



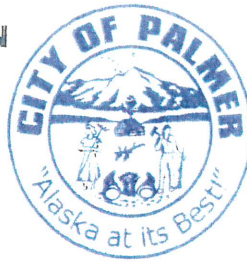
**City of Palmer**

**Planning and Zoning Commission Packet**

**July 15, 2021**







## **AGENDA**

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
- P. 3 E. Minutes of Previous Meetings
  - 1. Regular Meeting of June 17, 2021
- F. Reports
- G. Audience Participation
- H. Public Hearings
- I. Unfinished Business
  - P. 13 1. A Committee of the Whole: Discussion of IM 21-016 regarding Palmer Municipal Code Chapter 17.59 T Transitional District (note: action may be taken by the Commission following the committee of the whole)
  - P. 43 2. A Committee of the Whole: Discussion of IM 21-018 regarding Palmer Municipal Code Chapter 17.60 General District Regulations (note: action may be taken by the Commission following the committee of the whole)
- J. New Business
- K. Plat Reviews
  - P. 65 1. IM 21-019: Pre-application routing slip to adjust parcel lines of Tax Parcels 18N02E29 D005, D006, and D007
- L. Public Comments
- M. Commissioner Comments
- N. Adjournment

THIS PAGE LEFT INTENTIONALLY BLANK



## Minutes

THIS PAGE LEFT INTENTIONALLY BLANK

**A. CALL TO ORDER:**

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

**B. ROLL CALL:**

Constituting a quorum, present in person were Commissioners:

Casey Peterson, Chair  
Josh Tudor, Vice Chair  
Linda Combs  
Lisbeth Jackson  
Pamela Melin  
Sabrina Shelton

Absence(s) excused without objection:

Kristy Thom Bernier

Also present were:

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

**C. PLEDGE OF ALLEGIANCE:** The Pledge was performed.

**D. APPROVAL OF AGENDA:**

The agenda was approved as presented by all members present.

[Shelton, Melin, Jackson, Combs, Tudor, Peterson: *Absent:* Thom Bernier]

**E. MINUTES OF PREVIOUS MEETINGS:**

1. The minutes of the **May 20, 2021 Regular Meeting** were unanimously approved as presented by all members present.

[Shelton, Melin, Jackson, Combs, Tudor, Peterson: *Absent:* Thom Bernier]

**F. REPORTS:** None.

**G. AUDIENCE PARTICIPATION:** None.

**H. PUBLIC HEARINGS:**

1. **Resolution No. 21-004:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Lot 200, Block 1, Felton Addition Subdivision to be Rezoned from R-3, Medium Density Residential to R-4, High Density Residential, Located within Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Chair Peterson inquired if there were any *ex parte* communications related to Resolution 21-004. None were disclosed.

Staff Report: Director Hanson reported general and background information on the requested rezone, including site information, parcel size, existing zoning, surrounding land uses, particular considerations, code requirements, and findings of fact. Public notice and publishing requirements pursuant to code have been met. A total of 2 written comments were received – 0 in favor, 0 opposed, 2 no objection. The applicants are: Kyle & Nicole Moffat, Martin & Nikki Moffat, The Alaska Life LLC.

Findings of Fact: Pursuant to PMC 17.80.036.C, the Commission shall give consideration as to what effect the proposed change would have on public health, safety, welfare and convenience, and or a map amendment show whether:

**Fact 1:** The proposed change is in accordance with the borough and city Comprehensive plans.

Staff Finding:

- Goal 1 of Chapter 6, Land Use, from the Palmer Comprehensive Plan promotes growth guided to make Palmer an increasingly attractive place to live, work, invest and visit.
- Goal 5 encourages the development of high-quality buildings that reflect Palmer’s historical character.
- Goal 6 of Chapter 6 supports improvements to the downtown area to help ensure Palmer’s traditional downtown in lively, attractive and inviting for residents and visitors.

Staff finds the following facts in support:

- a) The proposed change would support the goals and objectives of the City’s Comprehensive Plan by encouraging attractive development that will improve the neighborhood and increase the availability of higher density housing near downtown.
- b) This new building will reflect Palmer’s character and historical setting with high quality architecture while maintain the traditional appeal of Palmer.
- c) The proposed change will provide more accommodations in the downtown area as will as encourage spending for visitors and tourists.

**Fact 2:** The proposed change is compatible with surrounding zoning districts and established land use pattern.

Staff Finding:

- a) The property for the proposed rezone is contiguous to R-3 zoning on the East side, CL Commercial Limited on the West side as well as CG Commercial General to the North and South lines of the lot.
- b) Among the other comparable land use in the subject area are residential neighborhoods as well as other small businesses such as retail and gift shops. Many restaurants and dining establishments are within walking distance from the property, convenient for visitors of Palmer while staying at this location.
- c) PMC 17.27.060 establishes a minimum lot size for dwelling units, that would make the development compatible with surrounding properties.

**Fact 3:** Public facilities such as schools, utilities and streets are adequate to support the proposed change.

Staff Finding:

- a) This property is a triple frontage lot and has access on Dogwood, South Colony Way and South Bonanza, allowing adequate flow of traffic along with incoming and outgoing visitors.
- b) Utilities are available to serve the proposed use of property as High Density Residential, current water and sewer are set in place and will support the proposed structure.
- c) The proposed change is from R-3, Medium Density Residential to R-4, High Density Residential; there



would be little to no impact on public schools since the proposed change would be for short term lodging. The nearest public school is .7 miles from the property.

**Fact 4:** Changed conditions affecting the subject parcel or the surrounding neighborhood support the proposed change.

Staff Finding:

- a) The changed conditions affecting the subject parcel will be the reconstruction of a previous structure that has recently been removed. The continued development of the surrounding housing units supports the proposed change to R-4.
- b) The surrounding zoning districts consist of R-3, Commercial General and Commercial Limited, and have had no recent significant condition changes to the area. The recent amendments to the Central Business District allows for flexibility for downtown parking as well as opportunities for economic development and more compatible use of land.

**Fact 5:** The proposed change is consistent with the public welfare and does not grant a special privilege to the owner(s).

Staff Finding:

- a) The proposed change does not grant the owner any special privilege as the property in question is contiguous to existing residential zoning and commercial development.
- b) The proposed change is consistent with the public welfare by continuing to permit the current use of this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

Staff Recommendation: (Resolution 21-004)

Based on the information provided, staff recommends approval of the requested rezone. Staff also finds the requested rezone to be in conformance with the Palmer Comprehensive Plan. If, following the Public Hearing, the Commission finds the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve the rezone request and forward to the City Council with a recommendation for approval.

Public Hearing: (Resolution 21-004)

Chair Peterson opened the hearing for public testimony at 7:15 p.m.

Applicants' Presentation:

**Martin Moffat**, on behalf of the Moffat family and Alaska Life, LLC

- Testified in support of the rezoning request;
- Spoke to the history of the property (previously referred to as "The Felton House" or "Palmer House") and described the renovations that have taken place since they purchased the property in 2018 to bring it up to code and still preserve some of its historical nature.

There being no others coming forward to speak, Chair Peterson closed the hearing for public testimony at 7:17 p.m.

The Commission reviewed and unanimously approved Findings of Fact 1-5 as proposed by staff in support of Resolution 21-004 by roll call vote of the commissioners present.

Chair Peterson called for the motion:

**Main Motion:** For approval of Resolution No. 21-004, recommending City Council approve a Zoning Map Amendment for Lot 200, Block 1, Felton Addition Subdivision to be Rezoned from R-3, Medium Density Residential to R-4, High Density Residential, to include adoption of Findings of Fact 1-5 as stated by staff in support of Resolution 21-004 and as reviewed by the Commission.

Moved by:	Combs
Seconded by:	Tudor
Vote:	Unanimous ( <i>Absent:</i> Thom Bernier)
Action:	Motion Carried.

Chair Peterson called a short recess at 7:25 p.m.; meeting resumed at 7:27 p.m.

**I. UNFINISHED BUSINESS:**

1. Committee of the Whole: Discussion of IM 21-016 regarding Palmer Municipal Code Chapter 17.59 T Transitional District (note: action may be taken by the Commission following the committee of the whole)

**Main Motion:** To enter Committee of the Whole for open and ease of discussion regarding IM 21-016.

Moved by:	Shelton
Seconded by:	Combs
Vote:	Unanimous ( <i>Absent:</i> Thom Bernier)
Action:	Motion Carried.

[The Commission entered Committee of the Whole at 7:28 p.m.; exited at 9:03 p.m.]

Director Hanson provided an update from the previous meeting noting the City Council at its June 8 meeting directed staff to prepare a proposed plan for the preparation of an annexation petition. P&Z will play a large role in assisting staff in preparation of the plan by analyzing the study areas, review of land use maps for continuity of land uses, consider any Title 17 policy considerations, land use text amendments, setback considerations, and determine whether there are certain parts of annexed areas where land use regulations may not apply.

Committee of the Whole discussion included:

- Review and open discussion of the study area maps and the purpose of the T zone as it relates to annexation;
- Review of the T Transitional District language and commissioner suggestions for revisions;
- Discussion regarding permitted, prohibited, and conditional uses;
- Director Hanson will do further research and revise pursuant to the suggestions.

[The Commission exited Committee of the Whole at 9:03 p.m.]

**J. NEW BUSINESS:**

1. Committee of the Whole: Discussion of IM 21-018 regarding Palmer Municipal Code Chapter 17.60 General District Regulations (note: action may be taken by the Commission following the committee of the whole)

**Main Motion: To enter Committee of the Whole for open and ease of discussion regarding IM 21-018.**

Moved by: Jackson  
Seconded by: Combs  
Vote: Unanimous (*Absent:* Thom Bernier)  
Action: Motion Carried

[The Commission entered Committee of the Whole at 9:04 p.m.; exited at 9:39 p.m.]

Director Hanson reported this is further review of Title 17, explaining the General District Regulations are part of the code that applies to all zoning districts, generally. The Commission is to review PMC 17.60 General Regulations and provide comments where necessary should further action be requested.

Committee of the Whole discussion included:

- Review and open discussion of PMC 17.60 General District Regulations for suggestions on revisions;
- Suggestion for clarification purposes to include Definitions of all terms used in the different zones districts.
- Suggestion to clarify 17.60.050, Projections into required yards, paragraph F. regarding enclosed porch or arctic entry;
- Suggestion to clarify 17.60.070, Fences and walls, paragraph A.

[The Commission exited Committee of the Whole at 9:39 p.m.]

**K. PLAT REVIEWS:** None.

**L. PUBLIC COMMENTS:** None.

**M. COMMISSIONER COMMENTS:**

**Commissioner Shelton** advised she will be out of state for the next meeting.

**Chair Peterson** thanked Director Hanson and his staff for all the help answering questions and concerns.

Director Hanson emphasized if any of the Commission has questions or concerns to not hesitate to call and let staff know, that it will facilitate getting to a faster end result.

**N. ADJOURNMENT:**

There being no further business, the meeting adjourned without objection at 9:40 p.m.

**APPROVED by the Planning and Zoning Commission this 15th day of July, 2021.**

\_\_\_\_\_  
Casey Peterson, Chair

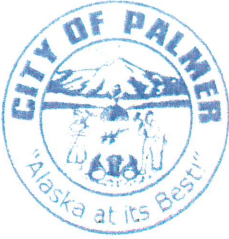
\_\_\_\_\_  
Brad Hanson, Community Development Director

THIS PAGE LEFT INTENTIONALLY BLANK



## **Unfinished Business**

THIS PAGE LEFT INTENTIONALLY BLANK



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 21-016**

**SUBJECT:** Transition District (PMC 17.59)

**AGENDA OF:** May 20, 2021  
June 17, 2021  
July 15, 2021

**ACTION:** Review and comment

**Attachment(s):** 1) Current Land Use Map  
2) Community Analysis Attachments  
3) PMC 17.59 T Transitional District  
4) Commissioner Comments Memo

**Summary:** **July 15, 2021 UPDATE**

A memo was added to reflect commissioner comments from the June 17 meeting.

---

**June 17 UPDATE**

At the June 8, 2021, meeting city council discussed the annexation report from Agnew::Beck (AB) and what the next steps. Staff was directed to prepare a proposed plan for the preparation of an annexation petition.

P&Z at the June meeting should consider these questions to assist staff in preparing the plan:

1. Analyze study areas as determined by AB "Current Land Use" maps to determine potential conflicts with title 17 zoning districts and if the T-District satisfies those concerns.
2. Review AB Current Land Use maps for continuity of land uses.
3. Consider any Title 17 policy considerations, land use text amendments, setback considerations.
4. Should there be certain areas of annexed areas where land use regulations may not apply.

- Annexed properties must be contiguous to the city boundaries.
- Cannot create enclaves with annexed areas.

---

### **May 20 Meeting**

The T – transitional district applies to those small areas of mixed residential, commercial, and /or industrial uses annexed into the city that do not generally conform to the other land use districts in PMC 17 Zoning.

The city undertook an Economic and Community analysis in preparation of an annexation petition during 2020. The analysis is complete and the final edition has been presented to the City Council. At the May 11, 2021 city council meeting they were to conduct a committee of the whole to discuss the analysis. This discussion did not occur because of other agenda items and was postponed until the May 25, 2021 meeting.

The Planning and Zoning Commission, if the council decides to pursue an annexation petition will serve in an advisory role. Providing the council with feedback on process, boundary considerations and recommending any code changes necessary to better assimilate annexed areas into the city.

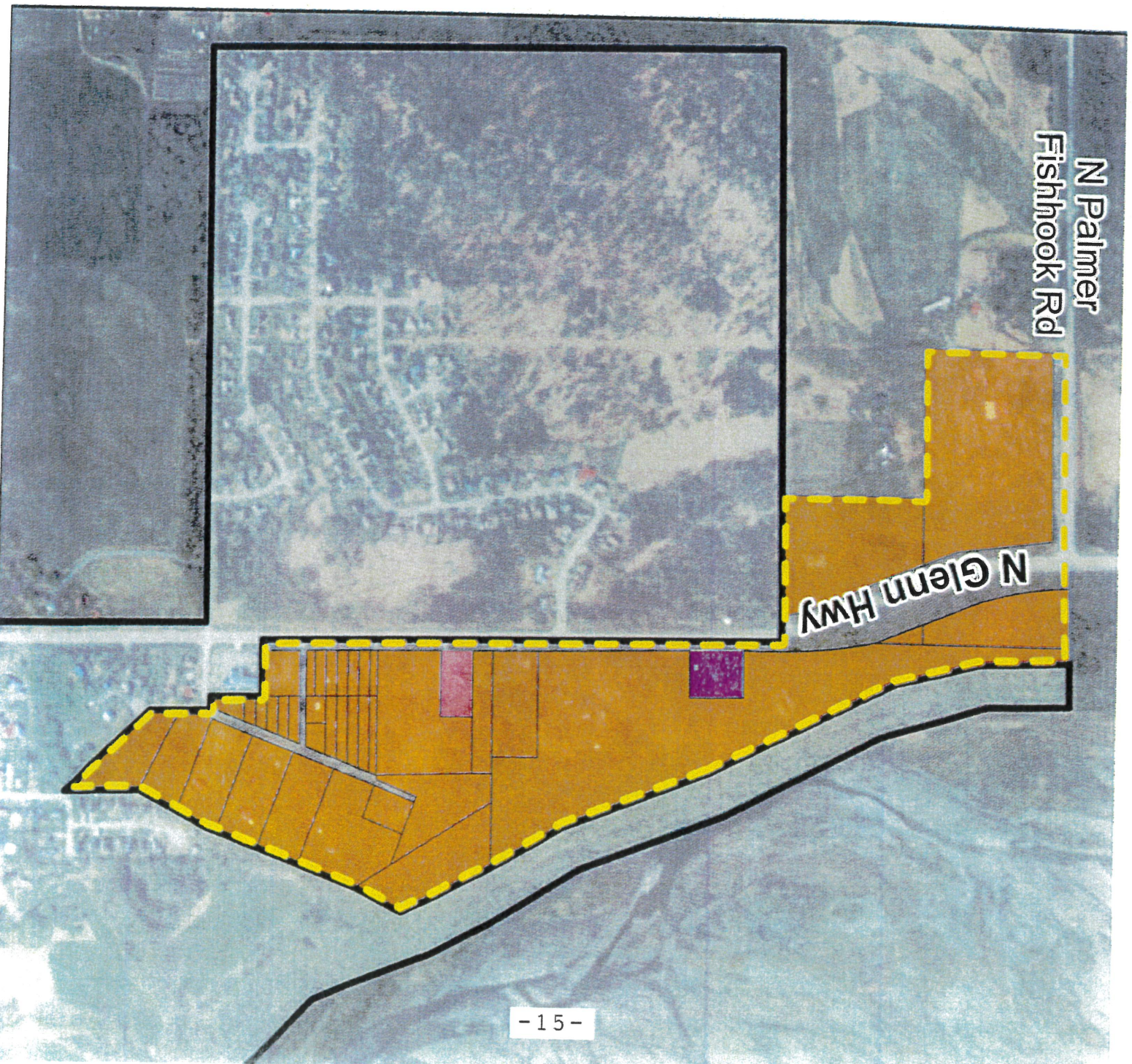
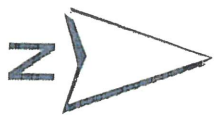
Review of the annexation study areas will allow determination of current land use patterns and determine if compatibility issues with current city code needs to be addressed to better fit annexed areas with current city boundaries.

**Recommendation:** Review Community Analysis information and the relationship between the Transitional zone to determine if adjustments will be required to Develop a successful annexation petition.



# Study Area: A

- Current Land Use
  - Agricultural
  - Commercial
  - Industrial
  - Institutional
  - Mixed Use
  - Residential
- 0.25 Mile



