



**City of Palmer**  
**Planning and Zoning Commission Packet**  
**October 21, 2021**



**PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
**7 PM, THURSDAY, OCTOBER 21, 2021**  
**CITY COUNCIL CHAMBERS**  
**231 W. EVERGREEN AVENUE, PALMER**  
[www.palmerak.org](http://www.palmerak.org)



CHAIRMAN CASEY PETERSON  
VICE CHAIRMAN JOSH TUDOR  
COMMISSIONER LINDA COMBS  
COMMISSIONER LISBETH JACKSON  
COMMISSIONER SABRINA SHELTON  
COMMISSIONER KRISTY THOM BERNIER

## **AGENDA**

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
- E. Minutes of Previous Meetings
  - 1. Regular Meeting of August 19, 2021
- F. Reports
- G. Audience Participation
- H. Public Hearings
  - 1. IM 21-024: Consideration of proposed text amendment to Palmer Municipal Code Chapter 17.59 T Transitional District
- I. Unfinished Business
- J. New Business
  - 1. IM 21-023: Annual Review of Conditional Use Permits
  - 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)
  - 3. IM 21-025: Declaration of Land Use Determination
- K. Plat Reviews
- L. Public Comments
- M. Commissioner Comments
- N. Adjournment

**PLANNING & ZONING COMMISSION  
CITY OF PALMER, ALASKA**

---

**REGULAR MEETING  
THURSDAY, AUGUST 19, 2021  
7:00 P.M. - COUNCIL CHAMBERS**

**A. CALL TO ORDER:**

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

**B. ROLL CALL:**

Constituting a quorum, present in person were Commissioners:

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

Absence(s) excused without objection:

Casey Peterson, Chair  
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 roll call vote of all members present.  
[Shelton, Melin, Jackson, Combs, Tudor; Absent: Peterson, Thom Bernier]

**E. MINUTES OF PREVIOUS MEETINGS:**

1. The minutes of the **July 15, 2021 Regular Meeting** were unanimously approved as amended by roll call vote of all members present, correcting under Commissioner Comments that it was Commissioner Jackson, not Melin, regarding invite to the Valley Community Recycling Center.  
[Shelton, Melin, Jackson, Combs, Tudor; Absent: Peterson, Thom Bernier]

**F. REPORTS:**

Director Hanson reported:

- They are working on the Annual Conditional Use Permit review for the October meeting;
- Extended thank you to Pam for taking on the City Council meetings and minutes in addition to the City boards and commissions in the interim until the City Clerk position is filled.

**G. AUDIENCE PARTICIPATION:** None.

**H. PUBLIC HEARINGS:**

1. **Resolution No 21-005:** A Resolution of the Palmer Planning and Zoning Commission Recommending City Council Approve a Zoning Map Amendment for Lot 7 Block 6, Snodgrass-Newcomb #2 Subdivision to be Rezoned from R-4, High Density Residential to CG-General Commercial, Located within Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska.

Vice Chair Tudor inquired of the Commission as to any ex parte contacts. 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 6 comments were received in response, with 2 in favor, 1 opposed, and 3 no objection. Two comments were received on the table. The Applicant is Palmer Food Bank. They wish to convert this residential facility to a food bank.

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

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

Staff finds the following support in the Palmer Comprehensive Plan:

- a) Goal 1 of Chapter 6, Land Use, of the Palmer Comprehensive Plan, under Objective A recommends guiding growth and development patterns by providing adequate space for expansion of commercial uses along the Glenn Highway. The subject property is located on Arctic Avenue, which becomes the Old Glenn Hwy.
- b) Goal 4 of Chapter 6 from the Comprehensive Plan encourages new commercial developments so residents of Palmer, residents of surrounding areas, and visitors can find the goods and services they need in Palmer. Objective B notes the importance of encouraging high quality, larger scale commercial uses along the Palmer-Wasilla Highway, and several other local highways.
- c) Chapter 7, Objective A of Goal 3 also mentions the need to provide space for commercial expansion; set high standards to ensure quality development. Objective A also notes that commercial growth is essential to Palmer's quality of life and economic health.
- d) The proposed change would support the objectives and goals of the City's Comprehensive Plan by encouraging commercial development, expansion and commercial use along W. Arctic Avenue (the old Glenn Highway) which is a major transportation link in Palmer road system.

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

Staff finds:

- a) The property for the proposed rezone is contiguous to CG zoning to the North, as well as on the West side of the lot. The East and South sides of the property are zoned R-4 Residential.
- b) Among other commercial land use in the subject area are other small businesses such as a retail and gift shop, hair salon, food trucks and a kombucha brewery, as well as a church across the street located on E Arctic Avenue.
- c) If rezoned to CG-General Commercial, this parcel would continue to be compatible with surrounding zoning districts and would allow the space to expand the Palmer Food Bank.

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

Staff finds:

a) This property is adjacent to two main roads, East Arctic Avenue and South Denali Street, and would be adequate to meet any increased traffic demand in the area. Public facilities such as schools and utilities would have little to no impact to the potential rezone and are able to support the proposed change since there are several other compatible General Commercial uses in the surrounding area.

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

Staff finds:

a) The proposed rezone request would match the zoning of the surrounding area of this property. Direct access onto S. Denali St from E. Arctic Avenue supports the flow of traffic onto the parcel and would be compatible with the surrounding commercially zoned properties in the area.

