the zoning administrator; provided, that a plan is submitted that shows the site has sufficient overflow areas so that traffic will not block streets, sidewalks, or parking lot circulation aisles.
3. Parking. Parking shall meet minimum PMC 17.64.
4. Building Permits. The temporary building and any accessory structures, such as add-on canopies, stairs and decks shall comply with building codes. Trailer-type stands that are raised off wheels shall require building permits for adequate tie-downs and skirted with similar materials as principal siding.
5. Meet all applicable licensing.
6. Signage. All signs will meet the requirements of PMC 14.
7. Setbacks. All structures shall meet the minimum set back requirements of PMC; Structures, signs and parking and maneuvering areas shall not obstruct sight distance.
8. Site Plan. Comply with site plan standards for title 17 PMC.
9. Size Limitations. May not exceed 700 square feet.

Section 22. Palmer Municipal Code Chapter 17.28.062 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.28.29.062 Lot area restrictions.

Section 23. Palmer Municipal Code Chapter 17.28.064 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.-28.29.064 Setback requirements.

Minimum setback requirements:

A. For ground level dwelling units (except for buildings existing as of January 17, 1978, in a recognized historic district, in which case the building setback for ground level residential use shall be the existing building setback), any part of a dwelling unit and residential garages, the setbacks are:

1. Front yard, 25 feet.
2. Side yard, 15 6 feet.
3. Rear yard, 25 feet.

B. For residential uses above the ground level and nonresidential uses not abutting or immediately across an alley from an R-1 or R-1E zone, the setbacks are:

1. Front yard, none.
2. Side yard, none.
3. Rear yard, none.

D. For nonresidential uses abutting or immediately across an alley from an R-1 or R-1E zone, the setbacks are:

1. Front yard, none.
2. Side yard, 25 6 feet.
3. Rear yard, 25 feet.

The width of the alley may be included in the side or rear setback measurement. (Ord. 05-026 § 4, 2005; Ord. 627 § 5, 2004)

Section 24. Palmer Municipal Code Chapter 17.28.066 Limited Commercial District is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.-28.29.066 Open space requirements.

A. All residential uses require a minimum of 200 square feet of open space for outdoor activities per dwelling unit. No dimension of the open space shall be less than 10 feet. This open space requirement does not apply to any building which has a footprint constructed before January 17, 1978 and which footprint has not been significantly altered.

B. Open space shall not be used for storage, driveway, vehicle or other parking, ~~above ground building utilities or services, or any structures~~ sheds (other than a fence). Open space may be used for lawn, shrubs, or trees.

Section 25. Palmer Municipal Code Chapter 17.28.020 Limited Commercial District is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.-28.29.068 Fencing requirements.

~~Lots abutting or immediately across an alley from any residential zone which contains four or more dwelling units or any nonresidential use shall have a six foot, six inch, solid or interlap fence on the side or sides abutting or across an alley from residential zones. The fence shall be well built, finished and maintained.~~

A lot, which abuts or is immediately across an ally from an R-1 or a R-1E residential zone and which contain 5 or more dwelling units or any non-residential use shall have a 6 foot solid or inter-lap fence on the side or sides abutting or across an ally from the lower density residential zones. The fence shall be well built, finished and maintained.

Section 26. Palmer Municipal Code Chapter 17.32.010 General Commercial District is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.32.010 Intent.

The C-G district is established as a district in which the principal use of land is for commercial enterprises to provide for commercial enterprises which serve the needs of a large population and a large land area and to provide a centralization of service by allowing heavier uses. (Ord. 05-027 § 3, 2005; Ord. 454 § 4, 1992)

A. All uses as defined in Palmer Use Matrix 17.28.020

Section 27. Palmer Municipal Code Chapter 17.32.020 is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.32.020 Permitted uses.