# Study Area: B

Current Land Use

Agricultural

Commercial

Industrial

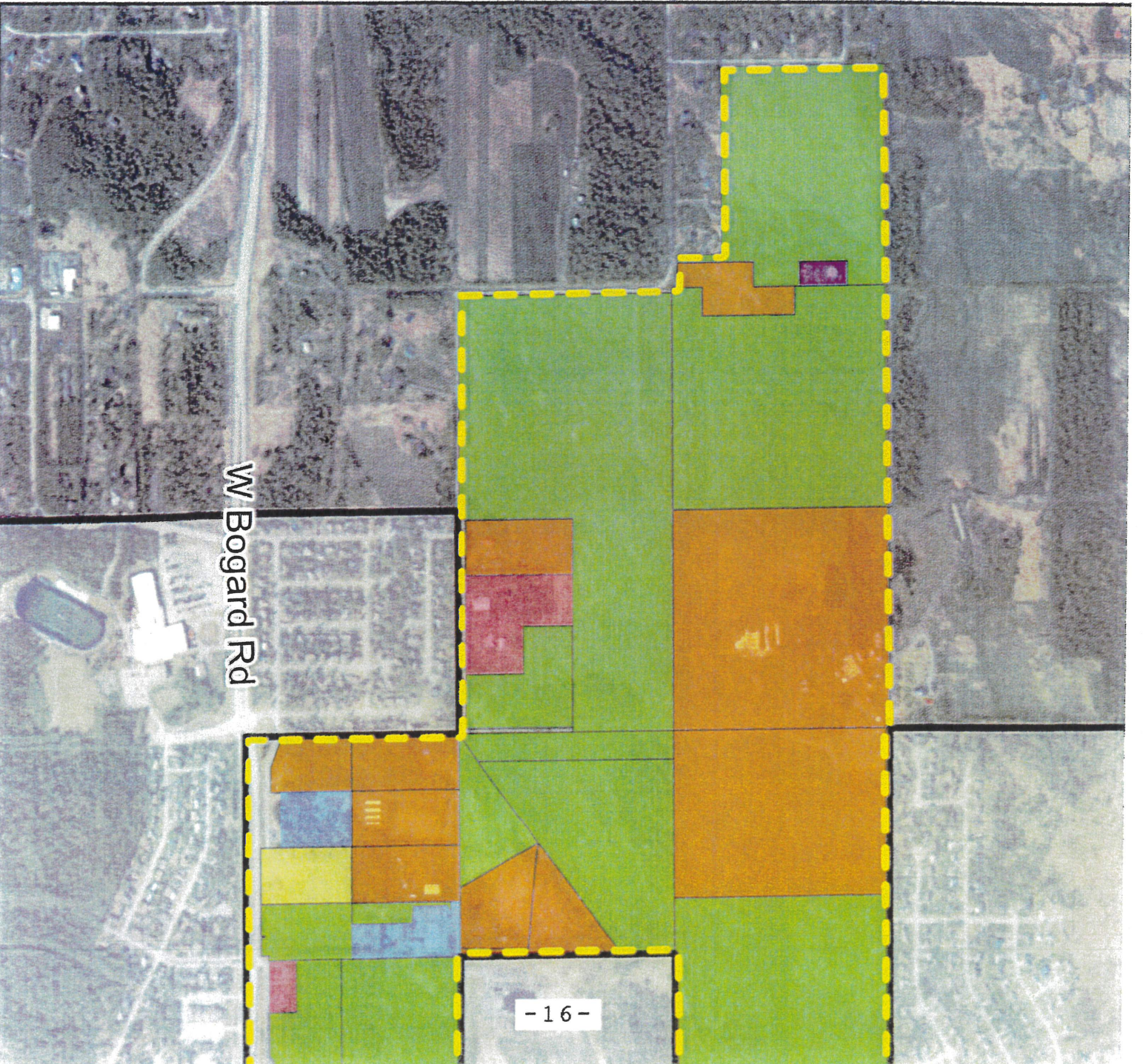
Institutional

Mixed Use

Residential

0.25

Mile



# Study Area: C

Current Land Use

Agricultural

Commercial

Industrial

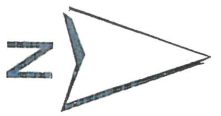
Institutional

Mixed Use

Residential

0.25

Mile



# Study Area: D

Current Land Use

Agricultural

Commercial

Industrial

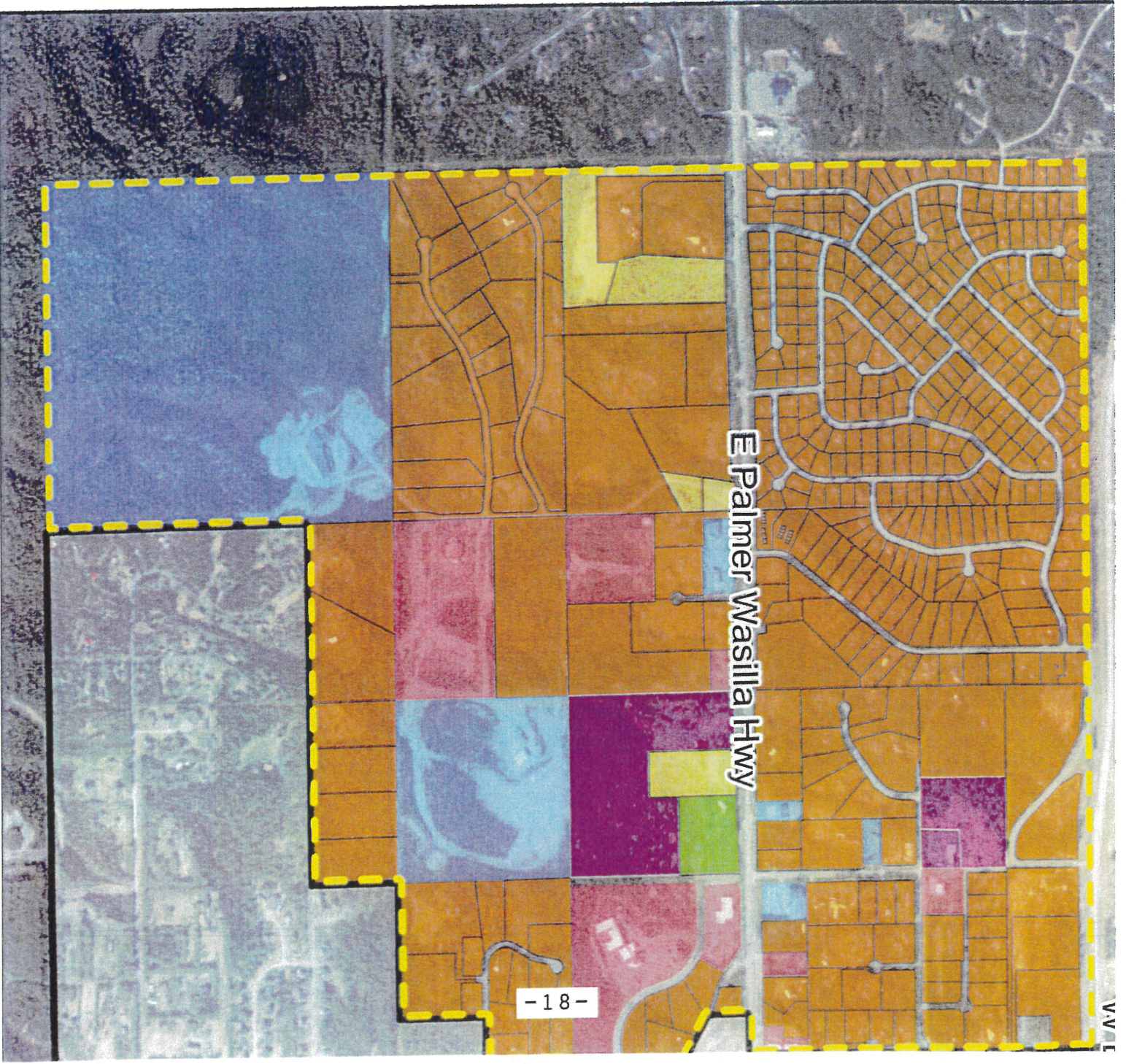
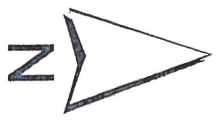
Institutional

Mixed Use

Residential

0.25

Mile



# Study Area: E

Current Land Use

Agricultural

Commercial

Industrial

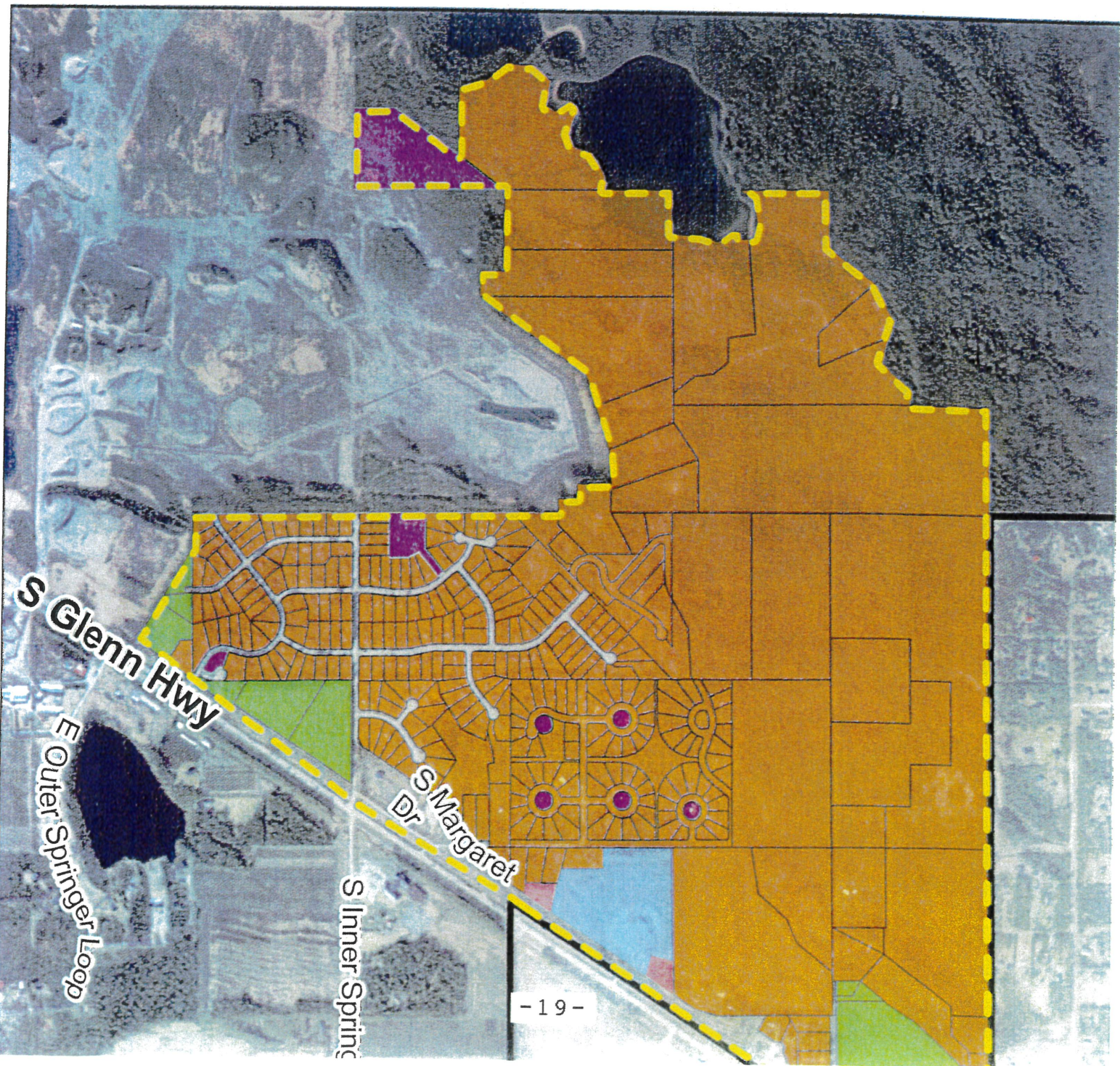
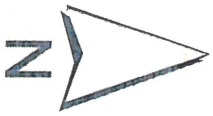
Institutional

Mixed Use

Residential

0.25

Mile



# Study Area: F

Current Land Use

Agricultural

Commercial

Industrial

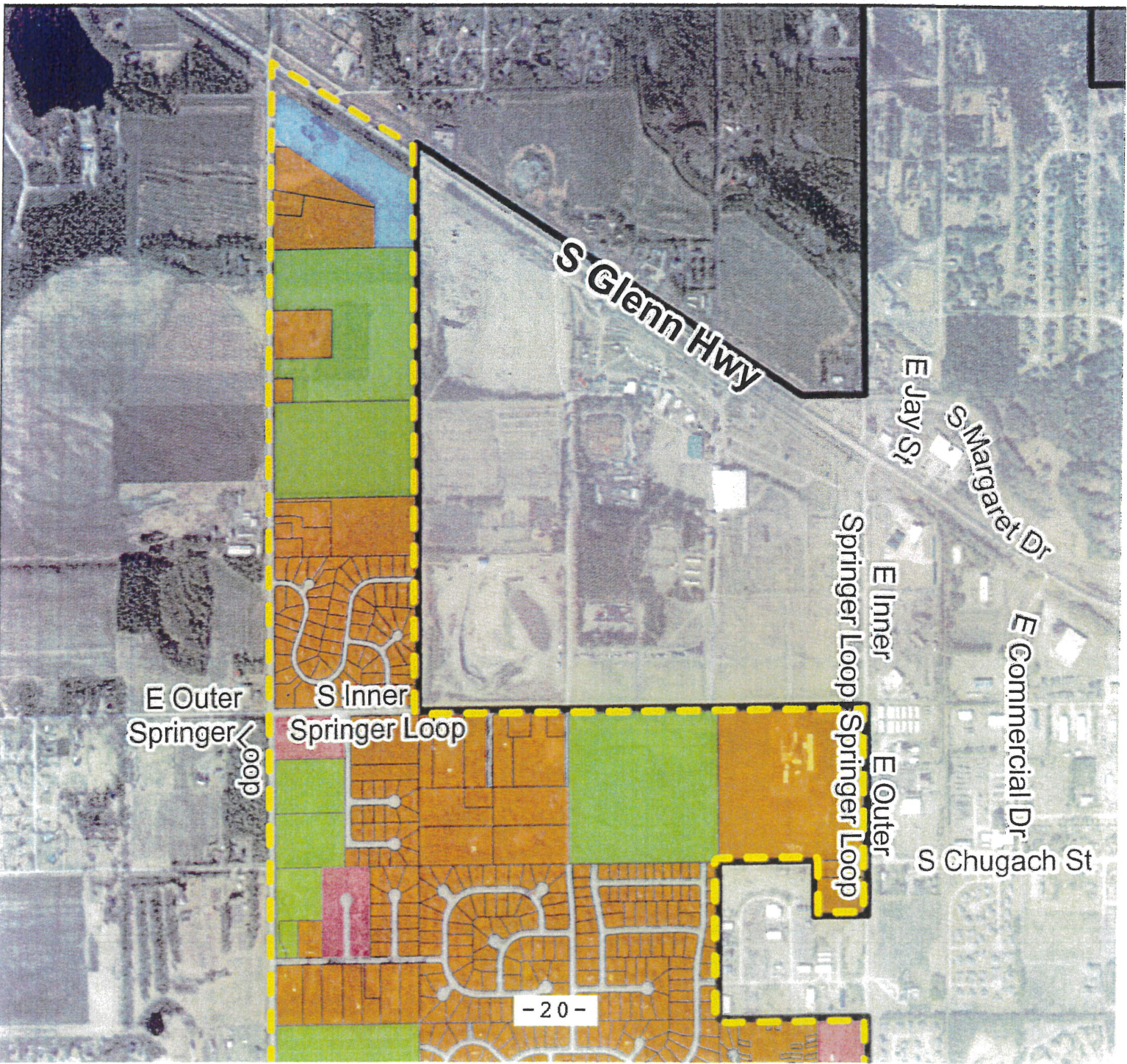
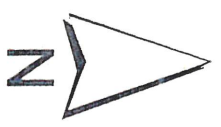
Institutional

Mixed Use

Residential

0.25

Mile



# Study Area: G

Current Land Use

Agricultural

Commercial

Industrial

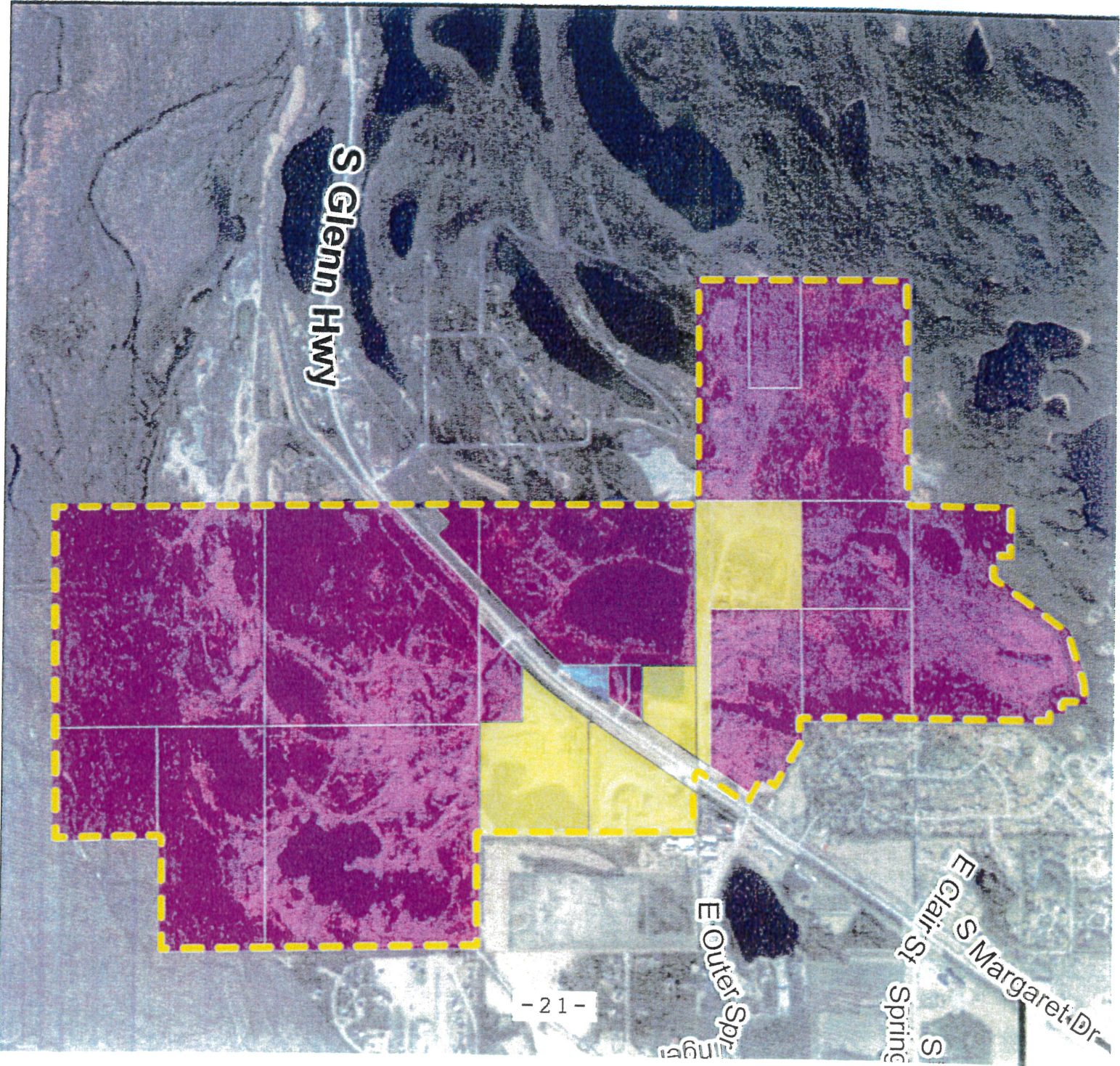
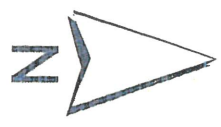
Institutional

Mixed Use

Residential

0.25

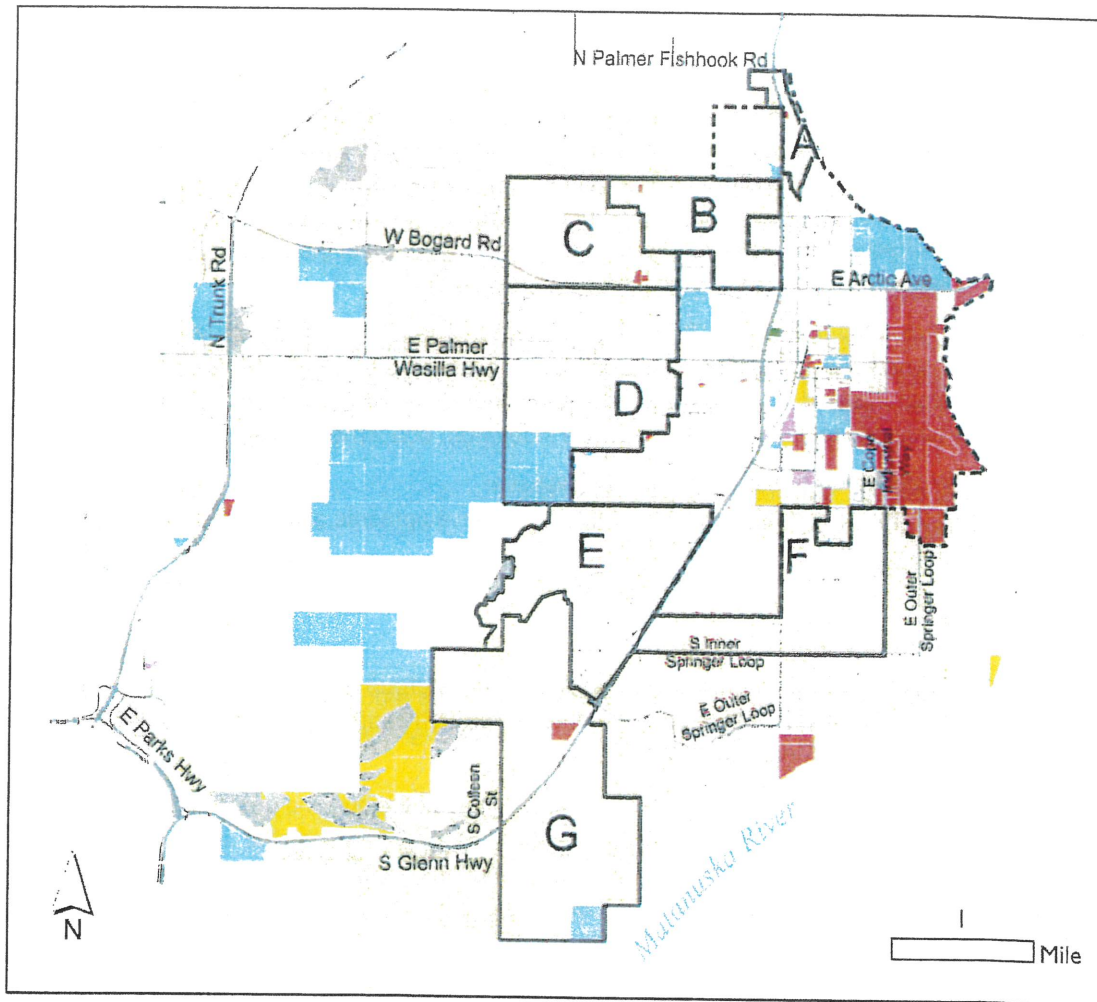
Mile



THIS PAGE LEFT INTENTIONALLY BLANK



Figure 5. Greater Palmer Land Ownership, 2021



City of Palmer  
**2020 Annexation Study**

Date: 3/19/2021 11:24 AM  
 Source Data: Matanuska Susitna Borough GIS

Land Ownership	
	Federal
	City
	State
	Borough
	Private
	Cooperative
	University
	Other



*Property Tax Base*

Property taxes are the City of Palmer’s second most important revenue source after sales taxes, generating approximately 15 percent of all tax revenue and 11.5 percent of all revenue. The current city mil rate is 3.0 mils (0.3 percent) per annum. In addition, the city residents also pay property taxes to the Matanuska-Susitna Borough equal to 10.3 mils (1.03 percent) per annum. City residents avoid paying roughly 3.08 mils (0.308 percent) of non-areawide Matanuska-Susitna Borough taxes because the City of Palmer provides certain services which displace borough services. All things being equal (i.e., if tax rates didn’t change), annexed properties would see a drop in property tax rates of 0.08 mils based on 2020 rates. This change would provide at least equivalent road and fire services and more responsive police service.

# Community Analysis

## Community Analysis Methodology

The community analysis focuses on public perception as well as non-fiscal annexation impacts that would affect annexed areas, such as the application of City land use and other regulations. The community analysis is used to: a) inform the fiscal modeling assumptions, if applicable, b) clarify the changes and resulting impacts of a proposed annexation, and c) identify actions the City of Palmer could take to ameliorate unwanted effects of annexation, d) understand how members of the greater Palmer community weigh the potential benefits and challenges of annexation.

The project team conducted public outreach to identify specific annexation effects through a variety of methods, including interviews and meetings and two rounds of an online survey. The Project team reviewed relevant comments and testimony offered at City Council meetings about the annexation study and responded to emails and telephone calls about the study from concerned citizens.

Information about the study was posted to the project website: <https://palmerannexstudy.org/>, and a project email list was used to send updates about key project developments and opportunities for community involvement.

## Interviews and Meetings

The project team conducted 10 key informant interviews and focus group discussions, including city staff, LBC staff, Palmer-area farmers and hobby farmers, Mat-Su Borough staff, and a local Economic Development Committee Board Member.