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

Staff finds:

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 permitting the future use of this property to be developed for commercial activity for the benefit of Palmer residents and visitors.

Staff Recommendation: (Resolution 21-005)

Based on the information provided by the applicant and comments received from the public, staff recommends approval of the requested rezone. Staff also finds the request to rezone Lot 7, Block 6, Snodgrass-Newcomb #2 Subdivision from R-4, High Density Residential to CG-General Commercial, is consistent with, and in conformance with the Palmer Comprehensive Plan.

If following the Public Hearing, the Commission finds that the applicant's proposal conforms to the Palmer Comprehensive Plan and Zoning Code provisions, then staff recommends that the Commission approve this request for rezoning Lot 7, Block 6, Snodgrass-Newcomb #2 Subdivision from R-4, High Density Residential to CG-General Commercial and forward a recommendation for approval to the City Council.

Public Hearing: (Resolution 21-005)

Vice Chair Tudor opened the public hearing at 7:10 p.m.

Applicant's Presentation:

**Tom Sojka**, representing the Palmer Food Bank and **Jeanne Borega**, Palmer Food Bank Director:

- Testified in support of the rezoning request noting the Food Bank was so happy to find the requested location in the core area of Palmer.
- Spoke to the location, explaining that many the Food Bank clients are in this area and many of them walk, so this is definitely the best location and the Food Bank definitely needs a bigger area that would include ample parking along with easier access in and out.
- Responded to Commissioner questions, regarding primary access. The primary entry into the food

bank will be Denali, but they will also have access out onto Arctic.

Written testimony was received and read into the record by Ms. Degner, from:

Anna Hanson, Palmer resident, in support of the requested rezone.

Detlef Wanke, Palmer resident, in support of the requested rezone.

There being no others to testify, Vice Chair Tudor closed the public hearing and brought the matter back before the Commission:

The Commission reviewed and unanimously approved Findings of Fact 1-5 as proposed by staff in support of Resolution 21-005 by roll call vote of Commissioners present.

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

Vice Chair Tudor called for the Motion:

**Main Motion: For approval of Resolution No. 21-005, recommending City Council approve a Zoning Map Amendment for Lot 7, Block 6, Snodgrass-Newcomb #2 Subdivision to be Rezoned from R-4, High Density Residential to CG-General Commercial, located with Section 33, Township 18 North, Range 2 East, Seward Meridian, Alaska, to include adoption of Findings of Fact 1-5 as recommended by staff in support of Resolution 21-005 and as reviewed by the Commission.**

Moved by:	Combs
Seconded by:	Jackson
Vote:	Unanimous ( <i>Absent:</i> Peterson, Thom Bernier)
Action:	Motion Carried by roll call vote.

## 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 committee of the whole).

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

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

[The Commission entered Committee of the Whole at 7:25 p.m.; exited at 8:05]

Director Hanson updated the Commission from previous meetings regarding the T Transitional District, highlighting written report in the packet (p. 33). A draft Ordinance (Chapter 17.59 T Transitional District) has been prepared for the Commission's review incorporating the changes discussed to date (see packet p. 35-38).

Committee of the Whole, discussion included:

- At-length Commission review of the draft Ordinance and open discussion for revisions and the process for implementation of the T District, concentrating on the yellow-highlighted sections;

- Director Hanson responded to questions and emphasized that before any zoning district is approved, following annexation, there will be a series of public hearings on land use for the people to come in and testify.
- Debate occurred regarding 17.59.080 D to become C. Director Hanson will rework the language on all of the suggested changes and bring back for approval at the next meeting.

[The Commission exited Committee of the Whole at 8:05 p.m.]

**Main Motion: To amend the sections of the T Transitional Zone as discussed in Committee of the Whole and direct the Community Development Director to do so.**

Moved by:	Combs
Seconded by:	Melin
Vote:	Unanimous (Absent: Peterson, Thom Bernier)
Action:	Motion Carried by roll call vote.

**J. NEW BUSINESS:** None.

**K. PLAT REVIEWS:**

1. **IM 21-020:** Pre-application plat request to create two lots from Tax Parcel A28 (Parcel #2, MSB Waiver 2001-70-PWm) to be known as Lucas Acres.

Director Hanson reported the plat request has been distributed to city department heads, who had no changes; responded to Commissioner questions.

The Commission reviewed and had no additional comments.

2. **IM 21-022:** Pre-application routing slip to create two lots from Tract A-1, ASLS 96-004, Plat No. 99-62.

Director Hanson, Community Development, commented that the one lot stretches from Denali to Valley Way; the petitioner is requesting to divide the lot into two. The lot is zoned Industrial with Special Limitations for a brewery and accessory uses. The new lot will require a different zoning designation which has been communicated to the petitioner.

The pre-application package has been distributed to city department heads: Comments from Public Works: Will need to obtain a suitable driveway permit, and the new lot will have to have public utilities installed.

Commissioner Combs commented that the development of this area has been and continues to be an important part of development, particularly for business in Palmer, and this seems to fit right in with the school of thought that's been around for quite a while. She has no objection because it has obviously been well thought out.

There were no additional Commissioner comments.

**L. PUBLIC COMMENTS:** None.

**M. COMMISSIONER COMMENTS:**

**Commissioner Combs:**

- Updated regarding the Senior Center, that with the up-tic in the Covid variant, has decided to go back to requiring a mask, noting however that no one is policing but caution is recommended.
- Encouraged everyone to come to the State Fair Parade this coming Saturday.