Permitted principal uses in the C-G district are:

A. Land uses as defined in Palmer Use Matrix 17.28.020

Any use permitted in the limited commercial district; (Mixed Residential Use)

- ~~2. Motels, hotels;~~
- ~~3. Bar, cocktail lounge, liquor and beer sales, including brewpubs and wineries;~~
- ~~4. Drive-in cafe or restaurant;~~
- ~~5. Private club of fraternal, religious or philanthropic associations and union hall;~~
- ~~6. Home appliance, electrical or electronic equipment, instrument, medical appliance, office equipment, plumbing equipment and store fixture sales, service and repair;~~
- ~~7. Hardware store, general merchandise, pet shop;~~
- ~~8. Surplus or secondhand store, pawnshop;~~
- ~~9. Department store, furniture and household goods, sales and repairing, glass and mirror sales, paint, flooring;~~
- ~~10. Tailor shop or furriers;~~
- ~~11. Blueprinting and photo-stating, engraving, photo-developing, print shop, publishing, rubber stamp or sign painting;~~
- ~~12. Beauty or business college and studio or school of art, design, dancing, drama, modeling or photography;~~
- ~~13. Collection or employment agency, janitor service, taxi or vending machines;~~
- ~~14. Dental laboratory, funeral parlor, mattress repairing, taxidermy or upholstering;~~
- ~~15. Telegraph or telephone office or travel agency;~~
- ~~16. Radio and TV studios;~~
- ~~17. Veterinarian clinic, except no boarding of animals;~~
- ~~18. Nursery and Christmas tree sales;~~
- ~~19. Billiard hall, bowling alley or theater;~~
- ~~20. Utility substation;~~
- ~~21. Motorcycle, boat and bicycle sales, parts and service;~~
- ~~22. Auto parts;~~
- ~~23. Service station, tire sales and service, battery sales;~~
- ~~24. Automobile and farm machinery sales; provided, that any open area used for the incidental repair of automobiles or farm machinery is located not less than 70 feet from the front lot line nor less than 25 feet from any other street line, unless such incidental repair is conducted and wholly confined within a building;~~
- ~~25. Garages including automobile repairing, painting, body and fender, or upholstering if all operations are conducted wholly within a completely enclosed building. If adjoining any R district, it shall have no openings other than stationary windows facing the R district;~~
- ~~26. Recreational vehicle and units, modular housing units, mobile homes, trailer repair and supporting parts and accessory sales; provided, that any open area used for the incidental repair of boats, automobiles, recreational vehicles and units, modular housing units, and mobile homes and trailers is located no less than 70 feet from the front lot line nor less than 25 feet from any other street line, unless such incidental repair is conducted and wholly confined within a building;~~
- ~~27. Tool and light equipment rental;~~

28. Large retail establishments;

29. Accessory uses customarily incidental to any of the above uses.

Section 28. Palmer Municipal Code Section 14.32.021 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.32.021 Compatibility of land uses not defined

Where a proposed use is not specifically identified by this ordinance or the ordinance is unclear as to whether the use is allowed in a particular zone, the zoning administrator may find the use is similar to another use that is permitted, allowed conditionally, or prohibited in the subject zone and apply the ordinance accordingly. Land use findings by zoning administrator will be based on zoning district compatibility, intensity of use and comparison to like activities or land use. Land use rulings that require discretion on the part of Zoning Administrator shall be confirmed by the Planning and Zoning Commission at the next regular meeting that allows due public notice.

Section 29. Palmer Municipal Code Section 14.32.022 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.32.022 Appeal of compatibility of land use

In the event the petitioner disagrees with the confirmation of the Planning and Zoning they may appeal to the Palmer City Council for final city evaluation. Any Subsequent appeal will be the Alaska Superior Court, in Palmer Alaska.

Section 30. Palmer Municipal Code Section 14.32.025 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.32.025 Standards for a large retail establishment permit.

B. Traffic Impacts.

1. Vehicular Access. There shall be a minimum of two primary vehicular accesses. Primary and secondary vehicular access shall be from a street designated collector or greater on the city's most recent traffic study or analysis.
2. Traffic Impact Analysis. The developer shall submit a traffic impact analysis prepared by an engineer licensed by the State of Alaska under AS Title 8. Operational analysis and determination of level of service (LOS) for the traffic impact analysis prepared under this section must be in accordance with the Transportation Research Board's publication Special Report 209, Highway Capacity Manual (most current version). Alaska Department of Transportation highway standards for highway impact and mitigation.

Section 31. Palmer Municipal Code Section 14.32.028 is hereby added to read as follows (new language is underlined and deleted language is stricken):

17.32.028 Accessory uses.

A. Dwelling units in conjunction with and accessory to the permitted use;

B. Uses customarily incidental to the permitted use;

C. Storage Buildings;

Development standards.