The project team also conducted several public meetings, listening sessions and presentations, as well as a radio show that aired on Radio Free Palmer. Because the study was completed during the COVID-19 pandemic, all public meetings were conducted virtually. Meetings featured a presentation of key findings from the study as well as opportunity for general discussion and questions to be answered. Recordings of the February 4 and February 20 meetings were posted online for general viewing at Radio Free Palmer (<https://www.radiofreepalmer.org/streamed-meetings/>) and the Palmer Annexation Study project website (<https://palmerannexstudy.org/>), respectively.

1. August 25, 2020 and September 8, 2020: presentations of study methodology and plan to Palmer City Council.
2. February 4, 2021: online public meeting, attended by 17 community members.
3. February 8, 2021: online listening session, with three community members registered.
4. February 10, 2021: Presentation to the Palmer Chamber of Commerce.
5. February 11, 2021: online listening session, with 11 community members registered.
6. February 20, 2021: online listening session, with 27 community members registered.
7. April 13, 2021: presentation of findings to Palmer City Council.

## Survey

The Palmer Annexation Study survey was open November 3 to November 20, 2020 and from January 25 to February 22, 2021. The survey had a grand total of 610 responses. Questions were designed to reveal how people weigh the potential benefits and detriments of annexation (included in the Appendices). The survey had a majority of white respondents and a diversity of income levels. Respondents were fairly well distributed by age with just over one-third in the younger age cohort. In comparing survey responses to

City of Palmer demographics, respondent demographics are fairly but not exactly consistent with trends citywide. It is fair to suggest that the younger demographic is slightly less represented, compared to City demographics. Similarly, people of color are slightly less represented when compared to Palmer demographics. Finally, lower income households are notably less represented compared to household income distribution in Palmer overall.

**Table 12. Respondent Demographics**

	All Survey Respondents		City of Palmer 2018 ACS (US Census Bureau)	City of Palmer and Study Areas 2020*
Female	273	45%	48%	50%
Male	243	40%	52%	50%
Prefer not to answer	87	14%		
<b>Total</b>	<b>603</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Age 20-44	220	36%	57%	49%
Age 45-64	229	38%	28%	34%
Age 65 and over	86	14%	15%	17%
Prefer not to answer	69	11%		
<b>Total Age 20 and over</b>	<b>604</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
White or Caucasian	377	62%	76%	74%
American Indian or Alaska Native	18	3%	8%	8%
Black or African American	6	1%	3%	2%
Asian or Asian American	2	0%	2%	2%
Two or more races	33	5%	10%	8%
Another race	12	2%	2%	6%
Prefer not to answer	157	26%		
<b>Total</b>	<b>605</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Under \$25,000	7	1%	17%	18%
\$25,000-\$49,999	42	7%	24%	18%
\$50,000-\$74,999	73	12%	19%	17%
\$75,000-\$99,999	118	20%	14%	12%
Over \$100,000	205	34%	25%	36%
Prefer not to answer	158	26%		
<b>Total</b>	<b>603</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

2020 Data from ESRI adjusted by the Alaska Map Co. using Mat-Su Borough housing assessment counts.

## Research and Reflection

The project team reviewed previous annexation studies conducted for the City of Palmer, Palmer Municipal Code, as well as prior-year annexation petitions and other procedural resources on file with the

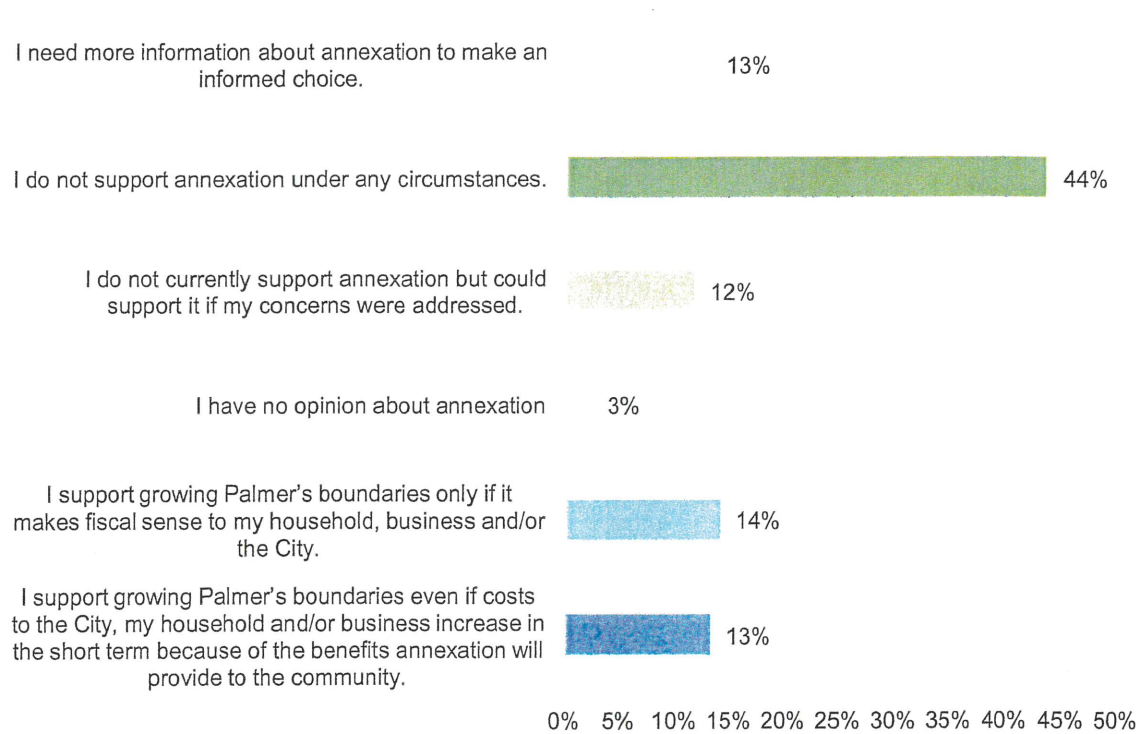
LBC. Specific concerns were researched to clearly communicate the changes that would occur upon annexing land. If potential actions were identified to avoid or ameliorate negative impacts, these have been noted in the analysis and transition plan chapters. Where possible, examples of code used by comparable to cities to accommodate specific regulatory concerns have also been noted.

## Community Impact Analysis

### Level of Support for Annexation

Survey findings show that 62 percent of those who live in the city support annexation and 17 percent do not support, whereas 15 percent of those who live in the study areas support annexation and 67 percent do not support it. This trend is similar for business owners in City versus the study areas. Business owners within the City are more evenly split (43 percent indicated possible support, whereas 39 percent indicated a lack of support). Business owners in the study areas indicated a stronger lack of support (74 percent). These results indicate that Palmer residents want more people to join the City and possibly understand some of the benefits of annexation.

Figure 9. General Level of Support for Annexation



**Table 13. Resident Support for Annexation**

	Live in City		Live in Study Area		Live Outside SA & City		All Residents	
Response indicated a lack of support	17	17%	244	<b>67%</b>	76	54%	337	56%
No Opinion, Need More Info, or None of the above	21	21%	62	17%	19	14%	102	<b>17%</b>
Response indicated possible support	61	<b>62%</b>	56	15%	45	32%	162	27%
Total	99	100%	362	100%	140	100%	601	100%

**Table 14. Resident Support for Annexation by Study Area**

Study Area	Total Resident Respondents	# Support Annexation	% Support Annexation
Study Area A	7	3	43%
Study Area B	6	0	0%
Study Area C	14	1	7%
Study Area D	80	15	19%
Study Area E	98	15	15%
Study Area F	153	19	12%
Study Area G	7	3	43%

**Table 15. Business Owner Support for Annexation**

	Own Business in City		Own Business in Study Area		Own Business Outside Study Area and City		All Business	
Response indicated a lack of support	20	39%	53	<b>74%</b>	31	62%	104	60%
No Opinion, Need More Info, or None of the above	9	18%	11	15%	3	6%	23	<b>13%</b>
Response indicated possible support	22	<b>43%</b>	8	11%	16	32%	46	27%
Total	51	100%	72	100%	50	100%	173	100%

### *Severance Tax*

Open-ended survey responses that specifically mentioned other types of city taxes and fees indicated support for a severance tax on local quarries and/or gravel pits as well as a road tax against quarry trucks. The City does not currently have a severance tax. The City may consider implementing a severance tax on materials extraction, although the City has no intention to impose significant new taxes. The City would have to consider the maturity of existing extraction operations and how long a severance tax could be a reliable revenue source.

### *Bed Tax*

One survey response included a question about whether the city would collect a bed tax. The Matanuska-Susitna Borough currently collects a five percent bed tax on businesses that provide traveler accommodations. Annexed hospitality businesses would still pay the Borough bed tax, but the City of Palmer does **not** have a bed tax. These businesses would only be responsible to the City for collecting City sales tax. Note that Palmer's zoning codes (PMC 17.89 Short-Term Rentals) include regulation and standards for bed and breakfast-style lodging.

### *Other Fees*

Survey responses mentioned concerns about local improvement district assessments, building permit/inspection fees, as well as fees for specific city services (e.g., garbage collection, City water/sewer connection fees). The City of Palmer charges a number of fees that would apply to annexed residents or businesses, depending on the individual situation or activities the resident or business is engaged in. For example, businesses in the City of Palmer must have a City business license, which costs \$25 per year. For an up-to-date listing, please reference the resources below.

**City of Palmer Fee Schedule:** [www.palmerak.org/finance/page/fee-schedule](http://www.palmerak.org/finance/page/fee-schedule).

**Quick Reference Guide to Establishing a Business in Palmer, Alaska:**

[www.palmerak.org/community-development/page/quick-reference-guide-establishing-business-palmer-alaska](http://www.palmerak.org/community-development/page/quick-reference-guide-establishing-business-palmer-alaska)

## Planning and Growth Management

As the Palmer area's population grows and land is developed, annexation would allow the City to apply its land use powers to help plan for and manage development in annexed areas. Some real estate developers prefer to develop land within City boundaries to benefit from services like City Police. As land is proposed for development or redevelopment, planning and land use regulation can reduce incompatible adjacent land uses and help protect the small-town feel of the area that people value, especially along main road corridors like the Glenn and Palmer-Wasilla Highways, where State road improvements make development more attractive. The study areas include gravel pits, which will eventually close, and it is not known how that land will be re-developed. A well-timed annexation would give the City greater influence over what happens with the land once the gravel operations close, ensuring that future uses are compatible with existing land uses in the area and local community character.

*"If all the farmland leading into Palmer is built on, it's just going to look like any other town, not home anymore."*

*"Palmer is a small town that is perfect for families, and we want it to stay exactly as it is."*

Greater Palmer also includes significant areas of farmland. Not only is maintaining agriculture important to Palmer's character and identity, the greater Palmer area has some of the cleanest and most productive (Class 2) soils in the state. City zoning could help protect farmland that is intended for perpetual use as agricultural land. Some area farmers are already putting conservation easements on their prime farmland

for this reason through the Alaska Farmland Trust. Farmers may also want to keep the flexibility of having at least part of their property remain un-zoned land that can maintain a higher value for sale and redevelopment.

Annexation could give the City more reason to promote economic development inside its boundaries. Unlike most other City taxes and fees, Palmer's City sales tax generates revenue from local *and* non-local taxpayers through business sales. The more businesses inside the City that generate sales tax revenue from sales to non-local customers or clients, the more the City can reduce its local tax burden to area residents.

### ***Key Findings***

Public outreach revealed very mixed viewpoints about the planning and growth management aspects of annexation. Some view annexation and the City's ability to do land use planning as the key to growth for Palmer, attracting businesses and families, opening more economic opportunities and allowing the community to develop with assurances of zoning control to avoid incompatible uses and maintain the small-town feel of the area. Some area residents and business owners would value City land use controls to protect Palmer's character as land is developed, especially along the Palmer-Wasilla Highway and Glenn Highway corridors. Some area residents view zoning and regulation as good for residents, rather than intrusive.

*"Palmer's layout is much better than the 'anything goes' Matanuska-Susitna Borough zoning." "With the Matanuska-Susitna Borough you can have a business' sheet metal building constructed in a residential area."*

Others expressed concerns that annexation would encourage growth and, with it, crime, high density housing without the infrastructure to support it, traffic, and unwanted levels of commercial development. Some commented about the importance of maintaining Palmer's small town feel and protecting farmland.

Responses indicated support for protecting Palmer's small-town character, including support for farmland preservation. Responses revealed a difference of opinion about annexation-as either opportunity to extend City land use regulations to manage growth or the belief that annexation would drive population growth and thereby irreversibly destroy Palmer's small-town lifestyle. Comments included a request for the study to describe the long-term goals of the City in pursuing annexation as well as to provide growth, traffic and land value projections. These respondents want to know if annexation would affect the value of annexed land, as well as the costs and ripple effects of increased development and the population growth that would follow, such as impacts to traffic volume and patterns.

### ***Land Use Regulations***

67 percent of survey respondents viewed City zoning and land use regulations as a detriment. Open-ended responses revealed mixed attitudes toward land use regulations. Some voiced concerns about how annexed land will be zoned and whether the City has appropriate land use designations. People generally want to be able to keep doing what they have been doing with their land; many expressed support for grandfathering existing land uses in any annexed territory. Some people expressed general opposition to zoning and other land use regulations, while others voiced the desire for greater enforcement of existing city regulations inside the City.

Some responses support zoning or other land use regulations for a variety of reasons including:

- protect Palmer's small-town character;
- prevent sprawl;
- protect the quality of Palmer's downtown and commercial district(s);
- protect farmland and hobby farm activities on primarily residential;

- protect public health and sanitation (i.e., disallow septic systems where they would endanger public health);
- limit high-density housing.

One respondent suggested a green buffer next to the Mountain Ranch subdivision. Another respondent suggested allowing buildings over three stories. Other responses oppose zoning or other land use regulations for fear that it would decrease land value or disallow the existing mix of uses on individual properties.

*Building Codes, Permits, etc.*

62 percent of survey respondents viewed City building codes and permits as a detriment. Open-ended responses that mentioned building codes, permits and inspections reflected a desire for the City to be more flexible or not require these for structures like sheds, decks, storage buildings, fences, etc. Some concerns focused more on the costs associated with code compliance and permitting for building and land use.

Issue	Explanation
<b>General Regulations</b>	As part of an annexation petition, the City must submit a transition plan for the areas proposed for annexation to the State Local Boundary Commission. The transition plan would describe when and how City regulations would be applied to annexed areas, including applicable zoning, as well as any regulatory changes that would take effect upon incorporating annexed territory into the city. Some land uses and building structures that would not meet existing Palmer Municipal Code (PMC) could be grandfathered (allowed inside expanded City boundaries by "grandfather rights"). The City could also change certain existing City regulations upon annexation for the entire City or create regulations that apply only in certain areas or land use designations. Existing Palmer Municipal Code can be viewed at <a href="http://palmer.municipal.codes/PMC">http://palmer.municipal.codes/PMC</a>
<b>Subdivisions</b>	Matanuska-Susitna Borough Code, Title 16 (Subdivisions) was repealed by ordinance in 2006. Palmer Municipal Code, Title 16 (Subdivisions) regulates land subdivisions within the City. The Palmer City Planning and Zoning Commission reviews plats and provides subdividers with guidance to ensure compliance with Palmer Municipal Code, and formally approves or disapproves final plats.
<b>Homeowner Association covenants, codes and restrictions (CCRs)</b>	Homeowner Association covenants, codes and restrictions (CCRs) are not affected by annexation and are up to the homeowner association to enforce. If private CCR(s) conflict with City code, the City will enforce its code.
<b>Zoning and Conditional Use Permits</b>	With a few exceptions, the Matanuska-Susitna Borough currently requires Land Use Permits, as well as Conditional Use Permits for certain high impact uses (e.g., adult entertainment, materials extraction) in all areas of the Borough outside the cities of Houston, Palmer and Wasilla. <sup>9</sup>  Upon annexation, the City's zoning powers would be applied to annexed territory by recommendation to the Palmer Planning and Zoning Commission. Palmer Municipal Code, Title 17 (Zoning) currently contains 17 different zoning districts that provide a wide range of by right and conditional uses. Generally, annexed territory would be zoned to match the existing land use of the parcel and adjacent or nearby properties with similar land uses that are already zoned. For example, an annexed property with a single-family home on it that is located adjacent to a single-family residential neighborhood in the City would be zoned the same as the parcels in the adjacent neighborhood. The City would work with the owners of annexed properties to identify the zoning for each parcel, especially if existing

<sup>9</sup> Matanuska-Susitna Borough. *Zoning*. Accessed February 9, 2021 from: <https://www.matseco.us/annex>.



Issue	Explanation
	<p>land uses do not clearly match a particular existing zoning district. For mixed-use properties, multiple Palmer zoning districts could apply, depending on the intensity and type of existing land uses on the parcel. PMC 17.16.060 (Annexation zoning) provides guidance for the City to zone annexed land; it describes several situations in which a land parcel would be zoned T-Transitional District (PMC 17.59) upon annexation and until an appropriate zoning designation and any conditional use permits are applied and granted. Palmer's Transitional Zoning has been amended over time to better accommodate the needs of property owners who wish to continue their regular and planned business or other operations, such as a planned building expansion, during the transitional period.</p>
<p><b>Building permits, fees and codes</b></p>	<p>The Matanuska-Susitna Borough adopted building codes and requires a plan review for new or renovated commercial buildings. The Borough also requires a Flood Hazard Development Permit for any development located in designated special flood hazard areas and a permit for the construction of a driveway or other development that will affect a Borough-managed public right-of-way or easement. The Borough recommends contacting the MSB Code Compliance Office before buying or building in the Borough.<sup>10</sup></p> <p>The City of Palmer adopted building safety codes (PMC Title 15 Buildings and Construction) and requires building permits for new construction, additions and alterations, which include decks, small storage buildings, greenhouses, etc.<sup>11</sup> The City requires building permits for fences, signs and temporary structures if the structure will remain in place longer than six months (PMC 15.08.3103).</p> <p>The City charges a sliding scale for the permits based on the value of the structure to be built. This fee scale<sup>12</sup> assumes that the greater the value of the structure, the more complex it is, and the more time and expertise will be needed to review it for compliance with all applicable plans, ordinances and regulations before approving its construction.</p> <p>To better accommodate the desire for greater flexibility in building code compliance, the City of Palmer could review and amend code to make some degree of the building permitting and inspection process optional or voluntary. For example, Anchorage Municipal Code 23.05.030 makes the requirements to apply for and complete the building permit, plan review, and building inspection processes optional in areas outside the Anchorage Building Safety Service Area (ABSSA), which is defined in AMC 27.30.040. The boundaries of the ABSSA are outlined on a map in AMC 27.30.700.</p>
<p><b>Fences</b></p>	<p>At the time of writing, the City may issue a one-time fence permit for \$26 per parcel; the property owner must update the City on the fence location if it is moved.<sup>13</sup> The City tracks the location of electric fences on agricultural lands for public health reasons and to enforce height restrictions on residential land.</p>
<p><b>Signs</b></p>	<p>Sign permits are required for permanent signs (PMC 14.08.020), which must comply with PMC 14.08 Sign regulations. At the time of writing, sign permit fees are \$25 plus \$1.50/sf of sign area (non-electrical signs) and \$50 plus \$3/sf of sign area (electrical signs).<sup>14</sup></p>

<sup>10</sup> Matanuska-Susitna Borough. *Code Compliance*. Accessed February 9, 2021 from: <https://www.matsugov.us/codecompliance>.

<sup>11</sup> City of Palmer. *Building Codes*. Accessed February 9, 2021 from: <https://www.palmerak.org/community-development/page/building-code-enforcement-information>.

City of Palmer. *Building Reports*. Accessed February 9, 2021 from: <https://www.palmerak.org/community-development/page/building-reports>.

<sup>12</sup> City of Palmer. *Fee Schedule*. Accessed February 4, 2021 from: [www.palmerak.org/finance/page/fee-schedule](http://www.palmerak.org/finance/page/fee-schedule).

<sup>13</sup> City of Palmer. *Fence Permit Application*. Accessed February 9, 2021 from: <https://www.palmerak.org/community-development/page/residential-fence-permit-application>.

<sup>14</sup> City of Palmer. *Fee Schedule*. Accessed February 4, 2021 from: [www.palmerak.org/finance/page/fee-schedule](http://www.palmerak.org/finance/page/fee-schedule).

# Transition Plan

## Transfer Process

An annexation petition must include a practical plan, informed by the City of Palmer, the State of Alaska, the Matanuska-Susitna Borough and general community that demonstrates the capacity of the City government to:

- extend essential City services into the territory proposed for annexation in the shortest practicable time after annexation, not to exceed two years following annexation.
- assume all relevant and appropriate powers, duties, rights, and functions presently exercised by the Matanuska-Susitna Borough in the territory proposed for annexation.
- transfer and integrate all relevant and appropriate assets and liabilities of the Matanuska-Susitna Borough in the territory proposed for annexation.

The estimated staffing, equipment and capital needed to annex the Study Areas identified in this report are included in the fiscal study assumptions. If the City proposes to annex a different land area, the transition plan for that annexation petition will provide comparable estimates adjusted to the area included in the petition.

Generally, the transition process occurs within one year of an annexation decision. The impact to the City of Palmer of extending services to areas proposed for annexation would be greatest for areas with the greatest population and existing development. As the City prepares the transition plan for a given annexation petition, it will confer and coordinate with other governmental agencies and service providers, such as those listed in **Table 15**.