**Commissioner Melin:**

- Shared that she works for Providence and commented that compassion fatigue has really set in and to be aware that we are in a crisis right now with available caregivers because of the many political aspects injected into the overall public/private health crisis; commented that if anyone knows of anyone looking for work, many of the hospitals and nursing homes are looking and are short-staffed; fatigue is definitely setting in and we don't need this to happen in our healthcare system.

**N. ADJOURNMENT:**

There being no further business, the meeting adjourned without objection at 8:25 p.m.

**APPROVED by the Planning and Zoning Commission this \_\_\_\_ day of \_\_\_\_\_, 2021.**

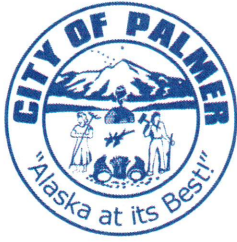
---

Josh Tudor, Vice Chair

---

Brad Hanson, Community Development Director





**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 21-024**

**SUBJECT:** Consideration of text amendment to Palmer Municipal Code Chapter 17.59 Transitional District

**AGENDA OF:** October 21, 2021

**ACTION:** Review and comment

**Attachment(s):** 1) Ordinance No. 21-0XX  
2) PMC Section 17.16.060 Annexation zoning  
3) PMC Chapter 17.59 T Transitional District

**Summary:** In May of 2021, the Planning & Zoning Commission (Commission) began a review of annexation and the Transitional District. 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 Commission has drafted changes to Chapter 17.59 that will support these areas of mixed use as well as provide consistency throughout this chapter. These proposed amendments include removing Section 17.16.060 Annexation zoning and inserting this section in 17.59 T Transitional District to eliminate duplicate code in Title 17.

Review of the Transitional district will allow determination of current land use patterns, as well as any compatibility issues within city code that need to be addressed to better accommodate annexed areas with current city boundaries.

**Recommendation:** Review draft Ordinance No. 21-0XX and if approved, move forward to City Council with recommendation for adoption.

**City of Palmer  
Ordinance No. 21-0XX**

**Subject:** Amending Palmer Municipal Code (PMC) Chapter 17.59 T Transitional District (T District) and Deleting Section 17.16.060 Annexation Zoning to be Incorporated in 17.59.030 Initial Zoning Upon Annexation

**Agenda of:** October 21, 2021

**Council Action:**     **Adopted**                       **Amended:** \_\_\_\_\_  
                                   **Defeated**

**Originator Information:**

**Originator:**    Brad Hanson, Director of Community Development

**Department Review:**

Route to:	Department Director:	Signature:	Date:
_____	Community Development	_____	_____
_____	Finance	_____	_____
_____	Fire	_____	_____
_____	Police	_____	_____
_____	Public Works	_____	_____

**Certification of Funds:**

Total amount of funds listed in this legislation:    \$ \_\_\_\_\_

This legislation (√):

- Creates revenue in the amount of:                      \$ \_\_\_\_\_
- Creates expenditure in the amount of:                      \$ \_\_\_\_\_
- Creates a saving in the amount of:                      \$ \_\_\_\_\_
- Has no fiscal impact

Funds are (√):

- Budgeted                      Line item(s): \_\_\_\_\_
- Not budgeted

Director of Finance Signature: \_\_\_\_\_

**Approved for Presentation By:**

	Signature:	Remarks:
City Manager	_____	_____
City Attorney	_____	_____
City Clerk	_____	_____

**Attachment(s):**

1. Ordinance No. 21-0XX
2. Palmer Municipal Code Section 17.16.060 Annexation Zoning
3. Palmer Municipal Code Chapter 17.59 T Transitional District
4. Planning and Zoning Minutes for August 19, 2021 (Draft)

**Summary Statement/Background:**

City Council requested that the Planning and Zoning Commission (P&Z) perform a comprehensive review of Title 17 Zoning. The proposed amendments to the Palmer Municipal Code Section 17.59 T Transitional District (T District) consolidates annexation zoning into one location within Palmer Municipal Code and simplifies language in the T District. The last review of this chapter took place in 2013.

PMC 17.59, T Transitional District was adopted in October of 2004. The intent of the T District is to transition annexed areas of mixed land use, or land uses that are incompatible with land use patterns in city of Palmer zoning districts. The Commission has drafted changes to Chapter 17.59 that will support areas of mixed use.

Changes proposed in PMC 17.59 include removing 17.16.060 Annexation zoning and including this section in 17.59 T Transitional District to eliminate duplicate code in Title 17. Reference to the Land Use Matrix in 17.28 Commercial land uses has been added to better understand land use and their appropriate zoning district. The process for public hearings following annexation has been defined, as well as transitioning some of those areas into the T district.

Goals of the T district are:

1. To create a holding zone for land use that does not impact or disrupt surrounding areas such as the R-1 district and other lower density land use areas.
2. Upon annexation, parcels that are not used for single family residential uses placed in the T District will have a timely transition into an appropriate zoning district. The purpose of the holding zone is to allow parcels adequate opportunity to receive an appropriate zoning district determination, but also briefly enough to be able to utilize the permitted land use in the determined zoning district.

The proposed amendments to the Transitional District would help future annexations to be more successful by zoning areas in compatible land use districts within existing land use.