1. Building Permits. The building and any accessory structures, such as add-on canopies, stairs and decks shall comply with building codes. Trailer-type stands that are raised off wheels shall require building permits for adequate tie-downs and skirted with similar materials as principal siding.
2. Signage. All signs will meet the requirements of PMC 14.
3. Setbacks. All structures shall be set back according to the requirements Palmer Municipal Code; Structures, signs and parking and maneuvering areas shall not obstruct sight distance.
4. Site Plan. Comply with site plan standards for Title 17 PMC.

5. Size Limitations. May not exceed 400 square feet.
6. Placement shall be in rear of primary structure or use.

Section 32. Palmer Municipal Code Chapter 17.32.030 Limited Commercial District is hereby amended to read as follows (new language is underlined and deleted language is stricken):

~~17.32.030 Conditional uses.~~

Land uses as defined in Palmer Use Matrix 17.28.020

~~Uses which may be permitted in the C-G district by obtaining a conditional use permit are:~~

- ~~A. Laundry and linen supply service, dry-cleaning businesses;~~
- ~~B. Propane or butane service;~~
- ~~C. Car washes;~~
- ~~D. Crematory;~~
- ~~E. Welding service and supplies;~~
- ~~F. Mental health facility;~~
- ~~G. Residential care facilities. (Ord. 05-027 § 3, 2005; Ord. 489 § 11, 1995; Ord. 454 § 4, 1992)~~

Section 33. Palmer Municipal Code Chapter 17.32.040 is hereby amended and language added to read as follows (new language is underlined and deleted language is stricken):

17.32.040 Prohibited uses.

Land uses as defined in Palmer Use Matrix 17.28.020

~~Prohibited uses and structures in the C-G district are all uses, and structures not specified as permitted outright, including:~~

- ~~A. Parking or storage of heavy equipment, such as tractors, graders or trucks;~~
- ~~B. Manufacturing, compounding, processing or treatment of products except that which is clearly incidental and essential to the retail or wholesale store or business. (Ord. 05-027 § 3, 2005; Ord. 454 § 4, 1992)~~
- ~~C. Conex building – unless~~

1. Screened with 6’ solid cedar fence, when placed abutting a residential use.
2. Sided with siding of similar material as that of primary structure on lot.
3. Sided or screened when abutting a nonresidential use.
4. Placement shall be in rear of primary structure.
5. Size Limitations. Shall not exceed 200 square feet.

D. Temporary buildings except;

Development Standards.

1. Sites with on-site parking and/or drive-up facilities will require an approved driveway approach with adequate sight distance per section.
2. Drive-up stacking. Stands with drive-up windows require three (3), eighteen (18) foot-long queuing spaces per window. Fewer spaces may be approved by the responsible official; provided, that a plan is submitted that shows the site has sufficient overflow areas so that traffic will not block streets, sidewalks, or parking lot circulation aisles.
3. Parking. Parking shall meet minimum City of Palmer parking code.
4. Building Permits. The temporary building and any accessory structures, such as add-on canopies, stairs and decks shall comply with building codes. Trailer-type stands that are raised off wheels shall require building permits for adequate tie-downs downs and skirted with similar materials as principal siding.
5. Meet all applicable licensing.
6. Signage. All signs will meet the requirements of PMC 14.
7. Setbacks. All structures shall be set back per the requirements PMC; Structures, signs and parking and maneuvering areas shall not obstruct sight distance.
8. Site Plan. Comply with site plan standards for title 17 PMC.

Section 34. Palmer Municipal Code Chapter 17.32.064 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.32.064 Setback requirements.

Minimum setback requirements:

A. For ground level dwelling units (except for buildings existing as of January 1, 1978, in a recognized historic district, in which case the building setback for ground level residential use shall be the existing building setback), any part of a dwelling unit and residential garages, the setbacks are:

1. Front yard, 25 feet.
2. Side yard, ~~15~~ 6 feet.
3. Rear yard, 25 feet.

C. For nonresidential uses abutting or immediately across an alley from an R-1, R-1E or R-2 zone, the setbacks are:

1. Front yard, none.
2. Side yard, ~~25~~ 6 feet.
3. Rear yard, 25 feet.

The width of the alley may be included in the side or rear setback measurement. (Ord. 05-027 § 3, 2005; Ord. 626 § 5, 2004)

Section 35. Palmer Municipal Code Section 14.32.066 is hereby added to read and re-lettered as follows (new language is underlined and deleted language is stricken):

17.32.066 Open space requirements.

A. All residential uses require a minimum of 200 square feet of open space for outdoor activities per dwelling unit. No dimension of the open space shall be less than 10 feet. This open space requirement does not apply to any building which has a footprint constructed before January 17, 1978 and which footprint has not been significantly altered.