**Table 16. Pre-Annexation Consultation**

<b>Entity</b>	<b>Topic(s) of Coordination</b>
<b>Mat-Su Borough (various departments)</b>	Status of annexation petition; voting districts; alcohol and marijuana licensing; emergency and hazard planning; tax receipts, timing of tax collection/effective dates; improvement districts; bond repayment; planning and land development; gravel pits; subdivision and platting procedures; mapping; general coordination
<b>South Colony Road Service Area</b>	Borough road contracts; existing maintenance and capital projects, service levels; general coordination
<b>Alaska Department of Transportation and Public Facilities</b>	Confirm ownership and maintenance of State roads/infrastructure; ADOT policies; general coordination
<b>Alaska State Troopers</b>	Impact to Trooper workload; problem areas; dispatch; staffing levels; general coordination
<b>Alaska Alcohol and Marijuana Control Office</b>	Alcohol and marijuana licensing; marijuana and alcohol licenses; license types; conditions of approval; general coordination
<b>Alaska Fire Marshal</b>	Application of City building and fire safety codes/policies; general coordination
<b>School District</b>	Police response; safe routes to schools; general coordination
<b>State of Alaska Local Government Specialist</b>	Anything City has questions about; general coordination

## ***General Government Services***

All areas of potential City annexation are currently governed by the Matanuska-Susitna Borough, so general government services for any territory proposed for annexation would be transferred from the Matanuska-Susitna Borough to the City of Palmer. Some specific government services and functions would remain with the Borough and are noted in the following pages. Once annexation is effective, the City would work with the Matanuska-Susitna Borough to ensure that all affected departments are made aware of the boundary change.

### ***Transition of voter roles***

Voter registration would shift from the Matanuska-Susitna Borough to the City of Palmer for all residents of annexed territory upon effective annexation. Annexed residents would be assigned to City of Palmer voting precincts. Voting precincts are set by the State of Alaska and reviewed every ten years after the Census. The City of Palmer currently has two precincts, located at:

- 11-070: Matanuska-Susitna Borough Administration Building Assembly Chambers (350 E. Dahlia Avenue)
- 11-075: Senior Center (350 E. Dahlia Avenue)

A map of Palmer's existing voting precincts may be viewed at: [www.palmerak.org/city-clerks-office/page/polling-locations](http://www.palmerak.org/city-clerks-office/page/polling-locations).

## ***Licenses***

### ***Business licenses***

Businesses located in annexed areas would be required to obtain a City of Palmer business license, effective upon annexation.

### ***Alcohol and Marijuana Licenses***

The Alaska Alcohol and Marijuana Control Office (AMCO) would continue to oversee the licensing of alcohol and marijuana businesses. Any annexed business holding an alcohol or marijuana license issued by AMCO would be permitted to continue operating consistent with their license and any restrictions or conditions that were placed on the license at its approval or most recent renewal. Renewal of licenses post-annexation would be reviewed according to Palmer Municipal Code. Once annexation is effective, the new city boundaries would be provided to the AMCO for future licensing and renewals.

### ***Property Tax***

The Matanuska-Susitna Borough assesses and collects property taxes for properties inside and outside organized cities in the borough; this system would not change. However, the Matanuska-Susitna Borough Assessing Department would be notified of the new property in the city to make sure that the property receives the proper assessment. Annexed parcels would be transitioned to the correct tax code area for Palmer, which would begin at the beginning of the next calendar year following the effective date of annexation. Annexed properties would no longer pay the Borough's Non-Area Wide millage, Road Service Area millage nor separate Greater Palmer Consolidated Fire Service Area millage, and would instead pay the City of Palmer millage.

### ***Sales Tax***

The Matanuska-Susitna Borough at this time has not imposed a sales tax. The City of Palmer currently has a sales tax in the amount of three percent. Once annexation is effective, all future sales, rentals and services made on or from businesses within the annexed area would be subject to the City of Palmer sales tax. The procedures that are currently in place when developers and/or businesses apply for a Building Permit or Business License ensure that individuals are informed of the City sales tax and proper collection and reporting requirements.

### ***Other taxes and fees***

A transient accommodations taxation (bed tax) is collected by the Matanuska-Susitna Borough. This tax would continue to be collected by the Borough for all applicable businesses operating within the City and annexed areas. The City of Palmer does not collect a bed tax.

Once annexation is effective, all applicable fees charged by the City of Palmer would be required upon the associated action. The City's current Fee Schedule may be viewed at:

<https://www.palmerak.org/finance/page/fee-schedule>.

### ***Economic Development***

Economic Development would transfer from the Matanuska-Susitna Borough to the City of Palmer.

### ***Planning, Land Use and Zoning***

Some planning and land use powers would transfer from the Matanuska-Susitna Borough to the City of Palmer, including subdivisions and plat review, zoning, and the application of building permits.

Subdivisions and platting for land within City boundaries is done by the City of Palmer, with approval by the Palmer Planning and Zoning Commission. Palmer Municipal Code provides guidance for these actions in PMC Title 16 Subdivisions (<https://palmer.municipal.codes/PMC/16>). Once annexation is effective, landowners would work with City of Palmer staff to subdivide and plat their land in accordance with City code.

Palmer Municipal Code provides guidance for the application of City zoning upon annexation of territory into the city (PMC 17.59.030: <https://palmer.municipal.codes/PMC/17.59>). Following the effective date of annexation, the Palmer Planning and Zoning Commission will conduct public hearings to take public comment on land use and potential zoning for the newly annexed territory. After due considerations, the City would designate initial zoning districts for annexed parcels. Owner-initiated zoning amendments can be made at any time, so landowners can propose the zoning of their choice to the city as part of the initial zoning or afterward. City staff would work with landowners to determine how best to accommodate any non-conforming territory within study areas, which may include some combination of zoning application, conditional use permits, variances or some other land use regulatory tool.

Palmer Municipal Code also provides guidance about the initial zoning of annexed properties (PMC 17.16.060: <https://palmer.municipal.codes/PMC/17.16.060> and PMC 17.59.040 <https://palmer.municipal.codes/PMC/17.59>), copied below. These designations are intended to make the zoning process smooth by allowing existing uses to continue to the extent possible during transition into the City.

**17.16.060 Annexation zoning.** When land becomes a part of the city by means of annexation, the land shall be zoned as follows:

- A. Privately owned parcels primarily used for single-family residential purposes shall be classified as R-1, single-family residential;
- B. Parcels owned by a governmental agency and intended for uses allowed in a public use district shall be classified as P, public use;
- C. Parcels owned by a governmental agency and not intended for uses allowed in a public use district shall be classified as T, transitional use;
- D. Privately owned parcels primarily used for other than single-family residential purposes shall be classified as T, transitional use;

E. Privately owned parcels not in use upon the effective date of the annexation shall be classified as T, transitional use. (Ord. 632 § 3, 2004; Ord. 454 § 4, 1992)

**17.59.040 Permitted principal and accessory uses and structures.** Principal uses and structures in the T – transitional district are:

A. Lawful uses are to continue in the transitional district, except those prohibited uses specified in PMC 17.59.060 and those permitted to continue only by conditional use.

B. Lawful accessory uses and structures are allowed to continue. (Ord. 13-009 § 6, 2014; Ord. 632 § 4, 2004)

Once annexation is effective, property owners would also be required to obtain City of Palmer building permits and meet City building codes for new construction or significant repairs.

### ***Water and Sewer***

There would be no effective change in water and wastewater upon annexation for the affected territory. The Palmer Water and Sewer Utility provides sewers, sewage treatment, water treatment and distribution, including fire hydrants to areas within its service area, which already includes all areas that may be considered for annexation. The Matanuska-Susitna Borough does not provide these utility services to Borough residents. Regardless of any annexation, the Palmer Water and Sewer Utility would consider extensions to its existing services and infrastructure on a case-by-case basis. Many properties in the study areas are serviced by their own water wells and septic systems. These properties would be permitted to continue to use their existing systems per Palmer Municipal Code Chapter 13.16.

### ***Public Safety***

Public safety services would transfer from the Alaska State Troopers to the Palmer Police Department. Once annexation is effective, the City would notify the Alaska State Troopers and the Palmer Police Department that the annexed territory is inside the Palmer Police Department's jurisdiction. Fire and Emergency Response service would continue to be provided by the Palmer Fire and Rescue within the Greater Palmer Fire Service Area, which would include all annexed areas.

### ***Roads and Road Maintenance***

All Matanuska-Susitna Borough-owned streets, roads, sidewalks, paths and trails including related utility easements, water drainage, landscaping, parking and approximately 40 streetlights would transfer from the South Colony Road Service Area to the City of Palmer. Once annexation is effective, Palmer Public Works maintenance crews would be informed of the new area to be serviced. Road maintenance of State Highways would continue to be provided by the State of Alaska in annexed areas.

### ***Libraries, Parks and Recreation***

The Palmer Library is already operated by the City of Palmer. The Matanuska-Susitna Borough makes contributions to the City on behalf of residents that use the Palmer Library outside City boundaries, which would likely be reduced to reflect the City's new boundaries. The Matanuska-Susitna Borough would maintain ownership of Borough parks, playgrounds, sports fields and other recreation facilities, but would delegate the powers to maintain and develop Borough-owned parkland to the City of Palmer upon annexation.

### ***Services Not Affected by Annexation***

Airport and aviation services would continue to be available to annexed areas and provided by the City of Palmer, Municipal Airport. The following services would continue to be provided by the Matanuska-Susitna Borough to annexed areas: Animal Control, Education, Air pollution control, and Historic preservation.

THIS PAGE LEFT INTENTIONALLY BLANK

Chapter 17.59  
T TRANSITIONAL DISTRICT

Sections:

- 17.59.010 Application and intent.
- 17.59.030 Initial zoning upon annexation.
- 17.59.040 Permitted principal and accessory uses and structures.
- 17.59.050 Conditional uses.
- 17.59.060 Prohibited uses.
- 17.59.080 Limitations to change of land use and structures.
- 17.59.090 Setbacks and buffers for expansion or new structures.
- 17.59.100 Maximum height of structures.
- 17.59.110 Off-street parking and loading.

17.59.010 Application and intent.

A. The T – transitional district applies to those small areas of mixed residential, commercial, and/or industrial uses annexed to the city that do not generally conform to the other land use districts in this title.

B. The city recognizes that some or all of the land annexed into the city has not been previously subject to zoning districts and that there is a need to provide a reasonable transition toward land use regulation by the city. Over time, property in the T – transitional district should develop a pattern of land uses more appropriate to one of the more traditional zoning districts found in Chapters 17.20 to 17.58 PMC. (Ord. 13-009 § 3, 2014; Ord. 632 § 4, 2004)

17.59.030 Initial zoning upon annexation.

A. Following annexation, the commission shall conduct public hearings regarding land use in the annexation area. After the hearings, the city, giving due consideration to the results of the public hearing process, shall designate an initial zoning district for newly annexed parcels.

B. Owner-initiated zoning map amendments may be made at any time in accordance with Chapter 17.80 PMC. (Ord. 13-009 § 5, 2014; Ord. 632 § 4, 2004)

17.59.040 Permitted principal and accessory uses and structures.  
Principal uses and structures in the T – transitional district are:

A. Lawful uses are to continue in the transitional district, except those prohibited uses specified in PMC 17.59.060 and those permitted to continue only by conditional use.

B. Lawful accessory uses and structures are allowed to continue. (Ord. 13-009 § 6, 2014; Ord. 632 § 4, 2004)

17.59.050 Conditional uses.

Uses which may be permitted in the transitional district by obtaining a conditional permit are:

A. Any expansion or change of legal use for all conditional uses for which the Matanuska-Susitna Borough granted a conditional use permit under Chapter 17.60 or 17.61 MSBC;

B. Any expansion or change of legal use for all uses for which the Matanuska-Susitna Borough granted a permit under Chapter 17.48 MSBC (mobile home park), Chapter 17.70 MSBC (use involving alcohol beverage sales and dispensing), or Chapter 17.90 MSBC (adult business);

C. Cemeteries;

D. Storage of more than 10,000 gallons of petroleum products;

E. Chemical plant;

F. Manufacture or storage of explosives, gunpowder, or fireworks; and

G. Noxious, injurious or hazardous uses, as defined in PMC 17.59.060, are prohibited; provided, however, that the city may grant a conditional use for such uses when it finds that the public health, safety, welfare and convenience will be adequately protected by location, topography, buffer landscaping or a screening structure. This subsection does not apply to agricultural facilities or operations to the extent protected by AS 9.45.235.

H. A conditional use permitted under this section shall be subject to the terms and conditions of the conditional use permit and the use does not have the expansion rights set out elsewhere in this chapter. (Ord. 13-009 § 7, 2014; Ord. 632 § 4, 2004)

17.59.060 Prohibited uses.

The following uses are prohibited in the transitional district:

A. Conditional uses that were subject to the Matanuska-Susitna Borough Code immediately before the date of the annexation but were not in full compliance with the code at the time of annexation. Examples are mobile home parks (Chapter 17.48 MSBC), uses involving alcohol beverage sales and dispensing (Chapter 17.70 MSBC), adult businesses (Chapter 17.90 MSBC) and all uses subject to Chapters 17.60 and 17.61 MSBC;

B. Uses that constitute a nuisance as set out by Chapter 8.36 or 8.37 PMC; provided, however, this subsection does not apply to agricultural facilities or operations to the extent protected by AS 9.45.235;

C. Noxious, injurious or hazardous uses, which are defined as any use that may be noxious, injurious, or hazardous to surrounding property or persons by reason of the production or emission of dust, smoke, refuse matter, odor, gas fumes, noise, vibration, or similar substances or conditions; provided, however, this subsection does not apply to agricultural facilities or operations to the extent protected by AS 9.45.235. (Ord. 13-009 § 8, 2014; Ord. 632 § 4, 2004)

17.59.080 Limitations to change of land use and structures.

A. The use of land upon the effective date of annexation into the city may not be changed to another use without rezoning under Chapter 17.80 PMC if the use existing at the time of annexation or the use to be changed to is a use described by or similar to a use described by Chapters 17.28 through 17.58 PMC. For example, if a parcel's use upon annexation is a second-hand store (PMC 17.28.020), the use of the land may not be changed to refrigeration maintenance and repair (PMC 17.36.020) without rezoning under Chapter 17.80 PMC. Similarly, if a parcel's use upon annexation is nursery and Christmas tree sales (PMC 17.28.020), the use of the land may not be changed to motel or hotel use (PMC 17.28.020) without approval under Chapter 17.80 PMC.

B. If the use of land upon the effective date of annexation is a use described by or similar to a use described by Chapter 17.24 or 17.26 PMC (R-2/R-3 low/medium density residential districts), the use of the land must remain residential; however, the number of dwelling units may be increased by 50 percent without rezoning under Chapter 17.80 PMC.

C. For all structures in the transitional district except single-family residential structures and accessory uses to such residential structures, the square footage of structures upon the effective date of annexation may not be increased by more than 50 percent without rezoning under Chapter 17.80 PMC.

D. For all uses in the transitional district, the area of land in use upon the effective date of annexation may not be increased by more than 50 percent without approval under Chapter 17.80 PMC. For example, if five acres of a 40-acre parcel is in use upon annexation, the amount in use may not be increased by more than 50 percent without approval under Chapter 17.80 PMC.

E. The limitations set out in this section are in addition to and not in lieu of limitations set out elsewhere in this title or at law. (Ord. 13-009 § 10, 2014; Ord. 632 § 4, 2004)

17.59.090 Setbacks and buffers for expansion or new structures.

The following establish the setback and buffer requirements for expansion or new structures on a parcel in this district. These requirements do not apply to structures existing as of the date of annexation, but only to expansion of, or new, structures. The setback and buffer requirements vary depending upon the nature of the expanding or new structure and the nature of the zoning or use of the parcel.



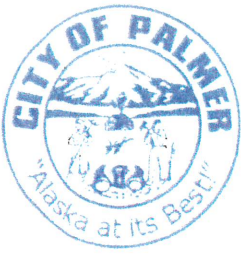
- A. As a minimum setback, any expansion or new structure must be set back at least 25 feet from any public right-of-way and 10 feet from any other property line.
- B. Expansions and new structures used for permitted uses, or uses similar to permitted uses, listed in the general commercial, industrial, business park, airport commercial, or airport industrial zoning districts, excluding uses listed in the limited commercial district, shall be set back 25 feet from all property lines.
- C. Expansions and new structures used for permitted uses, or uses similar to permitted uses, listed in the general commercial, industrial, business park, airport commercial or airport industrial zoning districts, excluding uses listed in the limited commercial district, that are within 35 feet of property zoned or used for residential purposes shall have buffer landscaping. The landscaping shall be along the property line facing the residential use for the length of the expanded or new structure, plus 30 feet on either side of the structure.
  - 1. Buffer landscaping shall consist of shrubs, trees, or a combination which will attain a mature height of at least six feet, with an average height of eight feet, planted at intervals less than 10 feet on center. The landscaping bed shall be eight feet in width. Deciduous trees or bushes may not make up more than 50 percent of the mixture.
  - 2. All landscaping requirements must be met within 12 months of occupancy, and continue to meet such standards thereafter. All dead shrubs and trees shall be replaced to maintain the landscaping. (Ord. 632 § 4, 2004)

17.59.100 Maximum height of structures.  
 Maximum height of structures is 35 feet. (Ord. 632 § 4, 2004)

17.59.110 Off-street parking and loading.  
 Off-street parking and loading shall comply with Chapter 17.64 PMC. (Ord. 632 § 4, 2004)

**The Palmer Municipal Code is current through Ordinance 21-009, passed June 8, 2021.**

THIS PAGE LEFT INTENTIONALLY BLANK



Brad Hanson  
Director

Dusten Voehl  
Building Inspector

Beth Skow  
Library Director

# MEMORANDUM

Mail: 231 W. Evergreen Ave.  
Location: 643 E. Cope Industrial Way  
Palmer, AK 99645-6748  
Phone: 907-745-3709  
Fax: 907-745-5443  
www.palmerak.org

TO: Planning & Zoning Commission

FROM: Nichole Degner

DATE: July 15, 2021

SUBJECT: 17.59 T Transitional District

At the last P&Z meeting we discussed and reviewed chapter 17.59 T Transitional District. Below are the comments and suggestions for revisions discussed among the commission.

## 17.59 T Transitional District-

1. 17.59.010 A: Intent to include that all properties recently annexed would also apply, not just the small areas that are mixed/difficult to determine. The two subsections A & B could be combined into something like:

A. The T - transitional district applies to all properties newly annexed by the City. The City recognizes, as a result of annexation, that some or all of the land annexed into the City has not been previously subject to zoning districts, and that there is a need to provide a reasonable transition toward land use regulation by the City. This district also applies to those small areas of mixed residential, commercial, and/or industrial uses annexed to the city, that do not generally conform to the other land use districts in this title; until such a time when those areas may be assigned an appropriate district.

2. .030 A: After "... regarding land use in the annexation area", recommend changing annexation to annexed, and area to area(s). It's determined in the beginning of the sentence that an annexation occurred, and the actions afterward indicate it should be in the past tense. Second sentence, recommend replacing the run-on sentence with the following:

City of Palmer

Upon completion of the public hearings, and after consideration, the City shall designate an initial zoning district for newly annexed parcels.

.030 A: Include land use matrix here.

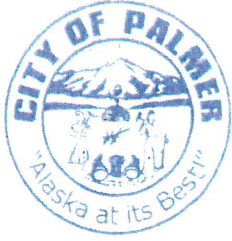
4. .050 Conditional uses- Remove C. Cemeteries

5. .080 Limitations- A: Section could reference the commercial land use matrix regarding changes to land use and structures to simplify the message. The first example of the secondhand store (retail) to a maintenance shop (industrial) seems appropriate, the second could be removed.

D: References to an approval process, but does not indicate if the approval of the department or the commission is appropriate. Is this an approval like the conditional use permit?

D: Clarify 50% growth after annexation

Suggestion for an agenda for unresolved transitions – Slower months to go over in detail, alternative to a deadline



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 21-018**

**SUBJECT:** General District Regulations (PMC 17.60)

**AGENDA OF:** June 17, 2021  
July 15, 2021

**ACTION:** Review and comment

**Attachment(s):** 1. PMC 17.60 General District Regulations  
2. PMC 17.08 Definitions  
3. Commissioner Comments Memo

**Summary:** **July 15, 2021 UPDATE**

A memo was added to reflect commissioner comments from the June 17 meeting.

**June 17 UPDATE**

Palmer City Council requested the Palmer Planning and Zoning Commission (P&Z) conduct comprehensive review of Title 17, land use. The last significant review of General District Regulations took place in 2018.

In 2013 City Council adopted an ordinance adding setback exceptions giving property owners of existing minor setback encroachments of ten percent or less to remain without having to seek a variance. In 2015 Planning & Zoning continued to amend setback requirements in General District Regulations by granting amnesty to properties that exceed the ten percent setback exception and does not qualify for legal nonconforming status. In 2016 amendments were made allowing handicapped accessible ramps to project into required yards. Lastly, Section 17.60.060 Distance between buildings was repealed in its entirety in 2018. This is the last amendment to this chapter in Title 17 Zoning.

The intent of the General District is to set out regulations in this title within each district that shall be the minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

The review of Title 17 ensures compatible land use regulations and identifies any inconsistencies and necessary amendments. Please be prepared to discuss what changes are needed to meet current zoning conditions.

**Recommendation:** Review Palmer Municipal Code Chapter 17.60 General Regulations and provide comments where necessary should further action be requested.

THIS PAGE LEFT INTENTIONALLY BLANK

Chapter 17.60  
GENERAL DISTRICT REGULATIONS

Sections:

17.60.010	Application of regulations.
17.60.020	Conformity of building and land uses.
17.60.030	Conformity of open spaces.
17.60.040	Buildings to have access.
17.60.050	Projections into required yards.
17.60.055	Exceptions for setback requirements.
17.60.057	Amnesty for setback encroachments.
17.60.070	Fences and walls.
17.60.075	Garage or yard sales.
17.60.080	Future street width lines.
17.60.090	Rules for tall structures.