Consider changes to this district to accommodate newly annexed areas of mixed land use that do not fall into discernable land use patterns.

**Administration's Recommendation:**

Adopt Ordinance No. 21-0XX

**LEGISLATIVE HISTORY**

Introduced by:

Date:

Public Hearing:

Action:

Vote:

Yes:

No:

--	--

CITY OF PALMER, ALASKA

**Ordinance No. 21-0XX**

**An Ordinance of the Palmer City Council Enacting**

WHEREAS, City Council requested that the Planning and Zoning Commission (P&Z) perform a comprehensive review of Title 17 Zoning; and

WHEREAS, P&Z proposes and recommends text amendments as necessary to PMC Chapter 17.59 to ensure the regulations and standards are applicable to the current needs of the community; and

WHEREAS, the city of Palmer, in 2020 conducted an annexation study that recommended a review of select City codes and policies that would facilitate future annexation zoning considerations.

THE CITY OF PALMER, ALASKA, ORDAINS:

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

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

Section 3. Palmer Municipal Code Section 17.16.060 Annexation zoning is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**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)~~

Section 4. Palmer Municipal Code Section 17.59.030 Initial zoning upon annexation is hereby amended to read as follows (new language is underlined and deleted language is stricken):

### **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)~~

When land becomes a part of the city by means of annexation, the process for zoning shall be as follows:

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. Privately owned parcels that are primarily used within a designated zoning district identified in PMC 17.28 that are compatible may be designated by the commission in PMC 17.80

C. Privately owned parcels primarily used for single-family residential purposes (MAY) shall be classified as R-1, single-family residential, R-1E, Rural Residential;

D. Parcels owned by a governmental agency and not intended for uses allowed in a public use district shall be classified as T, transitional use

E. Privately owned parcels not in use upon the effective date of the annexation (MAY) shall be classified as T, transitional use.

F. Owner-initiated zoning map amendments may be made at any time in accordance with Chapter [17.80](#) PMC.

Section 5. Palmer Municipal Code Section 17.59.040 Permitted principal and accessory uses and structures is hereby amended to read as follows (new language is underlined and deleted language is stricken):

### **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)

C. Land uses as defined in the Palmer use matrix in PMC [17.28.020](#).

Section 6. Palmer Municipal Code Section 17.59.050 Conditional uses is hereby amended to read as follows (new language is underlined and deleted language is stricken):

### **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)

Section 7. Palmer Municipal Code Section 17.59.080 Limitations to change of land use and structures is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**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.~~ Land uses as defined in the Palmer use matrix in PMC 17.28.020.

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)

Section 8. Palmer Municipal Code Section 17.59.090 Setbacks and buffers for expansion or new structures is hereby amended to read as follows (new language is underlined and deleted language is stricken):

**17.59.090 Setbacks and buffers for expansion or new structures.**

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~~ not make up more than 50 percent of the mixture.

Section 9. Effective Date. Ordinance No. 21-0XX shall take effect upon adoption by the city of Palmer City Council.

**Passed and approved** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Edna B. DeVries, Mayor

\_\_\_\_\_  
Nichole Degner, Interim City Clerk

## 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)

**The Palmer Municipal Code is current through Ordinance 21-016, passed September 28, 2021.**

Disclaimer: The city clerk's office has the official version of the Palmer Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

**Note:** This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

[City Website: www.palmerak.org](http://www.palmerak.org)

[Code Publishing Company](#)

---

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 abutting 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 no 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)

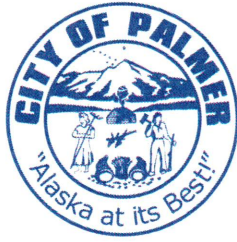
**The Palmer Municipal Code is current through Ordinance 21-016, passed September 28, 2021.**

Disclaimer: The city clerk's office has the official version of the Palmer Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

**Note:** This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

[City Website: www.palmerak.org](http://www.palmerak.org)

[Code Publishing Company](#)



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 21-023**

**SUBJECT:** Annual Review of Conditional Use Permits

**AGENDA OF:** October 21, 2021

**ACTION:** Review and comment

**Attachment(s):** 1) Log of Active Conditional Use Permits  
2) Pertinent Information for specific CUP's  
a) Alaska Demolition – 2021 Site Survey and Estimated Volumes

**Summary:** The Commission annually reviews for compliance all active conditional use permits in the city of Palmer. The attached log reflects 31 active conditional use permits and their status.

Community development staff conducted site visits on all 31 conditional uses and found 29 to be compliant, and 2 require additional information. Staff is in the process of confirming the current depth measurement of the gravel extraction pit for AK Demo. Conditional use number 24 states the depth of gravel extraction shall not exceed a depth of 130 feet above sea level. There are areas of the pit that are below the limitation of 130 feet. To bring into compliance AK Demo is expected to backfill the extraction pit to the required depth.

Conditional Use Permit #20-002 U-Haul Conditional use has been signed and executed. The remaining document needed from U-Haul (AMERCO) is the limited development plan to complete the LRE (Large Retail Establishment) application.

A conditional use permit is no longer required for Matanuska Towing and Recovery due to code changes to fencing requirements.

**Recommendation:** Review information and direct staff if further action is necessary for compliance of any active conditional use permits.