B. Space that can be considered are roof tops, balconies and other similar.

BC. Open space shall not be used for storage, driveway, vehicle or other parking, above ground building utilities or services, ~~or any structures,~~ sheds (other than a fence). Open space may be used for lawn, shrubs, or trees. (Ord. 05-027 § 3, 2005; Ord. 626 § 6, 2004)

Section 36. Palmer Municipal Code Chapter 17.32.068 is hereby amended to read as follows (new language is underlined and deleted language is stricken):

17.32.068 Fencing requirements

Lots abutting or immediately across an alley from an R-1 or R-1E residential zone which contain five ~~four~~ or more dwelling units or any nonresidential use shall have a six-foot, ~~six-inch~~, solid or interlap fence on the side or sides abutting or across an alley from residential zones. The fence shall be well built, finished and maintained. (Ord. 05-027 § 3, 2005; Ord. 626 § 7, 2004)

Section 37. Effective Date. Ordinance No. 21-002 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this _____ day of _____, 2021.

Edna B. DeVries, Mayor

Norma I. Alley, MMC, City Clerk

A. CALL TO ORDER:

The regular meeting of the Planning and Zoning Commission was called to order by Chair Benedetto at 7:00 p.m.

B. ROLL CALL:

Present and constituting a quorum were Commissioners:

Richard Benedetto, Chair	Kristy Thom Bernier (via teleconference)
Dan Lucas (via teleconference)	Josh Tudor (via teleconference)
Gena Ornquist (via teleconference)	Sabrina Shelton (via teleconference)

Absence(s):

Casey Peterson, Vice Chair (Excused without objection)

Also present were:

Brad Hanson, Community Development Director
Pam Whitehead, Recording Secretary (via teleconference)

C. PLEDGE OF ALLEGIANCE: The Pledge was led by Chair Benedetto.

D. APPROVAL OF AGENDA:

The agenda was unanimously approved as presented by roll call vote of all Commissioners present. [Shelton, Tudor, Ornquist, Thom-Bernier, Lucas, Benedetto; *Absent:* Peterson]

E. MINUTES OF PREVIOUS MEETING:

The minutes of the **July 16, 2020 Regular Meeting** were unanimously approved as presented by roll call vote of all Commissioners present. [Shelton, Tudor, Ornquist, Thom-Bernier, Lucas, Benedetto; *Absent:* Peterson]

F. PERSONS TO BE HEARD: There were no persons in the audience.

G. PUBLIC HEARINGS:

1. **IM 20-019:** Consideration of map and text amendment to Palmer Municipal Code Chapter 17.xx to create a Central Business District overly zoning district.

Staff Report: Director Hanson provided an update from the previous meeting noting that this is the second public hearing on this topic. The Commission is to continue review and discussion of draft Ordinance No. 20-0xx and map showing new boundaries of the proposed CBD, and if approved, move it forward to the City Council with a recommendation for adoption.

Public Hearing:

Chair Benedetto opened and closed the second public hearing at 7:10 p.m. as there were no members of the public in attendance to testify.

Chair Benedetto reminded of the following motion on the table postponed from the last meeting and opened the matter for continued review and recommendation.

Main Motion: (For review, discussion and recommendation regarding proposed CC Ordinance No. 20-0xx Text Amendment and Map.)

Moved by:	(Shelton)
Seconded by:	(Tudor)

Director Hanson reported the additions/revisions from discussions at the last meeting. The Commission reviewed and had no additional revisions.

Main Motion: For approval of Ordinance No. 20-0xx of the Palmer City Council Amending PMC Title 17 Zoning by enacting 17.30 Central Business District, and move forward to the City Council with a recommendation for adoption.