17.60.010 Application of regulations.

The regulations set out in this title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided. (Ord. 454 § 4, 1992)

17.60.020 Conformity of building and land uses.

After January 17, 1978, no building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations specified in this title for the district in which it is located, as shown on the official zoning map. (Ord. 454 § 4, 1992)

17.60.030 Conformity of open spaces.

A. No part of a yard, other than open space, or off-street parking or loading space required in Chapter 17.64 PMC or in connection with any building for the purpose of complying with this title shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

B. No yard or lot existing as of January 17, 1978, shall be reduced in dimension or area below the minimum requirements set forth in this title. Yards or lots created after January 17, 1978, shall meet at least the minimum requirements established by this title. (Ord. 454 § 4, 1992)

17.60.040 Buildings to have access.

Every building shall be on a lot abutting on a public street, an accessible public waterway, or a private street approved by the commission. (Ord. 454 § 4, 1992)

17.60.050 Projections into required yards.

Projections into required yards of both principal and accessory structures shall be prohibited except as follows:

A. Paved terraces may project into required front, side or rear yards; provided, that no structures placed there violate other requirements of this title;

B. Unroofed landings and stairs may project into required rear yards only;

C. Cornices, eaves and similar incidental architectural features may project not more than two feet into any required yard;

D. An accessory building not exceeding 14 feet in height may be permitted to occupy a rear yard; provided, that no more than one-third of the total area of such rear yard shall be so occupied;

E. Every building erected after January 17, 1978, shall be located on a lot as defined in PMC 17.08.255;

F. In residential districts, an enclosed porch or arctic entry, including their roofs, may project into a required front or rear yard not more than five feet if the enclosed porch or arctic entry is no larger than 35 square feet of gross floor area and there is no other practicable location for such an entrance on the structure. This provision is restricted to dwellings constructed before January 1, 1986;

G. In residential districts, the installation of handicapped accessible ramps with handrails in any required setback:

1. These ramps may be roofed but not fully enclosed; and
2. Shall be constructed in accordance with Section 405, Ramps, of International Code Council ICC A117.1-2009. (Ord. 16-001 § 4, 2016; Ord. 454 § 4, 1992)

17.60.055 Exceptions for setback requirements.

A. Setbacks may be reduced up to 10 percent for existing structures by the zoning administrator after an investigation and written finding that the resulting lesser setback would meet the public purpose of establishing setback standards.

B. Calculation of the 10 percent reduction shall be based upon the averaged distance of the encroachment into the required setback. (Ord. 13-011 § 3, 2013)

17.60.057 Amnesty for setback encroachments.

A. Certain technical setback violations exist on residential properties throughout the city of Palmer. In some cases, these violations have existed compatibly with the surrounding neighborhoods for 25 or more years with no known adverse impacts to public health, safety or welfare.

B. In such cases, the city's existing amnesty program provides a mechanism for excusing full compliance with city setback regulations for certain minor violations existing on or before adoption of the current zoning code.

C. To qualify as eligible for amnesty for certain setback violations, the following standards must be strictly satisfied:

1. The building or structure must be pre-existing and have been issued a building permit prior to construction;
2. The area or dimensional requirement involves front, rear, and/or side yard setbacks;
3. The building or structure complies with all other aspects of Palmer planning and zoning regulations. Such encroachments may be deemed "de minimis" as prescribed above and are determined to be "lawfully nonconforming";
4. The city has a record of a statement that the present property owner had no personal knowledge of any violation of the requirements of this section prior to substantial completion of the structure;
5. The city building inspector or a licensed architect has certified in writing that the encroachment conforms to the requirements of PMC Title 15 and State of Alaska Fire and Life Safety Regulations;
6. The city has received an as-built survey of the property that is the subject of the application, prepared and stamped by a land surveyor registered in the state of Alaska, which shows the location and dimensions of all structures on the property at the date of application, and the distances between structures and between the structures and the lot lines of the property;
7. The city has on file a copy of each plat note that applies to the property; and
8. Upon receiving a complete application:



- a. The zoning administrator shall within five days mail notice of the application to each record owner of any property that immediately adjoins the property on which the encroachment is located, requesting written comment on the application within 10 calendar days of the date of the notice.
- b. Within five days following the conclusion of the comment period, the zoning administrator shall issue a written determination whether the encroachment meets the standards for amnesty under this subsection. The zoning administrator may impose such conditions on the requested amnesty as the zoning administrator determines are appropriate to protect the general welfare.
- c. A determination under this subsection shall describe the type and dimensions of the encroachment, and shall include a copy of the as-built survey that was submitted with the application for registration.

D. In accordance with PMC 17.68.050, no such structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity;

E. In accordance with PMC 17.68.050, should such structure be destroyed by any means to an extent of more than 60 percent of its assessed value at time of destruction, it shall not be reconstructed except in conformity with the provisions of this title. (Ord. 15-021 § 3, 2015)

17.60.070 Fences and walls.

Fences and walls not exceeding six feet in height may occupy any portion of a side or rear yard in any R district; provided, that where such fence or wall projects beyond the front yard line or setback line toward the front property line, the following further restrictions shall apply:

- A. Such fence or wall shall not exceed four feet in height, and shall be constructed so that not more than 50 percent of the vertical surface thereof above a height of two feet is solid wall;
- B. Planted hedges projecting beyond the front yard line shall not exceed the maximum heights permitted for fences or walls;
- C. No fence, wall or hedge shall be erected or maintained on the public property beyond the front property line of any lot or parcel of land, except masonry or concrete retaining walls and then only to a height not to exceed six inches above the grade of the earth such wall is constructed to retain. A permit shall first be secured from the zoning administrator approving the necessity for and type of retaining wall. (Ord. 454 § 4, 1992)

17.60.075 Garage or yard sales.

- A. No more than two garage or yard sales, per premises, are permitted per year.
- B. Garage or yard sales may not last longer than three days.
- C. Items offered for sale may not be displayed in any public right-of-way.
- D. Directional and garage or yard sale signs must be removed at the close of the garage or yard sale activities. (Ord. 05-034 § 4, 2005)

17.60.080 Future street width lines.

A. For the purpose of measuring yard dimensions and determining building locations with respect to future street widths as provided in this title, minimum future width lines are established for certain streets and highways based upon the street and highway plan of the comprehensive plan. After January 17, 1978, no building or structure, or portion thereof, shall hereafter be erected, nor shall any portion of a building extending into any front or street side yard be altered, nor shall any use of land be conducted, except the use of land for open use not requiring a building or structure, so that the same will be closer to the right-of-way line of any street than any future width line.

B. Future width lines for the following streets and highways are established and shall be determined by measuring one-half the prescribed distance from the centerline of such street:

<b>Street or Road</b>	<b>Future Width</b>
Arctic Avenue	100 feet
Alaska Street – Arctic Ave. to Evergreen	86 feet
W. Evergreen Avenue	86 feet
Colony Way – South of W. Evergreen	86 feet
Fireweed Ave. – Colony Way to S. Chugach	86 feet
S. Chugach St. to E. Elmwood	86 feet
S. Cobb St. to W. Blueberry	60 feet
N. Alaska St. – North of Arctic Ave.	60 feet
S. Gulkana St.	60 feet
E. Fireweed Ave. – S. Chugach to S. Gulkana	60 feet
E. Evergreen Ave.	60 feet
E. Dahlia Ave.	60 feet
E. Cottonwood Ave. – E. from S. Gulkana	60 feet
Eagle Avenue	60 feet
S. Bailey St. – S. from W. Dogwood	60 feet
W. Dogwood Ave.	60 feet
W. Dahlia Ave.	60 feet
W. Elmwood Ave. and W. Fireweed Ave., S. Cobb St. to S. Colony Way	60 feet

C. Future street width lines for the following streets are established and shall be determined by measuring the prescribed distance from the nearest Alaska Railroad right-of-way line:

S. Valley Way – E. Fireweed to E. Cottonwood	60 feet
S. Valley Way – F	60 feet

Cottonwood to E. Arctic

N. Colony Way and N. Valley 60 feet  
Way – N. of Arctic

(Ord. 454 § 4, 1992)

17.60.090 Rules for tall structures.

Other provisions of this code notwithstanding, a tall structure may be allowed in any nonresidential zoning district; provided, however, if the structure is inconsistent with the dimensional regulations for the district, then the structure may be allowed only as a conditional use. (Ord. 630 § 4, 2004)

**The Palmer Municipal Code is current through Ordinance 21-009, passed June 8, 2021.**

THIS PAGE LEFT INTENTIONALLY BLANK

Chapter 17.08  
DEFINITIONS

17.08.004 **Accessory.**

“Accessory,” as applied to a use or a building or a structure, means customarily subordinate or incidental to, and located on the same lot with a principal use, building or structure. (Ord. 454 § 4, 1992)

\* Code reviser’s note: Ord. 21-002 added a new PMC 17.08.005. This section, formerly PMC 17.08.005, has been editorially renumbered to preserve alphabetization.

17.08.005 **Accessory dwelling unit (ADU).**

“Accessory dwelling unit (ADU)” means a subordinate dwelling unit added to, created within, or detached from a single-family structure, that provides basic requirements for living, sleeping, eating, cooking and sanitation. It may be attached to, or detached from, the principal dwelling unit. (Ord. 21-002 § 3, 2021; Ord. 07-026 § 3, 2007. Formerly 17.08.006)

17.08.006 **Accessory use.**

“Accessory use” means a use of land found on the same parcel as the principal use but that is 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. (Ord. 21-002 § 4, 2021)

17.08.007 **Adult.**

“Adult” means a person 18 years of age or older. (Ord. 489 § 3, 1995)

17.08.008 **Agriculture.**

“Agriculture” means the production, keeping or maintenance for sale, lease or personal use, of plants and animals useful to man, including, but not limited to, forages and seed crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, exotic animals or any mutations thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fruits of all kinds, including grapes, nuts and berries; vegetables, nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program. (Ord. 457 § 3, 1993)

17.08.010 **Agricultural building.**

“Agricultural building” means a building used to shelter farm implements, hay, grain, poultry, livestock or other farm produce in which there is no human habitation and which is not used by the public. (Ord. 454 § 4, 1992)

17.08.012 **Agricultural products.**

“Agricultural products” includes, but is not limited to, crops; fruit; vegetables; floriculture; herbs; forestry; livestock and livestock products; horticultural specialties; maple sap, etc. (Ord. 12-005 § 5, 2012)

17.08.014 **Agriculturally related products.**

“Agriculturally related products” means items sold at a farm market or stand to attract customers and promote the sale of agricultural products. Such items include, but are not limited to, all agricultural and horticultural products, animal feed, baked goods, ice cream and ice cream based desserts and beverages, jams, honey, gift items, food stuffs, clothing and other items promoting farming in Alaska. (Ord. 12-005 § 5, 2012)

17.08.015 **Alley.**

“Alley” means a permanent service right-of-way providing a secondary means of access to abutting properties. (Ord. 454 § 4, 1992)

17.08.020 **Alteration.**

“Alteration” means any change, addition or modification in the construction, location or use classification. (Ord. 454 § 4, 1992)

17.08.025 **Apartment.**

“Apartment” means any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied, or which contains dwelling units for three or more families living independently of each other. (Ord. 454 § 4, 1992)

17.08.030 **Area building.**

“Building area” means the total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of steps. (Ord. 454 § 4, 1992)

17.08.032 **Assisted living home.**

“Assisted living home” means a residential facility, currently and duly licensed by the state of Alaska as an assisted living home, which combines housing, food service, general oversight and personalized assistance with the activities of daily living tasks such as eating, bathing, dispensing of medicines, housekeeping and other tasks. (Ord. 05-042 § 3, 2006)

17.08.035 **Automobile wrecking.**

“Automobile wrecking” means the dismantling of used motor vehicles or trailers, or the storage or sale of parts from dismantled or partially dismantled, obsolete or wrecked vehicles. (Ord. 454 § 4, 1992)

17.08.037 **Babysitting.**

“Babysitting” means providing care and supervision of children in a dwelling for compensation on an occasional basis. Babysitting is a home occupation. (Ord. 489 § 3, 1995)

17.08.040 **Borough.**

“Borough” means the Matanuska Susitna Borough. (Ord. 454 § 4, 1992)

17.08.041 **Brewery.**

A “brewery” is duly licensed by the state of Alaska, where beer is manufactured and bottled or barreled for sale. (Ord. 21-002 § 5, 2021)

17.08.042 **Brewpub.**

“Brewpub” means a brewery, duly licensed by the State of Alaska, and restaurant that serves food and brews a maximum of 50,000 gallons of beer on the premises in one calendar year. (Ord. 21-002 § 6, 2021; Ord. 09-001 § 3, 2009. Formerly 17.08.041)

17.08.045 **Building.**

“Building” means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind. (Ord. 454 § 4, 1992)

17.08.050 **Building, existing.**

“Existing building” means a building erected prior to January 17, 1978, or one for which a legal building permit has been issued. (Ord. 454 § 4, 1992)

17.08.055 **Building height.**

“Building height” means the vertical distance from the average elevation of the finished grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof. (Ord. 454 § 4, 1992)

17.08.060 **Building line.**

“Building line” means a line set by ordinance establishing minimum distance from the street. (Ord. 454 § 4, 1992)

17.08.065 **Building official.**

“Building official” means the officer charged with the administration and enforcement of the building code. (Ord. 454 § 4, 1992)

17.08.070 **Building, principal or main.**

“Principal or main building” means a building in which is conducted the principal or main use of the lot of which said building is situated. (Ord. 454 § 4, 1992)

17.08.071 **Building, storage.**

“Storage building” means a building or structure that is 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. (Ord. 21-002 § 7, 2021)

17.08.072 **Building, temporary.**

“Temporary building” means a building or structure that is not on a permanent foundation, is capable of being immediately moved and is an occupied structure. (Ord. 21-002 § 8, 2021)

17.08.074 **Campground.**

“Campground” means an area for the use of a temporary shelter, tent, cabins, camping and camping trailers. (Ord. 454 § 4, 1992)

17.08.075 **Caretaker dwelling unit.**

“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. (Ord. 21-002 § 9, 2021)

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 general welfare, as well as encourage economic growth in the downtown core both commercially and residentially. The boundaries are those described in PMC 17.30.050(A)(5). (Ord. 21-001 § 3, 2021)

17.08.077 **Child.**

“Child” means a person under 18 years of age. (Ord. 48 – 5 2 – 35)

17.08.078 **Child care facility.**

"Child care facility" means a facility wherein care, supervision, education and/or special needs care is provided for more than six children. (Ord. 489 § 3, 1995)

17.08.080 **Church.**

"Church" means a building or structure, or groups of buildings or structures, which by use or design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith. (Ord. 454 § 4, 1992)

17.08.085 **City.**

"City" means the city of Palmer. (Ord. 454 § 4, 1992)

17.08.090 **Clerk.**

"Clerk," other than city clerk, means the clerk of the commission. (Ord. 454 § 4, 1992)

17.08.091 **Commercial parking.**

"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 a 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. (Ord. 21-002 § 10, 2021)

17.08.095 **Commission.**

"Commission" means the city planning and zoning commission. (Ord. 454 § 4, 1992)

17.08.100 **Common area.**

"Common area" means an area or space designed for joint use of tenants occupying mobile home developments, apartment complexes, condominiums or the like. (Ord. 454 § 4, 1992)

17.08.105 **Community system (water or sewage).**

"Community system (water or sewage)" means a central system which services all living units and is not publicly owned. (Ord. 454 § 4, 1992)

17.08.110 **Conditional use permit.**

"Conditional use permit" means a provision which allows for flexibility within the zoning ordinance by permitting certain specified uses in zoning districts after additional controls and safeguards are applied by the commission to ensure their compatibility with permitted principal uses. (Ord. 454 § 4, 1992)

17.08.111 **Conex.**

"Conex" means a large, steel-reinforced reusable container principally used for intermodal shipping of cargo and equipment. (Ord. 21-002 § 11, 2021)

17.08.113 **Day care.**

"Day care" means providing care and supervision services for compensation between 6:00 a.m. and 10:00 p.m. (Ord. 489 § 3, 1995)

17.08.115 **Density.**

"Density" means the number of dwelling units per gross acre in any residential development. (Ord. 454 § 4, 1992)

17.08.117 **District.**

"District" means a portion of the city within which:

1. Certain uses of land and buildings are permitted or prohibited;
2. Certain yards and other open spaces may be required;
3. Certain height limits are established for buildings, all as set forth and specified in this title. (Ord. 05-018 § 3, 2005)

17.08.120 **Driveway.**

"Driveway" means a minor private way used by vehicles and pedestrians on a lot or for common access to a small group of lots or common facilities. (Ord. 454 § 4, 1992)

17.08.125 **Dwelling.**

"Dwelling" means a building designed or used exclusively as the living quarters for one or more families. (Ord. 454 § 4, 1992)

17.08.130 **Dwelling, factory-built.**

"Factory-built dwelling" means a detached single-family dwelling designed for long-term human habitation and having complete living facilities, and being at least 900 square feet in size, constructed and fabricated into one or more sections at a factory and designed to be jointed at location of use – 5 3 – permanent foundation. (Ord. 454 § 4, 1992)

17.08.135 **Dwelling, multiple-family.**

"Multiple-family dwelling" means a residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided. (Ord. 454 § 4, 1992)

17.08.140 **Dwelling, one-family or single-family.**

"One-family dwelling" or "single-family dwelling" means a detached building constructed on a permanent foundation, designed for long-term human habitation exclusively by one family, having complete living facilities and constituting one dwelling unit. (Ord. 454 § 4, 1992)

17.08.145 **Dwelling, prefabricated.**

"Prefabricated dwelling" means a detached single-family dwelling designed for long-term habitation and having complete living facilities fabricated at a factory into component parts which are assembled at location of use on a permanent foundation. (Ord. 454 § 4, 1992)

17.08.150 **Dwelling, two-family.**

"Two-family dwelling" means a detached building designed for or occupied exclusively by two families and constituting two dwelling units. (Ord. 454 § 4, 1992)

17.08.155 **Dwelling unit.**

"Dwelling unit" means a structure or portion thereof providing independent and complete cooking, living, sleeping and toilet facilities for one family. (Ord. 454 § 4, 1992)

17.08.160 **Easement.**

"Easement" means a right given by the owner of land to another party for specific limited use of that land. (Ord. 454 § 4, 1992)

17.08.165 **Enforcing agency.**

"Enforcing agency" means the city or its designee. (Ord. 454 § 4, 1992)

17.08.170 **Family.**

"Family" means one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a roominghouse, club, fraternity house or hotel. (Ord. 454 § 4, 1992)

17.08.172 **Family child care.**

See "Home child care." (Ord. 489 § 3, 1995)

17.08.175 **Fence.**

"Fence" means a barrier, which is constructed of one or more of the following materials, or combinations thereof:

- A. Wood;
- B. Metal;
- C. Fiberglass; or
- D. Masonry materials. (Ord. 10-014 § 3, 2010; Ord. 454 § 4, 1992)

17.08.180 **Floor area, gross.**

"Gross floor area" means the total area of all floors of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, attached garages, porches and balconies. (Ord. 454 § 4, 1992)

17.08.185 **Frontage.**

"Frontage," or "front," of a lot is the side nearest the street. For the purposes of determining yard requirements on corner lots and through lots, each side of a lot adjacent to a street shall be considered frontage, and yards shall be provided as indicated under "yards" in this title. (Ord. 454 § 4, 1992)

17.08.190 **Garage.**

"Garage" means a building or portion thereof in which motor vehicles containing gasoline, distillate or other volatile, flammable liquids are stored. (Ord. 454 § 4, 1992)

17.08.195 **Garage repair.**

"Repair garage" means any building or premises which may be designed and used for the purposes of performing major automotive mechanical repairs and body work and other customary and incidentally related activities. (Ord. 454 § 4, 1992)

17.08.196 **Garage or yard sale.**

"Garage or yard sale" means the sale of new, used or secondhand items or personal property at premises that are zoned residential, to include without limitation, R-1, R-1E, R-2, R-3, and R-4. This definition includes the terms "garage sale," "yard sale," "flea sale," "porch sale," "lawn sale," "attic sale," "basement sale," "rummage sale," "flea market sale," etc. The definition does not include the sale of four or fewer specific items where the specific items have been individually advertised for sale. (Ord. 05-034 § 3, 2005)



17.08.200 **Grade (ground level).**

"Grade (ground level)" means the average level of the finished ground at the center of all walls to a building. In case walls are parallel to and within five feet of a public sidewalk, the ground level shall be measured at the sidewalk. (Ord. 454 § 4, 1992)

17.08.205 **Guest room.**

"Guest room" means any room in a hotel, dormitory, boarding or lodging house used and maintained to provide sleeping accommodations. Each 100 square feet or fraction thereof of floor area used for sleeping purposes shall be considered to be a separate guest room. (Ord. 454 § 4, 1992)

17.08.207 **Handicap.**

"Handicap" means, with respect to a person:

1. A physical or mental impairment which substantially limits one or more of such person's major life activities;
2. A record of having such an impairment; or
3. Being regarded as having such an impairment, but such term does not include current, illegal use or addiction to a controlled substance (as defined from time to time in 21 U.S.C. Section 802). (Ord. 489 § 3, 1995)

17.08.208 **Handicapped accessible ramps.**

"Handicapped accessible ramps" means a walking surface that is part of a route providing access to a building for persons with limited mobility and providing a reasonable accommodation under the Fair Housing Act and the Americans with Disabilities Act. (Ord. 16-001 § 3, 2016)

17.08.210 **Health authority.**

"Health authority" means the Alaska Department of Health and Social Services. (Ord. 454 § 4, 1992)