## ACTIVE CONDITIONAL USE PERMITS As of October 1, 2021

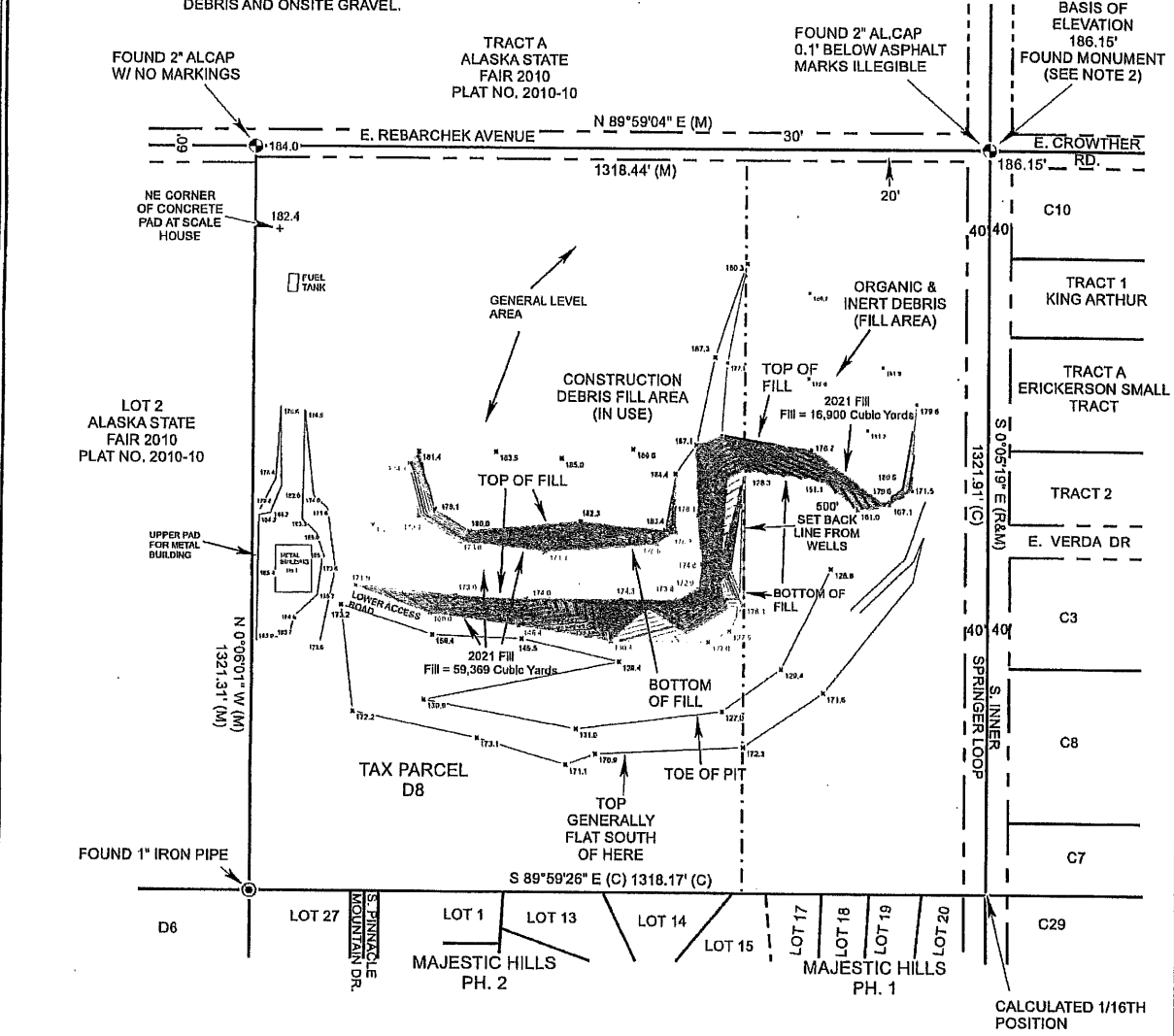
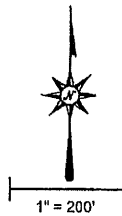
CUP #	Legal Description	Owner or Function	Physical Address	Date Issued/ Renewed	Type	Status
07-006	Palmer Industrial Park Lot A-06	Enstar	1632 S Bonanza St. across from the MTA Building	7/17/07	99' Tower	Open/Compliant
	Matanuska Maid RSB Tract B, Lots 1 - 3	Alaska Bible College	248 E. Elmwood Street	9/9/11	College	Open/Compliant
	St. Johns Subdivision, Lot 2	St. John's Lutheran Church	440 E. Elmwood Avenue	5/18/05	Off-Site Parking Lot	Open/Compliant
09-007	Cope, Portion Tract C	Alaska Family Services	1825 S. Chugach Street	4/1/03 4/16/09	Emergency Shelter, Office and Office Addition	Open/Compliant
07-001 08-002	Chugach Colony Estates	Various Owners	920 S. Chugach Street	4/19/07 8/21/08	Senior Housing & Sfg. Units	Open/Compliant
	Mountain Rose Est.	Mountain Rose Estates	E. Carnille Rose Court off of S. Chugach Street	8/31/00	Active adult community	Open/Compliant
	Tesoro Fuel	Propane Storage Tank	400 W. Glacier View Ave.	4/5/11	Propane Storage Tank	Open/Compliant
	Glacier View L2 B1	Midas	1225 S. Glenn Highway	5/3/00	Carwash	Open/Compliant
	Promissory Point Subdivision, Lot 3	1 <sup>st</sup> Baptist Church of Palmer	1150 E. Helen Drive	4/22/11	Youth Addition	Open/Compliant
	Hidden Ranch, Lot #1	Matanuska Telephone	1423 E. Hidden Ranch Loop	5/17/05	Communications Hut	Open/Compliant
	Palmer Industrial Park, Tract C-1	Progressive Coatings/AT&T 100' Monopole	1320 S. Industrial Way	9/19/02	100' Monopole Com Tower	Open/Compliant
	T17N, R2E, S5, C16	Alaska Wireless	1632 S. Bonanza St. Located within the SOA DOT Maintenance Lot	7/2/01	99' Cellular Tower	Open/Compliant
07-005	T17N, R2E, S5, D-11	Purely Alaskan Water	1800 Glenn Highway	4/3/99 6/29/07	Water bottling plant	Open/Compliant
	Lot 1, Promissory Point	Noel Kopperud	1125 E. Moore Road	10/4/06	Contractor Equipment Yard	Open/Compliant
07-002	Lot 1, Promissory Point	Noel Kopperud	1125 E. Moore Road	5/21/07	Caretaker's Residence	Open/Compliant