Moved by:	Shelton
Seconded by:	Tudor
Vote:	6 Yes / 0 No (<i>Absent:</i> Peterson)
Action:	Motion Carried by roll call vote of all Commissioners present.

- 2. **IM 20-023:** Consideration of text amendments to Palmer Municipal Code Chapter 17.28 and 17.32 and add 17.xx.xxx Palmer Land Use Matrix.

Staff Report: Director Hanson summarized that this proposed Ordinance is the culmination of the Commission’s work on Title 17 CL, CG and the Palmer Land Use Matrix; that essentially this is the introduction of the Land Use Matrix into Title 17 as opposed to listing the permitted uses in each section of the code. He recommended revising the title to state Palmer *Commercial* Land Use Matrix for better clarification and definition.

Public Hearing:

Chair Benedetto opened and closed the public hearing at 7:23 p.m., as there were no members of the public in attendance to testify.

Chair Benedetto called for the motion to put the matter on the table for discussion/review:

Main Motion: For approval of proposed Ordinance No. 20-0xx, Amending PMC Title 17.08 definitions, PMC 17.28 Commercial Limited and PMC 17.32 Commercial General, and Inserting 17.xx Palmer Land Use Matrix, and move forward to the City Council with a recommendation for adoption.

Moved by:	Lucas
Seconded by:	Shelton

Following brief discussion in agreement with inserting “commercial” in the title Palmer Land Use Matrix:

Primary Amendment #1: To amend the main motion to state in the title: Palmer *Commercial* Land Use Matrix .

Moved by:	Lucas
Seconded by:	Tudor
Vote:	6 Yes / 0 No; (<i>Absent:</i> Peterson)

Action: Motion Carried by Roll Call vote of all Commissioners present.

Vote on Main Motion as Amended:

Vote: 6 Yes / 0 No; (*Absent:* Peterson)

Action: Motion Carried by Roll Call vote of all Commissioners present.

H. UNFINISHED BUSINESS: None.

I. NEW BUSINESS: None.

J. PLAT REVIEWS:

1. **IM 20-021:** Preliminary Plat – To create six lots from Lots 1 and 2, Ravens Ridge to be known as Ravens Ridge 2020.

[Commissioner Lucas declared a conflict of interest as he is one of the petitioners and removed himself from the Commission table and discussion.]

Director Hanson reported comments of City Departments including:

Building Inspector and Fire Chief: Any driveway 150' or longer must have approved fire apparatus turn-around; *Community Development:* The proposed lots are located within the City and the Airport Influence Area. There were no other City comments.

There was brief discussion regarding street access.

The Commission had no additional comments other than for approval.

[Commissioner Lucas returned to the table]

2. **IM 20-022:** Abbreviated Plat – To subdivide Lots 10 and 11, Block 1, Roland Snodgrass, into two new lots to be known as Valley Way.

Director Hanson reported comments of City Departments including:

Community Development: The proposed lots are located within the City and within the Airport Influence Area. There were no other City comments.

The Commission had no additional comments other than for approval.

K. PUBLIC COMMENTS: There were no members of the public in attendance.

L. STAFF REPORT:

Director Hanson:

- Thanked the Commission for approval of the two ordinances moving forward to the City Council;
- Inquired if there was any objection to changing the date of the October P&Z regular meeting from October 15 to *Wednesday, October 21, 2020*, as council chambers may need to be reserved for election purposes. There were no objections by the Commissioners present.

M. COMMISSIONER COMMENTS:

Commissioner Shelton:

- Commented in appreciation for Director Hanson’s hard work on the ordinances.

Commissioner Ornquist:

- Inquired as to the status of the U-Haul appeal. Director Hanson responded that the Appeal hearing before the Hearing Examiner is scheduled for September 29, 2020 at 9:00 am; he will have more to report following the hearing.
- In addition, Director Hanson informed U-Haul has submitted an application for a Large Retail Establishment Limited Development Plan. He further explained the LRE Ordinance and process of administrative review.
- There was further brief discussion.

Chair Benedetto:

- Spoke in appreciation of staff’s work on the ordinances and is glad they are moving forward.