17.08.217 **Home based commercial business.**

"Home based commercial business" means an activity conducted for profit by the residents of a property in a rural residential district which has received a conditional use permit for operation of the business. The business shall be secondary to the use of the dwelling for living purposes and shall be conducted in a manner that does not reasonably interfere with the primary residential character of the area. (Ord. 12-004 § 3, 2012)

17.08.218 **Home child care.**

"Home child care" means providing care and supervision for compensation for not more than six children total. Home child care is a home occupation. (Ord. 489 § 3, 1995)

17.08.220 **Home occupation.**

"Home occupation" means an accessory use customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a nameplate or sign not to exceed four square feet in area. (Ord. 552 § 3, 1999; Ord. 454 § 4, 1992)

17.08.222 **Home special needs care.**

"Home special needs care" means providing special needs care for not more than five people for compensation in a dwelling. Home special needs care is a home occupation. (Ord. 489 § 3, 1995)

17.08.223 **Hospice facility.**

"Hospice facility" means a facility where terminally ill individuals and their families receive support services from a team of health care providers and others to meet their physical, psychological, social, emotional, and spiritual needs. (Ord. 05-042 § 3, 2006)

17.08.225 **Hospital.**

"Hospital" means an institution providing health services and medical or surgical care to persons, primarily inpatients, suffering from physical and mental illnesses, disease, injury, deformity and other abnormal physical conditions, and including, as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities. (Ord. 05-042 § 4, 2006; Ord. 454 § 4, 1992)

17.08.230 **Hotel.**

"Hotel" means any building, containing six or more rooms, intended or designed to be used, rented or hired out, or to be occupied for sleeping purposes only by transients. (Ord. 454 § 4, 1992)

17.08.235 **Housing.**

"Housing" means living units, dwellings and/or other structures that shelter or cover. (Ord. 454 § 4, 1992)

17.08.240 **Junk.**

"Junk" means any worn out, wrecked, scrapped, partially or fully dismantled discarded tangible material, combination of such materials or items, including motor vehicles that are - 5 5 - able or not currently registered for operation upon the public roads of Alaska; also machinery, metal, rags, rubber, paper, plastics, chemicals and building materials which cannot, without further alternation and reconditioning, be used for their original purpose. (Ord. 454 § 4, 1992)

17.08.245 **Junkyard.**

See "Salvage yard." (Ord. 454 § 4, 1992)

17.08.247 **Large retail establishment.**

"Large retail establishment" means one or more buildings located on a single parcel that are used or intended for use principally for the retail sale of merchandise, and whose total building(s) footprint exceeds 20,000 square feet. "Large retail establishment" includes without limitation general merchandise retailers, warehouse and club retailers, superstores, discount stores, outlet stores, second-hand stores, and thrift stores. (Ord. 606 § 3, 2004)

17.08.250 **Loading space.**

"Loading space" means a space located on premises for pickup and delivery at the premises. Required off-street loading space shall not be included as off-street parking space in computation of required off-street parking space. (Ord. 454 § 4, 1992)

17.08.255 **Lot.**

"Lot" means a parcel of land shown as an individual unit on the most recent plat of record. (Ord. 454 § 4, 1992)

17.08.260 **Lot, corner.**

"Corner lot" means a lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees. (Ord. 454 § 4, 1992)

17.08.265 **Lot depth.**

"Lot depth" means a mean horizontal distance between the front and rear property lines of a lot, measured in the general direction of its side property lines. (Ord. 454 § 4, 1992)

17.08.270 **Lot, front.**

The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and double frontage lots, all sides of a lot adjacent to the streets shall be considered frontage. (Ord. 454 § 4, 1992)

17.08.275 **Lot line, front.**

"Front lot line" means a line separating the lot from the street. (Ord. 454 § 4, 1992)

17.08.280 **Lot line, rear.**

"Rear lot line" means the line that is opposite and most distant from the front lot line, and in the case of an irregular, triangular or gore-shaped lot, a line not less than 10 feet in length, within a lot, parallel to and at the maximum distance from the front lot line. (Ord. 454 § 4, 1992)

17.08.285 **Lot line, side.**

"Side lot line" means any lot boundary line not a front lot line or rear lot line. (Ord. 454 § 4, 1992)

17.08.290 **Lot width.**

"Lot width" means the distance between straight lines connecting front and rear lot lines at each side of the lot, measured between the midpoints of such lines. (Ord. 454 § 4, 1992)

17.08.291 **Marijuana cultivation facility.**

"Marijuana cultivation facility" means an entity registered to cultivate, prepare, and package marijuana and to sell marijuana to retail marijuana stores, to marijuana product manufacturing facilities, and to other marijuana cultivation facilities, but not to consumers. (Ord. 21-004 § 3, 2021)

17.08.292 **Marijuana manufacturing facility.**

"Marijuana manufacturing facility" means an entity registered to purchase marijuana; manufacture, prepare, and package marijuana products; and sell marijuana and marijuana products to other marijuana product manufacturing facilities and to retail marijuana stores, but not to consumers. (Ord. 21-004 § 4, 2021)

17.08.293 **Marijuana retail store**

"Marijuana retail store" means an entity registered to purchase marijuana from marijuana cultivation facilities, to purchase marijuana and marijuana products from marijuana product manufacturing facilities, and to sell marijuana and marijuana products to consumers. (Ord. 21-004 § 5, 2021)

17.08.294 **Marijuana testing facility.**

"Marijuana testing facility" means an entity registered to analyze and certify the safety and potency of marijuana. (Ord. 21-004 § 6, 2021)

17.08.295 **Mental health facility.**

"Mental health facility" means a facility or institution for diagnosing, treating, caring for or counseling people requiring mental health services in confinement. (Ord. 489 § 4, 1<sup>st</sup> – 5<sup>th</sup> 6<sup>th</sup> – 454 § 4, 1992)

17.08.296 **Microbrewery.**

"Microbrewery" means a brewery, duly licensed by the state of Alaska, that brews a maximum of 15,000 gallons of beer on the premises in one calendar year. (Ord. 19-015 § 3, 2019)

17.08.297 **Mixed use.**

"Mixed use" means a type of development that combines residential, commercial and/or office uses within a commercial district into one development or building. (Ord. 05-026 § 3, 2005)

17.08.300 **Mobile home.**

"Mobile home" means a detached single-family dwelling designed for long-term human habitation and having complete living facilities, constructed and fabricated into a complete unit at a factory and capable of being transported to location of use on its own chassis and wheels, identified by a model number and serial number by its manufacturer, and designed primarily for placement on an impermanent foundation. (Ord. 454 § 4, 1992)

17.08.305 **Mobile home park.**

"Mobile home park" means any parcel or adjacent parcels of land in the same ownership which is utilized for occupancy by two or more mobile homes. (Ord. 454 § 4, 1992)

17.08.310 **Motel.**

"Motel" means a group of attached or detached buildings containing individual sleeping or living units with at least one parking space for each unit located on the same premises and convenient to each unit, all for the temporary use by automobile tourists and transients. "Motel" includes auto courts and motor lodges. (Ord. 454 § 4, 1992)

17.08.316 **Nonconforming use.**

"Nonconforming use" means a use of land or structure, which was lawfully existing immediately before the provisions of this title or its amendments became applicable to such land or structure, but which use did not conform to the provisions of this title or its amendments when these provisions became applicable to such use or structure and which use has continued to be used without cessation, discontinuance or abandonment for the periods set out in Chapter 17.68 PMC. (Ord. 609 § 4, 2004)

17.08.320 **Nursing home.**

"Nursing home" means a facility managed, supervised, or in the general care of a nursing home administrator currently and duly licensed as such by the state of Alaska, which facility is operated in connection with a hospital or in which nursing care, intermediate care, and medical services are prescribed by or performed under the general direction of persons licensed to practice medicine or surgery with the state for the accommodation of convalescents or other persons who are not acutely ill but who do require skilled or intermediate nursing care and related medical services; the term "nursing home" is restricted to those facilities the purpose of which is to provide skilled or intermediate nursing care and related medical services for a period of not less than 24 hours a day to individuals admitted because of illness, disease or physical or mental infirmity. (Ord. 05-042 § 3, 2006)

17.08.325 **Park.**

"Park" means a publicly owned area for recreational use by persons of all ages. (Ord. 454 § 4, 1992)

17.08.330 **Parking, public.**

"Public parking" means a structure or an open area, other than a street, alley or other right-of-way, used for the temporary parking of automobiles and available for public use whether free, for compensation or as an accommodation for clients or customers. (Ord. 454 § 4, 1992)

17.08.335 **Parking space, off-street.**

"Off-street parking space" means a space located off any street, alley or other right-of-way which is adequate for parking an automobile with room for opening both doors of it and adequate maneuvering room on a parking lot with access to a public street or alley. (Ord. 454 § 4, 1992)

17.08.340 **Person.**

"Person" means a natural person, his or her heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid, and the trustee, grantor and trustor of a trust. (Ord. 454 § 4, 1992)

17.08.345 **Planned unit development.**

"Planned unit development" means a group or combination of certain specified residential, commercial or industrial uses to be developed as a functional unit, the plan for which may not conform to the regulations established in any one or more zoning districts with respect to lot size, bulk, type of use, density, lot coverage, height or required open space. (Ord. 454 § 4, 1992)

17.08.350 **Plat.**

"Plat" means any map, plan or chart of a city, town, section or subdivision indicating the location and boundaries of individual properties. (Ord. 454 § 4, 1992)

17.08.355 **Playground.**

"Playground" means a publicly owned area for recreational use primarily by children. (Ord. 454 § 4, 1992)

17.08.360 **Plot.**

"Plot" means a parcel of land consisting of one or more lots or portions thereof which is described by reference to a recorded plat or metes and bounds. (Ord. 454 § 4, 1992)

17.08.363 **Power plant.**

"Power plant" means a facility used for generating electricity; an industrial complex where power, especially electricity, is generated from another source of energy such as gas, coal, nuclear reactions, flowing water, wind, solar, or other natural resource. (Ord. 10-015 § 3, 2010)

17.08.365 **Private street.**

"Private street" means a private way which affords principal means of access to abutting individual lots and auxiliary buildings. (Ord. 454 § 4, 1992)

17.08.368 **Preschool.**

"Preschool" means providing day care with or without educational services for children not yet attending elementary school; includes nursery school and kindergarten. (Ord. 489 § 3, 1995)

17.08.370 **Property line.**

"Property line" means a demarcation limit of a lot dividing it from other lots or parcels of land. (Ord. 454 § 4, 1992)

17.08.375 **Public street.**

"Public street" means a public way which affords principal means of access to abutting properties and is dedicated to the public. (Ord. 454 § 4, 1992)

17.08.380 **Residential care facility.**

"Residential care facility" means a place which provides 24-hour care for one or more people who are not related by blood, marriage or legal adoption to the owner or operator and includes facilities called group homes and institutions. (Ord. 489 § 4, 1995; Ord. 454 § 4, 1992)

17.08.385 **Right-of-way.**

"Right-of-way" means the area which is dedicated to the public over which the right of passage exists. (Ord. 454 § 4, 1992)

17.08.390 **Roominghouse.**

"Roominghouse" means any dwelling in which, for compensation, three or more persons whether individually or as families are housed or lodged, with or without meals. A boardinghouse, lodginghouse, tourist home or a furnished-room house shall be deemed a roominghouse. (Ord. 454 § 4, 1992)

17.08.395 **Salvage yard.**

"Salvage yard" means any lot, or portion of a lot, which is used for the purpose of the outdoor storage, handling, dismantling, wrecking, keeping or sale of used, discarded, wrecked or abandoned airplanes, appliances, vehicles, boats, building and building materials, machinery, equipment, or parts thereof, including, but not limited to, scrap metals, wood, lumber, plastic, fiber or other tangible materials as defined in this title under "junk." (Ord. 454 § 4, 1992)

17.08.397 **School.**

"School" means an educational institution providing primary and secondary structured teaching where students attend regularly, including all structures and land involved in the accomplishment of educational purposes. (Ord. 21-004 § 7, 2021; Ord. 489 § 3, 1995)

17.08.398 **Senior citizen.**

"Senior citizen" means an individual who is 60 years of age or older. (Ord. 05-042 § 5, 2006)

17.08.399 **Senior citizen housing.**

"Senior citizen housing" means housing in which each dwelling unit is occupied by individuals representing one or more of the following classifications:

- A. One or more senior citizens;
- B. The surviving spouse of a senior citizen who was, at the time of his or her death, living in the dwelling unit with the surviving spouse;
- C. One or more individuals who reside in the same dwelling unit as a senior citizen, so long as such individuals are related to the senior citizen within two degrees of consanguinity and nieces and nephews;
- D. One or more individuals who reside in the same dwelling unit as a senior citizen, so long as such individuals are essential to the care or well-being of the senior citizen.

Senior citizen housing also includes individuals who meet § 8 2 ability requirements of a state or federal senior housing program that provides financing for projects so long as at least 50 percent of the units in the project are occupied

exclusively by individuals who satisfy the requirements of subsection (A), (B), (C), or (D) of this section. (Ord. 05-042 § 6, 2006)

17.08.400 **Service station.**

“Service station” means a retail place of business engaged primarily in the sale of motor fuels, lubricants and other petroleum products, but also in supplying accessories and services generally required in the normal operation and maintenance of motor vehicles. The servicing of motor vehicles shall be generally limited to lubrication, nonmechanical washing, installation or replacement of accessory items, and the performance of minor automotive maintenance and repair. Body and fender work are prohibited except where specifically permitted by the regulations or by the terms of a special exception. (Ord. 454 § 4, 1992)

17.08.405 **Setback.**

“Setback” means the minimum horizontal distance between the front, rear and side lines of the lot, and the front, rear or side lines of the buildings. (Ord. 454 § 4, 1992)

17.08.410 **Shall.**

“Shall” indicates that which is required. (Ord. 454 § 4, 1992)

17.08.415 **Should.**

“Should” indicates that which is recommended but not required. (Ord. 454 § 4, 1992)

17.08.418 **Site.**

“Site” means a parcel of land consisting of one or more lots or portions thereof which is described by reference to a recorded plat or by metes and bounds. (Ord. 21-002 § 12, 2021; Ord. 454 § 4, 1992. Formerly 17.08.420)

17.08.420 **Special event.**

“Special event” means any kind of public celebration or event designated by the city manager and officially authorized as a special event. (Ord. 21-002 § 13, 2021)

17.08.421 **Special limitation.**

“Special limitation” means a provision adopted by ordinance which restricts the permitted principal uses and/or structures otherwise allowed in a zoning district or which requires compliance with site design standards not otherwise required by zoning district regulations. (Ord. 614 § 3, 2004)

17.08.422 **Special needs care.**

“Special needs care” means providing care, supervision and/or education for people requiring more than ordinary attention because of a physical and/or a mental handicap. (Ord. 489 § 3, 1995)

17.08.423 **Special needs day care facility.**

“Special needs day care facility” means a facility wherein special needs day care is provided for more than five people. (Ord. 489 § 3, 1995)

17.08.424 **Special needs housing.**

“Special needs housing” means a residential facility where tenants are physically or mentally disabled or are senior citizens. (Ord. 05-036 § 3, 2005)

17.08.425 **Story.**

“Story” means the portion of a building between any floor and the next floor above, except that the topmost story shall be that portion of a building between the topmost floor and the ceiling or roof above it. If the finished floor level directly above a basement, cellar or unused floor space is more than six feet above grade for more than 50 percent of the total perimeter or is more than 12 feet above grade at any point, such basement, cellar, or unused floor space shall be considered a story. (Ord. 454 § 4, 1992)

17.08.430 **Street.**

“Street” means a way permanently open to general use which affords the principal means of access to abutting property, such as avenue, place, drive, boulevard, highway and any other similar public thoroughfare, except an alley as defined in PMC 17.08.015. (Ord. 454 § 4, 1992)

17.08.435 **Street line.**

“Street line” means the line of demarcation between a street and the lot or land abutting thereon. (Ord. 454 § 4, 1992)

17.08.440 **Structure.**

“Structure” means anything which is constructed or erected and located on or under the ground, or attached to something fixed to the ground. (Ord. 454 § 4, 1992)

17.08.442 **Tall structure.**

“Tall structure” means a structure which by its nature is tall and is not habitable or occupiable, such as an aerial, antenna, belfry, chimney, church spire, cupola, fire hose tower, flagpole, mast monument, tank, telecommunication tower and other similar structure or facility. (Ord. 630 § 3, 2004)

17.08.445 **Trailer.**

"Trailer" means any vehicle used or intended to be used as living or sleeping quarters for humans and which may be driven, towed or propelled from one location to another without change in structure or design, whether or not the same is supported by wheels and including trailers, trailer coaches and house cars. (Ord. 454 § 4, 1992)

17.08.450 **Trailer camp, park or lot.**

"Trailer camp," "park" or "lot" means any area or premises where space for two or more trailers is rented, held out for rent or for which free occupancy or camping for such number is permitted to trailers or users for the purpose of securing their trade, herein referred to as a "trailer camp," but not including automobile or trailer sales lots on which unoccupied house trailers are parked for inspection and sales. (Ord. 454 § 4, 1992)

17.08.455 **Use.**

"Use" means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained. (Ord. 454 § 4, 1992)

17.08.460 **Use, principal.**

"Principal use" means any main activity permitted by this title. (Ord. 454 § 4, 1992)

17.08.463 **Utility substation.**

"Utility substation" means a building or structure located above ground such as pump stations and equipment buildings used to transmit, distribute, or switch power, water, sewerage, natural gas, or communications signals. (Ord. 10-015 § 4, 2010)

17.08.465 **Variance.**

"Variance" means the relaxation of the strict application of the terms of this title. This definition shall not be construed to permit a use in any district which use is prohibited therein. (Ord. 454 § 4, 1992)

17.08.467 **Winery.**

"Winery" means a facility, duly licensed by the State of Alaska, where a maximum of 50,000 gallons of wine is manufactured and bottled or barreled in one calendar year, and is sold by the bottle or barrel for consumption off site. (Ord. 09-012 § 3, 2009)

17.08.470 **Yard.**

"Yard" means a required open space on the same lot with a principal use unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility. (Ord. 454 § 4, 1992)

17.08.475 **Yard, front.**

"Front yard" means a yard extending the full width of the lot across the front of a lot adjoining a public street, and from the front lot line to the nearest exterior wall of the building, front of the bay window, or front of a covered porch or other projection, whichever is nearest to the front lot line. (Ord. 454 § 4, 1992)

17.08.480 **Yard, rear.**

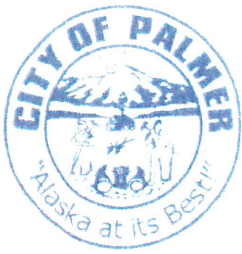
"Rear yard" means a yard extending across the rear of the lot between the inner side yard lines. In the case of double frontage lots, there will be no rear yards but only front and side yards. (Ord. 454 § 4, 1992)

17.08.485 **Yard, side.**

"Side yard" means a yard extending from the rear lot line of the front yard to the rear lot line, or in the absence of any clearly defined rear lot line to the point on the lot line involved with the public street. In the case of double-frontage lots, side yards shall extend from the rear lines of front yards required. If no front yard is required, the front boundary of the side yard shall be the front property line. (Ord. 454 § 4, 1992)

17.08.490 **Zoning administrator.**

"Zoning administrator" means a city official appointed by the city manager to administer and enforce the zoning ordinance. (Ord. 454 § 4, 1992) (The Palmer Municipal Code is current through Ordinance 21-009, passed June 8, 2021.)



Braid Hanson  
Director

Dusten Voehl  
Building Inspector

Beth Skow  
Library Director

## MEMORANDUM

Mail: 231 W. Evergreen Ave.  
Location: 645 E. Cope Industrial Way  
Palmer, AK 99645-6743  
Phone: 907-745-3709  
Fax: 907-745-5443  
www.palmerak.org

TO: Planning & Zoning Commission

FROM: Nichole Degner

DATE: July 15, 2021

SUBJECT: 17.60 General District

At the last P&Z meeting we discussed and reviewed chapter 17.60 General District. Below are the comments and suggestions for revisions discussed among the commission.

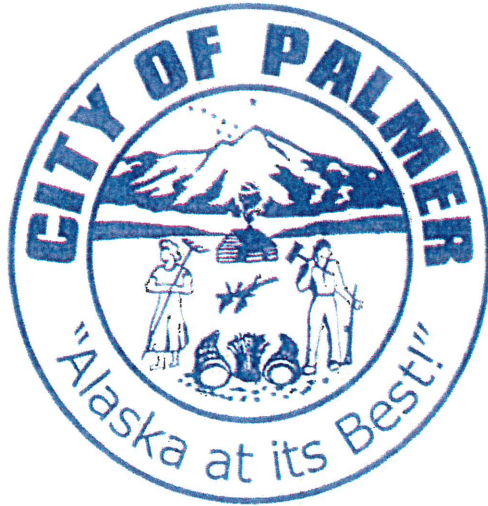
### **17.60 General District-**

1. .075: Remove - Craigslist and Facebook marketplace are more common, and effective. Subsection D would seem more fitting under Title 14.
2. Update commissioner's code book if necessary
3. Include definitions in next meeting for clarification

City of Palmer

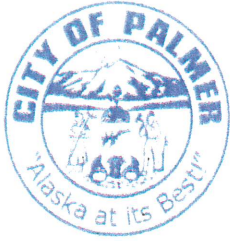
THIS PAGE LEFT INTENTIONALLY BLANK





## Plat Reviews

THIS PAGE LEFT INTENTIONALLY BLANK



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 21-019**

**SUBJECT:** Pre-Application Plat Routing Slip

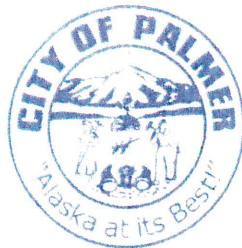
**AGENDA OF:** July 15, 2021

**ACTION:** Review and comment

**Attachment(s):** 1) Pre-Application package from MSB Platting Division  
2) Staff Comments

**Summary:** To adjust parcel lines of Tax Parcels 18N02E29 D005, D006, and D007

**Recommendation:** The staff comments regarding the abbreviated plat packet are attached.



## MEMORANDUM

TO: Fred Wagner, Chief of Platting  
FROM: Nichole Degner, Community Development  
DATE: June 24, 2021  
SUBJECT: Pre-Application Plat Review Tax Parcels D005, D006 and D007  
18N02E29

Inside City Limits

Outside City Limits

---

We have distributed the pre-application packet for the subject project and have received the following comments from the following departments:

1. City Manager: No comment.
2. Building Inspector: No comment.
3. Community Development: No comment.
4. Fire Chief: No comment.
5. Public Works: No comment.
6. Planning and Zoning Commission: The proposed platting action is scheduled to be reviewed at the July 15, 2021 Planning & Zoning Commission meeting; any additional comments will be forwarded at that time.