## ACTIVE CONDITIONAL USE PERMITS As of October 1, 2021

CUP #	Legal Description	Owner or Function	Physical Address	Date Issued/ Renewed	Type	Status
	17N02ES05 Lot A-26	Verizon Wireless John Novosad	1398 S. Glenn Highway	11/22/11	99' Communications Tower	Open/Compliant
	17N02E08D008	Alaska Demolition	550 E. Rebarchek Avenue	10/21/20- 2/1/29	Landfill & Gravel Extraction	Follow up on information
	Johns , L 2-1	Catholic Archbishop of Anc.	221 S. Valley Way	12/29/92	Food bank	Open/Compliant
	Bugge's Hill, Tract 00B	Church of Jesus Christ of Latter Day Saints	560 W. Arctic Ave.	6/1/94	Church	Open/Compliant
09-008	Sherrord Wind Generator	Sherrord Elementary School	Gulkana Street	9/17/09	Erection of 50' wind turbine	Open/Compliant
07-004	City of Palmer	Palmer Police Department	423 S. Valley Way	6/27/07	PPD Shelter & Tower	Open/Compliant
	RIP Cemetery	Palmer Cemetery Assoc.	Arctic Blvd.	7/28/04	Continued Use Cemetery	Open/Compliant
	T.A. Smith, L8-15, B9	Episcopal Diocese	323 N. Alaska Street	7/10/98	St. Bartholomew's Church	Open/Compliant
	Palmer Airport L. P. 97-1	City of Palmer	101 Airport Road; Forestry Division	9/7/99	100' Antenna tower	Open/Compliant
	Deneke Park, Lot 1	State Office	515 E. Dahlia Street	06/14/99	Heliport	Open/Compliant
	Lots 13, 14, 15 & 11-1, Block 1, Bailey Heights	Palmer Pentecostal Church	235 W. Albrecht Avenue	10/29/12	Expansion of existing church	Open/Compliant
	Tax Parcel B3, 33-18N-2E	New Harvest/Apostolic Resource Centre, Inc.	555 N. Gulkana Street	1/2/13	Continued use of structure as a church	Open/Compliant
	Tract A, Fisher's Corner	Robert & Barbara Fisher & Fisher's Fuel, Inc.	175 W. Arctic Avenue	P & Z approved 7-19-18	Car Wash	Open/Compliant
	Alaska State Fair	Arctic Alaska Region of The SCCA	2075 S. Glenn Highway	4/18/19	SCCA Events	Open/Compliant
	Lot 4-1, Block 2, Christensen Addn.	Dean Phipps	398 N. Eklutna Street	6/20/19	STR - Type-1 in R-1	Open/Compliant
	5387000L001A	AMERCO (U-Haul)	650 S. Cobb St	6/4/2021	Propane Tank	Has not initiated

- NOTES:
1. THIS PARCEL MAY BE SUBJECT TO RESERVATIONS, EXCEPTIONS, EASEMENTS, RIGHT-OF-WAYS, AND OTHER MATTER, IF ANY, NO TITLE RESEARCH WAS CONDUCTED.
  2. ELEVATION AS SHOWN ON UPDATED SITE MAP BY SHANNON & WILSON, INC.
  3. (R) RECORD DATA FROM PLAT NO. 2005-5, (M) MEASURED DATA
  4. FILL AREA ARE A COMBINATION OF CONSTRUCTION DEBRIS AND ONSITE GRAVEL.



**DENALI NORTH** 230 E. Paulson Ave. Suite 67 Wasilla, Alaska 99654  
Phone (907) 378-9535

I HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTY: A PORTION OF THE NE 1/4 SE 1/4, SECTION 0, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA TAX PARCEL D8 PALMER RECORDING DISTRICT, AND THERE ARE NO ENCROACHMENTS VISIBLE AT THE TIME OF THIS SURVEY, EXCEPT AS INDICATED.