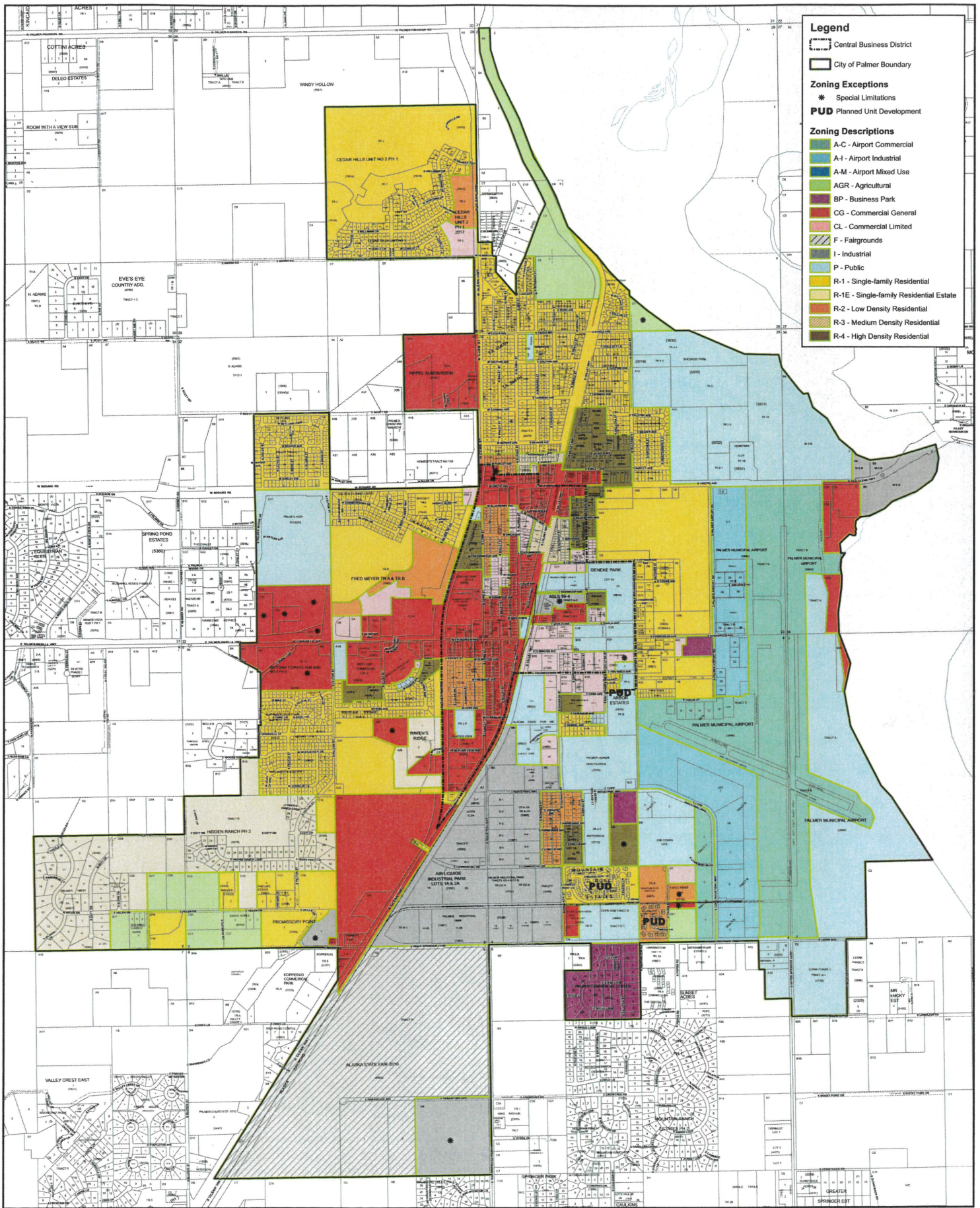
N. ADJOURNMENT:

There being no further business, the meeting adjourned without objection at 7:38 p.m.

APPROVED by the Planning and Zoning Commission this 21st day of October, 2020.

Richard Benedetto, Chair

Brad Hanson, Community Development Director



City of Palmer
Current Zoning Districts
December 2017



0 500 1,000 1,500 2,000
 Feet

This is to certify that this zoning map supersedes and replaces the zoning map adopted February 24, 2015 as part of Ordinance 15-007 of the City of Palmer.

ATTEST:

Edna DeVries
 Edna DeVries, Mayor City of Palmer

Norma Alley
 Norma Alley, City Clerk