MATANUSKA-SUSITNA BOROUGH  
 PLATTING DIVISION  
 PRE-APPLICATION ROUTING SLIP

AOB

DUE DATE: **June 24, 2021**  
 MEETING DATE: **June 28, 2021**  
 TIME: **email only**  
 PETITIONER / #: **Tim Carmen, Bull Moose 357-6957**  
 EMAIL: [tim@bullmoosesurveying.com](mailto:tim@bullmoosesurveying.com)  
 OWNER(s) / #: **Bill Estelle**  
 SEC/TWP/RNG: **SEC 29, T18N, R02E**  
 SUBDIVISION: **NA**  
 TAX ID: **118N02E29D005/D006/D007**  
 REQUEST: **To adjust parcel lines of Tax Parcels D5 (Parcel #1, MSB Waiver 76-66, recorded 79-288w), D6 (Parcel #1, MSB Waiver 85-13-PWm, recorded 85-65w), and D7 (Parcel #2, MSB Waiver 85-13-PWm, recorded 85-65w).**

TAX MAP: **PA 05**  
 RSA#: **16 South Colony**  
 CITY OF: **NA**

**SENT PRE-APP PACKET TO:**

ASSESSMENTS, **CHARLYN SPANNAGEL**  
 ATTORNEY, **JOHN ASCHENBRENNER**  
 PLANNING DEPARTMENT, **ALEX STRAWN**  
 PLANNING DIVISION, **PLANNING EMAIL**  
 PLATTING OFFICER, **FRED WAGNER**  
 PLATTING ASSISTANT, **KIMBERLY MCCLURE**  
 DEVELOPMENT SERVICES, **THERESA TARANTO,**  
**ANDY DEAN, PERMIT CENTER**  
**LIDS, MARCIA VONEHR**

O & M DIVISION, **TERRY DOLAN, JIM JENSON,**  
**& JAMIE TAYLOR**  
 COMMUNITY DEVELOPMENT, **JILL IRSIK,**  
**& ERIC PHILLIPS**  
 PRE-DESIGN & ENGINEERING, **CINDY COREY**  
**(IF OUT CC: DEBBIE PASSMORE)**  
 CAPITAL PROJECTS, **BRAD SWORTS**  
 EMS SERVICES, **FIRE CODE**

**COMMENTS:**

PA20210132

PLT-21-8-2430

PRE-APP CHECK LIST.	
TASK	COMPLETE
Collect \$50 / Receipt	√
Collect Map	√
Collect Application	√
Schedule Date	√
Summary My Property	√
GIS Tax Map	√
OSHP Map	√
Aerial Map	√
SOA Road?	Glenn/Marsh
Cartograph Sheet	√
CITY P/W/H?	COP adjacent
Cross Check	Fw
E-Mail for Comments	√
Add to Platting Calendar	√

Tim CARMEN Pre-Application Conference Request

Name of Requestor: BILL ESTELLE / BULLMOOSE SURVEYING, INC. (EMPLOYEE)  
Mailing Address: 200 E. HYACINTH LANE  
Phone Number: 907 357 6957  
Email: TIM@BULLMOOSESURVEYING.COM

Owner's name (if different)  
BILL ESTELLE

The pre-application conference requires preparation by both parties to maximize the benefits to everyone. The more information you provide, the better staff can assist you in achieving your goals.

Required Items:

1. Fee of \$50.00. Payable to MSB. TAX MAP # PA05
2. Location of land (Township, Range, Section; Tax Account #; Subdivision Name and Lot & Block, etc.):  
T18N, R 2E, SEC 29; D5, D6, D7  
18N02E29 D005/D006/D007
3. Provide Basic dimensions of the lots to be created, the road to be built, the area to be vacated, etc.
4. Show existing rights of way with road names.
5. If eliminating lot lines or vacating easements or right-of-ways: show the area of vacation or the lot line to be eliminated.
6. If creating a street or road: show proposed rights of way.
7. Please explain the purpose of the proposed action. For lot line eliminations or easement/right-of-way vacations, please explain the reason, i.e., setback violation, encroachment, topography, etc.:  
MOVE PROPERTY LINE OF PARCEL #1 (D5) + SWAP  
ACRES IN D7 + D6 SO ORIGINAL ACCESS ROAD IS IN  
ON D7

Optional: Provide development plans to better assist borough departments with providing appropriate comments: \_\_\_\_\_

PA20210132 p14 of 8-2430

For Industrial, Commercial, or multi-family development, the Subdivision standards may not meet International Fire Code requirements for access. Contact Fire Code Official at 907-861-8030 for more info.

Pre-application conferences are scheduled ten to 21 days after acceptance of fees.

Provide if available:  
Easement Documentation  
As-Built Survey

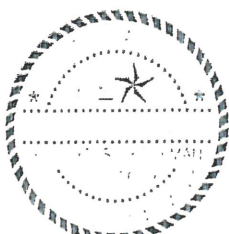
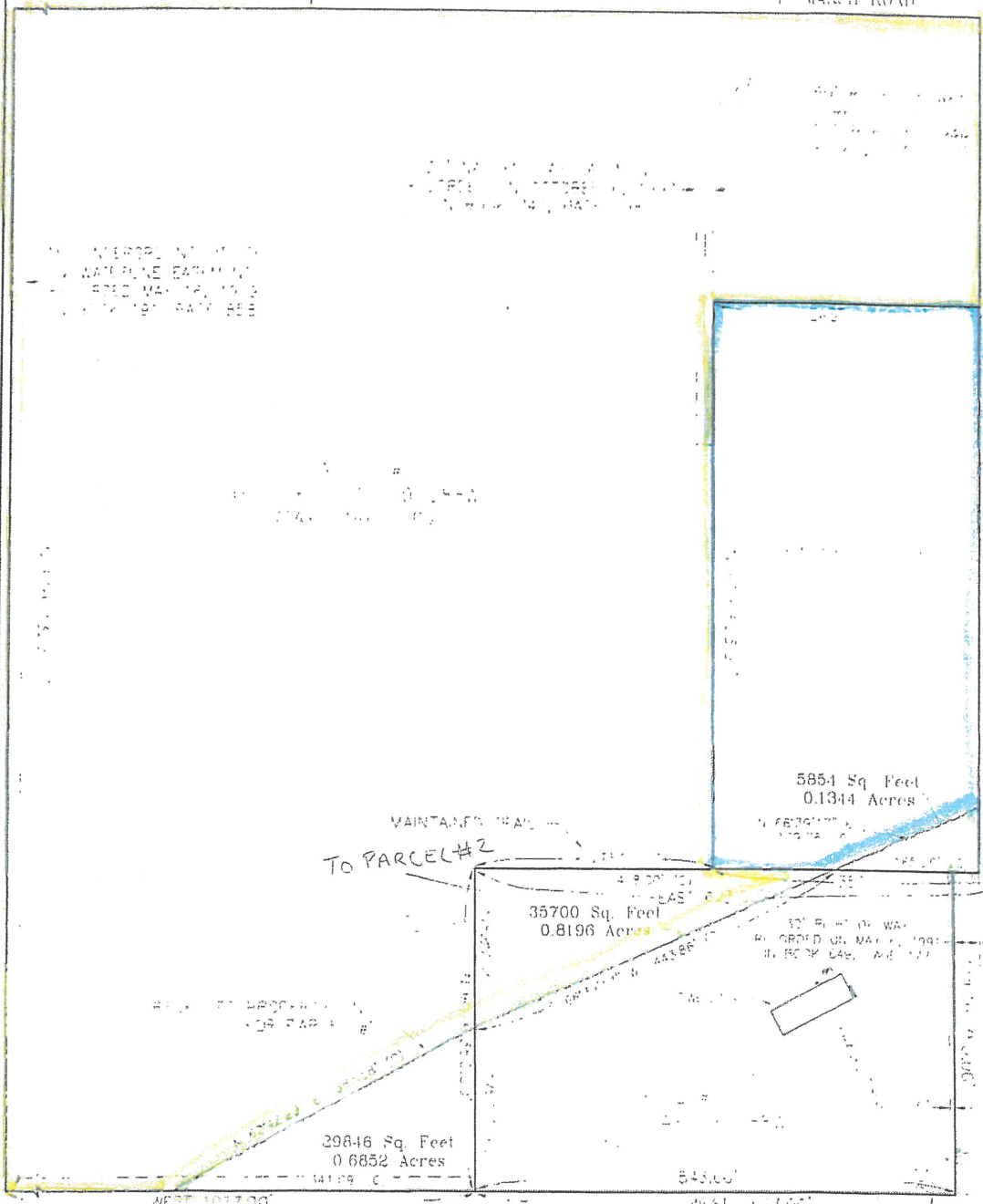
PRE-APPLICATION CONFERENCE DATE & TIME:  
6/28/21 Email Only

Return to: Matanuska-Susitna Borough  
Attention: Platting Division  
350 E. Dahlia Ave  
Palmer AK 99645

For Office Use Only  
Date Rcvd: 6/9/21  
How Paid: ec  
Initials: Ans

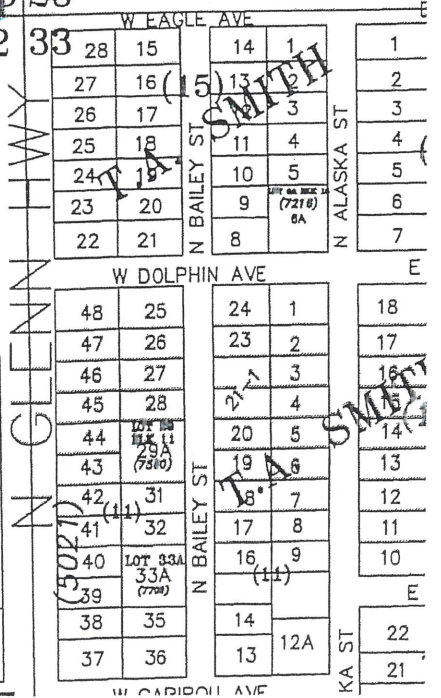
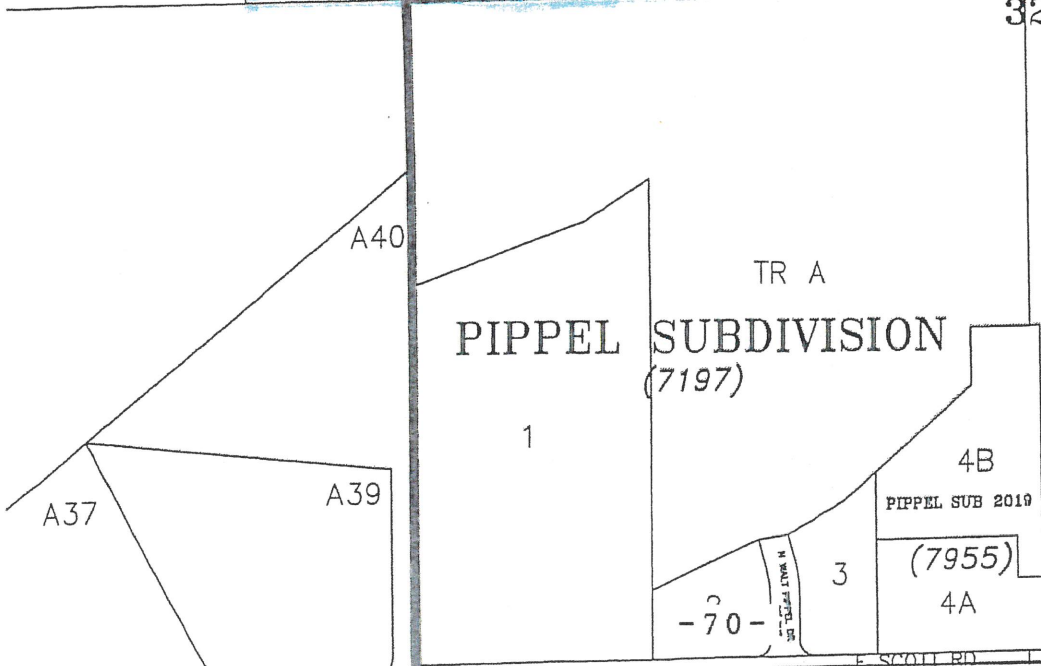
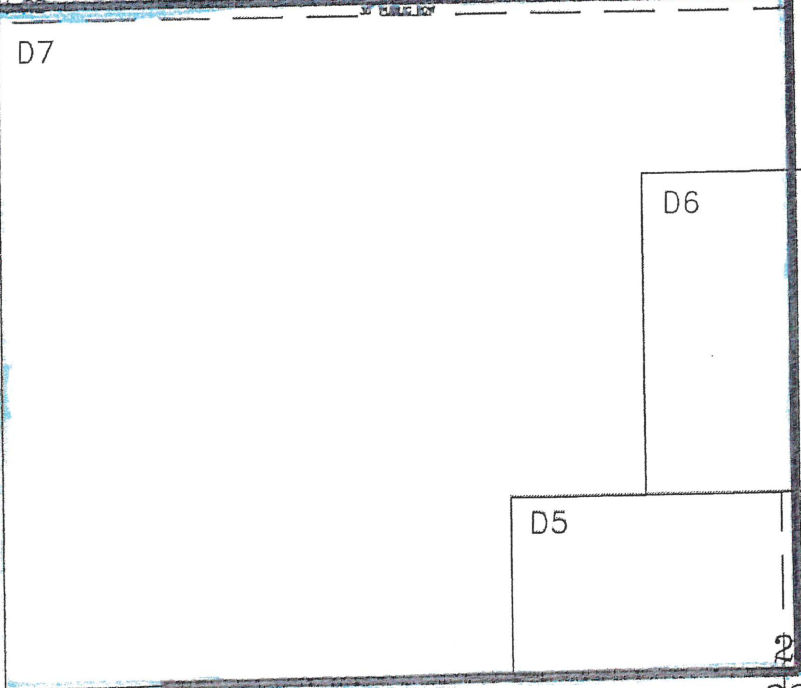
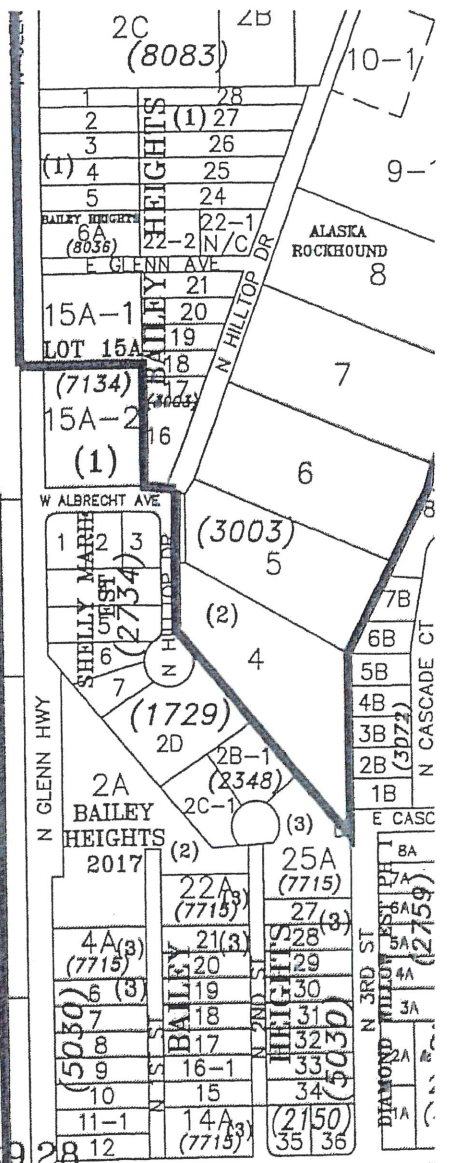
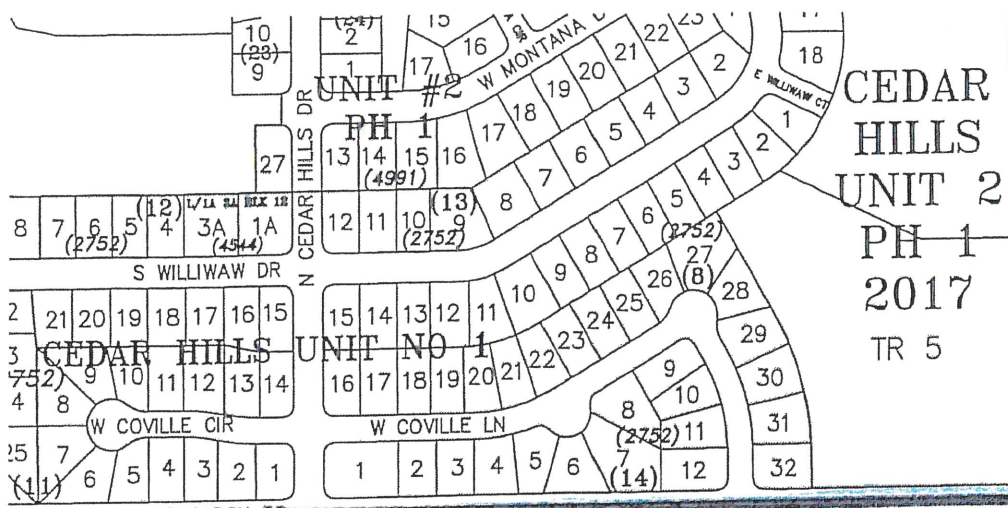
1979  
MAY 14 1980

1 MARSH ROAD



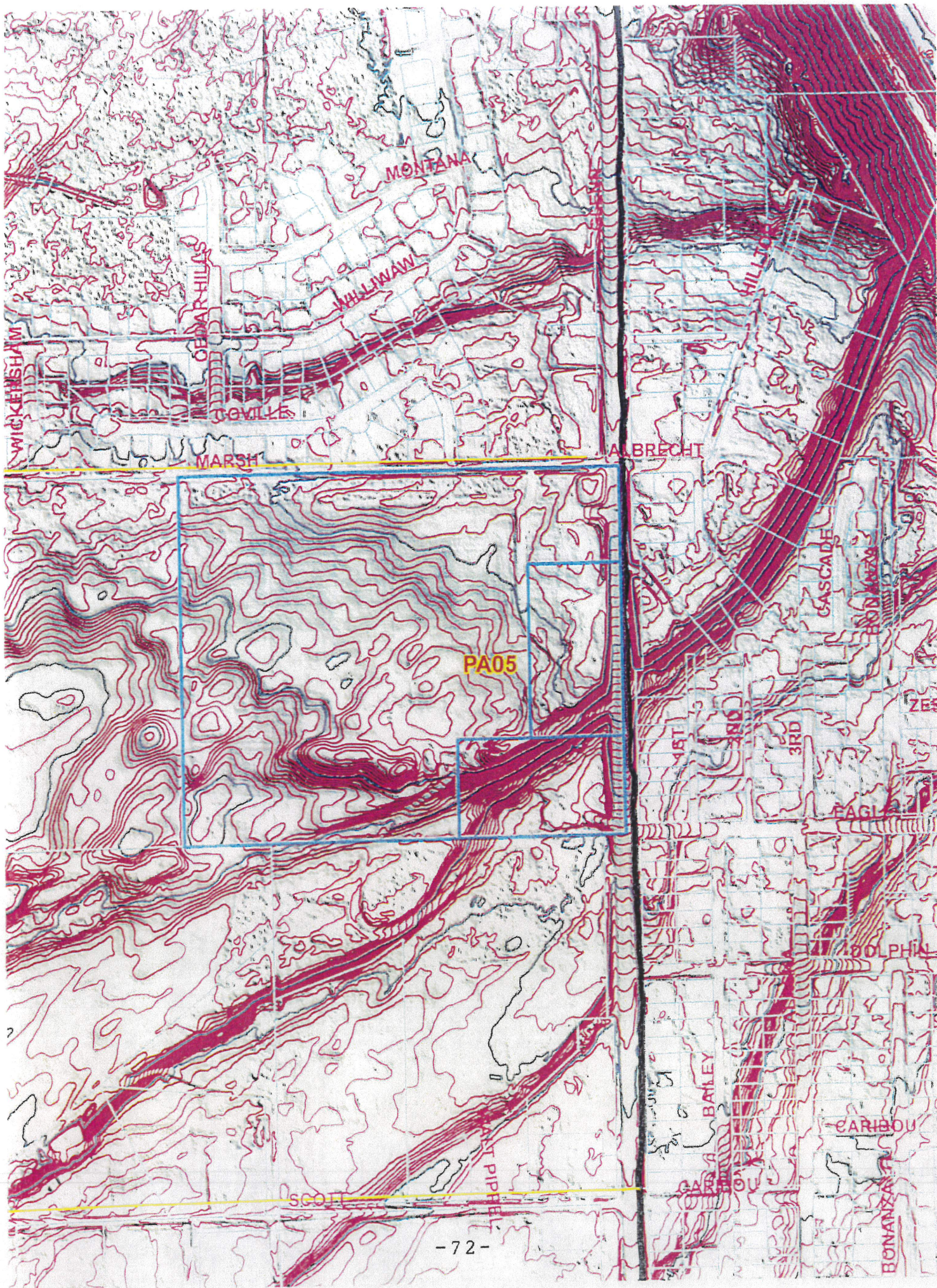
FOR THE PURPOSE OF REPLATTING TAX PARCELS D5, D6 & D7