DATED THIS 8TH DAY OF SEPTEMBER 20 21 AT PALMER, ALASKA, IT IS THE RESPONSIBILITY OF THE OWNERS OR BUILDERS TO DETERMINE THE EXISTENCES OF ANY EASEMENTS, COVENANTS OR RESTRICTIONS WHICH DO NOT APPEAR ON THE RECORDED SUBDIVISION PLAT. UNDER NO CIRCUMSTANCES SHOULD ANY DATA HEREON BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OR FENCE LINES. THIS IS NOT A LOT CORNER SURVEY.

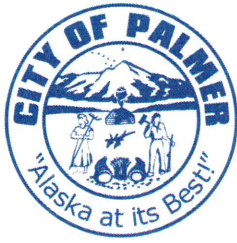


**ALASKA  
DEMOLITION  
DISPOSAL SITE  
FILL MONITORING**

2021

JOB NO. 07214/2008/A-1, 2009/A-2, /2010/A-2, /2011/A-2, /2012/A-1, 13-167/2013, 14-213/2014, 15-386/2015, 16-328/2016, 17-375/2017, 18-304/2018, 19-333/2019, 20-291/2020, 21-333/2021

FIELD BOOK(PG(S). 253/B-21  
SCALE 200 Feet | PLOT PLAN | ASBUILT X | DRAWN GL | CKD. WW



**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  
October 21, 2021

**ACTION:** Review and comment

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

**Summary:**

**October 21, 2021 UPDATE**

P&Z requested discussion on General District be postponed until progress was made on the T District.

**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.

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.**

## Chapter 17.08 DEFINITIONS

### Sections:

17.08.004	Accessory.
17.08.005	Accessory dwelling unit (ADU).
17.08.006	Accessory use.
17.08.007	Adult.
17.08.008	Agriculture.
17.08.010	Agricultural building.
17.08.012	Agricultural products.
17.08.014	Agriculturally related products.
17.08.015	Alley.
17.08.020	Alteration.
17.08.025	Apartment.
17.08.030	Area, building.
17.08.032	Assisted living home.
17.08.035	Automobile wrecking.
17.08.037	Babysitting.
17.08.040	Borough.
17.08.041	Brewery.
17.08.042	Brewpub.
17.08.045	Building.
17.08.050	Building, existing.
17.08.055	Building height.
17.08.060	Building line.
17.08.065	Building official.
17.08.070	Building, principal or main.
17.08.071	Building, storage.
17.08.072	Building, temporary.
17.08.074	Campground.
17.08.075	Caretaker dwelling unit.
17.08.076	Central business district.
17.08.077	Child.
17.08.078	Child care facility.
17.08.080	Church.
17.08.085	City.
17.08.090	Clerk.
17.08.091	Commercial parking.
17.08.095	Commission.
17.08.100	Common area.
17.08.105	Community system (water or sewage).
17.08.110	Conditional use permit.
17.08.111	Conex.
17.08.113	Day care.
17.08.115	Density.
17.08.117	District.
17.08.120	Driveway.
17.08.125	Dwelling.
17.08.130	Dwelling, factory-built.
17.08.135	Dwelling, multiple-family.
17.08.140	Dwelling, one-family or single-family.
17.08.145	Dwelling, prefabricated.
17.08.150	Dwelling, two-family.
17.08.155	Dwelling unit.
17.08.160	Easement.
17.08.165	Enforcing agency.
17.08.170	Family.
17.08.172	Family child care.

17.08.175	Fence.
17.08.180	Floor area, gross.
17.08.185	Frontage.
17.08.190	Garage.
17.08.195	Garage, repair.
17.08.196	Garage or yard sale.
17.08.200	Grade (ground level).
17.08.205	Guest room.
17.08.207	Handicap.
17.08.208	Handicapped accessible ramps.
17.08.210	Health authority.
17.08.217	Home based commercial business.
17.08.218	Home child care.
17.08.220	Home occupation.
17.08.222	Home special needs care.
17.08.223	Hospice facility.
17.08.225	Hospital.
17.08.230	Hotel.
17.08.235	Housing.
17.08.240	Junk.
17.08.245	Junkyard.
17.08.247	Large retail establishment.
17.08.250	Loading space.
17.08.255	Lot.
17.08.260	Lot, corner.
17.08.265	Lot depth.
17.08.270	Lot, front.
17.08.275	Lot line, front.
17.08.280	Lot line, rear.
17.08.285	Lot line, side.
17.08.290	Lot width.
17.08.291	Marijuana cultivation facility.
17.08.292	Marijuana manufacturing facility.
17.08.293	Marijuana retail store.
17.08.294	Marijuana testing facility.
17.08.295	Mental health facility.
17.08.296	Microbrewery.
17.08.297	Mixed use.
17.08.300	Mobile home.
17.08.305	Mobile home park.
17.08.310	Motel.
17.08.316	Nonconforming use.
17.08.320	Nursing home.
17.08.325	Park.
17.08.330	Parking, public.
17.08.335	Parking space, off-street.
17.08.340	Person.
17.08.345	Planned unit development.
17.08.350	Plat.
17.08.355	Playground.
17.08.360	Plot.
17.08.363	Power plant.
17.08.365	Private street.
17.08.368	Preschool.
17.08.370	Property line.
17.08.375	Public street.
17.08.380	Residential care facility.
17.08.385	Right-of-way.
17.08.390	Roominghouse.