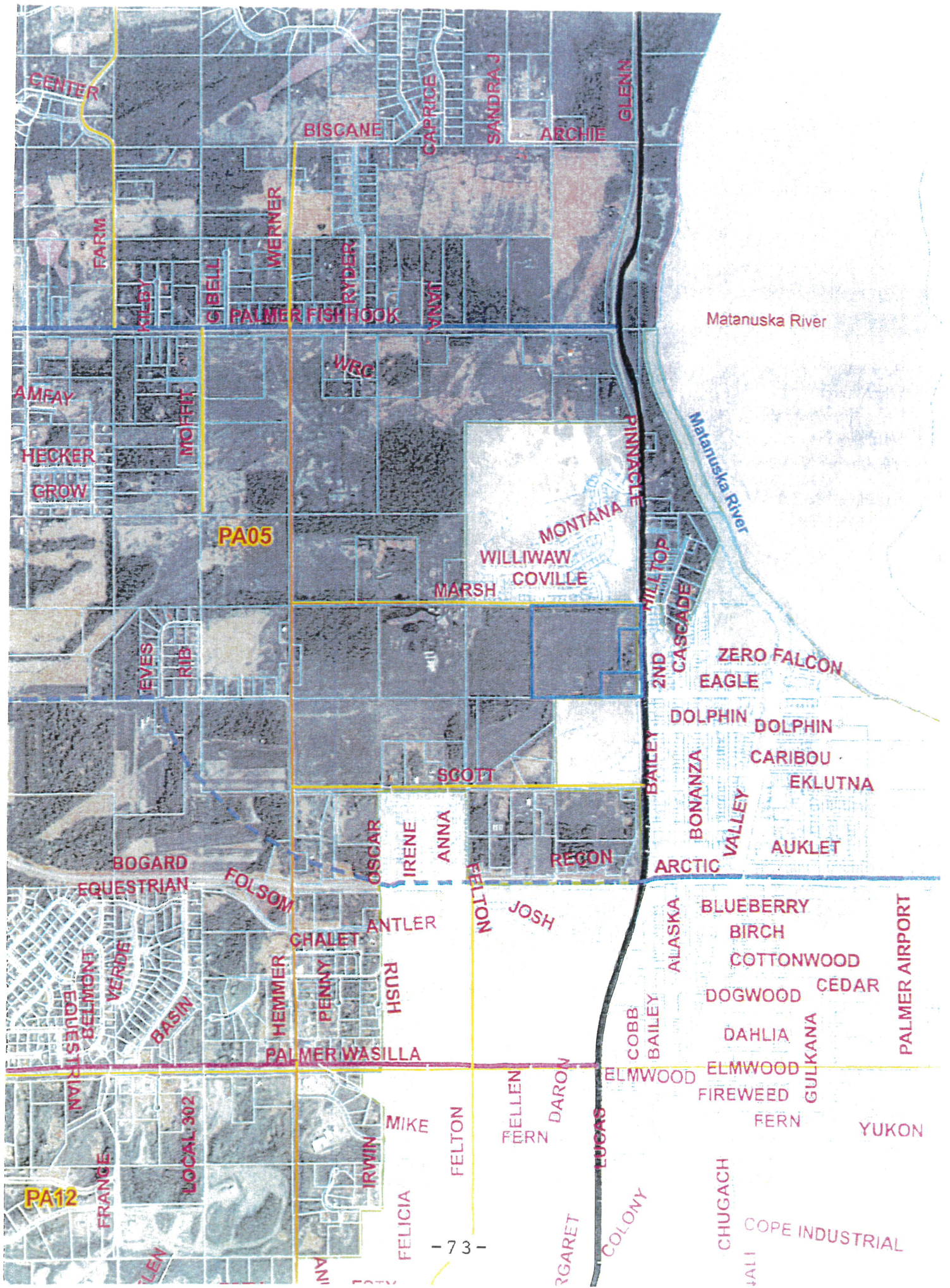
PRE APPLICATION SKETCH PARCELS #1 & #2, M.S.B WAIVER RESOLUTION 76-66 (RECORDED AS 79-288W)		BILL ESTELLE SURVEYOR
BULL MOOSE SURVEYING		BILL ESTELLE
- 69 -		BILL ESTELLE











Matanuska River

Matanuska River

PA05

PA12

- 73 -

## Cartegraph Road Information

### Road Info

Road Number: 003513  
Surface Type: 2" Asphalt  
TRS: S18N02E29  
ROW Width: 60  
Route Back: Glenn Highway  
Custodian: State of Alaska  
Status: Active

Road Name: Marsh Road  
Certified: 0  
TRS Left:  
Length: 0.55  
Route Ahead: Cedar Hills Drive  
RSA Superintendent:

RSA #: 5  
Map #: PA05  
TRS Right:  
Classification: Minor Collector  
Travel West  
Direction:  
Contractor: State of Alaska  
PALMER RSA  
AC Asphalt Concrete

*Certified Value of 1 denotes Certified.*



# MATANUSKA-SUSITNA BOROUGH

## Real Property Detail for Account: 18N02E29D005

**Site Information**

18N02E29D005  
 66553  
 S18N02E29  
 TOWNSHIP 18N RANGE 2E SECTION 29 LOT D5  
 3020 N GLENN HWY

**Ownership**

HOLT CLYDE F & ELIZABETH  
 % JEANETTE BURNS 6815 S WEBSTER ST  
 UNIT C LITTLETON CO 80128-4477

**Appraisal Information**

Year	Basic Appraised	High Appraised	Total Appraised	Assessment Year	Unimproved	High Assessed	Total Assessed
2021	\$65,400.00	\$218,100.00	\$283,500.00	2021	\$65,400.00	\$218,100.00	\$283,500.00
2020	\$65,400.00	\$209,700.00	\$275,100.00	2020	\$0.00	\$57,100.00	\$57,100.00
2019	\$65,400.00	\$196,500.00	\$261,900.00	2019	\$0.00	\$43,900.00	\$43,900.00

**Building Information**

1  
 Standard  
 None  
 Concrete Block  
 Well 1 - Drilled Well  
 1977  
 Residential Building  
 One Story  
 Frame  
 04.3  
 \$218100  
 Septic - 1 - Septic Tank

**Building Item Details**

Description	Area	Percentage
Gas Heat		
Garage (10.2) - 11G	1 Sq. Ft.	100%
Garage (10.3) Area - 11M	0 Sq. Ft.	100%
First Story	2700 Sq. Ft.	100%
	1800 Sq. Ft.	80%

**Tax/Billing Information**

Year	Assessment	Rate	Amount
2021 No	0003	::	::
2020 Yes	0003	13.293	\$759.04
2019 Yes	0003	13.419	\$589.09

**Recorded Documents**

12/30/1976 WARRANTY DEED (ALL TYPES)  
[Palmer Bk. 130 Pg. 535](#)

**Tax Account Status <sup>2</sup>**

Account	Balance	Due Date	Exemption	Assessment	Rate	Amount	Notes
Current	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	No
Land and Miscellaneous							
4.36		4.36 Assembly District 001	11.025	132 Greater Palmer Consol			016 South Colony RSA

<sup>1</sup> Total Assessed is net of exemptions and deferrals, rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

Last Updated: 6/9/2021 12:00:19 AM

<sup>2</sup> If account is in foreclosure, payment must be in certified funds.

*Coma Coma Gite Palmer*



# MATANUSKA-SUSITNA BOROUGH

## Real Property Detail for Account: 18N02E29D006

**Site Information**

18N02E29D006  
 5384  
 S18N02E29  
 TOWNSHIP 18N RANGE 2E SECTION 29 LOT  
 D6

**Ownership**

3150 N GLENN HWY  
 ESTELLE WILLIAM LEE  
 PO BOX 2553 PALMER AK 99645-2553

**Appraisal Information**

**Assessment**

Year	Market Value	Special Assessments	Other Assessments	Total	2021	2020	2019	Total
2021	\$75,000.00	\$278,200.00	\$353,200.00	2021	(\$15,000.00)	\$76,100.00	\$61,100.00	
2020	\$75,000.00	\$255,900.00	\$330,900.00	2020	(\$15,000.00)	\$63,900.00	\$48,900.00	
2019	\$75,000.00	\$237,700.00	\$312,700.00	2019	\$60,000.00	\$199,298.00	\$259,298.00	

**Building Information**

Building	Structure	Year	Foundation	Roof	Heating	Water	Septic
1	Standard	1952	Poured Concrete	Well 1 - Drilled Well	Gas	Septic - 1	Septic Tank
1	Sub-Standard	1935	Poured Concrete		Gas	Septic - 1	Septic Tank

**Building Item Details**

Item	Description	Sq. Ft.	Completion %
1	Unfinished Basement - 2A	696 Sq. Ft.	100%
1	Fin. Basement Living - 2C	696 Sq. Ft.	100%
1	Fin. Split Entry - 2D	484 Sq. Ft.	100%
1	Gas Heat	1 Sq. Ft.	100%
1	Wood Stove w/Fin-8Z	1 Sq. Ft.	100%
1	First Story	1229 Sq. Ft.	100%
1	DLB	484 Sq. Ft.	100%
2	Gas Heat	1 Sq. Ft.	100%
2	Second Story	640 Sq. Ft.	100%
2	Unfinished Basement - 2A	1126 Sq. Ft.	80 %
2	First Story	896 Sq. Ft.	100%

**Tax/Billing Information**

Year	Assessment No	Assessment	Amount
2021 No	0003		
2020 Yes	0003	13.293	\$650.03
2019 Yes	0003	13.419	\$3479.53

**Recorded Documents**

10/20/2014 QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer 2014-020937-0</a>
4/26/2007 QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer 2007-009954-0</a>
8/16/1985 QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer Bx. 410 Pg. 677</a>

**Tax Account Status <sup>2</sup>**

Current \$0.00 \$0.00 \$0.00 \$150,000.00 \$218,000.00 No

**Land and Miscellaneous**

5.00 5.00 Assembly District 001 11-255 132 Greater Palmer Consol 016 South Colony RSA

<sup>1</sup> Total Assessed is net of exemptions and deferrals, penalties, and other charges posted after Last Update Date are not reflected in balances.

<sup>2</sup> If account is in foreclosure, payment must be in certified funds.

Last Updated: 6/9/2021 12:00:19 AM



# MATANUSKA-SUSITNA BOROUGH

## Real Property Detail for Account: 18N02E29D007

**Site Information**

Parcel ID: 18N02E29D007  
 Parcel Number: 73914  
 Parcel Name: S18N02E29  
 Parcel Description: TOWNSHIP 18N RANGE 2E SECTION 29 LOT D7  
 Block: [Blank]  
 Lot: [Blank]  
 Sublot: [Blank]

Site Address: 3250 N GLENN HWY

**Ownership**

Owner: TWO WINDS LLC ESTELLE JAMES H  
 Primary Property Address: % WILLIAM ESTELLE PO BOX 2553 PALMER AK 99645  
 Buyer: [Blank]  
 Primary Parcel Address: [Blank]

**Appraisal Information**

Year	Appraisal			Assessment			
	Land	Improvements	Total	Year	Land	Improvements	Total
2021	\$349,700.00	\$0.00	\$349,700.00	2021	\$56,846.00	\$0.00	\$56,846.00
2020	\$349,700.00	\$0.00	\$349,700.00	2020	\$56,846.00	\$0.00	\$56,846.00
2019	\$360,000.00	\$0.00	\$360,000.00	2019	\$57,250.00	\$0.00	\$57,250.00

**Building Information**

**Building Item Details**

Building Number	Description	Area	Structure Category
[Blank]	[Blank]	[Blank]	[Blank]

**Tax/Billing Information**

Year	Category	Zone	Rate	Tax Billed
2021	No	0003	::	::
2020	Yes	0003	13.293	\$755.65
2019	Yes	0003	13.419	\$768.24

**Recorded Documents**

Date	Type	Document Description
4/11/2011	QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer 2011-006653-0</a>
4/11/2011	QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer 2011-006651-0</a>
4/11/2011	QUITCLAIM DEED (ALL TYPE)	<a href="#">Palmer 2011-006652-0</a>

**Tax Account Status <sup>2</sup>**

Balance	Tax Amount	Penalty	Disputed Value	Other	Total	Due Status
Current	\$0.00	\$292,854.00	\$0.00	\$0.00	\$292,854.00	No

**Land and Miscellaneous**

Gross Acres	Total Acres	Assembly District	Parcel	Fire Service Area	Food Service Area
40.00	38.86	Assembly District 001	<a href="#">11-055</a> 132 Greater Palmer Consol	016 Greater Palmer Consol	016 South Colony RSA

<sup>1</sup> Total Assessed is net of exemptions and deferrals, rest, penalties, and other charges posted after Last Update Date are not reflected in balances.

Last Updated: 6/9/2021 12:00:19 AM

<sup>2</sup> If account is in foreclosure, payment must be in certified funds.

[Empty box]

TOWNSHIP 18N RANGE 2E SECTION 29 MERIDIAN SM

MAP Pa 5

[Empty lines]

A parcel of land located in the S1/2 SE1/4 of Section 29, T. 18 N., R. 2 E., Seward Meridian, Alaska and being more particularly described by metes and bounds as follows;

BEGINNING at the Southeast Corner of said Section 29;

Thence WEST a distance of 623.00 feet;

Thence NORTH a distance of 350.00 feet;

Thence EAST a distance of 623.00 feet;

Thence SOUTH along the West boundary of a certain roadway running between Sections 28 and 29 of the Township and Range above-described a distance of 350.00 feet to the POINT OF BEGINNING, all located in the S1/2 SE1/4 of Section 29, T. 18 N., R. 2 E., Seward Meridian, Alaska and containing 5.0 Acres more or less.

[Empty lines]





[Empty box]

TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ SECTION \_\_\_\_\_ MERIDIAN \_\_\_\_\_

MAP [Empty box]

A parcel of land located in the S1/2 SE1/4 of Section 29, T. 18N., R. 2E., Seward Meridian, Alaska and being more particularly described by metes and bounds as follows:

Commencing at the Southeast corner of said Section 29;  
Thence North between Sections 28 and 29 of the aforesaid Township and range a distance of 350.00 feet to a point common to the Northeast Corner of the "HOLT" parcel as described by metes and bounds in the Warranty Deed Recorded in Book 130, Page 555, Palmer Recording District, said point being the TRUE POINT OF BEGINNING;

Thence WEST along a line common with the North Boundary of said "Holt" parcel a distance of 350.00 feet;  
Thence NORTH a distance of 623.00 feet;  
Thence EAST a distance of 350.00 feet to the Section line between aforesaid Sections 28 and 29;  
Thence SOUTH along said Section line a distance of 623.00 feet to the POINT OF BEGINNING, all located in the S1/2 SE1/4 of Section 29, T. 18N., R. 2E., Seward Meridian, Alaska and containing 5.0 acres more or less.

BOOK-PAGE	GRANTOR	DOCUMENT TYPE AND DESCRIPTION	PROCESS DATE
REC. DATE	GRANTEE		
85-65W	Ruth E Estelle	85-13 D6 (Parcel 1)	
430-672	Robert D Estelle	QD	
8-16-85	Ruth E Estelle	D6	9-18-85
430-674	Richard N Estelle	QD	
8-16-85	Ruth E Estelle	D6	9-18-85
430-676	Adela M Estelle	QD	
8-16-85	Ruth E Estelle	D6	9-18-85
430-677	Donald R Estelle	QD	
8-16-85	Ruth E Estelle	D6	9-18-85
430-679	William L Estelle	QD	
8-16-85	Ruth E Estelle	D6	9-18-85
430-681	Dorothy J Estelle	QD	
8-16-85	Ruth E Estelle	D6	9-18-85
2017-0199540	Ruth Estelle	QD	10-19-07
4-26-07	Bailey Hill LLC	D6	
2014-0209370	Bailey Hill LLC	QD	
10-20-14	William Lee Estelle (mm)	D6	12-10-14

ACRES	GROSS ACREAGE FROM	PARCEL HISTORY AND STATUS
	DEED BK _____ PG	D6 from D4
	PLAT	
5.00	WAIVER	
	COMPUTED	
	OTHER	

ACRES	ADJUSTMENTS FOR ACCESS EASEMENTS, RIGHTS OF WAY, ETC.	TAXABLE ACREAGE
		5.00

TOWNSHIP \_\_\_\_\_ RANGE \_\_\_\_\_ SECTION \_\_\_\_\_ MERIDIAN \_\_\_\_\_

MAP \_\_\_\_\_

\_\_\_\_\_ A parcel of land located in the S1/2 SE1/4 of  
 \_\_\_\_\_ Section 29, T. 18N, R. 2E., Seward Meridian,  
 \_\_\_\_\_ Palmer Recording District, Third Judicial  
 \_\_\_\_\_ District, State of Alaska and being more  
 \_\_\_\_\_ particularly described by metes and bounds as  
 \_\_\_\_\_ follows:

\_\_\_\_\_ Commencing at the Southeast Corner of said  
 \_\_\_\_\_ Section 29;  
 \_\_\_\_\_ Thence West a distance of 623.00 feet to the  
 \_\_\_\_\_ POINT OF BEGINNING;  
 \_\_\_\_\_ Thence continuing WEST a distance of 1027.00  
 \_\_\_\_\_ feet;  
 \_\_\_\_\_ Thence NORTH a distance of 1320.00 feet;  
 \_\_\_\_\_ Thence EAST along the South right of way  
 \_\_\_\_\_ boundary of a certain roadway a distance of  
 \_\_\_\_\_ 1650.00 feet;  
 \_\_\_\_\_ Thence SOUTH along the West boundary of a  
 \_\_\_\_\_ certain roadway running between Sections 28  
 \_\_\_\_\_ and 29 of the Township and Range  
 \_\_\_\_\_ above-described a distance of 970.00 feet;  
 \_\_\_\_\_ Thence WEST a distance of 623.00 feet;  
 \_\_\_\_\_ Thence SOUTH a distance of 350.00 feet to the  
 \_\_\_\_\_ POINT OF BEGINNING, all located in the S1/2  
 \_\_\_\_\_ SE1/4 of Section 29, T. 18N., R. 2E., Seward  
 \_\_\_\_\_ Meridian, Palmer Recording District, Third  
 \_\_\_\_\_ Judicial District, State of Alaska and  
 \_\_\_\_\_ containing 45 Acres more or less.

*Excepting therefrom the following parcel of land:*

\_\_\_\_\_ Commencing at the Southeast corner of said  
 \_\_\_\_\_ Section 29;  
 \_\_\_\_\_ Thence North between Sections 28 and 29 of  
 \_\_\_\_\_ the aforesaid Township and range a distance  
 \_\_\_\_\_ of 350.00 feet to a point common to the North-  
 \_\_\_\_\_ east Corner of the "HOLT" parcel as described  
 \_\_\_\_\_ by metes and bounds in the Warranty Deed  
 \_\_\_\_\_ Recorded in Book 130, Page 555, Palmer Record-  
 \_\_\_\_\_ ing District, said point being the TRUE POINT  
 \_\_\_\_\_ OF BEGINNING;

D6

\_\_\_\_\_ Thence WEST along a line common with the  
 \_\_\_\_\_ North Boundary of said "Holt" parcel a  
 \_\_\_\_\_ distance of 350.00 feet;  
 \_\_\_\_\_ Thence NORTH a distance of 623.00 feet;  
 \_\_\_\_\_ Thence EAST a distance of 350.00 feet to the  
 \_\_\_\_\_ Section line between aforesaid Sections 28  
 \_\_\_\_\_ and 29;  
 \_\_\_\_\_ Thence SOUTH along said Section line a  
 \_\_\_\_\_ distance of 623.00 feet to the POINT OF  
 \_\_\_\_\_ BEGINNING, all located in the S1/2 SE1/4 of  
 \_\_\_\_\_ Section 29, T. 18N., R. 2E., Seward Meridian,  
 \_\_\_\_\_ Alaska and contain -82-3 acres more or less.

BOOK-PAGE REC. DATE	GRANTOR GRANTEE	DOCUMENT TYPE AND DESCRIPTION	PROCESS DATE
85-65W	Ruth E Estelle	85-13 D7 (Parcel 2)	
430-670 8-16-85	Ruth E Estelle Robert D. Estelle, Richard N Estelle, James H. Estelle, Donald R. Estelle, William L Estelle and Dorothy J Estelle	QD D7	9-18-85
2011-00665 4-11-11	2-0 William L Estelle, Richard Estelle, Dorothy Estelle, Two Winds LLC	QD D7	5-25-11
2011-00665 4-11-11	0 Adela M Estelle (Widow) Two Winds LLC	QD No App Int D7 (No app int)	5-25-11
2011-00665 4-11-11	2-0 Robert Estelle (man) Two Winds LLC	QD D7	5-25-11
2011-00665 4-11-11	3-0 Donald Estelle (SM) Two Winds LLC	QD D7	5-25-11

ACRES	GROSS ACREAGE FROM	PARCEL HISTORY AND STATUS
	DEED BK _____ PG	D7 From D4
	PLAT	
40	WAIVER	
	COMPUTED	
	OTHER	

ACRES	ADJUSTMENTS FOR ACCESS EASEMENTS, RIGHTS OF WAY, ETC.	TAXABLE ACREAGE
1.14	per Easement rec @ Bk 194 Pg 659, 7/12/1979 PRD (built/in use per aerial imagery)	45.09
		38.86 +/- Net