17.08.395	Salvage yard.
17.08.397	School.
17.08.398	Senior citizen.
17.08.399	Senior citizen housing.
17.08.400	Service station.
17.08.405	Setback.
17.08.410	Shall.
17.08.415	Should.
17.08.418	Site.
17.08.420	Special event.
17.08.421	Special limitation.
17.08.422	Special needs care.
17.08.423	Special needs day care facility.
17.08.424	Special needs housing.
17.08.425	Story.
17.08.430	Street.
17.08.435	Street line.
17.08.440	Structure.
17.08.442	Tall structure.
17.08.445	Trailer.
17.08.450	Trailer camp, park or lot.
17.08.455	Use.
17.08.460	Use, principal.
17.08.463	Utility substation.
17.08.465	Variance.
17.08.467	Winery.
17.08.470	Yard.
17.08.475	Yard, front.
17.08.480	Yard, rear.
17.08.485	Yard, side.
17.08.490	Zoning administrator.

#### 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 protective 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)

\* Code reviser’s note: Ord. [21-002](#) added a new PMC 17.08.076. This section, formerly PMC 17.08.075, has been editorially renumbered to preserve alphabetization.

**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)

\* Code reviser’s note: This section was added by Ord. [21-002](#) as PMC 17.08.076. It has been editorially renumbered to preserve alphabetization.

**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. 489 § 3, 1995)

**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)

\* Code reviser’s note: This section was added by Ord. 21-002 as PMC 17.08.011. It has been editorially renumbered to preserve alphabetization.

**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 on a 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 inoperable 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, 1995; Ord. 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)

\* Code reviser’s note: This section was added by Ord. 05-042 as PMC 17.08.224. It has been editorially renumbered to preserve alphabetization.

**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 the eligibility requirements of a state or federal senior housing program that provides financing for projects so long as at least 80 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.**

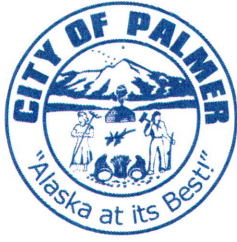
“Rear yard” means a yard extending across the rear of the lot between the inner side yard lines. In the case of double frontage lots, there will be no rear yards but only front and side yards. (Ord. 454 § 4, 1992)

**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)



**CITY OF PALMER  
PLANNING & ZONING COMMISSION  
INFORMATION MEMORANDUM 21-025**

**SUBJECT:** Declaration of Land Use Determination

**AGENDA OF:** October 21, 2021

**ACTION:** Review and Confirm Zoning Administrator Land Use Determination

**Attachment(s):** 1) Planning and Zoning Resolution 21-006

**Summary:** The City of Palmer amended Palmer Municipal Code (PMC) to allow the zoning administrator to make land use determinations that are not fully defined within commercially zoned districts in Title 17. The land use determination criteria are outlined below.

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

The Palmer Food Bank has purchased property on Arctic Avenue to improve the delivery and convenience of goods to food bank recipients. Currently they have a conditional use permit for the food bank, located at 221 South Valley Way.

Planning and Zoning Resolution #21-006 confirms the zoning administrator's determination that food banks are a permitted use in the CG-Commercial General District.

**Recommendation:** Confirm the land use determination of the zoning administrator to permit food banks as a use by right in the CG-Commercial General District.

PALMER PLANNING AND ZONING COMMISSION

RESOLUTION NO. 21-006

A RESOLUTION OF THE PALMER PLANNING AND ZONING COMMISSION RECOMMENDING PALMER PLANNING AND ZONING COMMISSION CONFIRM THE ZONING ADMINISTRATORS COMMERCIAL LAND USE DETERMINATION FOR FOOD BANK AS A PERMITTED USE IN THE COMMERCIAL GENERAL DISTRICT IN PALMER MUNICIPAL CODE SECTION 17.28

WHEREAS, the Palmer Food Bank, has initiated a zoning map amendment application to change the zoning designation for Lot 7, Block 6, Snodgrass-Newcomb #2 Subdivision from R-4, High Density Residential to CG-Commercial General; and

WHEREAS, a request for a zoning map amendment was reviewed by the Planning and Zoning Commission and a recommendation reflecting the findings of the Commission were forwarded to Palmer City Council who unanimously adopted the ordinance changing the zoning district to CG-Commercial General; and

WHEREAS, the Palmer City Council adopted amendments to Palmer Municipal Code section 17.32 allowing the Zoning Administrator to make a determination of the compatibility of land use not defined that will be confirmed by the Planning and Zoning Commission at the next duly noticed regular meeting; and

WHEREAS, the intent of the CG-Commercial General district is established as a district in which the principal use of land is for commercial enterprises to provide for commercial enterprises which serve the needs of a large population and a large land area, and to provide centralization of services by allowing heavier uses; and

WHEREAS, a food bank is a land use that is usually non-profit organization that collects donated food and distributes it to people in need and is not specifically identified in PMC 17.28; and

WHEREAS, the patronage and traffic impacts are similar to retail and services within the CG-Commercial District; and

WHEREAS, a food bank is compatible with other land uses permitted with in the CG-Commercial General district considering intensity and compatibility.

NOW, THEREFORE, BE IT RESOLVED that the Palmer Planning and Zoning Commission does hereby confirm the findings presented by the zoning administrator for food banks to be included as a permitted use in the CG-Commercial General District in Palmer Municipal Code Section 17.28.

Passed by the Planning and Zoning Commission of the City of Palmer, Alaska, this 21<sup>st</sup> day of October 21, 2021.

\_\_\_\_\_  
Casey Peterson, Chairman

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